

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, February 16, 2021
7:00 PM

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, February 16, 2021, via Zoom in a webinar format. In attendance were:

Board:	Laura Dininni, Chair	Staff:	Dave Pribulka, Township Manager
	Lisa Strickland, Vice Chair		Dave Modricker, Director of Public Works
	Steve Miller		Jenna Wargo, Director, Planning and Zoning
	Prasenjit Mitra		Chris Albright, Chief of Police
	Patty Stephens		Centrice Martin, Assistant to the Township Manager
			Ron Seybert, Township Engineer
			Eric Endresen, Director of Finance

Others in attendance included: Rhonda Demchak, Recording Secretary; Bill Keough, Ferguson Township Resident; Mr. Fred Grau, Ferguson Township Resident; Mr. Gregory Harrold, Ferguson Township Resident; Mr. Dan Harner, Ferguson Township Resident; Mr. Denny Malinowski, Ferguson Township Resident; Mr. Mark Kunkle, Ferguson Township Resident; Mr. Jared Ernico, Ferguson Township Resident

I. CALL TO ORDER

Ms. Dininni called the Tuesday, February 16, 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. POLICE RECOGNITION

Ms. Strickland read the following statement:

On January 21, 2016, the life of Jean Tuggy of Pine Grove Mills was tragically cut short by a murderer who, until last week, remained at-large. The charges filed against Christopher Kowalski on January 8th will not bring Jean Tuggy back to us, but it will hopefully help bring closure to her friends and family who have had to grieve her loss knowing that her killer remained free.

On behalf of the Board of Supervisors, I wish to congratulate and commend the hard work of the Ferguson Township Police Department in bringing Jean's killer to justice. I would especially like to

recognize the Cold Case Team and the Criminal Investigation Unit, particularly Detective Caleb Clouse, for their tireless hours spent following leads and ensuring that no stone was left unturned. We would also like to acknowledge and congratulate Special Investigator Chris Weaver and the Office of the Attorney General, as well as the Pennsylvania State Police and the Isle of Palms Police Department of South Carolina for their assistance in this investigation.

This was truly a team effort and, while we still mourn the loss of Jean Tuggy and grieve as a community alongside her family, we now do so with the peace of knowing that justice has been served. For our cold case team, however, we know the celebration will be short-lived – as they will continue to focus all their resources on finding the missing persons, Jennifer Shadle and Cindy Song. We, as a Board, are proud of the accomplishments of the Ferguson Township Police Department and I, Lisa Strickland, would like to read the following commendation into the record and move to **approve** the same:

WHEREAS, on January 21, 2016, the life of Jean Tuggy of Pine Grove Mills was tragically cut short when she was murdered in her own home by an armed assailant; and

WHEREAS, under the leadership of Chief Christopher Albright, the Ferguson Township Police Department formed a Cold Case Team in 2018 to bring Jean Tuggy's murderer to justice; and

WHEREAS, Detective Caleb Clouse was selected to lead the Team in their pursuit of justice for the unresolved criminal investigations that have shaken our community and left the loved ones of the victims mourning and unable to find closure; and

WHEREAS, thanks largely to the coordination of the Ferguson Township Police Department, the Cold Case Team, the Pennsylvania State Police, and the Office of the Attorney General, a suspect confessed to the murder of Jean Tuggy and charges of criminal homicide were filed on February 8, 2021; and

WHEREAS, the conclusion of this investigation will help bring peace of mind to the friends and family of the victim in knowing that the perpetrator of this heinous crime will be held accountable.

NOW, THEREFORE, the Ferguson Township Board of Supervisors hereby commends the tireless efforts of the Ferguson Township Police Department, especially the Cold Case Team led by Detective Caleb Clouse, in bringing the murderer of Jean Tuggy to justice.

Ms. Dininni seconded the motion. The motion passed unanimously.

IV. CITIZENS INPUT

None.

V. APPROVAL OF MINUTES

Ms. Dininni noted that there was an Executive Session regarding personnel and land acquisition prior to the Board meeting.

