

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

**Regular Meeting Agenda
Tuesday, November 1, 2022**

7:00 PM

MEETING PARTICIPATION OPTIONS

VIRTUAL:

Join Zoom Meeting Link:

<https://us02web.zoom.us/j/87031665680>

Meeting ID: 870 3166 5680

[Zoom Access Instructions](#)

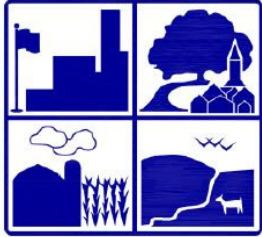
IN-PERSON:

**Ferguson Township Municipal Building
Main Meeting Room
3147 Research Drive
State College, PA**

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- I. CALL TO ORDER**
 - II. PLEDGE OF ALLEGIANCE**
 - III. CITIZENS INPUT**
 - IV. APPROVAL OF MINUTES**
 - V. AUTHORITIES, BOARDS, AND COMMISSION REPORTS**
 - VI. SPECIAL REPORTS**
 - VII. COG REGIONAL REPORTS**
 - VIII. STAFF REPORTS**
 - IX. UNFINISHED BUSINESS**
 - 1. Public Hearing – Amending Chapter 27, Zoning, Part 7, Supplemental Regulations, Section 710 Tower-Based Wireless Communications Facilities and Part 11, Section 1102
 - X. NEW BUSINESS**
 - 1. Consent Agenda
 - 2. 2023 Centre Region Council of Governments Summary Budget
 - 3. Salvation Baptist Church Preliminary LDP
 - 4. Award contract 2018-C2OU, Park Hills Drainageway Utility Relocation
 - 5. Award contract 2019-C21, Pine Grove Mills LED Street Light Conversion
 - XI. COMMUNICATIONS TO THE BOARD**
 - XII. CALENDAR ITEMS**
 - XIII. ADJOURNMENT**



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TOWNSHIP OF FERGUSON

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BOARD OF SUPERVISORS Regular Meeting Agenda Tuesday, November 1, 2022 7:00 p.m.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S INPUT** 5 minutes per resident
- IV. APPROVAL OF MINUTES**
 - 1. October 11, 2022, Board of Supervisors Worksession Minutes
 - 2. October 18, 2022, Board of Supervisors Meeting Minutes
- V. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT** 20 minutes
 - 1. State College Borough Water Authority – Ford Stryker
 - 2. Centre Region Parks and Recreation Authority – Bill Keough
- VI. SPECIAL REPORTS AND ACKNOWLEDGEMENTS** 20 minutes
 - 1. Diversity, Equity, and Inclusionary Acknowledgements – *National Native American, American Indian, and Alaskan Native Heritage Month, Veterans Day, Thanksgiving*
 - 2. Township and Fiscal Responsibility – *Millbrook Marsh and Boardwalk Presentation*
 - 3. Community and Economic Development – no report
 - 4. Environment – no report.
- VII. COG AND REGIONAL COMMITTEE REPORTS** 25 minutes
 - 1. COG COMMITTEE REPORT**
 - a. Facilities Committee
 - b. Executive Committee
 - 2. OTHER COMMITTEE REPORTS**
- VIII. STAFF REPORTS**
 - 1. Township Manager's Report – no report.
 - 2. Public Works Director Report
 - 3. Planning and Zoning Report

IX. UNFINISHED BUSINESS

1. **PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, ESTABLISHING CHAPTER 21, STREETS AND SIDEWALKS; PART 6, NON-TOWER SMALL CELL WIRELESS COMMUNICATION FACILITIES IN THE RIGHT-OF-WAY, AND AMENDING CHAPTER 27, ZONING; PART 7, SUPPLEMENTAL REGULATIONS; SECTION 710, TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES, AND PART 11, DEFINITIONS; SECTION 1102, DEFINITIONS.** 10 minutes

Jenna Wargo, Director of Planning and Zoning

Narrative

The Small Wireless Facilities Deployment Act (Act 50) was signed into law on June 30, 2021 and was drafted in unison with the Pennsylvania Municipal League and telecommunications providers. The legislation provides for fair and equitable treatment of small wireless facilities and comprehensive protections for the municipality to ensure proper maintenance of public rights-of-way. At a Regular Meeting held on September 20, 2021, the Board of Supervisors authorized staff to prepare an amendment to the Wireless Communications Facilities Ordinance.

After further review by the Township Solicitor, staff has updated the draft amendments and included redlined drafts provided with the agenda for amendments to §27-710—Wireless Communications Facilities, §27-1102—Definitions and the establishment of Chapter 21, Streets and Sidewalks, Part 6, Non-Tower-Based or Small Wireless Communications Facilities in the Right-of-Way. The Board reviewed the drafts at their September 6, 2022 meeting and authorized the advertisement of a public hearing for November 1, 2022.

Planning Commission reviewed the draft amendments at the September 12, 2022, meeting and recommended approval to the Board of Supervisors. Provided with the agenda, is a copy of the ordinance as provided and reviewed by all local, regional and county reviewers and as advertised for public hearing. The document has been made available for inspection at the Township office.

Recommended Motion: That the Board of Supervisors adopt the ordinance establishing Chapter 21, Streets and Sidewalks, Part 6, Non-Tower-Based or Small Wireless Communications Facilities in the Right-of-Way, and amending Chapter 27, Zoning, Part 7, Supplemental Regulations, Section 710, Tower-Based Wireless Communication Facilities, and Part 11, Definitions, Section 1102 Definitions.

