

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, August 17, 2020
7:00 PM

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, August 17, 2020, via Zoom. In attendance were:

Board: Steve Miller, Chairman
Prasenjit Mitra
Patty Stephens
Lisa Strickland

Staff: Dave Pribulka, Township Manager
Jenna Wargo, Planning/Zoning Director
Chris Albright, Chief of Police
Centrice Martin, Assistant to the Manager
Eric Endresen, Director of Finance
Dave Modricker, Director of Public Works
Ron Seybert, Township Engineer
Nick Fugaro, Communications Coordinator

Others in attendance included: Rhonda Demchak, Recording Secretary; Jennifer Moeny, Ferguson Township Resident; Kevin Abbey, Land Conservation Manager, ClearWater Conservancy; Betsy Dupuis, Ferguson Township Resident; Matthew Cox, Ferguson Township Resident; Ford Stryker, SCBWA; Hayden Yoder, Patton Township Resident; Dorothy Blair, Ferguson Township Resident; Charles Suhr, Stephens & Lee; Johnathan Smith, Ferguson Township Resident; Joseph Green, Ferguson Township Resident; Elizabeth Treadway, Wood; Virginia Thornton, Gannet Fleming; Katie Plumer, Ferguson Township Resident; Dave Stone, Ferguson Township Resident; Charima Young, Director, Local Govt. and Community Relations, PSU; Joe Viglione, Finance Director, Centre Region Council of Governments; Eric Norenberg, Executive Director, Centre Region Council of Governments; Devon Moran, Sergeant, Ferguson Township Police Department

CALL TO ORDER

Mr. Miller called the Monday, August 17, 2020, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised as both a virtual meeting and an in-person meeting. C-NET is recording as well. There is also an audio conference bridge that is accessible by accessing the Ferguson Township's main line at 814-238-4651 and then dialing extension 3799. Per the Sunshine Act, which allows during a time of disaster recovery to meet virtually, but it also requires that a Roll Call be taken and that elected officials verbally respond. Mr. Pribulka took Roll Call and there was a quorum.

I. CITIZENS INPUT

Mr. Hayden, Patton Township Resident, requested to submit a proposal for a public legal graffiti wall to be constructed at 901 West College Avenue. Mr. Pribulka requested that Mr. Hayden email the proposal to him and it will be added to an agenda next month.

II. APPROVAL OF MINUTES

Ms. Strickland moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of August 3, 2020. Mr. Mitra seconded the motion.

III. SPECIAL REPORTS

1. COVID-19 (Coronavirus) Response Report

Mr. Pribulka reported on the regional consideration of local ordinances enforcing the PA Dept of Health and the Centers for Disease Control guidelines to prevent the transmission of COVID-19. The Centre Region Municipalities have been discussing the implementation of regulations and enforcing strategies in response of the return of Penn State students. Mr. Pribulka noted that it is unlikely that a standardized set of regulations will be presented in the near term. Both Halfmoon and Harris Townships have indicated that they are not considering ordinances at this time. Patton and College Townships are in the process of developing their regulations. State College Borough is the only Centre Region Municipality that has adopted an ordinance. Ms. Martin noted that as of August 17, 2020, the Township received 55 responses from businesses in the Township regarding the Business Needs Survey. 95% of the businesses noted that they have experienced a financial impact resulting from the COVID-19 pandemic, 71% reported a moderate financial impact, none of the businesses reported that they closed; however, it was reported that if Penn State limits the number of students back on campus, 47% indicated a financial loss and one business reported they would close. The deadline for the survey is August 31, 2020. Mr. Pribulka thanked the staff for their patience as the Township moves forward during the COVID crisis. Ms. Strickland asked if the Township or COG reached out to the State College Area School District (SCASD). Mr. Pribulka noted that Randy Brown and Eric Norenberg are regular attendees at weekly meetings and there is a line of communication between the COG and the SCASD. Ms. Stephens noted that she has had people contact her regarding the safety of crossing the intersection of Clinton Avenue and North Atherton Street since the school district is encouraging students to walk to school. Chief Albright noted that they have contacted the school district about the intersection and currently working out issues because the school is policed by State College, but the roads around are Ferguson Township. Chief Albright noted they will be ready for the start of the school year.