Mr. Miller moved that the Board of Supervisors **approve** the Stormwater Management Utility Fee Worksession Minutes of January 12, 2021 and the Regular meeting Minutes of February 1, 2021. Ms. Stephens seconded the motion. The motion passed unanimously.

VI. 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 Municipal Building has reopened with limited hours. The lobbying is open between 10:00 a.m. – 2:00 p.m., Monday through Friday. The police lobby remains open for walk-ins Monday-Friday during normal hours of operation, but residents are encouraged to meet virtually. Staff is working both remotely and in the office. The public is encouraged to make appointments virtually.

The COG Public Safety Committee directed staff to submit letters urging the PA Department of Health to coordinate and improve the COVID-19 distribution process. The PA Department of Health issued an order that will be in effect on February 19, 2021 requiring all vaccine distribution sites to provide telephone access and web access to register for the vaccine. Mount Nittany will be allocated more vaccines in the near future and details will be shared on the Township's website when it becomes available.

There have been 11,398 confirmed cases county-wide and 59,382 negative cases in the State College area as of February 15, 2021. There have been 206 deaths due to the virus in Centre County. There have been 775,305 reported cases in Pennsylvania and an additional 121,555 probable cases. There have been 23,119 deaths.

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

b) Schlow Centre Region Library Reports

Ms. Susan Werner, Board of Trustees, Schlow Library, presented the report. Ms. Werner introduced Ms. Ziff as the newest Library Board member. There will be a new Library Director appointed and thanked the outgoing director, Ms. Alloway for her outstanding leadership. The library continues to provide door side pickup and public computing by appointment during the pandemic. The Schlow Foundation annual fundraising campaign has been the most successful and thanked everyone for their contributions. The library has seen a 40% increase in e-resources. The library is loaning wi-fi internet modems for a 6-week period. The modems were made possible through a grant from Centre Foundation. The busiest remote book return location in 2020 was in Ferguson Township at the North Atherton Giant.

c) Ferguson Township Climate Action Committee Report

Ms. Brandi J. Robinson, Chair of the Ferguson Township Climate Action Committee presented the report via PowerPoint. Ferguson Townships Metric Tons of Carbon Dioxide Equivalent is at 222,812. Energy makes up the most emissions followed by Transportation, Agriculture, Solid Waste, and Water/Wastewater. Ms. Robinson reviewed Appendix A: Community Inventory Details that was included in agenda packet. Ms. Robinson noted that Ferguson Township is 27% of the COG total. Next steps for spring 2021 include a Ferguson Township Community Resilience Building Workshop, Centre Region Climate Survey, and COG Community Climate Change Virtual Forum on April 13, 2021. Ms. Robinson reviewed how the Climate Action Committee can continue to help. Establish interim target by sector for 2030 and 2040 to support net zero by 2050; identify and promote township actions to reduce emissions and build resiliency; align climate priorities with other township priorities; review township ordinances to identify opportunities to support climate action; collaborate with other ICLEI communities; monitor and track realized reductions from adopted strategies. The next inventory is for calendar year 2022 with completion in 2023.

VII. UNFINISHED BUSINESS

1. PUBLIC HEARING – STORMWATER MANAGEMENT UTILITY FEE ORDINANCE

Mr. Pribulka noted there are 48 people in attendance and that provided with the agenda is a copy of the ordinance advertised for a continued public hearing and action this evening establishing a Stormwater Management Utility Fee. The ordinance, as reviewed by the Board and the public at the February 1, 2021 public hearing as well as several prior discussions, establishes the billing unit methodology and procedure; appeal process; exemptions and credits; and enforcement provisions. The single substantive change made from the February 1 discussion is to establish under Section 6 – Stormwater Utility Fee Credits, that all revenue reduced by the invocation of credits by private property owners shall be supplemented through interfund transfers from the Township's General Fund. If enacted, the ordinance would go into effect on January 1, 2022.

Mr. Fred Grau, Ferguson Township Resident, suggested taking Ms. Strickland's idea of implementing the practical aspects of the ordinance for up to a year to ensure it will work before it becomes a permanent ordinance. Mr. Grau noted that the Supervisors who vote in favor are initially voting against the people who placed them in office.

