

FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting Agenda
Monday, July 3, 2017
7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. INTRODUCTION OF OFFICER BRIAN WAKEFIELD

IV. PROCLAMATIONS

1. A PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER 2017 AS FERGUSON TOWNSHIP SUICIDE AWARENESS AND PREVENTION MONTH AND DESIGNATING SEPTEMBER 10, 2017 AS FERGUSON TOWNSHIP SUICIDE AWARENESS AND PREVENTION DAY.
2. A PROCLAMATION DESIGNATING MONTH OF JULY AS PARK AND RECREATION MONTH

V. MINUTES

1. June 19, 2017, Board of Supervisors Regular Meeting

VI. REPORTS

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

VII. OLD BUSINESS

1. A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES, APPENDIX D, BY REPEALING ALL FORMER OFFICIAL MAPS AND PORTIONS OF OFFICIAL MAPS OF THE TOWNSHIP OF FERGUSON AND ADOPTING A NEW OFFICIAL MAP.
2. A PUBLIC HEARING ON A RESOLUTION REPEALING RESOLUTION 2014-08 AND ADOPTING A NEW EMAIL UTILIZATION POLICY FOR AUTHORITIES, BOARDS, AND COMMISSIONS

VIII. NEW BUSINESS

1. Consent Agenda
2. Application for Zoning Variance – TowerCo 2013 LLC. 500 Science Park
3. Discussion of Study of Desirability & Feasibility of a Fire State in Ferguson Township- S. Blair
4. Sourcewater Protection Ordinance Update – R. Stolinas
5. Discussion on LEED Gold Public Works Maintenance Facility – D. Modricker
6. Authorization of Expenditure for the Treatment of Oak Trees – D. Modricker

IX. COMMUNICATIONS TO THE BOARD

X. CALENDAR ITEMS: JULY/AUGUST

XI. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Monday, July 3, 2017
7:00 PM**

I. CALL TO ORDER

PLEDGE OF ALLEGIANCE

II. CITIZENS INPUT

III. INTRODUCTION OF OFFICER BRIAN WAKEFIELD

IV. PROCLAMATIONS

1. **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA DESIGNATING THE MONTH OF SEPTEMBER 2017 AS FERGUSON TOWNSHIP SUICIDE AWARENESS AND PREVENTION MONTH AND DESIGNATING SEPTEMBER 10, 2017 AS FERGUSON TOWNSHIP SUICIDE AWARENESS AND PREVENTION DAY.**
2. **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA DESIGNATING THE MONTH OF JULY AS PARK AND RECREATION MONTH.**

V. MINUTES

1. June 19, 2017 Board of Supervisors Regular Meeting

VI. REPORTS

1. ABC REPORTS

- a. State College Borough Water Authority – Dr. Steven Jackson

2. COG COMMITTEE REPORTS

- a. Executive Committee

3. OTHER REGIONAL COMMITTEES

4. STAFF REPORTS

10 minutes

- a. Manager's Report
- b. Public Works Director
- c. Planning and Zoning Director

VII. OLD BUSINESS

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, APPENDIX D, BY REPEALING ALL FORMER OFFICIAL MAPS AND PORTIONS OF OFFICIAL MAPS OF THE TOWNSHIP OF FERGUSON AND ADOPTING A NEW OFFICIAL MAP FOR THE TOWNSHIP OF FERGUSON.**

10 minutes

NARRATIVE

Provided with the agenda is a copy of the ordinance adopting a new Ferguson Township Official Map as advertised for public hearing. The Official Map has been reviewed by the Board of Supervisors, Planning Commission, and Centre Regional Planning Commission, and has been presented for public comment in excess of the requirements stipulated by the Pennsylvania Municipalities Planning Code.

Recommended motion: Move that the Board of Supervisors adopt the ordinance and map amending the code of ordinances by repealing all former Official Maps and portions of Officials Maps of the Township of Ferguson and adopting a new Official Map for the Township of Ferguson.

STAFF RECOMMENDATION

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

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2014-08 AND ADOPTING A NEW FERGUSON TOWNSHIP EMAIL UTILIZATION POLICY FOR AUTHORITIES, BOARDS, AND COMMISSIONS. 5 minutes

NARRATIVE

Provided with the agenda is a copy of the resolution as advertised for public hearing adopting a new Email Utilization Policy for Township Authorities, Boards, and Commissions (ABCs). The policy is applicable to any ABC member who is issued a Township email account including the Board of Supervisors, Planning Commission, Tree Commission, and Zoning Hearing Board. The policy addresses compliance with applicable governing statutes such as the Pennsylvania Sunshine Act and Pennsylvania Right-to-Know Law. The policy further establishes codes of conduct and expectations by which ABC members agree to abide by utilizing a Township-issued email account. If adopted, the policy will be provided to all ABC members who currently have Township email accounts, and training will be afforded to account holders on its contents.

Recommended motion: Move that the Board of Supervisors adopt the resolution repealing Resolution 2014-08 and adopting a new Ferguson Township Email Utilization Policy for Authorities, Boards, and Commissions.

STAFF RECOMMENDATION

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

VIII. NEW BUSINESS

1. CONSENT AGENDA

- a. 2017-C6 Curb and Ramp Upgrades Payment Authorizations (3): \$4,687.30, \$12,792.54, \$70,165.97
- b. 2017-C8 Pavement Markings Payment Authorization, \$23,119.35
- c. 2017-C8 Pavement Markings Payment Authorization, \$32,631.71
- d. 2017-C10 Bikepath and Parking Lot Sealcoat

2. APPLICATION FOR ZONING VARIANCE – TOWERCO 2013 LLC, 500 SCIENCE PARK ROAD 10 minutes

NARRATIVE

Staff has received a variance application from TowerCo 2013, LLC of 5000 Valleystone Drive, Suite 200, Cary, NC, 27519. The requested variance is for property located at 500 Science Park Road. The applicant is proposing a 119-foot monopole wireless communications facility (cell tower) on the site and the variance, if granted, would alleviate the applicant from the requirement to maintain 500' setbacks from the nearest adjacent property line. The applicant is proposing an allowance for 1' of setback for each 1' of tower height.

Recommended motion: Move that the Board of Supervisors remain neutral on the request for zoning variance for property located at 500 Science Park Road.

STAFF RECOMMENDATION

That the Board of Supervisors **remain neutral** on the zoning variance application.

3. DISCUSSION OF STUDY OF DESIRABILITY AND FEASIBILITY OF A FIRE STATION IN FERGUSON TOWNSHIP – MR. STEVE BAIR 20 minutes

NARRATIVE

On February 6th, the Board requested the completion of a feasibility study for a satellite fire station to be located in western Ferguson Township. The Board received the results of the study prepared by Centre Region Fire Director Steve Bair on Monday, June 19th. The results of the report include recommendations that the Township begin to explore options to acquire land and construct a fire station in the vicinity of Nixon Road and Plainfield Road in the western part of the Township. The study further recommends that the Township explore opportunities to locate a cell tower onsite and meet with representatives from other public safety agencies to discuss the possibility of a shared facility. As a reminder, the Township has appropriated \$80,000 in its 2017 Operating Budget for land acquisition on which to construct the fire station. Mr. Bair will be present during the discussion to address any questions the Board may have. The Board should discuss the results of the study and prioritize the acquisition of property based on the results of the discussion. Prior to land acquisition and construction, concurrence would be sought by the COG General Forum for long-term maintenance and care of the facility.

STAFF RECOMMENDATION

That the Board of Supervisors *discuss* the fire station study and *direct* staff to proceed based on the outcome of the discussion.

4. SOURCEWATER PROTECTION ORDINANCE UPDATE – MR. RAY STOLINAS 10 minutes

NARRATIVE

Township staff has been working with a steering committee on a draft of a Sourcewater Protection Ordinance since April 2016. Since that time, several iterations of the draft have been created and modified as a variety of agencies and interests have provided expert comment and review of the ordinance. As of this review, it is staff's opinion that the draft ordinance is not ready to be advertised for public hearing; however, it is appropriate at this juncture for the Board to review and comment on the draft prior to its presentation to the Planning Commission for a final recommendation.

STAFF RECOMMENDATION

That the Board of Supervisors *discuss* the sourcewater protection ordinance draft and provide any initial comment for review and consideration by the Planning Commission in its recommendation.

5. DISCUSSION ON LEED GOLD PUBLIC WORKS MAINTENANCE FACILITY – MR. MODRICKER AND MR. BUCKLAND 10 minutes

NARRATIVE

At the request of the Township's architect team for the new LEED Gold Certified Public Works Maintenance Facility, Supervisor Peter Buckland, Public Works Director David Modricker, and Township Manager David Pribulka prepared a narrative outlining the basis of design for the new facility. The document was requested during the kickoff meeting as a reference so that the owner's basic needs and requirements do not get lost throughout the design process. Staff and Mr. Buckland thought it would be prudent to provide an opportunity for the entire Board to review and comment on the document. No action other than discussion is requested of the Board at this time.

STAFF RECOMMENDATION

That the Board of Supervisors *review* the document and provide any comment.

**6. AUTHORIZATION OF EXPENDITURE FOR THE TREATMENT OF OAK TREES –
MR. MODRICKER**

5 minutes

NARRATIVE

As noted in the Public Works Director's Report, oak wilt was identified on a property located on Cherry Ridge Rd. The Public Works Director authorized immediate abatement of the infected tree to prevent transmission of the disease to other oak trees in the vicinity. Abatement included injection of other oak trees located on the same property. Per the adopted policy on oak wilt mitigation, residents whose properties contain oak trees and are located within a 150-foot radius of the infected trees are also to be treated with fungicide to prevent the spread of the disease. This additional abatement must be authorized through action of the Board of Supervisors. Budget for the treatment has been estimated by the Township Arborist at an additional \$9,240. This is only an estimate. A copy of the estimate and the policy on oak wilt has been provided with the agenda.

Recommended motion: Move that the Board of Supervisors authorize the expenditure for the treatment of oak trees as described in the Township Arborist's budget estimate dated June 29, 2017.

STAFF RECOMMENDATION

That the Board of Supervisors **authorize** the expenditure for the treatment of oak trees.

IX. COMMUNICATIONS TO THE BOARD

10 minutes

X. CALENDAR ITEMS – JULY/AUGUST

XI. ADJOURNMENT

Ferguson Township Suicide Awareness and Prevention Month

WHEREAS, suicide is the tenth leading cause of all deaths in the United States; and

WHEREAS, in the United States, one person commits suicide every thirteen minutes; and

WHEREAS, nearly five million people in the United States have lost a loved one to suicide; and

WHEREAS, suicide claims the lives of over 1,894 Pennsylvanians each year, or on average one person dies by suicide every five hours in the Commonwealth; and

WHEREAS, in Pennsylvania, suicide is the second leading cause of death for 25 – 34 year-olds, third leading cause of death for 10 – 24 year-olds, and fourth leading cause of death for 35 – 54 year-olds; and

WHEREAS, the prejudice and discrimination associated with mental health and suicide works against suicide prevention by discouraging persons at risk from seeking lifesaving help and further traumatizes survivors of suicide; and

WHEREAS, most suicides are preventable.

NOW THEREFORE, The Ferguson Township Board of Supervisors does hereby designate the month of September 2017 to be Ferguson Township Suicide Awareness and Prevention Month and September 10, 2017 to be Ferguson Township Suicide Awareness and Prevention Day.

PROCLAIMED this 3rd day of July, 2017.

Ferguson Township Board of Supervisors,

Steve Miller, Chairman

Designation of July as Park and Recreation Month

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Ferguson Township, Centre County; and

WHEREAS, our parks and recreation programs are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, Ferguson Township, Centre County recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, The Ferguson Township Board of Supervisors does hereby designate the month of July to be Park and Recreation Month in Ferguson Township, and encourages all residents to enjoy the active and passive recreational amenities that Ferguson Township and Centre County have to offer.

PROCLAIMED this 3rd day of July, 2017.

Ferguson Township Board of Supervisors,

Steve Miller, Chairman

FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting, Monday, June 19, 2017
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, June 19, 2017, at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller	Staff:	Dave Pribulka, Township Manager
	Laura Dininni		Dave Modricker, Director of Public Works
	Peter Buckland		Lindsay Schoch, Community Planner
	Rita Graef		Chief Diane Conrad
			Sgt. Chris Albright

Others in attendance included: Cindy Hahn, Thomas Giles, Dean Ball, Todd Giddings, Tom Zurat, Ken Beldin, Brian Heiser, John Lichman, Sarah Rafacz, C. Young, Bill Hichinger, Pam Steckler, Jacob Mann, Janet Swim, Dorothy Blair, Doug Keith, Bob Potter, L. Heritage, Faith Norris, Recording Secretary

II. CALL TO ORDER

Mr. Miller called the Monday, June 19, 2017, regular meeting to order at 7:00 p.m.

The first rule of business was to appoint a new Police Chief. Mr. Pribulka discussed the recruitment process for the new Chief of Police. He thanked those that assisted in the recruitment by providing valuable feedback. Mr. Pribulka detailed Chris Albright's career and accomplishments in law enforcement that spans over three decades with 25 of those years in at the Township's Police Department. Mr. Pribulka recommended his selection of Sgt. Chris Albright for the Board of Supervisors' approval to succeed Chief Diane Conrad as the next Chief of Police, effective June 30, 2017.

Ms. Dininni made a motion to approve Chris Albright as the new Chief of Police of Ferguson Township effective June 30, 2017. Mr. Buckland seconded the motion. The motion passed unanimously.

III. CITIZENS INPUT

Mr. Miller asked for any items not on the agenda. None were noted.

IV. MINUTES

1. June 5, 2017, Board of Supervisors Regular Meeting.
Mr. Buckland made a motion to approve the June 5, 2017, regular meeting minutes. Ms. Graef seconded the motion. The motion past unanimously.

V. REPORTS

1. REPORTS

C-NET Annual Presentation – Thomas Giles and Cindy Hahn

Mr. Giles, C-NET representative from Ferguson Township and currently Board Chair for C-NET, presented 2016 highlights, membership, programming, and streaming. Ms. Hahn, C-NET Executive Director, continued the shared presentation and discussed in detail the 35.1 programs (29 sponsored programs and 6.1 Bulletin Board Messages), completed in 2016. Ferguson Township was responsible for 7.2% of all programming by C-NET members, up from 5.8% in 2015. Overall from 2012-2016 Ferguson Township's programming was about 5.92% of all the member programming on both channels that is up from the previous five-year period that had been 5.5%. This shows that the Township's usage of C-NET has increased.

Ms. Dininni called a point of order to clarify whether questions could be asked during comment period. Mr. Miller clarified that the prohibition on questions applies to the staff and COG Committee reports.

2. COG COMMITTEE REPORTS

a. Human Resources

Mr. Miller presented the report provided by Ms. Whitaker in her absence. Highlights included: committee discussed a proposal for a part-time staff member for the Active Adult Center for the 2018 budget and consensus was to endorse the position for 2018 program plan; update on 2018 personnel request from the Fire Department; committee supported a rewrite of the personnel policy book that when completed will go the General Forum; continued discussion on cost of living allowance and to take a look at how other municipalities calculate their cost of living.

Ms. Dininni moved that questions be allowed during report time. Motion did not pass.

b. Finance

Mr. Miller presented the report from the June 8th meeting that was provided in the agenda packet. Highlights included a discussion of the 2018 target budget guidelines; discussion on CATA budget process; discussion on Capital funding for the Millbrook Marsh Nature Center and further discussion on capital costs associated with future upkeep of similar assets in the 2018 Program Plan. Mr. Miller noted maintenance costs of assets is a new item in this year's budget.

Mr. Buckland called a point of order and asked if it's permitted for a Supervisor to move an item from one of the reports and put on the agenda for discussion. Mr. Miller ruled that it is permitted.

Ms. Dininni called a point of order and asked if a Supervisor was permitted to ask a simple question that they did not feel warranted placement on an agenda. Mr. Miller ruled that there is no process for doing so.

c. Public Safety

Mr. Miller attended the meeting in Ms. Dininni's place. Highlights Included a presentation of survey results on the COG existing structure; Program Plan Review; a new proposed customer service position at CRCA; Code permitting software update; CRCA budget update; a new position proposed at the Alpha Fire Company; and potential targeted financial incentives for firefighters.

3. OTHER REGIONAL COMMITTEES – None were noted.

4. STAFF REPORTS

a. Manager's Report –

Mr. Pribulka noted the report was provided with the agenda packet. Overview of report includes Desirability and Feasibility Study of a Fire Station in Ferguson; details on specific municipal components of the 2018 COG funding formula; conclusion of interviews for the Police Chief; details of the Township's share on the proceedings to acquire an agricultural conservation easement on 61 acres; Chairman and Manager attendance at the groundbreaking of Morgan Advanced Materials at Innovation Park on June 9th sponsored by CBICC. Also reported was that work continues on the Capital Improvement Program; maintenance concerns along Park Center Blvd.; recent action of the State College Borough Water Authority; and the CBICC Economic Development Summit.

b. Public Works Director

Mr. Modricker noted the report was provided with the agenda packet. Overview of report includes the kickoff meeting for the LEED Gold Public Works Building; details on the regional Pollutant Reduction Plan; stormwater fee feasibility study; and capital projects.

c. Planning and Zoning Director

Ms. Schoch presented the report in Mr. Stolinas absence. Ms. Schoch reviewed the Active Plan list and the approved Planning Commission Minutes for May 22nd. Ms. Schoch advised that the Draft Traditional Town Text Amendment was postponed; Harner Farms rezoning request was presented to the Planning Commission; amendment to allow Pet Daycare Facilities in the IRD zoning district; and status of update to the Zoning Ordinance and SALDO.

d. Chief of Police

Chief Conrad reviewed crime statistics. The first accreditation assessment that passed and will become official by the next Accreditation Commission Meeting end of July. The new electronic traffic citation and crash reporting system is being tested. Spring refresher and training classes for new officers for the Emergency Vehicles & Operations Course is underway. Final processing for new hires is underway and one officer had started today and two new hires will be attending the Police Academy in July in Harrisburg.

e. Treasurer's Report

Mr. Miller noted the report is included with the agenda packet.

VI. PROCEDURE AMENDMENT – DISCUSSION ON PROPOSED STANDING RULE OF ORDER NARRATIVE

Mr. Miller proposed that the Board of Supervisors adopt a standing rule of order that would permit any individual Board member to vote against a motion that he or she made if conditions warrant. Current rules require the maker of a motion to vote in support of it.

Mr. Miller made the motion that the Board of Supervisors adopt a standing rule allowing an individual Board member to vote against a motion made by that individual member. Mr. Buckland seconded the motion.

Ms. Graef made a motion to amend that the maker of the motion even when he or she can vote against the motion cannot speak against his or her own motion. Mr. Miller seconded the motion.

Board discussion followed for clarification on the motions.

Mr. Miller asked for a vote on the amendment to the original motion. The motion failed with Mr. Buckland and Ms. Dininni dissenting.

Mr. Miller called for a vote on the original motion of the standing rule. The motion passed unanimously.

VII OLD BUSINESS

1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA COMMITTING THE TOWNSHIP TO DEVELOPING AND IMPLEMENTING A STRATEGY TO ACHIEVE NET ZERO GREENHOUSE GAS EMISSIONS NO LATER THAN 2050; TO BECOME A LEADER IN THE REGION AND COMMONWEALTH IN PURSUING GOALS ESTABLISHED BY SAID STRATEGY; AND TO ENGAGE OTHER STAKEHOLDERS IN A DIALOGUE TO DEVELOP COURSES OF ACTION TO REDUCE THE IMPACT OF HUMAN-INDUCED CLIMATE CHANGE TO PENNSYLVANIA AND PEOPLE AND PLACES AROUND THE WORLD.

Mr. Miller introduced the resolution for public hearing. Mr. Pribulka went into detail on the strategy for implementing the resolution and noted a copy of the resolution was included with the agenda packet.

Mr. Buckland read the resolution in its entirety. The resolution commits the Township to immediately begin developing a strategy to achieve net zero greenhouse gas emissions no later

than 2050. If adopted at this meeting, staff will place an item on a future agenda for discussion on how to proceed with developing a strategy.

Citizens input followed with discussion on geothermal benefits, photovoltaic solar array hybrid benefits, and to explore other technologies that may emerge over time. A citizen inquired about the clean air pure water act and if that article could be added to the resolution.

Mr. Buckland made the motion that the Board of Supervisors adopt the resolution of the Township of Ferguson, Centre County, Pennsylvania committing the Township to developing and implementing a strategy to achieve net zero greenhouse gas emissions no later than 2050; to become a leader in the region and commonwealth in pursuing goals established by said strategy; and to engage other stakeholders in a dialogue to develop courses of action to reduce the impact of human-induced climate change to Pennsylvania and people and places around the world. Ms. Graef seconded the motion.

Discussion followed on green building practice and geothermal power.

Mr. Buckland made a motion to amend the resolution on page 2, first paragraph to read, "WHEREAS, green building practices and standards... including solar, wind and **Geothermal** power have...". Ms. Graef seconded the amended motion.

Ms. Dininni made a motion to amend the amendment to the resolution, page 2, first paragraph to read, WHEREAS, green building practices and standards **have been established**,". Mr. Graef seconded the motion. The motion passed unanimously.

Ms. Dininni made a motion to amend the amended motion to the resolution, page 2, first paragraph, to replace the word reduced to **fallen**. Mr. Buckland seconded the motion. The motion passed unanimously.

Mr. Miller asked for a motion on Mr. Buckland's motion to amend as amended. The motion passed unanimously.

Mr. Miller asked for a motion on the resolution.

Ms. Dininni suggested several editorial changes. Ms Dininni suggested adding the specific meeting in Paris for record in the first paragraph. Mr. Buckland clarified the change to be the 21st Conference of the Parties member meeting of the UN Framework Convention on Climate Change in Paris. Mr. Miller noted it will be added to the resolution and a motion is not necessary.

Ms. Dininni moved to amend the resolution, page 2, last paragraph, item 3 to add language after business, and **universities including**. Mr. Miller seconded the motion.

Ms Graef made a motion to amend the resolution, page 2, paragraph 4, strike **including Penn State University** and last paragraph, item 3 strike **including Penn State University** so that it would read, "**Engage peer governments...businesses and universities to raise awareness...**" to keep the language more general. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Miller asked for a vote on the resolution as amended. The motion passed unanimously.

Mr. Buckland made a motion to amend the resolution to add in its entirety Article 1, section 27 of the PA constitution that reads, "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's

public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.” Ms. Dininni seconded the motion. The motion passed unanimously.

ROLL CALL VOTE on Resolution # 2017-14: Mr. Buckland-YES, Ms. Dininni-YES, Ms. Graef-YES, Mr. Miller-YES. The motion passed unanimously.

VII. NEW BUSINESS

1. CONSENT AGENDA

- a. Special Events Permit – Stonebridge 4th of July Parade
- b. Sponsorship Request – \$282.20 for PA APA Conference
- c. 2017-C6 and Ramp Upgrades Pay Application

Ms. Dininni made a motion to approve the Consent Agenda. Mr. Buckland seconded the motion. The motion passed unanimously.

2. NORTH ATHERTON STREET DETOUR/NIGHT WORK REQUEST – MR. DEAN BALL, PENNDOT

PennDOT submitted a request for three short-term detours and night work to be permitted in the Township during the second phase of a project to repair and replace a deteriorating drainage system along Atherton Street.

Mr. Ball presented an update on the project objectives, drainage system upgrades, signal work, detours for SR3014, section 152, Work Zones A-D - Ferguson Township, Phases 1-5 and the Culvert section (June 2018). Final clearances on schedule and work is scheduled to begin in August. The utility work to start in Fall of 2017 and the main construction will begin in 2018. Mr. Ball went into further details of the project regarding accommodations for pedestrian access, lane closures and detours.

Ms. Dininni followed with discussion on Big Hollow Road towards the Airport on developing a road/culvert to connect the unfinished road. It was recommended to contact PennDOT directly to discuss this item. Other clarifications were noted that West Aaron Drive-southbound will stay open and the dramatic dip from Aaron Drive to Atherton Street will be part of the road improvements in terms of road profiling.

Mr. Pribulka noted seeing no objections from the Board, will go ahead and issue the permits.

3. ORDINANCE AMENDMENT APPLICATION – CHAPTER 27, ZONING; CHAPTER 26, STORMWATER

Mr. Pribulka introduced the ordinance amendment application that was received on May 27, 2017, from the State College Borough Water Authority (SCBWA) requesting revisions to both Chapter 26-stormwater and Chapter 27-zoning specific to Use Regulations related to Essential Services within Floodplain Conservation areas. If interested in moving forward, the amendment would be referred to the Planning Commission specifically relating to the revisions requested from the zoning ordinance. It has been reviewed and commented on by Township staff and consultant for requested revisions to the Stormwater Ordinance.

Ms. Dininni made a motion that the Board of Supervisors *refer* the ordinance amendment application to the Planning Commission for review and a recommendation. Mr. Buckland seconded the motion.

Mr. Buckland asked for clarification of the definition of essential services in regards to infrastructure/natural gas pipelines and went into further discussion on source water protection overlay. Ms. Schoch and Mr. Pribulka responded with further detail and discussion.

Mr. Miller asked for a vote on the motion. The motion passed unanimously.

4. AUTHORIZATION TO ENTER INTO AGREEMENT WITH AMEC FOSTER WHEELER TO CONDUCT A STORMWATER FEE FEASIBILITY STUDY FOR THE TOWNSHIP

Mr. Modricker presented the proposed Stormwater Fee Feasibility Study that was included in the agenda packet. A consultant was hired under a professional services contract to prepare the Stormwater Fee Feasibility Study (SFFS) in cooperation with MS4 partners that are Centre Region municipalities and Penn State. The plan is in the preliminary design stage. Mr. Modricker went into detail on the responsibilities relating to stormwater management, scope of work, short and long-term goals, milestones and timelines, and public and advisory meetings.

Ms. Graef made a motion that the Board of Supervisors approve a contract with Amec Foster Wheeler to conduct a Stormwater Fee Feasibility Study for the Township in an amount not to exceed \$69,825.00. Mr. Buckland seconded the motion.

Discussion followed. Ms. Dininni needed further clarification on MS4 partners and was concerned whether taxpayer funds will be going to projects outside the Townships' boundaries. Mr. Modricker clarified that Penn State is a MS4 permit holder and went on to clarify that the Chesapeake Bay PRP and the SFFS are two separate items and no agreement has been made on construction for any improvements that come out of the study. Details followed on how to pay for improvements, reduction of sediment loads from other municipalities and how to build costs collectively into the plan. The PRP will help determine the costs and the SFFS based on improvements needed will help determine the opportunity for funding/assessing fees and the Board's choice to do those projects.

Discussion followed on how impact fees are applied, benchmarking, clarification that the Stormwater Fee Feasibility Study is the Townships' plan and does not include other municipalities. Mr. Pribulka clarified that municipalities can implement a fee without an authority. Ms. Graef suggested a regional authority may be appropriate. Ms. Dininni asked if an evaluation was going to be done on whether to provide services at the regional or municipal level.

A citizen noted that he is not in the MS4 district and asked for a determination of what fee he would be paying outside that zone. Mr. Modricker noted a stakeholder advisory committee will be established to look into the interests that stakeholders have and what structure will be set up. Mr. Buckland called a point of order to move the meeting on.

Mr. Miller asked for a vote on the motion. The motion passed unanimously.

5. DISCUSSION OF CONDITIONAL USE APPLICATION – 1316 WEST COLLEGE AVENUE

Ms. Schoch introduced the application as presented in the agenda packet. Applicants were in attendance at this meeting. The Township received a conditional use application to establish a skate park in the Terraced Streetscape District at 1316 West College Avenue. Currently, it is not a permitted use and the applicants have asked the Township for a conditional use permit in that zoning district.

Discussion followed on determining whether the request should go to the Planning Commission. Ms. Schoch clarified that it would be added into the TS district as an added conditional use.

Ms. Dininni made a motion that the Board of Supervisors refer the conditional use application to the Planning Commission. Mr. Buckland seconded the motion. The motion passed unanimously.

6. DISCUSSION OF APPOINTMENT TO THE CENTRE REGION PARKS AND RECREATION AUTHORITY BOARD – MR. STEVE MILLER

Mr. Miller had received a letter from Ms. Sue Mascolo stating she is resigning as the CRPR's Authority Board effective July 7th. The position will need to be filled until the end of the term ending December 31, 2018.

Mr. Miller proposed and the consensus was that the entire Board interview applicants in a public worksession prior to appointing someone to the position. No motion is required. Mr. Miller noted that the Board will announce the application period and will let staff know the plan to proceed.

Discussion followed on if there should be an interim person in place until a new member is appointed. Mr. Pribulka will look into it.

Mr. Miller thanked Ms. Mascolo for over fourteen years of service on the Authority Board.

7. DISCUSSION ON DRAFT EMAIL POLICY FOR TOWNSHIP AUTHORITY, BOARD, AND COMMISSION MEMBERS

Mr. Pribulka introduced the draft policy as included in the agenda packet. The draft policy encompasses issues such as compliance with local, state, and federal regulations, and email utilization, among other things. If proceeding, a resolution will be prepared for public hearing at a future Regular Meeting.

Ms. Dininni made a motion that the Board of Supervisors direct staff to prepare a resolution for public hearing to adopt an email policy for the Township's Authorities, Boards, and Commissions. Mr. Buckland seconded the motion.

Discussion followed. Ms. Dininni had questioned whether the new policy will repeal the old policy automatically or if a motion is needed to repeal it. Mr. Pribulka answered by saying the resolution language states it repeals the old resolution and would do so automatically.

Mr. Miller asked for vote on the motion. The motion passed unanimously.

8. DISCUSSION OF PROPOSED SUSTAINABILITY POSITION AT COG – MR. PETER BUCKLAND

Mr. Miller noted we do not have the information needed from COG at this time and tabled this item to the next meeting.

9. STATEMENT OF SENIOR MANAGEMENT COMMITMENT TO RISK MANAGEMENT AND EMPLOYEE SAFETY – PENNPRIME LOSS CONTROL STANDARD #1

Mr. Pribulka introduced the item that was provided in the agenda packet. A memorandum from the Township Manager to all staff dated June 13, 2017, affirms the commitment of senior management to risk management and employee safety. It is an annual requirement of the PennPRIME Insurance Trust, the Township's worker's compensation and liability insurer, as part of its Loss Control Standards program. The Township's certified Safety Committee ensures compliance with Loss Control Standards, regularly meets to review safety concerns, helps to mitigate risk in the

workplace, routinely inspects high-risk facilities in the Township, and reviews incidents among other things.

Ms. Graef made a motion that the Board of Supervisors **approve** the Statement of Senior Management Commitment to Risk Management and Employee Safety. Ms. Dininni seconded the motion. The motion passed unanimously.

VIII. COMMUNICATIONS TO THE BOARD

Mr. Buckland had a number of communications about the Climate resolution and the ongoing occupation of Penn State's property at the future site of The Cottages Planned Residential Development.

