

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, November 4, 2019

7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. State College Borough Water Authority

III. APPROVAL OF MINUTES

1. October 21, 2019, Board of Supervisors Regular Meeting

IV. UNFINISHED BUSINESS

1. Continuation of Public Hearing Ordinance on Chapter 27 Zoning
2. Continuation of Public Hearing Ordinance on Chapter 22 Subdivision & Land Development
3. Public Hearing Resolution Adopting Pine Grove Mills Small Area Plan
4. Public Hearing Resolution Authorizing Submittal of Grant to PADOT Multimodal Fund for Pine Grove Mills Streetscape Improvements

V. NEW BUSINESS

1. Consent Agenda
2. Public Hearing Resolution Certifying Provision of CATA Local Match Funds for FY 2020-2021
3. Public Hearing Resolution Adopting Non-Uniformed Pension Plan Investment Policy Statement
4. Scheduling of Public Hearing Ordinance Authorizing Bond Issuance for the Township's Public Works Maintenance Facility
5. Review of 2020 Centre Region COG Summary Budget
6. Scheduling of Applicant Interviews for Township's Authorities, Boards, and Commissions

VI. REPORTS

1. COG Committee Reports
2. Other Regional Reports
3. Staff Reports

VII. COMMUNICATIONS TO THE BOARD

VIII. CALENDAR ITEMS – NOVEMBER

IX. ADJOURNMENT



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TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801
Telephone: 814-238-4651 • Fax: 814-238-3454
www.twp.ferguson.pa.us

**Board of Supervisors
Regular Meeting Agenda
Monday, November 4, 2019
7:00 p.m.**

I. CALL TO ORDER

II. CITIZEN'S INPUT

III. SPECIAL REPORTS

10 minutes

1. State College Borough Water Authority – Wes Glebe

IV. APPROVAL OF MINUTES

1. October 21, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

- 1. A CONTINUATION OF A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CODE OF ORDINANCES, CHAPTER 27, ZONING AND REPLACING IT WITH A NEW CHAPTER 27, ZONING.** 10 minutes

Narrative

On October 21, 2019, the Board of Supervisors held a public hearing to take public comment on the proposed Chapter 27, Zoning Ordinance. The Board reviewed public comments and directed staff to prepare the final ordinance for a vote on November 4, 2019. The Ferguson Township Planning and Zoning Department along with Environmental Planning and Design (EPD) have been working over the past two years to update the Township's Zoning Ordinance.

Throughout the process, staff has worked with a Zoning and SALDO Steering Committee made up of residents, local realtors, business owners, farmers, Planning Commission members, professional planners, an arborist, attorney, Builders Association, and the Chamber of Business and Industry. An Agricultural Ad Hoc Committee was formed to review the Agricultural Zoning Districts in the Township. The Planning Commission has reviewed this document as well and has recommended adoption of the ordinance. The Centre Regional Planning Commission has also reviewed and commented on the draft ordinance. Several special meetings of the Board of Supervisors, Staff and EPD were held to review recommendations by the various groups and agencies.

Provided with the agenda is a copy of the ordinance as advertised for public hearing. The document has been available for inspection at the Township Office. Also, a link to the webpage including the full text of the ordinance can be found below.

[Ferguson Township Zoning Ordinance Amendment](#)

Recommended motion: That the Board of Supervisors adopt the ordinance repealing Chapter 27, Zoning of the Ferguson Township Code of Ordinances and replacing it with a new Chapter 27, Zoning.

Staff Recommendation

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

2. **A CONTINUATION OF A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CODE OF ORDINANCES, CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT AND REPLACING IT WITH A NEW CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT.** 10 minutes

Narrative

On October 21, 2019, the Board of Supervisors held a public hearing to take public comment on the proposed Chapter 22, Subdivision and Land Development (SALDO). The Board reviewed public comments and directed staff to prepare the final ordinance for a vote on November 4, 2019. The Ferguson Township Planning and Zoning Department along with Environmental Planning and Design (EPD) have been working for more than two years to update the Township's Subdivision and Land Development Ordinance.

This amendment to the SALDO has been drafted with extensive input from a steering committee inclusive of a variety of stakeholders. The Planning Commission has also reviewed and recommended adoption of the ordinance.

Provided with the agenda is a copy of the ordinance as advertised for public hearing. The document has been available for inspection at the Township Office. Also, a link to the webpage including the full text of the ordinance can be found below.

