

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, March 15, 2021
7:00 PM

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, March 15, 2021, via Zoom in a webinar format. In attendance were:

Board: Laura Dininni, Chair
Lisa Strickland, Vice Chair
Steve Miller
Prasenjit Mitra
Patty Stephens

Staff: Dave Pribulka, Township Manager
Dave Modricker, Director of Public Works
Jenna Wargo, Director, Planning and Zoning
Ron Seybert, Township Engineer
Chris Albright, Chief of Police

Others in attendance included: Rhonda Demchak, Recording Secretary; Ms. Pam Steckler, Ferguson Township Resident; Ms. Dorothy Blair, Harris Township Resident, and President of the Nittany Valley Environmental Coalition; Mr. Dave Stone, Nittany Valley Environmental Coalition; Mr. Randy Hudson, Nittany Valley Environmental Coalition; Mr. Kevin Mullen, Ferguson and Patton Township owner; Mr. Rob Zeigler, Millheim Borough Council President; Mr. Mark Kunkle, UAJA Representative; Mr. Wes Glebe, Ferguson Township Resident;

I. CALL TO ORDER

Ms. Dininni called the Monday, March 15, 2021, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised in accordance to the PA Sunshine Act as a virtual meeting via Zoom in a webinar format. There was also an audio conference bridge that was accessible by dialing the Ferguson Township's main line at 814-238-4651 and then dialing extension 3799. Persons attending the webinar as members of the public and wanted to participate were asked to enter their name, municipality, and topic by utilizing the Q&A bubble at the bottom of the screen. Mr. Pribulka noted that attendees will not be permitted to speak unless addressed by the Chair. Mr. Pribulka will share more information on how attendees can interact with the Board at the appropriate time of the meeting. C-NET is recording as well. Mr. Pribulka took Roll Call and there was a quorum.

II. THE PLEDGE OF ALLEGIANCE

III. CITIZENS INPUT

Mr. Kevin Mullen, Ferguson and Patton Township owner, expressed frustration with UAJA for a billing dispute.

Mr. Rob Zeigler, Millheim Borough Council President, introduced himself in hopes of building a partnership. Ms. Dininni commented that she met Mr. Zeigler through a virtual Visitors Bureau meeting.

Ms. Rhonda Stern, Ferguson Township Resident, expressed concerns with the West College Student Housing Land Development Plan regarding traffic and noted the curve from West College Avenue to Beaver Avenue is very dangerous. Ms. Stern suggested having a light installed at the intersection. Ms. Stern stated that she was pleased that the Ferguson Township Board agreed to stay away from old the old O.W. Houts lot to afford the neighborhood the ability to live there through the many staging areas for construction. Ms. Dininni noted that the Board received a response from the State College Borough with regards to the laydown yard. The Borough agreed to stop using the property as a lay down yard after the most recent contract has expired.

IV. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the Regular meeting Minutes of March 1, 2021. Mr. Mitra seconded the motion. The motion passed unanimously.

V. SPECIAL REPORTS

a) COVID-19 (Coronavirus) Response Report

Mr. Pribulka noted that local or regional updates can be found on the Centre Region Ready [Facebook page](#) or the [COG website page](#). Also, information can be found on the [Township website](#) and [State College Borough website](#).

The Township Administrative offices are open with regular business hours as of today, March 15, 2021. The lobby will be open 8:00 a.m. – 5:00 p.m. Monday – Thursday and 8:00 a.m. – 4:00 p.m. on Friday's. Official Township meetings will remain virtual until further notice.

[The American Rescue Plan Act](#) was signed into law by President Biden last week. The bill includes \$350 billion to all state and local municipalities. Ferguson Township will receive approximately \$1.9 million. There are several communications from Sen. Robert Casey's office that are on the Township's website to review the benefits from the American Rescue Plan Act.

There have been 12,262 confirmed cases county-wide and 63,933 negative cases in the State College. There have been 213 deaths due to the virus in Centre County. There have been 827,756 reported cases in Pennsylvania and an additional 138,454 probable cases. There have been 24,530 deaths. Gov. Wolf announced lifting some [restrictions](#) on March 15, 2021.

Mr. Pribulka thanked the residences and business owners in Ferguson Township for their patience and understanding as the Township recovers.

