

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, August 2, 2021
7:00 PM

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, August 2, 2021 as a hybrid meeting. In attendance were:

Board:	Laura Dininni, Chair	Staff:	David Pribulka, Township Manager
	Lisa Strickland, Vice Chair		Eric Endresen, Director of Finance
	Steve Miller		Jenna Wargo, Planning & Zoning Director
	Prasenjit Mitra		Dave Modricker, Director of Public Works
	Patty Stephens		

Others in attendance included: Rhonda Demchak, Recording Secretary; Bill Keough, Ferguson Township Planning Commission; Chris Summer, Ferguson Township Resident; Denise Gembusia, Ferguson Township Resident; Hillary Caldwell, Ferguson Township Resident; Melvin Westerman, Ferguson Township Resident

I. CALL TO ORDER

Ms. Dininni called the Monday, August 2, 2021, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised in accordance with the PA Sunshine Act as a hybrid meeting, meaning that attendees can attend remotely via zoom or in person. Persons attending the zoom format as members of the public and wanted to participate were asked to identify themselves by their name, municipality, and topic. Persons attending in person will utilize the podium in the conference room. Mr. Pribulka noted that attendees will not be permitted to speak unless addressed by the Chair. C-NET is recording as well.

II. THE PLEDGE OF ALLEGIANCE

III. CITIZENS INPUT

There were no comments.

IV. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the Regular meeting Minutes of July 19, 2021. Ms. Strickland seconded the motion. The motion passed unanimously.

V. SPECIAL REPORTS

a) Schlow Centre Region Library Report

Ms. Barbara Ziff, Schlow Board of Trustee, reported that the library continues to make changes to in person services to return to Schlow and looking forward to increasing hours after Labor Day. Ms. Ziff noted that the summer reading program and adult/teen registration is very robust.

VI. UNFINISHED BUSINESS

1. 2022-2026 Capital Improvement Program Budget – Authorization for Public Hearing

Mr. Pribulka noted that provided in the agenda is the Chapter One, Administration and Government; Section 902 of the Ferguson Township Code of Ordinances, Township Manager shall submit a five-

year Capital Improvement Program Budget to the Board of Supervisors annually. Mr. Pribulka reviewed the minimum items that are included in the CIP that include a general summary, list of all capital improvements, cost estimates, methods of financing, and estimated annual cost of operating and maintaining facilities. Capital items are generally defined as any item costing over \$2,500 and having a projected useful life of one year or more; however, additional items have been included in the CIP to help make it a more effective planning document. Staffing request has been added to the CIP due to the high cost of personnel. Despite its name, the CIP is not a budget – meaning it does not authorize the expenditure of Township funds and is meant to serve as a tool to help guide the Township in its planning for largescale expenditures to better ensure financial resiliency. The proposed net spending over five years is \$97 million after deducting \$18 million in inter-fund transfers. Largest expenditures are for road projects. Mr. Pribulka stated that this year brings a lot of promise, but the Board and Staff must continue to be mindful of the downward trends of fund balances. Mr. Pribulka thanked the Township leadership team, Eric Endresen, Dave Modricker, Jenna Wargo, Chief Albright, Centrice Martin, Angela Kalke, and all the staff that assisted with the preparation of the document. Mr. Pribulka stated that he is confident that the CIP is consistent with the values of Ferguson Township. Mr. Pribulka thanked the Board as well.

Mr. Endresen gave a PowerPoint presentation of the proposed [CIP](#).

Mr. Miller moved that the Board of Supervisors **authorize** advertisement of a public hearing on the 2022 – 2026 Ferguson Township Capital Improvement Program Budget for Tuesday, September 7, 2021. Ms. Stephens seconded the motion.

Mr. Modricker and Mr. Endresen clarified questions from Ms. Strickland regarding micro surfacing/paving, relining of CMP pipes, and the Park Hills drainageway.

Mr. Pribulka noted that they will have a better idea in 2022 about the actual income generated from the stormwater management utility fee.

Ms. Strickland suggested moving the new stormwater staff person to the stormwater fund chart. Mr. Endresen will make the change.

Ms. Strickland suggested to include the Ag Preservation Fund every year. Mr. Pribulka noted that there are two farms on the preservation list for 2022 that are eligible for acquisition of conservation easements. The funds are an interfund transfer and done every other year because it builds up a fund balance. Ms. Strickland thanked Mr. Pribulka for the explanation.

Mr. Miller addressed public comment that he received with concern of the drop in fund balance over the next five years. Mr. Miller stated that the Township has always seen a drop and noted that the Township is conservative with projecting income. Mr. Miller also stated that the Township is liberal with the projected expenditures. Ms. Dininni agreed with Mr. Miller but still need to continue to be careful with the cost of growth.

