

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, January 17, 2023

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, January 17, 2023 as a hybrid meeting. In attendance were:

Board:	Lisa Strickland, Chair	Staff:	Centrice Martin, Township Manager
	Patti Stephens, Vice Chair		Dave Modricker, Director, Public Works
	Laura Dininni		Jaymes Progar, Assistant Township Manager
	Corey Gracie-Griffin		Eric Endresen, Director, Finance
	Jeremie Thompson		Jenna Wargo, Director, Planning and Zoning
			John Petrick, Chief of Police
			Sgt. Devon Moran, Police Department
			Elizabeth Dupuis, Township Solicitor

Others in attendance included: Rhonda Demchak, Recording Secretary; Jerry Binney, Chair, Ferguson Township Planning Committee; Brandi Rosselli, Project Consultant, Mackin Engineering; Rhonda Stern, Ferguson Township Resident; Cindy Hahn, C-NET; Dr. Zi-Kui Liu, Professor, PSU; Cindy Chow, Co-Chair, Asian Pacific Islander Desi American's Caucus at PSU; Nalini Krishnankutty, State College Borough Council Member

I. CALL TO ORDER

Ms. Strickland called the Tuesday, January 17, 2022, regular meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

Ms. Strickland reported that they had an Executive Session on January 11th regarding personnel.

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.

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

III. CITIZENS INPUT

There were no comments.

IV. APPROVAL OF MINUTES

1. January 3, 2023 – Board of Supervisors Reorganizational Meeting Minutes
2. January 3, 2023 – Board of Supervisors Regular Meeting Minutes

Ms. Stephens moved that the Board of Supervisors **approve** the Reorganizational meeting minutes for January 3rd and the regular meeting minutes of January 3rd. Mr. Thompson seconded the motion. The motion passed unanimously.

V. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

1. C-NET Report

Mr. Jaymes Progar stated that the report is included in the agenda packet.

VI. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives – *New Year's Day, January 1, National Human Trafficking Awareness Day, January 11, Martin Luther King Jr. Day, January 16, Religious Freedom Day, January 16, Lunar Day, January 22, International Holocaust Remembrance Day, January 27*
2. Township and Fiscal Responsibility – Terraced Streetscape District (TSD) Rewrite Update Presentation, Brandi Rosselli and Jenna Wargo, Director of Planning and Zoning; 2022 State of Planning Report, Jerry Binney, Chair Ferguson Township Planning Meeting

Ms. Wargo reviewed the TSD Rewrite that is on the Township's [website](#).

Brandi Rosselli, Project Consultant, Mackin Engineering, reviewed the slides that were included in the agenda packet.

Ms. Dininni thanked everyone who has contributed on the project. Ms. Dininni had several thoughts and comments regarding the uses, boundaries, setbacks, etc. Ms. Rosselli stated that they are focusing on the boundaries but there were discussions on the mixed-use natural of the district.

Rhonda Stern, Ferguson Township Resident, stated that she is not comfortable only having 20 feet between her house and a multi-commercial building.

Ms. Strickland noted that the Charrette that was completed was well done and well attended. Ms. Strickland commented on having the boundary smaller, greater setbacks where current construction is, be cautious how the setbacks are determined with existing dwellings and lowering the maximum heights.

Ms. Rosselli stated that the next meeting will be open to the public like the last meetings that took place.

2022 State of Planning Report

Mr. Jerry Binney, Chair Ferguson Township Planning Meeting, reviewed the report that was included in the agenda packet.

3. Community and Economic Development – no report.
4. Environment – no report.

VII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

a. Public Safety Committee

Ms. Stephens reported they moved the ThreatID to the Executive Committee. They discussed the sinkhole in Patton Township that displaced several residents. Ms. Stephens stated that

homeowners need to ensure that sinkholes, floods, and earthquakes are added to their insurance policies.

b. Executive Committee

Ms. Strickland reported that everything was covered that was included in the agenda that was attached to the packet. Ms. Strickland reported that Mr. Barlow is now the Chair and Mr. Servello is the Vice Chair. They discussed the Whitehall Regional Road Park; discussed the Finance Committees priorities; and Helpful Reference Links.

