

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, August 16, 2022

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, August 16, 2022 as a hybrid meeting. In attendance were:

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| Board: | Laura Dininni, Chair | Staff: | Centrice Martin, Township Manager |
| | Lisa Strickland, Vice Chair | | Dave Modricker, Director, Public Works |
| | Patty Stephens | | Jaymes Progar, Assistant Township Manager |
| | Jeremie Thompson | | Eric Endresen, Finance Director |
| | Tierra Williams | | Jenna Wargo, Director of Planning and Zoning |
| | | | Chris Albright, Chief of Police |
| | | | Aaron Jolin, Stormwater Engineer |

Others in attendance included: Rhonda Demchak, Recording Secretary; Joe Viglione, Centre Region Council of Governments; Bill Keough, Ferguson Township Planning Commission and resident; Eric Norenberg, Centre Region Council of Governments; Charima Young, PSU; Cassidy Cecil, Ericka Cauvel, Di Anne Barnard

I. CALL TO ORDER

Ms. Dininni called the Tuesday, August 16, 2022, regular meeting to order at 7:00 p.m.

Ms. Martin welcomed everyone to the meeting and noted that the Board of Supervisors meeting had been advertised in accordance with the PA Sunshine Act as a hybrid meeting with an option to attend online utilizing zoom and the main meeting room for any public members to participant. Persons attending the meeting as members of the public and wanted to participate were asked to state their name, municipality, and topic. Members of the public are to be muted during the meeting and must be acknowledged by the Chair. Board members are asked to indicate their name when motioning or seconding a motion so that the minutes are accurate. Ms. Martin took Roll Call and there was a quorum.

II. CITIZENS INPUT

There were no comments.

III. SWEARING IN OF JEREMIE THOMPSON AS WARD II SUPERVISOR

Judge Katie Oliver swore in Mr. Thompson as Ward II Supervisor of Ferguson Township.

IV. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the July 12, 2022, Board of Supervisors Worksession meeting minutes. Ms. Williams seconded the motion. The motion passed unanimously.

V. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

There were no reports.

VI. SPECIAL REPORTS

a. Diversity, Equity, and Inclusionary Initiatives – Month-long Observance – Black August

- b. Township and Fiscal Responsibility – Introduction to Aaron Jolin, Stormwater Engineer

Ms. Martin introduced Mr. Jolin. Mr. Jolin thanked everyone and noted that Ferguson Township is a frontrunner with stormwater management.

- c. Community And Economic Development – Route 45 Getaways weeklong event concludes successfully
- d. Environment – no report.

VII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Human Resources Committee

Ms. Williams reported they have been talking a lot about raising the minimum wage to \$15. Please send any concerns to Ms. Williams so that she can report to the committee.

- b. Land Use and Community Infrastructure (LUCI) Committee

Ms. Strickland reported that the agenda was attached to the agenda packet and that she forwarded an additional document on the Affordable Housing Study to the Board. Ms. Strickland expressed concerns because the student data is not captured extensively. The report highlights in the county where the affordable housing is, and it's located outside the Centre Region.

- c. Climate Action and Sustainability Committee

Ms. Williams reported that they are working on the dashboard that tracks electric cars, bike friendly community rating, plastic usage, etc.

- d. Public Safety Committee cancellation notice

Ms. Stephens stated they would like to get more information regarding the construction on Atherton Street and its impact on the Alpha Fire Company.

2. OTHER COMMITTEE REPORTS

There were no other committee reports.

VIII. STAFF REPORTS

All reports were included in the agenda packet and there were no further discussions.

- a. Township's Manger's Report
- b. Public Works Director Report
- c. Planning and Zoning Report
- d. Chief of Police Report

IX. UNFINISHED BUSINESS

1. Public Hearing adopting Ferguson Township 2023-2027 CIP Budget

Ms. Martin noted that at the August 2 Regular Meeting the Board authorized a public hearing on the 2023 – 2027 Capital Improvement Plan (CIP). The CIP was presented by the Township Manager and reviewed by the Board of Supervisors at two special public meetings, as well as a mobile road tour. The changes requested by the Board at the August 2 meeting have been incorporated into the document. Provided with the agenda is a copy of the resolution as advertised for Public Hearing. A link to the revised 2023 – 2027 CIP is provided below the narrative.

