

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, March 16, 2020
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its second Regular Meeting of the month on Monday, March 16, 2020, at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller, Chairman	Staff:	Dave Pribulka, Township Manager
	Laura Dininni		
	Lisa Strickland		
	Patty Stephens		
	Prasenjit Mitra		

Others in attendance included: Ford Styker, State College Borough Water Authority Liaison; Matt Heller; John Sepp, Penn Terra Engineering; and Jeremie Thompson, Planning Commission Chairman

II. CALL TO ORDER

Mr. Miller called the Monday, March 16, 2020, regular meeting to order at 7:02 p.m.

Mr. Miller made the following agenda changes by unanimous consent of the Board: 1) Added a report from the Township Manager on local response to COVID-19 (Coronavirus); 2) Added a request to authorize advertisement of an ordinance for public hearing on emergency delegation of powers to the Township Manager; 3) Added a request for funding to the State College Area Meals on Wheels; and 4) Removed the item, "Board Member Request – O.W. Houts Property and rescheduled for the April 6th Regular Meeting.

III. CITIZENS INPUT

None.

IV. MANAGER REPORT ON LOCAL RESPONSE TO COVID-19 (CORONAVIRUS)

Mr. Pribulka reviewed the action taken locally and regionally to respond to the Coronavirus pandemic. Specifically, the office is closed to the general public beginning Tuesday, March 17th. Employees who have the ability to work remotely have been instructed to do so. The Manager is working closely with the Centre Region Emergency Management Coordinator on any additional steps necessary to mitigate the threat.

V. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of March 2, 2020. Ms. Strickland seconded the motion. The motion was passed unanimously.

VI. SPECIAL REPORTS – STATE COLLEGE BOROUGH WATER AUTHORITY

Mr. Stryker reported on the activities of the State College Borough Water Authority. The Authority has identified several unauthorized connections to their system. In response, the Authority has imposed substantial fines on those responsible for unauthorized connections that are identified.

Mr. Stryker reviewed the SCBWA Board's comments on the proposed beneficial reuse study area of the University Area Joint Authority. There were four specific areas of concern that were provided to the Centre Regional Planning Agency for consideration with the study. The Board forwarded a request

for the study to evaluate whether the beneficial reuse is “cleaner” than the treated water from the Water Authority and, if so, what the concern might be for expanding its potential applications.

VII. UNFINISHED BUSINESS

1. A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ADMINISTRATION AND GOVERNMENT, PART IV, BOARDS AND COMMISSIONS BY ADDING THE FOLLOWING: PART F.2, PINE GROVE MILLS SMALL AREA PLAN ADVISORY COMMITTEE; SECTION 450, CREATION AND MEMBERSHIP; SECTION 451, ORGANIZATION, RECORDS, AND MEETINGS; AND SECTION 452, RESPONSIBILITIES; AND RENUMBERING EXISTING SECTIONS.

Mr. Pribulka introduced the proposed ordinance and the steps to be taken if adopted to appoint representatives to the Committee. Mr. Miller opened the floor to public comment. No public comment was received. Mr. Miller closed the public hearing.

Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter One, Administration and Government; Part IV, Boards and Commissions by adding Part F.2 Pine Grove Mills Small Area Plan Advisory Committee. Ms. Dininni seconded the motion. Mr. Pribulka called the roll on Ordinance #1053.

ROLL CALL: Ms. Strickland – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Mitra – YES; Ms. Stephens – YES

The motion carried unanimously.

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2013-26 AND ADOPTING A NEW SPECIAL EVENTS POLICY.

Mr. Pribulka introduced the resolution and described the changes to the Special Events Policy. Mr. Miller opened the floor to public comment. No public comment was received. Mr. Miller closed the public hearing.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution repealing Resolution 2013-26 and adopting a new Special Events Policy. Mr. Mitra seconded the motion. Mr. Pribulka called the roll on Resolution 2020-11.

ROLL CALL: Ms. Dininni – YES; Mr. Miller – YES; Mr. Mitra – YES; Ms. Stephens – YES; Ms. Strickland – YES.

The motion carried unanimously.

VIII. NEW BUSINESS

1. CONSENT AGENDA

- a. 2018-ADMIN / 2019-C32c (General) pay application 3: \$10,350.00
- b. Special Events Permit – 2020 Cranksgiving

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 APPROVING A COST-SHARING AGREEMENT WITH THE STATE COLLEGE AREA SCHOOL DISTRICT AND OTHER PARTNERS FOR CONSULTING SERVICES FOR A SOLAR POWER PURCHASING AGREEMENT.

