

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, May 3, 2021  
7:00 PM

### ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, May 3, 2021, via Zoom in a webinar format. In attendance were:

<b>Board:</b>	Laura Dininni, Chair	<b>Staff:</b>	Dave Pribulka, Township Manager
	Lisa Strickland, Vice Chair		Jenna Wargo, Director, Planning and Zoning
	Steve Miller		Eric Endresen, Director, Finance
	Prasenjit Mitra		
	Patty Stephens		

Others in attendance included: Faith Norris, Recording Secretary; William Keough; C-NET; David Stone; Rhonda Stern; Tierra Williams; Denise Gembusia; Pam Steckler.

### I. CALL TO ORDER

Ms. Dininni called the Monday, May 3, 2021, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted to attendees not to use the Chat feature of this meeting due to it not being monitored or recognized by the Chair.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised in accordance with the PA Sunshine Act as a virtual meeting via Zoom in a webinar format. An audio conference bridge was accessible by dialing the Ferguson Township's main line at 814-238-4651 and dialing extension 3799. Members of the public attending the Zoom webinar that participated in discussion were asked to first be recognized and addressed by the chair and to identify themselves prior to speaking on their topic during Citizens' Input or Public Hearings. Mr. Pribulka noted to Board members to state their name when making a motion for minute taking purposes. More information on how attendees interacted with the Board followed at appropriate times during the meeting. Mr. Pribulka took Roll Call and there was a quorum. C-NET recorded the meeting.

### II. THE PLEDGE OF ALLEGIANCE

### III. CITIZENS INPUT

Ms. Rhonda Stern reiterated her concerns with speeding traffic, limited parking/regulations in reference to the intersection near her home on North Butz Street and Calder Way. Ms. Dininni thanked Ms. Stern for sharing her concerns and noted the Board had discussed that area in general at a previous meeting and had discussed bringing that to the Township's Planning Commission to discuss in the TSD (Terraced Streetscape District). Ms. Dininni urged residents to stay involved and bring their issues to the Board and staff to better address what goes on in that area. Ms. Dininni noted that people could stay informed on upcoming meetings by signing up to receive Township information via email.

### IV. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the Regular meeting Minutes of April 19, 2021. Mr. Mitra seconded the motion.

Ms. Stephens moved to **amend** the April 19 minutes to state that Thomas Adams had a discussion on his concerns on the Baileyville Community Hall rentals during Citizens Input. Mr. Miller seconded the motion.

The amended minutes passed unanimously.

## **V. SPECIAL REPORTS**

### **a) COVID-19 (Coronavirus) Response Report**

Mr. Pribulka noted not many new developments since the last Board meeting, which is a step in a good direction. 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](#).

Mr. Pribulka reported the revised CDC guidelines for fully vaccinated individuals effective April 27. This includes indoor visits without masking or physical distancing; vaccinated people may visit others that are not vaccinated within a single household who are at low risk for infection without a mask; outdoor activity without a mask except for crowded settings; can resume domestic and international travel without prior testing and no self-quarantining after travel; refrain from testing from a known exposure if asymptomatic and with certain exceptions as noted. Please visit CDC.gov for additional requirements and restrictions that are still in effect. Mr. Pribulka continued with his Coronavirus report stating confirmed positive, negative and probable cases and deaths throughout the region. Again, you can visit both State College Borough and Ferguson Township websites for the most recent data reported. More information can be found at the [Pennsylvania Department of Health](#).

Mr. Pribulka thanked everyone for patience and understanding as the Township continues to recover from this crisis.

Mr. Miller asked if the Township's Emergency COVID Ordinance needed updated with the social distancing guidelines or does it change when the state changes their requirements. Mr. Pribulka stated the ordinance is not totally congruent with the relaxed guidelines that the CDC recently released due to the provision on masking at all times. Mr. Pribulka reviewed the emergency ordinance provisions on masking and outdoor gathering sizes that are more restrictive than CDC's updated guidelines. Given local restrictions, Mr. Pribulka recommended keeping the outdoor gathering size the same as the emergency ordinance in place at 50. He noted the emergency ordinance would be reviewed given some disparities between the CDC guidelines and our ordinance. Mr. Pribulka recommended bringing it before the Board for discussion at the next regular meeting on May 17.