IX. CALENDAR ITEMS – JUNE/JULY - None were noted.

X. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Dininni made a motion to adjourn the meeting. Ms. Graef seconded the motion. Mr. Miller adjourned the meeting at 9:35 p.m.

Respectfully submitted,

David Pribulka, Acting Township Manager
For the Board of Supervisors

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3

State College, PA 16801

Phone: (814) 231-3077 Fax: (814) 231-3083 Website: www.crcog.net

EXECUTIVE COMMITTEE
COG Building - Forum Room
2643 Gateway Drive
June 20, 2017
12:15 PM

AGENDA

1. CALL TO ORDER

Chair Tom Daubert will convene the meeting.

2. CITIZEN COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the May 17, 2017 Executive Committee meeting is *enclosed*.

4. IF YOU SEE SOMETHING, SAY SOMETHING

Ms. Amy Farkas, Emergency Management Public Information Officer and Mr. Shawn Kauffman, Emergency Management Coordinator, will discuss the “*If you see something, say something*” program suggested by the Department of Homeland Security. The initiative is intended to engage the public in protecting our region through awareness-building, partnerships, and other public outreach activities. Their request is that the Executive Committee schedule a presentation to the General Forum on this program and ask for its endorsement.

By way of background, in July 2010 the U.S. Department of Homeland Security (DHS) launched the national “If You See Something, Say Something” campaign to raise public awareness of the indicators of terrorism and terrorism-related crime, as well as the importance of reporting suspicious activity to the proper state and local authorities. During recent planning activities for upcoming special events, planners identified that our community could benefit from the “*If You See Something, Say Something*” program. The Centre Region and Penn State Offices of Emergency Management will partner with the U.S. and Pennsylvania Departments of Homeland Security to provide our community with information necessary to report suspicious activity.

Mr. Shawn Kauffman and Ms. Amy Farkas would give the presentation to the General Forum. The report is expected to take ten minutes in addition to questions from the municipal officials. No documents will be distributed with the agenda.

To proceed, Mr. Kauffman asks the Executive Committee to authorize a presentation on the “If You See Something, Say Something” and asks for the General Forum’s endorsement of it. If the Committee agrees to proceed then a possible motion for consideration is:

“That the General Forum express its support for the Centre Region Emergency Management Coordinator to issue media release to encourage Centre Region residents and visitors to participate in the ‘If You See Something, Say Something’ program.”

5. ACT 537 PLAN SPECIAL STUDY – POTENTIAL EXPANSION OF BENEFICIAL REUSE SYSTEM TO THE MOUNTAIN VIEW COUNTRY CLUB AND OTHER LOCATIONS

During its February 22, 2016 meeting, the COG General Forum unanimously authorized the UAJA to complete an Act 537 Plan Special Study to consider extending the reuse water system in the direction of Mountain View County Club and the headwaters of Spring Creek. During its June 1, 2017 meeting the COG Public Services and Environmental Committee received a draft Special Study, and unanimously requested that the Executive Committee include the Act 537 Plan Special Study on the June 26, 2017 General Forum agenda in order for the General Forum to initiate a 60 day public comment period for the study.

Herbert, Rowland, and Grubic (HRG), on behalf of the University Area Joint Authority (UAJA), prepared and submitted the draft Act 537 Plan Special Study to evaluate extending the beneficial reuse water system from its existing terminus in College Township into Harris Township. The draft Act 537 Plan Special Study is available on the COG website at the following link: <http://ow.ly/zUqs30cwSZy> An extension of the reuse water system into Harris Township would allow the UAJA to provide reuse water to potential customers such as the Mountain View Country Club and the Tussey Mountain Ski Area.

The Beneficial Reuse Water Project was initially identified in the 2000 Centre Region Act 537 Plan as a disposal alternative for the UAJA. The 2006 Act 537 Plan defined a three phase beneficial reuse water distribution system and states that water produced from the Beneficial Reuse Water Project will be reused in the community for industrial, agricultural, and irrigation purposes. The plan also states that the ultimate goal of the Beneficial Reuse Water Project is to move reuse water back to the headwaters of the community where it can be used to replenish headwater streams, springs, and groundwater resources. This is consistent with the intent of the Beneficial Reuse Project and the Centre Region Comprehensive Plan.

The current reuse water system extends from the UAJA’s Spring Creek Pollution Control Facility into portions of College Township, where it is utilized by commercial customers

and for environmental uses. The draft Act 537 Special Study recommends extending approximately 27,600 linear feet of 12 inch waterline and appurtenances from the booster station near the Centre Hills Country Club into Harris Township in order to provide reuse water to the Mountain View Country Club, the Tussey Mountain Ski Area, and potential customers in the Boalsburg Technology Park along Discovery Drive.

Because the beneficial reuse system is utilized to dispose of treated wastewater, the location of all reuse water infrastructure and distribution lines must be identified in the Centre Region Act 537 Plan. In accordance with guidance from the Department of Environmental Protection (DEP), HRG prepared an Act 537 Special Study on behalf of the UAJA to evaluate this extension and is pursuing the required review and approval from the Centre Region municipalities.

Mr. Cory Miller, UAJA Executive Director, will give the presentation. Mr. Jim May, CRPA Director, and Mr. Mark Boeckel, CRPA Principal Planner will be available to answer any questions related to the public review process. The presentation is expect to take ten minutes in addition to questions from the municipal officials. Two documents will be distributed with the agenda - the Special Study report and Mr. Miller's PowerPoint presentation.

In order to move the Special Study forward in the review process, the COG General Forum should initiate a 60 day public comment period for the Special Study. To proceed, the Centre Regional Planning Commission and COG Public Services and Environmental Committee recommends that the Executive Committee refer the following motion to the General Forum for approval:

“That the General Forum authorize a sixty day public comment period beginning on June 28, 2017 and refer the Act 537 Special Study to the municipalities for their review and comment with comments referred to the COG Executive Director by August 11, 2017 for distribution to the Centre Regional Planning Agency, University Area Joint Authority and COG Public Services and Environmental Committee.”

The public comment period and meeting schedule is anticipated to follow the following timeframe:

UAJA Special Study Review Schedule

PSE Committee Review	June 1, 2017
CRPC Review	June 1, 2017
Executive Committee for referral to GF	June 20, 2017
General Forum Meeting - initiate 60 day public comment period, referred to municipalities for review	June 26, 2017
Public Comment Period Begins	June 28, 2017
PSE Official Review and Comment	August 3, 2017
CRPC Official Review and Comment	August 3, 2017
Municipal Comments Due to Jim Steff	August 11, 2017
Public Comment Period Ends	August 28, 2017
PSE Review of Comments, recommendation to COG	September 7, 2017
CRPC Review of Comments, recommendation to COG	September 7, 2017
Executive Committee - GF for final action	September 19, 2017
General Forum meeting	September 25, 2017

6. **RECOMMENDED 2018 COG BUDGET TARGET**

During the past four years, the Finance Committee has set a guideline regarding changes in the overall annual COG Budget. In establishing these guidelines, the committee asked COG staff to keep the overall increase in municipal contributions to the COG (all agencies) to a set percentage. Below is a table identifying the percentage set by the General Forum and the actual increase adopted in the annual budget proposed by the Finance Committee:

Budget Year	General Forum Guideline	Actual Change	Difference
2018	2.75% Proposed by Finance Committee		
2017	2.75%	1.95%	(- 0.80%)
2016	3.00%	2.46%	(- 0.54%)
2015	3.00%	1.95%	(- 1.05%)
2014	3.00%	3.24%	0.24%

During its June 8, 2017 meeting, the Finance Committee discussed the targeted percentage for the 2018 COG Budget. In anticipation of this discussion, all the committee members asked their governing boards/councils for their opinions. This information was exchanged at the Finance Committee meeting.

The Finance Committee voted (5 yeas, 1 nay – State College Borough) to ask the Executive Committee to refer the following motion to the General Forum for discussion:

“That the General Forum, as recommended by the Finance Committee, endorse a target for the Centre Region COG that the increase in municipal contributions for the 2018 calendar year should be 2.75% or less from the 2017 approved COG Budget.”

The Finance Committee representative from State College Borough reported his council supported no increase in the amount of municipal contributions from the 2017 to 2018 budget years.

The Executive Committee should decide whether to refer the Finance Committee’s recommended motion to the General Forum.

7. ALPHA VOLUNTEER RECOGNITION

The Executive Director will present a proposal for the General Forum to take action to comment a volunteer member of the Alpha Fire Company. For the Executive Committee only, a communication on this agenda item will be distributed at the meeting.

The Executive Committee is asked to discuss this matter and provide the Director with guidance for proceeding.

8. PROPOSED RESOLUTION TO DECLARE JULY AS PARKS AND RECREATION MONTH

Ms. Salokangas, Centre Region Parks and Recreation Director asks the Executive Committee to adopt a Resolution that expresses appreciation and celebrate the important roles of parks and recreation programs in the communities they serve by giving residents a place to appreciate nature, exercise, socialize, and have fun.

The National Recreation and Park Association (NRPA) has asked its member organizations to proclaim July as Park and Recreation Month. The NRPA believes this proclamation provides the opportunity for communities and their local leaders to acknowledge the importance of parks and recreation and the benefits they provide to the people of you serve. The Association believes that having July proclaimed as Park and Recreation Month is an effective way to enhance community and media awareness of parks and recreation programs and events.

The Executive Committee should decide whether to recommend to the General Forum the adoption of the proposed COG resolution. If the Committee agree to proceed then a possible motion for consideration is:

“That the General Forum adopt Resolution 2017 – 3 designating July 2017 as Parks and Recreation Month in the Centre Region.”

Enclosed is a draft Resolution for the Executive Committee’s review and comment.

9. EXECUTIVE DIRECTOR’S REPORT

Mr. Steff will report on items of general interest to the committee for June 2017.

10. OTHER BUSINESS

- A. Matter of Record - Next month’s meeting of the General Forum is scheduled for July 24, 2017 at the Centre Region COG Building. Tentative agenda items include: 2018 COG Program Plan, and the award of the bid to install automatic door openers in the COG building.
- B. Matter of Record - All paperwork associated with the loan amendment has been signed by the appropriate officers for the Centre Region COG, the Centre Region Parks and Recreation Authority, and Fulton Bank.
- C. Matter of Record - *Enclosed* is a communication from the Public Safety Committee to Mr. Michael Pipe, Chair of the Centre County Board of Commissioners, regarding the dispatch of hazmat services to incidents occurring in the Centre Region.
- D. Matter of Record - Congratulations Paula Bannon of Schlow Library and Mark Boeckel of the Planning Agency, 2017 graduates of the Leadership Centre County (LCC) Program. Paula and Mark are two of 49 individuals graduating this year, as the LCC celebrates 25 years of the program. Information on LCC can be found at www.leadershipcentrecounty.org.
- E. Matter of Record - *Enclosed* is an article from the Pittsburgh Post-Gazette regarding the review of additional rail service between Harrisburg and Pittsburgh as well as the letter sent by the Executive Committee late last year expressing support for increasing the rail service.

11. TENTATIVE AGENDA ITEMS

The following are agenda items tentatively scheduled for discussion at the June 26, 2017 General Forum meeting, which will be held in the **Active Adult Center in the Nittany Mall**. The meeting will be chaired by Ms. Del Corso.

- A. Pledge of Allegiance
- B. Act 537 Special Study Report
- C. 2018 COG Budget Target
- D. Resolution 2017-3 National Parks Month

12. ADJOURNMENT



**Manager's Report
July 3, 2017**

1. The Township has been advised by PennPRIME, the Township's liability and workers' compensation insurance provider, that it has met all of its Loss Control Standards and will continue to be eligible for a discount on its insurance premiums.
2. The Comprehensive Annual Financial Report (CAFR) for the fiscal year ending December 31, 2016 has been completed and submitted to the Governmental Finance Officers Association. Board members will receive a hard copy of the report and it will be made available online. The report provides comparative financial information as well as current and historical demographic information of the Township. The CAFR is typically relied upon by financial institutions should the Township need to borrow money in the future.
3. The Manager attended the Chamber of Business and Industry – Centre County's Economic Development Summit on Tuesday, June 20th and participated on a panel discussion on the Chamber's initiatives focused on the retention and expansion of existing businesses located in the county.
4. The Manager represented the Board of Supervisors in their opposition to the Zoning Appeal filed for by HFL Corporation at the June 27th Zoning Hearing Board meeting. The applicant's request for appeal was denied by the Zoning Hearing Board.
5. The Township has come to agreement on contract terms with Chris Albright to succeed Diane Conrad as Chief of Police. Chief Albright began serving as Chief of Police effective June 30th.



TOWNSHIP OF FERGUSON

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Public Works Director's Report to the Board of Supervisors for the regular meeting on June 19, 2017

1. **Oak Wilt** – A suspected case of oak wilt on Cherry Ridge Road was reported on the evening of June 19th, and investigated by the Township Arborist on June 20th. This case is just outside the treatment area of 2016. A sample of the tree was taken to Buckhout Lab at Penn State the same day. On June 28th, at the time of this writing, the lab notified the Arborist that the sample tested positive for oak wilt. Immediate steps are now being taken to mitigate the oak wilt in accordance with resolution 2016-32 including notifications, and action to remove and properly dispose of the infected tree, trenching to break root grafts, and treatment of adjacent oaks on the same property. This work is expected to be accomplished under \$10,000.

At Monday night's

meeting, I expect to have an estimate for the oak wilt abatement based on 1) a quote from Bartlett Tree Experts for the work on the property of the infected tree, and 2) an estimate by the Arborist for treatment using the current contract unit rate from Bartlett for injection X the estimated tree count within a 150 foot radius of the affected tree X an average tree diameter. Actual cost will be based on actual measured quantities.

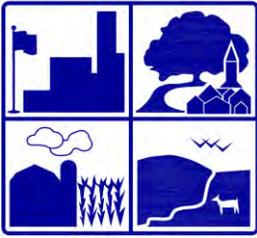
2. **LEED Gold Public Works Building:** Township representatives prepared a memorandum as requested by the Architect expressing the Owner's basis for design. The memorandum is provided in the Board's packet.
3. **Pollutant Reduction Plan (Chesapeake Bay and impaired waterways (Slab Cabin Run)):** MS4 partner engineers met with our consultant, NTM, to continue working on BMP selection and discuss potential cost sharing between partners on various projects such as the channel stabilization of Thompson Run upstream of the Duck Pond. Once the final report is received from NTM, a presentation will be provided to the Board.
4. **West College Avenue Streetscape Sidewalk Project:** Work by the Township's contractor, M and B Services, LLC continues. Sidewalk is being installed on the north side of W College Ave near Corl Street.
5. Staff is working with Amec Foster Wheeler to finalize the professional services contract to prepare a stormwater fee feasibility study and schedule our kickoff meeting.
6. **Contract 2016-C11 ARLE Performance Metrics:** This 2017 project, funded by the Automated Red Light Enforcement program, includes the engineering and construction of a system including hardware and software to improve traffic signal performance.
7. **Contract 2016-C17 Fairbrook Park Parking Lot Paving:** GOH plans to begin work to pave the lower parking lot at Fairbrook Park on Wednesday, July 5, 2017. Staff

coordinated work with CRPR. Access to the upper and lower parking lots will be closed during construction activities and reopened to the public at the end of each day. Construction is anticipated to be completed by mid-July. During construction, the public may park on Beaverbrook Drive for access to the upper end of the park or Oak Glenn Road for lower park access.

8. **Contract 2016-C19 Corl Street/W College Ave Traffic Signal Upgrade:** Funded in part with a Green Light Go grant, this project is currently in design to upgrade pedestrian accommodations at this location. Based on a kick off meeting with the design consultant and PaDOT representatives, this project should be designed in 2017 for construction in 2018.
9. **Contract 2017-C1 Kansa Avenue:** Based on direction from the Board of Supervisors at the June 5th regular meeting, engineering staff withdrew the paving contract that was out to bid. Staff prepared an easement document for execution by Mrs. Sunday to install a drainage pipe and outlet on her property. Mrs. Sunday is not interested in signing the document with the design showing a pipe and outlet on her property. The project is on hold.
10. **Contract 2017-C2 Valley Vista/Science Park and Bachman/Valley Vista turn lanes:** This contract was awarded to GOH and is under construction. Work is expected to continue through early August.
11. **Contract 2017-C3 Martin Street:** The paving contract was awarded to GOH and paving is planned for mid-July. Pipe lining is planned for July 24th and traffic impacts should be minimal since the road does not need to be excavated to do the pipe lining.
12. **Contract 2017-C4 Sycamore and Chestnut Street:** These roads are candidates for cold in place asphalt recycling with a new asphalt wearing course. Sycamore Drive will require roadside swale improvements and driveway adjustments with culverts. The project is still in the design phase. An open house will be scheduled once preliminary design is complete. Construction is planned for 2018.
13. **Contract 2017-C5 Meadows Park Improvements:** Work includes the construction of a pavilion and pedestrian access. [The project is currently out to bid for a bid opening on July 11th.](#)
14. **Contract 2017-C9 Microsurfacing:** This contract was awarded to APS. Work is expected to take place in July and August. Affected residents will be sent notices in advance by the Township. In addition, the contractor installs no parking signs and places door hangers to notify residents of upcoming work.

15. **Contract 2017-C10 Sealcoating bikepaths and parking lots:** Every year the Township evaluates bikepath and parking lot conditions and prepares a contract and lets bids for a double sealcoat application and line striping. [See separate award recommendation memorandum.](#)
16. **Contract 2017-C11 Pedestrian push button upgrades:** As in years past, the Township continues to upgrade pedestrian access at signalized intersections. Work is done by FTPW.
17. **Contract 2017-C12 Traffic Signal LED replacements:** Each year the Township purchases LEDs and replaces them at signalized intersections after approximately 7 years of service. Work is performed by FTPW.
18. **Contract 2017-C16 Oak Wilt Treatment:** [See above narrative. Additional oak wilt abatement is expected under this contract.](#)
19. **Contract 2017-C17 Lois Silvi Baseball Field Improvements:** Utilizing DCNR funding, improvements to the complex include construction of paved ADA parking and path, a concrete pad under the pavilion, sidewalk, removal of existing building(s), and installation of stormwater facilities in the fall or in 2018.
20. **Contract 2017-C18 Haymarket Park Playground Improvements:** Work includes the replacement of an existing play structure. Staff prepares a contract for work by a certified playground installer.
21. **Contract 2017-C19 Fairbrook Park Baseball Backstop:** A new backstop is planned for 2017.
22. **Contract 2017-C20 Tudek Dog Park Improvements:** Staff has been tasked with the design of a new parking lot for the dog park with ADA parking and connecting sidewalk, landscaping, stormwater facilities, and a monument sign. The project is to be constructed in 2017.
23. **Contract 2017-C21 Tudek Park waterline:** This project includes the design and construction of a new water service to the restroom, and a water service line to the butterfly garden. [A purchase order was issued to Allied Mechanical to install a water fountain and pressure pump inside the building. Based on pricing for the request for quotes, work to install the waterline to the butterfly garden was not awarded. The scope of work and timeline to complete the work has been revised and will the work will be quoted again.](#)

- 24. Contract 2017- C22 Meckley Road Paving:** This project was awarded to New Enterprise Stone and Lime. Paving is planned for August. FTPW is currently replacing a cross pipe and performing base repair.
- 25. Contract 2017-C25 Park Drinking Fountain Upgrade Program:** Staff designed and is receiving and reviewing quotes to replace the drinking fountain in Park Hills playground.
- 26. Contract 2017-C26 Sidewalk Repairs:** Inspections are complete and repair notices have been mailed. Each year FTPW staff inspects a portion of the sidewalks (approximately $\frac{1}{4}$) in the Township right of way. A contract is put out to bid and awarded to a contractor to repair those sidewalks not repaired by residents.
- 27. Contract 2017-P2 Stormpipe Video Assessment:** Each year staff puts out a contract to video and document the condition of storm pipes in advance of capital projects to determine replacement and maintenance needs.
- 28. East Park Hills Avenue Traffic Calming Study –** Staff continues to evaluate the feasibility of options (in addition to the those identified in the initial study) including speed humps and the feasibility of small traffic circles.
- 29. Arborist and Ferguson Township Tree Commission:** The next meeting is July 17th.
- 30. Maintenance Section:** Brush and leaf collection take place starting Monday, July 3rd. Other work for the 2 weeks starting July 3rd includes road side mowing, finalization of base repair on Meckley Road, start of base repair on Tadpole Road, various work orders including sign installations, and equipment and vehicle maintenance.



TOWNSHIP OF FERGUSON

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Planning & Zoning Director's Report Monday, July 3, 2017

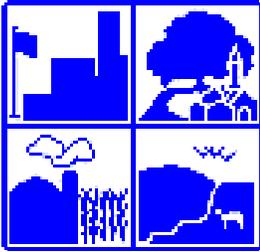
PLANNING COMMISSION

The Ferguson Township Planning Commission met on June 26th, 2017 and discussed the following items:

LAND DEVELOPMENT PLANS AND OTHER PROJECTS

- An Active Plan List is attached for the Board of Supervisors consideration (6/28/17).
- Approved Planning Commission Minutes from the June 12, 2017 meeting.
- **STATE COLLEGE BOROUGH WATER AUTHORITY (SCBWA) PROPOSED TEXT AMENDMENT**
Planning and Zoning staff presented the Zoning Ordinance Text Amendment Application proposing changes to both Chapter 26 (Stormwater Management) and Chapter 27 (Zoning). The Director of Public Works and Township Engineer coordinated a separate review with NTM engineering regarding Stormwater Management. The SCBWA is now requesting an ordinance change to allow the Water Treatment Facility in the RA Zoning District. The discussion centered around the proposed text amendment for Chapter 27-204.1.P. The proposed text amendment includes any form of "Essential Service" to be permitted as a Conditional Use by the Board of Supervisors. Upon their initial review, the Planning Commission provided comments to staff for further evaluation in their analysis of the proposed amendment. Additionally, Planning Commission members requested that a Joint Work Session be scheduled between the Planning Commission and Board of Supervisors to further discuss the proposed amendment. If the Board of Supervisors wish discuss this request, it should be moved to the regular agenda.
- **DRAFT TRADITIONAL TOWN DEVELOPMENT TEXT AMENDMENT**
Representatives of both Residential Housing Development, LLC and Circleville Road Partners attended the Planning Commission meeting to review progress made thus far with the proposed TTD Text Amendment and discussed further changes because of previous presentations by both parties. Attorney Charles Suhr reviewed six adjustments to the amendment request, and, after discussion between Planning Commission members and Attorney Dwight Ferguson, Circleville Road Partners, the Planning Commission voted 3-2 to recommend the adjusted amendment to the Board of Supervisors for their consideration.
- **CONDITIONAL USE APPLICATION – PRIVATE SKATE PARK IN THE TERRACED STREETSCAPE**
Planning & Zoning staff temporarily moved this item off the Planning Commission agenda until the July 10, 2017 Planning Commission meeting to resolve two items with the Conditional Use Application. First, the property owner, Westview Commons, LLC, must acknowledge the submission of the application. In addition, the owner must demonstrate under §27-703.2.E. Conditional Uses, where conditional uses shall be permitted only upon a lot, or combined lots, totaling 1 acre or larger.

FERGUSON TOWNSHIP PLANNING AND ZONING DEPARTMENT				
June 2017				
Permits	Month 2016	Month 2017	YTD 2016	YTD 2017
New Single Family Dwellings	1	6	22	25
New Multi Family Dwellings	0	0	0	0
New Buildings/Shed	3	2	10	16
Additions	11	4	59	32
Finish Basement	2	1	8	9
Alterations	1	0	3	6
Subtotal	18	13	102	88
Use Permits	Month 2016	Month 2017	YTD 2016	YTD 2017
New Tenant/Use	1	3	4	9
Home Occupation	1	0	8	4
Subtotal	2	3	12	13
Zoning	Month 2016	Month 2017	YTD 2016	YTD 2017
Land Development	1	1	1	2
Minor Alterations	1	0	1	0
Subtotal	2	1	2	2
Miscellaneous	Month 2016	Month 2017	YTD 2016	YTD 2017
Miscellaneous	5	8	10	21
Subtotal	5	8	10	21
Rental Housing	Month 2016	Month 2017	YTD 2016	YTD 2017
Rental Housing	5	2	55	40
Subtotal	5	2	55	40
Signage	Month 2016	Month 2017	YTD 2016	YTD 2017
Signs	3	0	14	14
Temp Signs	1	2	9	7
Subtotal	4	2	23	21
Grand Total	36	29	204	185



TOWNSHIP OF FERGUSON

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TO: Ferguson Township Board of Supervisors

FROM: Lindsay K. Schoch, Community Planner

DATE: June 28, 2017

SUBJECT: Active Plans in the Township

In order to keep the Planning Commission and Board of Supervisors up-to-date on the current developments taking place, staff is providing a list of Active Plans in the Township.

Currently, the Township has five (5) Active Plans, four (4) have not been heard by the Board and one (1) has been conditionally approved. They are as follows:

West Cherry Lane Multi-Use Building Lot Consolidation Plan & Land Development Plan: This submission, made by Penn Terra Engineering, Inc., on behalf of HFL Corporation proposes a Lot Consolidation and Final Land Development Plan. This proposal will first combine three (3) existing properties, creating a 12.82-acre parcel. Five (5) of the existing structures on the property will be removed, making room for the development of a 3-story, 10,100 square foot multi-use building, as well as a 4-bay garage. This property is located at 1217 North Atherton Street. ***Plan Expiration: June 29, 2017. A Zoning Hearing was held on June 27, 2017. The Appeal of the Zoning Administrator's interpretation of the definition of Multi-Family and Variance were both denied by the Zoning Hearing Board.***

JL Cidery at JL Farms Land Development Plan: This submission, made on February 24, 2017 by HLA Architects, LLC. on behalf of Dr. John W. LeClair is proposing the change of use of two existing agricultural buildings into buildings that will provide for the production and sale of hard cider made on site. The site currently contains a single family home/business, several green houses, a pond, driveway, apple orchards and a vineyard. A Variance was granted by the Township Zoning Hearing Board July 28, 2015 to allow an orchard use and a "Cidery" use on the 31-acre lot, and a dimensional variance of 26 acres from the maximum 5-acre lot area to allow the Cidery and winery (including tasting and sales room). This property is located at 3392 Shingletown Road, State College, PA. ***Plan Expiration: August 16, 2017.*** A Variance was granted for relief from the requirements for Buffer Yards on the property. Penn Terra is in the process of working on the remaining comments and will submit to staff for review. ***No Update***

CSC Northland/Proposed Commercial Development-Buffalo Wild Wings/Corner of North Atherton and Blue Course Drive: CSC Northland, LP is proposing to develop a portion of a 3.55-acre parcel with a 5,440 SF restaurant. The site will also contain related site amenities and

improvements inclusive of parking, access roadways, lighting, landscaping, utilities, and stormwater management facilities. **Plan Expiration is 9/11/2017** Plan is on hold; Applicant is reevaluating traffic improvements. Staff requested an update of the status of the Plan, Bohler Engineering is still indicating the plan is on hold and will notify us when they want to move forward. **No Update.**

The Cottages at State College Final PRD/Whitehall Road and Blue Course Drive: Appealed to Commonwealth Court. Plan Expiration is yet to be determined based upon any decision that comes out of the court. Received Brief for Appellees on 12/22/16 & Received Reply Brief for Appellant 1/20/2017 – Commonwealth Court Hearing held on 3/6/17 at 1:00 PM **Commonwealth Court ruled in favor of Springton Pointe, L.P. On June 16, 2017, Petitioners filed a Petition for Allowance of Appeal to the PA Supreme Court. Now the Pennsylvania Supreme Court will decide if they will choose to hear the Appeal of the Commonwealth Court decision.**

Whitehall Road Regional Park: Centre Region Parks and Recreation (CRPR) is proposing a 100-acre regional park on Whitehall Road via the proposed Blue Course Drive extension, including a mix of baseball fields, soccer fields, basketball courts, a dog park, an area for community gardens, an indoor turf facility, a future centralized CRPR maintenance facility and agency. Plan Expiration: 6/30/2017 CRPR is working with Stahl Sheaffer on a Feasibility Study and will determine how to move forward within Budget. **Staff has contacted Stahl Sheaffer Engineering reminding them of their Plan Expiration on 6/30/17.**

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, JUNE 12, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, June 12, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Marc McMaster, Chairman
Rob Crassweller, Vice Chair
Ralph Wheland
Lisa Strickland
Bill Keough
Eric Scott
Andrea Harman
Cristin Mitchell, alternate (absent)

Staff:

Ray Stolinis, Director of Planning & Zoning
Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Administrator

Others in attendance were: Marcella Bell, Recording Secretary; Michelle Spiering, Harner Farms Rezoning; Justin Mandel; Harner Farms Rezoning; Nancy Harner, Harner Farms Rezoning; Dan Harner, Harner Farms Rezoning; Jean Moore, Harner Farms Rezoning; Thompson Harner; Harner Farms Rezoning; Eric Reischer, Harner Farms Rezoning; Ansusan Brewer, Pet Daycare in the IRD; Ron Propst, Harner Farms Rezoning; Megan Leathers, Harner Farms Rezoning; Lynda and Greg Mussi, Pet Daycare in the IRD; Anna Mazzucato, Harner Farms Rezoning; Mark Kunkle, Harner Farms Rezoning; and Steve Miller.

II. CALL TO ORDER

Mr. McMaster called the June 12, 2017 Planning Commission meeting to order at 6:00 p.m.

III. CITIZEN INPUT

There was no citizens' input.

IV. HARNER FARMS REZONING REQUEST—ZONING MAP AMENDMENT

Mr. Stolinis stated that Planning & Zoning staff received a completed application for a rezoning request from Aspen Whitehall Partners, LLC to rezone tax parcel 24-004-,067-,0000- (71.9 acres) owned by Danny R. and Pamela M. Harner and Thompson P. Harner and Nancy P. Harner. The applicant represents a development company with an interest in acquiring the property to construct residential and commercial units. The current zoning designation of the property is Rural Agricultural (RA) and Corridor Overlay. The proposed designations are General Commercial (C), Single-Family Residential (R1), and Two-Family Residential (R2). The property is located within the Regional Growth Boundary (RGB)/Sewer Service Area(SSA) of the Centre Region.

Mr. Stolinas referred to the projector to show the property in question and the proposed rezoning. Mr. Stolinas stated that staff looked at the wetlands overlay and the floodplain areas in the GIS mapping and identified that there are none present for the property in question. The nearest stream is about 1,200 feet away and is a tributary to Slab Cabin Run. The soils in existence on the property include the Hublersburg silt loam, Hagerstown silt loam, and Opequon-Hagerstown complex. The Ferguson Township Agricultural Security Area list of property owners currently includes the property in question as a part of the Township Agricultural Security Area; however, it does not include a purchased Agricultural Easement. The property is identified on the 2013 Centre Region Comprehensive Plan, Future Land Use Map of Ferguson Township as a "Mixed Use" land use category.

Mr. Stolinas referred to the projector and pointed out the out parcels that will not be included in the rezoning request. To the east along West College Avenue of the proposed rezoning is zoned commercial, the area north of the property is zoned R2, along the west part of the property is zoned R1, and a small portion of the property down West College Avenue will remain RA.