Ms. Dininni commented that the Chair and Vice-Chair shouldn't be from the same municipality. for the Whitehall Regional Park representation.

c. Centre Region Parks and Recreation Authority

The report will take place in February.

d. Climate Action and Sustainability Committee

Mr. Thompson attended the meeting on January 9th, and they discussed the reorganization, refuse concerns, and that they launched a Refuse and Recycling Survey last month.

e. Facilities Committee

Ms. Dininni reported that they had a presentation on the Long Range Facilities Plan, discussed the Millbrook Marsh, and a Project Manager position for the Park Authority.

f. Human Resources Committee

Mr. Thompson attended the meeting on January 11th and they discussed the reorganization, salary schedule; the Captain Special Operations Job Description; HR Administrator was hired; Advertising and recruitment process for the Parks Director position has begun; and still recruiting the Senior Land Use Planner.

Ms. Dininni inquired about the process to hire the Parks Director and who will be on the committee. With regards to the Fire Director hiring process, Ms. Dininni asked how the Township can be supportive during the process and hopes that the Interim Director is involved. Ms. Stephens stated that she didn't think the Interim Director was involved. Mr. Thompson stated that he will obtain clarification on both the Parks and Fire Director.

g. Finance Committee

Ms. Dininni reported that they discussed the history of HAZMAT for the Centre Region and the budget process. Ms. Dininni suggested that the municipal managers get feedback on the budget timeline so that the Board can complete their budget. Ms. Martin reported that she has had communication with the Executive Director, Eric Norenberg about Joe Viglione, Finance Director attending the next Managers meeting.

h. Parks Capital Committee

Mr. Gracie-Griffin reported that the meeting was held last Thursday, and they did their reorganization and set the schedule. The Committee's priority is to have Whitehall Road Regional Park completed this year. The boardwalk at the Millbrook Marsh may need temporary repairs.

Ms. Dininni stated that where repairs need to be made are not clearly marked with caution tape at the marsh.

i. Land Use and Community Infrastructure Committee

Ms. Strickland noted that her report is included in the agenda packet. Ms. Strickland highlighted the sink hole in Patton Township.

2. OTHER COMMITTEE REPORTS

a. Solar Power Purchasing Agreement (SPPA) Working Group

Mr. Modricker reported they met on January 11th and reviewed his report on page 173 of the agenda packet. A discussion ensued regarding the Township's volume commitments. Mr. Modricker reported that Ferguson Township will be asked for volume commitments at the January 23rd General Forum meeting with a deadline of February 28th.

VIII. STAFF REPORTS

a. Manger's Report

Ms. Martin stated that her report is included in the agenda packet.

b. Public Works Director Report

Mr. Modricker noted that he included a spreadsheet that lists all the projects for the year.

c. Planning and Zoning Report

Ms. Wargo's report was included in the draft agenda.

d. Police Department Update

Chief Petrick stated that everyone has been welcoming and thanked everyone.

IX. UNFINISHED BUSINESS

1. Public Hearing – Resolution for updated Agility Agreement with PennDot

Mr. Dave Modricker stated that Agility agreements allow the Township and PennDOT to exchange services without exchanging money in accordance with a work plan developed by the Township Road Superintendent and the PennDOT Maintenance Manager. Agility Agreements are typically valid for 5 years. In 2022 the Township desired to extend the Agreement, but the letter was not transmitted to PennDOT prior to 60 days prior to the expiration. For that reason, a new agility agreement is necessary, rather than an extension of an existing agreement.

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

Mr. Thompson moved that the Board of Supervisors **authorize** the Township Manager to execute a new Agility Agreement with PennDOT. Ms. Stephens seconded the motion.

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

The motion passed unanimously.

