

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, March 7, 2023

ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Tuesday, March 7, 2023 as a hybrid meeting. In attendance were:

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

Staff: Jenna Wargo, Acting Township Manager
Jaymes Progar, Assistant Township Manager
Dave Modricker, Director, Public Works
John Petrick, Chief of Police

Others in attendance included: Rhonda Demchak, Recording Secretary; Ford Stryker, State College Borough Water Authority; Kevin Abbey; Kevin Abbey, Spring Creek Watershed Commission; Tracy Strickland, HRG; Omari Patterson, Ferguson Township Resident; Armen Sahakian, Ferguson Township Resident

I. CALL TO ORDER

Ms. Strickland called the Tuesday, March 7, 2023, 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. ANNOUNCEMENTS

IV. CITIZENS INPUT

There were no comments.

V. APPROVAL OF MINUTES

1. February 21, 2023 – Board of Supervisors Regular Meeting Minutes

Ms. Stephens moved that the Board of Supervisors **approve** the regular meeting minutes of February 21, 2023. Mr. Thompson seconded the motion. The motion passed unanimously.

VI. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

1. State College Borough Water Authority – Mr. Ford Stryker

Mr. Stryker noted that his report is included in the agenda packet.

Ms. Stephens thanked the Authority for their 100% participation in the Solar Purchasing Power Agreement.

2. Spring Creek Watershed Commission – Mr. Kevin Abbey

Mr. Abbey noted that his report didn't include the by-laws that were unanimously adopted on February 15 that included a clarification that Ms. Dininni requested regarding officers and voting rights.

Ms. Dininni thanked Mr. Abbey for the clarification. Mr. Dininni noted that the Spring Creek Watershed Clean Up Day is coming up. Mr. Abbey reported that it will be on April 22. Ms. Dininni reported that a group of Pine Grove Mills residents will be participating starting at 8:00 a.m.

VII. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives – Women's History Month, Irish American Heritage Month, Greek-American Heritage Month, Agriculture Month, Ramadan Begins 3/22
2. Township and Fiscal Responsibility – none
3. Community and Economic Development – none.
4. Environment – none.

VIII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

a. Parks and Recreation Governance Committee

Ms. Stephens noted that her report was included in the agenda packet. Ms. Stephens stated that the Committee would like the municipalities to identify what we see as the problem to be resolved with the governance structure of the Parks Department and to develop a mission statement for the entity that we envision governing the Parks Department.

Ms. Dininni expressed concerns with the agenda time devoted to this topic because it is a big discussion. Ms. Strickland noted that all the problems can't be solved tonight. Ms. Dininni commented that they spent an entire year trying to solve problems. Ms. Strickland stated she doesn't know what the structure actually is at this time. Mr. Thompson concurred with Ms. Strickland and expressed concerns about long-term sustainability. Ms. Dininni discussed the misrepresentation of the organization chart of the COG.

Ms. Stephens will summarize the comments and share them with the Board prior to sending them to the Parks and Recreation Governance Committee.

Ms. Dininni stated a facilitator is not necessary and that the library model is fair.

b. Human Resources Committee

Mr. Thompson noted they met on March 1st and reviewed his report that was included in the agenda packet. Ms. Dininni requested information on when the Assistant Chief will be hired and expressed concerns. Mr. Thompson will follow up with Ms. Dininni.

c. Land Use and Community Infrastructure Committee (LUCI)

Ms. Strickland started that her report is included in the agenda packet and highlighted the State College Area Connector.

d. Facilities Committee

Ms. Dininni reported that the meeting was cancelled.

IX. STAFF REPORTS

a. Manger's Report

The report was included in the agenda packet.

b. Public Works Director Report

Mr. Modricker highlighted the Audible Pedestrian Signal Push Buttons and the Blue Course Drive between Circleville Road and Martin Street that was included in the agenda packet.

Ms. Dininni requested to pause the center lane rumble strips on the more winding roads in the Township. Mr. Modricker noted that there are no projects for them this year and will make a point to discuss during the Capital Improvement Plan.

c. Planning and Zoning Report

Ms. Wargo highlighted the State Transportation Commission email that was included in the agenda packet.

