

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, April 19, 2022

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, April 19, 2022 as a hybrid meeting. In attendance were:

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

Staff: Centrice Martin, Township Manager
Eric Endresen, Finance Director
Dave Modricker, Director of Public Works
Jenna Wargo, Director of Planning and Zoning
Angela Kalke, Human Resources Administrator

Others in attendance included: Rhonda Demchak, Recording Secretary; Mark Torretti, PennTerra; Debra Smart, Centre Animal Veterinary Hospital; Bill Keough, Ferguson Township Planning Commission, Todd Smith, ELA Group; Jim Assasindia, developer, Ferguson Township Resident; Pam Adams, Centre Region Council of Govt.; Shelly Mato, Centre Region Council of Govt; Tip Stama, Ferguson Township Resident; Trish Meek, Centre Region Council of Govt.; Jim Maund, Ferguson Township Resident, Dorothy Blair, Nittany Valley Environmental Coalition; Charima Young, PSU; David Stone, Nittany Valley Environmental Coalition

I. CALL TO ORDER

Ms. Dininni called the Tuesday, April 19, 2022, regular meeting to order at 7:00 p.m.

Ms. Martin 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. Ms. Strickland was present in person. 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.

II. CITIZENS INPUT

There were no comments.

III. APPROVAL OF MINUTES

Ms. Stephens moved that the Board of Supervisors **approve** the April 5, 2022 Board of Supervisors Regular Meeting Minutes. Ms. Williams seconded the motion.

Ms. Strickland pointed out that it shouldn't be Nic Fugaro, but Nick Beiling on the last page of the minutes.

The motion passed unanimously.

IV. AUTHORITIES, BOARDS, AND COMMISIONS REPORT

V. SPECIAL REPORTS

- a. Diversity, Equity, and Inclusionary Initiatives – No Report.
- b. Township and Fiscal Responsibility - Management Practices of Single Use Plastic Presentation, Lara Fowler

Dr. Fowler reported that they have worked with the Township in 2019 and this year as part of Penn State's Sustainable Communities Collaborative which matches community needs with students and opportunities. Dr. Fowler shared a PowerPoint presentation that included the following:

- Taught Negotiation & Dispute Resolution Design Course that included 35 law and graduate students (including 22 international students and 2 students from the School of International Affairs; from 13 different countries).
- Fall 2018 there was a petition by the Township residents to put a ban on single use plastic bags; .25 cent/single use plastic bag fee at point of purchase; education at point of sale; 6 months to implement the program; there was also a petition submitted to the Borough of State College.
- 2022 Single Use Plastics Project - Thinking about a more regional solution vs. community-by-community implementation; more than just plastic bags; looking at single use plastics more broadly.
- Significant change since 2019 – Statewide moratorium on action ended; other PA Communities taking action (6 and counting).
- Single Use Plastics – our role in the project as a class – Gather information, research and interviews, share information with local municipalities
- One option: Voluntary Approach – Numerous local stores voluntarily reduce single use plastic bags; some charge a fee
- Second option: Charge a fee on any bag (fees range from .05 to .20/bag)
- Third option: Prohibit use of certain products – 10 states now prohibit single use plastic bags; 18 states have “ban on ban” – preemption of local action; numerous countries banned single use plastics
- Fourth option: Combination of ban plus alternative projects plus fees.
- Considerations for this region – separate plastics collection available; separated by type; plastics recycling more challenging after 2017 ban from China; plastic bags recycled by customers, sold by stores
- Student research on other jurisdictions. Dr. Fowler reported that they will share short summaries from each jurisdiction or entity that will be included in the final report.
- Examples of what jurisdictions have regulated – Single-use plastic bags; non-recyclable paper bags at the point of sale; single-use service ware; expanded polystyrene; plastic ring carriers; single use plastic bottles.
- Who is regulated? – Retailers and/or restaurants
- Exemptions by type of user – SNAP, WIC, or other federal/state program beneficiaries; those who file for exemptions
- Examples of exemptions - [Hawaii](#)
- Program implementation – some places started with a fee, then went to a ban; others banned plastic bags, then expanded what was regulated; some places phase in over time; education for customers
- Enforcement – Failure to Comply – graduated fines against businesses
- Unintended consequences – ban on certain types of bags without fee may simply result in use of thicker bags and more impact from plastics.
- Student interview sample questions – Perspective on single use plastics in general; use/management; impact of covid; etc.

