FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting Agenda
Monday, October 16, 2017
7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. MINUTES
October 2, 2017, Board of Supervisors Regular Meeting

IV. ABC REPORTS
Centre Area Transportation Authority Report & Local Match Share Presentation

V. PRESENTATIONS
1. UAJA Greenbriar Development Demonstration Project
2. Proposed increase to stipends paid to volunteers of the Alpha Fire Company

VI. OLD BUSINESS
1. Public Hearing Ordinance amending Ch. 27, Zoning, Pet Care Service Facilities
2. Continued Public Hearing Resolution – Liquor License Transfer, Weis Markets, 1471 Martin St.
3. Ordinance amending Administrative Code to establish a Ferguson Township Parks Committee
4. Continued discussion - Draft Sourcewater Protection Ordinance

VII. NEW BUSINESS
1. Consent Agenda
2. Public Hearing Resolution authorizing an Acting Manager in absence of Township Manager
3. Approval of County Liquid Fuels Grant Application
4. Discussion - Photovoltaic Design Options for Public Works Maintenance Facility
5. Appointment of a municipal Assistant Secretary

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

IX. COMMUNICATIONS TO THE BOARD

X. CALENDAR ITEMS – OCTOBER/NOVEMBER
1. ABC Appreciation Dinner – Wednesday, October 18th at 6:00 p.m. at Toftrees Resort

XI. ADJOURNMENT

Constant Contact

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Board of Supervisors
Regular Meeting Agenda
Monday, October 16, 2017
7:00 PM

I. CALL TO ORDER

PLEDGE OF ALLEGIANCE

II. CITIZENS INPUT

III. MINUTES

1. October 2, 2017 Board of Supervisors Regular Meeting

IV. ABC REPORTS

1. John Spychalski & Louwana Oliva – Centre Area Transportation Authority Report & Local Match Share Presentation

NARRATIVE
The Centre Area Transportation Authority has provided the Township with its requested operating and capital local match for fiscal year 2018/2019. For Ferguson Township, the operating local match request has increased 5.26% from $103,144 in 2017/2018 to $108,573.

V. PRESENTATIONS

1. Presentation on the UAJA Greenbriar Development Demonstration Project – Dr. Jonathan Dietz
2. Presentation on a proposed increase to the stipend paid to volunteers of the Alpha Fire Company – Mr. Steve Bair

VI. OLD BUSINESS

1. A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING, MODIFYING, AND CHANGING THE CODE OF ORDINANCES, CHAPTER 27, ZONING, IN PARTICULAR, SECTION 204.1., USE REGULATIONS, TO DELETE EE. PET CARE FACILITY AND FF. PET DAY CARE FACILITY AND ADD EE. PET CARE SERVICE FACILITIES, SECTION 301, RURAL AGRICULTURAL (RA) DISTRICT, TABLE 301 DELETE 10B. PET CARE FACILITIES AND ADD UNDER CONDITIONAL USES 20. PET CARE SERVICE FACILTIES, SECTION 302, RURAL RESIDENTIAL (RR) DISTRICT, TABLE 302, DELETE 12B. PET CARE FACILITY AND ADD UNDER CONDITIONAL USES 2. PET CARE SERVICE FACILTIES, SECTION 502, GENERAL COMMERCIAL (C) DISTRICT, TABLE 502, DELETE 18A. PET DAY CARE FACILITIES AND ADD UNDER CONDITIONAL USES 5. PET CARE SERVICE FACILITIES, SECTION 602, LIGHT INDUSTRY, RESEARCH AND DEVELOPMENT (IRD) DISTRICT, TABLE 602, DELETE 14A. PET CARE FACILITIES AND ADD CONDITIONAL USES 1. PET CARE SERVICE FACILITIES, SECTION 809.1.B.(2)2.DD., OFF STREET PARKING AND LOADING REGULATIONS, COMMERCIAL USE, DELETES PET CARE AND PET DAY CARE, ONE SPACE FOREACH STAFF PERSON AND ONE SPACE FOR EVERY TEN PETS, AS WELL AS PARKING REQUIRED FOR ANY RETAIL ELEMENT OF THE FACILITY AND ADDS PET CARE SERVICE FACILITY, 3.5 SPACES PER 1,000 OF GROSS FLOOR AREA, AND SECTION 1202, DEFINITIONS, DELETES PET CARE FACILITY AND PET DAY CARE FACILITIES AND ADDS PET CARE SERVICE FACILITIES.

