

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, July 5, 2022

ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Tuesday, July 5, 2022 as a hybrid meeting. In attendance were:

Board: Laura Dininni, Chair
Lisa Strickland, Vice Chair
Hilary Caldwell
Patty Stephens
Tierra Williams

Staff: Dave Modricker, Director, Public Works, and
Acting Township Manager
Jaymes Progar, Assistant Township Manager
Ron Seybert, Township Engineer
Angela Kalke, Human Resources Administrator
Sargent Shawn Morrison, Police Department
Eric Endresen, Finance Director

Others in attendance included: Rhonda Demchak, Recording Secretary; Wes Glebe, Ferguson Township Resident, Shannon Holliday, Ferguson Township Resident and Planning Commission; Jaqueline Sheader, Public Relations Specialist, CATA; Derek Sherman, Assistant ADA/On-Demand Operations Manager, CATA; Divine Lipscomb, State College Borough Council; Jeremie Thompson, Ferguson Township and Planning Commission Chair

I. CALL TO ORDER

Ms. Dininni called the Tuesday, July 5, 2022, regular meeting to order at 7:00 p.m.

Acting Manager, Dave Modricker 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. Mr. Modricker took Roll Call and there was a quorum.

Ms. Dininni moved that the Board of Supervisors **add** the Greens Landscape Contract Pay Request under New Business to the consent agenda as 1.h Ms. Stephens seconded the motion. The motion passed unanimously.

II. CITIZENS INPUT

Ms. Caldwell took a moment to recognize that seven months ago an all-women's Board of Supervisors was elected and then went on to hire the first female Black manager. Ms. Caldwell then noted that recently women's rights have changed with no real promise that PA will be able to protect women on a statewide level. Ms. Caldwell hopes that better legislators locally, statewide, and federally will continue to fight for reproductive rights.

Ms. Williams stated that nationally the country is still very depressing when it comes to the black community and the police. Ms. Williams noted that Jayland Walker was shot 60 times while being unarmed in Ohio after a car chase. Ms. Williams stated that there is a lot of work that needs to be done not only nationally but locally.

III. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the June 21, 2022, Board of Supervisors Regular meeting minutes. Ms. Caldwell seconded the motion. The motion passed unanimously.

IV. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

a. Centre Area Transportation Authority

Mr. John Spychalski, Chairman, CATA noted that his report is in the agenda. Mr. Spychalski introduced Derek Sherman, Assistant ADA/On-Demand Operations Manager. Mr. Spychalski noted that there will be a Public Hearing on Fall Changes to CATARide Paratransit Service in the Ramblewood and Meadows Development on July 14th from 5:00 p.m. – 6:00 p.m. in the main meeting room of the Ferguson Township Building. Mr. Spychalski thanked the Township for advertising the hearing on their website. Mr. Spychalski reviewed [CATAGO!](#)

V. SPECIAL REPORTS

- a. Diversity, Equity, and Inclusionary Initiatives – no report.
- b. Township and Fiscal Responsibility – no report.
- c. Community And Economic Development – no report.
- d. Environment – no report.

VI. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

a. Parks and Recreation Governance Committee

Ms. Dininni noted that she didn't provide a written report. They continue to focus and discuss on what they want the Centre Region Park and Recreation Authority to do in terms of both the regional parks and the municipal parks. Ms. Dininni stated that the two parks are linked but separate.

b. Centre County Metropolitan Planning Organization

Ms. Strickland noted that her report is in the agenda and highlighted the grant of \$15,000 for the Pine Grove Mills TSA.

c. Facilities Committee

Ms. Stephens reported that their meeting was that morning, and they discussed the next 5-year CIP. There is a search for Lew Brungard's replacement as Facilities Project Manager.

d. Executive Committee – Ms. Dininni reported that the Executive Committee cancelled General Forum.

2. OTHER COMMITTEE REPORTS

There were none.

VII. STAFF REPORTS

All reports are included in the agenda packet.

- a. Township's Manger's Report
- b. Public Works Director Report
- c. Planning and Zoning Report – *no written report*

Ms. Dininni asked if there is ever curbing (modified speedbumps) at locations that are busy that could be installed to slow or stop vehicles in the Township. Mr. Modricker reported that the concrete ribbing that Ms. Dininni is referring to was probably installed as a stormwater control.

