

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, November 15, 2022
7:00 PM

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, November 15, 2022 as a hybrid meeting. In attendance were:

Board:	Laura Dininni, Chair	Staff:	Centrice Martin, Township Manager
	Lisa Strickland, Vice Chair		Dave Modricker, Director, Public Works
	Corey Gracie-Griffin		Jaymes Progar, Assistant Township Manager
	Patti Stephens		Eric Endresen, Director, Finance
	Jeremie Thompson		Jenna Wargo, Director, Planning and Zoning

Others in attendance included: Wes Glebe, Ferguson Township Resident & representative of the State College Borough Water Authority; Eric Norenberg, Executive Director of Centre Region Council of Governments; Joe Viglione, Finance Director, COG; Bill Keough, Ferguson Township Park and Recreational Authority representative.

I. CALL TO ORDER

Ms. Dininni called the Tuesday, November 15, 2022, regular meeting to order at 7:00 p.m.

Ms. Martin 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. Martin took Roll Call and there was a quorum.

II. PLEDGE OF ALLEGIANCE

III. SWEARING IN OF COREY GRACIE-GRIFFIN AS AT-LARGE BOARD OF SUPERVISOR

Judge Katie Oliver presided over the swearing in of Supervisor Corey Gracie-Griffin.

IV. CITIZENS INPUT

There were no comments.

V. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the regular meeting minutes of November 1, 2022. Mr. Thompson seconded the motion. The motion passed unanimously.

VI. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

1. State College Borough Water Authority

Mr. Wes Glebe presented the report that was included in the agenda packet.

Ms. Strickland inquired about the timeline for the potential rate dispute. Mr. Glebe reported that he didn't think the authority favored to go to court and stated he thinks it will get stuck in court. Ms. Strickland stated that property owners on Meeks Lane would like to be notified in advance of any proposals or developments in the area. Mr. Glebe will inform the authority of the request.

VII. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives – National Native American, American Indian, and Alaskan Native Heritage Month, Veterans Day, Thanksgiving
2. Township and Fiscal Responsibility – no report
3. Environment – no report.

VIII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

a. LUCI Committee

Ms. Strickland noted that the report is included in the agenda packet and highlighted the REDCAP Report

b. Joint Parks Capital Committee and CRPRA

Ms. Dininni highlighted the Millbrook Marsh Boardwalk, the Whitehall Road Regional Park, and the Spring Creek Education Building that was included in the agenda packet.

c. Climate Action & Sustainability Committee

Mr. Thompson acknowledged that today was America Recycles Day. Mr. Thompson reported that they discussed the Refuse and Recycling Rates for 2023, MOU between Centre Region COG and CCRRA and the Refuse and Recycling Start Time Pilot Analysis.

Mr. Gracie-Griffin noted that the recycling rates will increase significantly and ask for their reasoning for the increase. Mr. Thompson will obtain the information and send to Mr. Gracie-Griffin.

d. Joint Facilities, Parks Capital and CRPRA

Ms. Dininni and Ms. Stephens attended the meeting that was held that morning. Ms. Stephens reported they were given an update on the Whitehall Regional Park. Ms. Dininni expressed great concern with releasing money for the park. Ms. Strickland had concerns with the vagueness of the motion that was recommended to the Finance Committee. Mr. Eric Norenberg, Executive Director of Centre Region Council of Governments stated that the Executive Committee will decide when the release of funds go to the General Forum.

e. Joint Public Safety, Land Use & Community Infrastructure Committees

Ms. Stephens reported that the meeting was basically a State of the Union Address on Emergency Services.

f. Human Resources Committee

Mr. Thompson reported that the meeting was cancelled.

g. Public Safety Committee cancellation notice

2. OTHER COMMITTEE REPORTS

IX. STAFF REPORTS

a. Township's Manager's Report

Ms. Martin reported on the Chief of Police recruitment. Approximately 40 residents completed a survey on their desired characteristics they would like to see for the next Chief of Police. Engaged with internal staff members of the police force as well. There were 25 responses for the position with 5 being interviewed after an initial 14 screening interviews. Final interviews will be held on November 21st.

b. Public Works Director Report

c. Planning and Zoning Report

d. Officer-In-Charge Report

There were no comments made after the Manager's Report.