Included in the agenda packet is an application submitted by Aspen Whitehall LLC to rezone the front part of the property along West College Avenue as general commercial, the back part of the property as R1, and a small four-acre area to be zoned R2. The proposal includes 27.5 acres for the general commercial area, 12.7 and 9.8 acres for the R1 area, and 4.3 acres for the R2 area.

Ms. Harman stated that she received an email from a Township resident concerned about whether this proposed rezoning/development would impact the wastewater treatment plant in terms of overcapacity. The resident also had concerns regarding the character of the area. Ms. Harman stated that she thinks it's exciting to see development along that part of Whitehall Road. Mr. Stolinas stated that staff does not have any concern for overcapacity at this point and will be receiving detailed plans later on regarding the commercial and residential developments, along with any Department of Environmental Protection (DEP) modules that would identify gallons per day for certain phases of the development.

In response to a question from Ms. Strickland Mr. Harner stated that the parcel that contains the electrical substation belongs to West Penn Power and will not be affected by the rezoning. In response to a question from Ms. Strickland, Mr. Mandel from Aspen Whitehall stated that the substation owned by West Penn Power will not change, as well as the farm stand that is owned by the Harners. Mr. Mandel explained that as far as the development itself, Aspen Whitehall has not gotten into the level of detail that includes retail tenants and homebuilders. The current stage of the process is really focused on the rezoning request and process. Aspen Whitehall primarily builds for retail uses but has also built residential areas. Aspen Whitehall was attracted to this property primarily for the different types of uses that could be built, as well as the fact that there is not a lot of development on this side of State College. Ms. Strickland stated that she was expecting more residential zoning in the proposed rezoning request, rather than a larger amount of commercial. Ms. Strickland explained that she's heard concerns from

residents regarding the type of commercial being proposed, the signage, and the lighting. She also got comments regarding the fact that West College Avenue is an unattractive area and Harner Farm is the most attractive area to look at. Ms. Strickland stated that she is often concerned about new developments putting pressure on the Regional Growth Boundary; however, she feels like this is a reasonable plan due to the proposed residential area behind the commercial area.

Mr. Keough stated that the Township has known for a long time that this property was going to change. The Township wanted to allow the Harners maximum protection through zoning in order to keep the apple orchard; however, the opportunity for the Harners to make the change never presented itself. The fact that the frontage on West College Avenue is commercial is just a part of the nature of the region that the Harners are in. Mr. Keough believes that there are downsides to zoning the parcel all R1, especially with the commercial zone across the street. Mr. Keough stated that he is pleased that student housing is not being proposed here. Allowing R1 properties near other R1 properties, as well as R2 properties near R2 properties is reasonable.

Mr. Scott stated that he is of the same opinion as Mr. Keough and is sad to see Harner Farms go.

Michelle Spiering, President of the Golden Orchards HOA, stated that she doesn't know enough about what is being proposed. She questioned when and how much input the residents can have. Mr. Stolinas explained that the Planning & Zoning staff received the application, which is first reviewed by the Township Board of Supervisors. Once the Board refers the rezoning request to the Planning Commission, the Planning Commission will review the application and eventually make a recommendation to the Board of Supervisors. The Board will advertise the proposed rezoning for a public hearing and consider any comments before approving it. In this case, if the Board approved the rezoning request as-is, there will be 21 permitted uses in the Commercial district, and the R1 and R2 districts would allow for single and double family housing. After the rezoning request is approved, the developer would have to submit land development plans, which will be more detailed. Mr. McMaster added that there will be a public hearing after the 30-day advertisement.

In response to Ms. Spierling's question, Mr. Stolinas stated that if the developer's plans fall through after the rezoning is approved, the property in question will always be rezoned whatever is approved; however, any new developers looking to build on the property would have to meet the ordinance requirements.

Mr. Keough added that developments come to the Township in stages: the first stage comes in the form of permitted uses related to zoning. The next step would be for a developer to propose what those uses would look like. The proposal goes to the Planning Commission for review and recommendation and then the Board of Supervisors reviews and approves the proposed development. During a rezoning request, the Planning Commission and Board of Supervisors does not have a detailed plan, except for the zoning districts ordinances that depict what is and what is not a permitted use in specific districts. Mr. Keough went on to explain that the Board of Supervisors just adopted a new

sign ordinance, so any new signs will have to comply with the new ordinance. There are ordinances for lighting, illumination, spillage, sewage, stormwater, etc., and developments must comply with these ordinances.

In response to a question from Ms. Spierling, Mr. Ressler stated that the setback for commercial abutting the R2 district is 15 feet. Mr. Ressler went on to explain that if the commercial property is subdivided into several parcels, there would be a 50-foot rear setback.

In response to a question from Eric Reischer regarding the density of the R1 area, Mr. Mandel stated that there is a minimum density, although Aspen Whitehall has not drawn up any plans. Mr. Ressler added that the minimum lot size for R1 is 10,000 square feet. Mr. Mandel stated that Aspen Whitehall Primarily develops retail developers and it is his hope that small offices will be a part of the land development. He believes the residents will be happy with the land development plan that Aspen Whitehall comes up with because they try to create plans that are good for the community. Mr. Reischer expressed concern with the houses near the commercial area depreciating in value due to the large commercial zone. Mr. Reischer wondered if the Planning Commission had any authority over the design of the layout.

Jean Moore, Ferguson Township resident, asked the Planning Commission to consider the area zoned commercial versus residential. She stated that there should be more residential versus commercial because she doesn't want West College Avenue to end up like North Atherton Street.

Mr. Wheland stated that the Township is running out of room for uses in the Industrial and Research District (IRD), and this parcel of land may be a good use for that district. Mr. Scott stated that this end of town is a lot slower paced and staff should do studies regarding the need for retail on the property in question.

In response to a question from Ms. Strickland, Mr. Mandel stated that Aspen Whitehall picked this parcel of land specifically so they could mirror the rest of West College Avenue and the zoning. There will be a mix of R1, R2, and commercial which fits the rest of the area.

Mark Kunkle, Ferguson Township resident, stated that he believes the property being considered for rezoning is consistent with the Centre Region Comprehensive Plan. Mr. Kunkle stated that there should be more analysis of this request done by staff regarding the amount of commercial property available in the Township currently, as well as how many acres of R1 and R2 are available. He also asked staff to consider the Planned Residential Developments (PRD) that have neighborhood commercial zoning already. He is not against the rezoning; however, he is concerned with the distribution, makeup, and consistency of the rezoning as it relates to the area and adjacent properties. He urged the Planning Commission not to make a recommendation tonight to let staff analyze these items. Staff should gather the foundational facts such as impacts on water, traffic, the school district, and emergency services. This analysis should be provided to the Planning Commission prior to the recommendation of the rezoning. Mr. Kunkle stated

that there is no time limit on a rezoning request, so there are no time constraints if the rezoning request is referred back to staff for further analysis. Once it's zoned, the development aesthetics will be controlled by the uses and the land development regulations under which those uses will be governed.

In response to a question from Mr. Wheland regarding the size of the commercial area, Mr. Mandel stated that if there is interest different plan, they would be happy to discuss that.

Mr. Scott mentioned that there is a shortage of for-sale houses in the 200-300k range. Mr. Mandel stated that at the minimum density required by the ordinance, he believes there would be quite a number of housing units, and the absorption of houses in State College is not great enough to create a land development plan with mostly R1 and R2 zoning; however, if the Township would like to see more residential housing, they'd be happy to discuss that.

After discussion, Mr. Wheland made a motion, seconded by Mr. Crassweller, to table the Harner Farms Rezoning Request until Township staff can provide further analysis on the rezoning request. The motion carried 6-0. Mr. McMaster abstained.

V. **PET DAYCARE IN THE IRD**

Mr. Stolinas stated that on April 14, 2017, Planning & Zoning staff received an ordinance amendment application from Robert and Judy Burgess of 3020 Research Drive to add Pet Daycare facilities as a permitted use in the Light Industrial/Research and Development (IRD) Zoning District. The Township currently permits such facilities in the General Commercial (C) Zoning District only. At the May 2, 2017 meeting, the Board of Supervisors directed staff to develop a draft ordinance amendment that considers Pet Daycare Facilities in the IRD as a Conditional Use. The Board of Supervisors reviewed the proposed draft amendment and referred it to the Planning Commission for further recommendation. Mr. Stolinas stated that there are two definitions that were amended in the ordinance several years ago: Pet Care Facility versus Pet Day Care Facilities.

Pet Care Facility: A site utilized for short-term care of domestic animals or household pets. May include spas, resorts, and/or grooming facilities which provide overnight boarding. No outdoor, overnight boarding of animals is permitted. Permitted by right—Rural Agricultural, Rural Residential, and Light Industry/Research & Development districts.

Pet Day Care Facilities: The daytime care of domestic dogs or other household pets, belonging to persons not residing on the premises. Grooming and training services may also be provided at such a facility, as well as the retail sale of pet food and pet accessories. No outdoor or overnight boarding of animals is permitted. Permitted by right—General Commercial district.

Mr. Stolinas stated that when comparing the provisions for each use, they are very similar—the two differences being that with a pet care facility, if located within 1,000 feet

of a residential occupied site, it must identify how noise from the facility will be controlled for nuisance situations, and the facility operates on a 24-hour basis.

The pet day care facility may not be located within 1,000 feet of a residential zoning district or within 500 feet of any food service establishment. Any portion of the site that abuts a residential occupied property must provide a six-foot landscape screen or fencing. The hours of operation for a pet day care facility are from 7:00 a.m. to 7:00 p.m.

Mr. Stolinas noted that in the ordinance under the Commercial zoning district, pet day care facilities are allowed a minimum lots size of half an acre. When the Board of Supervisors reviewed the proposal, it recommended that the ordinance amendment consider a 0.75-acre minimum lot size. Mr. Stolinas stated that there is only 704 feet from the property line to the Stonebridge neighborhood as well as 776 feet to the residential area across West College Avenue.

Mr. Scott stated that he does not see any problem with allowing the proposed conditional use in the IRD. In response to a comment from Mr. Keough, Ms. Ansusan Brewer of the Stonebridge neighborhood stated that there used to be a restrictive covenant that did not allow for dogs to be left unattended outside; however, the covenant is not in effect anymore, even though the residents of that neighborhood still follow the covenant. Ms. Brewer stated that the application does not meet the zoning requirement and does not meet the conditional use requirement. Ms. Brewer asked if there could be conditions placed on the use that would allow the use to be vacated if the property owner gets "x" number of noise complaints per year. Mr. Stolinas stated that he has not heard of any such conditions placed on these types of uses before.

Ms. Lynda Mussi provided additional information to the Planning Commission about her proposed use. Ms. Mussi stated that the building proposed for a conditional use was built in 1989 with the intent of having child care services for a long period of time. At the time, the building was used for a full-day kindergarten center for roughly 80 children for the State College Area School District. The building has been sitting empty for about five years since then. There have been a few rentals of the property since then, but it has not been successful.

There were several questions and concerns from the Planning Commission including:

- The Planning Commission would like the Mussis to come up with a better idea of what type of business they would like to have at the property. The Mussis have not yet created a detailed business plan because they want to have an idea of what uses are allowed before they spend money creating a business model.
- There is some concern that the property line does not meet the conditional use requirement of 1,000 feet away from residential occupied properties.
- There is concern about the size and location of the exercise and defecation areas for the dogs outside.
- There was a comment made about the ratio of employees to dogs.
- There was a comment made about the standard for parking spaces.

Mr. Stolinas added that the Planning Commission can consider that the applicant create a sound barrier since the property is not 1,000 feet from a resident occupied property.

Since the Planning & Zoning department is working with Environmental Planning & Design (EPD) for the Zoning, Subdivision, and Land Development ordinance rewrite, the Planning Commission suggested that staff bring the draft ordinance amendment to the consultant to review and consider including in the rewrite.

A motion was made by Ms. Harman and seconded by Mr. Scott for staff to review the draft ordinance amendment with EPD to consider including it in the Zoning, Subdivision, and Land Development ordinance rewrite. The motion carried 6-1.

VI. PLANNING DIRECTOR REPORT

Mr. Stolinas reviewed the Planning Director's Report.

On May 19, 2017, Planning & Zoning staff received a Conditional Use Application Request from Benjamin Wentz, Jake Johnson and Frank Singley for tax parcel #24-002A-,124-,0000- within the TS Zoning District. The applicants request the Board of Supervisors to consider a private area for skateboarding utilizing an existing foundation at the previous Sheesely Concrete Plant.

On May 23, 2017, the Planning & Zoning Director and Zoning Administrator attended the Zoning Hearing Board meeting for the variance requests submitted by Peter and Chelsea Mali at 1363 Sconsett Way (Impervious Coverage) and the J.L. Cidery @ J.L. Farms (Buffer Yard).

On May 25, 2017, Planning & Zoning staff received a Zoning Text Amendment Application from Kenneth W. Beldin, Jr., PE, Gwin, Dobson and Foreman, on behalf of the State College Borough Water Authority, to modify several sections of the existing Zoning Ordinance, specifically text related to "Essential Services" and "Essential Services" within areas of Floodplain Conservation. The amendment had also been sent to Carolyn Yeagle, EPD, for consideration into the Working Draft Zoning Ordinance. On May 25, 2017, the Planning & Zoning Director and Community Planner met with Kurt Homan regarding a discussion about a potential relocation of parking area for the Hunter's Chase Park – Proposed Final Buildout. Also on May 25, 2017, the Planning & Zoning Director, Community Planner and Township Manager met with representatives of Penn State Real Estate, Municipal Liaison, Campus Planning Director and Legal Counsel pertaining to the "Potential Park Acquisition" outlined on the Draft Official Map. Staff reviewed the process of Public Outreach and Official Map development timeline to clarify changes to the draft.

On June 5, 2017, the Planning & Zoning Director and Community Planner met with the Township Engineer and representatives of PennTerra Engineering and McCormick Taylor related to TIS Scoping for Foxpointe PRD modified Phase 1E (Neighborhood Commercial/Multifamily Housing to 55 Single Family Lots). On June 5, 2017, the Planning & Zoning Director attended the Executive Session of Board of Supervisors to

discuss the Cottages PRD Commonwealth Court Decision. Also on June 5, 2017, the Board of Supervisors adopted the revised Chapter 19 – Signs and Billboards.

On June 6, 2017, the Planning & Zoning staff received a copy of the Internal Working Draft Zoning Ordinance from Environmental Planning & Design. On June 6, 2017, the Planning & Zoning Director and Zoning Administrator met with Jon Eich regarding an existing private access drive, adjacent to Thistlewood, that traverse properties leading to the Estate of Samuel Atmore. Also on June 6, 2017, the Planning & Zoning Director and Township Manager met with Dr. Steven Jackson, Ferguson Township representative to the State College Borough Water Authority to discuss items discussed at the May 18, 2017 SCBWA meeting specific to Ferguson Township proposed connections.

VII. ACTIVE PLANS UPDATE

Ms. Schoch reviewed the active plans which included: West Cherry Lane Multi-Use Building Lot Consolidation & Land Development Plan, J.L. Cidery at J.L. Farms Land Development Plan, The Cottages at State College Final PRD, CSC Northland Buffalo Wild Wings, and Whitehall Road Regional Park.

Mr. McMaster asked if the opposers of The Cottages at State College have filed the appeal to the Commonwealth Court decision. Ms. Schoch stated that she believes they plan to file to appeal but doesn't think they have done so yet. Mr. Stolinas added that they 30-day appeal period ends at the end of this week.

Mr. Wheland stated that he believes there are people sleeping overnight in the tents at the intersection of Whitehall Road and Blue Course Drive. Mr. Stolinas stated that he and Mr. Ressler will be having a meeting on June 13, 2017 with Township staff, the Township Solicitor, and staff from Penn State to discuss Penn State's next steps. Mr. Stolinas stated that Penn State is ultimately the property owner.

Mr. McMaster stated that he is concerned about sanitation issues regarding the opposers staying overnight on the property.

Ms. Schoch stated that the Buffalo Wild Wings plan expires June 13, 2017; however, she received their time extension earlier this evening.

VIII. CENTRE REGION PLANNING COMMISSION (CRPC) REPORT

Ms. Strickland stated that the CRPC met on June 1, 2017. Many Centre Region residents attended the meeting and provided public comment about the Toll Brother's Development, The Cottages at State College. The Commission received the Act 537 Sewage Facilities Plan Special Study, which has been forwarded to the COG General Forum for public review and a comment period. The plan depicts extending the beneficial water reuse lines out to the Boalsburg area which includes the Mountainview Country Club and Tussey Mountain.

The Commission received a presentation from Ed LeClair regarding the State College Downtown Master Plan and Development. Ms. Strickland will send the PowerPoint to the other Planning Commission members.

The Commission also received a presentation from Erica Ehly, CRPA Senior Planner, regarding Ag Sustainability in the Centre Region. CRPA was tasked with looking at zoning practices that support agriculture in the Centre Region. The first draft included evaluations of existing ordinances regarding agriculture zoning regulations. The aim is to develop guidelines and recommendation for amending aspects of agricultural zoning districts to reduce unintended barriers to agricultural uses.

Mr. Keough expressed concern that Ms. Ehly has not reached out to the farming community in the Centre Region. Ms. Strickland stated that Ms. Ehly has only looked at the zoning ordinances related to agriculture to see what kind of primary uses are allowed. Mr. Stolinas stated that he plans to sit down with Ms. Ehly and Jim May (CRPA Director) to review what Ferguson Township has done related to agriculture zoning. Mr. Stolinas added that Ms. Ehly only compared the uses in the RA district, but she should also include the uses in the Agricultural Research and the Rural Residential zoning districts. Ms. Strickland stated that the next part of Ms. Ehly's study will have guidelines and proposed amendments, and part three will involve the development of community tools and resources to encourage viability of agricultural lands. Ms. Strickland stated that the COG is really focusing region-wide instead of taking the differences between the municipalities into account. Ms. Strickland stated that she is concerned that COG staff is putting a lot of time and work effort into these different reports, and she is not sure that this is the best use of their time.

The CRPC also discussed the administration of the Regional Growth Boundary (RGB) and whether the Development of Regional Impact (DRI) process is the best way to add areas into the RGB. The Commission received a report regarding the DRI process and how other areas use and enforce a growth boundary and other tools that could be used to enforce a growth boundary. CRPA has been researching the best way to add areas into the RGB, instead of haphazardly adding bits and pieces into it. Mr. McMaster stated that he is concerned that CRPA is looking into this without reaching out to developers who have specific reasons for developing in the areas they do.

Ms. Strickland stated that the CRPC cancelled the July meeting and will meet again in August.

Ms. Strickland mentioned that she will be attending the State College Borough Water Authority meeting on June 15, 2017 in place of Steve Watson of the CRPC.

IX. SOURCEWATER PROTECTION WORK GROUP UPDATE

The Sourcewater Protection Work Group will meet on June 14, 2017.

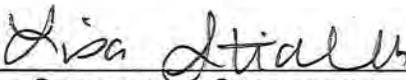
X. ZONING/SALDO STEERING COMMITTEE UPDATE

Planning & Zoning staff has received the draft Zoning/SALDO ordinance and will meet with EPD in the near future. After meeting with EPD, staff will schedule a meeting with the Zoning/SALDO Steering Committee.

- XI. **APPROVAL OF THE REGULAR MEETING MINUTES – APRIL 10, 2017**
A motion was made by Ms. Harman and seconded by Mr. Wheland to approve the May 22, 2017 Planning Commission meeting minutes. The motion carried unanimously.

- XII. **ADJOURNMENT**
There being no further business for the Planning Commission, Mr. Crassweller made a motion to adjourn the meeting at 8:26 p.m. The motion carried unanimously.

RESPECTFULLY SUBMITTED,



LISA STRICKLAND, SECRETARY
FOR THE PLANNING COMMISSION

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, APPENDIX D, BY REPEALING ALL FORMER OFFICIAL MAPS AND PORTIONS OF OFFICIAL MAPS OF THE TOWNSHIP OF FERGUSON AND ADOPTING A NEW OFFICIAL MAP FOR THE TOWNSHIP OF FERGUSON.

The Board of Supervisors of the Township of Ferguson hereby ordains:

WHEREAS, pursuant to the Pennsylvania Municipalities Planning Code, Article IV, as reenacted and amended, the Township enacted an Official Map Ordinance on April 6, 1992, amended the same by ordinance on April 15, 1996, amended the same by ordinance on April 16, 2001, amended the same by Ordinance on May 19, 2008, and

WHEREAS, the new Official Map Ordinance has a designated area from the National Register of Historic Places; represents purchased agricultural easements which are a part of the Purchase of Agricultural Conservation Easement program of Centre County; and those parcels which are pending purchases within Ferguson Township that will become permanent easements in the future are now represented on the map, and

WHEREAS, the Township has received the recommendations of the Ferguson Township Planning Commission, the Centre Region Planning Commission, the Centre County Planning Commission, the Council of State College Borough, the Board of Supervisors of Patton Township, the Council of College Township, the Board of Supervisors of Harris Township, the Board of Supervisors of Halfmoon Township, and the Huntingdon County Planning Commission that the streets, roads, and other public facilities as designated on Exhibit "A" attached hereto should be so located; and

WHEREAS, the Township desires to repeal all prior Official Maps and portions of Official Maps of Ferguson Township; and

WHEREAS, the Township desires to adopt a new Official Map for the Township of Ferguson

NOW, THEREFORE, the Board of Supervisors of the Township of Ferguson hereby ordains: Section 1. All prior Official Maps and portions of Official Maps previously adopted by the Township of Ferguson are hereby repealed. The Official Map of the Township of Ferguson shall be adopted in accordance with the Map which is attached hereto as Exhibit "A".

ORDAINED and ENACTED this _____ day of _____ 2017.

TOWNSHIP OF FERGUSON

By: _____
Steve Miller, Chairman
Board of Supervisors

[S E A L]

ATTEST:

By: _____
David G. Pribulka, Secretary

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA
REPEALING RESOLUTION 2014-08 AND ADOPTING A NEW FERGUSON TOWNSHIP
EMAIL UTILIZATION POLICY FOR AUTHORITIES, BOARDS, AND COMMISSIONS.**

WHEREAS, it is recognized that email is a vital communication tool for many of the Township's Authorities, Boards, and Commissions; and

WHEREAS, the Board of Supervisors recognizes that it is important for holders of Township email accounts to abide by certain standards of conduct and to be compliant with governing local, state, and federal statutes; and

WHEREAS, the Ferguson Township Email Utilization Policy for Authorities, Boards, and Commissions is attached hereto as Exhibit "A".

NOW THEREFORE the Ferguson Township Board of Supervisors adopts the Ferguson Township Email Utilization Policy for Authorities, Boards, and Commissions.

RESOLVED this 3rd Day of July 2017

**TOWNSHIP OF FERGUSON
BOARD OF SUPEVISORS**

By: _____
Steve Miller, Chairman

[S E A L]

ATTEST:

By: _____
David Pribulka, Secretary

Exhibit "A"

Ferguson Township Email Utilization Policy

Purpose

This policy applies to all elected and appointed officials of Ferguson Township to which Ferguson Township email addresses are issued including, but which may not be limited to, the Board of Supervisors, Planning Commission, Tree Commission, and Zoning Hearing Board, hereafter referred to as "ABCs." The purpose of this policy is to establish expectations of conduct by which email users shall abide when utilizing Township email accounts, as well as to ensure compliance with governing statutes including the PA Sunshine Act, PA Right to Know Law, and other applicable local, state, and federal law.

Policy

It is recognized that email is an important form of business communication for the Township's ABCs. All communications sent from or received by Township email accounts should be presumed to be Township property, subject to discovery, retention and disposition under applicable statute. All communications should be professional in nature. The use of Township email accounts for defamatory, obscene, sexually explicit, illegal, offensive, threatening or other inappropriate communications is strictly prohibited.

It shall be incumbent upon the Township ABC member to regularly check their Township email account for agendas and other communications relative to their position on an ABC. Ferguson Township staff shall not send duplicate emails to Township ABC members' personal email accounts.

Usage

All business relative to the Township's ABCs shall be done on Township email accounts. ABC members shall refrain from conducting Township business from any personal email account. Furthermore, ABC members are prohibited from configuring Township email accounts to automatically forward received messages to personal email accounts. Synchronizing a Township email account with the email application of a personal device or smartphone is generally permitted. Township email accounts shall always be presumed to be subject to public review under the Pennsylvania Right to Know Law.

Applicability of The Pennsylvania Sunshine Act

It is recognized that any prearranged gathering of an agency which is attended or participated in by a quorum of the members of an agency held for the purpose of deliberating agency business or taking official action must be done with prior notice and provide an opportunity for the public to attend, participate, and comment before any official action is taken. Furthermore, it is recognized that the engagement of deliberation of agency business or taking official action by email constitutes a meeting under the definition provided in the PA Sunshine Act. Finally, because it is not possible for such meetings by email to be compliant with the provisions of the PA Sunshine Act, such interactions must be avoided.

Applicability of the Pennsylvania Right to Know Law

It is recognized that all ABC emails which contain information that is a matter of public record as defined by the Pennsylvania Right to Know Law could be subject to discovery under said law and subpoena by a court of law. A policy shall be applied to all ABC email accounts which automatically purges all sent email after a period of ninety (90) days. In any event in which a Right to Know request is approved by the

Township's Right to Know Officers that would require the discovery of ABC emails, the Township Right to Know Officer shall provide applicable ABC members with notice. The Township's email system is configured in a manner that all sent and received emails can be retrieved by the Township's designated Information Technology Administrator.

Applicability of Other Established Policies

In addition to governing statute, Township email accounts shall also be subject to regulation by other established policy, such as the Board of Supervisors Procedures Manual, Ferguson Township Administrative Code, and other covenants and regulations applicable to Township ABCs.

Training

Township staff shall provide this policy and training to all members of Township ABCs on the proper handling and utilization of email. Questions on this policy or handling of Township email shall be directed to the appropriate staff liaison of the ABC. The following are examples of emails that generally constitute public records:

- Email created or received by municipal employees in connection with municipal business;
- Email that facilitates action, such as initiating, authorizing, or completing a transaction in connection with municipal business.

The following are examples of emails that generally do not constitute public records:

- Personal email messages and announcements not related to municipal; business;
- Copies or extracts of documents emailed for convenience or reference;
- Internal emails created by employees on work-related topics which do not facilitate action;
- Emails containing drafts, notes, or inter-office memoranda that are not retained by the municipality in the ordinary course of business.

Limited Personal Use Permitted

Personal use is permissible within reasonable limits and if consistent with restrictions defined in this policy. Examples of permissible personal use of Township email accounts includes, but may not necessarily be limited to scheduling of appointments; communications relative to social events such as retirement functions, birthdays, notice of community events to be provided as information or invitation to other Township email account holders; and other limited uses that do not interfere with the ABC members' responsibilities or conflict with other provisions of this policy.

No Expectation of Privacy

It is recognized that, since all Township email is considered property of the Township, the Township Manager or his/her designee may monitor these communications compliance with this policy and to protect the Township from liability. There is no expectation of privacy of emails sent from a Township email account.

Permanency of Communications

Deleting email messages does not guarantee that they are erased from the email system. ABC members should not believe that privacy of email messages is created by deleting incoming or outgoing messages.

In addition, in the event of litigation or court subpoena, technology may exist to restore deleted email. ABC members should be prepared to defend in court and under oath the content of anything communicated in an email.

No Harassment

No email messages should be created or sent which might constitute intimidating, hostile or offensive material on the basis of sex, race, color, religion, national origin, age, sexual orientation, or disability. Harassment is broadly defined as anything that has improper (e.g. sexual) content and is both unwelcome and offensive to a reasonable person. The display of any kind of sexually explicit image or document in the Township's email system is prohibited. In addition, sexually explicit material may not be archived, stored, or distributed via Township email accounts. Please refer to the Township's policy against sexual harassment in the Ferguson Township Personnel Manual for further description.

Consequences of Misuse

Any violation of this policy may constitute the forfeiture of a user's access to a Township email account. Further civil or criminal liability as may be necessary and justified under applicable statute may also apply.

Waiver

Township ABC members assigned access to a Township email account agree to sign an acknowledgement that states the member understands and shall abide by this policy. This acknowledgement establishes that the ABC member understands that the communications covered by this policy are subject to review to determine compliance with this policy.

APPLICATION AND CERTIFICATE FOR PAYMENT

RECEIVED
 APPLICATION NO: 7
 APPLICATION DATE: JUN 26 2017
 PERIOD FROM: 6/20/2017
 BY: TO: 6/21/2017

TO (OWNER):
 TOWNSHIP OF FERGUSON
 3147 RESEARCH DR
 STATE COLLEGE PA 16801

PROJECT:

FROM (CONTRACTOR):
 WOLYNIEC CONSTRUCTION, INC.
 294 Freedom Road, Williamsport PA 17701
 570-326-4428

OUR INVOICE #: 2529
 VIA (ARCHITECT):
 CONTRACT FOR: FERGUSON TWP CURBS & RAMPS

ARCHITECT'S
 PROJECT NO:
 JOB #: 2017-10
 CONTRACT DATE: 4/10/2017

CONTRACTOR'S APPLICATION FOR PAYMENT

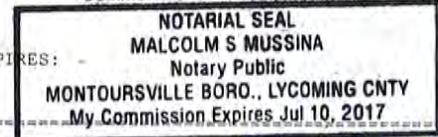
CHANGE ORDER SUMMARY				CURRENT STATUS	
#	DATE	ADDITIONS	DEDUCTIONS		
CHANGE ORDERS APPROVED THIS MONTH				ORIGINAL CONTRACT AMOUNT	248248.00
1	6/21/2017	16582.22		NET CHANGE BY CHANGE ORDERS	12290.22
2	6/21/2017	4126.50		CONTRACT SUM TO DATE	260538.22 ✓
3	6/21/2017	1433.44		TOTAL COMPLETED AND STORED TO DATE	260538.22 ✓
4	6/21/2017		6753.44-	LESS RETAINAGE:	.00
5	6/21/2017		2502.00-	TOTAL EARNED LESS RETAINAGE	260538.22 ✓
6	6/21/2017	1100.00		LESS PREVIOUS CERTIFICATES	255,850.92
7	6/21/2017		34.00-		<u>\$4687.30</u>
8	6/21/2017		1662.50-		<u>255,850.92</u>
(See Work Order Page)				*** CURRENT PAYMENT DUE ***	<u>255,850.92</u>
CURR CHG ORDERS	12290.22		10951.94-		<u>255,850.92</u>
PREV CHG ORDERS	.00		.00		<u>255,850.92</u>
NET CHG BY CHG ORDERS		\$12290.22 ✓		BALANCE TO FINISH, PLUS RETAINAGE	\$.00

The undersigned contractor certifies that to the best of the CONTRACTOR'S knowledge, information and belief the work covered by this APPLICATION FOR PAYMENT has been completed in accordance with the contract documents, that all amounts have been paid by the CONTRACTOR for work for which previous CERTIFICATES FOR PAYMENT were issued and payments received from the owner, and that current payment shown herein is now due.