VIII. UNFINISHED BUSINESS

1. Resolution supporting Legislation Prohibiting Domestic Violence Offenders from Holding State Office Q&A Domestic Violence and Public Service Legislation

Ms. Dininni noted that provided with the agenda is a resolution to support legislation that prohibits domestic violence offenders from holding state office. Senator Conklin announced on April 4, 2022, legislation that would bar individuals convicted of domestic violence offenses from serving in the General Assembly or holding public office in Pennsylvania government. Ferguson Township calls upon the General Assembly to enact legislation to guarantee that any person convicted of domestic violence shall be ineligible to serve in the General Assembly, or of holding any office of trust or profit in this Commonwealth.

Public Hearing

Ms. Shannon Holliday, Ferguson Township Planning Commission, stated that she doesn't support this resolution because it will prohibit people who have served their time and who are reformed.

Mr. Divine Lipscomb, State College Resident and Borough Council, stated he cannot support the bill as it stands due to his past incarceration and the first black person to hold a council position. Mr. Lipscomb reported that in PA 112 people lost their lives to domestic abuse last year. Mr. Lipscomb stated that he can't support the bill as it is written and there needs to be more conversations.

Ms. Williams read an email from Geoff Landers-Nolan a Pine Grove Mills Resident. Mr. Landers-Nolan worked as a therapist for years, but despite the intention behind Rep. Conklin's bill, he is concerned about the impact it could have on already marginalized targeted people by the legal system. Mr. Landers-Nolan urged caution with supporting the bill as it is.

Public Hearing Closed.

Ms. Caldwell thanked everyone for their Public Comments. Ms. Caldwell stated that she does not support the resolution due to restorative justice, reproductive rights, voter disenfranchise, or actual aide to survivors and victims of domestic violence. Ms. Caldwell clarified that any kind of domestic violence is destructive to individuals, to relationships and to families as a whole. Ms. Caldwell stated that at the foundation of the bill, it lacks structural integrity on its own and will not support it.

Ms. Strickland expressed concerns with the language and structure of the bill. Also, the resolution needs reworded to actually reflect on the bill.

Ms. Stephens concurred with Ms. Caldwell and Ms. Strickland. Ms. Stephens stated that there are nuances to it.

Ms. Williams added that she is not interested in shortcut politics and stated the bill seems to be a shortcut. Ms. Williams stated that the resolution does nothing for people and noted that people can be reformed. Ms. Williams stated that not everyone that has been convicted is going to run for office. Ms. Williams reported that she is not personally going to support. Ms. Williams stated that no one on the Board supports domestic violence but would like to have something more proactive instead of reactive.

Ms. Dininni stated felons are prohibited and had a personal experience where an ex-felon stood up against a domestic violent person who later became a police officer. Ms. Dininni had concerns with the language.

Ms. Caldwell suggested inviting Rep. Conklin to have an open dialogue with members of the public that might have questions. Ms. Williams stated that the vote should not be postponed. Ms. Caldwell agreed.

Ms. Caldwell moved that the Board of Supervisors **do not adopt** the resolution of the Township of Ferguson, Centre County, Pennsylvania, to support legislation that prohibits domestic violence offenders from holding state office.

Ms. Caldwell withdrew her motion due to Robert's Rules of Order.

Ms. Stephens moved that the Board of Supervisors **adopt** the resolution of the Township of Ferguson, Centre County, Pennsylvania, to support legislation that prohibits domestic violence offenders from holding state office. Ms. Strickland seconded the motion.

ROLL CALL: MS. DININNI – NO; MS. STEPHENS – NO; MS. STRICKLAND – NO; MS. WILLIAMS - NO; MS. CALDWELL - NO

The motion failed 5-0.

Ms. Dininni liked Ms. Caldwell's idea of having Rep. Conklin attend an open Township meeting to answer questions.

Ms. Dininni suggested that Ms. Caldwell draft a letter to be sent to Rep. Conklin. The draft will come back to the Board for review. Ms. Caldwell agreed and will have this completed in two weeks.

2. Discussion on School Zone Flasher on Cherry Lane

Mr. Modricker reported that at the regular meeting of the Board on March 1, 2022, the Public Works Director reported on a technical consultation with Pennoni Associates through a Local Technical Assistance Program related to pedestrian safety concerns at the intersection of Martin Street and Cherry Lane, near the Radio Park Elementary School. The results of the technical consult were reviewed with the State College Area School District (SCASD) Director of Physical Plant at the subject intersection on February 15, 2022. Also at that meeting, staff provided the SCASD with a brief history of the Township's involvement of improvements at the intersection. After reviewing the alternatives to improve safety, it was the consensus of those present that consideration of a 15-mph school zone in conjunction with night lighting of the crosswalk was the preferred alternative. Township staff reviewed the suggested improvements with the Board and the manager. SCASD staff reviewed the suggestions with SCASD Board members and administration, and on March 3, 2022, indicated favorable support for a 15-mph school zone and night lighting.