2. Public Hearing – Ordinance to Approve a Cable Franchise Agreement with Shenandoah Cable Television, LLC.

Ms. Martin reported that at a regular meeting held on May 3, 2022, the Board of Supervisors authorized the Township Manager to execute an agreement with Cohen Law Group to negotiate the Township's franchise agreement with Shenandoah Cable Television, LCC ("Shentel"). Since May, the Township and The State College Borough along with C-NET began the process to negotiate a franchise agreement with Shentel for the provision of cable television services within the municipality. Pursuant to the regulations set forth in the Telecommunications Act and of the Federal Communications Commission, the Township is authorized to grant franchises to entities interested in constructing, maintaining, and operating cable systems in its boundaries. Currently the Township has a franchise agreement with Comcast.

Provided with the agenda are several documents including a cover letter and draft ordinance; executive summary; and franchise agreement. The agreement has been negotiated in good faith and sets forth the terms and conditions that will govern the franchise license for ten years. This evening, the Board is being asked to hold a public hearing and adopt the ordinance as presented to the Board of Supervisors approving a new cable franchise agreement with Shentel.

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

Ms. Stephens moved that the Board of Supervisors **adopt** the ordinance to approve a cable franchise agreement between the Township and Shentel. Ms. Dininni seconded the motion.

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

The motion passed unanimously.

3. Public Hearing – Ordinance to amend Code of Ordinances Chapter 15 Motor Vehicles and Traffic, Part 4, General Parking Regulations, Section 403 Parking Prohibited at all Times in Certain Locations and Section 406 Parking Time Limited in Certain Locations Certain Days and Hours

Mr. Modricker stated that at the request of residents on Butz Street, and as further directed by the Board of Supervisors at a regular meeting in 2022, the Township Engineer completed a parking study on Butz Street. The study, a sketch of existing and a sketch of proposed parking restrictions, and a draft ordinance were provided to the Board at the January 3, 2023, regular meeting. The Township Engineer collaborated with the concerned residents. No changes to the study, or sketches, or proposed ordinance were made. Provided with the agenda is a sketch of the existing parking restrictions, a sketch illustrating the proposed parking restrictions, and a draft ordinance for the Board's consideration.

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

Mr. Gracie-Griffin moved that the Board of Supervisors **adopt** the ordinance for the proposed changes to parking restrictions on Butz Street. Ms. Stephens seconded the motion.

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

The motion passed unanimously.

4. Continued Discussion on the Text Amendment to Wireless Communication Facilities

Ms. Wargo stated that provided in the agenda is a draft amendment to §22-5B01—Design Standards, §27-303— Traditional Town Development, §27-710—Wireless Communication Facilities, and District Quicks for the Rural Agricultural (RA), Rural Residential (RR), Agricultural Research (AR), Forest/Game Lands (FG), General Commercial (C), Industrial (I) and Light, Industry, Research and Development (IRD) zoning districts.

Staff has included a 300FT buffer map of the residential properties in the Rural Residential (RR) Zoning District, as well as a map of existing wireless communication facilities in the Township. Staff was able to determine the feasibility of building a tower greater than 200FT and due to costs and additional Federal Aviation Administration (FAA) requirements for towers over 200FT, the draft amendment has been updated to only permit wireless communication towers up to 200FT. Staff is prepared to review the additional maps with the Board of Supervisors and answer any questions.

The Planning Commission reviewed the draft amendment at the November 14, 2022, regular meeting and recommended approval to the Board of Supervisors.

Ms. Dininni expressed concerns with the ordinance due to where they are allowed and the height.

Mr. Gracie-Griffin had concerns about them being in the RR.

Mr. Gracie-Griffin moved that the Board of Supervisors **authorize** staff to advertise a public hearing to adopt the ordinance amendment to Chapter 22, Subdivision and Land Development, Section 5B01, Design Standards, Chapter 27, Zoning, Section, 205.1, Rural Agricultural (RA), Section 205.2, Rural Residential (RR), Section 205.3, Agricultural Research (AR), Section 205.4, Forest/Game Lands (FG), Section 205.13, General Commercial (C), Section 205.14, Industrial (I), Section 205.15, Light Industry, Research and Development (IRD), Section 303, Traditional Town Development and Section 710, Wireless Communications Facilities. Mr. Thompson seconded the motion.