Mr. Pribulka introduced the resolution. Mr. Miller opened the floor to public comment. No public comment was received. Mr. Miller closed the public hearing.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution approving a cost-sharing agreement with the State College Area School District and other partners for consulting services for a solar power purchasing agreement. Ms. Dininni seconded the motion.

Ms. Dininni noted that she would prefer the site for the solar arrays not require the clearing of woodland or timbering. The Board concurred and Mr. Pribulka will forward the comment to Eric Endresen, who represents the Township on the steering committee.

ROLL CALL: Mr. Miller – YES; Mr. Mitra – YES; Ms. Stephens – YES; Ms. Strickland – YES; Ms. Dininni – YES.

The motion carried unanimously.

3. AUTHORIZATION OF GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A RECYCLING GRANT PROGRAM.

Mr. Pribulka introduced the item and the intent of the grant application. The piece of equipment acquired would be versatile, and could be used for applications other than leaf collection during the winter months. Mr. Mitra inquired about how the equipment could be potentially sold in the future. Mr. Pribulka reviewed the process for transferring a piece of equipment secured through the grant program to another municipality.

Ms. Dininni moved that the Board of Supervisors **authorize** the submission of an Act 101, Section 902 municipal recycling grant application for a one-man leaf collector and brush box dump truck in the amount of \$303,111. Mr. Mitra seconded the motion. The motion carried unanimously.

4. A PROCLAMATION DESIGNATING THE MONTH OF MAY TO BE “2020 BIKE MONTH” IN FERGUSON TOWNSHIP; THE WEEK OF MAY 11TH TO BE “BIKE TO WORK WEEK” IN FERGUSON TOWNSHIP; AND MAY 15TH TO BE “BIKE TO WORK DAY” IN FERGUSON TOWNSHIP.

Mr. Miller introduced the Proclamation.

Ms. Dininni moved that the Board of Supervisors **proclaim** the month of May to be 2020 Bike Month in Ferguson Township; the week of May 11th to be “Bike to Work Week” in Ferguson Township; and May 15th to be “Bike to Work Day” in Ferguson Township. Ms. Strickland seconded the motion. The motion carried unanimously.

5. THE COTTAGES AT STATE COLLEGE FINAL PLANNED RESIDENTIAL DEVELOPMENT PLAN AMENDMENT

Mr. Pribulka introduced the item. Mr. Sepp of Penn Terra Engineering reviewed the requested changes in further detail.

Ms. Dininni inquired about ADA access to the pump station; changes proposed to the grading of the development; the relocation of the gas line to service the development; and sign lighting. Mr. Sepp responded to the inquiries.

Ms. Strickland moved that the Board of Supervisors **approve** the amendment to The Cottages at State College Final Planned Residential Development Plan subject to the resolution of comments made by the Township's Stormwater Engineer in the letter dated March 12, 2020. Mr. Mitra seconded the motion. The motion passed unanimously.

6. AWARD OF PROFESSIONAL SERVICES CONTRACT TO CONDUCT THE PINE GROVE MILLS MOBILITY STUDY

Mr. Pribulka reviewed the proposed scope of work for the project to conduct the Pine Grove Mills Mobility Study. A timeline for completion was also reviewed and discussed. The Board was generally concerned that the Coronavirus pandemic and its effect on school and university closures would preclude the consultant from good data collection until the fall. Mr. Pribulka reviewed the Township Engineer's recommendation that the contract be awarded but that the notice to proceed would not be issued until conditions in the Village returned to normal.

Ms. Dininni moved that the Board of Supervisors **award** the professional services contract to McCormick Taylor to conduct the Pine Grove Mills Mobility Study in the amount of \$50,010.00. Ms. Strickland seconded the motion. The motion carried unanimously.

7. AWARD OF PROFESSIONAL SERVICES CONTRACT TO CONDUCT THE SR45 / SR 26 / NIXON ROAD SIGNAL WARRANT STUDY

Mr. Pribulka introduced the item and reviewed the proposed scope of work. This project is connected to the Pine Grove Mills Mobility Study and would be completed concurrently.

Ms. Dininni moved that the Board of Supervisors **award** the professional services contract to McCormick Taylor to conduct the Pine Grove Road (SR45), Water Street (SR26), and Nixon Road Signal Warrant Study in the amount of \$16,575.00. Ms. Strickland seconded the motion. The motion carried unanimously.

8. REVIEW OF CHAPTER 19, SIGNS DRAFT ORDINANCE AMENDMENT

Mr. Pribulka introduced the item and reviewed the proposed changes to the ordinance. These included pain points that were identified by both the staff and the Board at a discussion nearly one year ago. Mr. Mitra expressed concern about limiting the amount of area on windows and doors of businesses that may be covered by signage. Ms. Dininni inquired about whether banner signs in Pine Grove Mills over the street would be permitted to promote community events. These items will be referred to staff and the Planning Commission for further consideration.

