

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, May 2, 2023

ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Tuesday, May 2, 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
Deeya Kochar, Finance Director

Others in attendance included: Rhonda Demchak, Recording Secretary; Bill Keough, Ferguson Township Resident and Ferguson Township Planning Commission member; Eric Norenberg, Executive Director, COG; Leslie Laing, C-NET; Cynthia Hahn, C-NET; Anne Messner, Centre Regional Planning Agency; James Saylor, Centre Regional Planning Agency; Lynette Brooks, Pennsylvania Furnace Resident.

I. CALL TO ORDER

Ms. Strickland called the Tuesday, May 2, 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. Martin welcomed Ms. Deeya Kochhar to the meeting as the new Finance Director for the Township.

IV. PUBLIC INPUT

There were none.

V. APPROVAL OF MINUTES

1. April 18, 2023 – Board of Supervisors Regular Meeting Minutes

Mr. Gracie-Griffin moved that the Board of Supervisors **approve** the regular meeting minutes of April 18, 2023. Mr. Thompson seconded the motion. The motion passed unanimously.

VI. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT

1. Parks and Recreation Authority

Mr. Bill Keough reviewed his report that was included in the agenda packet.

Ms. Dininni suggested adding information to the QR Codes regarding how to donate to the boardwalk. Mr. Keough stated that the funding will need to come from a variety of places regarding the \$6-\$11 million deficit.

Ms. Strickland thanked Mr. Keough for his report and asked about the timeline. Mr. Keough stated that no decisions have been made, but the approximate timeline is 1.5 years to 7 years from now.

Ms. Strickland inquired about signage at the Whitehall Road Regional Park regarding no trespassing. Chief Petrick reported that there is signage and fencing. Chief Petrick will reach out to the Yards as well. Ms. Dininni expressed concerns with the expense of utilizing police patrol and the expense of signs. Mr. Eric Nurnberg, Executive Director, COG noted that the signs are not expensive, and they have been coordinating with the Ferguson Township Police Department.

2. Schlow Library

Ms. Ziff was not in attendance. Ms. Strickland stated that the report was included in the agenda packet.

VII. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives – Jewish-American Heritage Month, National Asian American and South Pacific Islander Heritage Month, Bike Month, National Fitness Day 5/2, Public Service Week 5/7-13, Police Week, 5/15-21, EMS Week 5/21-27, Public Works Week 5/21-27, Administrative Offices Closed for Memorial Day 5/29

2. Township and Fiscal Responsibility – C-NET Presentation

Ms. Leslie Laing and Ms. Cynthia Hahn reviewed the report that was included in the agenda packet.

Mr. Thompson reported that he received a communication that channel 7 was off air recently.

Ms. Dininni thanked Ms. Hahn and Ms. Laing for the report.

3. Community and Economic Development – Update on the Active Transportation Plan and Long Range Transportation

Ms. Anne Messner and James Saylor of Centre Regional Planning Agency reviewed their report that was included in the agenda packet. The last slide asked the following questions:

- What 3 roads/corridors either township or state that continue to be of concern?
- What are the known issues for those locations?

Ms. Strickland commented that there is an area of concern with the Northland Study due to a CATA stop that needs repositioned. Ms. Strickland stated that in Pine Grove Mills the flashing redlight at

the intersection of Route 26 and 45 is still a concern. Also, Ms. Strickland noted that the intersection of Nixon Road and Whitehall Road continues to have accidents.

Ms. Dininni concurred with Ms. Strickland and noted that in the West College area there is significant, pedestrian, vehicle, and bike interactions. Ms. Dininni asked if Foxpointe to Whitehall is necessary and asked for assistance with connecting a path from Pine Grove Mills to the rest of the region.

Mr. Gracie-Griffin stated that connectivity in smaller places in the Township like Science Park Road is concerning.

Mr. Thompson expressed concern with the Circleville Road, Teaberry Road, and Blue Course intersection due to safety concerns.

Mr. Thompson reported that he has communicated with other residents and elected officials in the area on how we connect our residents to train travel.

4. Environment – no report.

VIII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

a. Executive Committee

Ms. Strickland reviewed her report that was included in the agenda packet.

b. Parks and Recreation Governance Committee

Ms. Stephens reported that a request for proposals was sent out for a moderator.

IX. 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 his report is included in the agenda packet.

Mr. Thompson reported that Valley Vista, Science Park, Teaberry, and Circleville Road overhead signage appear to be in rough shape. Mr. Modricker stated he will take a look at them.

Ms. Dininni asked about an apparatus that was firmly secured at the corner of North Atherton and Aaron Road. Mr. Modricker stated that he will look into that.

c. Planning and Zoning Report

Ms. Wargo noted that her report is included in the agenda packet.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

1. CONSENT AGENDA

- a. Public Hearing - . Accept Michael Twomley resignation from the Zoning Hearing Board.
- b. Appoint Robert Strouse to the Zoning Hearing Board with a term ending December 31, 2023.
- c. Appoint Stevie Rocco to the Zoning Hearing Board with a term ending December 31, 2027.
- d. Accept Vickie Hewitt resignation from the Tax Review Board.
- e. Appoint Cathy Bowen to the Tax Review Board with a term ending December 31, 2023.
- f. Appointment of Ferguson Township Director of Finance.
- g. Award contract 2023-C7C Asphalt and Aggregate Project.
- h. Award contract 2023-C1 Blue Course Drive Paving Project.
- i. March 2023 Voucher Report.