- [2023-2027 Proposed Capital Improvement Plan Budget](#)

Public Hearing

There were no public comments, and the hearing was closed.

Ms. Stephens moved that the Board of Supervisors **adopt** the resolution for the 2023 – 2027 Capital Improvement Program Plan. Ms. Williams seconded the motion.

Ms. Dininni thanked the staff for all their hard work with the plan.

ROLL CALL: MS. STEPHENS – YES; MS. STRICKLAND – YES; MR. THOMPSON – YES; MS. WILLIAMS – YES; MS. DININNI - YES

The motion passed unanimously.

2. Public Hearing Ordinance amending Chapter 16, Parks and Recreation

Ms. Wargo reported that in March 2022, the Board of Supervisors adopted Ordinance No. 1076 that captured outstanding amendments from the Township's comprehensive update to the Zoning and Subdivision and Land Development Ordinances (November 2019). At the March 15, 2022, meeting, the Board requested an additional review of Chapter 16—Parks and Recreation, for consistency with the amendments made to §27-723— Mobile Food Vendors. At the July 19, 2022, Board of Supervisors meeting, a redlined draft amendment was provided to the Board for review and authorization for advertisement of a public hearing on August 16, 2022, to amend Chapter 16— Parks and Recreation. Provided with the agenda is the draft amendment to Chapter 16 and the redlined version.

Public Hearing

There were no public comments, and the hearing was closed.

Ms. Williams moved that the Board of Supervisors **adopt** the Ordinance amending Chapter 16, Parks and Recreation, Section 101, Definitions, Section 102, Interpretation of Rules and Regulations, Section 103, Conduct Prohibited in Parks, Section 105, Traffic Control, Section 106, Regulated Uses, and Section 107, Centre Region Parks and Recreation Department. Ms. Stephens seconded the motion.

ROLL CALL: MS. STRICKLAND – YES; MR. THOMPSON – YES; MS. WILLIAMS – YES; MS. DININNI – YES; MS. STEPHENS – YES

The motion passed unanimously.

3. Review CRCOG 2023 Program Plan and Draft 2023-2027 CIP

Ms. Martin noted that at General Forum meeting of the Centre Region Council of Governments (CRCOG) on Monday, July 25, the 2023 – 2027 Capital Improvement Plan (CIP) was forwarded to municipalities for review and comment. The CRCOG Executive Director and Finance Director will be in attendance to respond to any questions from the Board. CRCOG staff provided a Comment Guide to assist the member municipalities in their discussions. Responses on both documents are due back to the CRCOG Executive Director by 8:00 a.m. on Thursday, August 18th. Links to each document are provided below this narrative.

- o [CENTRE REGION COUNCIL OF GOVERNMENTS 2023 PROGRAM PLAN](#)
- o [CENTRE REGION COUNCIL OF GOVERNMENTS DRAFT 2023 – 2027 CAPITAL IMPROVEMENT AND REPLACEMENT PLAN](#)

The Board began review and discussion on the DRAFT 2023 CRCOG Program Plan and DRAFT 2023 – 2027 Capital Improvement Plan at their monthly worksession on Tuesday, August 9. Provided with the agenda packet is a list of the comments and questions from the Board during their initial review of both CRCOG documents. The questions presented by the Board will be forwarded to the CRCOG Executive Director by August 18 for consideration and response.

Mr. Eric Norenberg and Mr. Joe Viglione from the CRCOG introduced themselves.

Ms. Dininni referred to the 2023-2027 CRCOG Capital Improvement Plan Comments Guide that was included in the agenda packet that started on page 94

Ms. Dininni commented if we could consider more of a revenue driven model versus expenditure driven model.

Ms. Strickland commented that in the CIP it was indicated that the municipal contribution would increase by and agreed upon by inflation rates. Ms. Strickland noted that using the established formula would be helpful.