CONTRACTOR: WOLYNIEC CONSTRUCTION, INC.
 BY: STEVEN W. SCHENCK DATE: JUNE 21, 2017

STATE OF: PENNSYLVANIA COUNTY OF: LYCOMING
 SUBSCRIBED AND SWORN BEFORE ME THIS 21 DAY OF JUNE 2017

NOTARY PUBLIC: *Malcolm S. Mussina*
 COMMONWEALTH OF PENNSYLVANIA



MY COMMISSION EXPIRES: -
 AMOUNT CERTIFIED \$ \$4,687.30

ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the data comprising the above application. The architect certifies to the owner that to the best of the architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the contract documents, and the contractor is entitled to payment of the amount certified.

ARCHITECT: *Engel*
 BY: *[Signature]* DATE: 6-28-17
 THIS CERTIFICATE IS NOT NEGOTIABLE. THE AMOUNT CERTIFIED IS PAYABLE ONLY TO THE CONTRACTOR NAMED HEREIN. ISSUANCE, PAYMENT AND ACCEPTANCE OF PAYMENT ARE WITHOUT PREJUDICE TO ANY RIGHTS OF THE OWNER OR CONTRACTOR UNDER THIS CONTRACT.

32-400-439-610

TO: TOWNSHIP OF FERGUSON
 3147 RESEARCH DR
 STATE COLLEGE PA 16801

PROJECT:

APPLICATION NO: 7
 APPLICATION DATE: 6/21/2017
 PERIOD FROM: 6/20/2017
 TO: 6/21/2017

ARCHITECT'S
 PROJECT NO:

OUR INVOICE #: 2529

A	B	C	D	E	F	G	H	I
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WORK COMPLETED

ITEM#	DESCRIPTION OF WORK	SCHEDULED VALUE	PREVIOUS APPLICATIONS	THIS PERIOD	MATERIAL PRESENTLY STORED	COMPLETED AND STORED TO DATE	PCT CMP	BALANCE TO FINISH	\$ RETAINAGE
4605-2711	TYPE C INLET TOP, BICYCL	1000.00	1000.00	.00	.00	1000.00	100	.00	.00
4605-2851	STANDARD INLET BOX HEIGH	2250.00	2250.00	.00	.00	2250.00	100	.00	.00
0609-0001	MOBILIZATION	15000.00	15000.00	.00	.00	15000.00	100	.00	.00
4641-0001	PLAIN CEMENT CONCRETE CU	50701.50	50701.50	.00	.00	50701.50	100	.00	.00
4630-0001	PLAIN CEMENT CONCRETE CU	19453.44	19433.04	20.40	.00	19453.44	100	.00	.00
4676-0001	PLAIN CEMENT CONCRETE SI	75707.18	71040.20	4666.36	.00	75706.56	100	.62	.00
4695-0003	ADA DETECTABLEWARNING SU	30938.00	30938.00	.00	.00	30938.00	100	.00	.00
0901-0001	MAINTENANCE AND PROTECTI	7241.00	7241.08	.08-	.00	7241.00	100	.00	.00
4951-0500	PEDESTRIAN STUB POLE, TY	16500.00	16500.00	.00	.00	16500.00	100	.00	.00
0954-0012	2" CONDUIT	710.00	710.00	.00	.00	710.00	100	.00	.00
0954-0151	TRENCH AND BACKFILL, TYP	2987.50	2987.50	.00	.00	2987.50	100	.00	.00
0954-0201	SIGNAL CABLE, 14 AWG. 3	1068.00	1068.00	.00	.00	1068.00	100	.00	.00
0954-0302	JUNCTION BOX, JB-27	1200.00	1200.00	.00	.00	1200.00	100	.00	.00
4956-0790	ACCESSIBLE PEDESTRIAN SI	19200.00	19200.00	.00	.00	19200.00	100	.00	.00
9999-0001	CATA CONCRETE SIDEWALK I	16581.60	16582.22	.00	.00	16582.22	100	.62-	.00
SUB TOTAL :		260538.22	255851.54	4686.68	.00	260538.22	100	.00	.00
TAX AMOUNT :				.00					
INVOICE TOTAL :				4686.68					

TO (OWNER):

TOWNSHIP OF FERGUSON
3147 RESEARCH DR
STATE COLLEGE PA 16801

PROJECT:

APPLICATION NO: 6
APPLICATION DATE: 6/20/2017
PERIOD FROM: 6/20/2016
TO: 6/20/2017

FROM (CONTRACTOR):

WOLYNIEC CONSTRUCTION, INC.
294 Freedom Road, Williamsport PA 17701
570-326-4428

OUR INVOICE #: 2528

VIA (ARCHITECT):

CONTRACT FOR: FERGUSON TWP CURBS & RAMPS

ARCHITECT'S

PROJECT NO:
JOB #: 2017-10
CONTRACT DATE: 4/10/2017

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY

CURRENT STATUS

CHANGE ORDERS APPROVED THIS MONTH			
#	DATE	ADDITIONS	DEDUCTIONS
1	5/30/2017	16581.60	
2	5/30/2017	4126.50	
CURR CHG ORDERS		20708.10	.00
PREV CHG ORDERS		.00	.00
NET CHG BY CHG ORDERS		\$20708.10	

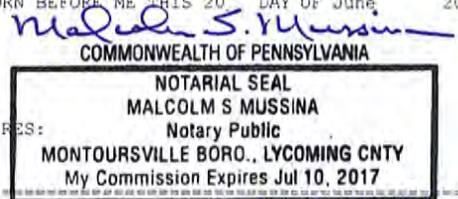
ORIGINAL CONTRACT AMOUNT	248248.00
NET CHANGE BY CHANGE ORDERS	20708.10
CONTRACT SUM TO DATE	268956.10
TOTAL COMPLETED AND STORED TO DATE	255850.92
LESS RETAINAGE:	.00
TOTAL EARNED LESS RETAINAGE	255850.92
LESS PREVIOUS CERTIFICATES	243058.38
*** CURRENT PAYMENT DUE ***	\$12792.54
BALANCE TO FINISH, PLUS RETAINAGE	\$13105.16

The undersigned contractor certifies that to the best of the CONTRACTOR'S knowledge, information and belief the work covered by this APPLICATION FOR PAYMENT has been completed in accordance with the contract documents, that all amounts have been paid by the CONTRACTOR for work for which previous CERTIFICATES FOR PAYMENT were issued and payments received from the owner, and that current payment shown herein is now due.

STATE OF: Pennsylvania COUNTY OF: Lycoming

SUBSCRIBED AND SWORN BEFORE ME THIS 20 DAY OF June, 2017

NOTARY PUBLIC:



MY COMMISSION EXPIRES:

CONTRACTOR: WOLYNIEC CONSTRUCTION, INC.

BY: Steven W. Schenck

DATE: June 20, 2017

AMOUNT CERTIFIED

\$ 12,792.54

Engr. ARCHITECT:

BY:

DATE: 6-28-17

In accordance with the contract documents, based on on-site observations and the data comprising the above application. The architect certifies to the owner that to the best of the architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the contract documents, and the contractor is entitled to payment of the amount certified.

THIS CERTIFICATE IS NOT NEGOTIABLE. THE AMOUNT CERTIFIED IS PAYABLE ONLY TO THE CONTRACTOR NAMED HEREIN. ISSUANCE, PAYMENT AND ACCEPTANCE OF PAYMENT ARE WITHOUT PREJUDICE TO ANY RIGHTS OF THE OWNER OR CONTRACTOR UNDER THIS CONTRACT.

32-400-439-610

TO: TOWNSHIP OF FERGUSON
 3147 RESEARCH DR
 STATE COLLEGE PA 16801

PROJECT:

APPLICATION NO: 6
 APPLICATION DATE: 6/20/2017
 PERIOD FROM: 6/20/2016
 TO: 6/20/2017

ARCHITECT'S
 PROJECT NO:

OUR INVOICE #: 2528

A	B	C	D	E	F	G	H	I
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WORK COMPLETED

ITEM#	DESCRIPTION OF WORK	SCHEDULED VALUE	PREVIOUS APPLICATIONS	THIS PERIOD	MATERIAL PRESENTLY STORED	COMPLETED AND STORED TO DATE	PCT CMP	BALANCE TO FINISH	\$ RETAINAGE
4605-2711	TYPE C INLET TOP, BICYCL	1000.00	1000.00	50.00	.00	1000.00	100	.00	.00
4605-2851	STANDARD INLET BOX HEIGH	2250.00	2250.00	112.50	.00	2250.00	100	.00	.00
0608-0001	MOBILIZATION	15000.00	15000.00	750.00	.00	15000.00	100	.00	.00
4641-0001	PLAIN CEMENT CONCRETE CU	50701.50	50701.50	2535.08	.00	50701.50	100	.00	.00
4630-0001	PLAIN CEMENT CONCRETE CU	18020.00	19433.04	971.65	.00	19433.04	108	1413.04-	.00
4676-0001	PLAIN CEMENT CONCRETE SI	82460.00	71040.20	3552.01	.00	71040.20	86	11419.80	.00
4695-0003	ADA DETECTABLEWARNING SU	33440.00	30938.00	1546.90	.00	30938.00	93	2502.00	.00
0901-0001	MAINTENANCE AND PROTECTI	7241.00	7241.08	362.05	.00	7241.08	100	.08-	.00
4951-0500	PEDESTRIAN STUB POLE, TY	15400.00	16500.00	825.00	.00	16500.00	107	1100.00-	.00
0954-0012	2" CONDUIT	744.00	710.00	35.50	.00	710.00	95	34.00	.00
0954-0151	TRENCH AND BACKFILL, TYP	4650.00	2987.50	149.37	.00	2987.50	64	1662.50	.00
0954-0201	SIGNAL CABLE, 14 AWG. 3	1068.00	1068.00	53.40	.00	1068.00	100	.00	.00
0954-0302	JUNCTION BOX, JB-27	1200.00	1200.00	60.00	.00	1200.00	100	.00	.00
4956-0790	ACCESSIBLE PEDESTRIAN SI	19200.00	19200.00	960.00	.00	19200.00	100	.00	.00
9999-0001	CATA CONCRETE SIDEWALK (16581.60	16581.60	829.08	.00	16581.60	100	.00	.00
SUB TOTAL :		368956.10	255850.92	12792.54	.00	255850.92	95	13105.18	.00
TAX AMOUNT :				.00					
INVOICE TOTAL :				12792.54					

APPLICATION AND CERTIFICATE FOR PAYMENT

RECEIVED
PAGE 1
JUN 26 2017

TO (OWNER):
TOWNSHIP OF FERGUSON
3147 RESEARCH DR
STATE COLLEGE PA 16801

PROJECT:

APPLICATION NO: 55
APPLICATION DATE: 6/20/2017
PERIOD FROM: 5/31/2017
TO: 6/20/2017

FROM (CONTRACTOR):
WOLYNIAC CONSTRUCTION, INC.
294 Freedom Road, Williamsport PA 17701
570-326-4428

OUR INVOICE #: 2527
VIA (ARCHITECT):
CONTRACT FOR: FERGUSON TWP CURBS & RAMPS

ARCHITECT'S
PROJECT NO:
JOB #: 2017-10
CONTRACT DATE: 4/10/2017

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY			CURRENT STATUS			
#	DATE	ADDITIONS	DEDUCTIONS			
CHANGE ORDERS APPROVED THIS MONTH					ORIGINAL CONTRACT AMOUNT	248248.00
					NET CHANGE BY CHANGE ORDERS	20708.10
					CONTRACT SUM TO DATE	268956.10
					TOTAL COMPLETED AND STORED TO DATE	255850.92
					LESS RETAINAGE:	12792.54
					TOTAL EARNED LESS RETAINAGE	243058.38
					LESS PREVIOUS CERTIFICATES	172892.41 ✓
CURR CHG ORDERS		.00	.00		*** CURRENT PAYMENT DUE ***	\$70165.97
PREV CHG ORDERS	20708.10		.00			
NET CHG BY CHG ORDERS		\$20708.10			BALANCE TO FINISH, PLUS RETAINAGE	\$25897.72

The undersigned contractor certifies that to the best of the CONTRACTOR'S knowledge, information and belief the work covered by this APPLICATION FOR PAYMENT has been completed in accordance with the contract documents, that all amounts have been paid by the CONTRACTOR for work for which previous CERTIFICATES FOR PAYMENT were issued and payments received from the owner, and that current payment shown herein is now due.

STATE OF: Pennsylvania COUNTY OF: Lycoming
SUBSCRIBED AND SWORN BEFORE ME THIS 20 DAY OF June 2017

NOTARY PUBLIC: *Malcolm S. Mussina*
COMMONWEALTH OF PENNSYLVANIA

MY COMMISSION EXPIRES: **NOTARIAL SEAL
MALCOLM S. MUSSINA
Notary Public
MONTOURSVILLE BORO., LYCOMING CNTY
My Commission Expires Jul 10, 2017**

CONTRACTOR: WOLYNIAC CONSTRUCTION, INC.
Steven W. Schenck
BY: Steven W. Schenck DATE: 06/20/2017

ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the data comprising the above application. The architect certifies to the owner that to the best of the architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the contract documents, and the contractor is entitled to payment of the amount certified.

AMOUNT CERTIFIED \$ 70,165.97
ARCHITECT: *Engl*
BY: *Casey* DATE: 6-28-17
THIS CERTIFICATE IS NOT NEGOTIABLE. THE AMOUNT CERTIFIED IS PAYABLE ONLY TO THE CONTRACTOR NAMED HEREIN. ISSUANCE, PAYMENT AND ACCEPTANCE OF PAYMENT ARE WITHOUT PREJUDICE TO ANY RIGHTS OF THE OWNER OR CONTRACTOR UNDER THIS CONTRACT.

32-400-439-610 \$53,582.75
Billable to CATA - \$16,582.22

TO: TOWNSHIP OF FERGUSON
 3147 RESEARCH DR
 STATE COLLEGE PA 16801

PROJECT:

APPLICATION NO: 5
 APPLICATION DATE: 6/20/2017
 PERIOD FROM: 5/31/2017
 TO: 6/20/2017
 ARCHITECT'S
 PROJECT NO:

OUR INVOICE #: 2527

A	B	C	D	E	F	G	H	I	
WORK COMPLETED									
ITEM#	DESCRIPTION OF WORK	SCHEDULED VALUE	PREVIOUS APPLICATIONS	THIS PERIOD	MATERIAL PRESENTLY STORED	COMPLETED AND STORED TO DATE	PCT CMP	BALANCE TO FINISH	\$ RETAINAGE
4605-2711	TYPE C INLET TOP, BICYCL	1000.00	1000.00	.00	.00	1000.00	100	.00	50.00
4605-2851	STANDARD INLET BOX HEIGH	2250.00	2250.00	.00	.00	2250.00	100	.00	112.50
0608-0001	MOBILIZATION	15000.00	11250.00	3750.00	.00	15000.00	100	.00	750.00
4641-0001	PLAIN CEMENT CONCRETE CU	50701.50	50701.50	.00	.00	50701.50	100	.00	2535.08
4630-0001	PLAIN CEMENT CONCRETE CU	18020.00	14475.16	4957.88	.00	19433.04	108	1413.04-	971.65
4676-0001	PLAIN CEMENT CONCRETE SI	82460.00	59892.00	11148.20	.00	71040.20	86	11419.80	3552.01
4695-0003	ADA DETECTABLEWARNING SU	33440.00	20240.00	10698.00	.00	30938.00	93	2502.00	1546.90
0901-0001	MAINTENANCE AND PROTECTI	7241.00	2679.25	4561.83	.00	7241.08	100	.08-	362.05
4951-0500	PEDESTRIAN STUB POLE, TY	15400.00	.00	16500.00	.00	16500.00	107	1100.00-	825.00
0954-0012	2" CONDUIT	744.00	710.00	.00	.00	710.00	95	34.00	35.50
0954-0151	TRENCH AND BACKFILL, TYP	4650.00	1012.50	1975.00	.00	2987.50	64	1662.50	149.37
0954-0201	SIGNAL CABLE, 14 AWG. 3	1068.00	.00	1068.00	.00	1068.00	100	.00	53.40
0954-0302	JUNCTION BOX, JB-27	1200.00	1200.00	.00	.00	1200.00	100	.00	60.00
4956-0790	ACCESSIBLE PEDESTRIAN SI	19200.00	.00	19200.00	.00	19200.00	100	.00	960.00
9999-0001	CATA CONCRETE SIDEWALK 1	16581.60	16581.60	.00	.00	16581.60	100	.00	829.08
SUB TOTAL :		268956.10	181992.01	73858.91	.00	255850.92	95	13105.18	12792.54
TAX AMOUNT :				.00					
INVOICE TOTAL :				73858.91					

ALPHA SPACE CONTROL

INVOICE

Visit Us @ www.alphaspacecontrol.com
 Phone: 717-263-0182 Fax: 717-263-1193
 1580 GABLER ROAD
 CHAMBERSBURG, PA 17201

DATE	INVOICE #
5/31/2017	50478

NAME / ADDRESS
 TOWNSHIP OF FERGUSON
 3147 RESEARCH DRIVE
 STATE COLLEGE, PA 16801

 ATTN: RON SEYBERT

JOB: 2017 PAVEMENT MARKINGS (17-895)

 ADDRESS:

 CITY/ST: SAME

DUE DATE	CUSTOMER P.O. NO.	ALPHA P/SO #	SALES REP:
6/30/2017		17-895	CHRIS MEIGHAN

QTY	DESCRIPTION	COST	TOTAL
0	LF OF 4" SINGLE YELLOW LINE	0.0485	0.00
2,753	LF OF 24" BAR(S)...STOP OR CROSSWALK	1.85	5,093.05
0	LF OF 24" GORE BAR(S) YELLOW	1.85	0.00
385	LF OF 12" WHITE VASCAR LINE	1.50	577.50
1,663	LF OF 8" WHITE CROSSWALK LINE	1.35	2,245.05
4,791	LF OF 6" WHT LINE CROSS WALKS	1.25	5,988.75
3,352	LF OF 4" SINGLE WHITE PARKING STALL LINE (419 car spaces x 8' ea)	0.25	838.00
187	PENN DOT SINGLE ARROW(S)	35.00	6,545.00
0	PENNDOT COMBO ARROWS	70.00	0.00
0	8' ONLY LEGEND(S)	50.00	0.00
2	8' STOP LEGEND(S)	50.00	100.00
2	8' AHEAD LEGEND(S)	70.00	140.00
0	8' BIKE LEGEND(S)	50.00	0.00
0	8' PED LEGEND(S)	40.00	0.00
6	8' XING LEGEND(S)	50.00	300.00
0	RxR CROSSBUCK LEGENDS	150.00	0.00
8	8' SLOW LEGEND(S)	50.00	400.00
6	EA LARGE CURVE ARROWS	65.00	390.00
6	8' BICYCLE SYMBOL	20.00	120.00
2	EA WRONG WAY ARROW	50.00	100.00
66	12"X18" YIELD TRIANGLES	2.00	132.00
4	12'X6' "+" INTERSECTION SYMBOLS	30.00	120.00
0	8' "XX MPH" LEGEND(S)	50.00	0.00
0	LF OF LINE REMOVAL VIA GRINDING METHOD	3.00	0.00

TOTAL

ALPHA SPACE CONTROL

INVOICE

Visit Us @ www.alphaspacecontrol.com
 Phone: 717-263-0182 Fax: 717-263-1193
 1580 GABLER ROAD
 CHAMBERSBURG, PA 17201

DATE	INVOICE #
5/31/2017	50478

NAME / ADDRESS TOWNSHIP OF FERGUSON 3147 RESEARCH DRIVE STATE COLLEGE, PA 16801 ATTN: RON SEYBERT

JOB: 2017 PAVEMENT MARKINGS (17-895) ADDRESS: CITY/ST: SAME

DUE DATE	CUSTOMER P.O. NO.	ALPHA P/SO #	SALES REP:
6/30/2017		17-895	CHRIS MEIGHAN

QTY	DESCRIPTION	COST	TOTAL
1	H/C STALL(S) W/ BLUE BOX(S) AND SYMBOL(S)	30.00	30.00
	PENNSYLVANIA SALES TAX	6.00%	0.00

TERMS: NET 30 DAYS 1.5% INTEREST AFTER DUE DATE. VISA & MASTERCARD NOW BEING ACCEPTED. THANK YOU FOR YOUR PATRONAGE.	TOTAL <u>\$23,119.35</u> OK <i>ASB</i>
--	--

ALPHA SPACE CONTROL

Visit Us @ www.alphaspacecontrol.com
 Phone: 717-263-0182 Fax: 717-263-1193
 1580 GABLER ROAD
 CHAMBERSBURG, PA 17201



COPY INVOICE

DATE	INVOICE #
6/19/2017	50542

NAME / ADDRESS
 TOWNSHIP OF FERGUSON
 3147 RESEARCH DRIVE
 STATE COLLEGE, PA 16801

 ATTN: RON SEYBERT

JOB: 2017 PAVEMENT MARKINGS (17-895)

 ADDRESS:

 CITY/ST: SAME

DUE DATE	CUSTOMER P.O. NO.	ALPHA P/SO #	SALES REP:
7/19/2017		17-895	CHRIS MEIGHAN

QTY	DESCRIPTION	COST	TOTAL
358,290	LF OF 4" SINGLE YELLOW LINE	0.0485	17,377.07
308,240	LF OF 4" OR 6" LONG LINE SINGLE WHITE LINE	0.0485	14,949.64
0	LF OF 24" BAR(S)...STOP OR CROSSWALK	1.85	0.00
0	LF OF 24" GORE BAR(S) YELLOW	1.85	0.00
0	LF OF 12" WHITE VASCAR LINE	1.50	0.00
0	LF OF 8" WHITE CROSSWALK LINE	1.35	0.00
0	LF OF 6" WHT LINE CROSS WALKS	1.25	0.00
0	LF OF 4" SINGLE WHITE PARKING STALL LINE	0.25	0.00
3	PENN DOT SINGLE ARROW(S)	35.00	105.00
0	PENNDOT COMBO ARROWS	70.00	0.00
4	8' ONLY LEGEND(S)	50.00	200.00
0	8' STOP LEGEND(S)	50.00	0.00
0	8' AHEAD LEGEND(S)	70.00	0.00
0	8' BIKE LEGEND(S)	50.00	0.00
0	8' PED LEGEND(S)	40.00	0.00
0	8' XING LEGEND(S)	50.00	0.00
0	RxR CROSSBUCK LEGENDS	150.00	0.00
0	8' SLOW LEGEND(S)	50.00	0.00
0	EA LARGE CURVE ARROWS	65.00	0.00
0	8' BICYCLE SYMBOL	20.00	0.00
0	EA WRONG WAY ARROW	50.00	0.00
0	12"X18" YIELD TRIANGLES	2.00	0.00
0	12'X6' "+" INTERSECTION SYMBOLS	30.00	0.00
0	8' "XX MPH" LEGEND(S)	50.00	0.00
0	LF OF LINE REMOVAL VIA GRINDING METHOD	3.00	0.00
	PENNSYLVANIA SALES TAX	6.00%	0.00

TERMS: NET 30 DAYS 1.5% INTEREST AFTER DUE DATE.

VISA & MASTERCARD NOW BEING ACCEPTED.
 THANK YOU FOR YOUR PATRONAGE.

TOTAL \$32,631.71

OK *ASB*

35-400-438-610



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801

Telephone: 814-238-4651 • Fax: 814-238-3454

www.twp.ferguson.pa.us

MEMORANDUM

TO: Ferguson Township Board of Supervisors
David Pribulka, Manager

FROM: David Modricker, PE, Public Works Director



DATE: June 27, 2017

RE: Contract 2017-C10 Bikepath and Parking Lot Sealcoat

On Tuesday, June 27, 2017 at 2:00 PM bids were opened publicly for Contract 2017-C10 Bikepath and Parking Lot Sealcoating and read aloud. David Modricker and Marcella Bell of Ferguson Township were present. Also present were Tara Thompke of M&M Asphalt Corp. and Nick Svetahor of Crilon Corp.

The bid was advertised in the Centre Daily Times and 17 bidders were provided bid packages.

4 bids were received and are summarized below:

American Pavement Sealcoating	\$31,797.89
Unico Sealing, Inc.	\$29,295.80
Crilon Corp. dba Highland Sealcoat	\$28,869.38
M&M Asphalt Corp.	\$26,915.20

The contract is based on unit price work for a double application of sealcoat and lump sum for parking lot and basketball court line striping and unit price work for long line striping along paths. The budget for this work is \$33,000.

This year College Township is piggybacking on the contract. Their share of the contract is \$16,724.30.

Ferguson Township's share of the contract is \$10,190.90.

I recommend the Board of Supervisors award Contract 2017-C10 Bikepath and Parking Lot Sealcoat to the low bidder, M&M Asphalt Corp. in the amount of \$26,915.20.

File: Contract 2017-C10 Bikepath and Parking Lot Sealcoat

Bid Tally for Contract 2017-C10 Bikepath and Parking Lot Sealcoating

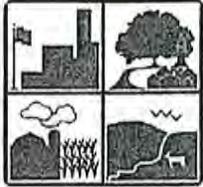
Description	Estimated Quantity	Units	Engineer's Estimate		Unit Price	Extended Total	American Pavement Sealcoating		Unico Sealing, Inc.		Crilon Corp - dba Highland Sealcoating		M&M Asphalt Corp.	
Double Application of Seal Coat at Various Bikepaths and Various Parking Lots	28,269	SY	\$1.00	\$28,269.00	\$	\$	\$0.952	\$26,907.89	\$0.885	\$25,018.07	\$0.920	\$26,007.48	\$0.800	\$22,615.20
Paint Lines and Legends at 3 parking lots and 2 basketball courts	1	LS	\$2,500.00	\$2,500.00	\$	\$	\$1,925.00	\$1,925.00	\$1,800.00	\$1,800.00	\$1,475.00	\$1,475.00	\$1,827.70	\$1,827.70
Paint 4" wide white long line on College Township paths	1830	LF	\$0.25	\$457.50	\$	\$	\$0.5191	\$950.00	\$0.4109	\$751.95	\$0.23	\$420.90	\$0.41	\$750.30
Paint 4" wide yellow long line on College Township paths	4200	LF	\$0.25	\$1,050.00	\$	\$	\$0.4798	\$2,015.00	\$0.4109	\$1,725.78	\$0.23	\$966.00	\$0.41	\$1,722.00
TOTAL BID \$								\$31,797.89		\$29,295.79		\$28,869.38		\$26,915.20

APPENDIX C
SEALCOATING AND LINE PAINTING CONTRACT 2017-C10
ESTIMATED QUANTITY TAB SHEET
BIKE PATHS AND PARKING LOTS

		NAME	FROM	TO	LENGTH (FT)	WIDTH (FT)	AREA (SQ FT)	AREA (SQ YD)	QTY	UNIT PRICE	Ferguson EXTENDED	College EXTENDED	
BIKE PATHS	Ferguson Township	Homestead Park path	all paved sections	*	1370	8	10960	1,218	1,218	\$0.80	\$974.40		
	Autumnwood Park path	all paved sections	*	960	8	7680	853	853	853	\$0.80	\$682.40		
	Haymarket Park path	all paved sections	x	1340	8	10720	1,191	1,191	1,191	\$0.80	\$952.80		
	McKee Street path	Clinton Avenue	McKee Street	1790	10	17900	1,989	1,989	1,989	\$0.80	\$1,591.20		
	Circleville Tudek path	Havershire Boulevard	a point 150 feet west of Havershire Boulevard	150	8	1200	133	133	133	\$0.80	\$106.40		
BIKE PATHS	College Township	Various bikepaths as shown on location map	*	*	as shown on map	various 8, 10, 12	*	17,815	17,815	\$0.80		\$14,252.00	
TOTAL BIKE PATH AREA (SY)								23,199					
PARKING LOTS		Greenbriar Saybrook Park parking lot	see pavement marking diagram					1,372	1372	\$0.80	\$1,097.78		
		Greenbriar Saybrook Park basketball court	see pavement marking diagram					778	778	\$0.80	\$622.22		
		Autumnwood Park basketball court	see pavement marking diagram					778	778	\$0.80	\$622.40		
		Tudek Park parking lot and driveway near bathrooms	see pavement marking diagram					1,579	1579	\$0.80	\$1,263.20		
		Tudek Park parking lot and driveway near tennis court	see pavement marking diagram					563	563	\$0.80	\$450.40		
TOTAL PARKING LOT AREA (SY)								5,070					
GRAND TOTAL AREA (SY)								28,269					
Paint Lines and Legends at 3 parking lots and 2 basketball courts										1	\$1,827.70	\$1,827.70	
Paint 4" wide white long line on College Township paths										1830	\$0.41		\$750.30
Paint 4" wide yellow long line on College Township paths										4200	\$0.41		\$1,722.00
\$10,190.90 \$16,724.30 \$26,915.20													

COPY

RECEIVED JUN 15 2017



APPLICATION FOR ZONING VARIANCE / APPEAL HEARING
FERGUSON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA

10232

Appellant:

Date of hearing:

TowerCo 2013 LLC c/o Dwayne Lyerly

Property Location:

500 Science Park Road

Phone _____

State College, PA 16803

FAX _____

Email _____

ENTRY OF APPEARANCE

Name Dwayne Lyerly

Address 5000 Valleystone Drive, Suite 200, Cary, NC 27519

I am appearing on my own behalf (Check if this is true.)

I am representing TowerCo 2013 LLC

Please send me notice at the above address of any final decisions in this matter.

WAIVER OF STENOGRAPHIC RECORD

I agree to waive the requirements of Section 908(7) of the Pennsylvania Municipalities Planning Code which requires that a stenographic record of the proceedings be made, and consent that a record of the proceedings be prepared from a tape recording of the hearing and the recording secretary's minutes.

TowerCo 2013 LLC c/o Dwayne Lyerly

[Handwritten Signature]
Applicant's Signature
6/14/17
Date

The undersigned hereby applies to the Ferguson Township Zoning Hearing Board for a hearing under the provisions of the Ferguson Township Zoning Ordinance affecting the following premises in the manner herein described.

Applicant TowerCo 2013 LLC c/o Dwayne Lyerly

Address 5000 Valleystone Drive, Suite 200, Cary, NC 27519

Phone _____ FAX _____

Owner SDR Holdings LLC

Address 4100 5th Avenue, Altoona, PA 16602

Phone _____ FAX _____

1. Location of premises 500 Science Park Road

2. Centre County Tax Map Parcel Number 24-004-021B, 0000

3. Present zoning IRD, COD overlay

4. How long has the applicant held an interest in the property? _____

10/7/16 Lease Executed

5. Present use of the premises Office / Industrial Park

6. Proposed use of the premises Unmanned Telecommunications Facility

7. Explain extent of proposed alteration(s), if any New 119' monopole tower, with

associated 60'x60' equipment compound

8. Describe all existing structures, including type size and height Subject portion of

the parcel has no existing structures. Northwest end of the parcel has approx. 100,000 sqft

office / industrial complex.

