

FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting Agenda
Monday, December 7, 2020, 7:00 PM

Join Zoom Meeting:
<https://us02web.zoom.us/j/83747246949>
Meeting ID: 837 4724 6949
[Zoom Access Instructions](#)

I. CALL TO ORDER

II. CITIZENS INPUT

III. APPROVAL OF MINUTES

1. November 16, 2020, Board of Supervisors Regular Meeting Minutes
2. November 10, 2020; November 11, 2020; and November 17, 2020, Special Meeting Minutes

IV. SPECIAL REPORTS

- a. COVID-19 (Coronavirus) Response Report
- b. Centre Area Transportation Authority Report
- c. Ferguson Township 2020 Third Quarter Finance Report

V. UNFINISHED BUSINESS

1. Public Hearing – Proposed 2021 Annual Operating Budget
2. Approval of 2021 Centre Region Council of Governments Summary Budget
3. Discussion - Stormwater Management Utility Fee Program and Level of Service
4. Review of Draft Workforce Housing Ordinance Amendment
5. Continued Discussion – Whitehall Road Regional Park

VI. NEW BUSINESS

1. Consent Agenda
2. Public Hearing – Resolution Approving Sewage Facilities Planning Module for Campbell Subdivision
3. The Cottages at State College Final Planned Residential Development Plan Amendment
4. Review of Draft Heritage Tree Ordinance
5. Review of Draft 2021 Ferguson Township Schedule of Fees
6. Board Member Request – General Tax Increase
7. Board Member Request – Park Maintenance Agreement and Participation

VII. REPORTS

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

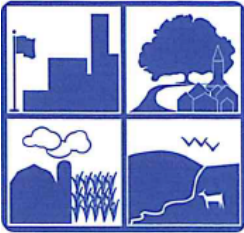
VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – DECEMBER

X. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Monday, December 7, 2020
7:00 P.M.**

- I. CALL TO ORDER**
- II. CITIZEN'S INPUT**
- III. APPROVAL OF MINUTES**
 - 1. November 16, 2020 Board of Supervisors Regular Meeting Minutes
 - 2. November 10, 2020; November 11, 2020; and November 17, 2020 Special Meeting Minutes
- IV. SPECIAL REPORTS** 30 minutes
 - 1. COVID-19 (Coronavirus) Response Report – David Pribulka, Township Manager
 - 2. Centre Area Transportation Authority – Bruce Donovan, Director of Finance
 - 3. Ferguson Township 2020 Third Quarter Finance Report – Eric Endresen, Director of Finance
- V. UNFINISHED BUSINESS**
 - 1. A PUBLIC HEARING ON THE PROPOSED 2021 ANNUAL OPERATING BUDGET –
DAVID PRIBULKA, TOWNSHIP MANAGER AND ERIC ENDRESEN, DIRECTOR OF
FINANCE** 30 minutes

Narrative

The Board of Supervisors received a DRAFT 2021 Annual Operating Budget on November 6th and conducted three public Special Meetings to review the document on November 10th, 11th, and 17th. Amendments to the budget that were approved by consensus vote at each meeting have been incorporated into the document that has been advertised for public hearing this evening. A copy of the proposed 2021 Operating Budget was made available at the Township building for inspection and accessible from the Township's website. Public input on the document should be received this evening so that any resulting changes may be incorporated prior to its presentation for final adoption at the Regular Meeting on December 14th. Below is a link to the proposed 2021 Annual Operating Budget. David Pribulka, Township Manager, will introduce the item and Eric Endresen, Director of Finance, will provide a short presentation on the budget and review the changes that were incorporated at the conclusion of the Special Meetings in November.

[Proposed 2021 Ferguson Township Annual Operating Budget](#)

Recommended motion: That the Board of Supervisors approve the proposed 2021 Annual Operating Budget and authorize a public hearing on the final adoption of the budget for December 14, 2020.

Staff Recommendation

That the Board of Supervisors **approve** the proposed budget and **authorize** a public hearing on final budget for December 14, 2020.

2. APPROVAL OF THE 2021 CENTRE REGION COUNCIL OF GOVERNMENTS SUMMARY BUDGET 10 minutes

Narrative

On November 23rd, the Centre Region Council of Governments (COG) General Forum voted to approve the 2021 COG Summary Budget and refer it to the participating municipalities for adoption by December 31, 2020. The budget incorporated proposals submitted as part of the 2021 COG Program Plan, the 2021 – 2025 COG Capital Improvement and Replacement Plan, and revisions submitted by member municipalities and the COG Finance Committee. The Board reviewed the draft 2021 COG Summary Budget at its Regular Meeting on November 16th, and comments were forwarded to the COG Executive Director in advance of the established deadline. A matrix summarizing the Board's and other municipalities' comments from their reviews, as well as the response from the COG are provided with the agenda. Below is a link to the 2021 COG Summary Budget that is being presented for adoption.