Ms. Dininni would like a thoughtful consideration of revenue driven in a predictable manner using data and markers.

Ms. Dininni started with the Intro General Comments on page 94.

Ms. Dininni asked for clarification on the comment about budget work, request separation of regional facility expenses for C20/C21. Mr. Viglione stated that the R15 Regional Park Fund has been mainly park development and C21 has been for park equipment. Ms. Dininni's new comment is to separate regional facility expenses including equipment from C20 & C21.

Ms. Dininni reviewed the comment requesting a report for end of year on the contingency fund expenditures and all fund balance uses. Mr. Viglione reported he is working on a document but need to close out four audits that he is involved in.

Ms. Strickland reviewed the comment regarding lack of grant funding. Mr. Norenberg stated that they can't count on grants.

Ms. Dininni reviewed the General Non-fund Specific Comments that start on page 79 of the agenda packet.

Should the COG observe Juneteenth? The Board agreed they should.

Should the COG prioritize the development of a long-range Facilities Plan? The Board agreed they should.

Mr. Viglione reviewed the comment about the CIP document being changed from a funding document to an expenditure-based, future capital need document. Is this change an improvement and is there any additional information desired by the elected officials at this time or requested to be incorporated in future years? Mr. Viglione noted that there were facility condition assessments done to look into the investment that needs to be made to the facilities. Mr. Viglione state that it's about putting money away on an annual basis for capital reinvestments. Mr. Viglione reported it was not the policy at COG when he first was employed but now, they are.

Regarding the Cost of Living Adjustment (COLA), Ms. Dininni agrees with HR's recommendation that the COG budget initially be developed with a 5% COLA. The rest of the Board agreed.

Ms. Dininni asked why the information about the Classification Compensation Study is under the contingency budget. Mr. Norenberg reported that the contingency budget is for contingency and not necessary tied to specific COG programs.

On page 94 of the agenda under COG Building Capital, what is the cost to house new staff/equipment? Mr. Norenberg stated it would depend on the nature of the facility and type of work.

To the question on page 80 of the agenda packet, Ms. Dininni and Mr. Thompson agreed that a projected is not needed at this time. Mr. Thompson suggested instead of a projector buy a large screen that hooks up to a computer. Mr. Norenberg stated that the projector was purchased in 2014 and is due for a new one because it is not working properly.

Ms. Dininni asked to elaborate more on the employee changes/unbudgeted increases. Mr. Viglione reported that 79% of the funds went into the employee's personal health insurance but is recommending going back to 80/10/10. Ms. Dininni noted they will strike this question. The Board agreed with the 80/10/10.

The Board took a recess at 7:23 p.m. for 10 minutes.

Ms. Dininni commented that the park assets should be included in TRAISER and moved to Parks Funds C21 and R15.

The Board agreed to the following:

- Budgeting \$35,000 in 2023 to purchase a new BULLSEYE digital fire extinguisher training system.
- Budgeting \$15,000 in 2023 to purchase 10 iPads.
- Budgeting \$25,000 in 2023 to start converting new construction project documents.
- Budgeting \$20,000 in 2023 to purchase an electronic plan review table and software.

The Board agreed that it supports the intention of buying hybrid electric vehicles under the Code Capital.

Ms. Dininni noted that the parking capital expense is in the CIP.

The Board agreed with the proposed \$15/hour base wage for library staff and also bringing current staff up to the \$15/hour wage.

With regards to the Cross Agency Positions, the Board agreed to include the bar graph that came from the Parks Comprehensive Plan.

Mr. Norenberg elaborated on the “pop-up community surveys” and noted that the surveys will help the agencies test the validity of key, hot button issues. It will help staff understand the community’s opinions. Ms. Dininni would be interested in hearing a report of what is generated from the surveys.

With regards to the unknown staffing for the workforce housing program, Ms. Dininni stated that they would support and assist. Mr. Norenberg will get more information to be shared with the Board. Ms. Strickland supports assessing the staffing needs for the workforce housing including the ICLEI Grant.

