

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, September 20, 2022

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, September 20, 2022 as a hybrid meeting. In attendance were:

Board: Laura Dininni, Chair
Lisa Strickland, Vice Chair
Patty Stephens
Jeremie Thompson

Staff: Dave Modricker, Director, Public Works
Jenna Wargo, Director, Planning and Zoning,
Acting Manager
Ryan Hendrick, Police Sergeant

Others in attendance included: Rhonda Demchak, Recording Secretary; Steve Miller, Ferguson Township Resident; John Spychalski, CATA; Derek Sherman, CATA; Louwana Oliva, CATA; Pam Robb, Patton Township

I. CALL TO ORDER

Ms. Strickland called the Tuesday, September 20, 2022, regular meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

Ms. Wargo thanked and 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. Wargo took Roll Call and there was a quorum.

III. CITIZENS INPUT

Former Board of Supervisor Steve Miller was in attendance and acknowledged the Board.

IV. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the regular meeting minutes of September 6, 2022. Mr. Thompson seconded the motion. The motion passed unanimously.

V. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

1. State College Borough Water Authority – Ford Stryker

Mr. Stryker noted that the Authority has ceased adding fluoride to the water that will require a change to their permit from DEP. The public will be able to comment in October.

The new water treatment plant had some delays because of supply chain issues, but finally completing equipment installation, testing, and commission.

2. Centre Area Transportation Authority – John Spychalski

Mr. Spychalski reviewed his report that was included in the agenda packet and highlighted the CATARIDE/**CATAGO** and the Municipality Authorities Act.

Ms. Strickland asked about the lack of a bus pull off for the stop along Blue Course Drive between Teaberry and Martin Street towards Atherton Street. Mr. Modricker reported that they will be designing improvements with that section and will obtain input from CATA.

VI. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives – Labor Day; Hispanic Heritage Month; Suicide Prevention and Awareness Month; Rosh Hashanah
2. Township and Fiscal Responsibility – no report
3. Community And Economic Development – **CATAGO!** And Connector Routes, Derek Sherman, Assistant ADA and On Demand Operations Manager

Mr. Sherman presented the [**CATAGO! and Connector Routes**](#) via a PowerPoint slide show.

On August 15th they implemented the Southwest Zone that serves Pine Grove Mills and surrounding areas.

Mr. Sherman reviewed the Northwest Zone that serves Park Forest and surrounding areas, Bellefonte & Pleasant Gap, and the Boalsburg Zone.

Mr. Sherman reviewed how to travel to campus/downtown.

The **CATAGO!** Fares are as follows:

- \$2.20/trip – cash, tokens, day passes (through Token Transit, and monthly OnePasses
- Free – children under 40: and persons 65 and over with a Sr Transit ID Card
- \$1.10 – persons with disabilities with a Reduced Fare ID Card and persons with a valid U.S. Medicare Card
- Free – transfers between **CATAGO!** and CATABUS Community Routes
 - ****Payment is accepted on-board only****

Reservations for **CATAGO!** trips may be made by signing into the TransLoc mobile app or by making standing reservations by telephone. Mr. Sherman reviewed how the app works.

Ms. Strickland asked about the staffing of drivers. Mr. Sherman stated it has been up and down, but they are managing without skipping a beat. Ms. Strickland suggested sharing any comprehensive data that is collected with the municipalities.

Mr. Ryan Hendrick, Ferguson Township Police Sergeant, stated that there are some community members that can't afford \$4.40 for a round trip and asked if CATA partnered with anyone.

Ms. Louwana Oliva, CATA, reported that at this time they are not offering free passes through a partnership.

Ms. Pam Robb, Patton Township, noted that they were unable to see the presentation clearly since they are attending remotely and requested a copy of the presentation to be given to each township. Mr. Sherman will ensure the presentation is shared.

4. Environment – no report.

VII. COG AND REGIONAL COMMITTEE REPORTS

a. COG COMMITTEE REPORTS

a. Finance Committee

Ms. Strickland attended the meeting on behalf of Ms. Dininni and noted the report is in the agenda packet. Ms. Strickland noted that they took some time to discuss the timing of the comments with regards to the CIP and reported that next year, it will start earlier.

b. Climate Action & Sustainability Committee

Mr. Thompson highlighted from his report that they are looking for a consultant to review Regional Refuse and Recycling and they discussed the compost drop-off.

c. Public Safety Committee

Ms. Dininni attended the meeting on behalf of Ms. Stephens and highlighted from her report that the Code Agency is still recovering from COVID-19 and their fund balance has been depleted.

d. Human Resources Cancellation Notice

b. OTHER COMMITTEE REPORTS

There were no other committee reports.

VIII. STAFF REPORTS

All reports were included in the agenda packet.

a. Township's Manger's Report

b. Public Works Director Report

Mr. Modricker highlighted from his report that the Township had it's first case of Oak Wilt with two trees on Beaver Branch Road.

c. Planning and Zoning Report

d. Chief of Police Report

Sergeant Henrick highlighted from his report that Ag Progress Days was successful and that they attended the Pine Grove Mills Farmers Market.

IX. UNFINISHED BUSINESS - NONE

X. NEW BUSINESS

a. Consent Agenda

- a. Contract 2022-C2-Street Improvement Projects, Pay App. 1: \$596,127.72
- b. Contract 2022-C8-Pavement Markings, Pay App. 3: \$10,430.36
- c. 65 Volos Minor Land Development Plan d
- d. Special Events Permit – Pine Grove Mills Car Show
- e. Donation Request – Central PA Festival of the Arts - First Night State College

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

b. Discussion – Draft letters of support for PA Senate Bill 919 and PA House Bill 1555

Ms. Wargo noted that on July 28, 2022, at a regular meeting of the Pine Grove Mills Small Area Plan Advisory Committee (PineSAP), the Committee formally requested the Board of Supervisors to consider signing letters of support for PA Senate Bill 919 and PA House Bill 1555. Both bills support local and community level solar projects which help meet the Pine Grove Mills Small Area Plan Objective 22.0—Pursue community-wide environmental impact reduction.