X. UNFINISHED BUSINESS

Ms. Dininni reported that they held an Executive Session today on a matter of real estate.

1. Continued Discussion of Millbrook Marsh Boardwalk Project

Ms. Dininni reviewed the map on page 162 of the agenda packet. Ms. Dininni reported that Penn State can walk away anytime from the lease of the Spring Creek Education Building and expressed concerns. Ms. Stephens concurred with Ms. Dininni. Mr. Gracie-Griffin expressed his concern with the cost. Ms. Strickland stated that the cost escalation is concerning.

2. Review of Centre Region Council of Governments (CROG) Structure and Park Governance

Ms. Dininni noted that the COG Park Governance Special Committee was established to work in concert with the Centre Region Parks and Recreation Authority and the municipalities to determine governance structure following a review of governing documents.

Ms. Dininni reviewed the COG Organizational Chart that was provided with the agenda packet. Ms. Dininni pointed out that the Parks and Recreational Authority is not apart of COG.

Ms. Dininni reviewed the [Municipal Participation by COG Program](#).

Ms. Dininni shared that there is an inconsistency with how the student population is captured with regards to the funding calculation. Mr. Gracie-Griffin asked if the students living on campus are excluded or just within the Borough. Ms. Martin stated that the COG formula is very defined. Mr. Viglione, Finance Director, COG reported that it is a census estimate for population less ACS data for students and they are deducted from all the municipalities equally. The COG formula was last updated in 2008.

Ms. Dininni expressed her concerns with the two sets of outdated defunct articles with regards to parks.

3. Conclude the review and discussion of the CRCOG 2023 Budget

Ms. Dininni noted that at the November 1, 2022, regular meeting, the Board decided to defer the review and discussion of the parks and recreation budgetary requests within the CRCOG 2023 Budget.

[2023 DRAFT Centre Region Council of Governments Summary Budget](#)

[2023 DRAFT Centre Region Council of Governments Detailed Budget](#)

Ms. Dininni explained that in the parks budget there is a C Budget that are considered COG Budgets and the R Budget is for Park Authority Budgets.

Mr. Gracie-Griffin noted that the predicted concession revenue will increase by 300% in the coming year and asked about the expectations. Mr. Norenberg stated that the increase will be coming from the concession vehicle providing service to multiple areas throughout the municipality.

Ms. Dininni requested to have the summer camp revenue broken down by municipality. The Board concurred with Ms. Dininni's request. Mr. Thompson expressed concerns with duplicating summer camps/programs.

Ms. Strickland commented on the concession truck, and it's predicted revenue.

Mr. Bill Keough, Ferguson Township Park and Recreational Authority member, asked that the Board include the residency of the camper and the location of the camps to obtain the data.

Ms. Dininni requested an updated fleet management plan for the COG.

Ms. Dininni asked for consideration to include the capital equipment into the R Budget rather than the C Budget for clarity purposes. The Board supported Ms. Dininni's comment.

With regards to the Aquatics Budget, Ms. Dininni requested continued dialogue with participation data to get a better understanding of who are using the pools.

Ms. Strickland suggested to monitor the Aquatics Fund Balance.

Ms. Dininni requested a list of all the assets that the State College Area School District shares with the Township.

Mr. Viglione reviewed the Aquatics Capital Budget. Mr. Norenberg reported that there has been a delay with installing the pool pumps due to the pandemic. Mr. Viglione stated that there are four pumps scheduled for 2023. There are no pumps scheduled for 2024 and 2025. In 2026 there are four pumps scheduled and nothing scheduled for 2027.

Mr. Viglione reviewed the Millbrook Marsh Nature Center Operating Budget and Capital Budget.

Ms. Dininni suggested making a document to track all of the inter-agency and inter-fund loans. The Board concurred with Ms. Dininni's suggestion.