Ms. Strickland asked if the Township's ordinance will be affected. Mr. Pribulka will review the ordinance against Gov. Wolf's announcement to determine if it will need to be updated.

b) University Area Joint Authority Report

Mr. Mark Kunkle presented the report. The Greenbriar Sewer project has been completed with the exception of restorations that will take place in the spring. The Scott Road Pump Station will be replaced and will be completed in December 2021. The extension of the Whitehall Road Pressure Sewer System will be completed in summer 2021. The pump station at Shiloh Road is being replaced and will be completed in summer of 2021. Other projects include plant operations with odor management that is complete and in full operation. The Solar and Battery Phase II project consist of an additional 9 acres of solar panels and storage battery. The storage battery will act as a back-up power supply for UAJA. Performance testing will begin in May 2021. The aeration piping that goes into the facility underground are leaking and will be replaced with overhead aeration lines. The project is expected to be completed in December 2021. The Anaerobic Digester and Sledge Dryer will replace the current composting system. The project is estimated to save \$14 million over the next 25 years. The UAJA is investigating legal issues with financing rooftop solar panels on homes, non-profits, and potential businesses in the UAJA. Pilot phase is targeted for 300 homes.

c) Municipal Stormwater System (MS4 Program Annual Report)

Mr. Ron Seybert presented the annual report via PowerPoint slides that he created from the 18-page report that was included in the agenda packet. The Stormwater Management Program's six minimum control measures are as follows:

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Management
5. Post-Construction Stormwater Management
6. Pollution Prevention and Good Housekeeping

Ms. Dininni asked if the program is just for surface water. Mr. Seybert noted that the program only captures the surface water.

Mr. Miller asked if there are any specific enforcements for violators. Mr. Seybert stated that it will be part of the Stormwater Ordinance.

Mr. Pribulka asked if there is an approved list of cleaning agents. Mr. Seybert noted that there is not, and they must stick to the language that is required by the MS4 Permit.

VI. UNFINISHED BUSINESS

1. RESOLUTION – 2021 FERGUSON TOWNSHIP ANNUAL OPERATING BUDGET AMENDMENT

Mr. Pribulka noted that in accordance with Section 7.08 of the Home Rule Charter, Amendment After Adoption, the Board of Supervisors authorized a resolution amending the 2021 Ferguson Township Annual Operating Budget for public hearing this evening. Provided with the agenda is a copy of the resolution advertised for public hearing. As noted on March 1, 2021 the budget amendment provides for \$175,000 and \$73,000 additional funding in the Transportation Improvement Fund (TIF) for microsurfacing West Gatesburg Road and cured-in-place pipe lining, respectively. The revised budget amount in the TIF is \$1,781,900 and still leaves the fund with a significant fund balance.

Public Hearing – No comments were made.

Ms. Strickland moved that the Board of Supervisor **adopt** the resolution amending the 2021 Ferguson Township Annual Operating Budget. Ms. Stephens seconded the motion.

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

2. RECREATIONAL FIRE AND OPEN BURN ORDINANCE

Chief Albright noted that at the November 2, 2020 Regular Meeting, the Board of Supervisors provided comments regarding the proposed ordinance amendments relating to fire code and safety regulations in Ferguson Township. Provided with the agenda is a draft ordinance amendment for advertisement for public hearing.

Ms. Dininni asked to include language around wind gust and dry conditions. Chief Albright noted that it is not in the ordinance but will look into the National Red Flag Warning definition to be included.

Ms. Strickland asked if there is a definition for open burns under the definition section of the ordinance. Chief Albright will include language.

Mr. Mitra moved that the Board of Supervisors **authorize** advertisement of a public hearing on a Recreational Fire and Open Burn Ordinance for Monday, April 19, 2021. Mr. Mitra seconded the motion. The motion passed unanimously.