X. UNFINISHED BUSINESS

1. Public Hearing - A Budget Amendment – ARP Funds Correction

Ms. Wargo reported that Resolution No. 2022-21 obligated the American Rescue Plan funds to be used for payroll costs in accordance with the American Rescue Plan Act of 2021. The 2023 Operating Budget currently does not reflect the allocation of \$2,040,292.54 of ARP funds to payroll costs as stated in the resolution. Staff met with the Township Auditor, Baker Tilly, to review the matter regarding the Township's recognition of 100 percent of its fiscal recovery funds in calendar 2022, as per resolution 2022-21, and they agreed with staff's approach to correct and update the 2023 Operating Budget. Provided with the agenda is a resolution to approve an amendment to the 2023 Operating Budget.

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

Ms. Stephens moved that the Board of Supervisors **adopt** the resolution amending the 2023 Ferguson Township Annual Operating Budget. Ms. Dininni seconded the motion.

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

The motion passed unanimously.

2. Public Hearing - Approve Greenbriar-Saybrook Park Master Plan

Mr. Progar stated that in August 2021, the Township engaged consultant Herbert, Rowland & Grubic to conduct an update to the Recreation, Parks, and Open Space Plan, led by Tracy Strickland. An addendum to that project included the master planning process for Greenbriar Saybrook Park. Since that time, HRG engaged citizens via multiple public input events including the Municipal Mixer held at the park in August of 2022. Additional input was received from the Parks and Recreation Committee to deliver a draft master plan to the Board of Supervisors. Attached to this agenda is a copy of the Greenbriar Saybrook Park Master Plan. At the February 21 Regular meeting the Board authorized advertisement of a public hearing to consider approval of the Greenbriar Saybrook Park Master Plan by resolution.

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

Mr. Stephens moved that the Board of Supervisors **adopt** the Resolution for the Greenbriar Saybrook Park Master Plan. Mr. Thompson seconded the motion.

Ms. Dininni and Ms. Lisa Strickland thanked Tracy Strickland of HRG for her work.

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

The motion passed unanimously.

3. Discussion - Authorization to Advertise for Public Hearing to Approve Fairbrook Park Master Plan

Mr. Progar stated that in August 2021, the Township engaged consultant Herbert, Rowland & Grubic to conduct an update to the Recreation, Parks, and Open Space Plan, led by Tracy Strickland. An addendum to that project included the master planning process for Fairbrook Park. Since that time, HRG engaged citizens via multiple public input events including the Municipal Mixer in August of 2022. Additional input was received from multiple stakeholder groups as well as the Parks and Recreation Committee to deliver a draft master plan to the Board of Supervisors at the February 21 Regular Meeting, the Board received the draft Fairbrook Park Master Plan and made comments. Attached to this agenda is a copy of the Fairbrook Park Draft Master Plan reflecting the comments of the Board. Ms. Strickland of HRG will present and answer any questions pertaining to the plan. The Board is asked to authorize the Fairbrook Park Master Plan for a public hearing, approving the plan.

Ms. Tracy Strickland reviewed the edits that were made from previous comments and suggestions.

Ms. Dininni suggested to retain one baseball diamond and remove the other one. Ms. Dininni expressed concerns with the storage shed due to not having a policy and would like it to be removed from the Master Plan. Ms. Dininni suggested shifting soccer fields.

Ms. Dininni moved that the Board of Supervisors **remove** the storage shed and **add** the word optional in front of proposed use soccer fields to match the optional ball field and that we bump the soccer field slightly toward the rain garden so there's no overlap with the infield. Ms. Stephens seconded the motion. The motion passed unanimously.

Ms. Lisa Strickland requested to use the same language in the other woodland area.

Ms. Dininni moved that the Board of Supervisors **authorize** a public hearing on the draft Fairbrook Park Master Plan for March 21, 2023. Ms. Stephens seconded the motion.

Mr. Omari Patterson, Ferguson Township Resident, inquired if the plan is set in stone for implementation. Ms. Tracy Strickland noted that this plan is visual guide and if the Township decides to implement there will be another process that would need to be done.

The motion passed unanimously.