Mr. Gracie-Griffin moved that the Board of Supervisors **approve** the consent agenda Ms. Stephens seconded the motion. The motion passed unanimously.

2. Review of the Centre County Council of Governments Capital Improvement Plan (CIP)

Ms. Martin reported that the Centre Region Council of Governments (CRCOG) provided a copy of the draft 2024 – 2028 Capital Improvement Plan (CIP) for municipalities to review and comment. Facilities and Finance Committee members provided feedback which has been incorporated into the document. The information contained in the CIP document is based on recommendations from the facility condition assessments, age/condition of equipment, and new or replacement vehicles/equipment needed. The CRCOG Executive Director is in attendance to respond to questions. The DRAFT 2024 – 2028 CRCOG Capital Improvement Plan and the Comment Guide are attached to the agenda.

Included in the agenda packet is a comment guide that included the following:

- Parks Capital Equipment – Ms. Stephens asked if attachments for mowers and aerators could be purchased instead of two aerators. Mr. Nurnberg stated there are significant challenges with the supply chain and they make good decisions when replacing items.

Mr. Gracie-Griffin asked why there is a 15% jump between 2024-2025 for the Shares by Municipality on page 93 of the agenda packet. Mr. Nurnberg reported that there are a couple of factors, deferred equipment purchases, cost increases, and a 2% reinvestment for each year.

- Continued - Parks Capital Equipment – Ms. Dininni inquired about the storage of equipment with regards to using TRAISR and the management of the equipment. Mr. Nurnberg reported that the Facilities Committee has started working on developing a long-range facilities master plan. Mr. Gracie-Griffin asked why there isn't a standardized fleet of vehicles. Mr. Nurnberg reported it is due to availability and cost. Ms. Dininni suggested transit the fleet to hybrid. Mr. Nurnberg reported that they are working on a sustainability initiative. Ms. Strickland made a comment about the fund balance and the plan to spend that down.

- Fire – Ms. Stephens asked about the upgrades to the HVAC and electrical for the College Township Fire Station and if it is separate from the College Township Building. Mr. Nurnberg noted that it is separate. Ms. Dininni spoke about the COG Formula and when can a broader discussion happen. Mr. Nurnberg stated that it would be a Finance Committee topic. Ms. Strickland expressed concerns with the storage facility for 2024. Mr. Gracie-Griffin concurred with Ms. Strickland and stated that paying interest on a \$3 million loan before the location is determined is concerning. Ms. Dininni suggest getting the policy dialogue started. Mr. Gracie-Griffin stated that he would want planning to be done for any new building before a loan is acquired.
- Regional Parks – Ms. Strickland expressed concerns with the Indoor Feasibility Study amount and timeframe because they do not last forever. Ms. Strickland suggested moving this out past 2025. Ms. Dininni supports moving the study further out and suggested a visual aide to capture all of the anticipated COG large capital investments for the next 10 years. Ms. Strickland commented on the engineering design for the Hess restroom/concession/storage and asked if there was construction included. Mr. Nurnberg noted that it will need to be added. Ms. Dininni suggested adding a “soft” number. Mr. Gracie-Griffin suggested to include ongoing maintenance costs. Ms. Dininni commented on the Whitehall Regional Park pavilion and the land development plan. Mr. Nurnberg stated that COG staff have met with the Ferguson Township staff to address where they are on the land development plan.
- Library Capital – Mr. Gracie-Griffin commented that the ending fund balances are what he would anticipate with a budget of that size.
- COG Building – There were no comments made.
- Pools Capital – There were no comments made.
- Regional Nature Center – Ms. Strickland inquired about the staff building. Mr. Nurnberg stated they are looking at a temporary location. Ms. Strickland suggested adding back in the amount for the building. Ms. Dininni expressed concerns with ownership, investment and suggested something mobile. Mr. Gracie-Griffin expressed concerns about the revenue sources and how much money it is. Mr. Gracie-Griffin stated his concerns with the Millbrook Marsh Boardwalk and how Ferguson Township pays the most. Ms. Strickland asked if the Millbrook Marsh Boardwalk is a part of the Regional Parks system. Mr. Nurnberg stated that it is being treated as a regional asset but will need to be explored further. Ms. Stephens suggested having a discussion at a General Forum meeting with everyone. Mr. Keough suggested adding an asterisk to explain that it is an estimated cost. Ms. Strickland concurred to include a further explanation. Ms. Dininni supports a further explanation and suggested a percentage range. Mr. Gracie-Griffin stated that \$6 million seems low and it should be higher. Ms. Strickland supports extending out 2 years. Mr. Gracie-Griffin would be in favor of asking the local school district to participate in future costs if they are taking advantage of the facility.