VII. NEW BUSINESS

1. CONSENT AGENDA

- a. Contract 2018-PWGG-Electrical, Pay App #11: \$122,394.02
- b. Contract 2020-C3, CIPP Lining, Pay App #3: \$53,200.76
- c. Contract 2020-C22, Fairbrook Park, Pay App #1: \$12,000.00

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

2. REQUESTS FOR VARIANCES – 1518 WEST COLLEGE AVENUE

Ms. Wargo introduced the variances and noted that Tussey Tracks LLC—1518 W College Avenue (24-019-074-0000 and 24-019-072-0000), zoned Terraced Streetscape (TS), is requesting a variance from §27-304.2.E.—Conditional Uses; §27-803.1.B.1.—Nonconforming Uses and Structures; §27-304.3.A(2)(a)—Maximum Height; §27-304.3.D.(1)(a)—Yard Regulations; and §27-304.3.G.5.—Parking Requirements to expand the one story veterinarian clinic and the parking areas on both lots. The applicant has recently purchased the neighboring property to expand the business to provide space for newer technologies and services that are becoming standard in the veterinary healthcare industry. The office building on the neighboring property will be demolished and the lots will be consolidated to create a 0.94-acre lot. The veterinarian clinic building is a nonconforming structure, and the clinic is a nonconforming use however, if variances are granted, the use can be permitted through the conditional use process. Since the structure is nonconforming, the building can only be expanded up to 50% of the existing ground floor area of the space occupied by the use and the applicant would like to expand the building by 55.38%. Although the applicant is bringing the building into more conformity with the TS District regulations, multiple variances are still needed to construct the addition.

Mr. Mitra moved that the Board of Supervisors **support** the requests for variances for 1518 West College Avenue. Ms. Stephens seconded the motion. The motion passed unanimously.

Mr. Pribulka stated that typically when the Board takes a position on a variance, a staff member will attend the Zoning Hearing Board to make a statement on behalf of the Board.

3. RESOLUTION – CIRCLEVILLE ROAD DRAINAGE EASEMENTS

Mr. Modricker presented the resolution. There is an existing cross lot stormwater pipe carrying stormwater from Circleville Road (an eyebrow shown on the subdivision plan as “Circleville Place”) that is clogged and in need of repair to prevent road and private property water ponding and flooding. The pipe was installed at some time in the past and no easement exists. A new pipe is proposed with an adjusted alignment of the new pipe to minimize impacts to a tree. The property owners are agreeable to the work and have signed the necessary stormwater easement in favor of the Township. Provided with the agenda is a copy of the resolution advertised for public hearing accepting the easements and authorizing the Chair and Secretary to execute the easement agreements with both property owners.

Mr. Mitra moved that the Board of Supervisors **adopt** the resolution to accept the easements. Ms. Stephens seconded the motion.

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

Mr. Wes Glebe, Ferguson Township Resident, requested clarification on the easement. Mr. Modricker noted that they are conveying public stormwater across private property and moralizing it through a document because the pipe needs replaced.

4. DISCUSSION – CHESAPEAKE BAY POLLUTANT REDUCTION PLAN 2021 PROJECTS

Mr. Modricker noted that the Township has obligations with the MS4 Permit that include pollutant reduction plan projects. The plan was prepared regionally on behalf of a number of municipalities and Penn State. Mr. Seybert reviewed Table D.4-3. Ferguson Township Proposed Primary BMP TSS Load Reduction Summary that was included in the agenda packet. Mr. Seybert reviewed the Piney Ridge Subdivision Stream Restoration, Slab Cabin Run Stream Restoration in Pine Grove Milles, Duck Pond Inflow Channel Stream Restoration by reviewing pictures from the [PRP](#) that is on the Township's website. Mr. Seybert noted that the projects must be completed by 2025 to meet the 10% goal.

Ms. Dininni asked what the Board's rule with the projects would be. Mr. Modricker noted that the Board needs to give approval or disapproval to pursue the projects. Mr. Modricker stated that the duck pond has been designed, permitted, and built. DEP may not approve the project as part of the PRP. Mr. Seybert reviewed the Municipal Cost Summary.

Mr. Miller stated that it appears that the Beaver Branch projects need urgent attention and looks like it will need a lot of easements with property owners. Mr. Miller asked if any property owners have been contacted. Mr. Modricker noted that he believed that Fish & Wildlife and another conservation agency took the lead in obtaining some easements. Mr. Modricker stated that some property owners showed interest, and some did not. Ms. Dininni asked if all the projects need to be completed on the table that Mr. Seybert reviewed. Mr. Seybert noted that a project on each of the watersheds needs to be completed, but not everything that was listed.

Mr. Mitra stated that he would choose a project that is most cost efficient unless there is more value in perusing one in Ferguson Township. Mr. Modricker noted that all the projects are good with respect to eliminating pollutant loads into the Chesapeake Bay.

