

FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting Agenda
Monday, July 16, 2018
7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. Centre Region Parks and Recreation Authority – Ms. Denise Meyer

IV. APPROVAL OF MINUTES

1. July 2, 2018, Board of Supervisors Regular Meeting
2. June 5, 2018, Joint Board of Supervisors/Planning Commission Worksession

V. UNFINISHED BUSINESS

1. Public Hearing Ordinance amending Chapter One, Administration and Government, sections 1002 & 607
2. Continued Discussion – Comment Letter on EPA proposed rule entitled, “Strengthening Transparency in Regulatory Science”
3. Sourcewater Protection Ordinance Ad Hoc Advisory Board Report & Discussion
4. Agricultural Zoning Ad Hoc Advisory Board Report & Discussion

VI. NEW BUSINESS

1. Consent Agenda
2. Sustainable Pennsylvania – Economic Development Strategy
3. Authorization to expend funds to abate and treat Oak Wilt at 2405 Tadpole Road
4. COG Committee Appointments: TLU and CCMPO

VII. REPORTS

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

VIII. COMMUNICATIONS TO THE BOARD

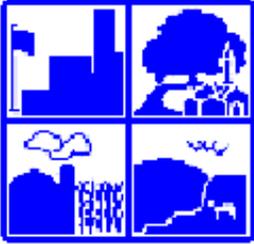
IX. CALENDAR ITEMS – JULY/AUGUST

1. Coffee and Conversation, Friday, July 20, 2018, Naked Egg
2. 2019-2013 Capital Improvement Plan Worksessions:
Tuesday, July 31, 6:00 p.m. and Wednesday, August 1, 6:00 p.m.,
Ferguson Township Main Meeting Room

X. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Monday, July 16, 2018
7:00 p.m.**

I. CALL TO ORDER

PLEDGE OF ALLEGIANCE

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. Centre Region Parks and Recreation Authority – Ms. Denise Meyer 10 minutes

IV. APPROVAL OF MINUTES

1. July 2, 2018, Board of Supervisors Regular Meeting
2. June 5, 2018, Joint Board of Supervisors/Planning Commission Worksession

V. UNFINISHED BUSINESS

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING CHAPTER ONE, ADMINISTRATION AND GOVERNMENT, SECTION 1002, ORDINANCE AND ADOPTION PROCEDURES, AND SECTION 607, CITIZENS RIGHT TO BE HEARD.** 5 minutes

Narrative

Provided with the agenda is a copy of the ordinance as advertised for public hearing amending Chapter 1, Administration and Government, correcting two areas of inconsistency with provisions of the Ferguson Township Home Rule Charter. First, the ordinance is amended to require citizens' requests for agenda items to be submitted to the Township Manager at least one week prior to a scheduled meeting of the Board. Second, the ordinance is amended to correct a reference to the proper Part of the Home Rule Charter relative to ordinance adoption procedures.

Recommended motion: That the Board of Supervisors adopt the ordinance amending Chapter 1, Administration and Government Section 1002, Ordinance and Adoption Procedures, and Section 607, Citizen's Right to be Heard.

STAFF RECOMMENDATION

That the Board **adopt** the ordinance.

2. **CONTINUED DISCUSSION – COMMENT LETTER ON THE PROPOSED RULE OF THE ENVIRONMENTAL PROTECTION AGENCY TITLED, “STRENGTHENING TRANSPARENCY IN REGULATORY SCIENCE”** 10 minutes

Narrative

On July 2nd, the Board postponed a motion to, “direct the Chair to issue a comment letter to the Environmental Protection Agency highlighting the Township’s strategic and policy commitments; pointing out the EPA’s mission; highlighting the fact that the Board and Climate Action Committee use well-founded methods developed through peer review and peer-reviewed assessments for similar purposes at a smaller scale; and opposing the rule’s true intent which will have grave consequences contrary to the Board’s goals.” The motion was postponed to allow Mr. Buckland to incorporate comments made during the discussion into a revised draft of the comment letter. The revised draft has been provided with the agenda. No motion is required as there is currently a motion on the table.

3. SOURCEWATER PROTECTION ORDINANCE AD HOC ADVISORY BOARD REPORT AND DISCUSSION 30 minutes

Narrative

On January 16, 2018, the Board of Supervisors established the Source Water Protection Overlay District Ordinance Ad Hoc Advisory Board tasked with reviewing the current draft, suggesting specific revisions and providing discussion points about suggested revisions. The Board of Supervisors appointed members to the Ad Hoc Advisory Board at their March 20th meeting. The Ad Hoc Advisory Board met with staff on four occasions, namely April 18th, May 2nd, June 6th and June 27th and discussed several sections of the draft ordinance and provided recommendations included with the agenda. The Ad Hoc Advisory Board also considered letters containing ordinance comments submitted prior to the December 11, 2017 Public Hearing. The Ad Hoc Advisory Board considered draft requirements such as the Facility Profile Sheets, blasting regulations, building distance to certain geologic features, ordinance terminology, education and public notice.

Recommended motion: That the Board of Supervisors direct staff to prepare a revised draft of the Sourcewater Protection Overlay District Ordinance for review prior to scheduling a public hearing.

STAFF RECOMMENDATION

That the Board **discuss** the recommendations of the Sourcewater Protection Ad Hoc Advisory Board and **direct** staff to proceed based on the results of the discussion.