Additional comments were made about the height.

The motion passed unanimously.

5. Discussion on C-Net coverage services for monthly work sessions

Ms. Martin reported that C-NET coverage service options include having each program recorded, televised four times on Channel 7, published online at cnet1.org with chaptered agenda items and live streamed on YouTube. The monthly work sessions may be televised live only with a start time of 12:30 p.m. but not if they start at 12:15 p.m. on the second Wednesday of each month. Based on C-NET's funding formula which is based on upon use of services over a 5-year period of time and involves additional variables that are dependent upon 1) the amount of programming sponsored by the Township, 2) what percentage of the whole that amount of programming represents, and 3) C-NET's operating budget for the year. The additional cost for this additional service. It is difficult to project the exact cost of the additional coverage for a monthly work session. The Executive Director did confirm that with advanced notice of meeting cancellations the Township would not be charged.

Ms. Stephens stated that she likes them being televised for transparency but since there are no motions being made and the cost, she was unsure how she felt.

Ms. Martin reported that they estimated the cost to be between \$1,300 and \$1,800 per year. Ms. Cindy Hahn, Executive Director, C-NET, reported that the estimate of \$1,300 and \$1,800 is accurate. Member dues are determined by the use of service over a 5-year period.

Mr. Thompson's agrees with the transparency but not in favor of the meetings being televised live.

Mr. Corey-Gracie didn't have strong feelings either way.

Ms. Dininni agrees with the transparency but is not in favor of the live portion.

Ms. Strickland concurred with the statements and preferred not changing the time of the meeting.

Ms. Stephens moved that the Board of Supervisors **approve** C-NET services to include the recorded televised coverage for the Board's reoccurring monthly work sessions. Ms. Dininni seconded the motion.

Mr. Thompson added that the staff's workload has increased and would like to see the zooms recorded and stored in house.

The motion passed unanimously.

X. NEW BUSINESS

1. Consent Agenda

- a. 2022-C3 Pay App 1_FT
- b. Allied HVAC pay app 8 for Building 6

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

2. A Proclamation to Officially Recognize The Lunar New Year

Mr. Progar stated that provided with the agenda is a proclamation to officially recognize the Lunar New Year of 2023. The traditional Lunar New Year celebrations begin on Lunar New Year's Eve and end on the 15th day of the first lunar month, also known as the Lantern Festival. Though the animal signs vary across cultures, the Lunar New Year marks the transition from one animal to the next, with January 21, 2023, ending the Year of the Tiger, and January 22, 2023 starting the Year of the Rabbit. As the Lunar New Year is officially recognized, Ferguson Township encourages the celebration of the Lunar New Year and embraces the spirit of celebration that reaffirms the local community's commitment to family, diversity, mutual respect, and creating an inclusive environment of belonging for all residents.

Ms. Nalini Krishnankutty, State College Borough Council member, thanked the Board and introduced Cindy Chow as the Co-Chair of the Asian Pacific Islander Desi American's Caucus at PSU. Ms. Chow extended her gratitude to Ferguson Township.

Mr. Stephens moved that the Board of Supervisors **adopt** the resolution. Mr. Gracie-Griffin seconded the motion.

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

The motion passed unanimously.

3. Resolution – To Authorize Grant Application to Susquehanna River Basin Commission

Mr. Modricker reported that the Stormwater Engineer identified a grant award opportunity for the Township to offset cost for the Park Hills Drainageway Improvement Project. Provided with the agenda

is a resolution to authorize the Township Manager to submit a grant application for a Susquehanna River Basin Commission Consumptive Use Mitigation Grant for the Board's consideration.

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

Ms. Dininni stated that she likes the direction that Public Works is going and is thankful.

Mr. Thompson stated that he likes to see these grant opportunities instead of relying on the Stormwater Fee Funding.