2. STATE COLLEGE BOROUGH WATER AUTHORITY

Mr. Ford Stryker, liaison for Ferguson Township presented a report on the SCBWA. The SCBWA has been meeting via Zoom since April. There have been no public comments made during these meetings as attendance is down. The Water Quality Study has been published and there were no issues. Well Production is down for the first seven months of 2020. The SCBWA approved and published their annual report and it is located on their website. The Nixon-Kocher plant was approved, and they are under construction. Mr. Stryker noted that the COVID-19 pandemic didn't impact the construction.

3. STORMWATER FEE STUDY PHASE II PRESENTATION

Mr. Modricker introduced Elizabeth Treadway from Wood and Virginia Thornton from Gannet Fleming. Mr. Modricker thanked the Advisory Committee for their work on this project. Ms. Treadway presented slides that were included in the agenda. A review of the Project Summary from Phase I was given. Ms. Treadway noted that the entire industry across the United States and Canada are moving to a much stronger utility footing that will allow for longer range planning and greater stability of revenue. The Advisory Committee focused their work in Phase II from Phase I on the critical policies that focused around three major areas of policy that is located on page 26 of the agenda packet. Ms. Treadway noted that the Advisory Committee focused on public outreach to keep the public involved. There was a major Social Media Campaign in June 2020 and a Town Hall Meeting was held on June 24, 2020. There were 70 plus people that attended via Zoom and 50 questions were addressed. The meeting lasted three hours. Policy Issues for the Board to consider are the Fee Methodology; Evaluation of continuing system inspection and assessment after FY26; and Utilization of the TIF for CMP

rehabilitation program (lining pipes). Mr. Pribulka noted that the next steps is to present an item for authorization to advertise a public hearing on an ordinance to establish this program. Another discussion will take place in September. Mr. Pribulka recommended to the Board to consider a public hearing outside of a regular Board meeting so that this would be the only topic to discuss, because there will be a lot of interest in the meeting. Once this is completed, the Board will vote in October or November. Mr. Mitra asked if Ms. Treadway was familiar with the bioswales program and have they considered this as an option. Mr. Treadway noted that they have, and Mr. Modricker noted that they would consider as a best management practice. Ms. Strickland noted her concerns with the timing and would want this heavily advertised so that residences are aware especially during this pandemic. Mr. Pribulka noted that the Storm Water Fee page is the first tab on the Township's website and encourages everyone to peruse this information. Mr. Pribulka indicated that the Board should consider a few items before this is moved forward. The Township should be sensitive to property owners, not just business owners, but particularly homeowners and condo associations that have a deadline to establish their fees for the upcoming year. Every delay or deferment of this action, which has been delayed for a year due to turn over with staff and elected officials, is going to further add to the learning curve. Mr. Miller indicated that at the next meeting there will be more information available from staff and will have further discussions. Mr. Miller advised anyone with questions to please forward to Mr. Pribulka before the next meeting.

IV. UNFINISHED BUSINESS

1. PUBLIC HEARING ORDINANCE AMENDING CH.19, SIGNS AND BILLBOARDS

Mr. Pribulka presented a copy of the ordinance that was provided in the agenda and was advertised as a public hearing. The document has been available for inspection at the Township Office, as well as online at the Ferguson Township website. The intent of this chapter is to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety, minimize the possible adverse effects of signs on nearby private property, enable the fair and consistent enforcement of these restrictions, and protect the public health, safety, and general welfare. The Planning Commission reviewed the draft at their May 11, 2020 and July 13, 2020 meetings, and recommended approval to the Board of Supervisors. The Board of Supervisors reviewed this draft during the July 20, 2020, meeting and provided input. That input is reflected in the advertised ordinance.

Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter 19, Signs and Billboards by repealing it in its entirety and replacing it with a new Chapter 19, Signs and Billboards. Ms. Stephens seconded the motion. The motion passed unanimously.