Ms. Strickland suggested looking at what other municipalities are doing for some consistency. Mr. Pribulka shared that the Borough is looking at some modifications at their meeting today. Patton and College townships have enacted some changes. However, unsure if they will have modifications from this last CDC guideline update. This can possibly be a discussion at the May 17 Board meeting.

### **b) Centre Region Parks & Recreation Authority Report – Bill Keough**

Mr. Bill Keough reviewed the three phasing options for realignment due to budget constraints and amenities at the Whitehall Road Regional Park. Stahl Sheaffer is the engineering firm working on the project. A joint meeting is scheduled for May 13 between the Centre Region Park & Recreation

Authority and Capital Parks Committee that will share the data report from the Stahl Sheaffer study. He discussed in detail the statistics, need, life, rest time and use of rectangular fields vs. diamond fields. Mr. Keough estimated for 2021 that 69 area sports teams from soccer to flag football needing use of rectangular fields. We have five of those types of fields in our area to accommodate all those teams. The overflow is using the diamond fields that deteriorate much more quickly that will cause a significant amount of investment and time to recover. COVID-19 protocols are still in effect in Park & Recreation parks throughout our region and each municipality has slightly different protocols to go by.

Ms. Dininni thanked Mr. Keough for his report. She was interested in the soccer field demand. Discussed approach to recreation provisions in the region and capital investments and amenities provided to clubs that are not part of Park & Recreation Authority. Ms. Dininni noted those who invest capital in the parks should to hear more about this. She had a question of how the Ferguson Township can invest revenue provision for Parks & Recreation. Discussed the option for more pavilion rentals if okay with our residents to create revenue for the parks in the area.

Ms. Strickland agreed with knowing the fields' needs and it is good information to bring back to our Parks Committee and to look into for the Capital Improvement Plan. Take into consideration account of teams in what season they are playing. This may be part of the decision-making in number of fields for WRRP. In addition, what is the decision-making timeline? Moreover, does the Board need to discuss this at its next regular meeting so we understand the options prior to the General Form meeting at the end of the month? She asked for an update on the Active Adult Center. Mr. Keough stated it is open two days a week. One day for in-person activities and one day for group outings. Discussion followed on management structure of sports leagues that are not part of Park & Recreation Authority; what the funding mechanism the loan is going to look like and municipalities' obligations; then, what amenities will be included that is dependent on the loan. Ms. Dininni noted people could attend the joint Parks Capital meeting for more information on May 13. Mr. Keough noted the Board should have received the guide with programming from Parks & Recreation Authority. He was impressed with the variety and potential users and options available in the guide, given staff availability. For clarity, Ms. Dininni wanted to see how Ferguson Township could best utilize its resources for Parks & Recreation.

c) First Quarter Financial Report – Eric Endresen

Mr. Endresen presented the first quarter Township results ending March 31. He reviewed each fund that included General, Capital Projects, Special Revenue, General Obligation; and new Stormwater fund; Cash balance; transfer of funds; real estate taxes; liquid fuels and key expenditures. This year looks favorable. The General fund has positive results. Given this past year, other modes of transportation discussed and other revenue sources possible in the future. Mr. Pribulka noted the slide presentation would be made available on the website. Also noted due to the pandemic, the Township continues to monitor what projections look like for revenue collection and sources of income. Mr. Endresen noted that the Township is on budget on the expenditure side so far this year. Mr. Pribulka noted some variables that we cannot determine at this time.

## VI. PROCLAMATIONS

a) 2021 Public Works Week Proclamation

Mr. Pribulka introduced the proclamation as provided with the agenda. It is a national initiative of the American Public Works Association and always designated in May of each year. This year's theme is *Stronger Together*. The intention is to challenge members of APWA and community residents to think about the role that Public works plays in creating a great place to live and the

impact we can have together. It will be advertised on our webpage and the Township does things throughout the week to express appreciation to our Public Works staff.