Ms. Strickland prefers to complete a restoration project in the Township and would want to pursue the Pine Grove Mills project first.

Mr. Miller asked about the duck pond and if there is an obligation to complete. Mr. Seybert stated that there has been no obligation or agreement made. Mr. Pribulka stated that the Township should anticipate future permit cycles with additional pollutant reduction requirements whether it be for the Chesapeake Bay or other watersheds.

Ms. Dininni asked if DEP will approve the Pine Grove Mills Slab Cabin Restoration. Mr. Seybert noted that they don't anticipate a problem with DEP approving the project.

Mr. Mitra prefers to do all of the projects within the cycle otherwise more money will be spent if we hold off because prices will inflate.

Ms. Pam Steckler, Ferguson Township Resident stated that she was happy that Ferguson Township was participating in pollutant reduction but also reminded the Board about plastic pollution. There was an article in the March 4, 2021 Centre Daily Times about plastics. Ms. Dininni stated that she would be supportive of the Board writing a letter in support of the lawsuit.

5. AWARD OF CONTRACT 2021-C2, DEVONSHIRE INLET BOX REPLACEMENT

Mr. Modricker presented the award of contract and noted that on March 9, 2021, bids were opened publicly and read out loud. The bid was advertised in the Centre Daily Times on February 23, 2021 and sent out to potential bidders. This contract involves the reconstruction of one very deep deteriorating concrete inlet box on Devonshire Drive. Provided with the agenda is a memorandum from Ryan Scanlon with the bid tabulation.

Two (2) bids were received as follows:

1. Ameron Construction Co., Inc. \$37,097.50
2. Wolyniec Construction, Inc. \$46,120.00

The Engineers estimate for this contract is \$40,371. The budget included \$42,000 to complete this work. Mr. Modricker recommended that the Board of Supervisors award the contract to Ameron Construction Company for a total of \$37,097.50 per their bid.

Mr. Mitra moved that the Board of Supervisors **award** Contract 2021-C2, Devonshire Inlet Box Replacement to Ameron Construction Company, Inc., in accordance with their bid in the amount of \$37,097.50. Ms. Stephens seconded the motion. The motion passed unanimously.

6. AWARD OF CONTRACT 2021-C8, PAVEMENT MARKINGS

Mr. Modricker presented the award and noted that on March 2, 2021, bids were opened publicly and read out loud. The bid was advertised in the Centre Daily Times on February 16, 2021 and sent out to potential bidders. Mr. Modricker noted that the bid went out to 21 contractors, but only received one bid. The total bid amount includes work for neighboring municipalities that have chosen to piggyback on this contract. Ferguson Township's share of the contract is \$124,061.92 (which includes eradication required for microsurfacing). The Township has budgeted \$109,000 for pavement markings using funds from microsurfacing \$19,000 for pavement eradication prior to contract 2021-C9. Alpha Space Control has performed this contract in past years and has worked well with the Township.

One (1) bid was received as follows:

1. Alpha Space Control Co., Inc. \$292,670.06

Mr. Modricker recommended that the Board of Supervisors award the contract to Alpha Space Control Co., Inc. for a total of \$292,670.06 per their bid.

Ms. Strickland moved that the Board of Supervisors **award** Contract 2021-C8, Pavement Markings contract to Alpha Space Control Company, Inc., in accordance with their total bid in the amount of \$292,670.06 which includes other municipalities' share amounts. Mr. Mitra seconded the motion.

Ms. Dininni asked if the crosswalk will be painted at Musser Gap on Rt. 45. Mr. Pribulka stated that it is a state road and would like to obtain clarification on any potential liability before it is painted. Ms. Dininni stated that at the Parks Capital meeting they discussed the crosswalk because Charima Young, Director of Local Government and Community Relations, gave a presentation about a potential project at Musser Gap.

The motion passed unanimously.