- Type of interviewees – local government; county government; local utilities; businesses; PSU; local environmental groups; interested individuals.
- Overall themes – single use plastics causing problems; some haven't thought about it; others know, but don't know what to do; sense of urgency varies; some would like more education; others want a fee and/or a ban and a fee; concern about cost and effectiveness
- Incentives – manufactures to retailers to consumers; businesses to implement good practices, get good publicity for their efforts.
- Impact of COVID – less emphasis over the last two years; huge volume of single use plastics, including PPE; more takeout orders; supply issues.
- Overall Summary – Big Shift since 2019; local interest; adopting small changes; education/outreach.
- Next Steps – finalizing interviews; working on summary report; spring forum; will brief other communities.

Dr. Fowler will forward the slides to the Board. Ms. Dininni thanked Dr. Fowler and her students.

Refuse and Recycling Pilot Program by Eric Norenberg

Mr. Norenberg, Executive Director of COG, and Shelly Mato presented a PowerPoint presentation. Highlights from the presentation included the following:

- Collections begin at 6:00 a.m. instead of 7:00 a.m. starting Tuesday after Memorial Day through Friday before Labor Day. This will include both refuse and recycling collection.
- Implementation – phone and email blasts; ads in local newspapers; press released; messaging on website and social media.
- Brief Background – started in 2019; more trash in the warmer months; daily temperatures are on the rise.
- How does an earlier start time address the issue? – avoid highest temperatures in the day; provides additional time for breaks if needed; provides some extra time for one route to finish and then assist with another route or finish a route.
- Tracking the Pilot will include COG compiling all the data.
- Anticipated challenges – Trash left out overnight may draw animals, and noise nuisances.

Ms. Stephens asked if the survey would go out to all residents or just a sample. Ms. Mato stated that in 2023 there will be a survey sent to all residents.

Ms. Dininni expressed disappointment with the rural areas being the first stops in collection and noted there are other alternatives. Ms. Dininni requested to shift away from the highly active bear populated areas as being the first routes. Ms. Dininni expressed concerns with setting a precedent.

Mr. Norenberg thanked the Board and appreciated the feedback.

Ms. Stephens inquired about issuing waste management bins. Mr. Norenberg reported that it was too costly in the last bid.

c. Community And Economic Development – No Report

d. Environment – Climate Action Committee Presentation by Brandi Robinson

Ms. Robinson, Chair Ferguson Township Climate Action Committee presented PowerPoint slides on Mitigation and Adaptation Strategies, Recommendations and Next Steps. The information from Ms. Robinson slides can be found in the agenda packet and [here](#).

VI. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

All reports are included in the agenda packet.

a. Human Resources

Ms. Williams highlighted that they discussed the Cost-of-Living Adjustment. Ms. Dininni stated that she attended to learn more about the five-year parks staffing study and suggested as a Board to request COG to present at a future Board meeting. Ms. Martin will reach out to COG.

b. Joint Meeting of Land Use and Community Infrastructure (LUCI) Committee and Centre Regional Planning Commission and Report

Ms. Strickland reported that they reviewed the New Comprehensive Planning Framework for the Centre Region and noted that an example from Lancaster County was included in the agenda packet. There was also a presentation on the Primary-Scale Solar Study and Toolkit. Ms. Strickland suggested inviting Pam Adams and Mark Boeckel to present the study to the Board. Ms. Martin stated that a status update from staff can be included in a future managers' report but can facilitate a presentation in the future if the Board is interested.

c. Climate Action and Sustainability Committee

Ms. Caldwell reported that a citizen made a request for the COG to endorse a federal legislation that would create a revenue-neutral and border adjustable carbon fee and dividend. Ms. Caldwell stated that the committee approved to move to the Executive Committee. Ms. Caldwell reported that there was a presentation on the ICLEI Action Fund. Ms. Pam Adams reported that it's a long shot with only two awardees, but it's an opportunity.

d. Finance Committee

Ms. Dininni reported that there were two major discussions, establishing a committee to look at fund balance policy and Interfund/Interagency Loan – Fire Capital to Nature Center.

e. Public Safety Committee – cancelled

f. Facilities Committee – report from April 5th meeting

Ms. Stephens reported that the groundbreaking for Whitehall Road Regional Road Park will be on April 27th at 2:30 p.m.

Ms. Dininni reported that the Facilities Coordinator for the COG has resigned.