Mr. Pribulka reiterated that staff made no recommendation for or against the ordinances.

Mr. Gregory Harrold, Ferguson Township Resident, noted that he is not in favor and is a disadvantage to farmers.

Ms. Diane (no last name given) noted she has commented in the past and is still against the fee. Diane expressed concerns with paying \$250,000 on a consultant to establish the best way to establish the fee, but no other alternatives were explored. Also, Diane noted concern that the Board has the ability to increase or decrease the fee. Mr. Miller noted that the budget can't absorb everything that needs to be done.

Mr. Dan Harner, Ferguson Township Resident, thanked the board, staff, and committees for the hard work that was completed. Mr. Harner recommends tabling the ordinance and noted it is never too late to back out of a program.

Mr. Denny Malinowski, Ferguson Township Resident, commended everyone for a job well done. Mr. Malinowski gathered signatures a few months ago in opposition of the fee and noted that 85% of the people he talked with were not aware of the fee. Mr. Malinowski recommended having the ordinance be listed on the primary ballot to be voted on.

Mr. Harold (no last name given), Ferguson Township Resident, noted that there have been several engineers in his back yard for the last year looking at trees to be removed because of the Park Hills Drainageway Project and asked how much is being spent on the engineers. Mr. Modricker stated that the Park Hills Drainageway Project has been considered for approximately 30 years and in recent years it is moving forward within the Capital Improvement Program (CIP). The Park Hills project is included in the proposed stormwater fee program and is currently in the design phase. Mr. Modricker noted that there have been engineers evaluating which trees will remain and which trees will need to be taken out but did not have a cost estimate.

Ms. Strickland thanked everyone in attendance. Given the constraints with the economy from the pandemic, Ms. Strickland remains concerned that the fee is not a good fit or solution at this time. Ms. Strickland reiterated her suggestion from the last board meeting and that is to vote no on the ordinance. Ms. Strickland suggested replicating the 2021 plan for 2022 with accessing the pipes

and conducting neighborhood realignment projects with funding from the General Fund. During the CIP and budget discussions in 2023, Ms. Strickland stated that board could review the progress of the assessments and projects to determine actual repairs and costs.

Mr. Mitra concurred with the concerns Ms. Strickland stated. Mr. Mitra stated that a fee is a good policy because it will provide an incentive to businesses and people to reduce the amount of paved surfaces. Mr. Mitra noted with climate change there will be spikes in the amount of rainfall/snow and that will place stress on the stormwater infrastructure. Mr. Mitra is in favor of the fee, but not at this point. Ms. Stephens stated that she has been wavering but will vote in favor because of frequent storm events and pipes needing to be replaced.

Ms. Dininni assured everyone that the project was researched extensively by the past board and now with the current board. Ms. Dininni noted that Ferguson Township holds the majority of the water in the region and has the opportunity to protect the integrity of the water. Ms. Dininni stated that many times municipalities will engage with a consultant to explore an issue and sometimes they don't move forward with the consultant's solution. Ms. Dininni noted that if the board approves the fee, it is not because a previous board initiated a contract with a consultant, but rather because of the results of the deliberations, changes within the ordinance, and the supporting resolutions that have resulted in a beneficial project for the Township. Ms. Stephens stated that the fee is more appealing over a tax increase. Ms. Dininni noted that there are resolutions that supports a hardship exemption for individuals and non-profits.

Mr. Miller moved that the Board of Supervisors **adopt** the ordinance establishing a utility fee for stormwater collection and management. Ms. Stephens seconded the motion.

Mr. Miller stated that the board is aware of the potential impact the fee will have on community members. Mr. Miller noted that a year and a half ago the fee was going to be considered, but there were three new members elected to the board and decided it wasn't an appropriate time.

Ms. Dininni concurred with Mr. Miller's statement. Ms. Dininni noted that program funding can be decreased, and projects can be placed further out in the CIP.