Ms. Dininni suggested moving the Economic Development position to 2023 and not 2024. Mr. Pribulka stated that it could be moved. Ms. Stephens would rather leave it in for 2024. Mr. Miller agreed to move to 2023. Mr. Mitra is open to discuss the position but is hesitant to move. Ms. Strickland noted she would not move to 2024.

Mr. Endresen explained the breakdown of the new COG loan for Ms. Dininni. Mr. Modricker explained the COG's CIP regarding the software for asset management for Ms. Dininni.

The motion passed unanimously.

2. TERRACED STREETSCAPE DISTRICT ORDINANCE AMENDMENT DISCUSSION

Ms. Wargo noted that during the April 19, 2021, Regular Meeting, Ms. Strickland requested a discussion by the Board to review the Terraced Streetscape District (TSD) to provide direction to the Planning Commission that would lead to the expected engagement of a consultant in 2022 to revise the ordinance. The Planning Commission met July 26, 2021, to review the PowerPoint presented to the Board on February 18, 2020 that summarized Planning Commission's review of the TSD with a new lens given the recent land development plan and the impacts of COVID-19. The Planning Commission identified an additional area the consultant should focus on for the rewrite, including variety and flexibility of permissible uses. Ms. Wargo reviewed slides that were included in the agenda packet.

Ms. Strickland moved that the Board of Supervisors **authorize** staff to draft a Request for Proposals (RFP) for the rewrite of the Terraced Streetscape District (TSD) for expected engagement of a consultant in 2022. Ms. Stephens seconded the motion.

Ms. Strickland thanked Ms. Wargo and the Planning Commission. Ms. Strickland asked if the Planning Commission discussed the boundaries of the district and if it will be included in the scope of work. Ms. Wargo reported that it was discussed, and it will be included.

Ms. Dininni suggested having more green incentives for height.

The motion passed unanimously.

3. PINE GROVE MILLS TRANSPORTATION MOBILITY STUDY AND SIGNAL WARRANT STUDY REAUTHORIZATION

Mr. Modricker noted that at the March 16, 2020, Board of Supervisors Regular Meeting the Pine Grove Mills Transportation Mobility Study and the SR 45 / SR 26 / Nixon Road Traffic Signal Warrant Study proposals from McCormick Taylor were both authorized. Immediately after that occurred, the COVID-19 quarantine was initiated that prevented the completion of meaningful studies due to the inability to collect reliable data. McCormick Taylor has revised their proposal to reflect changes in billing rates due to the delay in starting work, as well as some additional efforts to make any required COVID adjustments in traffic volume counts as well as provide an additional public meeting option for both in-person and virtual attendance. Staff recommends reauthorizing these updated proposals so work can commence.

1. Pine Grove Mills Transportation Mobility Study - \$61,580.00
2. SR 45 / SR 26 / Nixon Road Signal Warrant Study - \$18,390.00

Ms. Stephens moved That the Board of Supervisors **award** McCormick Taylor with both the professional services contracts to (1) conduct the Pine Grove Mills Mobility Study in the amount of \$61,580.00; and (2) the Pine Grove Road (SR45), Water Street (SR26), and Nixon Road Signal Warrant Study in the amount of \$18,390.00. Ms. Strickland seconded the motion. The motion passed unanimously.

VII. NEW BUSINESS

1. Consent Agenda

- a. Treasurer's Report – April 2021 (For acceptance)
- b. Voucher Report – June
- c. 2021-C9, Microsurfacing, Pay Application 1: \$405,514.86
- d. 2021-C10, Sealcoating, Pay Application 1: \$9,058.66
- e. Board Member Request – Radio Park Elementary School Crossing Guard

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

2. Review of Draft Zoning Ordinance Amendments

Ms. Wargo noted that in November 2019, the Township completed its comprehensive update to the Zoning and Subdivision and Land Development Ordinances. Since the amendments, staff has been tracking errors and omissions while interpreting the ordinances and is recommending additional amendments to address these issues. Provided with the agenda is a redlined version of the proposed amendments based on staff's application of the ordinances. Staff is recommending that the Board review and discuss the proposed amendments and refer the draft to the Planning Commission for review and comment. Ms. Wargo reviewed the highlights of the draft that include minor subdivision, minor land development plan option, amended the minor alternation plan, recommendation of landscaping moving to the SALDO, alterations to the post final amendment process, and short-term rentals.

Mr. Miller moved that the Board of Supervisors **authorize** staff to draft a Request for Proposals (RFP) for the rewrite of the Terraced Streetscape District (TSD) for expected engagement of a consultant in 2022. Ms. Strickland seconded the motion.