4. AGRICULTURAL ZONING ORDINANCE AD HOC ADVISORY BOARD REPORT AND DISCUSSION 30 minutes

Narrative

On January 16, 2018, the Board of Supervisors established an Agricultural Ad Hoc Board representing the farming community for rewrite of the Zoning and Subdivision and Land Development Ordinances. The Board of Supervisors made appointments to the Ad Hoc Advisory Board at their March 20, 2018 meeting. The Board’s task involved the review of proposed revisions to both ordinances with specific focus on the agricultural community and to provide feedback and recommendations to staff and Board of Supervisors on how to approach potential revisions within the Rural Agricultural, Rural Residential and Agricultural Research Districts. The Ad Hoc Advisory Board met with staff on seven occasions in April and May. Provided in your packet is the meeting summary and use table with recommended updates to the three agriculturally related zoning districts. The Board may wish to consider scheduling a worksession with staff and the Ag. Ad Hoc Advisory Board to further discuss their recommendations.

STAFF RECOMMENDATION

That the Board **discuss** the recommendations of the Ag Ad Hoc Advisory Board and **direct** staff to proceed based on the results of the discussion.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. 2018-C1 Pay App 2_FTPW: \$94,881.44
- b. 2018-C6 Pay App 1 FTPW – Curb & Ramp Upgrades: \$67,198.06
- c. 2018-C8 Invoice Pay App - additional: \$375.00
- d. Special Event Application – You Matter 5K
- e. The Cottages Planned Residential Development - Time Extension Request
- f. The Landings PRD, Phase 1A and Phase 1B Surety releases
- g. June 2018 Voucher Report

2. SUSTAINABLE PENNSYLVANIA – ECONOMIC DEVELOPMENT STRATEGY

10 minutes

Narrative

Ferguson Township is a PML Sustainable PA Gold Certified Community and we are considering becoming Platinum. Economic development policy that aligns with both the pursuit of platinum status and the Ferguson Township Strategic Plan could be something similar to the Fayette County local economy initiative showcased by the PML Sustainable Communities Local Economy and Main Street Revitalization program area. The Fay-Penn Economic Development Council has launched a new initiative focused on commercial business centers to spur economic activity within the local communities of Fayette County. Through the reduction of dollars flowing out from local communities simultaneously combined with the increase in cash flow within communities, the initiative is working to build a stronger local economic foundation that will result in a resurgence of small businesses and a revitalization of downtown areas.

In anticipation of major economic shifts nationally and globally, Fay-Penn created a new position - Local Economy Manager - to spearhead the initiative. While improving the local economy is the primary mission, it is accomplished through several different strategies that include local energy, environmental sustainability, local agriculture and government policy. Increasing local energy generation and environmental efforts will help sustain a community both economically and ecologically and increase greater public support for such projects.

Recommended motion: That the Board of Supervisors discuss the Pennsylvania Municipal League Case Study in context of the Ferguson Township Strategic Plan and possible pursuit of Platinum Status in the Sustainable Pennsylvania Community Certification.

3. AUTHORIZATION TO EXPEND FUNDS TO ABATE AND TREAT OAK WILT AT 2405 TADPOLE ROAD

10 minutes

Narrative

The Township Arborist investigated a suspected case of oak wilt on property located at 2405 Tadpole Road. While the test has not yet yielded results, staff is requested authorization from the Board to expend funds not to exceed \$15,000 to remove the potentially-infected tree and treat surrounding oak trees within a 150-foot radius. Provided with the agenda are copies of the adopted amendment to the Tree Ordinance that authorizes abatement of oak wilt in the Rural Residential Zoning District where the property in question is located, as well as the Resolution 2016-32 establishing the Township's Oak Wilt Policy. Any expenditure of funds related to a verified case of oak wilt in excess of \$10,000 must first be authorized by the Board of Supervisors. Removal of the infected tree and treatment of the surrounding trees will only occur if the presence of oak wilt is detected by the testing. Also provided with the agenda is an estimate from the Township Arborist for the cost of abatement.

Recommended motion 1: That the Board of Supervisors authorize staff to expend an amount not to exceed \$15,000 to remove the infected oak tree at 2405 Tadpole Road and treat the surrounding oak trees within a 150-foot radius.

STAFF RECOMMENDATION

That the Board **authorize** the removal and treatment of oak wilt at 2405 Tadpole Road in an amount not to exceed \$15,000.

4. APPOINTMENTS TO THE COG TRANSPORTATION AND LAND USE COMMITTEE AND THE CENTRE COUNTY METROPOLITAN PLANNING ORGANIZATION COORDINATING COMMITTEE 10 minutes

Narrative

At the Regular Meeting on July 2nd, Ms. Dininni resigned from her appointments as the representative to the COG Transportation and Land Use (TLU) Committee and Centre County Metropolitan Planning Organization (CCMPO) Coordinating Committee. The TLU Committee representative is appointed to an annual term expiring December 31, 2018, and the CCMPO Technical Committee representative is appointed to a two-year term expiring December 31, 2019.

Recommended motion 1: That the Board of Supervisors appoint _____ to the COG Transportation and Land Use Committee.

Recommended motion 2: That the Board of Supervisors appoint _____ to the Centre County Metropolitan Planning Organization Coordinating Committee.

VII. STAFF AND COMMITTEE REPORTS

- 1. **COG COMMITTEE REPORTS** 20 minutes
 - a. Ad Hoc Facilities Committee
 - b. Steering Committee Parks & Rec. Regional Comp Plan
 - c. Finance Committee
 - d. Public Safety Committee
 - e. Joint Parks Capital Committee and Centre Region Parks and Recreation Authority
- 2. **OTHER REGIONAL COMMITTEES** 10 minutes
- 3. **STAFF REPORTS** 20 minutes
 - a. Township Manager
 - b. Planning and Zoning Director
 - c. Public Works Director – verbal report only
 - d. Chief of Police

VIII. COMMUNICATIONS TO THE BOARD 10 minutes

IX. CALENDAR ITEMS – JULY/AUGUST

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