ROLL CALL: Ms. Dininni – Yes: Mr. Miller – Yes: Mr. Mitra – No: Ms. Stephens – Yes: Ms. Strickland – No

The motion passed 3-2.

a. Continued Public Hearing – Credit Policy Manual Resolution

Mr. Modricker introduced the resolution that was provided with the agenda. There was an addition to the Credit Policy Manual to reflect the February 1, 2021 discussion by adding a credit for Best Management Practices for stormwater rate control on properties. Mr. Modricker reviewed Table 1. Summary of Available Credits by Property Taxes and noted the addition allows for a credit with older basins.

Mr. Mark Kunkle, Ferguson Township Resident, asked technical questions regarding downspouts and sumps. Mr. Modricker noted that some of the developments that were approved had designs for downspouts and will need to be self-certified but doesn't feel that documentation will be required. Mr. Pribulka noted that the credit manual is a self-certification with the Township completing spot checks or compliance measures. Mr. Kunkle noted that MS4 Permit Holders such as Penn State are listed at 50% and not 40%. Mr. Modricker will make the change to 40% on Table 1. Summary of Available Credits by Property Taxes.

Mr. Jared Ernico, Ferguson Township Resident, opposes the fee but supports stormwater management.

Ms. Strickland asked Mr. Modricker about the process of editing and updating the manual. Mr. Modricker noted that any changes will be revised and brought to the board as a resolution.

Mr. Miller moved that the Board of Supervisors **adopt** the resolution establishing a credit policy manual for the Ferguson Township Stormwater Management Utility Fee. Ms. Stephens seconded the motion.

Ms. Dininni moved that the Board of Supervisors **amend** the Credit Policy Manual to set the maximum credit for MS4 Permit Holders to 40%. Ms. Stephens seconded the motion. The motion passed 4-1 with Mr. Mitra opposing.

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

b. Continued Public Hearing – Agricultural Properties Partial Exemption Resolution

Mr. Pribulka introduced the resolution that was provided in the agenda. The resolution was advertised for a continued public hearing and action this evening establishing a partial exemption for qualified properties that meet the definition of agricultural use as defined in the Pennsylvania Farmland and Forest Land Protection Act of 1974. Mr. Pribulka noted the only change was a provision that was added to reflect the February 1, 2021 discussion to allow the fees assessed to agricultural properties to be further reduced by any qualified credits that apply.

Mr. Miller moved that the Board of Supervisors **adopt** the resolution establishing a partial exemption for agricultural properties from the Ferguson Township Stormwater Management Utility Fee. Ms. Stephens seconded the motion.

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

c. Continued Public Hearing – Economic Hardship Exemption Resolution

Mr. Pribulka introduced the resolution and noted that provided with the agenda is a copy of the resolution advertised for a continued public hearing and action this evening establishing a partial and full exemption for qualified individuals and families who are experiencing an economic hardship. The policy remains unchanged from the February 1, 2021 draft reviewed by the Board of Supervisors. As provided for in the policy, individuals and families whose income is less than or equal to two hundred percent (200%) of the Federal Poverty Income Level would qualify for a full exemption from the Stormwater Management Utility Fee, and individuals and families whose income is between two hundred percent (200%) and two hundred and fifty percent (250%) of the Federal Poverty Income Level would qualify for a fifty percent (50%) exemption. Mr. Bill Keough, Ferguson Township Resident, asked if there is a way to track all of the property owners that would qualify for the hardship exemption through a database. Mr. Pribulka noted that they do not have access to property owner income data within the Township.

Ms. Strickland recommended when improvements are made, to update the credit manual.

Mr. Mitra moved that the Board of Supervisors **adopt** the resolution establishing an economic hardship exemption from the Ferguson Township Stormwater Management Utility Fee. Ms. Strickland seconded the motion.

