

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Monday, September 19, 2016

7:00 pm

Worksession

I. ATTENDANCE

Board:	Steve Miller	Staff:	Mark Kunkle, Township Manager
	Peter Buckland		David Pribulka, Assistant Township Manager
	Janet Whitaker		Dave Modricker, Director of Public Works
	Laura Dininni		Ray Stolinas, Director of Planning & Zoning
	Rita Graef		Diane Conrad, Chief of Police

Others in attendance included: Jendi Ammerman, Recording Secretary; Ms. Rachel Fawcett; Mr. Tim Schoonover; Mr. George Khoury

II. CALL TO ORDER

Mr. Miller called the Monday, September 19, 2016, worksession to order at 7:00 pm.

III. DISCUSSION ITEMS

1. COG COMMITTEE REPORTS

a. COG Committee Reports

i. Human Resources Committee

Ms. Whitaker stated that the Human Resource Committee met on Wednesday September 7th. At the meeting DJ Lilly, the COG's Employee Relations Committee (ERC) co-chair, provided an update of the Committee's current and future activities and presented two proposals for inclusion in the 2017 budget. The first proposal dealt with a \$5,120 appropriation for the ERC activities. The second was a \$7,175 appropriation for the employee wellness program budget. The budget recommendations were accepted, and will be sent to the October 24th General Forum for consideration. The committee also approved to re-classify the half time senior planning position to a part time planner position. An informal discussion was had on exempt versus non-exempt employees, no action was taken.

ii. Finance Committee

Mr. Miller stated that the Finance Committee met on Tuesday September 8th. Ms. Kristy Manbeck was introduced as the new COG Finance Assistant, and Ms. Pam Salokangas as the Director of Centre Region Parks and Recreation. It was decided to record and broadcast the Finance Committee's budget review sessions. Unqualified audit statements were received from auditors on COG, Schlow Centre Region Library and Centre Region Parks and Recreation Authority. Another topic of discussion was preparation for the budget meetings.

iii. Parks Capital Committee

Ms. Graef stated that there was a joint meeting of the Parks Capital Committee and the Centre Region Park and Recreation Authority on Thursday, September 8th. The majority of the discussion was on the Whitehall Road Regional Park. A letter was received from Mr. Terry Williams stating his opinion on the matter. In summary, Mr. Williams believes that in accordance with the Municipal Authorities Act, the Centre Region Parks and Recreation Authority may proceed with the development of Whitehall Road Regional Park providing it remains within the approved budget and is generally consistent with the Master Site Plan. The Centre Region Parks and Recreation Authority Board meet and reaffirmed the Board's commitment to completing the Whitehall Road Regional Park. The same question was put before the Parks Capital Committee where the motion passed again reaffirming the completion of the park. The road access to Whitehall Road Regional Park was discussed. Option A was a driveway extending from Blue Course Drive across Whitehall Road to Whitehall Road Regional Park

sized to handle the traffic generated by park activities. Option B was to upgrade the existing farm lane on the western portion of the park and connect it to Whitehall Road. The opinion of the Parks Capital Committee was to proceed with option A.

Mr. Buckland showed concern that, Ms. Graef was put into a position to vote on something that wasn't fully discussed between her and the rest of the Board. Ms. Graef pointed out that she had brought up Mr. Buckland's concern at the previous Regular BOS Meeting where she had asked if she had the Board's support in placing that vote, in the chance that it happened. At that time, there were no objections from the Board.

iv. Transportation and Land Use Committee

Ms. Whitaker stated on September 8th the Transportation and Land Use Committee (TLU) met. A presentation was given on adaptive traffic signal control technology. The presentation was to help inform the TLU Committee's discussion on the merits of considering a regional approach to signal coordination and adaptive signal systems. The overall cost would be \$125,000 for the software licensing. There was also an update on the Bicycle Friendly Community designation.

v. Public Safety Committee

Ms. Dininni stated that the Public Safety Committee met on September 13th. The code fee schedule and fund balance was discussed. Each municipality representative reviewed their municipality's 2017 program plan comments. Ms. Dininni felt that they did a very thorough job of comprising the comments. The 2017 Code, Fire & Emergency Management detailed budgets were reviewed. The Alpha Fire Company received a grant for \$197,700. The performance period for this grant runs through November of 2020. This grant will fund the Fire Company's recruiting communications strategic plan.