ROLL CALL: Ms. Stephens – Yes: Ms. Strickland – Yes: Mr. Miller – Yes: Mr. Mitra - Yes

2. PUBLIC HEARING ORDINANCE AMENDING CH.27, ZONING: SECTION 720, DOMESTIC CHICKENS AND REPLACING WITH DOMESTIC CHICKEN AND DUCKS

Mr. Pribulka presented a copy of the ordinance that was provided in the agenda and advertised as a public hearing to amend Chapter 27, Section 720, Domestic Chickens and Ducks. The document has been made available for inspection at the Township Office, and the Ferguson Township website. The intent of this section is to establish regulations for the keeping of chickens and ducks on residentially zoned properties in the Township. This section established standards and enforcement authority that ensure that domesticated chickens and/or ducks do not adversely impact the neighborhood surrounding the property on which the chickens and/or ducks are kept.

The Planning Commission reviewed the draft ordinance at their July 13, 2020, regular meeting and recommended approval to the Board of Supervisors. The Board of Supervisors reviewed this draft during the July 20, 2020, meeting and provided input. That input is reflected in the advertised ordinance. Centre Regional Planning Commission (CRPC) reviewed the draft ordinance at their August 6, 2020 meeting and supports the proposed amendments. Included with the agenda is their review letter.

Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter 27, Zoning; Section 702, Domestic Chickens by repealing it in its entirety and replacing it with a new Chapter 27, Zoning; Section 702, Domestic Chickens and Ducks. Ms. Stephens seconded the motion. The motion passed unanimously.

ROLL CALL: Ms. Strickland – Yes: Mr. Miller – Yes: Mr. Mitra – Yes: Ms. Stephens

3. AUTHORIZING ADVERTISEMENT OF A PUBLIC HEARING ON TEMPORARY EMERGENCY ORDINANCE REQUIRING FACE COVERINGS AND IMPLEMENTING REGULATIONS TO REDUCE THE RISK OF TRANSMITTING COVID-19

Mr. Pribulka presented the temporary emergency ordinance and noted that at the Board meeting held on August 3, 2020, the Board of Supervisors directed staff to draft an ordinance to enforce the Governor's directives for social distancing and wearing of masks in response to the COVID-19 pandemic. Included with the agenda is draft copy of the ordinance along with a letter received by Penn State's President, Eric Barron asking the Township to consider passing a public health ordinance to enforce the Pennsylvania Department of Health's mandate on wearing face coverings and practicing social distancing. The Board of Supervisors was asked to consider adoption of this Temporary Emergency Ordinance requiring the wearing of face coverings and implementing additional regulations on Tuesday, September 8, 2020. Mr. Pribulka noted that there are a few ways that the ordinance can be enacted. First, the Board can proceed with an advertisement for a public hearing Tuesday, September 8, 2020 and enacting at the conclusion of the hearing. Secondly, the manager can enact the ordinance effective immediately under emergency powers that have been granted by the Home Rule Charters that was adopted earlier this year. Thirdly, and the recommended route by staff is that the Board consider enacting the emergency ordinance effective tonight, August 17, 2020, by powers granted in Section 2.25 of the Home Rule Charter. Section 2.25 states the following: To meet a public emergency affecting life, health, property or public safety, the Board by a vote of the entire Board may adopt an emergency ordinance at the meeting at which it is introduced, and may make it effective immediately except that no such ordinance may be used to levy taxes, grant or extend a franchise, or authorize the borrowing of money. After the adoption of an emergency ordinance, the Board shall have it published in full within 10 days in a daily newspaper of general circulation. Unless otherwise revoked, emergency ordinances will be subjected to a time limit of one year after the date of passage. Mr. Pribulka indicated that he had communications with the Crisis Management Team today, August 17, 2020, and the management team has recommended adding clarifying language to the ordinance that would address mask wearing at childcare facilities. Mr. Pribulka noted that ordinance mirrors the State College Borough Ordinance that was enacted with the exception of a few provisions such as restrictions on private gathering sizes, and the provision regarding members of the general public to submit verification of medical conditions if evoked as an exemption. Ms. Dorothy Blair, Ferguson Township Resident and President of the Nittany Valley Environmental Coalition, indicated that she would like the ordinance as strong as it can be and suggest including a strong mask ordinance and restrictions on gathering sizes. Ms. Strickland noted that she liked the ordinance but expressed concerns with excluding language about gathering sizes. She suggested inserting the language