Ms. Strickland moved that the Board of Supervisors **adopt** the proclamation designating May 16 to May 22 as 2021 Public Works Week in Ferguson Township. Ms. Stephens seconded the motion.

Ms. Dininni thanked Messrs. Pribulka and Modricker, and the Public Works Department for all they do in the Township.

The motion passed unanimously.

#### b) 2021 Emergency Medical Services Week Proclamation

Mr. Pribulka introduced the new proclamation as provided with the agenda. It is ironically the same week as Public Works Week. This year's theme is *This is EMS: Caring for Our Communities*. It highlights an opportunity to recognize pre-hospital and hospital practitioners for the many hours they spend preparing for and delivering care for residents and visitors within our community. Due to being a last minute item for this agenda, next year we can plan more accordingly in the rotation of things to post on our website, possibly a blood drive.

Ms. Strickland moved that the Board of Supervisors **adopt** the proclamation designating May 16 to May 22 as 2021 Emergency Medical Services Week in Ferguson Township. Mr. Mitra seconded the motion.

Ms. Dininni thanked the many EMS personnel.

The motion passed unanimously.

## VII. UNFINISHED BUSINESS

### 1. Public Hearing – Terraced Streetscape District Ordinance Amendment

Ms. Dininni read the item for public hearing. Ms. Wargo reviewed the ordinance amendment provided with the agenda.

Ms. Rhonda Stern requested an explanation of the ordinance amendment. Ms. Dininni noted a change in the language due to being ambiguous or not specific on height in regards to shared parking. Better incentives for parking will be explored. Discussion followed on what shared parking is and the implications. Ms. Dininni noted the change does not affect the utilization of the incentive and intent of shared parking. Ms. Wargo discussed building height incentives in response to Ms. Stern's inquiry and concern for available parking for residents. Ms. Dininni encouraged more discussion on this topic.

Ms. Pam Steckler inquired about and received confirmation that the preliminary conditions of the land development plan was approved. Concerned about street crossings. Ms. Dininni noted that this item is not related to the agenda item for public hearing. She noted we were alerted to the issue when reviewing the plan. Following discussion, Mr. Pribulka noted certain warrants needed to be met with the state in order for a streetlight to be installed. This intersection did not meet those warrants on Buckout Street/W. College Ave.

The Public Hearing closed.

Mr. Miller expressed his opposition to piece mill changes instead of holistic changes. Ms. Strickland understood Mr. Miller's point but wanted to express this is the time to take action on something of this importance and special circumstance. Ms. Strickland noted for those making public comment to follow along with the land development plan and let a Board member or staff know of their concerns in order to do a follow-up with them. Mr. Mitra inquired about the high demand for parking and if data is available. Mr. Pribulka stated that he will follow-up with Chief Albright on this request. Discussion followed on street parking that can become problematic and general discussion followed on parking areas.

Ms. Dininni reviewed the discussions above. This specific amendment is to remove the shared parking for height incentive that is currently in our TSD ordinance. Mr. Mitra asked about the impact of removing the shared parking and not replacing it with something else. Ms. Dininni explained the pros and cons of the parking issues.

Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter 27, Section 304(3)b.2., Building Height Incentives by repealing it in its entirety. Ms. Stephens seconded the motion.

Ordinance #1070

ROLL CALL: Ms. Stephens-YES; Ms. Strickland-YES; Ms. Dininni-YES; Mr. Miller-NO; Mr. Mitra-YES. The motion passed 4 to 1.

## **VIII. NEW BUISNESS**

1. Consent Agenda
  - a. Sponsorship Request – Ferguson Township Elementary PTO “Fun Run”
  - b. Harner 4-Lot Subdivision Surety Reduction - \$536,365.54
  - c. Board Member Request – Grass and Weed Ordinance Amendment
  - d. Voucher Report – March 2021
  - e. Treasurer's Report – February 2021 for Acceptance

Mr. Mitra moved that the Board of Supervisors **approve** the Consent Agenda and accept the Treasurer's Report. Ms. Stephens seconded the motion. The motion passed unanimously.