7. AUTHORIZATION FOR PUBLIC HEARING – TERRACED STREETSCAPE DISTRICT ORDINANCE AMENDMENT

Ms. Wargo presented the ordinance and noted that staff received a request from a Supervisor to amend §27-304.B.(2). Building Height Incentives and remove it in its entirety. Provided with the agenda is a draft amendment to remove this provision of the ordinance. If, following this evening's discussion, the Board decides to approve the amendment; a 45-day wait period will need to be established following the Centre Regional Planning Commission's receipt of submission as well as being submitted to Centre County Office of Planning & Community Development. Staff is concerned about the implications of deleting the incentive and is instead recommending that the Board discuss the appropriate number of shared parking spaces that may be required in order for an applicant for development in the Terraced Streetscape District to utilize the incentive.

Ms. Dininni stated that she was the supervisor that made the request and proposed to repeal in its entirety. The incentive was written in a manner that if a developer were to provide one shared parking space, they could have an entire 20-feet of height in the district. Residents are concerned about the additional height with creating a mini Beaver Canyon. Ms. Dininni suggested to close the loophole before any other developers would take advantage and to allow the Planning Commission to make recommendations.

Mr. Miller stated that he prefers a modification instead of repealing in its entirety and has concerns with amending the zoning ordinance. Mr. Miller would prefer to hire a consultant or do a minimum change to set a limit shared parking spaces.

Mr. Pribulka described the staff's position in more detail and noted that parking is a problem they consistently face.

Ms. Strickland is in favor of removing entirely and noted that the workplan for the Planning Commission includes reviewing the TSD.

Mr. Mitra moved that the Board of Supervisors **authorize** advertisement of a public hearing for Monday, May 3, 2021, on an ordinance amending the Terraced Streetscape District by removing §27-304.B.(2) in its entirety. Ms. Strickland seconded the motion. The motion passed 4-1 with Mr. Miller opposing.

8. STAFF PRESENTATION – MINOR ALTERATION PLANS

Ms. Wargo presented the plans via a PowerPoint presentation and reviewed the following:

- | | |
|----------------------------|---------------------------|
| 1. What are they | 5. Facts |
| 2. Authority | 6. Examples |
| 3. Where | 7. 1004 W. College Avenue |
| 4. What's in our Ordinance | |

Ms. Wargo reviewed what a minor alteration plan. It is an amendment to a previously issued zoning permit for a land development plan. There are no minor alterations allowed for residential structures. The Authority is Article 5 of the PA Municipalities Planning Code enables municipalities to include additional processes and allows the governing body to delegate approval authority to their planning agencies. Ms. Wargo defined planning agency as a planning commission, planning department, or a planning committee of the governing body. Ms. Wargo stated that the minor alteration plan is in the Subdivision and Land Development Ordinances (SALDO) and is complying with the MPC which states that the SALDO must expressly state the specific entity(ies) responsible for approving or denying all, or certain types of plans. Ms. Wargo noted that staff has tracked the Minor Alteration section of our ordinance back to the 1982 Zoning Ordinance. Currently, the Minor Alteration section can be found in the Township's Subdivision and Land Development Ordinance (§22-306.2.). Ms. Wargo reviewed the following standards:

1. The building coverage will be increased or decreased by no more than 10%.
2. The impervious coverage will be increased by not more than 10%.
3. The change in use will not increase the parking requirements.
4. The stormwater management controls will not be changed.
5. Any motor vehicle access to the property will not be added, deleted or relocated by more than 50% of its width.
6. The location for the construction of proposed structures from an approved plan will not be changed by more than 10% of the ground floor area.
7. The landscaping plan will not be changed in more than 10% of the total pervious coverage area.
8. The changes to the proposed/existing sign(s), include changes in size, shape, height, location, orientation, lighting, or number of signs. A change in sign copy does not require minor alteration approval.

Ms. Wargo stated that the biggest alternation plans the Township sees is number 3 and number 8 from above. The process begins with the official submission, one copy of the plan will be sent to the Centre Region Planning Agency (CRPA) for review of regulations, and township staff will complete a review too. Ms. Wargo noted that the CRPA has 45 days to send back to the township and then official action can be taken. The plan will then be recorded with the county.

Ms. Wargo reviewed a few examples of minor alterations including 1004 West College Avenue that is being proposed.