Ms. Dininni asked that the park assets be included in the CAAP targets.

Ms. Dininni noted that the parks formula comment can be removed.

Ms. Dininni reviewed the Regional Fire Protection Program.

Ms. Dininni asked if we can contrast operating cost increases with park increases. Mr. Norenberg commented that there has been a decrease in volunteer firefighters.

Ms. Dininni reviewed the comments under Parks Operating on page 96 of the agenda packet. The Board would like to defer the Mobile Concessions project for one year.

Under Parks Capital Budget, Ms. Dininni asked about the indoor facility and if it is about rental or location for capital investment. Mr. Norenberg answered that it would be for the long-term capital investment for an indoor recreational facility. Ms. Dininni stated that they are not ready for a long-term capital investment until staff wages are up where they should be, plan for programs, and planning for the master facilities.

Ms. Dininni continued to review Parks Capital.

Ms. Dininni reviewed the Regional Parks Capital comments and notes on page 90 & 97 of the agenda packet.

Ms. Dininni requested more information on the pumps, filters, and the concrete work at the pools.

Ms. Dininni reviewed the Aquatics Operating Budget on page 86 of the agenda packet. Ms. Dininni suggested deferring the Parks Specialist position until the program planning document is completed. Ms. Dininni suggested deferring the investigation of the upgrades to the play feature at Welch pool.

Ms. Dininni stated they would support the staff assistant at the Active Adult Center if the attendance at the center has recovered. The Board agreed that the Program Coordinator should be deferred one year.

Under the Millbrook Marsh Nature Center Operating Budget, the Board agreed that the Parks Specialist position and the Facility Rental Coordinator should be deferred a year.

Discussion ensued regarding the Summer Camp & Program Coordinator. Mr. Thompson stated that he would be cautious to expand programming because of other programs in the region.

Ms. Dininni suggested to defer the Natural Resources Supervisor until the work of the Parks Governance Committee is complete.

Ms. Dininni requested a presentation on the Millbrook Marsh Nature Center to determine options and next steps. Ms. Dininni noted that last year’s assessment of the boardwalk replacement was

\$2.9 million and this year it is \$3.5 million and asked if the increase is related to increase materials or other options.

Ms. Dininni asked about the “unsatisfactory work environment” statement under the Nature Center Capital on page 97 of the agenda packet. Mr. Norenberg stated that it was once a chicken coop/ barn that has no restrooms, and it is not weatherized. Ms. Dininni expressed concerns with renovating the building and suggested a prefabricated building.

Ms. Dininni reviewed Parks Staffing on page 98 of the agenda packet.

Ms. Dininni added a comment asking if PSU is contributing to the repairs of the parking lot at the Millbrook Marsh Nature Center.

The Board agreed with the notes under IT Study recommendations on pages 91 & 92 of the agenda packet.

Ms. Dininni discussed the National Recreation and Park Association Benchmarking.

Ms. Dininni stated that they value COG and would like to continue the dialogue.

Ms. Strickland moved that the Board of Supervisors **direct** the Township Manager to forward its comments on the draft 2023 CRCOG Program Plan and draft 2023 – 2027 Capital Improvement Plan to the Executive Director no later than August 18. Ms. Stephens seconded the motion passed unanimously.

4. Update on Agricultural Properties Stormwater Management Utility Fee Exemption

Ms. Martin noted that at the Regular Meeting held on August 2, the Board of Supervisors directed staff to propose an amendment to the policy that supports a partial exemption for eligible and approved agricultural properties from the stormwater management utility fee. Staff will continue to evaluate the required annual submission process for the partial exemption for agricultural properties to consider reasonable alternative options.

Ms. Martin reported that the deadline for the partial exemption is September 30th, and an updated policy will not be ready for the Board by then. Staff agreed to prepare a letter and to send to all that were given partial exemption in 2022. The letter was prepared by Mr. Dave Modricker and sent out on August 12, 2022, that reminded property owners to take action on the exemption for 2023. They need to complete the application that was provided in the letter by September 30, 2022.