9. Has the property been involved in previous zoning hearing(s)? If so, describe date of hearing, nature of hearing and outcome of hearing. None identified.
-
10. For new construction or alterations:
- a) Have plans been submitted to the Zoning Officer? _____
 - b) Has he/she reviewed, approved, and signed the plans? _____
 - c) Has he/she issued a permit? _____
11. For a variance hearing, describe the provisions or regulations of the Ferguson Township Zoning Ordinance under which application for a variance is sought _____
- 27-209 (D)(3) to reduce minimum setback from nearest adjacent property line from 500'
- to 1 foot for every foot of tower height.
12. For an appeal hearing, describe the alleged misinterpreted or misapplied provision of the ordinance which will be relieved by granting this appeal _____
-
-
13. A variance will be granted only upon the showing of an unnecessary hardship meeting all of the following criteria:
- a) The unnecessary hardship is caused by unique physical circumstances in the size, shape or topography of the lot.
 - b) Because of the unnecessary hardship so caused, the lot cannot be developed in conformity with the Zoning Ordinance.
 - c) The unnecessary hardship was not created by the applicant.
 - d) The variance, if granted, would not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the public welfare.
 - e) The variance would be the minimum necessary to afford relief and would be the least possible modification of the Zoning Ordinance.

Describe hardship, as listed above, which will be relieved by granting this variance_____

Because the parcel is long and narrow, there is no place on the parcel where this development could occur in conformance with 27-209 (D)(3), even though the parcel's acreage is large enough to ordinarily accommodate this type of development.

14. Attach a diagram or site plan showing the follow:

- a) Key map showing the generalized location of the property.
- b) North point.
- c) Name and address of all abutting property owners.
- d) Total tract boundaries of the property showing approximate distances and a statement of total acreage of the tract.
- e) All existing streets including streets of record (recorded but not constructed) on or abutting the tract including names and right-of-ways.
- f) If relevant to the application, existing sewer lines, water lines, fire hydrants, utility lines, culverts, bridges, railroads, watercourses, and easements.
- g) All existing buildings or other structures and approximate location of all tree masses.

15. List all abutting property owners. include full name, address, and telephone numbers_____

See attached list

FOR STAFF USE ONLY:

- Plans submitted
- Advertised
- Posted
- Fee Paid

Pennsylvania zoning law has long established that dimensional variances differ significantly from use variances, because applicants seeking dimensional relief within an area where a use is permitted are “asking only for a reasonable adjustment of the zoning regulations in order to utilize the property in a manner consistent with the applicable regulations.” *Hertzberg v. ZHB of Adjustment of the City of Pittsburgh*, 721 A.2d 43 (1998). In this case, the proposed WCF is a permitted use in the IDR Zoning District. The Applicant complies with all relevant criteria for the proposed use as established under §27-209 of the Ordinance with the exception of the dimensional requirement for tower setbacks. The dimensional relief is reasonable, because there are no circumstances under which the proposed tower, at its proposed location, would fall across any property line, even in the unlikely event of catastrophic collapse. In addition, the relief sought is the minimum variance that will afford relief to the Applicant.

The proposed facility is unmanned, and does not require water or sewer service; the proposed facility does not generate pedestrian or vehicular traffic. Accordingly, the Facility will not negatively impact the property or surrounding neighborhood, nor alter the essential character of the IRD Zoning District.

At the time of the Zoning Hearing, the Applicant will present expert testimony and documentary evidence in support of its application.

Respectfully submitted,

NIKOLAUS & HOHENADEL, LLP

By: _____

Michael S. Grab, Esquire
Attorney I. D. #PA55987
mgrab@n-hlaw.com

Nikolaus & Hohenadel, LLP
327 Locust Street
Columbia, PA 17512
TEL: (717) 684-4422
FAX: (717) 684-6099

DATE: 6/14/17



CIRCLEVILLE
500 SCIENCE PARK ROAD
STATE COLLEGE, PA 16803
FERGUSON TOWNSHIP
CENTRE COUNTY

REV	DATE	DESCRIPTION	BY
1	06/07		WPS
2	06/07		WPS



PHILIP BURTNIK, P.E.
PA PROFESSIONAL ENGINEER LICENSE # 040981-R

TITLE SHEET

T-1

ENGINEER
APPLICANT
SITE INFORMATION
DESIGN RECORD
PROFESSIONAL STAMP

REGIONAL MAP
VICINITY MAP
N.T.S.
N.T.S.

TOWER OWNER
TOWERCO IN HOLDINGS, LLC
5000 VALLESTONE DR., SUITE 200
CARY, NC 27519

PROPERTY OWNER
SQR HOLDINGS, LLC
SQR HOLDINGS, LLC
4100 5TH AVENUE
ALTOONA, PA 16602
ANDREA COHEN
(PH) 949-8280

GROUNDING
Company: Arc Lightning Protection Inc. (ALEVITY)
Inspector: Robert W. Zaleski
Phone #: (724) 733-5219
Date of Inspection: TBD

DRAWING INDEX

SHEET	TITLE
T-1	TITLE SHEET
Z-1	SITE PLAN
C-1	COMPOUND PLAN & ELEVATION
A-1	ANTENNA PLAN & DETAILS
A-2	EQUIPMENT SPECIFICATIONS

STOP! CALL BEFORE YOU DIG!
A PENNSYLVANIA STATE REGISTERED PROFESSIONAL ENGINEER HAS REVIEWED THIS CONSTRUCTION PERMIT AND IS WORKING WITH PENNSYLVANIA ONE CALL SYSTEM, INC. 1-800-242-1776

GENERAL CONTRACTOR IS RESPONSIBLE FOR ROAD BONDING

ATTENTION NOTE: CONSTRUCTION DRAWINGS SHOULD BE USED IN CONJUNCTION WITH THE GEOTECHNICAL REPORT

PROJECT TEAM

PROJECT CONSULTANT: NHC ENGINEERING SERVICES, LLC
18 ABLE ROAD, SUITE 300
BRIDGEVILLE, PA 15017
(412) 712-7022

VZW CONTACTS:
Field Engineer: DAN DOLEGOWSKI
Phone #: N/A
Email: dan.dolegowski@verizonwireless.com

RF Engineer: MATTHEW MICHLER
Phone #: (412) 496-0314
Email: matthew.michler@verizonwireless.com

Equipment Engineer: TYRIS PASKOVIC, JR.
Phone #: (412) 496-0314
Email: tyris.paskovic@verizonwireless.com

Construction Manager: GREG HOOVER
Phone #: N/A
Email: greg.hoover@verizonwireless.com

UTILITIES:
Tower Location: TBD
Design Tech: TBD
Work Order #: TBD

Electric: WEST PENN (PA)
Design Tech: TBD
Work Order #: 100-00000201

Gas: COLUMBIA GAS
Design Tech: N/A
Phone #: 1-888-800-4332
Work Order #: N/A

GROUNDING:
Company: Arc Lightning Protection Inc. (ALEVITY)
Inspector: Robert W. Zaleski
Phone #: (724) 733-5219
Date of Inspection: TBD

**CIRCLEVILLE
(RAW LAND)**
500 SCIENCE PARK ROAD
STATE COLLEGE, PA 16803
(E-911 ADDRESS)

FERGUSON TOWNSHIP
CENTRE COUNTY

PROJECT CODE: 2016137772
LOCATION CODE: 414194

STOP! CALL BEFORE YOU DIG!
A PENNSYLVANIA STATE REGISTERED PROFESSIONAL ENGINEER HAS REVIEWED THIS CONSTRUCTION PERMIT AND IS WORKING WITH PENNSYLVANIA ONE CALL SYSTEM, INC. 1-800-242-1776

GENERAL CONTRACTOR IS RESPONSIBLE FOR ROAD BONDING

ATTENTION NOTE: CONSTRUCTION DRAWINGS SHOULD BE USED IN CONJUNCTION WITH THE GEOTECHNICAL REPORT

SITE INFORMATION

PROJECT TYPE
PROPOSED FACILITY WILL CONSIST OF ADDING A NEW 120KV CONCRETE SLAB ON GRADE WITH CANOPY WHICH WILL HOUSE WIRELESS COMMUNICATIONS

TYPE OF SITE
 RAW LAND (MONOPOLE)
 COLLOCATION ON EXISTING TOWER
 HOIST/FOR COLLOCATION WATER
 PUMP OR WATER TOWER OTHER
 (DESCRIPTION REQUIRED)

TOWER COORDINATES (AND BE):
LATITUDE: 40° 47' 43.4"
LONGITUDE: 79° 52' 48.4"
ELEVATION: EXISTING GRADE, CABLE ANGLE AS PER 14 SURVEY DATED: 10/6/08 PREPARED BY: POINT TO POINT LAND SURVEYORS

TYPE OF TOWER
 MONOPOLE
 SELF-SUPPORT
 LATTICE TOWER
 DESIGN STRUCTURE CONCEALED/BLIND FLAG POLE
 UTILITY POLE

TOWER HEIGHT (RAW LAND - NEW MONOPOLE): 171.0'
HEIGHT IN FEET: 171.0' (STRUCTURAL STEEL)
LENGTH IN FEET OF LIGHTNING ROD ON TOP OF TOWER
OVERALL STRUCTURE HEIGHT IN FEET, INCLUDING LIGHTNING ROD AND ELEVATED FOUNDATIONS: N/A
CENTRELINE: N/A

TOWER HEIGHT (EXISTING TOWER COLLOCATION): N/A
HEIGHT IN FEET: N/A (STRUCTURAL STEEL)
LENGTH IN FEET OF LIGHTNING ROD ON TOP OF TOWER
OVERALL STRUCTURE HEIGHT IN FEET, INCLUDING LIGHTNING ROD AND ELEVATED FOUNDATIONS: N/A
CENTRELINE: N/A

GENERATOR:
 YES
 NO (STATE WHY GENERATOR IS NOT BEING PROPOSED)

GENERATOR SIZE:
 10KW (STANDARD)
 NON-STANDARD (WHAT STATE A SIZE IN KW) 30 KW
 OTHER (SPECIFY) (SPECIFY SIZE/TYPE)

GENERATOR LOCATION:
 INSIDE SHELTER
 EXTERNAL

GENERATOR TYPE:
 DIESEL
 NATURAL GAS
 PROPANE

IS THE SITE DESIGN RESTRICTED?
 YES
 NO

BUILDING SIZE:
 11'-0" x 25'-0" (11' x 25'-0")
 11'-0" x 25'-0" (11' x 25'-0")
 11'-0" x 25'-0" (11' x 25'-0")
 OTHER (SPECIFY) (SPECIFY SIZE/TYPE)

BUILDING DESIGN:
 STANDARD
 LIGHTWEIGHT
 STICK BUILD (CUSTOM DESIGN)
 BUILDING EXTERIOR AND COLOR:

STANDARD (PINK OR GRAY)
 CUSTOM (SPECIAL ORDER - SEE BELOW)

NOTE: INDICATE TYPE OF EXTERIOR DESIGN (E.G. BRICK, ETC.) AND COLOR, IF REQUIRED TO MATCH AN ADJACENT STRUCTURE.

NOTE:
THIS SITE IS NOT ON THE OWNERSHIP RECORDS OF THE COUNTY OF CENTRE COUNTY. THE SITE IS SCHEDULED AND WE WILL RECONSTRUCT.

FROM: 19 ABLE ROAD, BRIDGEVILLE, PA 15017.
DEPART: ABLE RD TOWARD WILLIAM DR, TURN LEFT ONTO OLD FOND RD, TURN RIGHT ONTO HICKORY GRADE RD, HAMPTON INN ON THE CORNER, TURN RIGHT ONTO PA-66 E MILLERS RUN RD, TAKE RAMP RIGHT FOR 1/4 MI, KEEP RIGHT TO STAY ON US-22 E / US-22 E / US-22 E AT EXIT #173/SOUTH INTERCHANGE, TAKE RAMP LEFT FOR US-22 EAST TOWARD MURRTSVILLE KEEP STRAIGHT ONTO US-22 E / US-119 N, TAKE RAMP LEFT FOR US-200 NORTH TOWARD A TOONALAT EXIT #9, TAKE RAMP RIGHT AND FOLLOW SIGNS FOR US-22 OR EAST, TURN RIGHT ONTO VALLEY VISTA DR, ROAD RIGHT ONTO US-22 E / US-22 E AT SCIENCE PARK RD, 300 SCIENCE PARK RD, STATE COLLEGE, PA 16803

BEGINNING OF PROPOSED ACCESS ROAD:
LAT: 40.79441°
LON: -77.19941°

REGIONAL MAP
VICINITY MAP
N.T.S.
N.T.S.

REGIONAL MAP
VICINITY MAP
N.T.S.
N.T.S.

N&C
TOTALLY COMMITTED
N&C ENGINEERING SERVICES, LLC
1800 W. 10TH AVENUE
DENVER, CO 80202
303.733.1100

verizon
18 ABLE ROAD
BRIDGEVILLE, PA 15017

CIRCLEVILLE
500 SCIENCE PARK ROAD
STATE COLLEGE, PA 16803
FERGUSON TOWNSHIP
CENTRE COUNTY

REVISIONS

REV#	DATE	DESCRIPTION	BY
1	06/07/17	FINAL DTA	MPH



PHILIP SARTNER, P.E.
PA PROFESSIONAL ENGINEER, LICENSE NO. 10088-R

SITE PLAN

Z-1

ENGINEER: N&C ENGINEERING SERVICES, LLC
APPLICANT: VERIZON WIRELESS
SITE INFORMATION: CIRCLEVILLE, 500 SCIENCE PARK ROAD, STATE COLLEGE, PA 16803
DESIGN RECORD: N/A
PROFESSIONAL STAMP: PHILIP SARTNER, P.E., LICENSE NO. 10088-R
ENGINEER: PHILIP SARTNER, P.E.
SHEET TITLE: SITE PLAN
SHEET NUMBER: Z-1

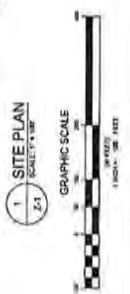
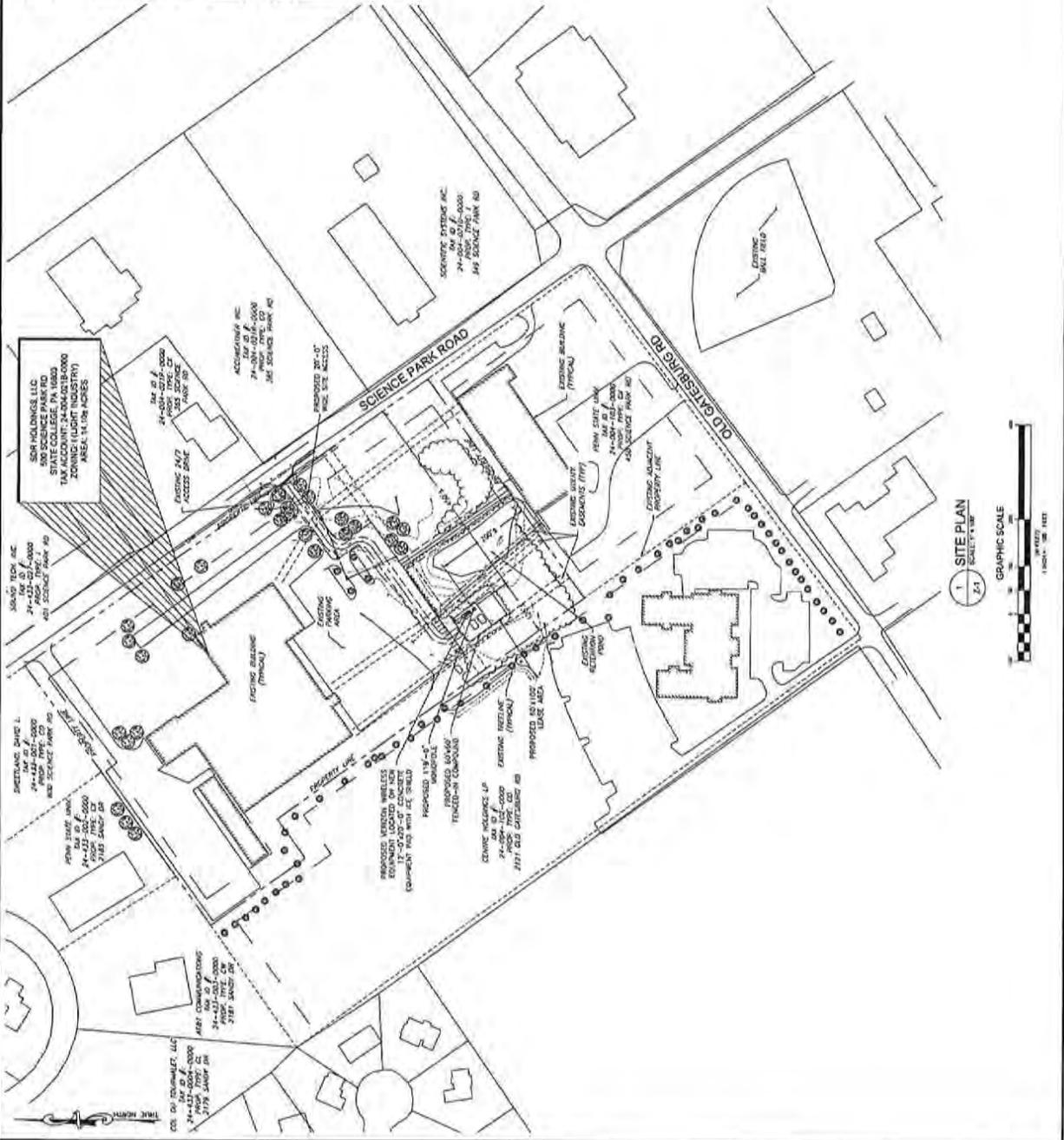
ZONING INFORMATION

JURISDICTION	TERRITORY	SECTION	ARTICLE	PROVISION
STATE	301	101	101	101
COUNTY	101	101	101	101
TOWNSHIP	101	101	101	101
CITY	101	101	101	101

NOTE: THIS SITE PLAN IS FOR THE PROPOSED VERIZON WIRELESS EQUIPMENT LOCATED ON THE PROPERTY DESCRIBED ABOVE. THE PROPOSED EQUIPMENT IS LOCATED ON THE PROPERTY DESCRIBED ABOVE. THE PROPOSED EQUIPMENT IS LOCATED ON THE PROPERTY DESCRIBED ABOVE. THE PROPOSED EQUIPMENT IS LOCATED ON THE PROPERTY DESCRIBED ABOVE.

LEGEND

- PROPERTY LINE - DASHED LINE
- PROPERTY LINE - ALIENATED
- EXISTING FENCE LINE
- EXISTING ROAD
- EXISTING BUILDING



**Desirability and Feasibility
of a
Fire Station in Ferguson Township**

Prepared By:

Steven W. Bair

Fire Director, Centre Region Council of Governments

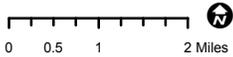
June, 2017

Project Orientation Map

- ★ Proposed Station
- Ⓡ Fire Station



2643 Gateway Drive
State College, PA 16801
814-231-3050
www.crcog.net/planning



The Author expresses his appreciation to State College High School Interns Milan Liu and Fernando Del Castillo for their assistance with the collection and preparation of data for the analyses in this report.

Table of Contents

Introduction.....	1
Background.....	1
Data Used in This Report.....	2
Current Conditions: Ferguson Township.....	3
Recommended Location.....	4
Standard of Cover.....	5
Site Desirability: Volunteer and Community.....	7
Site Development Cost.....	8
Other Factors.....	8
Value to the Community.....	8
Patton Township Experience.....	9
College Township Experience.....	10
Ferguson Township (Proposed).....	12
Summary of Benefits for Ferguson Township.....	13
Benefits to the Centre Region.....	13
Maximizing Utility.....	14
Recommendations.....	14
End Notes.....	15
APPENDIX A: Relationship Between Response Time and Fire Growth.....	17
APPENDIX B: NFPA 1720 as Applied to the Alpha Fire Company.....	19
APPENDIX C: Reference Maps.....	21
APPENDIX D: Description of Operations: Duty Crew.....	25

Introduction

In May 2016, during an update of the Ferguson Township Five-Year Capital Plan, Township staff made several inquiries regarding the probability that a fire station within the township would become a necessity. Based on those conversations it was deemed prudent by the township to include funds for a fire station in its five-year strategic plan. In September 2016 the Ferguson Township representative to the COG Public Safety Committee, along with township staff, asked the COG Fire Director for an informal opinion regarding desirable location(s) of a fire station within the township. In addition to providing an opinion to Ferguson Township, the COG Fire Director provided the COG Public Safety Committee with a written narrative describing the rationale for selecting the specific location of a fire station.

On February 10, 2017, Ferguson Township formally requested COG Regional Fire Protection staff to evaluate the desirability and feasibility to establish a fire station within the township. This report is presented in accordance with that request. The report identifies the general area believed to best suited for a fire station, utilizes available data from Patton and College Townships to describe the benefits of a fire station within a municipality, and examines the degree to which Ferguson Township could benefit from a fire station within that municipality.

Background

Achieving the best possible outcome for any emergency is dependent upon the safe and prompt arrival of emergency resources to the scene. The four factors that determine the timeliness of any emergency fire response are: time required for the call for assistance to be made, processed and transmitted to the fire company; time required for the fire company to gather personnel and respond; time required for the apparatus to travel from the fire station to the scene of the emergency; and the time required for the fire company to initiate tactical operations after arriving on the scene of the emergency. Of these four factors only one, time required to initiate tactical operations after arrival, is within the complete control of a volunteer fire department. The actions of the reporting party and the dispatch center are beyond the control of both the fire department and the municipality. The time required to gather personnel and respond, and then travel to the emergency scene, is directly impacted by the location of the fire station in relation to the location of volunteer staff at the time of the alarm, and in relation to the location of the emergency. (See Appendix A for the relationship of response time and fire growth.)

The direct correlation between fire loss and response time is well established and decentralizing resources to establish a network of fire stations to reduce travel times by volunteers and apparatus is a widely accepted 'best ' practice¹. National models such as the Rand Fire Project of 1979², the ISO Public Protection Classification system³, and the Commission on Fire Accreditation International (CFAI)⁴ all promote networks of strategically placed fire stations as a means to reduce community fire losses.

Various local studies have also identified the desirability of fire stations distributed across the region, the earliest of which was completed in 1990 by Tri-Data⁵. In 1998 the Tri-Data study was followed-up with the “Satellite Fire Station Report” by the COG Public Safety Committee⁶. The ESCi report of 2005 on fire service delivery within the Centre Region also identified the importance of response time in several of its recommendations for long term service improvement⁷.

A study on the relationship of response time and fire loss was published in 2005 by The Boston Globe⁸. Using data from across Massachusetts The Globe found that fire loss experiences increase at a linear rate for responses of three to eight minutes, then increase exponentially (until most materials are consumed) for response times of nine minutes or more. Fire losses increased approximately 15% per minute for responses up to eight minutes. Fire losses increased 33% per minute when response time increased to nine minutes or more. This loss experience is consistent with the typically reported time of flashover occurring within a structure. For a home that cost \$245,000 (exclusive of land) and contents valued at 50% of the dwelling, two minutes of response time is worth approximately \$60,000 at seven minutes.

In 2001 Patton Township constructed a fire station at 2598 Green Tech Drive to reduce response time to areas west of Vairo Boulevard. In 2010 College Township completed a fire station at 1481 East College Avenue to reduce response time to areas east of Porter Road. This report draws upon the experiences related to these stations.

Data Used in This Report

Unless specifically noted otherwise, data referenced in this report is gleaned from Alpha Fire Reports. Time data in these reports originates from the Centre County Emergency Communications Center where actions are logged by dispatchers as they are reported by field units. Much of this data logging by the dispatchers is manual. Thus, the time of any event entered by a dispatcher for the record may lag the actual event time by several seconds, sometimes considerably more. In some cases fire officers estimate time where the dispatcher has failed to make an entry. This introduces additional error into analyses, but in general it conservatively skews the data; the fire department is moving a bit faster than the logged time. Since this is true for all incidents recorded, the effect of this upon the time comparisons in this report is negligible.

Travel times, reported or calculated, can vary significantly based on time of day, day of week, and time of year. Weather, event traffic, and construction to name a few, all have significant impact upon travel time. Travel times appearing in this report are taken directly from the Google Maps algorithm, which accounts for average local conditions and posted speeds along each specific route. The areas of particular interest in Ferguson Township are mostly rural and support slightly higher average response speeds. As a result, when applied to fire apparatus movement travel times are generally conservative.

The traffic variable is very significant and changes within the year and year to year. In general, traffic speeds are slowing throughout the Centre Region as traffic volumes are increasing and traffic signals or similar control devices are being added.

The reader is encouraged to consult Appendix B for a discussion on the application and limitations of data related to NFPA 1720, the performance standard for Alpha Fire Company⁹. The standard is only applicable to those incidents that are emergencies, and require a “full” response of personnel. These typically include structure fires and traffic accidents requiring extrication.

The reader is encouraged to note the number of data points identified for any specific data set presented. Smaller data sets exhibit larger statistical error than larger data sets. Because the many variables affecting response time vary within the year and year to year, response data for the Alpha Fire Company is generally not statistically normal. Data trends and the analyses herein are valid for making comparisons but the specific numbers presented are subject to statistical error and direct extrapolations are not recommended.

Current Conditions: Ferguson Township

Ferguson Township wraps State College Borough for approximately 170 degrees of the Borough’s south to northwest boundary. As a result, sections of the township are readily accessible from existing fire stations, notably those in the Borough and Patton Township. The area potentially underserved by these existing stations, and the focus of this study, lies to the west of South Nixon Road. (South Nixon Road almost bisects the township southeast to northwest and is proximate to the five-mile coverage limit from the closest fire station [Borough]. In the absence of roads with similar character, South Nixon Road is being used for comparative purposes to facilitate consistency.) (See Appendix C for map.)

Figure 1 shows the frequency of incidents occurring west of South Nixon Road for each of the past three years. The three year average of occurrence is 34 incidents annually, approximately 24% of all incidents occurring in Ferguson Township.

Year	Number Incidents	Percent of all Twp Incidents
2014	29	20%
2015	35	28%
2016	37	25%

FIGURE 1

Year to Date (May 7, 2017), there have been 16 incidents west of South Nixon Road, representing 29% of all incidents in Ferguson Township.

		West of S Nixon	Rest of Township
2014	14 Minutes	67%	100%
2015	14 Minutes	85%	100%
2016	14 Minutes	83%	100%
3-Yr Avg		78%	100%
		On Target	
		Below Target, but within 10%	
		Greater than 10% Below Target	
	Averages		
2014	Arrival Time	11.7	6.9
2015	Arrival Time	10.6	6.3
2016	Arrival Time	10.7	7.1
3-Yr Avg		11.0	6.8
3-Yr Avg	Data Points (n)	41	104

FIGURE 3

Figure 3 shows that Alpha Fire Company is generally meeting the rural response goals set forth in NFPA 1720 for areas west of South Nixon Road. The western areas of Ferguson Township are rural, or remote, in character as defined by NFPA and the United States Fire Administration¹¹. Alpha responses are meeting national goals in these areas.

Recommended Location

There are three factors to consider when selecting the site for a volunteer fire station: the response goals established by the community (standard of cover), the desirability of the site from a volunteer's and the community's perspective, and site development costs. Each of these elements can be mutually exclusive and may conflict; hence any site selection is likely to be the best compromise available toward optimizing each element. Local constraints such as zoning, conservation easements, deed restrictions, flood plains, highway and rail crossings, and existing high-hazard occupancies may severely limit the parcels available for consideration.

Standard of Cover

The COG Public Safety Committee adopted the suburban standard of NFPA 1720 as its service goal. The response goal for the fire department is to have a minimum of 10 personnel on the scene of an emergency (structure fire or vehicle accident with entrapment) within 10 minutes for 80% or more of all such responses. Fire stations must therefore be situated such that the normal travel time to any potential service point is

less than 10 minutes to accomplish this goal. Because a volunteer station is not normally staffed on a regular schedule, the travel time for volunteers to reach the station must also be considered within the 10 minute response time.

Fire department response time includes the following components:

- A. Volunteers acknowledge the emergency summons and disengage from normal activity to respond to the fire station. (Approximately 0.5 minute.)
- B. Volunteers travel from the location where they were notified to the fire station.
- C. Volunteers enter the station, don personal protective equipment, remove apparatus from the building and secure the building for departure. (Approximately 1 minute.)
- D. Apparatus travels from the fire station to the location of the emergency.
- E. Apparatus arrives on the emergency scene and makes ready to engage. (Approximately 0.5 minute.)

Items A through C are often identified as “Turn Time” or the time it takes the fire department to ‘get on the road’ once summoned.

Adjusting for non travel components (2 minutes), there are approximately eight minutes available for travel of volunteers to the station and travel to the scene of the emergency. Assuming emergencies and volunteers are randomly dispersed within any area, four minutes is allotted for volunteer travel and four minutes is allotted for apparatus travel. There are several mathematical models for determining average speeds and travel times within service areas. These models were originally published by the Rand Corporation in 1979 and were verified using data collected from many communities¹². Variables driving the need for multiple models include the arrangement of street patterns, traffic densities, road widths, etc. Applying these models to the Centre Region, the average speed for volunteers responding to the fire station is approximately 32 mph. To limit travel time to the allotted four minutes, volunteers should be within 2.13 miles of the fire station. The speed of fire apparatus responding to an emergency is also affected by the traffic environment, which differs significantly between the urban core, suburban and rural areas, expressways, and along local arteries such as Atherton Street. On average, fire apparatus moves through rural areas of the townships at approximately 37 mph. To limit travel time to the allotted four minutes, the distance between the fire station and the emergency should be within 2.5 miles. Using these models, the distance between fire stations should be about 5 miles in order to reliably meet the NFPA 1720 suburban standard of cover.

Based on volunteer travel times from the more densely populated areas of the township, the most desirable location for a fire station lies along West Whitehall Road between West College Avenue and Plainfield Road. For volunteers living in Foxpointe, the Pine Grove Mills area, and Ramblewood reaching a station in this area would be faster than reaching the Borough Fire Station¹³. When North Foxpointe Lane is extended to Old Gatesburg Road, volunteers from the Saybrook neighborhood will be closer to a West Whitehall Road Station than the Borough Station. Depending upon specific conditions, volunteers living in Stonebridge and along West Whitehall Road east of West College

Avenue might more readily access a West Whitehall Road Station than they can access the Borough Fire Station. Absent a significant change in planning and zoning, population growth in the township west of State College Borough will primarily occur proximate to these existing neighborhoods¹⁴.

Striking a balance between volunteer travel distances and a desire to have as much of the township as possible within five miles of a fire station, the western-most location for a station lies between Plainfield Road and Tadpole Road. For purposes of consistent modelling, comparisons in the report are made between existing facilities and the intersection of West Whitehall and Plainfield Roads.