Ms. Williams moved that the Board of Supervisors **direct** staff to include safety improvements on Cherry Lane to include a 15-mph school zone and night lighting in the 2023 – 2027 Capital Improvement Plan for the Board's consideration. Ms. Stephens seconded the motion.

Ms. Dininni asked if the night lighting will be low kelvin and will it be decorative or a tall goose neck. Mr. Modricker stated they will discuss all of the options because it depends on what is chosen.

The motion passed unanimously.

3. Discussion on Pine Grove Mills Mobility Study Report

Mr. Modricker noted that at the June 7, 2022, regular meeting, the Board received a presentation on the Pine Grove Mills Mobility Study. The Board may use this time to discuss any of the alternatives recommended in the report, and to provide any comments to staff on the report. The Township Engineer will then direct the consultant, McCormick Taylor, to finalize the report.

Ms. Strickland moved that the Board of Supervisors **accept** the Pine Grove Mills Mobility Study Report and direct staff to allocate funds in the Capital Improvement Plan for advancement of the project. Ms. Williams seconded the motion.

Ms. Strickland thanked Mr. Modricker for the presentation on June 7th. Ms. Strickland asked if Mr. Modricker will be prioritizing the projects in the CIP based on the grant. Mr. Modricker stated that it is included in the CIP and prioritized the projects due to the grant funding.

Ms. Strickland spoke about the Long-Range Transportation Plan with the county and asked about the major realignment of Route 26 to Nixon. Ms. Strickland stated that she does not support. Ms. Dininni asked about the geometry of the intersection. Mr. Seybert reported that a roundabout will probably preclude a traffic signal because there are specific warrants that need to be met with PennDot.

Ms. Strickland stated that her preference is toward the stop-controlled intersection at the flashing yellow light and at Meckley.

Ms. Dininni concurred with Ms. Strickland and asked about the process. Mr. Seybert noted that it would involve new curbing that will allow for a bigger pedestrian landing with ADA.

Ms. Williams inquired about accident statistics with roundabouts. Mr. Seybert reported that the roundabout will only be one lane and historically they are safer than a stop-controlled intersection.

Ms. Strickland suggested to add signage for crossing at the intersection crosswalk.

Ms. Dininni suggested prioritizing the intersection because it will likely get done and will solve a lot of problems.

Ms. Dininni stated she would like to see the sidewalks on Water Street leading to Chestnut prioritized. Ms. Dininni asked Mr. Modricker how the grant will be managed. Mr. Modricker stated that a consultant needs to be hired to start the design.

The motion passed unanimously.

Ms. Dininni inquired if the parking space line painting in Pine Grove Mills has started. Mr. Modricker noted that it is a recommendation in the report but is not a high priority. Mr. Seybert noted that it is a Tier 1 project.

IX. NEW BUSINESS

1. Consent Agenda

- a. May Voucher Report
- b. Contract 2016-C11, Pay Application 2: \$338,192.55
- c. Contract 2016-C11, Pay Application 3: \$125,856.00
- d. Contract 2016-C11, Pay Application 4: \$15,532.50
- e. Contract 2021-C18, Pay Application 2: \$19,097.72
- f. Contract 2022-C9b, Pay Application 1: \$333,923.47
- g. UAJA Alternate Appointment to Ferguson Township's Authorities, Boards and Commissions
- h. Contract 2022-C14, Pay Application 1: \$28,879.00

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

2. Ms. Angela Kalke noted that provided with the agenda is a copy of the resolution advertised for public hearing amending the Ferguson Township Personnel Policy Manual, Section 33 General IT by adding Section 33.5 Multi-Factor Authentication (MFA). The Board adopted this policy at their June 21st regular meeting. Ferguson Township's cybersecurity insurance coverage has previously strongly recommended and now will require MFA to maintain coverage beginning January 1, 2023.

Public Hearing – there we no comments

Ms. Caldwell moved that the Board of Supervisors **adopt** the resolution amending the Ferguson Township Personnel Policy Manual by amending Section 33. Ms. Stephens seconded the motion.

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

The motion passed unanimously.