10 minutes

NARRATIVE

Ferguson Township Planning & Zoning Department received an application for Proposed Ordinance Amendment on April 14, 2008. The application, submitted by Robert and Judy Burgess, requested to permit Pet Daycare Facilities as a permitted use within the Light Industry, Research and Development (IRD) District. The current Zoning Ordinance defines two terms, specifically, "Pet Care Facility" and "Pet Day Care Facility", allowing the "Pet Care Facility" within the RA, RR and IRD districts and the "Pet Day Care Facility" within the General Commercial district, providing parking standards and performance standards under §27-204 EE. and FF. The Board of Supervisors directed staff at the May 2, 2017 meeting to develop a draft text amendment that permits Pet Daycare Facilities within the Light Industry, Research and Development (IRD) District as a Conditional Use. Further, the Board of Supervisors reviewed the draft amendment on June 5, 2017 and referred the amendment to the Planning Commission for recommendation with a consideration that minimum lot size change from 0.5 acres to 0.75 acres within the IRD. The Planning Commission reviewed the proposed request at the June 12th meeting and requested staff to work with its consultant, Environmental Planning & Design, to draft new language as part of the zoning update. Staff did develop and review the proposed language with Carolyn Yeagle and met with Greg and Lynda Mussi on their Dog Daycare Plans. The amendment includes a consolidation of terms, a new definition, parking standards and provisions for "Pet Care Service Facilities". The Planning Commission reviewed the draft amendment again at their August 14th and 28th meetings, recommending the amendment unanimously. Centre Regional Planning Agency staff provided comments on September 19, 2017. Additionally, the Centre Regional Planning Commission reviewed the amendment on October 5, 2017 and the representative from State College Borough provided written comments to Township staff. The CRPC supported the amendment and did not offer any additional comments for the Township Board of Supervisors to consider.

Recommended motion: That the Board of Supervisors adopt the ordinance as advertised.

STAFF RECOMMENDATION
That the Board ***adopt*** the ordinance as advertised.

2. A CONTINUATION OF A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, APPROVING THE REQUEST OF WEIS MARKETS, INC TO TRANSFER RESTAURANT LIQUOR LICENSE NO. R-15901 INTO FERGUSON TOWNSHIP AT 1471 MARTIN STREET, STATE COLLEGE, PENNSYLVANIA FROM THE PENNSYLVANIA LIQUOR CONTROL BOARD.

10 minutes

NARRATIVE

Provided with the agenda is a copy of the resolution as advertised for public hearing conditionally approving an intermunicipal liquor license transfer to Weis Markets located at 1471 Martin Street. The public hearing was continued by the Board on October 2nd to allow representatives of the applicant to appear before the Board and public to answer any questions they may have. The resolution includes several conditions attached to the municipal approval of the liquor license that staff is recommending be included. Also provided with the agenda is a proposed site plan for the alcohol distribution area. The applicant will need a zoning permit prior to completing the renovations.

Recommended motion: That the Board of Supervisors adopt the resolution conditionally approving an intermunicipal liquor license transfer from the Pennsylvania Liquor Control Board to Weis Markets, Inc. located at 1471 Martin Street.

STAFF RECOMMENDATION
That the Board ***adopt*** the resolution.

3. ORDINANCE AMENDING ADMINISTRATIVE CODE TO ESTABLISH A FERGUSON TOWNSHIP PARKS COMMITTEE – AUTHORIZATION FOR PUBLIC HEARING

15 minutes

NARRATIVE
The Board of Supervisors authorized staff to prepare an ordinance for review to establish a standing Ferguson Township Parks Committee at its Regular Meeting on October 2nd. Some of the tasks identified by the Board to delegate to the Parks Committee included being a conduit for local parks and recreation initiatives to the Centre Region Parks and Recreation Authority via the Township's liaison; defining parkland including open space and passive parkland; reviewing how park master plans are developed and evolve as neighborhoods age; and recommending improvements to connect parkland to existing and future shared use paths. Provided with the agenda is a draft ordinance amendment. This amendment would be to Chapter 1, Administration and Government, Part 4, Boards and Commissions. Staff is requesting that the Board offer any amendments to the draft ordinance and authorize it for public hearing on November 2nd.

Recommended motion: That the Board of Supervisors authorize the ordinance for public hearing on November 2, 2017.

STAFF RECOMMENDATION
That the Board ***authorize*** the ordinance for public hearing.

4. A CONTINUED DISCUSSION OF THE DRAFT SOURCEWATER PROTECTION ORDINANCE

10 minutes

NARRATIVE
The Board of Supervisors initially discussed the draft sourcewater protection ordinance at the Regular Meeting on September 18th. At the meeting, the draft was reviewed and several questions were posed to staff for further analysis. These include the applicability of the *Robinson Township v. Commonwealth of Pennsylvania* Supreme Court decision to restrictions on certain types of uses; and whether the draft ordinance would unlawfully prohibit uses in all zoning districts in the Township. Staff and the Solicitor have analyzed these questions, and have provided a synopsis from the Planning & Zoning Director attached to the agenda. Also provided with the agenda is a copy of the draft ordinance. Additionally, per the Board's request, members of the State College Borough Water Authority Board and David Yoxheimer of Aqualith Technologies have been invited to participate in this discussion.

