



The current members of the Ferguson Township Board of Supervisors and township staff are pleased that you have become a member of the township's governing body. Our community relies on the dedication of individuals with pride in their community and the initiative to become involved in the local municipal government process.

As a member of the Board of Supervisors, you will be asked to make policy decisions, enact laws, levy taxes, and act for the benefit and best interest of the Township of Ferguson. You will be performing a valuable service by addressing community issues and needs as you represent your constituents. It is a service that is needed and that carries with it great responsibilities, which, hopefully, this manual will help you meet without feeling overwhelmed.

Township officials and staff look forward to your contribution as we all work together to provide efficient municipal services that are responsive to local needs and expectations.

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Mission and Vision Statement

Our Mission

It is Ferguson Township's mission to provide efficient, cost effective, professional services to our residents in a fair, cooperative, ethical and honest manner. The Township will endeavor to manage its resources allowing planned, sustainable growth while preserving the quality of life and its unique characteristics.

Our Vision

The Township will strive to appropriate staff and resources to maintain the infrastructure in acceptable condition, provide exemplary service, keep Township operations financially stable and keep pace with technology. As a result, the Township can continue to be a leader and model for the Centre Region and other Home Rule municipalities.

The Township is considered a 'Best Place to Live' due to the high quality of life created in part through a sense of place achieved through the development of a vital town center, a strong diversified community, an effective transportation system, a rural/small town atmosphere and the location and availability of open space. The Township will continue to preserve environmentally sensitive areas.

Strategic Plan

(See Attached as Appendix "A")

General Information

Review of Manual for Newly Elected Officials

1. The Organizational Meeting will be held on Monday, January 6, 2014 at 7:00 pm. You will be sworn in by Centre County Common Pleas Court Judge Bradley Lundsford. Please remember to provide the Township with a copy of your certificate of election as soon as you receive it.
2. Individual and a group photograph of the Board members will be taken after the organizational meeting.
3. The Board of Supervisors meets twice per month; normally on the first and third Monday of each month at 7:00 p.m. This schedule is adjusted for holidays and in December when the Board meets on the first and second Mondays.
4. Agendas for the Board's regular meetings are prepared on the Monday before each meeting. The agenda and packet information is posted on the township web site. You will receive an email notice once the agenda is available. The board agenda packet posted on the web includes all relevant information on the agenda topics except for information that is covered under executive session and confidential. Please call regarding questions you may have about agenda topics.

5. It is the responsibility of each Board member to come to the meetings fully prepared. This means that you should be reading through the entire packet of information made available to you.
6. Staff normally meets on the Thursday before each Board meeting to review the agenda and to provide the Manager with input on various organizational matters.
7. Each Board member has a mailbox at the Township Office. Items received will be provided to Board members via agenda packets and at regular meeting and worksessions, certainly you are welcome to stop by the office at any time between meetings.
8. Each new Board member needs to fill out the necessary employment forms such as the W-4, I-9 etc. and provide a canceled check to the Finance Office. The Board is paid once a month by direct deposit. The annual salary amount is currently \$4,125 per year.
9. At times the Board will convene in a closed session. Confidentiality is extremely important and should be strictly adhered to. Items discussed in closed session should not be shared with other persons outside the realm of the Board of Supervisors. It is good policy to leave all closed session documents within the Township Building so that they may be disposed of in a proper manner.

Review of Organizational Structure/Functions

Home Rule Charter

The Home Rule Charter for the Township of Ferguson and subsequent amendments to it are the basis for the form of government in the Township.

Among the purposes of the Home Rule Charter are providing municipal services with the highest degree of efficiency and economy, to establish a Council/Manager form of government and to provide for the health, safety and welfare of Township residents.

Board Authority and Responsibilities

The Home Rule Charter charges the Board of Supervisors with the following duties:

1. To make appropriations, incur indebtedness and adopt the budget.
2. To adopt, amend or repeal an Administrative Code.
3. To create, alter, combine or abolish municipal departments, bureaus, boards and commissions not otherwise specified in the Charter.
4. To levy taxes.

5. To fix the amount of bond if required of officers and employees paid from municipal funds.
6. To adopt by resolution all necessary rules and regulations for its conduct and procedure.
7. To make or cause to be made such studies, or post audits and investigations as it deems to be in the best interests of the municipality.
8. To make provisions for any matter of Township government, not otherwise provided for, including but not restricted to any necessary matter involved in the transition to this Charter form of government.
9. To make investigations into any affairs of the Township and subpoena witnesses, and administer oaths and require the submission of evidence.
10. To require any Township official or member of any administrative department, board, commission or other agency to appear before it relative to that office, its function and performance subject to a forty-eight (48) hour written notice, which notice shall state the subject of inquiry and shall be sent to any and all persons required to appear.