b. Other Non-COG Regional Committees

i. CCMPO Technical Committee

2. STAFF REPORTS

a. Planning & Zoning Director

Mr. Stolinas stated the Planning Commission met on September 12th. Discussion of Land Development Plans was had on the following projects: active plans, Weis Gas-N-Go / Dunkin Donuts Land Development Plan, Township Planning Commission Vacancy and the Sourcewater Protection Work Group.

Ms. Dininni asked if Mr. Stolinas could talk a little about Mr. Keough's discussion on the Farm Bureau. Mr. Stolinas stated that Mr. Keough demonstrated dissatisfaction about not having a farmer as part of the work group. Ms. Dininni advocated that the citizens should be involved as much as possible.

b. Public Works Director

Mr. Modricker stated that the Tree Commission met on September 19th where dialogue was held on: Oak Wilt Mitigation, MS4, Meckley Road No Parking Safety Study, Contract 2015-C1 Piney Ridge, Contract 2015-C2 Suburban Ave Paving and Drainage Improvement Project and Contract 2015-C16 Fire Safety Trailer Storage Building. The maintenance section's current and planned activities include: paving Knob Hill, paving the fire safety trailer storage building, street sweeping, sign installation, inlet repairs, crack sealing, roadside mowing, equipment maintenance and repairs. Mr. Modricker talked about a concern of a Board member at a previous meeting. That concern being the site distance at the intersection at Havershire and

Circleville and at the intersection of Rushcliffe and Circleville. He informed the Board that the Township Engineer did a formal check and both intersections have adequate site distance.

c. Chief of Police

Chief Conrad reported that the Part I Crimes for August were up slightly for the month and year to date. Part II Crimes and Other Calls for Service are both down for the month and year to date. As for other trackable activity, everything was pretty much down other than parking tickets and supplemental reports. Chief Conrad highlighted some department notes. The two bronze fallen soldier statues stolen from the memorial in Gatesburg in May 2015 were recovered. Midnight patrol found them lying just off the roadway near the area from which they were taken. They were returned to the owner. No suspects were identified. Ag Progress Days transpired without incident. Evening shift officers assisted the US Federal Marshalls with apprehending a 53-year-old fugitive from Erie. An oil spill from a dump truck resulted in a 2.5-hour cleanup effort and partial road closure. The driver of a tractor trailer fell asleep at 1:30 AM, crossed the roadway and stopped in the yard of Clearfield Bank & Trust on East Pine Grove Road. Officers helped staff at Camp Cadet again this year. Refresher and newer officer Emergency Vehicle Operator Course classes were conducted. Promotions to corporal and sergeant will be held Friday September 23rd.

Ms. Dininni inquired about how the Clearfield Bank & Trust yard destruction would be paid for. Chief Conrad replied that the insurance company would pay for it. Ms. Dininni asked if the insurance would also pay for the flower bed destruction that occurred during a chase. Chief Conrad stated that because it was a criminal act any damages would have to go through the courts for restitution. In this particular circumstance restitution wasn't submitted because the homeowner had repaired it on their own and didn't submit the claim.

3. Presentation on Municipal Funding for Centre County Housing and Land Trust

Ms. Rachel Fawcett, executive director for the Centre County Housing and Land Trust (CCHLT), stated that they are asking for \$5,000 per year for the next three consecutive years. This would help insure that the CCHLT is available to assist the Township in the future. From the client intake to income qualification to homeowner education and management of re-sale provisions, CCHLT is the sole organization sanctioned to work throughout Centre County to provide the backbone of services and management necessary to ensure the success of local affordable house initiatives. This donation would also allow CCHLT to look into growing and additional programs, for example rehab projects, rental housing etc. CCHLT has also reached out for donations from other municipalities and the local government, as well. Mr. Tim Schoonover pointed out that the organization doesn't take asking for the donation lightly. However, CCHLT has not been able to establish a self-sustaining source of income. A grant that was received when the CCHLT was initially formed is what keep them going up until this point. Mr. Schoonover stated that the executive director is the only paid staff at the current time, and that is a part time position. CCHLT would like to grow that into a full-time position.