[Ferguson Township Subdivision and Land Development Ordinance Amendment](#)

Recommended motion: That the Board of Supervisors adopt the ordinance repealing Chapter 22, Subdivision and Land Development of the Ferguson Township Code of Ordinances and replacing it with a new Chapter 22, Subdivision and Land Development.

Staff Recommendation

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

3. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING THE PINE GROVE MILLS SMALL AREA PLAN.** 20 minutes

Narrative

Provided with the agenda is a copy of the resolution advertised for public hearing adopting the Pine Grove Mills Small Area Plan. The Centre Regional Planning Agency has been working with Township staff and a steering committee comprised of residents and elected and appointed officials of the Township since spring 2018 on the plan that is presented before the Board this evening. The Planning Commission reviewed the document on October 28th and recommended the Board adopt the resolution this evening. A link to the full text of the document can be found below. Jim May, Director of the Centre Regional Planning Agency will introduce the item.

[Pine Grove Mills Small Area Plan](#)

Recommended motion: That the Board of Supervisors adopt the resolution adopting the Pine Grove Mills Small Area Plan.

Staff Recommendation

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

- 4. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION MULTIMODAL TRANSPORTATION FUND FOR PINE GROVE MILLS STREETScape IMPROVEMENTS.** 5 minutes

Narrative

Provided with the agenda is a copy of a resolution advertised for public hearing formally authorizing the submittal of a grant application to the Pennsylvania Department of Transportation Multimodal Transportation Fund for Pine Grove Mills Streetscape Improvements. The grant application, if successful, would be used to construct improvements in the Village that include the installation of ornamental street lighting; sidewalk construction; an on-street bike path; and a rapid rectangular flashing beacon for improved pedestrian and bicycle safety. The Board reviewed the scope of work in greater detail at its Regular Meeting on October 7th; however, the estimate was not complete and, therefore, the resolution could not be adopted. The construction estimate has been included with the agenda. Total construction costs are estimated at \$1,274,037. The grant eligibility is for 70% of the project cost, and a 30% match is required. Therefore, the grant application will be for \$891,826 to supplement \$382,211 local match. The local match funds are proposed to come from the Transportation Improvement Fund, and \$50,000 was awarded by the Centre County Commissioners from the Liquid Fuels Grant Program to offset local match.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the submittal of a grant application to the Pennsylvania Department of Transportation Multimodal Transportation Fund.

Staff Recommendation

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

VI. NEW BUSINESS

- 1. CONSENT AGENDA** 5 minutes
- a. Meckley 2 Lot Subdivision Surety Release
 - b. 2019-C20 Science Park Road & Sandy Drive Traffic Signal Warrant Study: \$22,000
- 2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA CERTIFYING PROVISION OF LOCAL MATCH FOR STATE OPERATING AND CAPITAL FINANCIAL ASSISTANCE TO THE CENTRE AREA TRANSPORTATION AUTHORITY FOR FISCAL YEAR 2020 - 2021.** 10 minutes

Narrative

Provided with the agenda is a copy of the resolution establishing the Township's contribution to the Centre Area Transportation Authority (CATA) for operating funds in an amount of \$117,981.00 and capital funding in an amount of \$17,619.00 for the CATA fiscal year beginning July 1, 2020 and ending June 30, 2021. Contributions for the 2019 – 2020 CATA fiscal year totaled \$128,638.00 for operating funds and \$17,818.00 for capital funding. Bruce Donovan, Director of Finance at CATA, will be present to review the agenda item. Also provided with the agenda is a copy of the CATA Local Match Shares Document for Fiscal Year 2020 – 2021.

Recommended motion: That the Board of Supervisors adopt the resolution certifying the provision of local match for state operating and capital financial assistance to the Centre Area Transportation Authority for fiscal year 2020 – 2021.

Staff Recommendation

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

- 3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING A NON-UNIFORMED PENSION PLAN INVESTMENT POLICY STATEMENT.** 10 minutes

Narrative

The Board may recall that the Township established a Non-Uniformed Pension Advisory Committee in 2018 with the intent of providing improved fiduciary oversight of the Township's 457 Deferred Compensation and 401(a) defined contribution retirement plans. The plans are available to the Township's non-uniformed personnel, meaning all employees except for sworn police officers. Additionally, police officers are able to elect to participate in the 457 Deferred Compensation plan. The Board awarded a contract to Cornerstone Wealth Advisory and Insurance Services in July to act as a co-fiduciary of the plan. Pat Geary of Cornerstone has been working with the committee to develop an investment policy statement that will serve as a guidance for the committee's decision-making going forward. The committee's next steps will be to evaluate the current investment options against the objectives of the investment policy statement and determine which options will be replaced. Since the Board of Supervisors are trustees of the plan, a resolution has been advertised and included with the agenda this evening for consideration for adoption. The Non-Uniformed Pension Advisory Committee has unanimously recommended adoption of the attached investment policy statement.