	To Plainfield		To Borough	
	Miles	Minutes	Miles	Minutes
Saybrook	5.4*	9	4.0	9
Foxpointe	3.4	7	3.1	8
Pine Grove Mills	2.0	4	5.2	10
Ramblewood	1.8	2	6.7	12
* N Foxpointe through	3.8	5	4.0	9

FIGURE 4
Volunteer Driving Time/Distance to Stations

* Completion of North Foxpointe Lane to Old Gatesburg Road

Site Desirability: Volunteer and Community

A common strategy for reducing response time is to encourage volunteers to frequent the fire stations. Various amenities and social/recreational spaces are incorporated into station design for this purpose. Bunking facilities and live-in arrangements are particularly important to this purpose. Live-ins tend to value proximity to shopping and campus or an easy commute to campus. Non live-ins frequent fire stations as a lunch or dinner site, or make use of an amenity such as premium television, gym, or pool table. Fire stations in rural settings tend to attract fewer live-ins, and they tend not to be frequented as regularly as stations in more populated areas. Thus positioning a station for rural coverage nearer shopping, restaurants, and major access roads is desirable. With the exception of a few businesses in Pine Grove Mills, western Ferguson Township hosts very few restaurants and retail establishments. This is unlikely to change over the long term.

Some community members regard fire stations as a nuisance. A fire station in the midst of a residential area may raise concerns of noise and traffic. Positioning the station on the border of the residential area or buffering the station with park lands, larger set backs, and/or dense vegetation may be desirable. Local opposition, driven by real or perceived quality of life issues, may render an optimal site unsuitable. The West Whitehall Road corridor west of West College Avenue is rural in character. Conflict with existing residential areas is unlikely in this corridor.

Site Development Cost

The cost of land is a significant component of the total cost of a new fire station. A site that is easily accessed and is nearer to shopping, restaurants, and other amenities is generally more costly than a more remote site.

Site preparation can be a factor since a fire station must accommodate heavy vehicles. The site must be reasonably level and the site soils must be very stable. Water service should be capable of supplying a fire hydrant (ideally 750 GPM or more) and sewer service is highly desirable.

Land in the Centre Region, including Ferguson Township is expensive. At this time most of western Ferguson Township has very limited water service and no sewer service. Most of the corridor identified as desirable for a fire station is not serviced by sewer and has limited access to water. This will necessitate an on-site septic system and dedicated water well with a cistern. These features add cost to the development of the site and increase the total amount of needed land.

Assuming on-site sewerage treatment and an on site water well with adequate buffer, the total site would need to be approximately two acres.

Other Factors

Aside from restrictions imposed by law such as zoning or flood plain restrictions, there may be other environmental elements that limit site selection. A major rail line or highway may create conditions that would seriously delay volunteers reaching the station or responding from the station. Another potential problem may arise from high hazard occupancies which, if close to the station, might render the station unusable or unreachable should an emergency involve the high hazard site. None of these factors exist in western Ferguson Township.

Value to the Community

Making an indisputable, quantitative analysis of taxpayer value for the investment is difficult. There are a large number of variables that affect the performance from any particular fire station and most of these are beyond the control of the fire department. Traffic, weather, specific location and frequency of incidents, road construction, community growth rates, dispatch errors or delays, reporting errors or delays, etc. are all beyond the control of the fire department, yet each can have a significant impact upon performance.

Fortunately, College and Patton Townships have constructed fire stations and those experiences can be used to draw conclusions and characterize the benefits of a Ferguson Township station.

Patton Township Experience

Patton Township constructed a fire station at 2598 Green Tech Drive in 2001. The 1990 TriData study of fire protection proposed establishing a fire station at “Mt. Nittany Expressway and North Atherton Street” as a means to reduce response time within the township¹⁵. In 1998 an experiment was conducted to assess the viability of a station in this area. (Similar experiments were conducted in College and Ferguson Townships at this time.)¹⁶ The Patton experiment resulted in the beneficial use of apparatus staged in the area of interest at a rate of 18%. The term “beneficial use” is used here to describe the degree to which the municipal taxpayer receives direct service from the fire station. The Patton Township Fire Station is beneficial to responses in the whole of the Centre Region, but only those responses within Patton Township are considered in describing beneficial use in this section.

A review of 2016 response data for Alpha Fire Company shows that some 18 years later, the beneficial response rate for this station was 75%. Specifically, utilization of the apparatus at the Patton Station in 2016 was as follows:

1. An incident occurring in Patton Township for which response from the Patton Station was desired and Patton apparatus responded, or volunteers responded to the Patton Station for deployment: 77 of 102 incidents (75.5%)
2. Of the 77 incidents above, for 30 incidents apparatus from the Patton Station was first to arrive on scene (29.4%)
3. There were 25 incidents occurring in Patton Township where no volunteers responded to the Patton Station. The overwhelming majority of these incidents occurred on weekdays during normal business hours, the remainder were handled by the “duty crew”. (Alpha Fire Company maintains a “duty crew” which is selectively alerted to handle minor incidents. This prevents all volunteers from being alerted/disrupted/awakened for these minor incidents. See Appendix D.)
4. An additional 65 incidents occurred in Patton Township for which no Patton apparatus was desired. These incidents were handled by the Duty Chief or Fire Police only.

Like all stations in our system the Patton Station provides overnight bunking and live-in accommodations. In the first few years after station construction these spaces were seldom used. Over time use has increased and for the past five years all four live-in spaces have been occupied. Casual overnight bunking is also occurring approximately three of seven nights.

The Patton Township Station lies 3.7 miles from the Borough Station. Live-ins at this station are typically Penn State students who commute to the Borough daily for class. At this time there are 18 nonstudent volunteers residing in Patton Township (19.6% of all members).

College Township Experience

College Township completed construction of a fire station in 2010. This station occupies the entire lower level of the College Township municipal building at 1481 East College Avenue. The 1990 TriData study of fire protection in the Centre Region proposed establishing a fire station “on East College Avenue within a half mile of the Nittany Mall”¹⁷. In 1998 an experiment was conducted to assess the viability of a station in College Township¹⁸. The apparatus involved in the experiment operated from the municipal building, the site of the current fire station. The College experiment resulted in the beneficial use of apparatus staged in the area of interest at a rate of 4%. The term “beneficial use” is used here to describe the degree to which the municipal taxpayer receives direct service from the fire station. The College Township Fire Station is beneficial to responses in the whole of the Centre Region, but only those responses within College Township are considered in describing beneficial use in this section.

College Township continued to host fire apparatus in open space within the municipal building from 2001 until the present station was completed in 2010. During this time it became apparent that land acquisition for a fire station along East College Avenue would be a challenge. In 2007, the COG Fire Director formally requested College Township to complete a fire station using the available space in the municipal building.

A review of 2016 response data for Alpha Fire Company shows that 6 years after completion of this station, the beneficial response rate was 11%. Specifically, utilization of the apparatus at the College Township Station was as follows:

1. An incident occurring in College Township for which response from the College Station was desired and College apparatus responded, or volunteers responded to the College Station for deployment: 19 of 167 incidents (11.4%)
2. Of the 19 incidents above, for 11 incidents apparatus from the College Station was first to arrive on scene (57.9%)
3. There were 77 incidents occurring in College Township where no volunteers responded to the College Station. The overwhelming majority of these incidents occurred on weekdays during normal business hours, the remainder were handled by the “duty crew”. (Alpha Fire Company maintains a “duty crew” which is selectively alerted to handle minor incidents. This prevents all volunteers from being alerted/disrupted/awakened for these minor incidents. See Appendix D.)
4. An additional 71 incidents occurred in College Township for which no College apparatus was desired. These incidents were handled by the Duty Chief or Fire Police only.

Response time in College Township improved by approximately 0.5 minute in the time periods after completion of the fire station in 2010. (Figures 5 and 6) As noted in previously in this report, this translates to roughly 7% reduction of fire loss per incident.

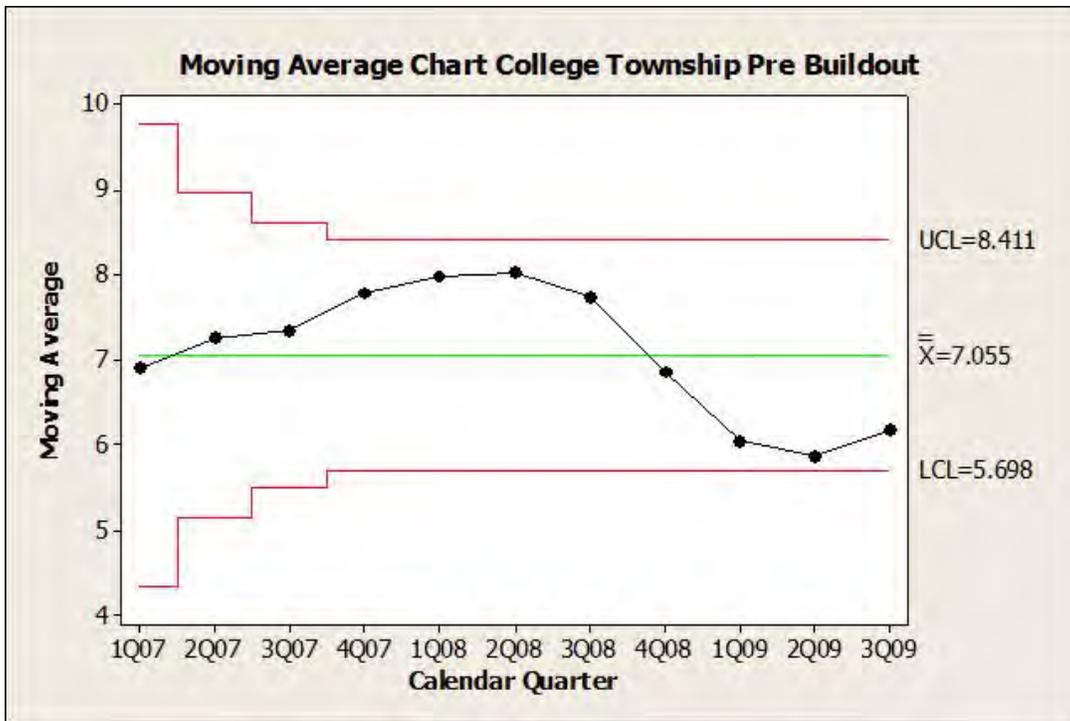


FIGURE 5

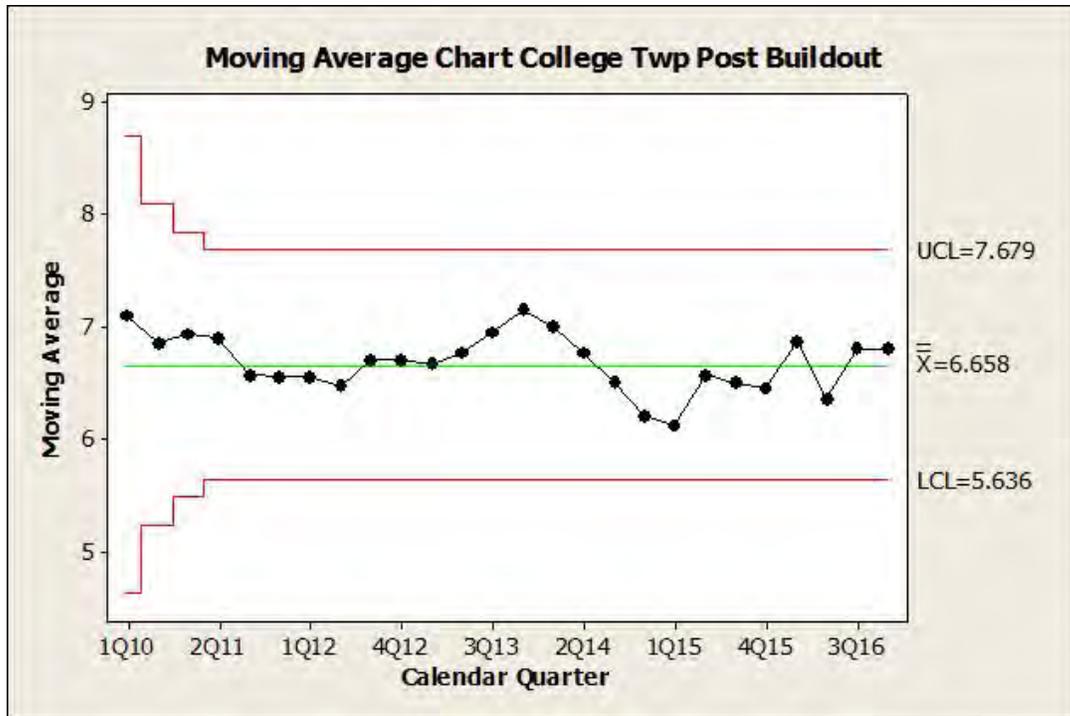


FIGURE 6

A benefit that cannot be effectively assessed is “time avoidance”. Since 2010 traffic has typically slowed in the region¹⁹. Slowing traffic increases response time of the fire department. The modest improvement in College Township response time has occurred as traffic has slowed, slowing fire department response. Thus, the response time improvement may be understated.

Like all stations in our system the College Station provides overnight bunking and live-in accommodations. In the first few years after station construction these spaces were seldom used. Use has increased over time and for the past three years all four live-in spaces have been occupied. Casual overnight bunking is also occurring approximately two of seven nights.

The College Township Station lies 2.4 miles from the Borough Station. Live-ins at this station are typically Penn State students who commute to the Borough Station daily for class. At this time there are 11 nonstudent volunteers residing in College Township (12% of all members). It should be noted that College Township boundaries wrap a significant portion of the State College Borough boundary and that for some College Township residents the Borough Fire Station is the closest station.

Ferguson Township (Proposed)

The proposed location used in this report to facilitate comparisons lies 4.9 miles from the Borough Station. It is assumed that a Ferguson Township Station would be modeled after the three existing fire stations and would include provisions for live-in and bunk-in. The characteristics of the township west of South Nixon Road are unlikely to change for quite some time (if ever), thus expected/predicted experiences with the proposed station are based on current conditions.

Both the Patton and College Township Stations began their service by providing limited direct benefit to residents of the township. Direct benefits have increased over time as these stations became more established. Since its original construction the Patton Township Station has benefitted from residential growth in areas of Grays Woods Boulevard and Skytop Road. College Township has changed little since that station was completed in 2010 and benefits from this station remain meaningful but modest. The degree to which the existence of a station within either township has attracted new members to Alpha Fire Company is uncertain. Current members do express appreciation for having the ability to respond to a station close to home or work, and the ability to respond to the closest of the three stations when out socially or on errands.

The Ferguson Township Station experience will most closely resemble that of the College Township Station. Daytime responses from this station will be sporadic and most benefit will be realized evenings and weekends. The station will probably attract some live-ins but it will not be the first choice for college students. (Note: Alpha Fire Company has filled all live-in positions in each of the last three years. For most of these years there has been a waiting list.) In general, volunteer access to a Ferguson Township Station will be more direct (easier) than the volunteer access is to the College

Township Station. For evenings and weekends, the station will reduce response time to the western areas of the township by approximately two minutes, possibly three. This is a significant improvement that is not attainable by other means. A report by the Centre County Association of Realtors predicts very limited population growth in the township through 2020²⁰. Township staff expects very little change in land use in the western portions of the township for the foreseeable future. Therefore the Ferguson Township Station experience forecast is believed accurate for the next 3 to 5 years.

Beyond modest response time reductions, a fire station in Ferguson Township would be immediately beneficial to the Alpha Fire Company. The Company continues to experience a shortage of program space. Space is needed for the storage of personal protective equipment, uniforms, document archives, hose and hose maintenance. Several training exercises would benefit from this station due to the limited operating space provided at existing facilities.

Apparatus for placement in a Ferguson Township Station already exists. The Company would move a rescue engine, tanker, and the foam trailer to Ferguson.

Summary of Benefits to Ferguson Township

1. Two to three minute reduction in response time to western Ferguson Township, mostly nights and weekends.
2. Opportunity for improved insurance rates for those within five miles of the station²¹.
3. Opportunity to increase participation of members and possibly attract new members living in Ferguson Township by making it easier to access a fire station.

Benefits to the Centre Region

Each fire station benefits the whole of the Centre Region and surrounding areas and a Ferguson Township Station would be no exception. As the area's population grows and traffic continues to slow, it becomes more difficult for volunteers to get to the Borough Fire Station. (The bulk of fire protection to Ferguson Township is provided from the Borough Fire Station.) Many volunteers living in Ferguson Township will have better (faster) access to the Ferguson Township Station than the Borough Station. Depending on the location of the incident, response of a second or third engine into the Borough, south College Township, or eastern Ferguson Township from a Ferguson Township Station could be faster than relying on that unit from one of the three existing stations. For areas of Ferguson Township adjacent to the west and south borders of the Borough, a unit originating from a Ferguson Township Station could arrive first.

Everything west of South Nixon Road into Warrior's Mark and much of Halfmoon Township would directly benefit from a Ferguson Township Station.

Maximizing Utility

There are a number of options that should be considered to maximize taxpayer value of a fire station. The building could incorporate features useful to the Fire Company beyond those required to meet its basic mission. For example, a hose tower that can double as a training tower would involve minimal additional investment but would increase the nonemergency use of the building. Personnel would frequent the station more often to conduct training and maintain hose.

The building might be constructed to house more than one public safety entity. A police or EMS substation might be co-located with the fire station. Although each entity would require dedicated space, some spaces and the building's mechanical, electrical, and plumbing systems could be shared.

Additional, compatible uses of the site should be considered. Dedicating a portion of the site for a cell tower might be practicable and could generate income to offset station costs.

Recommendations

1. The Township should act upon any opportunity to acquire land for a fire station within the identified area. Land acquisition generally becomes more problematic with time.
2. The Township should design and build a fire station after land is acquired if it is comfortably practicable to do so in the short term (1 to 3 years). The fire station will be placed into immediate service by the Fire Company.
3. If it is not feasible to construct a fire station in the short term (1 to 3 years), then funds should be accrued for construction to occur in the near term (3 to 5 years).
4. The Township and the COG Fire Director should meet with representatives from EMS, Police, and Public Works to explore the desirability of a shared facility.
5. The Township should assess interests in locating a cell tower or similar infrastructure in this area as a possible means to reduce development and sustainment costs.

End Notes

¹ Compton, Dennis and John Granito, eds. Managing Fire and Rescue Services. Washington: International City/County Management Association (ICMA), 2009. Chapter 4, p 121.

² The Rand Fire Project. Fire Department Deployment Analysis, A Public Policy Analysis Case Study. New York: Rand Corporation, 1979.

³ ISO Mitigation. Fire Suppression Rating System Overview. 10 May 2017. <<https://www.isomitigation.com/fhrs/fire-suppression-rating-schedule-fhrs-overview.html>> This site is the gateway to explaining the ISO Public Protection Classification System (PPC). The PPC for a community is used by property insurance companies to varying degrees to determine premium rates. 47.4% of the classification rating is based solely on the performance of the fire department.

⁴ Center for Public Safety Excellence (CPSE). Commission on Fire Accreditation International (CFAI). <www.cpse.org> The CFAI accreditation process is built around a “standard of cover” for one’s specific fire department which describes, in quantifiable terms, a series of performance measures.

⁵ Jennings, Charles, et al. Fire Protection in the Centre Region, Pennsylvania: A review of Alpha Fire Company Operations, Organization, and Effectiveness. Arlington: TriData Corporation, August 1990. For a discussion on additional stations see p 21.

⁶ Klees, Dan, et al. Satellite Fire Station Report. State College: COG Public Services Committee, August 1998. For a discussion of specific recommendations see p 17, specifically item #4 which identified the vicinity of Old Gatesburg Road and Science Park Road as a potential site for a Ferguson Township Fire Station.

⁷ Kouwe, Phil and Bernie Harchar. Evaluation of Alpha Fire Company and Boalsburg Fire Company. Wilsonville: ESCi, February 2005. See p 118 for references to facility deployment and Figure 42 which shows road segments beyond five miles from a fire station, almost all of which are in western Ferguson Township.

⁸ Dedman, Bill. “Deadly Delays, The Decline of Fire Response”. Boston Globe 30 January 2005 (A1+) and 31 January 2005 (A1+). This comprehensive study reviewed response times for fire departments across Massachusetts and discussed the impact of slowing responses and reduced staffing.

⁹ National Fire Protection Association. NFPA 1720 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Services, and Special Operations to the Public by Volunteer Fire Departments 2004 Edition. Boston: NFPA 2004.

¹⁰ The ESCi report recommended adopting a standard of performance, but did not specifically recommend NFPA 1720. It used NFPA 1720 criteria to evaluate company performance in the report (p 137).

¹¹ In certain grant applications, such as SAFER and the AFG managed by the US Fire Administration, the definition of rural varies, but is generally defined as any area not included in a metropolitan statistical area, and/or a population less than 1000 persons per square mile. Some USFA research reports are more limited and define rural as counties with populations less than 20,000 and not adjacent to a metropolitan area. The definition of “Suburban” also varies. Some municipalities apply the standard to specific census tracts.

¹² Rand developed a series of formulas based on a variety of street and road distributions, the distribution of fire stations, and traffic volume. These empirical models were then verified by collecting data from various communities. Where referenced, calculations for the Centre Region include all portions of the Centre Region within Alpha’s primary response area.

¹³ The Borough Fire Station is referenced here because it is the closest fire station to most of Ferguson Township. Only northern Saybrook and Chestnut Ridge are closer to the Patton Station.

¹⁴ Kunkle, Mark. Personal interview. 15 February 2017. This has been reinforced since through casual conversations with township staff, most recently with David Pribulka, the current Township Manager.

¹⁵ Jennings. Page 21

¹⁶ Klees. Appendix B (p 23)

¹⁷ Jennings. Pages 21-22

¹⁸ Klees. Appendix B (p 23)

¹⁹ Travel time calculations for fire apparatus for the years 2010, 2013, and 2016 show a reduction in average apparatus speed by 1 mph over each three-year period.

²⁰ Gotwalt, Lyn. Local Economic Area Report. Ferguson Township, Pennsylvania. State College: Centre County Association of Realtors, 2017. Population Comparison table.

²¹ Distance to a fire station is a component of ISO risk ratings. All insurers use ISO risk ratings to establish premiums, although to varying degrees. Some, such as State Farm, place more emphasis on actual loss history for a particular area than on ISO. Premium algorithms are proprietary to each company, thus it is not possible to predict or estimate insurance savings.

APPENDIX A

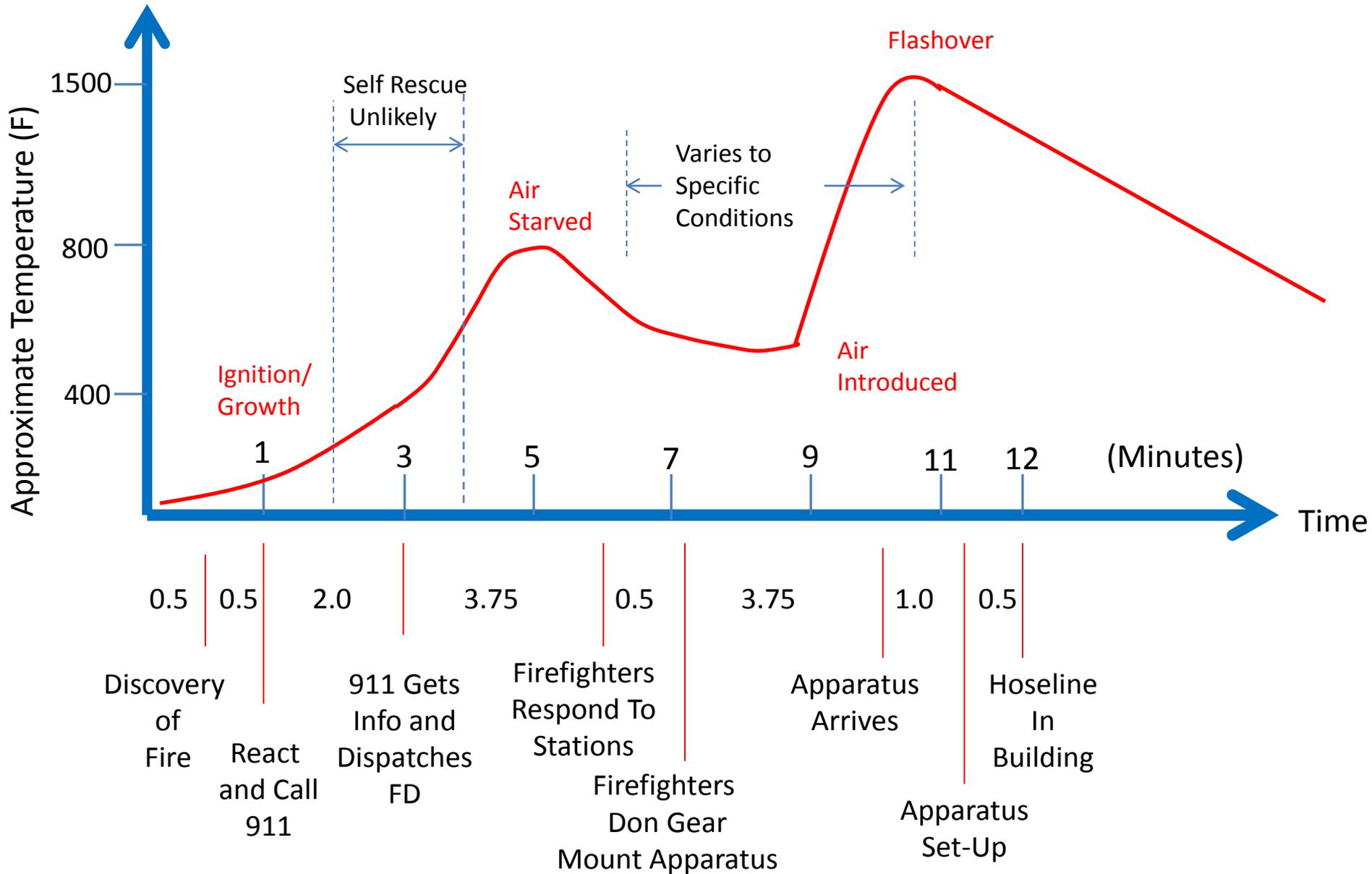
Relationship Between Response Time and Fire Growth

Research completed in 2010 by Underwriters Laboratories (UL) and the National Institute of Science and Technology (NIST) has significantly improved our understanding of fire behavior within structures. The figure in this appendix shows the behavior of a fire within a structure (bold red line) plotted against time (X-axis) and temperature within the compartment(s) involved in fire (Y-axis). A typical fire department response event sequence appears just below the X-axis with the elapsed time (in minutes) appearing between each response segment. The model in this figure assumes volunteers live within 2 miles of the fire station and the fire is 2 miles from the station, with an average speed of 32 miles per hour for both volunteer and fire apparatus travel.

All fires start small and build in intensity as time progresses. The rate at which the fire will grow is largely dependent upon the items burning (fuel) and the amount of air (oxygen) available to the fire. The bold red line depicting fire growth is based upon UL and NIST research involving common household furnishings and materials in a room typical for a single family dwelling. The fire grows unabated until it is consuming air faster than air can be supplied. This lack of air will cause a reduction in fire intensity. At some point in the incident air will be reintroduced at rates sufficient to sustain fire growth. The reintroduction of air in volume typically results from someone opening a door or window (passersby, occupants, or the fire department), or failure of a window due to heat from the fire. Once air is reintroduced in sufficient volume, a fire will continue to grow unabated to flashover stage. Flashover is the point at which every item in the vicinity of the fire has reached its ignition temperature and literally bursts into flame. Flashover creates conditions that are not survivable for occupants or firefighters. Depending upon specific conditions, flashover has been observed to occur in a little as three minutes from ignition. In a typical room and contents fire occurring in a dwelling, flashover usually occurs in seven to eleven minutes. Eventually, the fire will decay as it consumes all available fuel.

A basic premise of firefighting is to have the fire department arrive prior to flashover to increase survivability and reduce property loss.

The Volunteer Fire Service



APPENDIX B

NFPA 1720 as Applied to the Alpha Fire Company

The ESCi Report of 2005 recommended adoption of an established standard of performance for fire companies operating in the Centre Region. The 1998 COG Public Safety Committee report had proposed a performance standard, however the basis for the proposal is not documented and it was apparently not adopted. In 2007, at the suggestion of the Fire Director, NFPA 1720 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments, 2004 Edition, was adopted as the basis for measuring response performance by Alpha Fire Company.

NFPA 1720 provides four specific response goals, each based on population density and distance from a fire station as follows:

- A. Urban environment, greater than 1000 persons per square mile. Goal is 15 personnel on scene in 9 minutes or less for 90% or more of all emergency incidents.
- B. Suburban environment, 500 to 1000 persons per square mile. Goal is 10 personnel on scene in 10 minutes or less for 80% of all emergency incidents.
- C. Rural environment, less than 500 persons per square mile. Goal is 6 personnel on scene in 14 minutes or less for 80% or more of all emergencies.
- D. Remote environment, any location 8 miles or more from a fire station. Goal is 4 personnel ready to mount suppression efforts within 2 minutes of arriving on scene for 90% or more of all emergency incidents.

The standard also provides for “Special Risks” within any environment where the Authority Having Jurisdiction (AHJ) may establish performance time goals which are to be met for 90% or more of all responses to the special risk location. At this time there are no special risks designated in the Centre Region.

At the time the goals of this standard were adopted, the portion of the Centre Region protected by Alpha Fire Company had a population of 73,392 (2000 census) in an area of 94.6 square miles for a calculated density of 765.24 persons per square mile. As a result the suburban goal of the standard was adopted across the whole of Alpha’s response area. (Despite the obvious urban and rural zones within the response area.) Response time data for Alpha Fire Company is collected and analyzed quarterly to determine the degree to which the Company is in compliance with the standard.

To properly be included in the data, an incident must be dispatched as an emergency and remain so at least until 10 personnel arrive to the scene. Alpha Officers strive to make the most efficient uses of volunteer time and taxpayer assets, and as a result many incidents start as an “emergency” but are quickly downgraded. In many of these

cases 10 personnel never reach the scene or, if they do, they continue their response under nonemergency conditions (normal traffic speed, no lights/sirens). As a result for any municipality in any given quarter, the number of applicable data points can be small.

For Alpha Fire Company this data is used to make quarterly and annual comparisons of performance in an attempt to identify trends. Further investigation of any apparent trend is undertaken to determine if changes to the Company's operations are warranted.

APPENDIX C
Reference Maps

Proximity to Closest Fire Station – May 2017

All Distances in Road Miles



Proximity to Proposed/Possible Fire Station

All Distances in Road Miles



Optimal Drive Time – Proposed/Possible Fire Station

All Distances in Road Miles



APPENDIX D

Description of Operations: Duty Crew

The Alpha Fire Company strives to maintain a “Duty Crew” for all hours of operation. Alpha members volunteer to bunk-in at fire stations and respond to all incidents to which a limited response is warranted. Centre County Emergency Communications uses a special radio tone to alert the Alpha Duty Crew. Members not participating as part of the duty crew can set their alert pagers to disregard the duty crew alert tone. This limits the disruption of members to those responses that warrant more than the limited response of the duty crew.

The fire company responds to a large number of calls for which a limited response is warranted. Examples include incidents that involve wires down, minor traffic accidents, automatic alarms with no additional alarms or calls to 911, nonemergency medical assists, nuisance fires, and various other assistance requests.