from the Governor's limitation on gathering sizes. Mr. Pribulka has concerns because if the size restriction changes at the Governor's level, it would not change in the enacted ordinance. Mr. Pribulka recommended mirroring the state's guidance on size restrictions, so that would still permit the Township to do so if the language is not included in the Townships ordinance. Ms. Strickland asked about a penalty if one is in violation. Chief Albright noted that there is a state law to allow the Township to enforce the Governor's Order and the Department of Health that is dated from the 1950's and that this is something the police department can do. Mr. Mitra noted that his preference is to include the language in the Township ordinance so there is no gray area of concern. David Stone, Ferguson Township Resident, noted that College Township is mimicking the Borough and didn't include size; however, they left a placeholder to include language later. Ms. Jennifer Moeny, Ferguson Township Resident, stated that she is not in favor of more restrictions with masking and the Governor's Order is enough. Also, Ms. Money asked with the passage of the ordinance, how will the Township address potential bullying of businesses who have customers with legitimate masking exemptions shopping at their business. Chief Albright noted that the medical exemption is valid, and when the officers investigate, it is noted there is a medical exemption, and then they drop the investigation. Mr. Pribulka noted that it is important to reiterate that the intention of the Ferguson Township Police Department and the Ordinance Officer is to educate and encourage compliance of the ordinance, opposed to giving out fines and being heavy handed. However, the Township wants to reserve the ability to do so if the needs arise. Mr. Mitra recommended to amend the ordinance regarding medical exemptions by a reference to section three.

Mr. Mitra moved that the Board of Supervisors **amend** Section 4.A with a reference that will allow exceptions only to those that are allowed by Section 3 of the PA Department of Health Guidelines on universal masking on the emergency ordinance and the long-term ordinance. Ms. Strickland seconded the motion. The motion passed unanimously.

Mr. Miller moved that the Board of Supervisors **authorize** advertisement for a public hearing on a temporary emergency ordinance requiring the wearing of face coverings and implementing additional regulations to reduce the risk of transmission of the COVID-19 virus for Tuesday, September 8, 2020. Ms. Strickland seconded the motion. The motion passed unanimously.

Mr. Miller moved that Board of Supervisors **adopt** the temporary emergency ordinance as amended tonight, August 17, 2020 requiring the wearing of face coverings and implementing additional regulations to reduce the risk of transmission of the COVID-19 virus effective immediately and expiring on September 9, 2020 at 12:01 a.m. unless extended by action of the Board of Supervisors. Ms. Strickland seconded the motion. The motion passed unanimously.

ROLL CALL: Yes: Mr. Miller – Yes: Ms. Strickland – Yes: Mr. Mitra – Yes: Ms. Stephens - Yes

4. CONTINUED REVIEW OF WORKFORCE HOUSING ORDINANCE AMENDMENT

Ms. Wargo introduced the ordinance. The Board is being asked to provide input on the intended goals and outcomes of the Workforce Housing Ordinance amendment to assist staff in writing the draft amendment. The current Workforce Housing Ordinance is codified under Supplemental Regulations of Chapter 27—Zoning and applies to all zoning districts where the provision of workforce housing units is required or incentivized. Currently, it is the Traditional Town Development (TTD) Zoning District and is incentivized in the Terraced Streetscape (TS) Zoning District. The original ordinance was adopted in 2015 and achieves a very specific purpose of establishing a legacy workforce housing program through deed-restricted, owner-occupied units. The following questions were utilized to guide the Board's discussion:

- Incentives for workforce housing provision? Specifically, the bonus units

- Workforce Housing Options —Does the Board want to allow applicants to take advantage of a certain number of options or unlimited?
- What percentage of a development can be offered as fee-in?
- Payment of fee-in-lieu?
- Rentals or for-sale units?
 - o Are we requiring a certain percentage of each to be built?
 - o Do we want to include requirements for affordability at certain percentages for each Area Median Income (AMI) household?

