

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, March 2, 2020  
7:00 PM

### I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, March 2, 2020, at the Ferguson Township Municipal Building. In attendance were:

<b>Board:</b>	Steve Miller, Chairman	<b>Staff:</b>	Dave Pribulka, Township Manager
	Laura Dininni		Jenna Wargo, Planning/Zoning Director
	Lisa Strickland		Chris Albright, Chief of Police
	Prasenjit Mitra		

*Others in attendance included:* Rhonda Demchak, Recording Secretary; Pam Adams, COG Sustainability Coordinator; Ron Seybert, Ferguson Township Engineer; Sylvia Neely; Kathy Cullen; Ed Cullen; Bill Hechinger; and Brandi Robinson.

### II. CALL TO ORDER

Mr. Miller called the Monday, March 2, 2020, regular meeting to order at 7:00 p.m.

### III. CITIZENS INPUT

None.

### IV. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of February 18, 2020. Ms. Strickland seconded the motion. The motion was passed unanimously.

### V. SPECIAL REPORTS

Mr. Stryker was unable to attend to present on the State College Borough Water Authority. This presentation will be delayed until the next meeting on March 16, 2020.

Pam Adams, COG Sustainability Coordinator, presented on Regional Sustainability. She spoke about the implementation of the Climate Action and Adaptation Plan (CAAP). She noted that Ferguson Township has a resolution plan that addresses climate and greenhouse gas admissions in place but wanted to share what she will be presenting to the other municipalities. The Centre Region is experiencing extreme rain events. These are up 71%, greater than two inches over the last century. Increased precipitation is causing an increase in Lyme disease and other related insect-borne illnesses. Ms. Adams thanked the Township for their 2017 resolution and making this an objective for the Centre Region. The goal is to come up with a meaningful regional action plan that the community is part of the process. There has been a technical advisory group that has been formed to assist Ms. Adams to do research as far as best practices to help reduce emission and help with climate change. Ms. Adams reviewed the current inventory of greenhouse gases. Penn State is compiling their own plan; however, the region will collaborate with them. Once the targets for reductions are set, the region will be working with the community and stakeholder to ensure it is practical and feasible.

Ms. Neely from the Citizens' Climate Lobby of State College. She is attending in support of the regional plan that was presented. Also, Kathy and Ed Collins noted their support of the plan as well.

Municipal Separate Storm Sewer System presentation. Mr. Seybert presented a review of the Sewer System and Stormwater Management Program that is a yearly requirement of the Township for

compliance with its permit. The Minimum Control Measures required by the permit were each reviewed in detail, as well as the township's efforts to complete each measure.

Discussion continued regarding stormwater ordinances and how the township can enforce these regulations.

## VI. UNFINISHED BUSINESS

### 1. CENTER REGION COMPREHENSIVE PARKS, RECREATION, AND OPEN SPACE PLAN MUNICIPAL COMMENTS

Mr. Pribulka reviewed the draft Centre Region Comprehensive Parks, Recreation, and Open Space Plan letter and asked for final recommendations to be added to the letter. Mr. Pribulka added additional comments and corrections to the draft letter.

Ms. Dininni moved that the Board of Supervisors **approve** Mr. Pribulka send the amended letter. Mr. Mitra seconded the motion. The motion passed unanimously.

## VII. NEW BUSINESS

### 1. CONSENT AGENDA

- a. Revised Award of Contract 2019-C15, Street Tree Pruning: \$17,264.00
- b. Award of Contract 2020-C19, Traffic Signal Detection Upgrades: \$190,418.00
- c. Donation Request – Ferguson Township Senior Citizens
- d. 2018-ADMIN / 2019-C32d (Fire) pay application 3: \$4,500.00
- e. 2018-ADMIN / 2019-C32e (Plumbing) pay application 3: \$1,817.28
- f. 2018-ADMIN / 2019-C32b (HVAC) pay application 4: \$41,978.65
- g. 2018-ADMIN / 2019-C32a (General) pay application 4: \$89,807.40
- h. 2018-ADMIN / 2019-C32a (General) pay application 4: \$15,063.00
- i. Board member request – O.W. Houts Property

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Ms. Strickland seconded the motion. The motion passed unanimously.