On many occasions the available duty crew is operating from the Borough Station, since the vast majority of limited-response incidents occur in and around the Borough. As a result, the duty crew often will handle an incident in one of the townships in lieu of mustering volunteers from home to respond to the College or Patton Township Stations.

To the degree practicable, incidents handled solely by the duty crew stationed at the Borough have been identified and considered in beneficial use calculations for the township stations.

SOURCEWATER PROTECTION OVERLAY DISTRICT

AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 27, ZONING ORDINANCE, PART 2, DISTRICT REGULATIONS, BY ESTABLISHING A NEW SECTION 27-215 CONCERNING SOURCEWATER PROTECTION OVERLAY REQUIREMENTS. THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF FERGUSON HEREBY ORDAINS: SECTION 1, CHAPTER 27, FERGUSON TOWNSHIP ZONING ORDINANCE, PART 2, DISTRICT REGULATIONS, SECTION 27-215, IS HEREBY ESTABLISHED TO READ AS FOLLOWS: §27-215. SOURCEWATER PROTECTION OVERLAY REQUIREMENTS. THE SOURCEWATER PROTECTION OVERLAY REQUIREMENTS ARE INTENDED FOR THE REGULATION OF LAND USES WITHIN THE SOURCEWATER PROTECTION OVERLAY FOR THE PURPOSE OF PROTECTING GROUNDWATER SUPPLIES, WHILE DEFINING SOURCEWATER TERMS, REQUIRING REPORTING REQUIREMENTS, REQUIRING ADDITIONAL REVIEW FROM PUBLIC WATER SUPPLIERS, PROVIDING REPORTING REQUIREMENTS FOR CERTAIN REGULATED LAND USES AND ACTIVITIES WITHIN THE SOURCEWATER PROTECTION OVERLAY, PROVIDING DESIGN STANDARDS, THE REQUIREMENT OF ENVIRONMENTAL EMERGENCY RESPONSE PLANS AND ESTABLISHING THE MEANS FOR ENFORCEMENT OF THE ORDINANCE

SECTION 1. PURPOSE AND INTENT

The purpose of this Ordinance is to protect the health, safety and welfare for residents of the township, provide additional protections for sources of public drinking water supplies and safeguard a future supply of safe and sustaining drinking water. The designation of a Sourcewater Protection Overlay, as provided herein, and the regulation of activities within such Sourcewater Protection Overlay is intended to reduce the potential for ground water and surface water contamination and minimize adverse environmental impacts.

The Sourcewater Protection Overlay further intends to:

- Protect groundwater-based water supply sources within the Township from contamination.
- Minimize the risk of spills, leaks and other discharges into groundwater supplies within the Sourcewater Protection Overlay.
- Manage land use activities that store, handle and produce hazardous materials or regulated substance which can contaminate water supply sources through inadequate site management.
- Encourage Best Management Practices to limit degradation of groundwater quality.
- Be supported by existing Sourcewater Protection reports or plans formulated by such entities as the State College Borough Water Authority, Pennsylvania State University, Bellefonte Borough Water Authority, College Township Water Authority and any other private water companies utilizing sourcewater within the Township for public consumption.
- Update ordinance requirements, periodically, taking into account any new technologies, new practices in farming.

SECTION 2. STATUTORY AUTHORITY

Section 1428 of the Federal Safe Drinking Water Act Amendments of 1986 requires the States to establish Wellhead Protection Programs to protect groundwater from contamination. In Pennsylvania, the responsibilities for development and implementation of Wellhead Protection Programs is shared between water suppliers, the Commonwealth and local municipal governments. The Pennsylvania Department of Environmental Protection (DEP) recognizes that, in Pennsylvania, DEP is responsible for regulating water suppliers and discharges of contaminants. Pennsylvania DEP also recognizes that it is the responsibility of local governments to regulate land use. Ferguson Township is empowered to regulate land use activities through the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, which provides authorization to the Township to enact ordinances regulating development and land uses to ensure the public health, safety and welfare, provisions for safe, reliable and adequate water supply, considering current and future water resources availability, uses and limitations, including provisions adequate to protect water supply sources.

SECTION 3. DEFINITIONS

For the purposes of this Section, certain terms and words used herein shall be interpreted as presented below.

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.
- B. The word " includes" or " including" shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like, kind and character.
- C. The word " person" includes an individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.
- D. The words " shall" and " must" are mandatory; the words " may" and " should" are permissive.
- E. The words " used or occupied" include the words " intended, designed, maintained, or arranged to be used, occupied or maintained".

Abandoned Water Supply Well: A water supply well the regular use of which has been discontinued for a period of one year or more, or which is in such a state of disrepair that continued use for the purpose of obtaining ground water is impractical, or which has been replaced by a new well or public water supply.

Agricultural Activities: Activities associated with agriculture such as agricultural cultivation, agricultural operation, and animal heavy use areas. This includes the production of crops, including tillage, land clearing, plowing, discing, harrowing, planting, harvesting crops or pasturing or raising of livestock and installation of conservation measures.

Agricultural Erosion and Sedimentation Control Plans: A site specific plan identifying BMPs to minimize accelerated erosion and sedimentation from agricultural runoff, required by Chapter 102 (relating to erosion and sedimentation control). The agricultural erosion and sediment control components of a conservation plan may meet this requirement, if allowed under Chapter 102.

Alteration: As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another, also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

Alteration, Structural: Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress and egress, or any enlargement to or diminution of a building or structure, or the moving from a building from one location to another.

Aquifer: A water-bearing layer of rock that will yield water in a usable quantity to a well or spring.

Best Management Practices (BMPs): Schedule of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution of “waters of the United States”. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage-

Carbonate: A. A sediment formed by the organic or inorganic precipitation of mineral compounds characterized by the fundamental chemical ion CO_3 , the principal element in limestone and dolomite strata.

Closed or Undrained Depression: In a Karst geologic area a distinct bowl-shaped depression in the land surface; size and amplitude are variable; drainage is internal. It differs from a sinkhole in that the ground surface is unbroken and usually occurs in greater density per unit area.

Community On-Lot Sewage Disposal System: Any system, whether publicly or privately owned, for the collection of sewage from two or more lots or uses, or two or more equivalent dwelling units, and the treatment and/or disposal of the sewage on one or more lots or at any other site.

Detention Basin: An impoundment structure designed to manage stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate.

Dolomite: (1) a mineral consisting of calcium magnesium carbonate found as compact limestone; or (2) limestone or marble rich in magnesium carbonate.

Existing Use: The use of a property as of the date this ordinance was adopted.

Expansion: An increase in the size of an existing structure or use, including the physical size of the property, building, parking and other improvements.

Fracture Trace: Natural, linear-drainage, soil-tonal and topographic alignments, usually visible on aerial photographs, which are commonly the surface manifestations of corresponding zones of fracture concentration within underlying bedrock. Particularly in soluble rocks (e.g., limestone and dolomite), fracture zones cause increased bedrock porosity and permeability, resulting in rates of groundwater movement that are greater than the surrounding bedrock.

Groundwater Recharge: Replenishment of existing natural underground water supplies.

Hazardous Material: Materials, which are classified by the U.S. Environmental Protection Agency and

the Pennsylvania Department of Environmental Protection, as having the potential to damage health, impair safety or pose a significant actual or potential hazard to water supplies if such material were discharged into land or water of the Township. Hazardous materials, including, but are not limited to, inorganic mineral acids or sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, arsenic and their common salts, lead, coal tar acids, such as phenols and cresols and their salts, petroleum products, pesticides, herbicides, solvents, thinners, fertilizers and radioactive material. More specifically, hazardous materials, as defined herein, are those substances listed on the Hazardous Substance List, Chapter 323 of the Pennsylvania Code, including the automatic additions referenced in Chapter 323.

Impermeable: Impervious, impenetrable to moisture.

Integrated Pesticide Management Plan: A plan which provides for the use of multiple pest management tactics which minimize the risk of undesirable environmental and health effects.

Intermittent or Vernal Pond: Transient surface water bodies formed in sinks and closed depressions after heavy precipitation, due to poor internal drainage. This poor drainage may be due to residual clay remaining after solution of limestone minerals.

Junked Materials: The accumulation of used and/or discarded materials with the potential for leaching pollutants into the groundwater, including, but not limited to, trash, appliances, machinery, vehicles, or parts thereof, whether on the land surface, into a sinkhole or into a stream, wetland or other water body.

Karst: A type of topography that is formed over limestone, dolomite, or gypsum by bedrock solution, and that is characterized by closed depressions or sinkholes, caves, and underground drainage.

Land Development: (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: (i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (ii) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features. (2) A subdivision of land. (3) Development in accordance with § 503 (1.1) of the PA Municipalities Planning Code.

Limestone: A rock that, by accumulation of organic remains, consists mainly of calcium carbonate.

Nutrient Management Act: The PA Nutrient Management Act of 1993, which is applicable to agricultural operations with over 2,000 pounds of animal weight per acre which generate or utilize manure. The act requires the development of a plan demonstrating that nutrients which are land applied do not exceed crop uptake.

Nutrient/Manure Management Plan: A plan prepared by a qualified professional establishing application rates for manure/fertilizer on agricultural lands to achieve a proper balance of nutrients and minimize nutrient contamination of groundwater.

Open-Loop Geothermal System: A type of geothermal heating and/or cooling system that utilizes a water-supply well and a water pump to deliver ground water to a water-source heat pump. The discharge water from the water-source heat pump may be returned to the subsurface through a recharge well or

infiltration bed, or may be discharged into a pond, lake, or stream. A spring may also be the source of the ground water supply.

Regulated Substance: A product or waste, or combination of substances that, because of the quantity, concentration, physical, chemical or infectious characteristics, if not properly treated, stored, transported, used or disposed of, or otherwise managed, would create a substantial present or potential threat to public health through direct or indirect introduction into groundwater resources and the subsurface environment. Such hazardous substances include, but are not limited to, substances regulated under Federal or State environmental, pollution control, hazardous substances, and drinking water laws and regulations.

Release: the spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of one or more Regulated Substances upon or into any land or water within the Sourcewater Protection Overlay. Release includes, without limitation, leakage of such materials from failed or discarded containers or storage systems and disposal of such materials into any on-site sewage disposal system, dry-well, catch basin, swale, drainage way.

Retention Basin Pond: An impoundment in which stormwater is stored and not released during the storm event. Stored water may be released from the basin at some time after the end of the storm.

Secondary Containment Area: An additional layer of impervious material creating a space in which a release of a regulated substance from a storage tank may be detected before it enters the environment. This space permits a monitoring zone for leak detection methods.

Sinkhole: A localized, gradual or rapid sinking of the land surface to a variable depth, occurring in areas of carbonate bedrock; generally characterized by a roughly circular outline, a distinct breaking of the ground surface and downward movement of soil into bedrock voids.

Sourcewater Protection Area: The surface and subsurface area surrounding a water well, well field, spring or infiltration gallery supplying a public water system, through which contaminants are reasonably likely to move toward and reach the water source. The Sourcewater Protection Area shall consist of the following zones:

- A. **Zone I:** The protective zone immediately surrounding a well, spring or infiltration gallery which shall be a one-hundred (100') to four-hundred (400') foot radius depending on site-specific source and aquifer characteristics.
- B. **Zone II:** The zone encompassing the portion of the aquifer through which water is diverted to a well or flows to a spring or infiltration gallery. Zone II shall be one-half (1/2) mile radius around the source unless a more detailed delineation is approved.
- C. **Zone III:** The zone beyond Zone II that contributes surface water and groundwater to Zones I and II.

For the purpose of this Ordinance, Zones II and III fall under the provisions of the Sourcewater Protection Overlay. In addition, these Zones can transform over time due to demand and climate.

Spill Contingency Plan: A written site-specific plan conforming to the specifications and requirements contained in this article, including the documentation of general site operations, Regulated Substance

storage areas, potential for releases of Regulated Substances, an analysis of the potential destination of such releases and procedures to be followed in the event of a release.

Storage Tank: Any aboveground or underground storage tank which is used for the storage of any regulated substance.

Storage Tank - Exempted: Any tank or container which contains hazardous or petroleum substances, either above or underground, which is otherwise unregulated by the Storage Tank and Spill Prevention Act (STSPA), as amended. For the purpose of this ordinance, exempted tanks are limited to the following: on premise heating fuel tanks, farm or residential motor fuel tanks with a capacity of 1,100 gallons or less, and tanks, drums or containers with a capacity of less than 110 gallons which contain hazardous substances.

Storage Tank Facility: One or more stationary tanks, including any associated intrafacility pipelines, fixtures, monitoring devices and other equipment. A facility may include aboveground tanks, underground tanks or a combination of both. The associated intrafacility pipelines, fixtures, monitoring devices and other equipment for an aboveground storage tank shall be that which lies within the secondary containment area.

Storage Tank - Underground: Any one or combination of tanks (including underground pipes connected thereto) which are used to contain an accumulation of regulated substances, and the volume of which (including the volume of the underground pipes connected thereto) is 10% or more beneath the surface of the ground. The term shall not include:

- (A) Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes.
- (B) Tanks used for storing heating oil for consumptive use on the premises where stored unless they are specifically required to be regulated by Federal law.
- (C) A septic or other subsurface sewage treatment tank.
- (D) A pipeline facility (including gathering lines) regulated under:
 - (i) The Natural Gas Pipeline Safety Act of 1968 (Public Law 90-481, 82 Stat. 720, 49 U.S.C. App. § 1671 et seq.).
 - (ii) The Hazardous Liquid Pipeline Safety Act of 1979 (Public Law 96-129, 93 Stat. 989, 49 U.S.C. § 2001 et seq.).
- (E) An interstate or intrastate pipeline facility regulated under State laws comparable to the provisions of law in paragraph (4).
- (F) Surface impoundments, pits, ponds or lagoons.
- (G) Storm water or wastewater collection systems.
- (H) Flow-through process tanks.
- (I) Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations.
- (J) Storage tanks situated in an underground area (such as a basement, cellar, mine working, drift, shaft or tunnel) if the tank is situated upon or above the surface of the floor.
- (K) Except for tanks subject to the requirements of 40 CFR 280 (relating to technical standards and corrective action requirements for owners and operators of underground storage tanks (UST)), tanks regulated pursuant to the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, including, but not limited to, piping, tanks, collection and treatment systems used for leachate, methane gas and methane gas condensate management.

(L) Any underground storage tank system whose capacity is 110 gallons or less.

(M) Any other tank excluded by policy or regulations promulgated pursuant to this act. (Def. amended May 10, 1996, P.L.171, No.34)

Underground Injection Well: A bored, drilled, driven or dug well for the emplacement of fluids into the ground (except open loop geothermal heat pump systems).

Vertical ~~Vertical~~ Closed-Loop Borehole: A borehole which is constructed to receive heat exchanger loop pipes and grout material. Fill material may be used below a minimum depth of 20 feet below grade as the subsurface conditions warrant.

Water-Source Heat Pump: A heat pump that uses a water-to-refrigerant heat exchanger to extract heat from the heat source.

Water Table: Upper surface of a layer of saturated material in the soil.

Wetland: Those areas that are inundated or saturated by surface or ground water at frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, and similar areas.

SECTION 4. APPLICABILITY

- A. This ordinance applies to land uses located or proposed within the area delineated as the Sourcewater Protection Overlay and to those land uses on parcels located with a Sourcewater Protection Overlay that use or store hazardous materials in quantities meeting or exceeding established quantity thresholds, except those uses noted below under C., D. and E.
- B. Whenever a provision of this ordinance is inconsistent with another provision of this ordinance or any other ordinance, regulation, or statute, the more restrictive provision shall control.
- C. Both existing and proposed Agricultural Activities defined under Section 3 shall be exempt from this ordinance, provided that individual farmers coordinate and implement best management practices through Conservation, Manure Management, Agricultural Erosion & Sedimentation and Nutrient Management Plans and any other applicable county, state or federal regulations. However, Agricultural Activities are not exempt from Section 7, Reporting Requirements, and shall provide in the manner prescribed the Township with a Facility Profile Sheet.
- D. On-site sewage disposal systems, both existing and proposed, must participate and fulfill requirements outlined in the regional Act 537 Plan and comply with the Ferguson Township Chapter 18, Sewers and Sewage Disposal, Part 5, Sewage Management Program.

Timber harvesting operations and activities shall comply with the Commonwealth's Chapter 102 regulations for Erosion & Sedimentation control and Chapter 105 permits for wetlands and streams through the Centre County Conservation District.

SECTION 5. ESTABLISHMENT AND DELINEATION OF SOURCEWATER PROTECTION OVERLAY AND WELLHEAD PROTECTION ZONES

The "Sourcewater Protection Overlay" shall be defined as the area within the boundaries of Ferguson Township as set forth on the map marked as **Appendix A** and incorporated herein by reference thereto. Sourcewater Protection zones have been established by the State College Borough Water Authority under the "Sourcewater Protection Report, January 2007" for **Zones I** and **II**, and the Pennsylvania State University for **Zone II**. The Rock Springs Water Company retains established well locations within western Ferguson Township, ~~absent of **Zone I** and **Zone II**~~ as the Overlay Map includes a prescribed **Zone I** delineation around the well site.

- A. **Zone I:** A protective area immediately surrounding a public water supply with a radius defined by the most recently adopted State College Borough Water Authority "Sourcewater Protection Report", as amended:
1. **DeArmit Well Field:** Wells 1, 2 & 3 = 400'
 2. **Wellfield #4 (Nixon):** Wells 41, 43 & 53 = 400'
 3. **Wellfield #5 (Chestnut Ridge):** Well 55 = 135' and Well 57 = 140'
 4. **Wellfield #7 (Kocher):** Wells 71, 73 & 78 = 400' and Well 79 = 140'
 5. **Wellfields #1 and #3 (Thomas/Harter):** No wells located within township boundary
 6. **Penn State University Wellfields:** No wells located within the township boundary
 7. **Rock Springs Water Company:** 400' radius around existing wells
- B. **Zone II:** The area encompassing the portion of the aquifer through which water is diverted into a well and typically defined by DEP as a ½ mile radius around a well unless a more detailed delineation is conducted. Detailed delineation was conducted as part of the State College Borough Water Authority under the "Sourcewater Protection Report, January 2007" and outlined as the Sourcewater Protection Overlay in **Appendix A**.

SECTION 6. BOUNDARY INTERPRETATION

Each application for subdivision and/or land development ~~or zoning permit~~ containing land within the Sourcewater Protection Overlay shall be submitted in accordance with such other applicable provisions of Ferguson Township ordinances. Any area of the Sourcewater Protection Overlay that falls within the subject lot or lots shall be shown on the site plan through shading of such area or areas and identification of the impacted wellfield.

Any applicant seeking subdivision and/or land development in a Sourcewater Protection Zone shall have the burden to present evidence of the boundaries of the District in the area in question. This evidence must include applicable geographic data with respect to the property and any other pertinent documentation for consideration. The Township's review geologist/hydrogeologist and Planning & Zoning staff shall evaluate the information and shall make determination regarding the boundaries of lands within a particular Sourcewater Protection Zone. This information shall include:

1. All plans shall be on sheet sizes consistent with (the Township subdivision and land development ordinance).
2. Proposed name or identifying title of project.
3. Name and address of the landowner and developer of the project site.
4. Plan date and date of the latest revision to the plan, north point, graphic scale and written scale. All plans shall be at a scale of one hundred (100') feet to the inch.
5. Total acreage and boundary lines of the project site and the tract of land on which the project site is located.
6. A location map, for the purpose of locating the project site to be developed, at a minimum scale of two thousand (2,000') feet to the inch, showing the relation of the tract to adjoining property and to all highways, streets, Township boundaries, and other identifiable landmarks existing within one thousand (1,000) feet of any part of the tract of land on which the project site is proposed to be developed. Map should also include Sourcewater Protection Zones along with the most recent aerial photography.

SECTION 7. REPORTING REQUIREMENTS

- A. As to each lot or tract of land located within the Sourcewater Protection Overlay upon which there is conducted a Regulated Land Uses and Activities, owner of record thereof shall submit, or cause to be submitted, to the Zoning Administrator the following records and information in the manner prescribed:
 1. **Facility Profile Sheet:** Information to be submitted is as provided for on the Facility Profile Sheet, marked **Appendix B** and incorporated herein by reference. The Facility Profile Sheet must be completed on the form provided by the Township, and available at the Ferguson Township Offices, within 90-days of the enactment of this ordinance or prior to commencement of any activity or land use listed within this ordinance. Any change in information provided on the Facility Profile Sheet shall result in a new or revised submission of the Facility Profile Sheet to the Township.
 2. Copies of all federal, state and county operational approvals, certificates, permits and applications, on-going environmental reports and monitoring results, relating to environmental, pollution control, hazardous substance and drinking water laws and regulations pertaining to such lot or tract of land, as and when required to be submitted to federal, state and county governments authorities.
 3. In the event that any contaminants and/or substances regulated under federal, state or county environmental, pollution control, hazardous substance and drinking water laws and regulations are released on or from any lot or tract of land within the Sourcewater Protection Overlay, copies of any and all notices, reports and documents which such owner filed, or caused to be filed, with any federal, state and/or county governmental authorities which provide notice of or relate to such release, as when such notices, reports and documents are required to be filed with such governmental authorities; and
 4. Copies of all notices, orders, rules, decisions, recommendations, enforcement actions and similar documentation, as and when received by or on behalf of such record owner or the

occupant of any such lot or tract of land from any federal, state or county governmental authority in connection with the enforcement of environmental, pollution control, hazardous substance and drinking water laws and regulations.

SECTION 8. PUBLIC WATER SUPPLIER REVIEW

- A. Prior to the commencement of any subdivision, land development or new Regulated Land Uses and Activities, as outlined in Table 1. below, the Ferguson Township Department of Planning and Zoning shall furnish a copy of plans or proposed permit application information to public water suppliers such as the State College Borough Water Authority, the Pennsylvania State University or the Rock Springs Water Company under the following requirements:
1. The owner/applicant shall submit all pertinent information to demonstrate to the Public Water Supplier the following:
 - a. The subdivision, land development or new Regulated Land Uses and Activities is permitted in the underlying zoning district.
 - b. .
 - c. The owner/applicant agrees to the reporting requirements listed in § 7.1. through § 7.3.
 - d. The owner/applicant meets the provisions for Regulated Land Uses and Activities in Table 1.
 2. It shall be the responsibility of the public water supplier to provide written comment within 45- days on a proposed subdivision and/or land development.
- B. Subdivision and/or land development approval, in addition to a zoning permit approval, shall not be granted until a public water supplier has reviewed and submitted comments to the Township regarding the owner/applicant's activity or the allotted review time noted above has passed.

SECTION 9. REGULATED LAND USES AND ACTIVITIES

The Regulated Land Uses and Activities, under Table 1. contained in this section, sets forth various Regulated Land Uses and Activities to the extent of regulation permitted in each of the zones in the Sourcewater Protection Overlay. In the event of judicial decision affecting any of the Land Uses and Activities or regulations set forth herein, it is the intent of this Ordinance that any provision found to be illegal shall be stricken, and the remaining provisions shall remain in full force and effect.

Full authority for the administration/application of all criteria, terms and conditions of this section shall be with the Zoning Hearing Board. Land uses and activities shall be regulated as follows:

**TABLE 1.
REGULATED LAND USES AND ACTIVITIES**

	<u>LAND USE AND ACTIVITIES</u>	<u>ZONE 1</u>	<u>SOURCEWATER PROTECTION OVERLAY PROVISIONS (Zones II)</u>
1.			
2.			
3.			
4.			
5.			
6.	Kennels	NOT PERMITTED	A. Proof of a manure management plan and manure storage areas shall be designed in a manner to contain any accidental releases and provide optimal protection of groundwater resources.
7.	Pet Care/Daycare Facilities	NOT PERMITTED	
8.	Veterinary Office/Clinic	NOT PERMITTED	
9.	Mining and Quarrying [Special Exception]	NOT PERMITTED	A. Location map and site plan, drawn to scale not less than 1"= 100', showing property boundaries, stockpile areas, existing reclaimed and unreclaimed lands, proposed maximum acreage of all affected lands, erosion and sedimentation control all applicable private drinking water supplies or public drinking water sources and all existing or proposed solid waste disposal areas. B. A detailed report by a Certified Geologist with experience in hydrogeology attesting to the depth of the seasonal water table, and plan showing benchmarked elevations for depth of excavation.
10.	Regional Civic- or Faith-Based Place of Assembly	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of regulated substances and description of the containment structures for hazardous material storage. B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used. C. Site map location of where hazardous substances are stored, handled and used.
11.	Regional Business-Based Place of Assembly	NOT PERMITTED	
12.	Bed and Breakfast having four to ten rooms as an accessory use to an owner-occupied single-family dwelling unit	NOT PERMITTED	
13.	Farm Café	NOT PERMITTED	
14.	Commercial Cemeteries [Special Exception]	NOT PERMITTED	A. All caskets shall be encased in concrete grave liners as defined by the Federal Trade Commission in regulations at part 453, as amended.
15.	Mortuaries [Special Exception]	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage. B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used. C. Site map location of where hazardous substances are stored, handled and used.
16.	Convenience Food Stores	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and

			<p>description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
17.	All Retail Establishments for the sale, service and rental of goods, except: aircraft, boat and marine supplies, contractors' and farm equipment, lumber yards, mobile homes and accessories, motor vehicles, glass and swimming pools	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
18.	Barbers and beauticians, caterers, health clubs, photographic equipment and processing, reading rooms, shoe repair, tailors and laundromats	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
19.	Eating and Drinking Establishments	NOT PERMITTED	
20.	Automobile Service Stations and Garages	NOT PERMITTED	
21.	General Agricultural research on field, forage, forestry, insects, general livestock, vegetable, small and large fruits and ornamental crops. Includes Growth in fields and greenhouses	NOT PERMITTED	<p>A. A fifty (50') foot agricultural filter strip from the outermost edge of all streams, water bodies, springs, and sinkholes shall be maintained within which no nutrients or pesticides shall be applied.</p> <p>B. The Township encourages farmers having operations with over 2,000 lbs. of animal weight to work with the Centre County Conservation District toward compliance with the 1993 Nutrient Management Act.</p> <p>C. For operations with 2,000 lbs. of animal weight per acre or less, the Township encourages farmers to work with the Conservation District to reduce any excess application of nutrients to farm fields.</p> <p>D. For operations in which pesticides are used, the Township encourages farmers to work with the Penn State Cooperative Extension Service in the development and implementation of an Integrated Pest Management Plan.</p> <p>E. All agricultural fertilizers shall be applied in accordance with label directions, and must be applied in accordance with an approved Nutrient Management Plan.</p> <p>F. The Township encourages farmers to work with the Conservation District to develop a Conservation Plan.</p> <p>G. Manure storage areas shall be designed in a manner to contain any accidental releases and provide optimal protection of groundwater resources.</p>
22.	General Fish and Mammal Research on both caged and confined species	NOT PERMITTED	
23.	General soil, irrigation and water research	NOT PERMITTED	
24.	General soil, irrigation and biological engineering research	NOT PERMITTED	
25.	Land Application of fertilizer, animal manure, pesticides and other items as needed for general farming and research	NOT PERMITTED	
26.	Offices, laboratories and work areas related to the administrative and research activities on the site	NOT PERMITTED	
27.	Archery, pistol, shotgun and skeet ranges [Special Exception]	NOT PERMITTED	A. Mitigation plan for the abatement of lead contamination within range lanes and trap access.
28.	Horse Riding Stables/Riding Academy	NOT PERMITTED	A. Proof of a manure management plan and manure storage areas shall be designed in a manner to contain any accidental releases and provide optimal protection of groundwater resources.
29.	Hotels and Motels	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.