2. OTHER COMMITTEE REPORTS

Ms. Dininni reported that there were several Executive Sessions on matters of personnel. They met on March 22, 29, 30, 31 and April 12.

VII. STAFF REPORTS

All reports are included in the agenda packet.

- a. Interim Township's Manager's Report
- b. Public Works Director Report
- c. Planning and Zoning Report
- d. Chief of Police Report

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

1. Consent Agenda

- a. Treasurers Report - February 2022 for acceptance
- b. Special Events Permit Application – Stonebridge POA 4th of July Community Parade
- c. Acceptance of Jerry Learn Resignation

Ms. Stephens moved that the Board of Supervisors **accept** the Treasurers Report and **approve** the Consent Agenda. Ms. Williams seconded the motion.

Ms. Dininni thanked Mr. Jerry Learn for his service on the Parks Committee.

The motion passed unanimously.

2. Police Week Proclamation

Ms. Martin noted that provided with the agenda is a link to the draft Proclamation to officially recognizing May 15 through May 21, 2022, as Police Week in Ferguson Township.

Ms. Strickland moved that the Board of Supervisors **adopt** the proclamation designating May 15 through May 21, 2022, as Police Officers Week in Ferguson Township. Ms. Stephens seconded the motion.

Chief Albright thanked the Board for the proclamation, and it will be well received by the officers.

The motion passed unanimously.

3. Public Works Week Proclamation

Ms. Martin noted that provided with the agenda is a link to the draft Proclamation officially recognizing May 15 through May 21, 2022, as Public Works Week in Ferguson Township.

Ms. Strickland moved that the Board of Supervisors **adopt** the proclamation designating May 15 through May 21, 2022, as Public Works Week in Ferguson Township. Ms. Caldwell seconded the motion.

Mr. Modricker thanked the Board for the proclamation and on May 19 at noon there will be a cookout to celebrate.

The motion passed unanimously.

4. Bike Month Proclamation

Ms. Martin noted that Ferguson Township supports the continued efforts of CentreBike and the Centre Regional Planning Agency to promote bicycle riding of all types of throughout the Centre Region. Ferguson Township recognizes that the bicycle is a healthy, convenient, financially, and environmentally sound form of transportation and an excellent tool for recreation, physical fitness enjoyment of Centre Count's scenic beauty, natural attractions and friendly neighborhoods. The Ferguson Township Board of Supervisors supports designating May 2022 as "Bike Month", May 16 through May 22, 2022 as "Bike-To-Work Week", and May 20, 2022 as both "Bike-To-Work Day" and "Centre Region Spring Bike Anywhere Friday."

Ms. Meeks thanked Ferguson Township for always participating and promoting.

Ms. Caldwell moved that the Board of Supervisors **adopt** the proclamation designating May 2022 as "Bike Month", May 16 through May 22, 2022, as "Bike-To-Work Week", and May 20, 2022, as both "Bike-To-Work Day" and "Centre Region Spring Bike Anywhere Friday." Ms. Stephens seconded the motion. The motion passed unanimously.

5. Arbor Day Proclamation

Ms. Martin noted that provided with the agenda is a link to the Proclamation designating Friday, April 29, 2022, as Arbor Day. Ferguson Township is home to plentiful greenspace and always aims to protect and honor the trees and woodlands of the Township. Please join the Township in celebrating Arbor Day's 150th anniversary at Tom Tudek Memorial Park on Saturday, April 30, 2022, at 4:00 p.m. with the unveiling of a Pop-Up Arboretum along with other activities listed on our website. Ms. Martin reported that the new Township Arborist hit the ground running and coordinated a fantastic event.

Mr. Modricker invited the Board to attend Arbor Day and to meet the new Arborist.

Ms. Williams moved that the Board of Supervisors **adopt** the proclamation designating Friday, April 29, 2022, as Ferguson Township Arbor Day. Ms. Stephens seconded the motion. The motion passed unanimously.

6. Public Hearing Appointing the Township Manager

Ms. Dininni noted that the Board of Supervisors partnered with GovHR USA to initiate a national recruitment to interview professionals that have the desired experience, education, and skills to serve as the next Township Manager. The Board conducted a national search that yielded 23 resumes from 10 states, including Pennsylvania. The Board completed a competitive interview process to identify a new Ferguson Township Manager. The Board of Supervisors is excited to announce that Centrice Martin accepted the Board's offer to serve as the Township Manager of Ferguson Township.

