

FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting Agenda
Monday, January 7, 2019
7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL ACTION ITEM: Acceptance of the Resignation of Ms. Sara Carlson

IV. APPROVAL OF MINUTES

1. December 10, 2018, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. UAJA Demonstration Project – Greenbriar Subdivision
2. Review of Draft Sourcewater Protection Overlay District Ordinance

VI. NEW BUSINESS

1. Consent Agenda
2. Public Hearing on Resolution approving Settlement Offer with Navistar/Allegheny Trucks Inc.
3. Harner Farm Concept Plan presentation
4. Review of Draft Amendments to Ferguson Township Personnel Policy Manual
5. Authorization of Engineering Study to evaluate lengthening turn lanes at intersections of W. College, Science Park and Bristol Ave.
6. Authorization to submit Green-Light-Go, round 5 grant application for Traffic Signal improvements at various intersections

VII. REPORTS

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

VIII. COMMUNICATIONS TO THE BOARD

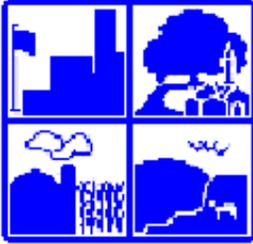
IX. CALENDAR ITEMS – JANUARY

1. Coffee and Conversation, January 12th, 8:00 a.m. – 9:30 a.m., Baileyville Community Hall.

X. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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Board of Supervisors Regular Meeting Agenda Monday, January 7, 2019

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL ACTION ITEM: ACCEPTANCE OF THE RESIGNATION OF MS. SARA CARLSON

Narrative

Ms. Carlson submitted her resignation from the Ferguson Township Board of Supervisors with an effective date of December 31, 2018. Provided with the agenda is a copy of the letter of resignation. Per the Home Rule Charter, the Board must act to appoint a citizen from Ward III (Ms. Carlson's Ward) to serve the remainder of her term within 45 days of the effective date of the vacancy. Per Section 407(b) (attached) of the Second Class Township Code, the Board must accept Ms. Carlson's resignation by a majority vote, and the effective date of the vacancy begins the date of the acceptance of the resignation. If the Board fails to fill the vacancy within 30 days of the effective date, a special "vacancy board" consisting of the Board of Supervisors plus one registered elector of the Township is given 15 additional days to fill the vacancy before it proceeds to the Centre County Court of Common Pleas. It is recommended that applications be accepted for the registered elector position on the vacancy board and an appointment be made at the January 21st Regular Meeting.

Recommended Motion: That the Board of Supervisors accept the resignation of Ms. Carlson and direct staff to accept applications for a registered elector to serve on the vacancy board.

Staff Recommendation

That the Board of Supervisors **accept** the resignation and **direct** staff to accept applications to serve on the vacancy board.

IV. APPROVAL OF MINUTES

1. December 10, 2018, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. **UNIVERSITY AREA JOINT AUTHORITY DEMONSTRATION PROJECT – GREENBRIAR SUBDIVISION** 20 minutes

Narrative

As the Board is aware, the University Area Joint Authority (UAJA) has been working with the residents of Greenbriar for several months on a proposal to connect the development to the sanitary sewer system. Recently, a high-pressure system involving a smaller diameter main and a series of "grinder pumps" located at individual residences was approved by the UAJA Board. Following the approval, UAJA staff has submitted a highway occupancy permit to the Township for permission to construct the system in the public right-of-way. Township staff has placed, as a condition of approval of the permit, a requirement that UAJA use directional boring to reduce the number of pave cuts in Township streets. This is a standard condition that most utility operators agree to. The concern that the Township

has is that the number of proposed pave cuts pose the potential for settlement and can compromise the structural integrity of the road. The only street in Greenbriar currently in the Capital Improvement Plan for repaving is Sleepy Hollow Dr. in 2023. Therefore, it could be several years before the streets are repaved. UAJA has expressed cost concerns and has rejected the condition to bore under the roadway unless the property owners agree to absorb the additional cost. A copy of the letter the Authority sent to Greenbriar residents is provided with the agenda. Also provided with the agenda is a copy of an email communication from David Modricker, Director of Public Works, to Cory Miller, Executive Director of UAJA, expressing the Township staff's opinion relative to boring. Two Greenbriar residents have requested this item be added to the agenda this evening for discussion under Section 2.20 of the Home Rule Charter – Citizen's Right to be Heard. No action is required by the Board.

2. REVIEW OF DRAFT SOURCEWATER PROTECTION OVERLAY DISTRICT ORDINANCE

20 minutes

Narrative

The Board of Supervisors set the Public Hearing date of January 21, 2019 for the proposed ordinance consideration. The Ferguson Township Planning Commission met on December 4, 2018, and provided non-substantive comments as well as the Centre Region Planning Commission as part of their review and comment on December 6, 2018. Both sets of comments have been supplied within you meeting packets. Staff forwarded Public Hearing notice to proposed Zone I property owners and supplied a copy of the Ordinance and Appendices to the Centre County Planning and Community Development Office. Staff requests further feedback on recently received comments prior to the Public Hearing.

Staff Recommendation

That the Board of Supervisors *review and discuss* the comments on the draft Sourcewater Protection Overlay District Ordinance.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. 2017-C17 Pay Application: \$110,573.00
- b. Treasurer's Report – November 2018
- c. Voucher Report – November 2018
- d. Board Member Request – Beaver Branch Preservation
- e. Board Member Request – Pennsylvania Cap and Trade Petition

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING A SETTLEMENT OFFER WITH NAVISTAR, INC. AND ALLEGHENY TRUCKS, INC. TO RESOLVE PENDING LITIGATION IN THE CENTRE COUNTY COURT OF COMMON PLEAS DOCKET #15-4057.