Mr. Miller asked if there would be any grants available using municipal funding as leverage. Ms. Fawcett stated that she has not seen anything but that she would keep a look out for it.

The Board came to a consensus that they would like to consider the donation as an action item at a later meeting.

4. Discussion of Board Members Roles and Responsibilities on Committees

A discussion was held regarding Board member's roles and responsibilities when representing the Township on COG and Non-COG committees. The Administrative Code provides some guidance in Chapter 1, Part 6, Board of Supervisors, Section 609 Committees. Mr. Miller stated that the Board has a member to represent them at each COG Committee meeting. That person is the only person in a position to represent the Board at those particular meetings. However, that is not to say that Board members cannot attend those meetings and speak as a private citizen. Mr. Miller stated that in his opinion it is not appropriate for Board members to advise the Planning Commission. Ms. Graef expressed the importance of the Board member representing the Board at the individual COG meetings to be the voice that is heard. Mr. Buckland clarified that Mr. Miller is not stating that he believes it to be inappropriate for a Board member to attend but that it's inappropriate for a Board member to participate in the deliberations. Ms. Dininni suggested that this concern be in a written policy, if it is to be enforced.

IV. ADJOURNMENT

Mr. Buckland made a motion to ADJOURN the meeting. Ms. Whitaker seconded the motion. With no further business to come before the Board of Supervisors, Mr. Miller adjourned the worksession at 8:00 pm.

Regular Meeting

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, September 19, 2016 at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller	Staff:	Mark Kunkle, Township Manager
	Peter Buckland		David Pribulka, Assistant Township Manager
	Janet Whitaker		Dave Modricker, Director of Public Works
	Laura Dininni		Ray Stolinas, Director of Planning & Zoning
	Rita Graef		Diane Conrad, Chief of Police

Others in attendance included: Jendi Ammerman, Recording Secretary; Kelli Hoover; Andy McKinnon; Pam Steckler; Steve Lynch; Ken Gray

II. CALL TO ORDER

Mr. Miller called the Monday, September 19, 2016, regular meeting to order at 8:00pm.

III. CITIZENS INPUT

Ms. Hoover expressed concern about the Whitehall Road Regional Park complex being pushed forward and voted on at the Parks Capital Committee meeting. She stated that she believes the State College Borough Water Authority should review the plan to ensure protection of the water shed.

Mr. McKinnon stated that he is against the Toll Brothers Development, the sports complex, and anything that would destroy open space, ag land, endanger the water supply or cause a slippery slope.

Ms. Steckler spoke in concern of the Regional Park, in regards to it endangering the safety of the water. She suggested that the State College Borough Water Authority take a look at the plan and that perhaps there may be a better location for the park to go.

IV. COMMUNICATIONS TO THE BOARD

Ms. Dininni stated a resident communicated their thanks for the corrected Deibler Road signs.

V. ACTION ITEMS

1. WEIS GAS-N-GO / DUNKIN DONUTS LAND DEVELOPMENT PLAN – PLAN LAST DATED AUGUST 18, 2016, PLAN DEADLINE NOVEMBER 2016

Mr. Stolinas stated on June 14, 2016, Herbert, Rowland & Grubic, Inc. (HR&G) on behalf of Weis Markets, Inc. submitted a Land Development Plan for a proposed Weis Gas-n-Go/Dunkin Donuts located at 1400 North Atherton Street (between Hoss's and PNC Bank). Weis Markets, Inc. intends to develop the 2.31-acre parcel containing a 2,539 ft. Dunkin Donuts with drive-thru and an adjacent, 6-pump fueling island for the Weis Gas-N-Go. Plans have undergone two iterations of engineering review with several remaining comments.

Chief Conrad showed concern that the surveillance cameras were not listed. Mr. Stolinas stated that they will be considered with the risk management department.