### 2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES COMMUNITY CONSERVATION PARTNERSHIPS PROGRAM FOR THE DEVELOPMENT OF PHASE 1A OF SUBURBAN PARK

Mr. Pribulka briefly described the development of Phase 1a of Suburban Park. Centrice Martin, Assistant to the Township Manager, is preparing the grant application. If approved, grant funding would match dollars from the Township and the University Area Joint Authority.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution authorizing the submittal of a grant application to the Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnership Program for the development of Phase 1a of Suburban Park. Ms. Strickland seconded the motion.

Roll Call: Ms. Strickland – Yes; Ms. Dininni – YES: Mr. Miller – YES: Mr. Mitra – YES.

Further discussion was held on how the Township determines which parks are to be developed.

3. PROCLAMATION – NATIONAL GROUNDWATER AWARENESS WEEK

Mr. Pribulka reviewed the proclamation designating the week of March 8<sup>th</sup> to be National Groundwater Awareness Week in Ferguson Township. This is the second year that the Board is being asked to consider this proclamation. Dr. Todd Giddings originally introduced this proclamation last year.

Ms. Strickland moved that the Board of Supervisors **proclaim** the week of March 8<sup>th</sup> to be Groundwater Awareness Week in Ferguson Township. Ms. Dininni seconded the motion. The motion passed unanimously.

4. AUTHORIZATION OF AN ENGAGEMENT LETTER TO CONDUCT AN UPDATED FERGUSON TOWNSHIP SALARY STUDY

Mr. Pribulka reviewed the engagement letter to be sent to N.J. Hess & Associates. There are three major salary survey plus initiatives that are being proposed. There are three components: 1. Assessment of the market including benefits and compensation; 2. Analysis of key management job positions; 3. An assessment of the non-monetary benefits offered, including the quality of life benefits the township offers its employees.

Ms. Strickland moved that the Board of Supervisors **authorize** the Township Manager to submit an engagement letter to N.J. Hess & Associates, LLC, to complete an updated salary study for Ferguson Township. Ms. Dininni seconded the motion. The motion passed unanimously.

Continued discussion regarding if the data that N.J. Hess & Associates, LLC, will be provided and if the information will be public.

5. DISCUSSION OF WORKFORCE HOUSING ORDINANCE AMENDMENT

Mr. Pribulka discussed the Workforce Housing Ordinance that was adopted in April 2016. The key components of the ordinance were reviewed. Items not included in the ordinance were discussed including fee-in-lieu of workforce housing; off-site workforce housing development; affordable rental housing; and more. The Manager recommended amendments to address fee-in-lieu of workforce housing; providing for off-site workforce housing development; rental housing; and considering allowance for petitions to withdrawal from program. Given that the Pine Hall Traditional Town Development has been approved, and the workforce housing units of the Turnberry Traditional Town Development have not yet been built, staff is recommending that the Board authorize the preparation of an amendment to the Workforce Housing Ordinance.

Discussion followed regarding the 99-year component of the ordinance, the Sunset Clause, State Cap, heights of buildings; and fee-in-lieu provisions.

Mr. Mitra moved that the Board of Supervisors direct staff to **prepare** an amendment to Chapter 27, Zoning; Section 716, Workforce Housing. Ms. Dininni seconded the motion. The motion passed unanimously.

6. APPOINTMENTS TO FERGUSON TOWNSHIP AUTHORITIES, BOARDS, AND COMMISSIONS

Mr. Pribulka reviewed the memorandum regarding vacancies on the Authorities, Boards, and Commissions. Since there are only one applicant per vacancy, the Board is forgoing the interview process. The following are the appointments that are recommended for approval:

- Jerry Learn, Parks and Recreation Committee, Term expires on 12/31/22 – Ward of Residence 1;
- Rick Tetzlaff, Parks and Recreation Committee, Term Expires on 12/31/2021 – Ward of Residence 3, remainder of Nicki Touscher's appointment;
- Quin Zhang, Alternate position on the Planning Commission, Term Expires on 12/31/2023, Ward of Residence 3;
- Josh Potter, Vacancy Board, Term Expires on 12/31/2020, Ward of Residence 1; and
- Steve Miller, University Area Joint Authority Board, Term Expires on 12/31/2020, Ward of Residence 2, Remainder of Jeff Bridger's term.

Ms. Dininni moved that the Board of Supervisors **appoint** the applicants for vacancies on various Ferguson Township Authorities, Boards, and Commissions as described in the Township Manager memorandum dated March 2, 2020. Ms. Strickland seconded the motion. The motion passed unanimously.

## 7. REVIEW OF DRAFT SPECIAL EVENTS POLICY AMENDMENT

Chief Albright reviewed the draft revised policy that was originally adopted in February 2009. The revised draft policy includes language permitting alcohol consumption at approved events.