[2021 Centre Region Council of Governments Summary Budget](#)

Recommended motion: That the Board of Supervisors approve the 2021 Centre Region Council of Governments Summary Budget.

Staff Recommendation

That the Board of Supervisors **approve** the 2021 COG Summary Budget.

3. STORMWATER MANAGEMENT UTILITY FEE – PROGRAM AND LEVEL OF SERVICE DISCUSSION 30 minutes

Narrative

Phase I of the stormwater fee feasibility study included a review and discussion between staff, consultant, and the stormwater advisory committee of the existing and desired level of service by public works for stormwater services. This discussion was continued in Phase 2 of the study and included public education and interaction and discussion with the Board of Supervisors. The level of service was then transformed into work elements including tasks, personnel, and needed equipment and summarize in a table titled "Program Elements." To determine a proposed fee for service, costs were assigned to the program elements and presented in a table titled "Ferguson Township Stormwater Program Summary – FY21 thru FY28." Provided with the agenda are copies of the Program Elements and Stormwater Program Summary as well as links provided below. This information has been provided as requested for the Board's review and discussion with staff.

- [Program Elements](#)
- [Stormwater Program Summary](#)

Staff Recommendation

That the Board of Supervisors **discuss** the proposed program and level of service for the stormwater management utility fee.

4. REVIEW OF DRAFT WORKFORCE HOUSING ORDINANCE AMENDMENT

20 minutes

Narrative

Provided with the agenda is a draft of the Workforce Housing Ordinance as advertised for a public hearing to be held on December 14, 2020. The Board is requested to review the draft ordinance prior to the public hearing, although no action is required on this item.

This ordinance would be applicable to the following developments within the Traditional Town Development and Terraced Streetscape Zoning Districts that result in:

- a) Ten or more residential dwelling units;
- b) Renovation of a residential structure that results in ten or more additional residential dwelling units within five years; and
- c) Conversion of a nonresidential property to a residential property that results in ten or more residential dwelling units within five years.

Staff also reviewed section §27-716.10.b. for the method of calculating the fee-in-lieu for a unit owner and is recommending the following method:

- b) By Unit Owner. The owner of a Workforce Housing Dwelling Unit may remove the unit by subsequent sale to a non-qualifying owner by paying a fee-in-lieu to the Workforce Housing Fund as follows: Unit owner shall pay the Township 60% of the current per unit fee-in-lieu and may remove the unit as a Workforce Housing Dwelling Unit and the unit shall become a market-rate unit, no longer subject to the terms and conditions of this Ordinance.

Staff Recommendation

That the Board of Supervisors ***review and discuss*** the DRAFT Workforce Housing Ordinance Amendment.

5. CONTINUED DISCUSSION – WHITEHALL ROAD REGIONAL PARK

20 minutes

Narrative

At the Regular Meeting on Wednesday, October 7th, the Board of Supervisors reviewed some questions forwarded by the COG General Forum on September 29th related to the development of Phase I of Whitehall Road Regional Park. At the conclusion of the meeting, it was determined that insufficient information was provided for the Board to reach consensus on the questions, and additional clarification was requested of the COG by several municipalities to further guide their discussion. Provided with the agenda is a matrix of the responses provided to each of those questions. Also provided with the agenda is the original comment guide provided by the Centre Region Parks and Recreation Authority, and the presentation that was provided to the COG General Forum on September 29th. The Board is requested to continue their discussion from the October 7th Regular Meeting and provide any responses to the COG Executive Director and Centre Region Parks and Recreation Authority Director.

Staff Recommendation

That the Board of Supervisors ***discuss*** the Phase I development of Whitehall Road Regional Park

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Contract 2018-PWGGd Electrical, App. #7: \$78,568.35
- b. Contract 2020-C3, Cure in Place Pipe Lining, App. #1: \$11,880.00
- c. Treasurer's Report-September for acceptance
- d. Board Member Request – Agricultural Conservation Easements
- e. Board Member Request – Salary Study Methodology
- f. Board Member Request – Parks and Recreation Ordinance

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING A SEWAGE FACILITIES PLANNING MODULE FOR THE CAMPBELL SUBDIVISION PLAN.

5 minutes

Narrative

Provided with the agenda is a copy of the resolution advertised for public hearing approving a Component 4A Sewage Facilities Planning Module for the installation of an on-lot sewage system at 150 Farmers Way (24-007-004-0000) to service a 2,800SQFT residential home. In accordance with the Pennsylvania Facilities Act of 1966, the Township is required to adopt a resolution establishing that the submitted plan conforms to all applicable municipal ordinances and regulations governing the treatment of sanitary sewer.

Recommended Motion: That the Board of Supervisors adopt the resolution approving a Sewage Facilities Planning Module for the Campbell Subdivision Plan.