****A copy of the Home Rule Charter is attached as Appendix "B". We will discuss this important document further during the orientation session.*

Code of Ordinances

Each newly elected official will be given a copy of the Code of Ordinances in electronic format. Becoming familiar with the Home Rule Charter, Administrative Code and the Code of Ordinances will assist you in order to effectively carry out the duties required of a Township Supervisor.

The Code of Ordinances is divided into easy subject reference areas, which allow an orderly learning process and easy reference for the ordinances that govern the Township. There are also appendices, keys and indexes to help guide you through the Code. The Code of Ordinances is updated two or three times during the year and is available to anyone via the Township web page at www.twp.ferguson.pa.us

The Township Manager can assist you with questions regarding the Code of Ordinances. He is familiar with this document and the intent of the law, or he can have another Township staff person address questions that you may have. If you are unsure of what you are reading, call him for answers to questions.

Although you want to be helpful to residents, it is advisable that you avoid making interpretation on guidance on specific matters. The staff is well versed on the Code of Ordinances. Refer questions to the staff.

Role of Board in Conducting Effective Meetings

Conducting an effective Board meeting is a key role for each member of the Board of Supervisors. The Board functions with the Chairman facilitating the meeting in an orderly fashion following an established agenda. Each member of the Board has a responsibility to prepare for and participate in discussion of agenda items. The Board does not have formal rules of procedure. Respectful, civil, and courteous dialogue is expected between members of the Board, the public and staff.

*****Provided as Appendix "C" is a copy of the general rules of communication at Board meetings.*

In general Robert's Rules of Order are followed. Each member of the Board has a vote on any matter before the Board requiring a vote. Matters requiring a vote include: adoption of ordinances, resolutions (these are roll call votes) and action items where the Board's approval is required (these are consensus votes) such as plan approvals, and contracts. Roll call votes are taken in alphabetical order.

The agenda is provided electronically to the Board and the public. It is typically posted on the Friday before the Board meeting on the Township's web page. The Board members and interested residents are notified for the agenda availability via Constant Contact and will receive an email notification. Questions about agenda items that require a detailed answer by staff may be best handled by making an inquiry to staff prior to the meeting.

How do you get items on the agenda for discussion? Each Board member has the ability to have items placed on the agenda for discussion. Contact the Township Manager at least one week prior to the regular meeting to have an item placed on the agenda for discussion. The agenda provides for Communications to the Board as a place to bring issues/topics that may be shared with the other Board members.

Board meetings are taped for delayed broadcast by C-Net. Members should be cognizant of the opinions expressed to stay within the legal bounds of their elected position. As an elected official you are not totally immune from liability. The Township is capable of live C-Net broadcasting.

Structure

Powers of the Board Chairman

The Chairman of the Board is chosen from among the newly organized members of the Board of Supervisors. The organizational meeting of the Board is held the first Monday in January that is not a holiday. The Chairman of the Board shall act as the presiding officer of the Board. The Chairman or in his absence the Vice Chairman shall sign all ordinances and resolutions adopted by the Board.

Powers of the Board of Supervisors

The Township is governed by five elected Supervisors. The Board of Supervisors serves as the legislative arm of the Township government. Individual Supervisors are not empowered to act on behalf of the Township, and can only exercise power when a quorum of the Board is present.

The Board of Supervisors does not enjoy executive (or administrative) powers of city government, which are carried out by the Township Manager, who serves at the pleasure of the Board.

Ethics and Liability

The Board of Supervisors and employees operate under a Code of Ethics that meets and exceeds state law. Two key points:

- A. Treat all citizens with impartiality, fairness, and equality under the law.
- B. Avoid both actual and potential conflicts between his private self-interest and the public interest.

Board members and employees are held to a high level of ethical conduct. Each needs to use a fair and balanced approach with all citizens not favoring one over the other. Second, each should be concerned with Conflicts of Interest. Each year you will be asked to complete a financial interest statement for which you were a candidate for office or an elected official.

See Code of Ethics attached as Appendix "D".

Public officials are not immune from liability. In particular violations of Section 1983 of the Civil Rights Act can lead to major fines, costs and attorney fees if the impacted party prevails. THESE CLAIMS AND AWARDS ARE TYPICALLY NOT COVERED BY INSURANCE. In fact you may be liable personally. Typically these claims involve land use decisions where the township decides that a particular land use which is permitted by zoning is denied due to personal opinion to being pressured by public opinion. Robert Durrant, Esquire is a respected municipal attorney in Pennsylvania and wrote the attached article in 2001 but it still is applicable today.

See attached Appendix "E".