Ms. Williams moved that the Board of Supervisors **adopt** the resolution of the Township of Ferguson, Centre County, Pennsylvania for the Appointment of Centrice Martin as Ferguson Township Manager Pursuant to the Ferguson Township Home Rule Charter, Article III, Township Manager; Repealing all inconsistent resolutions or parts thereof; effective April 19, 2022. Ms. Caldwell seconded the motion.

Public Hearing – There were no comments.

Ms. Martin thanked the Board of Supervisors and stated she is honored to serve the Township with strong and smart leaders of the Township. Ms. Martin thanked all staff and residents for all the support.

ROLL CALL: CALDWELL - YES: DININNI - YES: STEPHENS - YES: STRICKLAND - YES: WILLIAMS - YES

The motion passed unanimously.

7. Rescheduling Board Regular Meeting on May 17, 2022, to May 16, 2022

Ms. Dininni noted that the Board of Supervisors is scheduled to meet on Tuesday, May 17, 2022, which is the Primary Election. The Board is being asked to consider rescheduling this meeting for Monday, May 16, 2022.

Ms. Strickland moved that the Board of Supervisors **approve** rescheduling the Regular Meeting scheduled for Tuesday, May 17, 2022, to Monday, May 16, 2022. Ms. Stephens seconded the motion.

Ms. Caldwell reported that she can't commit fully on May 16th due to the election and suggested May 18th.

Ms. Martin reported that Wednesday she has a conflict but suggested meeting on Monday with a light agenda.

The motion passed unanimously.

8. Public Hearing Authorizing Township Manager to Submit Tourism Grant

Ms. Martin noted that provided with the agenda is a copy of the resolution advertised for public hearing authorizing the submission and matching funds for a grant application to the Happy Valley Adventure Bureau for a special event focused on agritourism in concert with Harris Township and Millheim Borough. If successful, the event would connect Millheim Borough, Harris Township and Ferguson Township establishments including 814 Cider Works and Pine Grove Hall for music and locally sources menu through self-guided tours participants can take throughout the week of the event. The resolution also authorizes a local match up to \$7,500 that would come from the Township's Economic Development account.

Public Hearing – There were no comments.

Ms. Caldwell moved that the Board of Supervises **adopt** the resolution authorizing the Township Manager to authorize a local match up to \$7,500 and submit a Tourism Grant application to the Happy Valley Adventure Bureau for an agritourism event with Millheim Borough and Harris Township. Ms. Stephens seconded the motion.

ROLL CALL: CALDWELL - YES: DININNI - YES: STEPHENS - YES: STRICKLAND - YES: WILLIAMS - YES

The motion passed unanimously.

9. Centre Animal Veterinarian Hospital Land Development Plan

Ms. Wargo noted that on September 24, 2022, ELA Group, Inc. submitted a Preliminary Land Development Plan on behalf of their client, Tussey Tracks, LLC. The parcel is located at 1518 West

College Avenue (TP: 24-019-074-0000). This proposal is located in the Terraced Streetscape (TSD) Zoning District.

This land development plan proposes a 620 SF addition to the existing 5,551 SF building. The owner recently acquired the parcel to the east and consolidated the two lots to create a 0.937 acre lot allowing for parking to be expanded and reconfigured for better flow.

At the March 23, 2021, Zoning Hearing Board meeting, the Board granted variances from the following sections of the Township's Zoning Ordinance: §27-304.2.E.2, §27-803.1.B.1, §27-304.3.D.(1)(A) and §27-304.3.G.5. At the April 5, 2022, Board of Supervisors regular meeting, the Board granted a modification/waiver request from §22-5A09—Streetscape Design Standards.

Planning Commission reviewed the preliminary land development plan at the April 11, 2022, meeting and recommended approval of the preliminary pending outstanding staff comments that are provided with the agenda in the Director of Planning and Zoning's memorandum dated April 12, 2022.

Ms. Williams moved that the Board of Supervisors **approve** the Centre Animal Veterinarian Hospital Preliminary Land Development Plan subject to the conditions described in the Director of Planning & Zoning memorandum dated April 12, 2022. Ms. Caldwell seconded the motion. The motion passed unanimously.

10. Public Hearing on Conditional Use Application for Flag Lot at 103 Farmstead Lane

Ms. Wargo noted that an application for a conditional use permit for the subdivision of a flag lot in the Farmstead View Subdivision Plan has been filed with the Township by Penn Terra Engineering on behalf of their client, Farmstead Developer, LLC. The developer proposes to subdivide a flag lot (103 Farmstead Lane, Lot 1, included in the agenda).