Ms. Dininni asked about buffer yards and corridor overlay. Ms. Wargo noted that corridor overlay, and the village zoning district have different specs. Ms. Dininni asked if invasives in buffer yards or similar areas are in the re-write. Ms. Wargo noted that it is captured in the planting list and the Tree Preservation Ordinance.

Ms. Dininni suggested to be more flexible with the hours of operation for the Mobile Retail Food Facilities in the place of assembly and parks. The Board agreed to change to 9:00 p.m. for residential areas.

Ms. Dininni asked about the home occupation permit for the Mobile Retail Food Facilities and should it be a no impact home base business permit. The Board agreed to change.

Ms. Wargo reviewed and explained the Planned Residential Development District.

Ms. Strickland inquired about the language around the changes in landscaping. Ms. Wargo will change the language to, rearrangement of landscaping.

Ms. Dininni suggested removing "relocating of lighting" under the PRD District Post Final B.1. Ms. Wargo will remove and will have the Planning Commission discuss. Ms. Strickland noted that she too would like the Planning Commission to discuss signage and landscaping.

The motion passed unanimously.

3. Review of the Draft 2022 Centre Region COG Program Plan

Mr. Pribulka noted that at the General Forum meeting of the Centre Region Council of Governments on Monday, July 26th, the 2022 COG Program Plan and 2022 – 2026 Capital Improvement Program were forwarded to the Centre Region municipalities for review and comment. COG staff provided a Comment Guide to assist the member municipalities in their discussions, and responses on both documents are due back to the COG Executive Director by 8:00 a.m. on Thursday, August 19th. The COG Executive Director and Finance Director will attend the August 16th Regular Meeting to respond to any questions the Board may have, but the Chair requested this item be added to the agenda for preliminary discussion and questions so that COG staff can be prepared with responses on August 16th. Links to each document can be found below, and the Comment Guide has been attached to the agenda for reference.

2022 Centre Region COG Program Plan DRAFT

2022-2026 Centre Region COG Capital Improvement Plan

Ms. Dininni utilized the Comment Guide to steer the discussion and comments so that Mr. Pribulka can send to the COG Executive Director.

Annual Cost of Living Adjustment. Ms. Dininni asked how the policy relates to the elected officials. Mr. Miller noted that in general there have been no adjustments. The policy was set by the elected officials years ago about how it is calculated. The Finance Committee has adjusted several times. Mr. Miller noted that there is the ability through the Finance Committee then receive authorization from the General Forum to make changes in the policy. Mr. Pribulka stated that the Township uses the Consumer Price Index Unadjusted numbers through September of the previous fiscal year.

New positions - Human Resource Administrator and Finance Administrator. Ms. Dininni asked if the salaries listed were prorated, what is the annual salary, and does it include all benefits. Ms. Strickland confirmed that it is prorated, and it includes all benefits.

COG Classification and Compensation Study with an estimated Cost \$45,000. Ms. Dininni wanted to know what COG wide means and does it include parks.

Cost of the IT Study. Ms. Dininni asked what the balance is and what is budgeted.

Should \$10,000 be budgeted for the initial recommendations of the IT Study to be completed in the first quarter of 2022? Ms. Dininni noted that it is not enough money.

Should \$15,000 be budgeted to complete the final phase improvements of the General Forum Room? Ms. Dininni stated that the Board already agreed it should be budgeted.

Should \$40,000 be budgeted to improve the administrative offices to provide workspaces for the proposed two additional staff? Ms. Dininni asked how much longer is the COG Building lease and shouldn't we wait until the strategic plan is completed. Mr. Miller stated if the staff is temporary perhaps the amount could be less.

Should \$17,500 be budgeted to re-lamp the COG Building and parking lot with LED lamps? Ms. Dininni asked how long COG will be there.

Should the \$45,000 improvements of the COG HVAC system be funded to improve indoor air quality? Also, due to the health and safety benefits, this can afford COG staff, use of the higher-than-expected Insurance Reserve Fund refund may be considered for this project. Mr. Miller recommends having the facilities coordinator make a recommendation.

Ms. Dininni asked for clarification on the cost of a staff customer survey.

Should a half-time Communications Manager be hired in 2022 to assist with developing a communications strategy, assist with print and broadcast media, and strengthen social media platforms at the CRPA? The proposed estimated salary is \$41,000. Ms. Strickland asked for more clarification of the scope of duties. Ms. Dininni asked where the position will be housed.

Should the agency hire a consultant to assist in the development of the Climate Action and Adaptation Plan? Ms. Dininni asked if the part-time Communication Manager will implement. Ms. Strickland asked if this is different than what the Technical Advisory Group is doing.