Executive / Administrative Branch

At a time when municipal government had become increasingly more complex, the position of the Township Manager was created in order to provide the Township with a more efficient, economical, coordinated, responsible and responsive municipal government. Many municipalities across the country have found it expedient to employ full-time administrative personnel to oversee the day-to-day operations of their local

government in accordance with policies and procedures adopted by the elected Board of Supervisors.

The Township Manager is not a statutorily created position by the Commonwealth of Pennsylvania. It was created by the Township Of Ferguson under its home rule authority.

The Board of Supervisors appoints the Township Manager on the basis of merit, who serves for an indefinite term at the pleasure of the Board. The Township Manager is the head of township administration, and possesses and exercises executive and administrative powers of the township government. The Township Manager has no legislative powers.

Chain of Command

Board Members/Employee Interaction

It is important to maintain the established Chain of Command or procedure as it relates to the Board, Manager and staff persons.

The Township, being a Home Rule Municipality and having established the Council-Manager form of government, provides for the Manager to be the sole Chief Executive Officer for the Township. All concerns/problems that may arise with any employee or department head should follow the established Chain of Command. The Home Rule Charter requires the Board members to work through the Township Manager rather than directly with employees.

This does not mean that Board members cannot seek information from the staff. It will always be a good practice to work with the Department Head when seeking information.

Requests to staff beyond routine inquiries should be coordinated through the Township Manager. This procedure will help avoid placing the staff in a position of not being able to respond due to other priorities. Board members are encouraged to seek information from staff members that will assist them in learning about a particular topic or subject matter. For major research, legal opinions etc., these matters can be addressed in a more timely manner if you work through the Township Manager.

Board members should be careful not to micromanage the professional staff. General policy direction comes from the entire Board not individual Board members. Board members often have specialized skills, training and education. Staff certainly appreciates the help and assistance these Board members bring to the Township.

Any employee having a concern/problem should first address the situation with his/her immediate supervisor or department head who will attempt to find the best possible resolution.

Should either the employee or the department head feel that this resolution is not satisfactory, then he/she has the right to address the situation with the Township

Manager. Likewise, when any department head has a concern/problem, he/she should address the situation to the Township Manager, not to the Board members. The Township Manager has the sole responsibility to administer the personnel of the Township. An “open door policy” by Board members should only apply to constituents and not to Township employees.

For instance, if any staff person asks to discuss departmental or personnel problems with a Board member, this matter should be referred to the Township Manager for resolution. The Township Manager is the person who should bring unresolved department or personnel conflicts to the Board if he feels that the situation warrants their interaction.

In the event that any staff person would approach a Board member to request his/her intervention in a personnel problem, the Board member should remind the employee that the proper procedure is for the Township Manager to be made aware of the concern/problem and that he/she cannot become involved.

The Township has one collective bargaining unit (CBU). The members of the CBU have a contractual relationship with the Township unique in many ways from the other employees. As such, experienced professional staff should deal with bargaining units and member issues. There is a time, place and matters where the Board of Supervisors are involved with CBU issues. Those include setting bargaining parameters, approval of collective bargaining agreement, and grievance resolution.

See Appendix “F”

Citizen Complaints

1. Use staff expertise
2. Care not to commit or obligate the township
3. Reliance issue on information provided
4. Processes are in place to resolve citizen complaints/concerns/appeals

Dealing with the Media

1. CNet Coverage – tape delayed now, capable of going live if BOS changed its meeting night to Tuesday.
2. CDT – TV

Sunshine Act - Record Retention – Open Records

1. Three Board members discussing Township business constitutes a quorum whether in person, via conference call or in a chat room on line.
2. Emails that are generated by a Board member to all other Board members constitute a meeting when the discussion topic is Township business. Care not to reply all when Manager generates an email.

3. Your email responses can be a public record.
Define public record – any record, including financial records that are not exempt under Section 703 of Act 3 of 2008. Records are information, regardless of physical form or characteristics, that document a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and data-processed or image-processed document.
4. Right-to-Know Request process.

E-Mail Protocol

See attached Appendix “G”

Citizen Concerns/Inquiries/Complaints

Over the course of your term in office you will be contacted by residents and business owners about various township matters. Hopefully, many of these contacts will be positive but there will be occasions when a constituent is seeking information, interpretation of policy or procedures, or to complain about a certain subject matter.

These are opportunities to better understand the person's concerns, to ask questions to fully understand their point of view. It may not be the most opportune time to provide a response but rather to commit to getting an answer or have township staff get back to them with a response.