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

d. Public Hearing – Fund Balance Limit Resolution

Mr. Pribulka introduced the resolution that was provided in the agenda that was advertised for a continued public hearing and action this evening establishing a maximum fund balance permitted to accrue in the Township's Stormwater Fund. The resolution limits the allowable fund balance in Fund 20, Stormwater to thirty percent (30%) of the budgeted expenditures in the fiscal year. By adopting the resolution, the Board intends to stabilize the fee assessed by setting a maximum allowable reserve. If the budget projects a fund balance in excess of thirty percent (30%), the Board would either apply the excess to a one-time expenditure or reduce the stormwater fee to lower the fund balance to less than or equal to thirty percent (30%).

Mr. Mitra moved that the Board of Supervisors **adopt** the resolution establishing a maximum fund balance permitted to accrue in Fund 20, Stormwater. Ms. Stephens seconded the motion.

Ms. Dininni noted that the resolution came to fruition from public input and it was valuable towards the function of the ordinance.

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

VIII. NEW BUSINESS

1. CONSENT AGENDA

- a. 2021 SCWC C-NET Coverage Sponsorship Request
- b. 2021 Ferguson Township Tree Commission Work Plan
- c. Letter to PA Acting Secretary of Health – Centralized COVID-19 Vaccine Registration Process
- d. Contract 2018-PWGG, HVAC, Pay App #4: \$365,587.77
- e. Contract 2018-PWGG, HVAC, Pay App #6: \$41,800.00
- f. Contract 2018-PWGG, Electrical, Pay App #9: \$64,045.16
- g. Contract 2018-PWGG, General, Pay App #10: \$439,553.60

Mr. Miller moved that the Board of Supervisors **approve** the Consent Agenda with the exception of item C. Mr. Mitra seconded the motion. The motion passed unanimously.

2. PUBLIC HEARING RESOLUTION – AUTHORIZING ADOPTION AGREEMENT FOR 457(B) COMP PLAN

Mr. Pribulka introduced the resolution that was included in the agenda packet. In 2020, the Non-Uniformed Pension Advisory Committee voted to consider other companies to manage the non-uniform pension investments. At the recommendation of the committee, the Board awarded the contract to Voya Financial. Over the last several months, the committee, Cornerstone and Voya have been working on the process to move the investments from ICMA-RC. This includes communicating with the pension members of the change to Voya and processes to work with Voya. It also includes processes for payroll and human resources related to the 457(b) plan contributions and loans, rollovers, etc. The 401(a) Defined Contribution Plan will be transitioned at the same time as the 457(b) Deferred Compensation Plan. The Township will also transition its Retirement Health Savings Plan from ICMA-RC to the firm TASC at the same time. Provided with the agenda is a copy of the resolution advertised

for public hearing authorizing the Township Manager to execute the Adoption Agreement for the 457(b) Deferred Compensation Plan for Government Employers. This is a necessary precursor to transition the Township's non-uniformed pension investments to Voya from ICMA-RC. Appended to the resolution, as Exhibits "A" and "B" are the Adoption Agreement and the Basic Plan Document, respectively.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution authorizing the Township Manager to execute an adoption agreement for the 457(b) Deferred Compensation Plan for government employers. Mr. Miller seconded the motion.

Mr. Mitra asked what the advantages were changing to Voya. Mr. Pribulka noted there were a number of components that were considered, but in the end, ICMA-RC were underperforming. Mr. Endresen noted that VOYA has a better cost structure, portfolio is stronger, and a better training format than ICMA-RC.

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

3. PUBLIC HEARING RESOLUTION – AUTHORIZING ADOPTION AGREEMENT FOR 401(A) COMP PLAN

Mr. Pribulka noted that the resolution is largely the same as the 457 (b) plan and the structure of the plan is employer funded.

Mr. Mitra moved that the Board of Supervisors **adopt** the resolution authorizing the Township Manager to execute an adoption agreement for the 401(a) Defined Contribution Plan for government employers. Ms. Stephens seconded the motion.