Should a part-time administrative assistant be hired under the Regional Fire Protection Program? Ms. Dininni asked if it will be a reoccurring cost.

Regarding the Centre Region Parks and Recreation operating budget, Ms. Dininni would like the data to back up the revenue for the agency.

Ms. Dininni requested salary data comparison for the parks and library seasonal staff.

Ms. Dininni requested additional information for the 2022 Parks Capital Equipment Budget for \$248,920 regarding how the vehicles and equipment are rotated in and out, are they all gasoline, and is there a plan for electric.

Ms. Dininni requested background information regarding the pool entry fees under the Aquatics Operating Budget. Mr. Miller asked why is there going to be another retrofitted concession truck, and why not contract with a person who has a truck. Ms. Dininni asked if additional staffing will be required and would the truck be considered a Mobile Retail Food Facilities.

Should a request for \$10,000 annually to cover unplanned capital replacements as needed be approved? Ms. Dininni stated she doesn't approve because there is a slush fund and what would the money be used for.

Should safety lighting for the visitors to the Nature Center be installed for the parking area and walkway? Ms. Dininni asked if the intent would be to have lights on a timer/motion, are they solar, or will they be on all night.

Ms. Dininni asked if they are considering paving the Oak Hall Regional Park parking lot. Mr. Miller asked if the requested \$45,000 will be used for paving or a redesign of the gravel.

Should \$15,000 be budgeted for the Hess Softball Complex that is a phase project? Ms. Dininni asked if it was included in the Master Plan.

4. Acceptance of Prasenjit Mitra's Resignation from the Ferguson Township Board of Supervisors

Mr. Pribulka noted that provided with the agenda is a copy of the letter submitted by Prasenjit Mitra resigning from the Ferguson Township Board of Supervisors. Per Mr. Mitra's letter, the effective date of his resignation is August 21, 2021. The Board is required to take action to accept Mr. Mitra's resignation and initiate a process to identify an appointee to fill the vacancy until the next municipal election. Mr. Pribulka reviewed the process and requisite timeline as provided for in the Pennsylvania Election Code that was provided in the agenda.

Ms. Dininni stated that she enjoyed serving with Mr. Mitra and hopes Ferguson Township would work on inclusivity issues.

Mr. Mitra will make a formal statement at the next meeting.

Mr. Miller moved that the Board of Supervisors **accept** Prasenjit Mitra's resignation effective August 21, 2021. Ms. Stephens seconded the motion. The motion passed with Mr. Mitra abstaining.

VIII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Executive Committee – Ms. Dininni reported that a member of the Executive Committee meeting requested to discuss governance issues with parks at the next meeting

2. OTHER COMMITTEE REPORTS

- a. Spring Creek Watershed – Mr. Mitra was unable to attend, but the report is included in the agenda.

3. STAFF REPORTS

- a. Manager's Report – Mr. Pribulka noted that the report is included in the agenda.
- b. Public Works Director – Mr. Pribulka reported that Mr. Modricker's report is included in the agenda and reviewed the Traffic Study at the Intersection of Cherry Lane and Martin Street. Ms. Strickland asked if a flashing school zone sign could be installed. Mr. Pribulka will have Mr. Seybert evaluate the criteria for a flashing sign.

Ms. Dininni asked about the official map changes and when can the Board anticipate a presentation. Mr. Pribulka will have this on as an agenda item in September. Board members were asked to send they questions, comments, ideas to him.

- c. Planning and Zoning Director – Mr. Pribulka noted that the report is included in the agenda.

IX. COMMUNICATIONS TO THE BOARD

Ms. Stephens received a communication regarding a tree down in the McKees Street Bike Path and that is has created a blind curve. Ms. Stephens received a communication about the bills from waste management not having a due date. Mr. Pribulka will have the bike path cleared and contact the appropriate people for the waste management bills.

Mr. Mitra received a communication about a tree that is overgrown on a sidewalk. The Township Arborist sent a letter to the property owner of the tree, but there has been no response.

Ms. Dininni received a communication from a local business owner thanking the Township for the Route 45 Getways! sponsorship.

X. CALENDAR ITEMS – AUGUST

- a. Ferguson Township upcoming committee meetings:
 1. Planning Commission - Mondays, August 9 & 23, 6PM
 2. Tree Commission – Monday, August 16, 5PM
 3. Stormwater Fee Workshop, Tuesday, August 17, 6:30PM
 4. Parks & Recreation Committee - Thursday, August 19, 4PM
 5. Pine Grove Mills Small Area Plan Advisory Board - Thursday, August 26, 4PM

XI. ADJOURNMENT

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

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 08-16-2021