Ms. Wargo presented slides to the Board. With regards to the incentives, the current draft ordinance stipulates that out of 100 units being built, 10 must be Workforce Units. A lot of municipalities are going about this by giving the developer bonus market rate units. Ms. Strickland noted that she would apply a limit to the incentives for workforce housing provision. In the current draft ordinance, the Workforce Housing Options has the option to build on site, build off site, fee-in-lieu, designate off site, and land and/or building donation to the Township. Ms. Wargo asked if the Board wants to allow applicants to take advantage of a certain number of options or unlimited. However, unlimited could result in no Workforce Units being built in the original development. A discussion ensued about the options and it was determined that more conversations will be needed. With regards to the options, Ms. Wargo asked the Board which option allow for bonus units. Staff recommends the build on site, build off site, and designate off site would allow the applicants to take advantage of the bonus market rate units because they are taking on the obligation to get the units online. Ms. Wargo noted that it would not be the Townships responsibility to manage the fee-in-lieu money or the land trust to figure out what needs to be done with a piece of land. Mr. Miller indicated that he agrees with staff recommendation. Ms. Strickland noted that she would like to see a first-time home buyer assistant program established. Ms. Wargo noted that the draft ordinance has 40% of units that may be paid in fee-in-lieu. Ms. Wargo stated that the fee-in-lieu payment for developments that are phase projects are paid up front, but for larger projects to ask the applicant to pay the entire fee-in-lieu of 100 Workforce Units could threaten their project. Ms. Wargo noted that waiting to receive the fee-in-lieu until the end would be a disservice to the Township because the money could be utilized during construction. Ms. Wargo suggested dividing the fee-in-lieu in phases. The current draft does not have a rental vs for sale requirement and would the Township require a certain percentage of each to be built. Ms. Wargo thanked the Board and will update the draft ordinance and bring back to Board at a later date.

V. NEW BUSINESS

1. CONSENT AGENDA

- a. Special Events Permit – 2020 You Matter 5k
- b. Special Events Permit – Cranksgiving
- c. Voucher Report – July 2020

Ms. Stephens moved that the Board of Supervisors **approve** the Consent Agenda. Mr. Mitra seconded the motion. The motion passed unanimously.

2. ZONING /VARIANCE REQUEST: 2437 WEST GATESBURG ROAD

Mr. Pribulka introduced the variance that was included in the agenda. Thomas J. Whitehill of 2437 West Gatesburg Road, Warriors Mark, PA (24-005-017A) is requesting a variance from §27-205.1 District Regulations to construct a 40' x 60' accessory structure approximately 10' from the rear property boundary. The required yard setback in the Rural Agricultural (RA) District for a single-family lot is 50'. Mr. Pribulka noted that staff is recommending that the Board remain neutral on the request for variance.

Mr. Mitra moved that the Board of Supervisors remain neutral on the variance for 2437 West Gatesburg Road. Ms. Strickland seconded the motion.

Mr. Mitra asked what the impact would be if the variance was approved. Ms. Wargo noted that with Zoning Districts there are required setbacks for many reasons. Originally it was 30 feet then the Board amended to 50 feet. Ms. Wargo noted that it is often decided because of what is around the property. The motion passed unanimously.

3. HONORING EFFORTS OF FERGUSON TOWNSHIP POLICE DEPARTMENT IN ATTAINING REACCREDITATION FROM PA LAW ENFORCEMENT ACCREDITATION COMMISSION

Chief Albright noted that on August 4, 2020, the Pennsylvania Law Enforcement Accreditation Commission formally recognized the Ferguson Township Police Department with a Certificate of Reaccreditation. In Pennsylvania, there are roughly 1,200 police departments. Only 145 of those departments are accredited. Their accreditation program currently has 140 professional standards and 100 sub-sections within those standards. An agency must prove that it has policies that meet the standards, that training is provided on those policies, and that those policies are followed and properly documented. The process requires a continual evaluation of policies and practices. The program requires a commitment from every member of the police department. Accreditation Manager, Sergeant Devon Moran, was and continues to be an integral part of the accreditation process. Chief Albright thanked the police officers and the staff of the police department for their commitment to the program. Also, Chief Albright thanked Sergeant Devon Moran for his hard work with organizing and preparing everything for the evaluation committee. Attached to the agenda is the certificate and it is hanging proudly at the police department.