The PineSAP Committee has discussed impediments to residents of Pine Grove Mills in accessing renewable energy with the realization that a large portion of Pine Grove Mills residents cannot install solar panels on their houses due to their proximity to forest cover or their location in relation to Tussey Ridge. Both bills would legalize Community Solar Farms that would allow nonprofits, renters, and homeowners with poor access to sun to be able to purchase local solar power.

Provided with the agenda is a draft letter of support from PineSAP formerly requesting the Board of Supervisors to review and support the two bills.

Mr. Thompson moved that the Board of Supervisors **support** PA Senate Bill 919 and PA House Bill 1555. Ms. Strickland seconded the motion. The motion passed unanimously.

c. Certification of 2023 Minimum Municipal Obligation for Police Pension and Non-Uniformed Pension Funds

Ms. Wargo reported that in accordance with Act 205 of 1984 (amended by Act 189 of 1990), provided with the agenda is a memorandum from the Township Manager, dated September 12, 2022, describing the anticipated Minimum Municipal Obligation (MMO) for Police and NonUniformed Pension Plans for 2023. Act 205 requires that the minimum pension obligations for the upcoming year be calculated and submitted to the Ferguson Township Board of Supervisors prior to September 30 of each year to be adopted by resolution. The municipal cost is estimated to be \$358,749 for the Police Defined Benefit Pension Plan and \$232,097 for the Non-Uniform 401a Defined Contribution Pension Plan. The State Aid Unit Value has not been provided at the time of this discussion the net cost to the Township, represented by the total municipal pension cost minus the State Aid Unit Value multiplied by the number of participants in each plan, cannot presently be determined. This item is for information only and no action is required by the Board.

d. Authorization for Public Hearing on an Ordinance authorizing a waiver of additional fees and penalties assessed in the event tax bills are not received

Ms. Wargo stated that the Governor signed Act 57 of 2022 in July to amend the act of May 25, 1945 (P.L. 1050, No. 394), known as the Local Tax Collection Law, by amending Section 7 relating to “Effect of Failure to Receive Tax Notice”. The intent of Act 57 of 2022 is to waive penalties and/or fees for new property owners who may not have received a real estate tax bill that was inadvertently mailed to the previous owner.

Ms. Stephens moved that the Board of Supervisors **authorize** advertisement for the public hearing on the proposed ordinance waiving additional fees and penalties, assessed, and certain other relief, in the event tax bills were not received. Ms. Strickland seconded the motion. The motion passed unanimously.

e. Discussion on PA Municipal League’s Resolutions to be considered by 2022 Resolutions Committee

Ms. Strickland reported that at a previous Regular Meeting, the Board of Supervisors voted Supervisor Strickland to serve as Ferguson Township's Delegate for both the League's Resolutions Committee Meeting and Annual Business during the Municipal Leadership Summit. Provided with the agenda packet is a copy of the 2022 Resolutions Packet and the 2022 Policy Statement for review and discussion.

Ms. Stephens stated that she had trouble reading the agenda that she downloaded. Ms. Strickland stated that she too had trouble.

- f. Discussion on 2023 Annual Appointments to Ferguson Township's Authorities, Boards and Commissions

Ms. Wargo noted that provided with the agenda is a list of upcoming vacancies as of December 31, 2022, on the Township's Authorities, Boards, and Commissions. Additionally, the Board's policy on ABC Appointments is also attached to the agenda. The Board is asked to open an application period for interested volunteers so that applications may be collected with adequate time to schedule interviews for Board selection.

Ms. Strickland moved that the Board of Supervisors **authorize** the Township Manager to open an application period from October 1, 2022, through November 1, 2022. Ms. Stephens seconded the motion. The motion passed unanimously.

- g. Award Contract 2022-C19 Ferguson Township, Building 3 Roof Replacement

Mr. Modricker reported that on August 30, 2022, bids were opened publicly and read aloud for contract 2022-C19. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves replacing the roof on public works building 3. Provided with the agenda is a memorandum from David Modricker, Public Works Director dated September 6, 2022, recommending award of the contract.

Mr. Thompson moved that the Board of Supervisors **award** contract 2022-C19 FTPW Building 3 Roof Replacement to Jeffery S. Bickle dba J B Roofing in the amount of \$24,336.00. Ms. Stephens seconded the motion. The motion passed unanimously.

XI. COMMUNICATIONS TO THE BOARD

Ms. Stephens received a communication from a resident that expressed concerns with motorists not stopping at the North Allen Street and Aaron Drive stop sign. Ms. Wargo will follow-up with the correct people.

XII. CALENDAR ITEMS – SEPTEMBER/OCTOBER

- a. Planning Commission - September 26, October 10 & 24
- b. Pine Grove Mills SAP Advisory Committee - September 22, October 27
- c. Pine Grove Mills Farmers Market - Thursdays until September 29
- d. Board of Supervisors Regular Meeting – Monday, October 3
- e. Parks & Recreation Committee, October 13
- f. Coffee and Conversation, Saturday, October 15, Dunkin' Donuts, 8AM
- g. Tree Commission - October 17

Ms. Wargo reported that the next Board meeting will be on Monday, October 3, 2022.

Ms. Dininni reported that there was an Executive Session held on September 13th on a matter of land acquisition.

XIII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting. The meeting adjourned at 8:07 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Centrice Martin".

Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 10-18-2022