X. NEW BUSINESS

1. Consent Agenda
 - a. Special Events Permit – PRC Annual 5K Walk/Run/Bike

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

2. Board Member Request – Proclamation on Black August

Ms. Williams noted that provided with the agenda is a copy of the proclamation to recognize and honor Black August. Ms. Williams reported that Black August was started in the 1970's. During the month of August. Fasting, exercising, abstaining from drugs/alcohol, and to learn more about the culture are practiced. The goal is to encourage the local community to learn about Black August.

Ms. Stephens moved that the Board of Supervisors **adopt** the proclamation. Mr. Thompson seconded the motion. The motion passed unanimously.

3. Public Hearing accepting Grant of Easement from PSU through 19-3-100

Ms. Martin noted that provided with the agenda is a copy of the resolution for the grant of Easement for the construction of a walking path from Suburban Park to the Vairo Boulevard Shared Use Path through Tax Parcel 19-3-100. The agreement dated July 25, 2022, is also attached to the agenda.

Ms. Dininni thanked PSU for their cooperation. Ms. Martin thanked Ron Seybert and staff for their work on the easement. Also, thanked PSU and Ms. Charima Young, Assistant Vice President for Local Government and Community Relations.

Public Hearing

There were no public comments, and the hearing was closed.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution approving the grant of Easement from Penn State through Tax Parcel 19-3-100. Ms. Stephens seconded the motion.

ROLL CALL: MS. STRICKLAND – YES; MS. STEPHENS – YES; MR. THOMPSON – YES; MS. DININNI – YES; WILLIAMS – YES

The motion passed unanimously.

4. Resolution authorizing Disposition of Records

Ms. Martin noted that provided with the agenda is a copy of a resolution advertised for public hearing providing for the disposition of certain records retained by the Township but scheduled for disposition in accordance with the Retention and Disposition Schedule for Records of Pennsylvania Municipalities. Annually, Township staff completes a listing of records that are required to be disposed of in accordance with the municipal records manual. Attached to the Resolution as Exhibit "A" is the list of storage boxes and their contents to be disposed.

Public Hearing

There were no public comments, and the hearing was 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. Ms. Stephens seconded the motion. The motion passed unanimously.

ROLL CALL: MR. THOMPSON – YES; MS. WILLIAMS – YES; MS. STRICKLAND – YES; MS. STEPHENS – YES; MS. DININNI – YES

5. Appointment of voting delegate to PA Municipal League Annual Summit Resolution Committee

Ms. Martin noted that the Pennsylvania Municipal League is hosting its 123rd Annual Summit in Pittsburgh, PA, from October 6 to October 9. Each year, the League requests members appoint a voting delegate to represent the municipality at the Resolutions Committee and Annual Business Meeting.

Ms. Williams, Ms. Strickland, and Mr. Thompson expressed interest in attending the Summit. Ms. Martin is tentatively attending the Summit.

Ms. Stephens moved that the Board of Supervisors **appoint** Ms. Strickland to be the Township's voting delegate and Ms. Martin as the alternate at the Pennsylvania Municipal League Annual Summit. Mr. Thompson seconded the motion. The motion passed unanimously.

XI. COMMUNICATIONS TO THE BOARD

Mr. Thompson received a good communication about the tree trimming work that was done in Pine Grove Mills by the Township.

XII. CALENDAR ITEMS – August/September

- a. Planning Commission, August 22, September 12, 26
- b. Pine Grove Mills SAP Advisory Committee, August 25, September 22
- c. Parks and Recreation Committee, September 8
- d. Pine Grove Mills Farmers Market, every Thursday throughout the Summer
- e. TSD Public Input Meeting, August 31
- f. Tree Commission, September 19

Ms. Martin shared that there will be a joint worksession via a hybrid format between Ferguson Township and the State College Borough on August 26 from 12:00 p.m. – 1:30 p.m.

Ms. Dininni reported they had an Executive Session on the morning of August 16th regarding personnel matters.

XIII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting. The meeting adjourned at 10:45 p.m.

Respectfully submitted,



Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 09-06-2022