Mr. Buckland inquired as to whether the trees by PNC Bank would be affected. Mr. Lynch, from Herbert, Rowland & Grubic, stated that the trees located on the banks property wouldn't be affected. Mr. Buckland suggested that there may be trees appropriate to grow in the stormwater basins and that they should be considered if possible.

Ms. Graef showed concern of traffic flow/safety with the driveway and added egress. Mr. Lynch stated that a traffic impact study was prepared by HR&G, and that study was approved.

Mr. Buckland confirmed that the zoning ordinance wouldn't limit having an electric charging station at this property.

Ms. Whitaker moved that the Board of Supervisors approve the Weis Gas-N-Go/Dunkin Donuts Land Development Plan subject to completing the outstanding conditions for approval as set forth in the Planning and Zoning Director memorandum dated September 13, 2016. Mr. Miller seconded the motion. The motion passed unanimously.

2. REPORT ON TRAFFIC CALMING STUDY FOR EAST PARK HILLS AVENUE

Mr. Modricker stated that the Township Engineer recommended the award of professional services, via a memorandum, to Pennoni in the amount of \$8,800 to perform traffic engineering services in accordance with the scope of work. The proposal would include data collection, evaluation, attendance at public meetings, and preparation of a traffic calming plan. Mr. Modricker went on to review the traffic calming process. Step one being the request. This includes defining a study area and the collection of volume and speed data. He pointed out that the data available now is three years old so new data would need collected. Step two is where the traffic calming plan is developed.

Ms. Whitaker asked if three years is a sufficient amount of time from one study to another. Mr. Modricker stated that staff recommended using more current information. Typically, staff doesn't like the study to be over a year old. The consultant recommended collecting the data over a seven-day period.

Ms. Graef inquired about whether the contract costs would cover any temporary or permanent devices that may be determined as necessary, as discussed in section 4. Mr. Modricker replied that it's not included and that it would be an additional cost. Ms. Graef inquired as to whether money has been budgeted for it. Mr. Modricker stated that there isn't money allocated for traffic calming in the budget. However, it can be approved and taken from the operating budget.

Mr. Buckland moved that the Board of Supervisors award a professional services contract to Pennoni in the amount of \$8,800 to perform traffic engineering services to evaluate potential traffic calming measures on East Park Hills Avenue. Ms. Whitaker seconded the motion. The motion passed unanimously.

3. RAHAL TEAM REZONING REQUEST

Mr. Stolinas stated that on August 4, 2016, Planning and Zoning staff received an Application for Rezoning from Wix, Wenger & Weidner, Harrisburg, PA on behalf of Team Rahal of Lewistown, LLC to rezone a parcel located at 3650 West College Ave. The property is currently zoned Rural Agricultural (RA), owned by James and Elizabeth Irwin. An adjacent property at 3610 West College Ave., owned by Team Rahal, is zoned General Commercial (C). On August 15, 2016, the Board of Supervisors reviewed the application submission and referred it to the Planning Commission for further recommendation. The Ferguson Township Planning Commission reviewed the application on August 22, 2016 and recommended to the Board of Supervisors approval of the rezoning of the parcel from Rural Agricultural (RA) to General Commercial (C). On September 1, 2016, the Centre Regional Planning Commission reviewed the request and commented that this is a good use of land inside the Regional Growth Boundary and Sewer Service Area (RGB and SSA).

Mr. Buckland asked if there had been discussion, at a planning commission meeting, about a multi-level structure (a garage) being built. Mr. Stolinas stated that he does not believe so.

Mr. Gray, with the Team Rahal Organization, stated that there is no plan to have a multi-tier parking garage at this time. The goal is to build a dealership, moving the existing Honda location down the street to this new location for growth.

Ms. Dininni asked what the plans for the old dealership location would be. Mr. Gray stated that potentially a Lexus dealership would move in from a Lewistown location. Ms. Dininni showed concern over having a vacant lot.

Ms. Graef showed concern over losing agricultural land. However, she pointed out that this particular parcel is within the growth boundary and is adjacent to a property that allows economic development. Therefore, she does not see an issue with granting the application. Ms. Dininni pointed out that at the Centre Region Planning Commission Meeting they, too showed

concern over losing agriculture land; however, because of the location they aren't necessarily against it.