- Planning MPO – There were no comments made.
 - Regional Refuse – There were no comments made.
 - Emergency Management – There were no comments made.
 - Codes Department – There were no comments made.
 - General Comments – Ms. Dininni asked about the fund balance of the Regional Park. Mr. Nurnberg stated that he would need to defer this question to the interim-finance director. Mr. Gracie-Griffin stated that the pie charts are not useful to him because the overall size of the pie chart increases dramatically between 2024-2025. Mr. Gracie-Griffin suggested having bar charts to see over the years would be helpful. Ms. Dininni suggested adding the COG Formula with regards to Parks.
3. Request from Homeowner Association to Enter an Agreement with Township that Permits Cost Sharing Approach on Pipe Cleaning, Video Contract and Pipe Lining Contract

Mr. Modricker stated that annually the Township prepares, bids, and administers contracts for pipe cleaning/video assessment, and for pipe lining. Thoroughbred Crossing HOA approached the Township about the possibility of piggybacking on both contracts. Piggybacking allows another entity (the HOA) to take advantage of contract pricing and technical specifications and contract conditions imposed in the Township contract(s). The contract will require the billing portion of the HOA work to go directly to the HOA. The Township currently extends piggybacking to other municipalities on our line striping, and microsurfacing, and seal coating contracts as well as contracts for pipe cleaning/video assessment and pipe lining. Staff has not yet let a contract including piggybacking by an HOA. Stormwater from Township property is often comingled with stormwater from HOA property as it flows from impervious areas to street to street and pipe to pipe before reaching a storm water basin or BMP or discharge point. It is in the Township's best interest that HOAs maintain the stormwater infrastructure owned by them on their property. Staff has reviewed the matter with the Township solicitor who does not object to allowing an HOA to piggyback on these contracts. Staff would like to allow Thoroughbred Crossing to piggyback on contract 2023-C5 Storm Sewer Cleaning and Video Assessment and contract 2023-C3 Cured-in-Place Pipe Lining. If successful, the Township could extend piggybacking to other HOAs in the future.

Mr. Thompson moved that the Board of Supervisors **consent** to Thoroughbred Crossing piggybacking on contract 2023-C5 Storm Sewer Cleaning and Video Assessment and contract 2023-C3 Cured-in Place Pipe Lining, and if successful, the Township could extend piggybacking to other HOAs in the future. Mr. Gracie-Griffin seconded the motion. The motion passed unanimously.

4. Board Member Request Item – Noise Ordinance Discussion

Ms. Dininni stated that provided with the agenda is the narrative that she prepared. Ms. Dininni read the following motion from the September 7, 2021 meeting:

“Ms. Strickland moved that the Board of Supervisors **direct** staff to draft an amendment to the Ferguson Township Noise Ordinance focused on revising definitions, standards of assessment, exceptions, and prohibitions with the goal of increasing community quality of life, well-being, and

ease of enforcement. Ms. Steckler seconded the motion. The motion passed 4-1 with Mr. Miller opposing.”

Ms. Dininni reviewed the history of the ordinance. Ms. Dininni stated that the ordinance is outdated.

Ms. Martin stated that the Noise Ordinance is in the workplan and is being discussed, but at this time giving Chief Petrick time to understand the issues. Ms. Martin stated that the ordinance will take time because it is very outdated with many sections. Chief Petrick stated he is gathering information and noted the ordinance is very outdated.

Lynette Brooks, Pennsylvania Furnace Resident, thanked the Board for the thoughtful dialogue and work they do. Ms. Brooks stated that her family enjoys the quiet life in Penn. Furnace and agrees the ordinance is outdated. Ms. Brooks stated that a few years ago they experienced issues with industrial noise that impacted the neighborhood. Ms. Brooks described the difficulty of having their issue resolved and is favor of a new ordinance.

XII. COMMUNICATIONS TO THE BOARD

There were no communications to the Board of Supervisors.

XIII. CALENDAR ITEMS –MAY

- a. Planning Commission, May 8, 22
- b. Board of Supervisors Worksession, May 10
- c. Parks & Recreation Committee, May 11
- d. Tree Commission, May 15
- e. **Board of Supervisors Regular Meeting on Monday, May 15
- f. Election Day, May 16
- g. Spring Bulk Waste Collection, May 22-26
- h. Pine Grove Mills Small Area Plan Advisory Committee, May 25
- i. LEED Ceremony, May 2

XIV. ADJOURNMENT

With no further business to come before the Board of Supervisors, Mr. Gracie-Griffin motioned to **adjourn** the meeting with Ms. Strickland seconding the motion. The motion passed unanimously. The meeting was adjourned at 10:31 p.m.

Respectfully submitted,



Centrice Martin, Township Manager
for the Board of Supervisors

Date approved by the Board: 05-15-2023