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

4. ZONING/VARIANCE REQUEST – 3795 WEST COLLEGE AVENUE

Mr. Pribulka introduced the request. The State College Borough Water Authority—3795 W College Avenue (24-004-096-0000), zoned Rural Agricultural (RA), is requesting a variance from §27-701.3.C.—Floodplain Conservation, Use Limitations; §27-701.3.H.—Floodplain Conservation, Floodways; and §27-701.3.I.—Floodplain Conservation, Use Buffer to replace an existing bridge on SR 0026 (W. College Ave.) near the intersection of SR 0026 and SR 0045 (Shingletown Road). This bridge replacement is being performed in concurrence with a widening project to allow for enhanced traffic circulation at the intersection of these two roadways. The proposed bridge replacement and roadway widening improvements will require SCBWA to relocate an existing 12" watermain through existing wetlands and the main channel of Slab Cabin Run.

Mr. Miller moved that the Board of Supervisor remain **neutral** on the request for variance at 3795 West College Avenue. Ms. Strickland seconded the motion. The motion passed unanimously.

5. AWARD OF CONTRACT 2021-C23,TRAFFIC SIGNAL POLE REPLACEMENT

Mr. Modricker presented the contract that was included in the agenda packet. Bids were opened on February 9, 2021, for contract 2021-C23 Traffic Signal Pole Replacement via Microsoft Teams. The bid opening was attended by M and B Services, LLC, Kuharchik

Construction Company, Inc., as well as township staff. The bid was advertised in the Centre Daily Times on January 18, 2021 and invitations to bid were sent out to qualified bidders. The signal pole replacement is related to a vehicle crash that occurred on December 7, 2020 and the cost to replace the pole will be covered by insurance. Two bids were received for the project with M and B Services, LLC in the amount of \$46,020.71 and Kuharchik Construction Company, Inc. in the amount of \$49,404.80. Mr. Modricker recommends that the Board of Supervisors award the contract to M and B Services, LLC in the amount of \$46,020.71.

Mr. Mitra moved that the Board of Supervisors **award** contract 2021-C23 Traffic Signal Pole Replacement to the low bidder, M&B services in accordance with their bid amount of \$46,020.71. Ms. Stephens seconded the motion. The motion passed unanimously.

6. LETTER TO PA ACTING SECRETARY OF HEALTH – CENTRALIZED COVID-19 VACCINE REGISTRATION

Ms. Dininni asked the Board if the letter that was included in the agenda packet should be sent, not sent, or modified and send. The Board decided to modify the letter to focus on the centralized system. Ms. Strickland will take the lead modifying the letter.

Ms. Dininni moved that the Board of Supervisors **authorize** Ms. Strickland to modify the letter to be sent to the PA Department of Health and other related parties. Ms. Stephens seconded the motion. The motion passed unanimously.

IX. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Facilities Committee – Ms. Stephens reported that they viewed a video of the COG Building Code Renovation. There will be HVAC evaluation performed on the COG Building that will be completed mid-March. A Park Forest Pool assessment will be completed mid-March. Screens are being installed at the COG Building. The Millbrook Marsh Nature Center Boardwalk continues. The bids are complete but will be asking for an extension with the bids for the Whitehall Road Regional Park Project. The new Facilities Coordinator set up a SharePoint file site.
- b. Joint PSE and TLU – Mr. Mitra noted that the two committees will be merged together.

Ms. Strickland noted they went over the duties of each committees. There will be one or two more joint meetings, then will come back and obtain feedback from the board if combining the committees would be a good plan. Also, will need to decide if one or both representatives are needed.

Mr. Mitra noted that the new name will be Land Use Transportation and Infrastructure (LUTI).

- c. Climate Action & Sustainability Committee – Mr. Mitra reported that they discussed the community survey on climate planning that will be sent. The survey is only 10 minutes long. Penn State and the State College Area School District will have non-voting representatives on the committee.
- d. Public Safety Committee – Ms. Dininni reported that they met virtually on February 9, 2021. Ms. Kathy Woods and Mr. Brian Sampsel were recognized for their care, diligence, and professional service from a property owner's recent experience working with them. The Committee moved recommendations for the Code Board of Appeals appointments. Mr.