Ms. Dininni moved that the Board of Supervisors **authorize** advertisement of a public hearing on a resolution amending the Ferguson Township Special Events Policy. Mr. Mitra seconded the motion. The motion passed unanimously.

## 8. BOARD MEMBER REQUEST – EMPLOYER PAID SICK LEAVE

Mr. Mitra presented his research on a potential ordinance that would be similar to Pittsburgh's ordinance. Pittsburgh requires employers with 15 or more employees 40 hours of paid sick leave per year. Employers with 15 or fewer employees provide a modest amount (up to 24 hours) of paid sick leave per year. His findings included that communities and businesses thrive with paid sick leave; the spread of disease/illness is lower; there is less turnover; better customer service; and lower healthcare costs.

Mr. Mitra moved that the Board of Supervisors **direct** staff to research a Township-wide employer sick leave ordinance and present its conclusions to the Board for further consideration. Ms. Dininni seconded the motion. The motion passed unanimously.

## VIII. STAFF AND COMMITTEE REPORTS

### 1. COG COMMITTEE REPORTS - None

### 2. OTHER COMMITTEE REPORTS

- a. Centre County Metropolitan Planning Organization (CCMPO). Ms. Strickland attended the meeting on Feb. 25<sup>th</sup>. There was an update on the strategic planning and general operations at the airport. There are new flights with larger airplanes going in/out of University Airport; and direct flights to Florida by Allegiant. They will be building a new firehouse and rehabilitating some of the runways. The MPO discussed the long-range transportation plan (2050) and policy planning.

Ms. Dininni noted that Tom Zilla, Principal Transportation Planner, Ferguson Township, stated that PennDOT will be issuing tickets in construction zones via cameras. No points will be deducted, but a fine will be issued. This program is rumored to be starting in southeastern PA. Ms. Dininni asked if Ms. Strickland would inquire of the CCMPO if they would consider writing PennDOT to ask them to pilot part of that program in the Potters Mills Gap area because of the danger in the area. Ms. Strickland will make a request.

### 3. STAFF REPORTS

- a. Township Manager. Mr. Pribulka reviewed his report as provided with the agenda. The report noted that a series of public engagements seminars on the proposed stormwater management fee will be the week of April 13<sup>th</sup>; the Centre County Drug Task Force annual update will be held on March 18<sup>th</sup> at 6:00 p.m. in Sundman Hall at the American Philatelic Society (100 Match Factory Place in Bellefonte). Mr. Pribulka will be on the Local Government 101 panel at a Town Hall for the League of Women Voters on March 26<sup>th</sup> at 7:00 p.m. at the Bellefonte High School Auditorium. The 2020 Ferguson Township Budget Executive Summary draft is completed. The quarterly Police Pension Committee meeting was held on February 25<sup>th</sup>. The portfolio is performing above expectations. If board members would like to see the report, Mr. Pribulka and Mr. Miller can provide a copy.
- b. Public Works Director. Mr. Pribulka reported for Mr. Modricker and reviewed several capital projects going out to bid this month; discussed the tree preservation ordinance; and reviewed a stormwater complaint that ties into a road improvement project in the township.
- c. Planning & Zoning Director. The next Planning Commission meeting is March 9<sup>th</sup>. Ms. Wargo discussed plan updates as provided with the agenda. Ms. Wargo attended the Affordable Housing Opportunities in Communities webinar hosted by CRPA. Ms. Wargo attended the Land Use and Development mixer on February 27<sup>th</sup> that was hosted by the Office of Government and Community Relations. Ms. Wargo discussed the Zoning Board meeting that was held on February 25<sup>th</sup> that reviewed a zoning appeal and a variance request.

**IX. COMMUNICATIONS TO THE BOARD** – Ms. Dininni discussed the communication efforts from Penn State regarding the students coming back from Italy in the wake of the Coronavirus. She would like to know more facts about preparedness, the number of students returning from Italy and other hotspots, and if PSU is tracking self-quarantined students. Mr. Pribulka will forward these concerns to Mr. Kauffman, Emergency Management Coordinator, who will be attending a meeting with PSU officials on Wednesday, March 4, 2020.

**X. CALENDAR ITEMS** – None.

### **XI. ADJOURNMENT**

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 10:30 p.m.

Respectfully submitted,



David Pribulka, Township Manager  
For the Board of Supervisors

Date approved by the Board: 03-16-2020