Staff Recommendation

That the Board of Supervisors **adopt** the ordinance.

X. NEW BUSINESS

1. **CONSENT AGENDA** 5 minutes
 - a. Voucher Report – August 2022
 - b. Voucher Report – September 2022
 - c. Contract 2016-C11, Pay App 5: \$46,123.93
 - d. Contract 2022-C8, Pay App 5: \$6,085.85
 - e. Acceptance of letter from the Pine Grove Mills Small Area Plan Advisory Committee

2. 2023 CENTRE REGION COUNCIL OF GOVERNMENTS SUMMARY BUDGET

Centrice Martin, Township Manager

45 minutes

Narrative

At the October 24th COG General Forum Meeting, the draft 2023 COG Summary Budget was reviewed and referred to the member municipalities for consideration. Comments are due back to the COG Executive Director by November 17th. Eric Norenberg, COG Executive Director and Joe Viglione, COG Finance Director will be present to respond to any questions the Board may have. Below is a link to the 2023 Summary Budget. Attached with the agenda packet is the detailed budget municipal contributions analysis prepared by CRCOG Finance Committee.

[2023 DRAFT Centre Region Council of Governments Summary Budget](#)

[2023 DRAFT Centre Region Council of Governments Detailed Budget](#)

Recommended Motion: That the Board of Supervisors direct the Township Manager to forward its comments on the draft 2023 COG Summary Budget to the Executive Director.

Staff Recommendation

That the Board of Supervisors **discuss** the 2023 COG Summary Budget.

3. SALVATION BAPTIST CHURCH PRELIMINARY LAND DEVELOPMENT PLAN

10 minutes

Jenna Wargo, Director of Planning and Zoning

Narrative

Provided with the agenda is the Salvation Baptist Church Preliminary Land Development Plan, last revised on October 19, 2022. This land development plan is located at 3645 West College Avenue (TP: 24-004-078-0000). The parcel is approximately 60.61 acres and is zoned Rural Agricultural (RA) and Corridor Overlay (COD).

This land development plan proposed a fellowship hall and garage, totaling 13,626 SF. At the time of the original land development plan, a fellowship hall and garage were proposed adjacent to the church and was never constructed. Since it has been more than (5) years since the original land development plan was approved, a new plan is required.

Staff has reviewed the resubmission and is recommending conditional approval of the plan. Provided with the agenda is a memorandum from the Director of Planning & Zoning dated October 26, 2022, describing the conditions.

Recommended Motion: That the Board of Supervisors conditionally approve the Salvation Baptist Church Preliminary Land Development Plan subject to the conditions described in the Planning Director's memorandum dated October 26, 2022.

Staff Recommendation

That the Board of Supervisors **conditionally approve** the preliminary land development plan.

4. AWARD OF CONTRACT 2018-C20U, PARK HILLS DRAINAGEWAY UTILITY RELOCATION

David Modricker, Director of Public Works

10 minutes

Narrative

On October 11, 2022, bids were opened publicly and read aloud for contract 2022-C20U. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves the installation of underground conduit by directional boring necessary to relocate power and communication facilities in advance of the Park Hills Drainageway Improvement Project. Provided with the agenda is a memorandum from Ron Seybert, Township Engineer, dated October 18, 2022, recommending award of the contract.

Recommend Motion: That the Board of Supervisors award Contract 2018-C20U, Park Hills Drainageway Utility Relocation, to RAVAN INC., dba Tru-Tek Drilling in accordance with their bid in the amount of \$453,016.83.

Staff Recommendation

That the Board of Supervisors **award** the contract.

5. AWARD OF CONTRACT 2019-C21, PINE GROVE MILLS LED STREET LIGHT CONVERSION

David Modricker, Director of Public Works

10 minutes

Narrative

On October 25, 2022, bids were opened publicly and read aloud for contract 2019-C21. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves rewiring existing ornamental lights in Pine Grove Mills and installing new power supplies and new power cutoffs to allow them to be serviced by FTPW. This work removes the lights from the WPP tariff and installs meters. High-pressure sodium lamps will be removed and the light fixtures retrofitted with 2700K LED lamps. Work includes the installation of underground conduit by directional boring. Provided with the agenda is a memorandum from Ron Seybert, Township Engineer, dated October 25, 2022, recommending award of the contract.

Recommend Motion: That the Board of Supervisors award Contract 2019-C21, Pine Grove Mills LED Street Light Conversion, to M&B Services, LLC, in accordance with their bid in the amount of \$292,792.86.

Staff Recommendation

That the Board of Supervisors **award** the contract.

XI COMMUNICATIONS TO THE BOARD

XII CALENDAR ITEMS – November

- a. Election Day, November 8
- b. Fall 2022 Neighborhood Association Open Forum – November 9
- c. Special Meeting on DRAFT 2023 Operating Budget, November 9
- d. Special Meeting on DRAFT 2023 Operating Budget, November 10
- e. Parks & Recreation Committee, November 10
- f. Administrative Offices Closed in Observance of Veterans Day, November 11
- g. Planning Commission - November 14

- h. Pine Grove Mills SAP Advisory Committee - November 17
- i. Tree Commission - November 21
- j. Administrative Offices Closed in Observance of Thanksgiving, November 24

XIII. ADJOURNMENT