Staff Recommendation

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

3. THE COTTAGES AT STATE COLLEGE FINAL PLANNED RESIDENTIAL DEVELOPMENT PLAN AMENDMENT

10 minutes

Narrative

State College Apartments, LLC has submitted a request for amendments to their approved Final PRD Plan to include modifications to:

- The lighting plan to include two additional wall sconces;
- A new exterior door to the front of the clubhouse;
- A sidewalk access from the edge of the mailbox area to the new exterior door;
- Removed all covered parking structures;
- Removed fire pit and gas service on the eastern part of the site near building pad #12 and #13; and
- Relocated two bicycle racks on the eastern part of the site.

Township Staff has reviewed the requested modifications and is recommending approval. Per §27-302, Planned Residential Development, 7. Post Final, the procedure to amend a Final PRD Plan after it has been approved is to request approval from the Board of Supervisors. A representative from Penn Terra Engineering will be present to review the revised plan. Provided with the agenda is the updated summary and below is a link to the full plan sheets reflecting the requested modifications.

[The Cottages at State College Post Final Planned Residential Development Plan Summary](#)

Recommend Motion: That the Board of Supervisors approve The Cottages at State College Final Planned Residential Development Plan Amendment.

Staff Recommendation

That the Board of Supervisors **approve** The Cottages at State College Final PRD Plan Amendment.

4. REVIEW OF DRAFT HERITAGE TREE ORDINANCE

10 minutes

Narrative

Provided with the agenda is a draft of the Heritage Tree Ordinance. Planning and Public Works staff with input from the Ferguson Township Tree Commission drafted an amendment to Chapter 25, Trees, to include a new part, Heritage Trees. The intent of the new part is to recognize the voluntary protection of landmark and important trees, establish a process to nominate these trees, distinguish between Heritage and Significant Trees, and establish maintenance responsibilities for the preserved trees.

Recommend Motion: That the Board of Supervisors authorize advertisement of a public hearing on an ordinance amending Chapter 25 – Trees for Monday, January 18, 2021.

Staff Recommendation

That the Board of Supervisors **authorize** advertisement of a public hearing on an ordinance amending Chapter 25 – Trees.

5. REVIEW OF DRAFT 2021 FERGUSON TOWNSHIP SCHEDULE OF FEES 10 minutes

Narrative

The Schedule of Fees for the Township is adopted annually by resolution of the Board of Supervisors and describes all fees for services, violations, and other items for which the Township collects revenue. Provided with the agenda is a copy of the DRAFT 2021 Ferguson Township Schedule of Fees for review by the Board and authorization for the public hearing on December 14th.

Recommended motion: That the Board of Supervisors authorize a public hearing on a resolution adopting the 2021 Schedule of Fees for December 14, 2020.

Staff Recommendation

That the Board of Supervisors **authorize** a public hearing on the DRAFT 2021 Schedule of Fees.

6. BOARD MEMBER REQUEST – GENERAL TAX INCREASE

10 minutes

Narrative

During discussions of the proposed stormwater management utility fee, there have been requests to find alternative funding methods for stormwater management, or to use general tax revenues instead of a fee to fund the necessary projects. As an alternative to the fee structure, Mr. Miller has proposed a consideration of a general tax increase in real estate taxes of 2.422 mils. This change would generate sufficient funding to maintain stormwater infrastructure while still maintaining a funding source that is

related to the source of the costs and direct beneficiaries of the expenditures. Even after the proposed increase in property taxes, Ferguson Township would still have the lowest property tax rate in the Centre Region, slightly less than Halfmoon Township and significantly less than that of the other Centre Region municipalities.

Recommend Motion: That the Board of Supervisors schedule a public hearing on a proposed real estate tax increase for February 1st and direct staff to prepare an ordinance to consider the increase at that date.

7. BOARD MEMBER REQUEST – PARK MAINTENANCE AGREEMENT AND PARTICIPATION 10 minutes

Narrative

Provided with the agenda is a document summarizing the request from Ms. Dininni for the Board to direct staff and the Centre Region Parks and Recreation Department to provide certain information related to the Township’s participation in the program.

Recommend Motion: That the Board of Supervisors direct staff to research the requested information and report back to the Board at a future meeting.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS 20 minutes

- a. Finance Committee
- b. Executive Committee
- c. Public Services & Environmental Committee
- d. Transportation & Land Use Committee

2. OTHER COMMITTEE REPORTS 15 minutes

- a. Climate Action & Adaption Technical Advisory Group
- b. Spring Creek Watershed Commission
- c. Centre County Metropolitan Planning Organization Coordinating Committee

3. STAFF REPORTS 15 minutes

- a. Manager’s Report
- b. Public Works Director
- c. Planning & Zoning Director

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – DECEMBER

X. ADJOURNMENT