

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Tuesday, April 18, 2023

### ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, April 18, 2023 as a hybrid meeting. In attendance were:

**Board:** Lisa Strickland, Chair  
Patti Stephens, Vice Chair  
Laura Dininni  
Corey Gracie-Griffin  
Jeremie Thompson

**Staff:** Centrice Martin, Township Manager  
Jaymes Progar, Assistant Township Manager  
Dave Modricker, Director, Public Works  
Jenna Wargo, Director, Planning and Zoning  
John Petrick, Chief of Police  
Betsy Dupuis, Township Solicitor

Others in attendance included: Rhonda Demchak, Recording Secretary

### I. CALL TO ORDER

Ms. Strickland called the Tuesday, April 18, 2023, regular meeting to order at 7:00 p.m.

### II. PLEDGE OF ALLEGIANCE

### III. ANNOUNCEMENTS

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. Strickland reported that there were two Executive Sessions held, one on April 12<sup>th</sup> regarding personnel, and the second meeting on April 17<sup>th</sup> regarding personnel and real estate matters.

### IV. PUBLIC INPUT

There were none.

### V. APPROVAL OF MINUTES

1. April 4, 2023 – Board of Supervisors Regular Meeting Minutes
2. April 12 – Board of Supervisors Special Meeting Minutes

Ms. Stephens moved that the Board of Supervisors **approve** the regular meeting minutes of April 4, 2023, and the April 12, 2023 special meeting minutes. Mr. Gracie-Griffin seconded the motion. The motion passed unanimously.

Ms. Dinnini moved that the Board of Supervisors **remove** agenda item XI.F, Discussion on Elements of the Sign and Zoning Ordinance. Mr. Thompson seconded the motion. The motion passed unanimously.

## **VI. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT**

There were no reports.

## **VII. SPECIAL REPORTS**

1. Diversity, Equity, and Inclusionary Initiatives – Arab-American Heritage Month, Child Abuse Prevention Month, World Autism Month, International Dark Sky Week 4/17-23, Ramadan Ends 4/20, Earth Day 4/22, Arbor Day 4/28
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. Human Resources Committee – Cancellation Notice
- b. Climate Action & Sustainability Committee

Mr. Thompson reported they met on April 10<sup>th</sup> and discussed the Curbside Organics Collection Pilot; Food Scraps Drop Off Pilot; CAAP Dashboard for Municipal Action and the results of the Refuse and Recycling Survey.

- c. Public Safety Committee

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

- d. Joint Facilities and Finance Committee

Ms. Dinnini reported that she was unable to attend the meeting.

- e. Centre County Metropolitan Planning Organization Coordinating Committee

Ms. Strickland reported that she attended part of the meeting tonight and the agenda is included in the meeting packet.

## **IX. STAFF REPORTS**

- a. Manger's Report

Ms. Martin stated that she will provide a report at the May 2<sup>nd</sup> meeting.

- b. Public Works Director Report

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

c. Planning and Zoning Report

Chief Petrick noted that his report is included in the agenda packet.

d. Chief of Police

All reports were included in the agenda packet.

## X. UNFINISHED BUSINESS

a. Public Hearing - Resolution to Approve a Monetary Contribution to Centre Kitchen Collective

Ms. Martin stated that at a Special Meeting of the Board of Supervisors, the Board approved a monetary contribution in the amount of \$20,000 to Centre Kitchen Collective and directed staff to prepare a resolution detailing the unique cost match situation. The Board approved the contribution in support of their commitment to economic development and local farms within the Township. Funds previously budgeted for economic development in the Township will be used to provide the partial grant match as part of their grant application submission to the USDA Local Food Promotion Program. Provided with the agenda is a draft resolution for the Board's consideration.

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

Ms. Stephens moved that the Board of Supervisors **approve** the resolution authorizing a monetary contribution to Centre Kitchen Collective. Mr. Thompson seconded the motion.