10 minutes

Narrative

In 2014, the Township acquired a Terrastar by Navistar single-axle dump truck. The truck has been inoperable since shortly after its acquisition, and the Township has been seeking to recuperate its costs through litigation. A settlement offer has been proposed by Navistar, Inc. of \$27,500, and the Township is able to retain ownership of the vehicle. Action by the Board is required to accept the settlement offer. Provided for the Board is a copy of the resolution as advertised for public hearing, as well as a letter from Joe Green, Esq., Township Solicitor, further describing the settlement.

Recommended Motion: That the Board of Supervisors adopt the resolution approving a settlement offer with Navistar, Inc. and Allegheny Trucks, Inc., of \$27,500 to resolve pending litigation in the Centre County Court of Common Pleas.

Staff Recommendation

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

3. PRESENTATION OF HARNER FARM CONCEPT PLAN

20 minutes

Narrative

Aspen Whitehall Partners, LLC and Aspen Route 26 Partners, LLC are proposing the development of the 27-acre portion of the Harner Farm south of Whitehall Road. The proposed development includes 36 single-family lots ranging in size from 0.25 acres to 0.50 acres and two commercial lots. Two public roads will be constructed to serve the project. Under Chapter 22-302, Preapplication Conference, a potential applicant for a subdivision or land development can request a conference with the Planning Commission for the purpose of discussing or reviewing such proposed subdivision or land development. The Planning Commission held the Preapplication Conference at their December 4, 2018, meeting and provided comments directly to the applicant. Those comments are included within the memo in your packet along with the Concept Plan Narrative.

Staff Recommendation

That the Board of Supervisors **review and comment** on the proposed concept plan for Harner Farms.

4. REVIEW OF DRAFT AMENDMENTS TO THE FERGUSON TOWNSHIP PERSONNEL POLICY MANUAL

10 minutes

Narrative

The Township has adopted a personnel policy manual that governs employment-related standards, procedures, and practices for all uniformed and non-uniformed personnel. The policy manual is in need of several amendments due to changes in protocol, retirement of personnel, and new regulations. Provided with the agenda is a copy of the complete current personnel policy manual as adopted in 2015. Also provided with the agenda is a copy of the redlined amendments that staff is requesting. These include changes to the policies relative to the Sexual Harassment; Regular Pay Periods; Personal Days; Vacation; and Employment of Relatives. Amendments to the personnel policy manual are adopted by the Board by resolution. At this time, the Board is requested to review the proposed changes and suggest any modifications or additional amendments that may be warranted at this time.

Recommended Motion: That the Board of Supervisors direct staff to prepare a resolution for public hearing amending the Ferguson Township Personnel Policy Manual.

Staff Recommendation

That the Board of Supervisors **review and discuss** the proposed personnel policy manual amendments and **direct** staff to prepare a resolution for public hearing.

5. AUTHORIZATION OF ENGINEERING STUDY TO EVALUATE LENGTHENING TURN LANES AT THE INTERSECTIONS OF WEST COLLEGE AVENUE AND SCIENCE PARK ROAD AND WEST COLLEGE AVENUE AND BRISTOL AVENUE

10 minutes

Narrative

A Board member requested an evaluation be done to examine whether engineering warrants were met to lengthen the left turn lanes on West College Avenue (PA Route 26) at its intersections with Science Park Road and Bristol Avenue. If approved, the Township would complete the analysis in-house and submit the results to the Pennsylvania Department of Transportation for review and approval. If the results supported lengthening turn lanes, the project could be included in the 2019 line striping contract.

Recommended Motion: That the Board of Supervisors direct staff to conduct an engineering study to determine if turn lane lengths should be increased on West College Avenue at its intersections with Science Park Road and Bristol Avenue. Further, that the Board direct staff to forward the results to the Pennsylvania Department of Transportation for review and approval, if warranted. And further, that the Board direct staff to add the pain line eradication and re-striping for the turn lane improvements to the 2019 line striping contract.

6. AUTHORIZATION FOR TOWNSHIP STAFF TO SUBMIT A GREEN-LIGHT-GO ROUND 5 GRANT APPLICATION FOR TRAFFIC SIGNAL DETECTION IMPROVEMENTS AT VARIOUS INTERSECTIONS 5 minutes

Narrative

As in year's past, the Township is interested in submitting an application for the Pennsylvania Department of Transportation's Green-Light-Go Program to continue upgrading its signalized intersections with digital radar detection. The grant program requires a twenty percent (20%) match from the Township plus any cost overruns associated with the project. If successful, the grant will be used to fund traffic signal detection improvements at the intersections of Blue Course Drive and Martin Street, and Science Park Road and the Raytheon driveway.

Recommended Motion: That the Board of Supervisors authorize staff to submit a Green-Light-Go Round 5 Grant Application for traffic signal detection improvements at various intersections.

Staff Recommendation

That the Board of Supervisors **authorize** staff to submit the grant application.

VI. STAFF AND COMMITTEE REPORTS

1. **COG COMMITTEE REPORTS** 10 minutes
 - a. Executive Committee
 - b. Joint Parks Capital and Parks & Rec Authority
2. **OTHER REGIONAL REPORTS** 5 minutes
3. **STAFF REPORTS** 20 minutes
 - a. Township Manager
 - b. Planning and Zoning Director
 - c. Public Works Director - No written report

VII. COMMUNICATIONS TO THE BOARD

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