Ms. Dininni asked for clarification with #8 regarding signs. Mr. Pribulka noted that there will be no changes or addition of signage that would trigger the land development plan process. Ms. Dininni discussed the TSD with the parking issues and asked if the issue is with the TSD or if it is within the minor alterations being applied to the TSD. Mr. Miller stated that the purpose with the TSD was to have a lot of structured parking. Ms. Dininni asked that if at a later time could the Board make changes to the requirements that have to be met in order to qualify for a minor alteration. Ms. Strickland stated that she would be interested in further discussion. Mr. Pribulka stated that if the Board would be in favor of seeing more plans as opposed to allowing things going through the minor alteration process, there could be conversations regarding what would be brought to the Board. Ms. Dininni stated that through the discussions tonight, the problem is with the TSD zoning district and how parking is treated. Also, Ms. Dininni noted that the application for liquor license shouldn't be a minor alteration. Ms. Strickland commented that she is not trying retroactively to stop the business from coming in, but rather is noticing instances that need further attention/clarification in the future.

9. BOARD MEMBER REQUEST – WHITEHALL ROAD REGIONAL PARK PHASE 1 DEVELOPMENT

Ms. Dininni made the request and noted that the Park Authority Chair asked Ferguson Township to recommend a strategy by which the restroom facility could be incorporated into Phase 1 construction and remain within the allocated budget of \$4.8 million dollars. Ms. Dininni noted that the long-standing charge with which the Phase I Reduced Option Ad Hoc Committee was tasked has slipped off the radar. Ferguson Townships position is well within reason of the accepted charge, but the current proposed design is not what the original Phase I Reduced Option Ad Hoc Committee made. The new proposal emphasizes rectangular fields and providing the foundation for a tournament facility. Ms. Dininni noted that several strategies could broaden the range of users and amenities even in the context of the existing priority use agreements. The inclusion of restrooms would complement the funded amenity such as the fields, the all abilities playgrounds, and the securing of access easement to cross the private PSU land to Musser Gap. The ad hoc committee came up with options to reduce the costs.

Ms. Dininni noted that at the General Forum meeting on March 22, 2021 there will only be 5-minutes to deliberate and make the decision.

Mr. Miller, Finance Committee Representative presented what was discussed during the finance meeting regarding the regional park. Mr. Miller reviewed the loans and the Summary of Financing Options. Mr. Miller noted that options 5,6, and 7 are not in consideration anymore. Mr. Miller noted that the Township will vote on March 22, 2021 to refinance or not to refinance. Mr. Miller noted that the recommendation by COG will be Option #4, funding of the entire Phase I Park. Mr. Miller favors option #4, but it has to be unanimously to pass.

Mr. Mitra inquired about options #1 & #3. Mr. Miller noted that there is not enough money to cover the bids with option #1 and it is not clear who has the authority to make the decisions. Mr. Miller stated that option #3 gets \$500,000 for the parks, but it is unclear how it is to be spent.

Ms. Dininni discussed her concerns with the different options and how the agreements should have been worked through before being asked for additional financing. Mr. Mitra stated that we would be in favor of choosing the additional funding if it were tied to what it would be designated to.

Ms. Dininni noted that she has been exploring the voting process and stated that even though Halfmoon Township doesn't participate with the parks, they did vote at one time during the Finance Committee to move the parks forward. Ms. Dininni received communication from the COG solicitor that COG doesn't run parks but rather the Parks Authority is in charge.

Ms. Strickland stated that it is difficult to choose what she would like to see in the parks due to where the phasing currently is. Ms. Strickland noted that she is leaning towards option #3 if only the restrooms would be included.

Ms. Stephens stated that she favors option #2 to refinance the loan but is not interested in giving more money.

Mr. Mitra stated the he wasn't sure which option he would choose but was leaning towards #1 or #2.

Ms. Strickland summed up her choice for option #3 and noted that there is a benefit for refinancing.

Ms. Dininni reviewed the options that each Board member chose. Ms. Dininni – option #1; Mr. Mitra – leaning towards option #1, but maybe option #2; Ms. Stephens – option #2; Ms. Strickland – option #3; Mr. Miller – option #4.

Public Comment

Ms. Dorothy Blair, Harris Township Resident, and President of the Nittany Valley Environmental Coalition expressed concerns with the restrooms not being prioritized and the blasting that will occur when the fields are created. Ms. Blair stated that the park is not up to 2001 environmental standards.

Mr. Dave Stone, Nittany Valley Environmental Coalition, stated that Ferguson Township needs leverage and there were a lot of good discussion around more agreements. Mr. Stone would like the restrooms to be included.