4. REVIEW OF 2020 COG PROGRAM PLAN AND 2020-2024 CAPITAL IMPROVEMENT AND REPLACEMENT PLAN

Mr. Pribulka introduced the program and replacement plan, and noted that Eric Norenberg, Executive Director, and Joe Viglione, Finance Director, from Centre Region Council of Governments were attending the meeting. This item was referred by the General Forum on July 27, 2020, to the participating municipalities. There are a couple of items attached to the agenda and two links that are within the narrative as well as the 2021 – 2025 Capital Improvement and Replacement Plan. Comments are due to the COG Executive Director at the earliest convenience. The Board utilized the matrix to guide them through the process. The matrix is on pages 152 - 160. The following matrix questions were discussed and only recorded those with questions and concerns:

- **Office of Administration Budget - Should a recording secretary or similar service be contracted to take and prepare the minutes for the General Forum and COG committees, freeing time of higher-paid staff to perform higher-priority tasks? On the high end, the estimated cost is \$22,500 for an outsourced individual or service. Staff is also researching other options at the current time.** Ms. Strickland recommended putting this on hold until the restructuring of committees is completed. Mr. Miller agreed with Ms. Strickland and has concerns with the expense. Ms. Stephens also agreed.
- **Office of Administration Budget - Should \$25,000 be budgeted for a classification and compensation study to commence in late-2021 after the completion of the Strategic Plan?** Mr. Miller approves. Ms. Strickland recommended to place on hold. Ms. Stephens and Mr. Mitra also agreed to hold.
- **Emergency Management Contingency - If federal reimbursement is not available, Should the \$15,000 spent for Meals on Wheels be replenished using the COG formula over one, two, or three years?** The Board agreed with three years.

- **Parks and Recreation Operating Budget - Should Funds be budgeted to begin direct mailing of the Active Guide as recommended in the Parks, Recreation, and Open Space Comprehensive Study?** Ms. Strickland noted she would hold off and Ms. Stephens noted her concerns with the expense. Mr. Viglione stated that Pam Salokangas, Director of the Centre Region Parks & Recreation, will be attending the Finance Committee meeting on August 20, 2020, and will be able to answer the Board's questions. Ms. Strickland will be in attendance and will be able to give the Board feedback.
- **Parks and Recreation Operating Budget - The Agency proposed to the HR Committee in April 2020 to write a Peer-To-Peer Grant for an Agency Staffing Study. That study may allow the Agency to apply for an additional grant to fund only the salary of one new position in 2021. If so, should the Agency do so and fund the benefit costs for the position for one year?** Mr. Miller recommended waiting until the study is completed before filling this position. Ms. Strickland concurred with Mr. Miller.
- **Parks and Recreation Operating Budget - Should two of the seven pool pumps at Welch Pool be replaced at an approximate cost of \$21,000? The pools are approaching 10 years old, and pumps, filters, plumbing, and all mechanical devices will decline over time.** The Board is requesting more information and clarity with this question. Ms. Strickland will attend the Finance Committee and update the Board.
- **Millbrook Marsh Nature Center Capital Budget - Should the participating municipalities contribute a combined total of \$200,000 to the cost of the Phase II addition to the Spring Creek Education Building at the Millbrook Marsh Nature Center (MMNC)? The proposed contribution would be funded over the 2021 and 2022 budgets.** Mr. Miller and Ms. Strickland would like more clarification.
- **Regional Parks Capital Budget - Should \$45,000 be appropriated to install an irrigation system at Whitehall Road Regional Park to water four sports fields? While a funding source has not been identified, the Finance Committee has recommended 7 including this project in phase 1, as that would be the most cost-effective time to install irrigation.** Mr. Miller recommended due to the necessity of it. Ms. Strickland noted she would put the money towards restrooms before the irrigation. Ms. Stephens concurred with Ms. Strickland. More information will be provided to the Board.
- **Regional Parks Capital Budget - With regards to the 2021 Program Plan for the Regional Parks Budget, focus primarily on the development of Whitehall Road Regional Park within the \$4.8 million available from loan funds and grants and donations raised. The improvements are to be consistent with the Master Site Park for the park as amended by the General Forum.** Mr. Pribulka recommended to identify what can be accomplished in the park with the \$4.8 million budget and allowing for contingencies and leeway. Mr. Pribulka noted that whatever is left in access based on the priorities bid as an alternate and identify a strategy to come up with the difference if need be.