XI. NEW BUSINESS

1. Consent Agenda

- a. Contract 2019-C32b PBCI-Allen for work in 2020 HVAC Pay App 6: \$12,747
- b. Contract 2019-C32b PBCI-Allen for work in 2020 HVAC Pay App 7: \$300
- c. Contract 2022-C20 Myco Mechanical Pay App 1: \$7,272
- d. Contract 2022-C15 for Street Tree Trimming \$79,950
- e. Centre Safe Donation Request

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

2. Consideration to Award Contract For 2020-C4 Suburban Park Project

Mr. Modricker reported that on February 21, 2023, bids were opened publicly and read aloud for contract 2020-C4 Suburban Park Project. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves park development including re-establishment of a floodplain, pedestrian bridges, trails, landscaping, earthmoving, pavilion and other miscellaneous amenities. Provided with the agenda is a memorandum from Ryan Scanlan dated February 22, 2023, recommending award of the contract.

Mr. Thompson moved that the Board of Supervisors **award** Contract 2020-C4 Suburban Park Project to Landserv Inc. in accordance with the total bid amount of \$796,613.09. Ms. Stephens seconded the motion. The motion passed unanimously.

3. Consideration of a Recommendation from Pine Grove Mills Small Area Plan Advisory Committee to Amend Zoning Map

Ms. Wargo stated that provided in the agenda is a draft zoning map amendment to the Pine Grove Mills Village Zoning District. The proposed amendment includes expanding the Village Zoning District to reflect the physical characteristics of the existing structures and closer correspondence with the Pine Grove Mills Historic District as identified in the Historic Resources of the Centre Region publication.

This amendment will expand the district west to include the properties up to 347 W Pine Grove Road (TP: 24-007-,015A,0000- and 290 W Pine Grove Road (TP: 24-007-,016D,0000-), south to include the properties up to 176 S Water Street (TP: 24-009A,183-,0000-) and 179 S Water Street (TP: 24-009A,129-,0000-), and east to include the properties up to 310 E Pine Grove Road (TP: 24-009A,293-,0000-) and 297 E Pine Grove Road (TP: 24-009A,060-,0000-).

Action 16.1.4 of the Pine Grove Mills Small Area Plan, includes amending the zoning ordinance to allow for compatible uses for existing structures and promoting flexible standards to promote redevelopment of lots along Pine Grove Road. Amending the zoning map is the first step in this process. The Village Zoning District provides for more uses and decreased setbacks in comparison to Single-Family Residential (R1) Zoning District and the intent of this amendment will provide for the opportunity for redevelopment of these smaller lots in Pine Grove Mills along Pine Grove Road.

Ms. Dininni discussed her approach and the current problems in Pine Grove Mills. Ms. Dininni suggested looking at the uses and setbacks first to know exactly what is being expanded into the residential areas. Ms. Dininni suggested not moving the map forward.

Ms. Strickland expressed concerns about moving to the Planning Commission. Ms. Strickland suggested having the Pine Grove Mills Small Area Plan Advisory Committee look first.

Mr. Armen Sahakian, Ferguson Township Resident, spoke about the different uses. Ms. Strickland advised Mr. Sahakian if he had a specific question, to talk to the Planning and Zoning Department.

Ms. Dininni moved that the Board of Supervisors **do not** at this current time refer the zoning map amendment to Planning Commission, but to place on hold while the Pine Grove Mills Small Area Advisory Committee reviews the text amendment needs to provide the Board a recommendation to move them both forward to the Planning Commission at the same time if the Board does choose at that time . Ms. Stephens seconded the motion. The motion passed unanimously.

XII. COMMUNICATIONS TO THE BOARD

Mr. Thompson received a reaction to the Centre Daily Times article on the trash at The Yards. Ms. Wargo noted that The Yards amended their contract to address the issue.

XIII. CALENDAR ITEMS – MARCH

- a. Board of Supervisors Worksession, March 8
- b. Parks and Recreation Committee, March 9
- c. Planning Commission, March 13
- d. Terraced Streetscape District Rewrite 2nd Public Meeting, March 15
- e. Tree Commission, March 20
- f. Pine Grove Mills Small Area Plan Advisory Committee, March 23
- g. Planning Commission, March 27

XIV. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting with Ms. Strickland seconding the motion. The motion passed unanimously. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 03-21-2023