

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Organizational Meeting
Tuesday, January 3, 2017
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its Organizational Meeting on Tuesday, January 3, 2017 at the Ferguson Township Municipal Building. In attendance were:

Board: Steve Miller
Peter Buckland
Laura Dininni
Rita Graef
Janet Whitaker

Staff: Mark Kunkle, Township Manager
David Pribulka, Assistant Township Manager
Dave Modricker, Director of Public Works

Others in attendance included: Jendi Ammerman, Recording Secretary;

II. CALL TO ORDER

Mr. Miller called the Tuesday, January 3, 2017, organizational meeting to order at 6:59pm.

III. ELECTION OF OFFICERS

Mr. Buckland made a motion that Mark Kunkle act as temporary chair. Ms. Graef seconded the motion. The motion passed unanimously.

Mr. Kunkle requested nominations for 2017 Chairperson. Mr. Buckland made a motion nominating Mr. Miller. Ms. Whitaker seconded the nomination.

Ms. Dininni requested a Roll-Call Vote for the nominations.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: NO; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Miller requested nominations for Vice Chairperson. Ms. Whitaker made a motion nominating Peter Buckland.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: NO; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Miller made a motion to appoint Mr. Kunkle to the Secretary and Treasurer positions for 2017.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Ms. Graef moved to appoint an Assistant Secretary and Treasurer position for 2017. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Buckland made a motion nominating Dave Pribulka to the Assistant Secretary and Treasurer positions for 2017.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

IV. ANNUAL APPOINTMENTS

Ms. Whitaker made a motion that the Board of Supervisors appoint those individuals or agencies as listed in the agenda as Annual Appointments for the year 2017, excluding the appointment of the Solicitor. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Miller made a motion that the Board of Supervisors appoint Joseph Green as Solicitor for the year 2017.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: NO; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

V. APPOINTMENTS TO AUTHORITIES, BOARDS & COMMISSIONS (ABCs)

Ms. Dininni made a motion that the Board of Supervisors appoint William Keough, from Ward 1, to the Planning Commission.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Ms. Dininni made a motion that the Board of Supervisors defer the appointments for the Zoning Hearing Board vacancies and advertise for the positions. Mr. Buckland seconded the motion. The motion carried 4 to 1 with Ms. Whitaker dissenting.

Mr. Buckland made a motion that the Board of Supervisors appoint Mike Jacobson to the Tree Commission.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion that the Board of Supervisors defer the appointments for the Tax Review Board vacancies and advertise for the positions. Ms. Dininni seconded. The motion passed unanimously.

Ms. Dininni made a motion that the Board of Supervisors defer the appointments for the Industrial & Commercial Development Authority vacancies and advertise for the positions. Mr. Buckland seconded. The motion passed unanimously.

Ms. Dininni made a motion that the Board of Supervisors appoint Steven Jackson as the State College Borough Water Authority representative.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Ms. Dininni made a motion that the Board of Supervisors appoint Thomas Giles as the C-Net representative. Mr. Buckland seconded.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Miller announced that the appointments for the Centre Regional Planning Commission and Centre Region Planning Commission alternate will be appointed at the next Board of Supervisors meeting, due to the fact that the Planning Commission will be making recommendations to the Board.

VI. APPOINTMENTS TO C.O.G. AND/OR REGIONAL COMMITTEES

Mr. Miller stated that the Transportation and Land Use Committee and Centre County MPO appointments serve for a two-year period and those representatives were appointed last year and won't need re-appointed until 2018.