Andrew Read, from Penn State's Department of Entomology will give a presentation on COVID Wastewater Research at the Executive Committee at the February 22, 2021 General Forum meeting. Ms. Dininni noted there was a brief discussion about the decrease in construction from January 2020 versus January 2021. The Regional Code Permitting Software Project has resumed. Mr. Steve Bair presented on the recently completed Fire Protection Program Study. Ms. Dininni reviewed a few examples that can be found on the [COG website](#). Mr. Kauffman's Emergency Management Report was primarily related to COVID response, shortage of vaccines and the rollout. The Public Safety Committee will be embarking on advocacy efforts. There will be a letter written in support of Mr. Bair's recommendations of the SR6 Report and a letter of support to move Police and Fire Personnel to Vaccine Tier 1a. The next Public Safety Committee will be held on March 9, 2021.

- e. Finance Committee – Ms. Dininni reported that the majority of the meeting was a discussion on the retention of Concord Public Financial Advisors to refinance the pools and park loans and discussed additional borrowing of money for the Whitehall Road Regional Park. The Finance Committee recommended the municipalities to consider retaining Mr. Chris Gibbons for the purposes of refinancing both the Centre Region Parks & Recreation Authority Regional Parks and the Pool loans. The motion passed 5-1 with Ferguson Township opposing.
- f. Executive Committee – Ms. Dininni reported that the Committee met today and discussed the new Library Director; Code Board of Appeals; and the retention of the Finance Consultant of Mr. Gibbons. The survey on Community Climate Planning will be funded through the CRPA. COVID leave has been extended until April 30, 2021. There was a discussion about policies with external presentations to the General Forum. Also, discussed the enhancements to the General Forum Room Audio/Video. The COG General Forum meetings will be live on YouTube with no additional charge.

2. OTHER COMMITTEE REPORTS

- a. Library Director Selection Committee – Ms. Dininni reported that the new director will be announced on Monday, February 22, 2021 during the General Forum Meeting.

3. STAFF REPORTS

- a. Manager's Report – Mr. Pribulka met with Ms. Strickland and Mr. Mitra to discuss the formation of the Financial Advisory Committee. Mr. Pribulka met with Municipal Manager of State College Borough regarding the proposed Discrimination Ordinance and formation of a regional Human Relations Commission. Staff met with the Township Solicitor and co-counsel to discuss potential settlement options filed by Circleville Road Partners, LLC and the Nittany Valley Environmental Coalition. Mr. Pribulka and Mr. Modricker have been working with the 7Group to interview respondents to the Request for Proposals for the Solar Power Purchasing Agreement. Staff met to consider options for grant funding for the Park Hills Drainageway project. Ms. Martin noted that the Community Resilience Building Program has been implemented in over 400 communities throughout the U.S. It will be the first program for Pennsylvania and a workshop will be advertised before April 1, 2021.
- b. Public Works Director – Mr. Modricker noted that the report is included in the agenda packet. Mr. Modricker reported that the Public Works Building completion date was moved to the end of the week, February 19, 2021. The building will be occupied sometime in March.

- c. Planning and Zoning Director – Mr. Pribulka noted that the report is included in the agenda. The Planning Commission met on February 8, 2021 and reviewed the West College Student Housing Land Development Plan and Tree Preservation Plan.
- d. Chief of Police – Chief Albright noted that the report is included in the agenda. Police calls were down from last year pre-COVID. Officers assisted the PA Office of Attorney General Child Predator Unit with an execution of a search warrant within the Township and charged a 57-year-old man with 50 counts of child pornography. Act 27 of 2015 requires all police departments, if the victim consents, to submit all sexual assault evidence to an approved laboratory for analysis. Each department must submit an annual backlogged evidence report to the PA State Police. The Township had no untested kits. A 35-year-old State College woman was charged with burglary. Also, a 59-year-old Bellefonte man was charged with Intimidation of Witnesses, Retaliation Against Witnesses and Ethnic Intimidation.

X. COMMUNICATIONS TO THE BOARD

None.

XI. CALENDAR ITEMS – FEBRUARY/MARCH

None.

XII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to adjourn the meeting. The meeting adjourned at 10:13 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 03-01-2021