Ms. Dininni read a brief excerpt from the 2019 Township Spring Newsletter in which David Pribulka, Past Manager of Ferguson Township wrote the newsletter address on how Ferguson Township can be great. Ms. Dininni read the following:

"We all know the decades old storylines. Ferguson Township has some of the most productive agricultural zoning in the state. Ferguson Township preserves more farmland than any other municipality in the County. Ferguson Township enforces a growth boundary to prevent sprawl and protect farming. These statements are each imbued with value and the products of many years of hard work from dedicated farmers, local businesses, residents, and public officials. They represent what makes our community good. Let's talk about what we are doing to become great. In recent years I have been proud to witness and be a part of an outpouring of community involvement in sustaining agriculture as a business in the Township. A farmer's market at St. Paul Lutheran Church in Pine Grove Mills is entering its then second year of operation featuring local and regional vendors selling a wide variety of craft, food, and wares. A group of dedicated farmers and individuals volunteered their free time to make a positive impact on agriculture by commenting on the Township Land Use Regulations. An Agritourism Committee of the Chamber of Business and Industry of Centre County and Central Pennsylvania Convention and Visitors Bureau has been convened to look at sharing our county's rich heritage with the world. A small area plan is being prepared for Pine Grove Mills with a focus on highlighting the unique character of West Ferguson Township. And finally, the farming community is making their voices heard in a meaningful way and initiatives related to source water protection and stormwater management. Participation from the township's agricultural community has been far-reaching and thoughtful. Instead of viewing government as a regulatory burden and an obstacle to the viability of sustainable agriculture as a business. Partnerships are being formed to benefit everyone while building on our defining values and character. What is most encouraging is that this is not a government-led initiative or attributable to any one individual or group. Rather this is a consortium of many individuals and interests coming

together in a meaningful way to effect lasting change in an industry that has defined our community for centuries. I'm excited to be even a small part of this movement and look forward to continuing our journey from good to great with you all."

Ms. Strickland thanked Ms. Martin for putting this together, including the resolution.

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

Please note that Ms. Dininni left the meeting.

b. Rescind Approval of the Pine Hall Traditional Town Development General Master Plan

Ms. Wargo reported that on August 19, 2019, the Pine Hall Traditional Town Development General Master Plan was approved with conditions by the Board of Supervisors. Since the approval, the Master Plan has been held up in appeals by different parties. Provided in the agenda is a memorandum from Kristina Bassett, Community Planner, dated August 16, 2019, outlining the terms and conditions of approval, as well as, the master plan linked below.

<https://www.twp.ferguson.pa.us/planning-zoning/pages/pine-hall-traditional-town-development-ttdgeneral-master-plan>

The Township has been notified that the applicant for the Pine Hall Traditional Town Development General Master Plan no longer has equitable interest in the property. As such, staff is recommending the Board of Supervisors to rescind the approval of the Pine Hall Traditional Town Development General Master Plan.

Ms. Stephens moved that the Board of Supervisors **rescind** the approval of the master plan. Mr. Thompson seconded the motion. The motion passed unanimously.

c. Preliminary Design of Municipal Separate, Storm, Sewer, System (MS4) Pollutant Reduction Plan Projects

Mr. Modricker stated that the 2023 budget includes funding for professional design services for some of the preliminary design aspects of the MS4 PRP projects (Slab Cabin Run and tributary to Beaver Branch) in 20.408.317. Funding is included for environmental investigation, geotechnical investigation, surveying, permitting and final design. The budget also anticipated the stormwater engineer completing some portion of the preliminary design in house. While the stormwater engineer has made some progress, given the time constraints to get these projects built, time constraints of the stormwater engineer working on other stormwater issues and contracts, it is necessary to solicit preliminary design services which also include some of the CADD work and design work. Given the scope of the work, it is possible the cost proposals will be over the anticipated budget line-item amounts in 20.408.317 line item, but we can manage costs within budget of the larger fund 20. Separately the Township will also solicit proposals for the geotechnical investigation. The survey was started in house but will need to be completed by SAS. The stormwater engineer has spent a significant amount of time meeting with regulatory agencies and developing an understanding of the work needed in this preliminary phase and developing the scope of work for this RFP. The stormwater engineer will manage the work of the consultants.

Ms. Stephens moved that the Board of Supervisors **authorize** staff to solicit a request for proposals for professional design services for the preliminary design of the MS4 PRP projects on sections of Slab Cabin Run and a section of a tributary to Beaver Branch. Mr. Gracie-Griffin seconded the motion.

Ms. Strickland expressed appreciation for all the information that was included in the agenda packet.

The motion passed unanimously.