Mr. Gracie-Griffin moved that the Board of Supervisors **adopt** the resolution. Ms. Stephens seconded the motion.

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

The motion passed unanimously.

4. A Proclamation to Officially Recognize The Lunar New Year (Continued)

Dr. Zi-Kui Liu, Professor, PSU, stated that he has been at PSU for 24 years. He formed a non-profit organization called HUA Culture & Life Association and is thinking of having a physical location in the Township or the State College area. Dr. Liu thanked the Board for the resolution.

5. Resolution – Authorization to Execute Local Services Tax Collection Agreement with State College Borough

Mr. Endresen reported that provided with the agenda is a copy of a resolution as advertised for a public hearing authorizing the Chair and Secretary to execute a new Local Services Tax (LST) Collection agreement with the Borough of State College. The new agreement period is for seven (7) years which will cover tax years, 2023 – 2029, and includes language regarding the reconciliation process. The rate of compensation to State College Borough was updated to more closely align with the fees charged for Earned Income Tax (EIT) that are retained by the State College Borough for LST purposes.

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

Mr. Thompson moved that the Board of Supervisors **adopt** the resolution authorizing the Chair and Secretary to execute a new Local Services Tax Collection Agreement with the Borough of State College. Ms. Dininni seconded the motion.

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

The motion passed unanimously.

6. Discussion on the Meeting and Agenda Management Software Management System Process LeCrone Minor/Final Subdivision Plan

Ms. Martin stated that the Board appropriated funds for the Township for an electronic agenda management program designed to streamline meetings and agenda management process. This solution will automate the manual tasks with a more robust system designed to route agenda items for approvals with just one click. The system is integrated with the Township's website and online Code of Ordinances. There are features for individual users based on their role with the Township.

Mr. Gracie-Griffin moved that the Board of Supervisors **designate** Lisa Strickland to serve on the ad hoc subcommittee to participate in 2 to 3 meetings and present feedback as a user of the Board. Ms. Stephens seconded the motion. The motion passed unanimously.

7. Request for Modification/Waiver - 125 East Pine Grove Road

Ms. Wargo stated that the narrative was provided with the agenda is the 'LeCrone-West College Avenue Replot' of tax parcels 24-004-079H-0000 (3490 West College Ave) and 24-004-079I-0000 (3510 West College Ave), submitted on October 21, 2022, and last revised December 21, 2022. The parcels are located within the General Commercial (C) and Corridor Overlay (COD) zoning districts.

This plan proposes a lot line adjustment to TP: 24-004-079H-000 (2.986 acres) and 24-004-079I (2.991 acres) to add an additional 1.456 acres (63,417 SF) to TP: 24-004-079H, for a total lot size of 4.442 acres. Sidewalks are proposed to be added along West College Avenue in front of 3490 West College Avenue connecting to the existing sidewalks at 3510 West College Avenue.

Planning Commission reviewed the minor subdivision plan at the January 9, 2023, regular meeting and recommended conditional approval subject to the conditions described in the Director of Planning & Zoning's memorandum dated January 11, 2023.

Ms. Dininni asked since most of the trees were removed, where does the Tree Preservation Ordinance come into play. Ms. Wargo reported that that the ordinance is for three or more lots.

Mr. Gracie-Griffin moved that the Board of Supervisors **conditionally approve** the LeCrone West College Avenue Replot Minor Subdivision Plan subject to the conditions described in the Planning Director's memorandum dated January 11, 2023. Ms. Stephens seconded the motion. The motion passed 4-1 with Ms. Dininni opposing.

8. Request for Modification/Waiver

a. 125 East Pine Grove Road

Ms. Wargo stated that on November 14, 2022, PGH Real Estate Holdings, LLC requested a waiver from Chapter 22- 5C01.1.B – Off-Street Parking and Loading. The 125 East Pine Grove Road Prelim Development Plan proposes the conversion of a single-family home into a restaurant with indoor and outdoor dining areas. The property is located at 125 East Pine Grove Road (24-009A-030- 0000) and is zoned Village (V). It is approximately 0.496 acres.