			<p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
30.	Public and Private Garages for the storage and maintenance of motor vehicles	NOT PERMITTED	<p>A. When draining oils or fluids from vehicles, precautionary measures such as portable drip pans, must be taken to ensure that no spills occur.</p> <p>B. All fuel oil, waste oil, lubricants, antifreeze, or other potential contaminants must have secondary containment on-site.</p> <p>C. Refueling must occur on a concrete pad or other impermeable surface.</p>
31.	Storage and display of motor vehicles, motorcycles, mobile homes, passenger vehicles and light trucks, recreational vehicles, boats and marine craft held for sale or rental	NOT PERMITTED	
32.	Freight or Truck Terminals	NOT PERMITTED	
33.	Printing Establishments	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
34.	Incinerators	NOT PERMITTED	NOT PERMITTED
35.	The manufacture, processing or bulk storage of natural gas, petroleum, gasoline and other petroleum derivatives and explosives	NOT PERMITTED	NOT PERMITTED
36.	Wholesale Distribution and Warehouses	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
37.	Auto Wrecking, Junk, and Scrap Establishments	NOT PERMITTED	NOT PERMITTED
39.	Any production, manufacturing, assembly, processing, cleaning, repair, storage or distribution of goods, equipment materials, foodstuffs and other products not involving a retail activity except as an accessory use	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
38.	Light manufacturing, assembly, processing, fabrication and packaging of components into finished or remanufactured products, where all work occurs inside the building and all raw products and finished products are stored within the building	NOT PERMITTED	
39.	Research engineering or testing laboratories and fabrication of models or test equipment used in research	NOT PERMITTED	
40.	Manufacture, use and storage of Hazardous Substances as a Principal Activity	NOT PERMITTED	NOT PERMITTED
41.	Open Burning of Materials Containing Hazardous Substances	NOT PERMITTED	NOT PERMITTED
42.	Sanitary Landfills	NOT PERMITTED	NOT PERMITTED

43.	Collection and Transfer Facilities for Solid Waste or Hazardous Substances, including battery or Drum Recycling and Reprocessing	NOT PERMITTED	NOT PERMITTED
44.	Commercial Truck or Rail Tanker Cleaning Operations where Hazardous Substances are involved	NOT PERMITTED	NOT PERMITTED
45.	Commercial Slaughtering Facilities	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>
46.	Rendering and Tanning Facilities	NOT PERMITTED	NOT PERMITTED
47.	Land Application of Bio-Solids	NOT PERMITTED	UNDER PA DEP PERMIT CONDITIONS OF APPROVAL
48.	Sewage Treatment Plants and Large-Scale Community or Package Sewage Disposal Systems (not including municipally-owned)	NOT PERMITTED	NOT PERMITTED
49.	Underground Injection Wells	NOT PERMITTED	NOT PERMITTED
50.	Liquid Petroleum Transmission Lines	NOT PERMITTED	NOT PERMITTED
51.	Commercial or Municipal Composting Facilities	NOT PERMITTED	A. Storage facilities shall be designed to have an impervious storage and loading surface, prevent infiltration of rain and surface water into storage areas and provide diking to prevent runoff from storage & loading areas.
52.	Golf Course	NOT PERMITTED	<p>A. All herbicides and pesticides shall be applied in accordance with label directions, and must be applied in accordance with an approved Nutrient Management Plan.</p> <p>B. Irrigation schedules shall be coordinated with pesticide and nutrient application to minimize the possibility of leaching/runoff.</p> <p>C. Coordination with the Penn State Cooperative Extension Service to develop and implement an Integrated Pest Management Plan.</p>
53.	Geothermal Exchange Systems (Open and Closed Loop)	NOT PERMITTED	A. Placement of such systems shall comply with the standards set forth in Chapter 10 – Well Drilling of the Centre Region Building Safety & Property Maintenance Code.
54.	Above-Ground Storage Tanks	NOT PERMITTED	A. Underground storage tanks not permitted.
55.	Underground Storage Tanks	NOT PERMITTED	<p>B. No Above Ground Storage tanks permitted within 200 feet of Zone 1 boundary.</p> <p>C. Submittal of an approved registration form indicating compliance with the Storage Tank and Spill Prevention Act (STSPA) standards.</p> <p>D. All leaking tanks must be immediately emptied by the owner or operator and all released substances removed within 7-days of detection, or sooner if required by DEP.</p>
56.	Exempted Storage Tanks (except potable water sources)	NOT PERMITTED	<p>A. Underground Tanks are prohibited.</p> <p>B. Above ground tanks shall: 1) be stored; 2) be enclosed by a permanent dike of impermeable construction, the volume of which shall be equal to or greater than the capacity of the tanks within the dike, and 3) be covered by a roof adequate to prevent rainwater from entering the dike.</p>

			<p>C. All leaking tanks must be immediately emptied by the owner or operator and all released substances removed within 7 days of detection.</p> <p>D. Only farm and commercial motor fuel tanks and commercial on-premise heating fuel tanks are permitted as underground tanks; these shall 1) be double-hulled steel or fiberglass encased, 2) be enclosed by a concrete vault, the volume of which shall be equal to or greater than the capacity of the tanks within the vault, and 3) utilize piping that is protected from internal and external corrosion.</p>
57.	Storage of Road Salt and De-Icing Materials	NOT PERMITTED	<p>A. All salt and associated sand mix piles must be stored on an impermeable surface and covered with a waterproof material. Stockpiles shall not be located near surface waters, in flood plains, or areas with steep slopes, and shall be designed to prevent surface water runoff. Snow containing road salt shall not be brought to sites within 200' of Zone 1 for disposal. Environmentally friendly snow and ice removal products and procedures are encouraged.</p>
58.	Application of Road Salt and De-Icing Materials	NOT PERMITTED	<p>A. Township shall monitor and record amounts of salts or de-icing materials for each storm event.</p>
59.	Withdrawal of 100,000 GPD or more of water from Wells or Springs (Other than a municipal source)	NOT PERMITTED	<p>A. The withdrawal of water for commercial water, soft drink or brewery bottling purposes is prohibited.</p> <p>B. The withdrawal of 100,000 GPD or more of water utilizing one or more wells for any single use is prohibited.</p>
60.	Abandonment of Wells	<p>A. Abandonment of Wells shall comply with the standards set forth in Chapter 10 – Well Drilling of the Centre Region Building Safety & Property Maintenance Code.</p>	
61.	Well Building/Water Treatment Building	<p>A. Provide a detailed description of the storage, handling, use of regulated substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>	
62.	Medical Marijuana Growing and Processing Facility	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of regulated substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous substances are stored, handled and used.</p>

SECTION 10. ADMINISTRATION

- A. The Zoning Administrator is hereby designated as the Township official responsible for the administration and enforcement of this Ordinance. The Ferguson Township Zoning Hearing Board shall hear variances and/or appeals from the written determinations and orders of the Zoning Administrator regarding applications, enforcement notices, cease and desist orders and other matters, and shall also hear substantive and procedural challenges to the validity of this Ordinance.

- B. Uses of lots or tracts of land in existence on the date of enactment of this Ordinance which are Regulated Land Uses and Activities shall be deemed to be "Nonconforming Uses" of land under the terms of this Ordinance. Such Nonconforming Uses of land may be continued by the present or any subsequent owner as long as:
1. Such use is and remains otherwise lawful and in compliance with all federal, state and county environmental, pollution control, hazardous substance and drinking water laws and regulations;
 2. Such Non-Conforming use has not been and is not discontinued for a period of twelve (12) consecutive months;
 3. Such Nonconforming Use is not, after the date of enactment of this Ordinance, materially altered, changed or expanded;
 4. Such Nonconforming Use is not an actual known source of groundwater contamination as a result of a specific violation notice from the PA Department of Environmental Protection, the United States Department of Environmental Protection or any other pertinent county, state or federal regulatory agency;
 5. A Facility Profile Sheet is submitted to the Township biannually as described under Section 7.A.; and
 6. Such use shall upgrade its technology on a regular basis, as the technology required by applicable law is changed, or upon request of the Township, in order to minimize the risks associated with such use to the community water resources. Such upgrades shall be a necessary to support the right to continue with the Nonconforming Use.
- C. A Regulated Land Uses and Activity shall be deemed to be new or materially altered, changed or expanded if:
1. The land use which constitutes the Regulated Land Uses and Activity was not previously present and conducted upon the lot or tract of land in question;
 2. The production and/or storage capacity of the Regulated Land Uses and Activity is increased;
 3. The types of any substances which give rise to the Regulated Land Uses and Activity are changed;
 4. The number of types of substances which give rise to the Regulated Land Uses and Activity is changed;
 5. The quantity of any substances which give rise to the Regulated Land Uses and Activity is materially increased; or
 6. The land area subject to the Regulated Land Uses and Activity is enlarged in any respect.

- D. Application for a Special Exception shall be made to the Ferguson Township Zoning Hearing Board in writing on such form as may be prescribed by the Zoning Administrator and such application shall include, at a minimum, a detailed description of each of the activities to be conducted upon the lot or tract of land in question which constitute a Regulated Land Uses and Activities, including a listing of all substances which are to be stored, handled, used or produced in connection with each Regulated Land Uses and Activities being proposed and which substances are subject to regulation by federal, state and/or county governmental authorities.
- E. The Ferguson Township Zoning Hearing Board shall issue a written determination approving or disapproving the application for a Special Exception, or conditioning the granting of the Special Exception upon adherence to any or all of the following requirements by the applicant for the Special Exception, where the Zoning Hearing Board has found that such adherence is reasonably necessary to fulfill the groundwater protection purposes of this Ordinance:
 - 1. The installation of containment facilities and systems so as to prevent the contamination of groundwater by substances regulated by federal, state and/or county governmental authorities.
 - 2. The preparation and filing (with the Zoning Administrator) of a Spill Contingency Plan addressing the means by which any potential contamination of groundwater will be controlled, collected and remediated, including emergency contacts and identification of potential contaminants;
 - 3. Regular inspection and/or monitoring by the owner, occupant, the Zoning Administrator and/or third parties, of the Regulated Land Uses and Activities area;
 - 4. Compliance by the applicant with the provisions of the Ferguson Township Subdivision and Land Development Ordinance in effect pertaining to sanitary sewage disposal, water supply, storm water management and easements.
- F. A Facility Profile Sheet is submitted to Ferguson Township biennially as described under Section 7.A.
- G. Other items that may be required to characterize environmental or physical conditions of the subject property.

SECTION 11. LAND DEVELOPMENT DESIGN STANDARDS

- A. General Requirements
 - 1. The subdivision of land within Zone I for any purpose other than for the specific protection of the groundwater within this area shall be prohibited.
 - 2. In Zones II and III, land development projects shall comply with the following requirements:

A registered professional geologist shall review aerial photographs, soils, geologic and other available related data including any Sourcewater Protection Study or Report, as the data relates to the subject property. The geologist shall also conduct a site inspection of the property. Based on the above information, the professional shall prepare a map of the site showing the following:

- a. Closed depressions
 - b. Open Sinkholes
 - c. Outcrops of bedrock
 - d. Seasonal High Ponds and Streams
 - e. Intermittent Streams
 - f. Non-Intermittent bodies of water or streams
 - d. Surface drainage patterns
 - e. Intermittent or Vernal Ponds
 - f. Lineaments, faults and fracture traces
 - g. Excavations and quarries
3. Based on the map prepared pursuant to Section 11, paragraph A.2. above, and in conjunction with other mapping and information submitted for compliance with the requirements of the Subdivision and Land Development Ordinance, the geologist shall prepare a report demonstrating compliance with the requirements of this section, including any recommended mitigating measures designed to ensure compliance.4. The Ferguson Township Review Geologist/Hydrogeologist, or other appointed agent, shall review the information and recommendations made by the geologist and shall then report to the Ferguson Township Planning Commission and the Board of Supervisors whether the proposal meets the design requirements of this section.
 5. During construction activity, all excavations shall either be protected against storm water ponding or backfilled daily.
 6. All buildings, structures, impervious surfaces and utilities shall be situated, designed and constructed so as to minimize the risk of new sinkhole formation and of the accelerated introduction of contaminants and pollution into the wellhead protection area through existing or future sinkholes.
 7. Buildings, structures, impervious surfaces, utilities and swimming pools shall not be located within fifty (50) feet of any features identified in Section 11, paragraph A.2. b. and c.
 8. Salt or de-icing storage areas, gasoline or other chemical storage areas shall not be located within one hundred (100') feet of any features identified in Section 11, paragraph A.2.
 9. Storm water facilities, including, but not limited to, detention basins, shall not be located within fifty (50') feet of any features identified in Section 11, paragraph A.2.
 10. Storm water retention facilities, French drains, and other areas of concentrated infiltration of storm water shall be in compliance with Chapter 26, Part 1, Stormwater.
 11. Storm water shall not be directed into a sinkhole or closed depression.

SECTION 12. ENVIRONMENTAL EMERGENCY RESPONSE PLANS

Ferguson Township contains a variety of land uses and activities with the potential for additional development throughout the township. Some activities can pose moderate to high risk causing environmental degradation or the endangerment of public safety through active releases of toxic, hazardous or other pollutant materials. It is the intent of this ordinance to require such activities to follow the PA Department of Environmental Protection "*Guidelines for the Development and Implementation of Environmental Emergency Response Plans*" that encourages the consolidation of State and Federal pollution incident prevention and emergency response programs into a single plan. The Guideline has been made part of this Ordinance as Appendix C.

The Board of Supervisors of the Township of Ferguson hereby ordains:

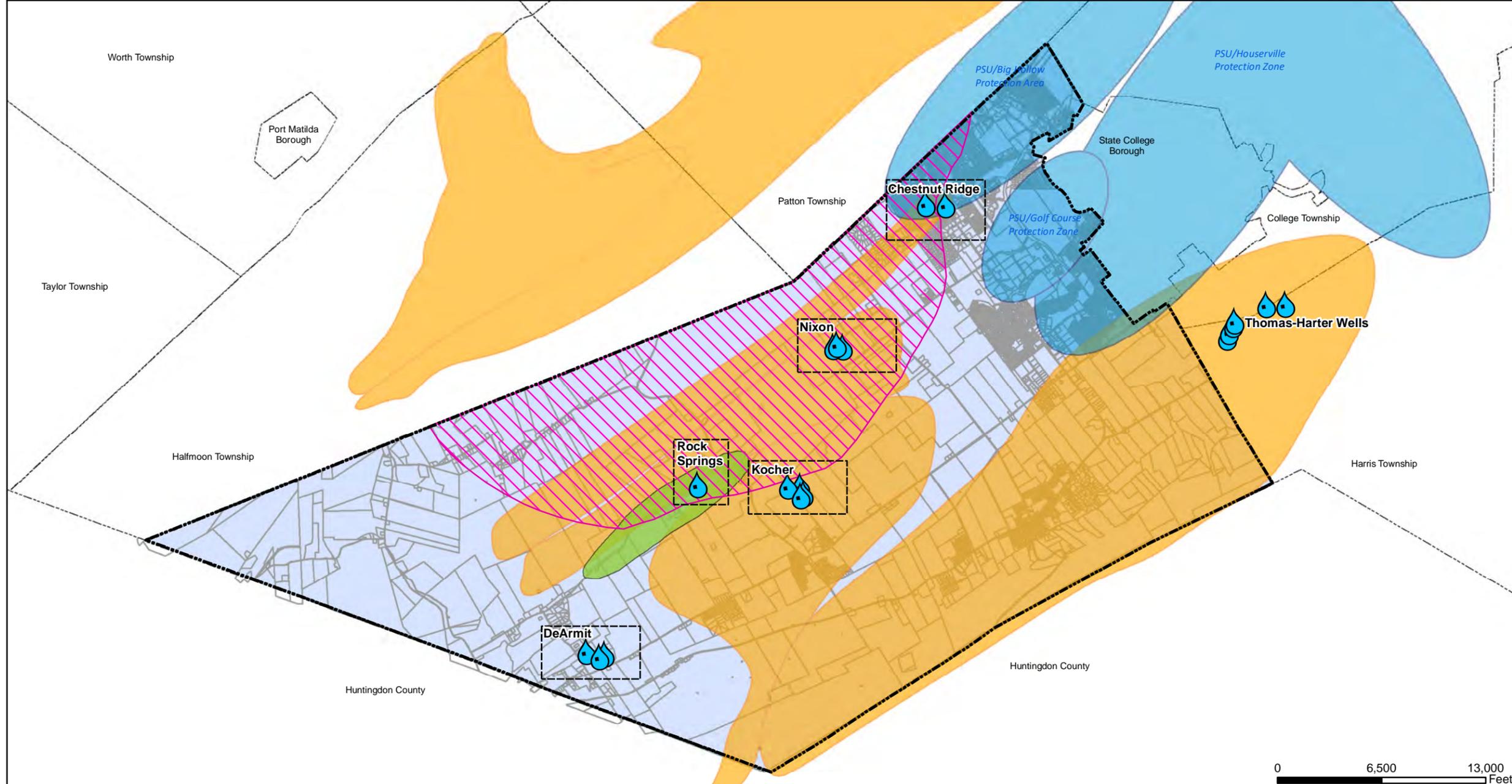
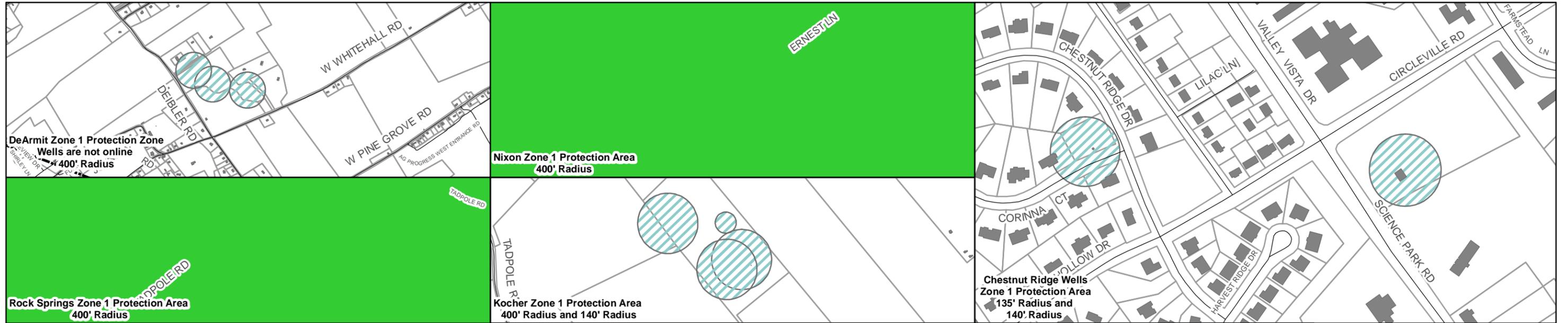
ORDAINED AND ENACTED THIS _____ DAY OF _____, 2017.

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Steve Miller, Chairman

ATTEST:

David Pribulka, Secretary



DRAFT
Sourcewater Protection Map
June 28, 2017

- Legend**
- Bellefonte Protection Area Zone 2/Big Spring
 - PSU Protection Zone 2
 - Rock Springs Protection Zone 2
 - SCBWA Protection Area Zone 2
 - Township-wide Protection Zone 2
 - Existing Wells

N
Z

- Existing Wells include those on-line and not on-line.
Data gathered by Ferguson Township Staff.
- Source Water Protection Zone 2 (PSU & SCBWA)
Penn State University & State College Borough Water Authority
- Source Water Protection Zone 2 (Bellefonte & Rock Springs)
Todd Giddings, P.D., P.G.
- Municipal Features
Centre GIS



To: 7 Group, Greenfield Architects, and Ferguson Township Office Public Works
From: Peter Buckland, Vice Chairman of the Board of Supervisors, Ward 2 Representative
David Modricker, Director of Public Works
Date: 6.25.2017
RE: Basis of Design

Executive Summary

This memo clarifies the Owners Project Requirements for the design team, Public Works director and staff, and Ferguson Township administrators regarding the Ferguson Township's LEED Gold Public works building. This memo explains how the building comes from commitments to excellently designed work environments that are connected to long-term individual, community, and ecological health. The building, through its design and use, should perform in such a way that it makes the men and women who work there healthier, and sets the stage for a healthier township. The Commonwealth of Pennsylvania's Constitution, Ferguson's Home Rule Charter, and specific resolutions identify these values as high priorities. These policy documents guide sustainability, energy, building performance, indoor environmental quality, and ecosystem impacts. Of course, my personal and professional convictions, values, and aspirations play a strong role in this document, as well. Finally, this memo will not address issues of building occupancy requirements, O & M personnel requirements, nor many specific technologies.

Narrative

The Board of Supervisors approved the LEED Gold design of a new Public Works Building as part of the 2017 budget. The original building was included in the budget for 2017, but with no environmental, green, or other performance requirements. Individual discussions with board members over the previous year led me to believe that a board majority or even the entire board supported green building practices. I believe the board recognizes good green buildings' positive and interconnected long-term effects on human health and well-being, ecological integrity, and economic security. As a governmental body, it is our duty to make wise multigenerational decisions. I base my decisions, and the board has voted with me, on certain values backed by policy and law.

From the Constitution of the Commonwealth of Pennsylvania to the Net Zero Greenhouse Gas Emissions Resolution adopted on June 19th, the township has values of sustainability embedded in its guiding documents. First, Article 1, Section 27 of our Constitution guarantees a right to natural resources, concluding, "As trustees of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people." As a municipal government empowered through our Home Rule Charter, we are the most local stewards of this trust. A Pennsylvania Supreme Court ruling has recently upheld a plain language reading of Article 1, Section 27 thereby granting it more power. Second, Ferguson Township adopted a Community and Environmental Bill of Rights (CEBR) in 2012. Among other things, it guarantees the right to "a sustainable energy future." Third, our most recent Strategic Plan commits us to excellent

services, fiscal responsibility, environmental stewardship, and renewable energy. The proposed building should enable us to achieve those goals with high-performance work environments, sound long-term energy conservation and onsite renewable energy, and exceptional attention to environmental impacts. Fourth, the Ferguson Township Board of Supervisors adopted a Net Zero Greenhouse Gas Emissions Resolution on June 19th. The Resolution calls for us to make a plan for achieving net zero emissions no later than 2050, lead by example in a manner that is “transparent, fair, and economically responsible,” and to engage our governmental and non-governmental peers in the same. Finally, we are a Sustainable Pennsylvania Gold Certified community. The proposed LEED Gold Public Works building should help us pursue goals aligned with our guiding documents and build on our reputation.

The Ferguson Township Public Works Building should be a base from which the men and women of our Public Works Department carry out the best work they can, because it is outfitted with all necessary tools for their work and because it makes them healthy (see elsewhere). The building should exceed minimal health standards and be a vibrant place to work. It must help employees handle dangerous materials as law requires. But it should also have excellent indoor air quality because of a lack of toxic materials. Finally, it should have ample daylight. The building should make people feel fresh, alive, and want to smile. Imagine when we have public events and staff parties that people wouldn’t want to leave this building because it enables conviviality.

The building’s relationship to the “soils, waters, plants and animals, or collectively—the land” and the community, should generate health too. Plant life should be site- and region-specific to generate beauty, habitat, and handle site and rainwater practically and creatively. Rather than consign workers, other township employees, and our neighbors to another status quo industrial building, we should design and build a place where children would want to explore colors, smells, textures, and creatures. Parents should feel comfortable with them doing so (away from heavy equipment of course) because of creative low-impact high-ecosystem service development. It should use BMPs that mitigate rainwater so that chemical and thermal pollution are handled. That would relieve stresses on our aquifer and streams and possibly provide credits for our Municipal Separate Storm Sewer System (MS4) Permit. Specifically, Chesapeake Bay Pollutant Reduction Plan Minimum Control Measure. Sustainability-oriented thinking will also improve “upstream” and “downstream” effects on other parameters.

We should also approach materials that favor durability balanced by health, responsible production, consumption, and disposal, and minimal embodied energy in mind. Durability must guide material selection. However, sustainable and fair and just materials procurement should be carefully considered. We prefer products vetted by life cycle analysis programs and human rights certification systems. These include, but are not limited to Greenguard, the Forest Stewardship Council, and Fair Trade USA. We understand that some of these certification systems are young and some may use poorly-developed methodologies or methods for certification. Where possible, though, the underlying ethics favor such approaches.

Energy demand and supply should reduce energy loads from current use and help to mitigate climate change. This flows directly from the CEBR, the Ferguson Township Strategic Plan, and the Net Zero Greenhouse Gas Emissions Resolution. The building should draw minimally from

the grid through a combination of passive solar orientation, good daylighting, high-efficiency HVAC, lighting, appliances, and a tight envelope. The board has recently had an assessment of township property for solar photovoltaic development that could serve this and other projects with an integrated plan. Nonetheless, solar photovoltaic power is a smart choice as stewards for at least three reasons. First, national price parity with fossil fuels for solar is nearing, which makes our design and build time optimal. Second, should a price on carbon arrive in Pennsylvania through the Regional Greenhouse Gas Initiative or some kind of carbon tax or fee and dividend, the reduced load and solar generation would be avoiding the additional cost of both power generation and emissions from the 150,000+ kWh/year. Third, and finally, solar PV clearly helps us achieve net zero carbon emissions, thereby reducing overall climate-related risks and meeting goals that we have for local and global health for generations to come.

Project Overview

The need for upgraded Public Works facilities has existed for over 15 years and was shown in past Capital Improvement Plans (CIP). Twelve years ago, when the building was finally in the first year of the 5-year CIP, a new Police Chief was hired, and the priority shifted to expanding the Police Department and the Administration building. Since that time, additional staff has been added to the Ferguson Township Public Works (FTPW) Department, and additional staff is shown in the future organizational chart in the 2018 – 2022 CIP. Beyond staffing needs, the current space requirements of the Public Works fleet and other work activities has grown with new equipment and new maintenance responsibilities.

The primary intended use of the facility is to support Public Works and Police fleet maintenance, road maintenance, and Arborist operations, provide supporting office space for Public Works activities, break rooms, locker rooms, shower and lavatory facilities. It will be necessary to provide a Mechanic parts room, large vehicle work bays and small vehicle work bays. A large vehicle truck wash should be provided. While Police cruisers are rotated out every 4 years, large Public Works trucks and equipment are often kept in service for 15 years. This equipment works in harsh environments, including plating and operating in road salt. The ability to wash the underbody of this equipment is integral to extending the life of the equipment.

The secondary use of the facility is for the storage of equipment. Again, the life of large, expensive pieces of Public Works equipment can be extended by keeping them out of the elements.

The project has grown in scope in the past few years conceptually from a pole building, to a more modern public facility, and ultimately into a LEED Gold certified facility and a “model” green building. In addition, the scope of stormwater management may be changing from meeting our ordinance requirements for the building addition to analyzing the entire site and exceeding our stormwater requirements for the entire site. These are worthwhile endeavors, and the budget may need to be adjusted to meet these goals.

The project will be considered a success if it meets the goals stated in the Executive Summary by Peter Buckland, and it meets the project objectives identified by David Modricker in the

Project Overview and the programming requirements identified by Public Works staff at the June 14, 2017, kick off meeting.

Equipment and system expectations were discussed at the programming meeting and should meet the Public Works staff needs, and the goals noted in the above Executive Summary. I am confident the project team put together by Greenfield Architects can achieve this goal.

Conclusion

The LEED Gold Public Works Building flows from our values and guiding documents. It will help us to provide a healthy and full-service work environment from which our Public Works employees who provide services for Ferguson Township residents. It also stewards our financial responsibilities over the long term by helping to reduce energy demand, hedging against emission-based fees, and providing a safe environment. Finally, by creatively approaching rainwater management, landscape, and both energy demand and solar energy production it helps do our part to take care of our land, our water, our climate, and ultimately our neighbors today and our descendants generations from now.

Pribulka,David

From: Modricker,David
Sent: Thursday, June 29, 2017 11:21 AM
To: Pribulka,David
Subject: FW: Oak Wilt Estimate and Budget

See below and we can discuss.

David J. Modricker P.E.
Public Works Director
Ferguson Township
3147 Research Drive
State College, PA 16801
814-238-4651

The information in this message is confidential and intended solely for the addressee. Access to this message by anyone else is unauthorized. Do not copy or distribute. If you have received this message in error, please delete all electronic copies of this message and notify me by replying to this email. Thank you.

From: King,Lance
Sent: Thursday, June 29, 2017 8:54 AM
To: Modricker,David <dmodricker@twp.ferguson.pa.us>
Subject: Oak Wilt Estimate and Budget

In March of 2017 we issued a purchase order to Bartlett in the amount of \$7,744 to treat 36 trees for oak wilt as contract 2017-c16. This was done as a follow up to the infected tree we found late in 2016.

The proposal we received today for oak wilt abatement at 110 cherry ridge rd. was \$7,866. This covers all work at this address including tree removal, stump grinding, trenching, and injections of other trees. This falls under the immediate po work allowable of \$10,000.

If we issue a po for that our total spending for the year to date will be \$15,610.

My **estimate** to treat the remaining properties is as follows: 7 properties, 42 trees, average diameter 20 inches, \$11 per inch, \$9,240 total. Bringing the total for the year to \$24,850. Our budget is \$25,000. Keep in mind this is an estimate at this time, so we may be under our budget, or over our budget with just this case. It may be worth asking the BOS for both the additional funds over the 1st 10 thousand, and additional funds over the 25 thousand budgeted for the year, just to be safe.

Lance

Lance A. King
Township Arborist
Ferguson Township
Phone 814-238-4651
ISA Certified Arborist Municipal Specialist PD-2097AM

“The creation of a thousand forests is in one acorn”
— Ralph Waldo Emerson

RESOLUTION # 2016-32

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING A PROGRAM AND PROCESS TO EDUCATE AND MITIGATE OAK WILT INFESTATION

WHEREAS, the Township of Ferguson has identified instances of Oak Wilt on private properties, and

WHEREAS, the Board of Supervisors desires to establish an educational program to assist property owners to identify oak wilt symptoms, measures to avoid the infestation of oak wilt fungus, and the Township's response measures to identified infestation of oak wilt.

Section 1: Education and Outreach:

- a. Staff will provide educational information in fall and spring newsletters on oak wilt identification and measures to prevent the spread of oak wilt. Notification may include publishing a separate newsletter once a year highlighting tree facts and disease issues in the township.
- b. Educate residents to prune oak trees only during the dormant period, which runs from November 1 through March 31. Pruning at any other time may attract beetles to the fresh wounds and possibly transfer the fungus.
- c. Educate tree trimmers not to use climbing spikes or spurs strapped to their boots when climbing a tree to prune it. Spiking opens fresh wounds in the bark that can attract beetles. The spikes or spurs themselves can also carry the fungus as climbers move from one tree to another.

For specific cases of oak wilt:

Notify the property owner of the affected tree immediately.

Prepare a press release for the media and web site within 2 days.

Notify the Board of Supervisors prior to or at the next regular meeting.

Hand deliver or send notices to property owners within 100 to 150 feet of the infected tree within 7 days.

Send notices to the greater neighborhood within 14 days.

Section 2: Actions Steps (Identification, Prevention, Control) for future cases of Oak Wilt in the urbanized area of Ferguson Township:

Identification – Suspected cases of oak wilt should be reported to the Township Arborist. In our area, oak wilt is identified by rapid leaf discoloration, with wilting often first visible in the upper portion of the tree occurring usually in late June and early July. Leaves fall rapidly and the tree can be defoliated in 3 weeks. The Township Arborist will confirm the oak wilt and likely take a sample of the tree for confirmatory laboratory analysis.

Notification to Board of Supervisors – Upon confirmation by the Township Arborist of Oak Wilt, the property owner and the Board of Supervisors will be notified.

Prevention – Once a tree becomes infected with oak wilt, there is no known cure. The development of new instances of oak wilt can be prevented by taking the following actions:

- a. Immediate work by Purchase Order – Staff will take immediate action by purchase order in an amount up to \$10,000 to abate the oak wilt on site. This action will likely involve the removal and proper disposal (no firewood to remain on site) of the diseased tree to prevent the development of spore mats and transfer of fungal spores to healthy trees, trenching around the tree to break root grafts, and injection of a fungicide into the base of oak trees immediately surrounding the diseased tree.

- b. Resident Notices and Authorization to Enter Agreements – The Arborist will consult with the Community Communication Coordinator (public relations specialist) to provide information updates to all residents via press releases and electronic media outlets. Residents with oak trees within a 100 to 150 foot radius, or other area as determined by the Township Arborist, of the infected tree will be provided authorization to enter forms which upon signature by the property owner will allow the township or its contractor to enter the property and treat the oak trees with a fungicide, with conditions (see attached form). If residents do not agree to the conditions or do not sign the form and a tree on their property develops oak wilt, the township will require the property owner to remove the tree at the cost of the property owner and if it is not removed and abated within 30 days, the Township will remove the tree and affect oak wilt abatement and bill the property owner for the cost of the removal and abatement.
- c. Authorization of Expenditures by BOS – The Public Works Director or Arborist will prepare a budget estimate for the cost of treatment of oak trees in the neighborhood, present the estimate to the Board of Supervisors who may decide to allocate additional funds (budget amendment or utilization of a savings account) for contract services.
- d. Contract Work by Bidding – The Public Works Director or Arborist will prepare and let a contract for treatment services. Once awarded, the contractor will treat oak trees within a 100 to 150-foot radius, or other area as determined by the Township Arborist, of the infected tree. Should more than one tree be infected, the Township Arborist will determine the limits of treatment. Other municipalities may piggyback on the contract. The contract may include hourly rates for additional oak wilt abatement services, such as tree removal, disposal, and trenching, if required.

Control – Oak wilt can be controlled by avoiding injury to healthy trees, education and outreach, ordinance enactment and enforcement, and monitoring.

Since beetles are attracted to injuries and can transport fungal spores to freshly wounded (cut or pruned) trees during certain conditions and times of the year, limit pruning oak trees to the dormant season.

Continue education and outreach efforts identified above.

Identify oak wilt cases early and take immediate abatement measures such as tree removal, trenching, proper disposal, and injections.

Monitor the results of the treatment and control program.

RESOLVED THIS 17TH Day of October, 2016

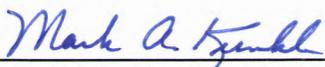
FERGUSON TOWNSHIP BOARD OF SUPERVISORS



 Steve Miller, Chairman

[S E A L]

ATTEST:



 Mark A. Kunkle, Secretary