Ms. Whitaker moved that the Board of Supervisors advertise for public hearing the Rezoning Application for property located at 3650 West College Avenue from Rural Agriculture (RA) to General Commercial (C). Mr. Miller seconded the motion. The motion passed unanimously.

4. 2017 CERTIFICATIONS OF PENSION FUNDS MINIMUM MUNICIPAL CONTRIBUTIONS

Mr. Kunkle stated that Act 205 requires the Chief Administrative Officer of the pension plans to provide the governing body the minimum municipal obligation for the upcoming year. This certification must be provided by September 30th. The total municipal pension cost is estimated at \$411,001. Anticipated Act 205 funding from the Commonwealth based upon the projected unit value of \$4,374.65 is \$345,597.35 leaving a net cost to the Township of \$65,402.65. The net decrease from 2016 MMO to 2017 MMO is estimated at \$47,268.65, mainly because of fund performance and the number of individuals in the pension plan.

5. APPROVAL OF COUNTY LIQUID FUELS GRANT APPLICATION

Mr. Modricker stated that the Township received an invitation to submit an application for the 2017 County Liquid Fuels grant. Staff recommended that the Board request grant funding in the amount of \$30,000 in 2017 for the construction of a left turn lane on Valley Vista Boulevard at the intersection of Bachman Lane.

Ms. Graef moved that the Board of Supervisors authorize the submission of a 2017 County Liquid Fuels grant application for the construction of the left turn lane on Valley Vista Boulevard at the intersection with Bachman Lane. Mr. Buckland seconded the motion. The motion passed unanimously.

6. APPROVAL OF GREEN-LIGHT-GO GRANT APPLICATION

Mr. Modricker stated that staff is requesting that the Board consider approving a grant application through the PA Department of Transportation Green-Light-Go Municipal Signal Partnership. This application is due by September 30. The Township is seeking funding to upgrade the vehicle detection systems at several intersections to radar detection verses loop or camera detection. The radar detection systems are more reliable and less costly for maintenance. Staff will be seeking a grant of \$100,000 with a local match of \$20,000. Funding for the grant match would not occur until late 2017 or early 2018.

Mr. Miller asked how many traffic signals this would cover. Mr. Modricker stated that is estimated to cover five.

Mr. Buckland inquired as to whether this would help the signals to communicate better. Mr. Modricker stated that it's an enhancement that would make the system more reliable.

Mr. Buckland moved that the Board of Supervisors authorize staff to submit a grant application to the PA Department of Transportation Green-Light-Go Municipal Signal Partnership. Ms. Whitaker seconded the motion. The motion passed unanimously.

7. APPROVAL OF AUGUST 2016 VOUCHER REPORT

Ms. Whitaker moved that the Board of Supervisors approve the August 2016 voucher report. Ms. Graef seconded the motion. The motion passed unanimously.

8. CONSENT AGENDA

- a. August 2016 Treasurer's Report
- b. 2015-C2 Suburban Avenue Drainage Project
- c. 2015-C16 Fire Safety Trailer Storage Building

Mr. Buckland moved to approve the consent agenda. Ms. Graef seconded the motion. The motion passed unanimously.

VI. MINUTES

1. September 6, 2016 Board of Supervisors Regular Meeting

Ms. Dininni requested that a clarification be made to the September 6th meeting minutes, under VII. Reports, 4. COG Committee Reports, b. Public Services & Environmental Committee. At the end of paragraph two Ms. Dininni asked that it be clarified that she did not give her consensus on the Boards decision.

The Board unanimously approved the September 6, 2016 Board of Supervisors Regular Meeting minutes, with Ms. Dininni's clarification being added.

VII. ADJOURNMENT

Mr. Buckland made a motion to ADJOURN the meeting. Ms. Graef seconded the motion.
With no further business to come before the Board of Supervisors, Mr. Miller adjourned the regular meeting at 9:08 pm.

Respectfully submitted,

Mark Kunkle, Township Manager
For the Board of Supervisors
Date approved by the Board: _____