## **XI. NEW BUSINESS**

### **1. Consent Agenda**

- a. Acceptance of Ms. Dininni's resignation, effective July 4, 2023
- b. Acknowledge fee adjustment for stormwater utility fee for state-owned government properties
- c. Special Events Permit for CVIM Bike Event 2023

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

### **d. Proclamation Ferguson Township Arbor Day**

Mr. Modricker reported that provided with the agenda is a Proclamation designating Saturday, April 29, 2023, as Ferguson Township Arbor Day. Ferguson Township is home to plentiful greenspace and always aims to protect and honor the trees and woodlands of the Township.

Ms. Stephens moved that the Board of Supervisors **adopt** the proclamation designating Saturday, April 29, 2023, as Ferguson Township Arbor Day. Mr. Thompson seconded the motion. The motion passed unanimously.

### **e. Public Hearing Authorizing Township Manager to Appoint an Acting Manager and Repealing Resolution 2020-09.**

Ms. Martin noted that provided with the agenda is a copy of the resolution as advertised for public hearing authorizing the Township Manager to appoint an Acting Manager during her absence. This is provided for under Chapter 2, Section 207 of the Administrative Code where the Manager may appoint a temporary Acting Manager subject to the approval of the Board of Supervisors. This may occur during temporary leaves of absence and has historically occurred when the Manager is away and would not be able to reasonably return and perform her duties should the need arise.

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

Mr. Thompson moved that the Board of Supervisors **adopt** the resolution authorizing the Township Manager to appoint an Acting Manager during her absence in accordance with the Administrative Code, Chapter 1; Part 2, Section 207, Acting Manager and repealing Resolution 2020-09. Ms. Stephens seconded the motion.

Mr. Gracie-Griffin asked what changed from the previous resolution. Ms. Martin stated that the resolution had former Chief Albright, former Finance Director Eric Endresen, she was listed as Assistant Manager, and the former Manager David Pribulka was listed as the Township Manager. The changes reflect the new staffing. Also, Mr. Progar will serve in Ms. Martin's absence.

**ROLL CALL: MS. STEPHENS – YES; MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – (no vote was made because of due to her absence); MS. STRICKLAND – YES**

### **f. Appointments to Tax Review Board and Zoning Hearing Board**

Ms. Martin reported that provided with the agenda is an application submitted by Jennifer Pencek to serve on the Tax Review Board. Also provided is an application submitted by Yanling Zuo to serve on the Zoning Hearing Board.

Mr. Gracie-Griffin moved that the Board of Supervisors **appoint** Jennifer Pencek to the Tax Review Board for a term expiring 12/31/2023. Ms. Stephens seconded the motion. The motion passed unanimously.

Mr. Gracie-Griffin moved that the Board of Supervisors **appoint** Yanling Zuo to the Zoning Hearing Board for a term expiring 12/31/2024. Ms. Stephens seconded the motion. The motion passed unanimously.

g. Waiver Application for 180 Science Park Court (24-001A,054-,0000-)

Ms. Wargo reported that on April 5, 2023, Penn Terra Engineering, on behalf of their client, Martha Carothers, requested a waiver from Chapter 22-512 – Sidewalks for the 180 Science Park Court Minor Subdivision Plan. This Minor Subdivision Plan proposes a 2-lot subdivision located at 180 Science Park Court (24-001A-054-0000). The existing lot is approximately 0.903 acres and is zoned Single-Family Residential (R1).

The applicant is requesting a waiver from providing sidewalks along the parcels since the lot is located in an established neighborhood with no sidewalks on either side of the street.

Provided in the agenda is the application. Staff and Planning Commission have reviewed the request and are recommending approval of the waiver from §22-512—Sidewalks for the 180 Science Park Court Minor Subdivision Plan.

Ms. Stephens moved that the Board of Supervisors **grant** the Application for Consideration of a Waiver from §22-512—Sidewalks for the 180 Science Park Court Minor Subdivision Plan. Ms. Gracie-Griffin seconded the motion. The motion passed unanimously.

## **XII. COMMUNICATIONS TO THE BOARD**

There were no communications to the Board of Supervisors.

## **XIII. CALENDAR ITEMS – APRIL/MAY**

- a. Watershed Cleanup Day, April 22
- b. Planning Commission, April 24
- c. Zoning Hearing Board, April 25
- d. Pine Grove Mills Small Area Plan Advisory Committee, April 27
- e. Household Hazardous Waste Drop-off Event, April 28 and 29
- f. Ferguson Township Arbor Day, April 29
- g. LEED Ceremony, May 25

**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 7:33 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Centrice Martin".

Centrice Martin, Township Manager  
for the Board of Supervisors

Date approved by the Board: 05-02-23