The applicant is requesting to provide 19 parking spaces on-site instead of 21 spaces as required by ordinance. The applicant noted that 21 parking spaces does not make sense with the intended use of the building and the property is not large enough to provide two additional spaces.

Planning Commission reviewed the request at the January 9, 2023, meeting and recommended approval to the Board of Supervisors.

Staff has reviewed the request and isn't recommending any conditions given that there is on street parking located near the proposed restaurant.

Mr. Dininni moved that the Board of Supervisors **grant** the waiver request to PGH Real Estate Holdings, LLC. from §22-5C01.1.B—Off-Street Parking and Loading. Mr. Thompson seconded the motion.

Ms. Strickland received public input with concerns about the on-street parking.

Ms. Dininni stated that the parking situation in Pine Grove Mills is confusing and that the lines need to be repainted. Mr. Modricker stated that the staff has made progress on the Parking Study. The lines will be painted in early summer; however, the number of parking stalls will be reduced.

The motion passed unanimously.

b. 125 East Pine Grove Road

Ms. Wargo stated that on November 14, 2022, PGH Real Estate Holdings, LLC requested a waiver from Chapter 22- 512 – Sidewalks. The 125 East Pine Grove Road Preliminary Land Development Plan proposes the conversion of a single-family home into a restaurant with indoor and outdoor dining areas. The property is located at 125 East Pine Grove Road (24-009A-030-0000) and is zoned Village (V). It is approximately 0.496 acres.

The applicant is requesting a waiver from providing a sidewalk along Sparrow Alley. Sparrow Alley terminates at the end of applicant's property and a sidewalk along the alley would not provide a complete connection.

Planning Commission reviewed the request at the January 9, 2023, meeting and recommended approval to the Board of Supervisors. Staff have reviewed the request and isn't recommending any conditions.

Mr. Stephens moved that the Board of Supervisors **grant** the waiver request to PGH Real Estate Holdings, LLC. from §22-512 – Sidewalks. Mr. Gracie-Griffin seconded the motion. The motion passed unanimously.

9. Presentation on Pennsylvania Commission on Crime and Delinquency Grant and Intent For Use of Funds

Chief Petrick reported that The Ferguson Township Police Department has been tentatively awarded \$233,750.00 from the Pennsylvania Commission on Crime and Delinquency (PCCD). This grant, The Local Law Enforcement Support Grant, was a competitive grant made available to police departments in the last quarter of 2022. One of the parameters for this grant is that police departments must use the funds to focus on reducing violent crime and increasing department clearance rates. Another parameter is that FTPD use the funds to supplement any current equipment or funds already budgeted, or tentatively budgeted, by the police department. This grant requires no matching funds, or any non-reimbursable funds from the Township and is awarded for the calendar years of 2023 and 2024. The grant funds would be used for purchase 30 Automated License Plate Reader (ALPR) cameras and one (1) tethered marked police patrol drone.

The Automated License Plate Readers (ALPR) would be strategically placed throughout the township with their primary focus being on traffic volume and identifying serious public safety concerns. These cameras would be interconnected with a Law Enforcement nationwide database (NCIC) and would identify stolen vehicles, missing or endangered persons, AMBER & SILVER alerts, felonious arrest warrants associated with a specific vehicle, and vehicles identified by FTPD or surrounding agencies as being involved in criminal activity.

The FTPD also proposes to purchase a tethered drone that would be mounted to a marked FTPD unit. The drone is tethered to the patrol vehicle and can only "fly" above the patrol vehicle up to a maximum height of 150 feet. It is powered by the patrol vehicle and does not have the ability to move, with the exception of up or down, and can only go where a police vehicle can go. This unit is assigned to the daylight and evening shift sergeants and will be utilized during normal patrol activities. Two of the most

notable benefits of having a tethered drone is: no FAA pilot's license is required and having the ability to rapidly deploy in emergent situations (missing persons, critical incidents, fire scenes, accident reconstruction, etc.) in which time is a factor. In a vast majority of incidents, quick response by Law Enforcement (and other emergency service providers) is paramount and can oftentimes determine the outcome of the incident. This drone provides Law Enforcement (and Fire) the ability to see the missing person in the woods, see the hot spots on a house fire, monitor large crowds for potential violence and/or terrorist events, to see the hostage suspect fleeing from a residence, and much, much more.