Ms. Graef made a motion appointing Steve Miller to the Executive Committee.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: NO; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion appointing Laura Dininni to the Public Safety Committee.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion appointing Steve Miller to the Finance Committee.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Ms. Graef made a motion appointing Janet Whitaker to the Human Resources Committee.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Miller made a motion appointing Peter Buckland to the Public Services and Environmental Committee.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Ms. Whitaker made a motion appointing Rita Graef to the Parks Capital Committee.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: NO; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Miller made a motion appointing Peter Buckland as the primary representative to the Spring Creek Watershed Commission.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion appointing Laura Dininni as the alternate representative to the Spring Creek Watershed Commission.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion appointing Janet Whitaker to the Centre Area Cable Consortium.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion appointing Mark Kunkle as the primary representative to the Centre County Tax Collection.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

Mr. Buckland made a motion appointing Eric Endresen as the alternate representative to the Centre County Tax Collection.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

VII. APPOINTMENT TO POLICE PENSION ADVISORY BOARD

Mr. Buckland moved that the Board of Supervisors appoint Janet Whitaker as the Board of Supervisors representative on the Police Pension Advisory Board. Ms. Graef seconded the motion. The motion passed unanimously.

VIII. ESTABLISH MEETING DATES FOR 2017

Mr. Buckland moved that the Board of Supervisors establish its regular meeting schedule for 2017 as the first and third Monday of each month except that it will meet on February 21, September 5th and on the first two Mondays in December. Ms. Dininni seconded the motion.

Ms. Dininni made a motion to amend the previous motion to move January 16th BOS meeting to Tuesday January 17th in support of Martin Luther King Day. Mr. Buckland seconded the motion. The motion passed unanimously.

The motion as amended passed unanimously.

IX. DESIGNATION OF DEPOSITORY

Mr. Miller moved that the Board of Supervisors appoint Jersey Shore State Bank as the township's primary depository and any FDIC insured bank and the PA Local Government Investment Trust for investments per the townships investment policy. Ms. Whitaker seconded the motion. The motion passed unanimously.

X. PUBLIC HEARINGS

1. Public Hearing on Resolution Establishing the Agenda Order of Business for 2017

This resolution is presented in compliance with the Administrative Code. The agenda format is revised from the historically used agenda and the more recent agenda dividing the meeting into worksession and regular meeting. The proposed agenda closely follows the agenda set forth in Roberts Rules of Order.

Ms. Graef moved that the Board of Supervisors adopt resolution 2017-1 establishing the agenda order of business for 2017, while moving the approval of meeting minutes to follow the reports. Mr. Buckland seconded the motion.

ROLL-CALL VOTE: Ms. Whitaker: YES; Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES

2. Public Hearing on a Resolution Adopting the Ferguson Township Board of Supervisors Procedures

The procedures have been reviewed by the Board at its worksession on December 19th and has since been amended based on that discussion.

Ms. Graef moved that the Board of Supervisors adopt resolution 2017-2 approving the Ferguson Township Board of Supervisors Procedures. Mr. Miller seconded the motion.

Ms. Dininni suggested that page numbers and dates be added in the footer of documents.

Ms. Dininni showed concern with the last sentence in Section 3 (Communications Between Staff and Board Members), reading 'Requests for information, historical, policy, status of projects, requests for items to be place on the agenda and other such communications all Board members should be copied on the communication.' She suggested that it be reworded.

Mr. Buckland moved to amend the last sentence in section three to read 'Board members should be copied on all requests for information, historical, policy, status of projects, requests for items to be placed on the agenda and other such communications.'

Ms. Graef showed concern about it not including the responses from the Board back to staff. Mr. Buckland stated that the only thing his motion changed was taking the sentence fragment and making it a sentence. However, the content itself was not changing. It still required requests to staff from a Board member and all email communications in reference to, be shared with all Board members.

Mr. Pribulka suggested the fragment be reworded to state 'All Board members should be copied on all correspondence involving requests for information including but not limited to historical, policy, status of projects, requests for items to be placed on the agenda and other such communications.'

Mr. Buckland withdrew his previous motion and moved to adopt the language put forth by Mr. Pribulka. Ms. Graef seconded the motion. The motion passed unanimously.

Ms. Dininni inquired about the relation of the first two sentences in Section 3 under Board/Staff Relationships. 'It is the intent of staff to ensure Board members free access to information from the Township and to ensure that such information is communicated completely and with candor to those making the request. To carry out this responsibility, however, Board members must avoid intrusion into those areas that are the responsibility of staff.' Mr. Kunkle gave an example of personnel records. Board members do not have access to those records, therefore, it would be the responsibility of staff.