3. Resolution Public Hearing Authorizing Township to enter into a MOU with Consortium Parties to acquire a Consultant to write an RFP for a Regional Records Management System

Sargent Shawn Morrison reported that in 2016, the Regional Records Management Consortium began searching for a new shared records management system (RMS). The RMS went live in 2019. However, the vendor has not been able to fulfill contractual obligations regarding the system's functionality. The consortium which includes State College Borough, Townships of Ferguson and Patton, and The Pennsylvania State University, is moving forward with replacing the system. The consortium wants to develop a "Request for Proposal" to acquire the services of a consultant to write and develop an "RFP" for a new records management system. Provided with the agenda is a copy of the Memorandum of Understanding for the procurement of a Records Management Consultant.

Public Hearing – there were no comments.

Ms. Strickland moved that the Board of Supervisors **adopt** the resolution of Ferguson Township authorizing the Township to enter a memorandum of understanding with Patton Township and State College Borough, and the Penn State University to acquire the services and expertise of a consultant to develop the request for proposal for a regional records management system. Ms. Williams seconded the motion.

Ms. Williams asked what the timeline is. Sargent Morrison stated that it will be a two-year process.

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

The motion passed unanimously.

4. Proclamation Designating September as Suicide Awareness and Prevention Month

Ms. Dininni noted that provided with the agenda is a copy of a proclamation designating September as Suicide Awareness and Prevention Month and September 10 as Suicide Awareness and Prevention Day in Ferguson Township. The proclamation has been adopted annually by the Board and has been part of a countywide effort of the Centre County Suicide Prevention Task Force and Ms. Marisa Vicere. Ms. Vicere is the President of the Jana Marie Foundation.

Ms. Williams read the proclamation that was included in the agenda.

Ms. Caldwell moved that the Board of Supervisors **adopt** the proclamation designating September as Suicide Awareness and Prevention Month and September 10th to be Suicide Awareness and Prevention Day. Ms. Stephens seconded the motion. The motion passed unanimously.

5. Proclamation Designating July as Park and Recreation Month

Ms. Dininni reported that since 1985, America has celebrated July as Park and Recreation month, a program of the National Recreation and Park Association (NRPA). The goal is to raise awareness of the vital impact that parks and recreation has on communities across the U.S. This July, Ferguson Township plans to release articles and short interview videos and invite residents to tag Ferguson Township on social media posts that promote local outdoor parks and recreational activity. All month long, we will be celebrating with various activities that encourage local outdoor opportunities for health, fitness, and recreational fun for residents of all ages and abilities. Issuing this proclamation will remind Ferguson Township residents of the importance of our parks, recreational facilities, and programs while encouraging everyone to embrace active lifestyles and improve their overall health through outdoor recreational fun.

Ms. Stephens moved that the Board of Supervisors **adopt** the proclamation designating July as Park and Recreation Month. Ms. Strickland seconded the motion. The motion passed unanimously.

X. COMMUNICATIONS TO THE BOARD

Ms. Williams had a communication from Rob Gilleo. Mr. Gilleo would like to talk to the Board about holding a fitness challenge at Ferguson Township that would be a challenge against other Townships. Ms. Williams will forward the communication to the Township Manager, Centrice Martin.

Ms. Dininni had a couple of communications from a resident about banning gas fueled leaf blowers in the Township.

Ms. Williams reported that she recently went to New York and there were no plastic bags in the grocery store. Ms. Williams was charged 5 cents for a brown bag and there were no straws. Ms. Williams suggested that the Townships look further into this endeavor.

XI. CALENDAR ITEMS – JUNE/JULY

- a. Joint meeting with Board of Supervisors and Parks and Recreation Committee, July 12
- b. Planning Commission, July 11, 25
- c. Capital Improvement Plan (CIP) Special Meetings, July 13, 21
- d. Coffee and Conversation with Staff, July 15, Naked Egg
- e. Capital Improvement Plan (CIP) Mobile Road Tour, July 18
- f. Tree Commission, July 18
- g. Pine Grove Mills SAP Advisory Committee, July 28
- h. Route 45 Getaways week starts July 30
- i. Greenbriar/Saybrook Park Neighborhood Event, August 3
- j. Pine Grove Mills Farmers Market, every Thursday throughout the Summer

Ms. Dininni reminded Board members that if they decide to attend the Coffee and Conversation on July 15th to let Ms. Martin know so that there is not a quorum.

XII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting. The meeting adjourned at 9:15 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: 07-19-2022