2. Resolution – Retention and Disposition Schedule for Records

Mr. Pribulka presented the resolution provided with the agenda. The disposition of records was not done last year due to the pandemic. Tonight's resolution covers both last year and this year.

No public comments noted. The Public Hearing closed.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution authorizing the disposition of specific public records in accordance with the retention and disposition schedule for records of Pennsylvania Municipalities. Mr. Mitra seconded the motion.

Resolution # 2021-19

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

### 3. Resolution – The Official Township Plant List

Mr. Pribulka presented the resolution provided with the agenda. This is a guidance document for internal use and for land development plans that landscaping is a proponent. The addition to the list is Salix discolor-Pussy Willow per Exhibit A.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution amending the Official Township Plant List. Mr. Mitra seconded the motion.

No public comments noted. The Public Hearing closed.

Resolution # 2021-20

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

### 4. Request for Zoning/Variance – 310 Marengo Lane,24-006A,081--,0000-

Ms. Wargo presented the request that was provided with the agenda. The request was for a variance for the applicant to repair and pave the existing driveway located in the floodplain.

Mr. Miller moved that the Board of Supervisors **remain neutral** on the request for variance at 310 Marengo Lane. Mr. Mitra seconded the Motion. The motion passed unanimously.

## IX. STAFF AND COMMITTEE REPORTS

### 1. COG COMMITTEE REPORTS

- a. Executive Committee – Ms. Dininni attended prior to the General Forum. The agenda was included with the packet.
- b. CCMPO Coordinating Committee – Ms. Strickland stated the agenda was included with the packet. She noted Rt. 26 & 45 was the first item on the agenda and noted no change to the project. However, amended the budget for shifting of funds to other projects from federal funding that became available. There is a Safety subcommittee made up of some members of the Technical Committee that came up with a Top 10 of intersections of concern and will come back to the Coordinating Committee with more details in a June meeting. The next meeting is scheduled for June 22 but may have a meeting in May to review the health study on how to increase funding. The comment period is open and the Coordinating Committee may want to make comments on the health study and report comments back to PennDOT.

### 2. OTHER COMMITTEE REPORTS

None.

### 3. STAFF REPORTS

- a. Manager's Report – Mr. Pribulka noted that his report was included with the agenda. Noted is that Lance King, Township Arborist, is leaving the Township and going to the Borough. At this time, the Township will look for someone to fill in on a part-time basis and a full-time position will be assessed. Discussion followed on details of possibly enlarging the dog park at Tudek.

- b. Public Works Director - Mr. Pribulka noted that the Public Works report was included with the agenda. Ms. Dininni noted a nice coverage of the recent Public Works ribbon cutting ceremony for the new building.
- c. Planning and Zoning Director – Ms. Wargo noted her report was included with the agenda. Reviewed report as provided.

**X. COMMUNICATIONS TO THE BOARD**

None.

**XI. CALENDAR ITEMS – MAY**

- a. Ferguson Township upcoming committee meetings:
  - 1. Planning Commission, Mondays, May 10 and May 24, 6PM
  - 2. Tree Commission, Monday, May 17, 4PM
  - 3. Board of Supervisors, Monday, May 17, 7PM
  - 4. Parks & Recreation Committee, Thursday, May 20, 4PM
  - 5. Pine Grove Mills SAP Advisory Committee, Thursday, May 27, 4PM
- b. Ferguson Township Virtual Bike Chat, Thursday, May 20, 12:30PM

**XII. ADJOURNMENT**

With no further business to come before the Board of Supervisors, Mr. Miller motioned to adjourn the meeting. The meeting adjourned at 8:33 p.m.

Respectfully submitted,



David Pribulka, Township Manager  
For the Board of Supervisors

Date approved by the Board: 05-17-2021