Recommended motion: That the Board of Supervisors adopt the resolution adopting a non-uniformed pension plan investment policy statement.

Staff Recommendation

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

- 4. SCHEDULING OF A PUBLIC HEARING ON AN ORDINANCE AUTHORIZING BOND ISSUANCE TO FINANCE THE FERGUSON TOWNSHIP PUBLIC WORKS MAINTENANCE FACILITY.** 20 minutes

Narrative

Pursuant to the Local Government Unit Debt Act, the Board of Supervisors must hold a public hearing on the adoption of an ordinance authorizing the issuance of General Obligation Bonds to fund the construction of the planned Public Works Maintenance Facility. The full aggregate principal amount of the Bonds would be \$6,995,000 to be paid over an estimated useful life of at least five (5) years and at most twenty-five (25) years. The law firm of Eckert Seamans Cherin & Mellott, LLC has been engaged as bond counsel for the issuance, and Concord Public Financial Advisors, Inc. have been retained as the Township's independent municipal advisor. Authorizing advertisement of the ordinance this evening does not commit the Township to awarding a contract for the construction of the Public Works Maintenance Facility. If the Board proceeds this evening, the ordinance authorizing the General Obligation Bonds would be placed on the November 18th Regular Meeting for a public hearing and adoption. Following that, the Board would be asked to formally award the contracts for the construction of the Public Works Maintenance Facility. Provided with the agenda is a draft of the ordinance that would be advertised for public hearing. Please note this ordinance will need to be revised to incorporate additional funds to be used toward the retainage of a Construction Manager to oversee the completion of the project. Additional contingency has been factored in to accommodate any unexpected change orders associated with the building project.

Recommended motion: That the Board of Supervisors schedule a public hearing on an ordinance authorizing a general obligation bond issuance for the Ferguson Township Public Works Maintenance Facility for Monday, November 18, 2019.

Staff Recommendation

That the Board of Supervisors **schedule** the public hearing.

5. REVIEW OF THE 2020 CENTRE REGION COUNCIL OF GOVERNMENTS SUMMARY BUDGET.

30 minutes

Narrative

On October 28th, the COG General Forum voted to refer the 2020 COG Summary Budget to the member municipalities for consideration and comment. Comments from this evening's discussion are due to the COG Executive Director by Wednesday, November 20th. The DRAFT 2020 COG Summary Budget can be accessed online at the link below.

Municipal contributions in the proposed 2020 COG Summary Budget are proposed to increase by 4.61% over 2019 contributions. Ferguson Township remains the largest contributor to the COG overall budget with a total contribution of \$2,045,642 representing 27.59% of the total local government share. The Township's contribution in 2020 is proposed to increase by 6.52% over its 2019 funding amount. A representative from the COG will be available to answer any questions the Board may have.

[DRAFT 2020 Centre Region Council of Governments Summary Budget](#)

Recommended motion: That the Board of Supervisors direct the Township Manager to forward its comments on the 2020 Centre Region Council of Governments Summary Budget to the COG Executive Director by November 20, 2019.

Staff Recommendation

That the Board of Supervisors **direct** the Township Manager to forward the Board's comments on the 2020 COG Summary Budget to the COG Executive Director.

6. SCHEDULING OF INTERVIEWS OF APPLICANTS FOR VACANCIES ON THE TOWNSHIP'S AUTHORITIES, BOARDS, AND COMMISSIONS.

5 minutes

Narrative

The Board has been provided with the applications for the upcoming vacancies on Township Authorities, Boards, and Commissions. Per the Board's adopted policy (attached), interviews of interested applicants are to be scheduled prior to the appointments being made at the Reorganizational Meeting each January. Board members are asked to have their calendars available at the meeting so a date or dates may be coordinated to conduct the interviews.

Staff Recommendation

That the Board of Supervisors **schedule** interviews for upcoming vacancies on the Township's Authorities, Boards, and Commissions.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

5 minutes

a. Executive Committee

2. OTHER REGIONAL REPORTS

5 minutes

- a. Climate Action & Adaptation Technical Advisory Group

3. STAFF REPORTS

15 minutes

- a. Township Manager
- b. Public Works Director
- c. Planning & Zoning Director

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – NOVEMBER

X. ADJOURNMENT