Ms. Graef motioned to remove the wording 'To carry out this responsibility, however,' so that the second sentence begins with Board members must avoid intrusion. Ms. Dininni seconded the motion. The motion carried unanimously.

Ms. Dininni inquired about the meaning of 'formal approach' in the following sentence from Section 3, Board/Manager Relationship: 'In addition to the formal Board meetings, there is a formalized approach by holding briefings with individual Board members through email memorandums in such a way that all Board members are treated similarly and kept equally informed.' Mr. Miller believes that it was carried over from a previous document by mistake and suggests that maybe that sentence should be removed.

Mr. Miller motioned to remove the sentence that reads 'In addition to the formal Board meetings, there is a formalized approach by holding briefings with individual Board members through email memorandums in such a way that all Board members are treated similarly and kept equally informed.'
Mr. Buckland seconded the motion. The motion passed unanimously.

Ms. Dininni stated that 'not only' should be removed from the first sentence under Introduction & Overview. Mr. Miller stated that it could be done without a motion.

Ms. Dininni motioned to remove the second sentence, under the Introduction & Overview: 'The scope of services and issues addressed by the Township organization go well beyond those frequently

reported in the newspaper or discussed at Board of Supervisors meetings.' Mr. Buckland seconded the motion. The motion passed unanimously.

Ms. Dininni suggested that the first sentence under Purpose of the Procedures Document be changed to read 'The Board of Supervisors of Ferguson Township adopts these procedures by Resolution at the annual organizational meeting to document accepted practices and clarify expectations.' Mr. Miller stated since it is just clarifying the sentence, a motion does not need to be made.

Ms. Dininni motioned to remove the sentence, in Section 3 under Overview, reading 'Ferguson Township has a long tradition of positive relationships between members of the Board of Supervisors and staff'. Mr. Miller seconded the motion. The motion passed unanimously.

Ms. Dininni made a motion to add a sentence, in Section 3 at the end of the first paragraph under Board/Staff Relationship, reading 'The entire Board should be notified of said attendance at the following regular Board of Supervisors meeting.' Mr. Miller seconded the motion.

Ms. Graef showed concern that it may force Staff to report on a project that they may be in the very early stages of developing and that they may not ever even move forward with.

Mr. Buckland stated that it could get tedious, and the Board being agenda setters and decision makers wouldn't need to know unless something needed done.

Ms. Graef moved to call the question. The motion to call the question passed unanimously.

The motion to add the sentence 'The entire Board should be notified of said attendance at the following regular Board of Supervisors meeting' failed 1 to 4 with Mr. Miller, Mr. Buckland, Ms. Graef, and Ms. Whitaker dissenting.

Ms. Dininni made a motion to add the following sentences, under Section 3 Board/Manager Relationship, 'On occasion the Township Manager may request the attendance of a Board member at a specific party directed meeting. Since the Township Manager is responsible to the entire Board of Supervisors, and not to individual Board members and so that Board members are treated equally and similarly informed, the Manager will inform the entire Board of said meeting at the next Regularly held meeting.' Mr. Buckland seconded the motion.

Ms. Dininni stated that party should be defined as it is in the Code of Ethics. 'Party is a person, firm, corporation or other entity participating in and intending to participate in any transaction with the Township in any manner which would give the person, firm, corporation or other entity a personal or financial interest in the transaction.'

The amendment passed 4 to 1 with Mr. Miller dissenting.

With no other motions, Mr. Miller called for a roll-call vote to adopt the resolution approving the Ferguson Township Board of Supervisors Procedures as amended.

ROLL-CALL VOTE: Mr. Buckland: YES; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES; Ms. Whitaker: YES

XI. CITIZEN'S INPUT – No comments

XII. ADJOURNMENT

Ms. Dininni made a motion to ADJOURN the meeting. Ms. Graef seconded the motion.

With no further business to come before the Board of Supervisors, Mr. Miller adjourned the meeting at 8:42pm.

Respectfully submitted,



Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 01/17/2017