STAFF RECOMMENDATION
That the Board ***discuss*** the draft ordinance.

VII. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- **a.** September Voucher Report
- **b.** 2017-C20 Tudek Dog Park Improvements Pay Authorization – $18,246.90
- **c.** Turnberry - Science Park Turn Lane Surety Release – ($95,693.45) reduction

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP MANAGER TO APPOINT AN ACTING MANAGER DURING HIS ABSENCE IN ACCORDANCE WITH THE ADMINISTRATIVE CODE, CHAPTER 1, PART 2, ADMINISTRATIVE GENERAL PROVISIONS, SECTION 207, ACTING MANAGER AND REPEALING RESOLUTION 2013-18.

10 minutes

NARRATIVE
Provided with the agenda is a copy of the resolution as advertised for public hearing authorizing the Township Manager to appoint an Acting Manager during his absence. This is provided for under Chapter 2, Section 207 of the Administrative Code where the Manager may appoint a temporary Acting Manager subject to the approval of the Board of Supervisors. This may occur during temporary leaves of absence, and has historically occurred when the Manager is away and would not be able to reasonably return and perform his duties should the need arise.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the Township Manager to appoint an Acting Manager and repealing Resolution 2013-18.

STAFF RECOMMENDATION
That the Board ***adopt*** the resolution.

3. APPROVAL OF COUNTY LIQUID FUELS GRANT APPLICATION 10 minutes

Narrative
The Township received an invitation to apply for funding assistance through the 2018 County Liquid Fuels Program. Applications for funding assistance are due Friday, November 17th. The Public Works Director is recommending that the Township submit a request for $30,000 of 2018 Liquid Fuels Grant Funding to offset local match required for the Green-Light-Go Grant received for intersection improvements and signalization on West College Avenue and Corl Street.

Recommended motion: That the Board of Supervisors authorize the submission of a 2018 County Liquid Fuels Grant Application for the construction phase of intersection improvements and signalization on West College Avenue and Corl Street.

STAFF RECOMMENDATION
That the Board ***authorize*** the grant application submission.

4. DISCUSSION OF PHOTOVOLTAIC DESIGN OPTIONS FOR THE PUBLIC WORKS MAINTENANCE FACILITY 10 minutes

Narrative
The Township entered into a contract with Greenfield Architects, LTD for the design of a new LEED Gold Certified Public Works Maintenance Facility. As part of that contract, Greenfield Architects analyzed options for photovoltaic systems to offset the electricity demand for the new facility. Two options have been presented to the Township for consideration and are summarized in the attachment provided with the agenda. The first option is for a Half Flat Roof PV System, which is estimated to offset approximately 60% of the electricity demand of the new building and would cost an estimated $203,874 to design, engineer, and install. The second option is for a Full Flat Roof PV System, which is estimated to offset approximately 120% of the electricity demand of the new building and would cost an estimated $368,676 to design, engineer, and install. The Township has budgeted $300,000 for a photovoltaic system in the 2018 – 2022 Capital Improvement Plan.

Recommended motion: That the Board of Supervisors select Option ___ of the Photovoltaic Design Options provided by Greenfield Architects, LTD for the Public Works Maintenance Facility.

STAFF RECOMMENDATION
That the Board ***select*** Option 1 of the Photovoltaic Design Options provided by Greenfield Architects, LTD for the Public Works Maintenance Facility.

5. APPOINTMENT OF ASSISTANT SECRETARY 5 minutes

Narrative
The Township Manager is typically designated as municipal secretary. In certain circumstances where the Township Manager may be absent and the services of the municipal secretary are required, it is prudent for the Board of Supervisors to appoint an Assistant Secretary.

Recommended motion: That the Board of Supervisors appoint Angela Kalke as Assistant Secretary for a term expiring December 31, 2017.

STAFF RECOMMENDATION
That the Board ***appoint*** Angela Kalke as Assistant Secretary.

VIII. REPORTS

1. COG COMMITTEE REPORTS 10 minutes
- **a.** Steering Committee
- **b.** Finance Committee
- **c.** CRPC – TLU Joint Committee

2. OTHER REGIONAL COMMITTEES

3. STAFF REPORTS 20 minutes
- **a.** Third Quarter Financial Report – Finance Director
- **b.** Township Manager
- **c.** Chief of Police
- **d.** Planning and Zoning Director
- **e.** Public Works Director

IX. COMMUNICATIONS TO THE BOARD 10 minutes

X. CALENDAR ITEMS – OCTOBER/NOVEMBER

1. ABC Appreciation Dinner – Wednesday, October 18th at 6:00 p.m. at Toftrees Resort

XI. ADJOURNMENT