5. CERTIFICATION OF 2021 MINIMUM MUNICIPAL OBLIGATION FOR POLICE PENSION AND NON-UNIFORMED PENSION FUNDS

Mr. Pribulka noted that this is annual exercise conducted in accordance with PA Act 205, provided with the agenda is a memorandum from the Township Manager dated August 17, 2020 describing the anticipated Minimum Municipal Obligation (MMO) for the Police and Non-Uniformed Pension Plans for 2021. Act 205 requires the Chief Administrative Officer for the pension plans to provide the governing body with the MMO for the upcoming year by September 30th. However, the State Aid Unit Value has not been determined and is not an exact amount at this time. The total municipal pension cost is estimated to be \$380,321 for the Police Pension Plan and \$270,000 for the Non-Uniformed Pension Plan. This item was only for informational awareness and no action was required by the Board.

6. REQUEST FOR SUPPORT – ACQUISITION OF THE DRY HOLLOW HUNTING CLUB

Mr. Kevin Abbey, Land Conservation Manager at ClearWater Conservancy introduced the acquisition. ClearWater Conservancy requested support for the acquisition and transfer transaction of the Dry Hollow Hunting Club property. The Dry Hollow Hunting Club property is 1,271 acres with about 18% of it in Ferguson Township. The property is privately owned and has been a hunting preserve since 1947. The property went into receivership and ClearWater did not want to see the land be development but rather conserve the land. As of June 2020, there is an agreement of sale. There is continued fundraising to acquire the property with the intention to convey the land immediately to Rothrock State Forest who will maintain as well. Mr. Abbey is asking for the Township's support.

Ms. Strickland moved that the Board of Supervisors **authorize** a letter of support for ClearWater Conservancy to pursue the acquisition and transfer transaction of Dry Hollow Hunting Club property. Ms. Stephens seconded the motion. The motion passed unanimously.

VI. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Ad Hoc Facilities Committee – Ms. Stephen noted that they discussed the Millbrook Marsh Nature Center boardwalk. The RFP went out and came back. The due date was August 7, 2020. The process for the boardwalk repair will begin the end of September. The Code Renovation is almost done. The HVAC system in the General Forum room needs to be replaced. It is leaking gas. COG will be evaluating indoor air quality in all their facilities. They reviewed the values and goals along with the mission statement.
- b. Public Services & Environmental Committee – Mr. Mitra was unable to attend the meeting but noted the minutes from the August 6, 2020 meeting are attached to the agenda.
- c. Public Safety Committee - Mr. Miller filled in for Ms. Dininni at the August 11, 2020 meeting. The minutes are attached to the agenda.

2. OTHER REGIONAL REPORTS

None.

3. STAFF REPORTS

- a. Manager's Report - Mr. Pribulka noted that he and Mr. Jeff Ressler, Zoning Administrator, met with representatives from the Penn State START Lab a couple weeks ago to get a field demonstration of the noise mitigation that was installed for the high intensity fan that is being used for turbine testing. Mr. Pribulka noted that this was the source of concerns from Stonebridge residents about a year ago. Mr. Pribulka and Mr. Ressler are satisfied with the outcome of the noise reduction. The noise has been cut in half. Work continues with the salary study and anticipates a completed report sometime in September for the Board to review.
- b. Public Works – Mr. Modricker's report was included in the agenda.
- c. Planning and Zoning – Ms. Wargo's report was provided in the agenda. The Planning Commission will be meeting on August 24, 2020 at 6:00 p.m. to discuss the Affordable Housing Ordinance. The Manager will be giving a presentation on the Stormwater Fee Program during the meeting.
- d. Chief of Police – Mr. Albright's report was included in the agenda for the month of July. Serious crimes remain down, and part 2 crimes are about the same as before. Overall, the

calls for July were up a little bit. Mr. Albright noted that they have received calls about unemployment scams in the Township. The suspects are using stolen identities, applying for unemployment benefits and after the check is processed, they are able to go online and change the payment to an electronic transfer. The Use of Force for the month of July is also included in the agenda.

VII. COMMUNICATIONS TO THE BOARD

Ms. Stephens reminded everyone to be careful at the crossing of Atherton at Clinton Avenue when school starts. It is a dangerous intersection.

Ms. Strickland received an email with concerns about workers on Blue Course Drive who were cutting trees and were not wearing masks.

VIII. CALENDAR ITEMS - AUGUST/SEPTEMBER

None.

IX. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Strickland motioned to adjourn the meeting. The meeting adjourned at 11:40 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 09-08-2020