1. Use staff expertise. The township staff has seasoned veterans that can provide the answers to most questions. Either have the person contact staff or the Board member can contact staff to assist with a response.
2. Care not to commit or obligate the township. Use care not to obligate the township to a particular action or response. As an elected official you may be subjecting the township to an action or providing the person with incorrect information. In cases such as this there could be a reliance issue on information provided. If a person relies on your advice, opinion, direction or interpretation which is later found incorrect the township may be subject to legal action.
3. Processes are in place to resolve citizen complaints/concerns/appeals. In particular, zoning and subdivision (land development) are areas where there may be disagreement about the interpretation or applicability of a certain regulation. In these cases the Zoning Officer is the only person that is empowered to interpret and enforce the zoning and subdivision regulations. His decisions are appealable to the Zoning Hearing Board. This is the relief granted under the Municipalities Planning Code.

Centre Region Council of Government (COG) Meetings

1. The COG General Forum typically meets on the fourth Monday at 7:30 p.m. The location for the meeting rotates among the member municipalities and the COG building.
2. Jim Steff, Executive Director of the COG, prepares an agenda and reports. These agendas are mailed to the COG General Forum members on Thursday or Friday before the meeting.
3. As a General Forum member you will be asked to serve on one of the COG Committees. These committees are Executive, Finance, Human Resources, Public Safety, Public Services and Environment, Parks Capital and Transportation and Land Use. There may also be occasional Ad Hoc Committees created. You may want to view some prior meeting minutes to familiarize yourself with the committees current work program. Jim Steff provided each new elected official with a committee description earlier this month. The COG will be performing an orientation session after the first of the year.
4. Other regional appointments include- C-Net Board, Spring Creek Watershed Commission. Centre Area Cable Consortium
5. Ferguson Township participates in all COG programs except the Schlow Centre Region Library. Municipal contributions are calculated through a formula that includes factors of population, assessed value, and earned income revenues. For the Schlow Centre Region Library contributions are based on an annual presentation of the library budget to the Board and then an amount determined by the Board (provide some history here).
6. Reporting on COG Committee meetings – Role of representative to the COG Committee. Seek Board consensus, add your personal expertise.

Major Issues/Topics – Key Staff

Administration

- Strategy and Funding for West College Avenue Streetscape
- Managing the Zoning and Planning Software Transition
- Organizing and Updating Policies/Directives and Guidelines
- New Policies on use of Technology
- BYOD
- Social Media -Facebook/Twitter
- Revise street lighting and fire hydrant/suppression ordinances
- Monitor Strategic Planning Goals and Objectives and provide progress reports

Planning

Local

- Finalize RFP and begin development of Streetscape criteria for West College Avenue corridor and revisions to the Traditional Town Development zoning district
- Begin discussion of and development of Complete Streets Policy
- RFP for update of Zoning and Subdivision and Land Development Regulations in accordance with adopted Regional Comprehensive Plan
- Complete program guidelines for workforce housing
- Tyler software implementation
- Street and park tree ordinance adoption and implementation
- Consider CRPA's Regional Zoning District Analysis recommendations
- Develop streamlined approach to zoning and land development reviews to shorten review timeline.
- Projects: Toll Brothers student housing, Turnberry, Pine Hall, Whitehall Road Regional Park, Foxpointe PRD, The Landings, Saybrook

Regional

- Continue involvement in CRPC, TLU and Public Services and Environment Committees to clarify regional issues and concerns

Public Works

- New street standards for Traditional Town Developments
- Engineering Section (Eng., Eng. Asst., GIS Tech., Admin. Assist.)
- Design, Survey, Administer, Award, Inspect Contracts for Road, Park, Signals, Trees, Drainage
- Review of development plans, right of way, road geometry, engineering standards, traffic, stormwater
- Road Maintenance Section (Super., 2 Foreman, 1 Mech., 1 Mechanic/Road Worker, 8 full time Road Workers)
- Road patching, inlet repairs and cleaning, cross culverts, crack sealing, sweeping
- Winter Road Maintenance
- Assist with park projects
- Brush Collection, Leaf Collection
- Vehicle Maintenance
- Buildings and Grounds (1 day custodian, 1 night custodian (50FT/50COG))
- Admin. Bldg. and 4 FTPW Bldgs. and Salt Shed
- Trees and Landscaping/Mowing
- Review of Capital Projects 2014
- Initiatives
- New Traffic calming standards
- New street standards for Traditional Town Developments
- New street tree ordinance
- Street lighting

Finance

Banking

- Who we deal with and why
- Debt balances

Budgeting

- What budgets does the township prepare
- What are they used for

Auditing

- What audits we are subject to
- What do they mean
- CAFR and what it means

Pensions

- Who has pensions and what are they
- How the state funding works

Accounting processes

- What does the finance department do
- Tax collection

Police

General Info

- Organizational Chart
- Regional Cooperation (no attachment)
- Review Items in BOS Monthly Report
- How to Contact

2014 Activities

- Accreditation
- Traffic Calming
- Applicant Testing (no attachment)

See Appendix "H"

INTERNAL - CONFIDENTIAL MATTERS

1. Court cases – Pending