Ms. Dininni requested that in the future have any loan discussion prior to the Regional Parks Capital Budget for a better understanding of all of the financial plans. The Board concurred with Ms. Dininni's request.

Ms. Strickland requested to add back the Governance Committee Facilitator into the budget. Mr. Norenberg reported that the \$5,000 could be added back by the Finance Committee if the other municipalities agree. Ms. Dininni supports the request but expressed hesitation.

Mr. Gracie-Griffin stated that the Township should be mindful with the increase in municipal contributions that are in many of the Parks & Rec. budgets.

Ms. Strickland moved that the Board of Supervisors **direct** the Township Manager to provide the Board's comments to the Executive Director of CRCOG. Ms. Stephens seconded the motion. The motion passed unanimously.

XI. NEW BUSINESS

1. Consent Agenda

- a. Bike Pedestrian / Bike Lane Request Letter to PennDOT
- b. Turnberry Master Plan Phasing Schedule Update
- c. Foxpointe PRD Phasing Schedule Update
- d. Landings PRD Phasing Schedule Update
- e. August Treasurer's Report – for acceptance

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

2. 2023 Public Hearing Resolution approving an amendment to CATA Articles of Incorporation

Mr. Progar reported that the Articles of Incorporation under which CATA was organized as a municipal authority were approved by the Commonwealth of Pennsylvania on May 17, 1974. The Municipality Authorities Act sets a maximum term of existence of 50 years. An amendment to CATA's Articles of Incorporation is necessary to extend the life of the authority beyond 2024. Because amending the Articles is a multistep process requiring action on the part of all member municipalities, the process is being started now. It should be noted that this action is an administrative formality at the state level to continue CATA's existence and has no impact on ongoing discussions of local match shares.

Public Hearing – There were no comments and the hearing closed.

Ms. Stephens moved that the Board of Supervisors **adopt** the resolution. Mr. Thompson seconded the motion.

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

The motion passed unanimously.

3. Recognition of Fire Chief Steve Bair

Ms. Martin noted that the Board of Supervisors is asked to recognize Mr. Steven Bair, Fire Director for the Centre Region Council of Governments. Mr. Bair, who has served the Centre Region since 2007, will retire in December 2022. He is responsible for the Alpha Fire Company, the Centre Region Fire Marshal's Office, and Centre Region Emergency Management. Staff prepared a certificate of appreciation to be given to Mr. Bair on behalf of the Ferguson Township Board of Supervisors.

Ms. Dininni thanked Mr. Bair for his service.

Ms. Strickland stated that his wealth of knowledge will be missed and thanked him for his service.

4. Contract 2022-C19 FTPW Building 3 Roof Replacement

Mr. Modricker reported that due to the unresponsiveness of the low bidder for contract 2022-C19, staff recommends that the Board of Supervisors withdraw the award notice to the low bidder and award the contract to the second low bidder. Details are included in the Public Works Director's memorandum to the Board dated November 8, 2022, and the Public Works Director's draft letter to the low bidder dated November 15, 2022.

Ms. Stephens moved that the Board of Supervisors **withdraw** the award of contract 2022- C19 FTPW Building 3 Roof Replacement to Jeffery S. Bickle dba J B Roofing in the amount of \$24,336.00 due to unresponsiveness and award the contract to Mid-State Roofing and Coating, Inc., in the amount of \$46,443.00. Mr. Thompson seconded the motion. The motion passed unanimously.

XII. COMMUNICATIONS TO THE BOARD

There were no communications.

XIII. CALENDAR ITEMS – NOVEMBER/DECEMBER

- a. Pine Grove Mills SAP Advisory Committee - November 17, December 15
- b. Tree Commission - November 21
- c. Administrative Offices Closed in Observance of Thanksgiving, November 24, 25
- d. Parks & Recreation Committee, December 8
- e. Planning Commission, December 12

XIV. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting. The meeting adjourned at 9:35 p.m.

Respectfully submitted,



Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 12-06-2022