Mr. Dininni moved that the Board of Supervisors **refer** the draft ordinance to the Ferguson Township Planning Commission for review and a recommendation. Ms. Strickland seconded the motion. The motion carried unanimously.

9. APPOINTMENTS TO THE CENTRE REGION BUILDING AND HOUSING BOARD OF APPEALS

Mr. Pribulka introduced the item. The COG General Forum referred a motion to member municipalities requesting the appointment of Ryan Solnosky, Ph.D., P.E., to a three-year term on the Property Maintenance Board beginning February 25, 2020.

Ms. Dininni moved that the Board of Supervisors **appoint** Ryan Solnosky to the Centre Region Building and Housing Board of Appeals for a three-year term as recommended by the COG General Forum. Mr. Mitra seconded the motion. The motion carried unanimously.

10. AWARD OF CONTRACT 2020-C6, CURB AND RAMP UPGRADES

Mr. Pribulka introduced the item and reviewed the bid responses.

Ms. Strickland moved that the Board of Supervisors **award** Contract 2020-C6 to Glenn O. Hawbaker in an amount of \$64,937.00, as recommended in the Assistant Township Engineer's memorandum dated March 11, 2020. Mr. Mitra seconded the motion. The motion carried unanimously.

11. AWARD OF CONTRACT 2020-C8, LINE STRIPING

Mr. Pribulka introduced the item and reviewed the bid responses. Ms. Dininni inquired about painting the crosswalk at Musser Gap on Shingletown Road. Mr. Pribulka responded that PennDOT legal counsel is currently reviewing the matter and the Township would decide how to proceed once there is guidance from the legal review.

Mr. Mitra moved that the Board of Supervisors **award** Contract 2020-C8 to Alpha Space Control in an amount of \$280,242.79, as recommended in the Assistant Township Engineer's memorandum dated March 4, 2020. Ms. Dininni seconded the motion. The motion carried unanimously.

12. AWARD OF CONTRACT 2020-C9, MICROSURFACING

Mr. Pribulka introduced the item and reviewed the bid responses.

Ms. Dininni moved that the Board of Supervisors **award** Contract 2020-C9 to Alpha Paving Systems, Inc., in an amount of \$533,196.62, as recommended in the Assistant Township Engineer's memorandum dated March 11, 2020. Ms. Strickland seconded the motion. The motion carried unanimously.

13. AUTHORIZATION OF A PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE TOWNSHIP MANAGER TO EXERCISE CERTAIN SPECIFIED POWERS FOR THE PURPOSES OF MAINTAINING, PROTECTING AND PROMOTING THE HEALTH AND SAFETY OF THE COMMUNITY.

Mr. Pribulka introduced the draft ordinance and discussed its purpose. If adopted, the ordinance would provide additional authority to execute contracts, expend funds, and promulgate regulations for the preservation of public health and safety for the duration of the COVID-19 (Coronavirus) pandemic.

Ms. Dininni moved that the Board of Supervisors **authorize** the advertisement of the ordinance for public hearing on April 6, 2020. Ms. Strickland seconded the motion. The motion carried unanimously.

14. CONSIDERATION OF A DONATION TO THE STATE COLLEGE AREA MEALS ON WHEELS

Ms. Strickland explained that the State College Area Meals on Wheels would be in need of additional resources to provide service to senior citizens for the duration of the COVID-19

(Coronavirus) pandemic. She requested that the Board consider a contribution of \$3,000.00 to assist the organization in its mission during this critical time.

Ms. Strickland moved that the Board of Supervisors **appropriate** \$3,000.00 to the State College Area Meals on Wheels as an emergency funding donation. Ms. Dininni seconded the motion. The motion carried unanimously.

IX. STAFF AND COMMITTEE REPORTS

1. **COG COMMITTEE REPORTS** – Board members provided verbal reports on meetings of the Ad Hoc Facilities Committee; Human Resources Committee; Finance Committee; Public Services and Environmental Committee; and Public Safety Committee.

2. OTHER COMMITTEE REPORTS

- a. Solar Power Purchasing Agreement Working Group. Mr. Pribulka attended on behalf of Eric Endresen and provided a verbal report of the agenda items.

3. STAFF REPORTS

- a. Township Manager. Mr. Pribulka reviewed his written report. A verbal report was provided on the status of the construction of the Ferguson Township Public Works Maintenance Facility. Other staff reports were left standing as provided in the agenda.

X. COMMUNICATIONS TO THE BOARD – No Board members had communications to report.

XI. CALENDAR ITEMS – None.

XII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 9:05 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 04-06-2020