Mr. Randy Hudson, Nittany Valley Environmental Coalition, noted that it is an incredible opportunity to improve the park and stated the Coalition would like the development to be affordable. Mr. Hudson stated the park should always have fields, landscaping, restrooms, and

parking, but the plan has 3 to 5 times more parking than the required code. Mr. Hudson expressed concerns with lighting, water pollution, landscaping, and parking. Mr. Hudson recommended not borrowing more money.

Ms. Strickland concurred with Ms. Dininni that additional conversations would have been very helpful regionally as a group to come up with a solution.

Mr. Mitra recommended refinancing the \$500k so that there would be time to figure what would be the best use of the funds.

Ms. Dininni will discuss Ferguson Township's position at the Executive Committee on March 16, 2021.

10. APPOINTMENTS TO CENTER REGION BUILDING AND HOUSING CODE BOARD OF APPEALS

Mr. Pribulka reviewed the nominations and noted that at the COG General Forum meeting on February 22, 2021, a motion was unanimously adopted forwarding several nominations to the Centre Region municipalities for appointment to the Centre Region Building and Housing Board of Appeals for various terms commencing April 1, 2021. Provided with the agenda is a copy of the follow-up memorandum from Eric Norenberg, COG Executive Director, summarizing the action of the General Forum.

The following nominations have been referred for appointment:

- Douglas Henry, R.A (Three-year term, April 1, 2021 – March 30, 2024)
- Chad Maholtz (Three-year term, April 1, 2021 – March 30, 2024)
- Brian Walker, P.E. (Three-year term, April 1, 2021 – March 30, 2024)
- J. Michael Leakey, R.A. (Two-year term, April 1, 2021 – March 30, 2023)
- Scott Good, P.E. (Two-year term, April 1, 2021 – March 30, 2023)
- Ryan Solnosky, Ph.D., P.E. (One-year term, April 1, 2021 – March 30, 2022)
- Alan Popovich, R.A. (One-year term, April 1, 2021 – March 30, 2022)

Ms. Strickland moved that the Board of Supervisor **appoint** the applicants to the Centre Region Building and Housing Board of Appeals for the terms specified and as recommended by the COG General Forum. Ms. Stephens seconded the motion. The motion passed unanimously.

VIII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Human Resources Committee – Ms. Stephens reported that the committee talked about a reclassification of a part-time parks positions; and a work from home policy that will come before the General Forum. Ms. Stephens noted that the facility coordinator will be going part-time for a while.
- b. Joint PSE and TLU Committees – Ms. Strickland reported that they won't be meeting as two committees anymore.
- c. Climate Action & Sustainability Committee – Mr. Mitra reported that the committee focused on how to get the community involved.
- d. Finance Committee – Mr. Miller reported the committee received a report for the library on their finances.

- e. Joint Parks and CRPRA – Ms. Dininni reported that the meeting was fantastic with lots of good feedback. Charima Young, Director of Local Govt. and Community Relations at PSU presented the Musser Gap project. Ms. Dininni noted they discussed the crosswalk and the lack of public easement to cross the private Penn State property. Also, they discussed the Parks and Recreation Regional Comprehensive Study Update; Millbrook Marsh Nature Centre; and Whitehall Road Regional Park Update.

IX. STAFF REPORTS

- a. Manager's Report – Mr. Pribulka noted that the report is included in the agenda packet.
- b. Public Works Director – There was no report.
- c. Planning and Zoning Director – Ms. Wargo's report was included in the agenda packet.
- d. Chief of Police – Chief Albright's report was included in the agenda packet.

X. COMMUNICATIONS TO THE BOARD

Ms. Dininni received communications for support with the lawsuit regarding plastics; private plowing of private streets in Corl Acres; trash pickup on private streets; invasive plant management in the Township and in the parks; unconnected sidewalks on Autumnwood Drive; problems with pedestrian flow in Pine Grove Mills on private alleys; letter of request for a MOU to Penn State connecting the Musser Trail; gas contamination and pedestrian safety at the West College Student Housing Development; and posting of liquor license application notification at the West College Brewery.

XI. CALENDAR ITEMS – MARCH/APRIL

- a. Coffee and Conversation, Saturday, April 17, 2021

XII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to adjourn the meeting. The meeting adjourned at 11:38 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 04-05-2021