Sgt. Moran presented PowerPoint slides that started on page 364 of the agenda packet.

Sgt. Moran reviewed the following examples on how ALPR Cameras and Drones save lives:

- Double Homicide Suspect Caught in under an hour (PA Police Department)
- Local School Response
- Active Fire Scenes

Ms. Stephens asked if tapes could be used for litigation. Sgt. Moran reported that it will be stored in-house for 30 days unless it needs to be used for evidence. Township Solicitor, Ms. Elizabeth Dupuis, stated that it will not be treated as a Right-to Know Law.

Ms. Dininni asked if any other municipalities would get money from the grant. Ms. Martin stated that State College Borough has cameras installed on some vehicles but not through the grant.

Chief Petrick reiterated that these tools are not to be used to probe, but to assist with various situations.

Ms. Dininni expressed concerns with providing capital assets for the COG. A discussion ensued regarding other municipalities utilizing the drone. Ms. Dininni explained her stance and stated that once the equipment fails, Ferguson Township will be responsible for maintaining and not the COG.

Ms. Martin noted that usually grant application submissions come before the Board as a resolution, but unfortunately that didn't happen. Ms. Martin reported that they received notification that the Township is eligible for the funds. Ms. Martin stated there will be policies developed prior to utilizing the funds.

Ms. Stephens suggested keeping a report on the various uses. Sgt. Moran stated that there will be quarterly reports.

Mr. Gracie-Griffin expressed concerns with the ALPR's due to lack of regulation in Pennsylvania and the data that is being collected. Sgt. Moran reported that he looked at several policies that use this technology to incorporate into a Township policy. Ms. Martin stated that the grant will not come back to the Board until the policy has been developed.

Ms. Dininni supports the drone but is apprehensive regarding the ALPR's due to risks. Sgt. Moran stated that the ALPR's are leased, and the company takes care of everything.

Ms. Dupuis stated that the Township has policies that can be modified such as body cameras and tasers. Ms. Dupuis stated that it would not take a lot of time to create the policy.

Ms. Martin stated that the next steps are to take what was discussed tonight to evaluate the drafted policy. Ms. Martin will also have Ms. Dupuis review. The Board will review again for formal approval.

Ms. Strickland suggested having another conversation before the formal approval. Ms. Dininni requested to know which intersections will the cameras be located, how many at the intersections, and the actual costs for the next meeting.

10. Consideration To Award Contract 2022-C20 Admin Building HVAC Air Handler

Mr. Modricker stated that on January 10, 2023 bids were opened publicly and read out loud for contract 2022-C20. The bid was advertised in the Centre Daily Times and sent out to potential bidders. This contract involves the replacement of an existing rooftop gas fired air handling unit.

Mr. Modricker reviewed the award recommendation memorandum summarizing the bids received that was included in the agenda packet.

Ms. Stephens moved that the Board of Supervisor **award** Contract 2022-C20 Admin Building Air Handler Replacement to Myco Mechanical, Inc. in the amount of \$134,000.00. Mr. Thompson seconded the motion. The motion passed unanimously.

XI. COMMUNICATIONS TO THE BOARD

There were none.

XII. CALENDAR ITEMS – JANUARY

- a. Planning Commission, January 9, 23
- b. Parks and Recreation Committee, January 12
- c. Tree Commission, January 16
- d. Administrative Offices Closed in observance of Martin Luther King, Jr., January 16
- e. Coffee and Conversation, January 21 at Baileyville Community Hall
- f. Pine Grove Mills Small Area Plan Advisory Committee, January 26

XIII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting. The motion passed unanimously. The meeting was adjourned at 10:53 p.m.

Respectfully submitted,



Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 02-07-2023