The Township's Zoning Ordinance and the Municipalities Planning Code require a public hearing on the application, and the Board of Supervisors must take action to approve or deny the application within 45 days following the hearing. As part of an approval, the Board may attach reasonable conditions and safeguards related to the conditional use standards detailed in the zoning ordinance.

The Board will now hold a public hearing on the application for a conditional use permit for the flag lot proposed on the Farmstead View Subdivision Plan. Chair, Laura Dininni, will conduct the hearing.

As part of the regular meeting agenda following the hearing, the Board will be asked to direct the Director of Planning & Zoning to prepare a written decision for review and consideration of approval at the May 3, 2022, regular meeting.

Public Hearing – There were no comments.

Ms. Williams moved that the Board of Supervisors **direct** the Director of Planning & Zoning to present Findings of Fact and a written decision to the Board for consideration at the May 3 regular meeting. Ms. Stephens seconded the motion. The motion passed unanimously.

11. Modifications/Waivers

a. Farmstead View Subdivision, Ch 22 – Tree Preservation and Protection

Ms. Wargo noted that Penn Terra Engineering, Inc., on behalf of their client, has requested a modification from §22-515.D.2.—Tree Preservation and Protection. This section of the ordinance requires the applicant to preserve 20% of existing, eligible tree canopy on site. Eligible trees include

trees in good condition (as determined by the Township Arborist), native species, and if the preservation of a tree renders the lot undevelopable. The applicant is proposing to subdivide this lot into six (6) residential lots and one stormwater management lot.

The applicant is proposing to preserve 17.3% of the existing tree canopy and remediation for the remaining 2.7%. The remediation proposes the installation of seven new trees in the proposed residential lots and when planted, these trees will meet the required 20% of coverage and when fully grown exceed the 20% requirement.

The Ferguson Township Tree Commission reviewed the subdivision plan and is recommending the applicant preserve the 27' Red Pine to meet the 20% requirement.

Planning Commission reviewed this request at the April 11, 2022, regular meeting and recommended the Board approve the request to remediate.

Ms. Wargo noted the staff recommendation to the Board of Supervisors is to deny the modification/waiver request.

Ms. Strickland moved that the Board of Supervisors **deny** the modification/waiver request from §22-515.D.2.—Tree Preservation and Protection. Ms. Stephens seconded the motion.

Mr. Mark Torretti, PennTerra reported that they look at ways to preserve the tree but to get the stormwater to work the grading wouldn't work.

Mr. Jim Maund, Ferguson Township Resident, stated he would like to save the tree and has previously sent pictures of the tree.

The motion passed unanimously.

b. Modification/Waiver for Nittany Dental Associates, Ch 22 – General

Ms. Wargo noted that Penn Terra Engineering, Inc., on behalf of their client, has requested a waiver from §22- 301—General. This section of the ordinance defines the subdivision and land development review process and requires certain proposals to proceed as a preliminary, and final land development plan, preliminary/final land development plan, or a minor alteration plan.

The applicant recently acquired the former First National Bank building, located at 2591 Park Center Boulevard (TP: 24-465-001-0000). The applicant is proposing to convert the three existing drive-thru lanes and enlarge that space for a total of 1,603 SF. The final SF for the addition would increase the building coverage from 5,124 SF to 6,727 SF.

The applicant is proposing to have their plan processed as a Minor Land Development Plan. Chapter §22-306.3 (as amended by Ord. 1076, 3/15/22) outlines criteria for a plan to be considered as a Minor Land Development Plan.

Planning Commission reviewed the request at the April 11, 2022, regular meeting. They recommended to the Board of Supervisors granting of the application and recommended the plan proceed as a Minor Land Development Plan.

Ms. Dininni asked what changes in terms of what the applicant doesn't need to do and what are the potential impacts. Ms. Wargo stated that they created the minor land development plan process to act similarly to the minor subdivision process and the applicant still needs to meet all the Township ordinance requirements. This will allow fewer reviews by the Planning Commission and the Board and will proceed as a preliminary/final land development plan.

Ms. Stephens moved that the Board of Supervisors **grant** the modification/waiver request and allow the plan to proceed as a Minor Land Development Plan per §22-306.3 Ms. Williams seconded the motion. The motion passed unanimously.

12. Award Contract 2021-C4, Harold Drive Improvements

Mr. Modricker stated that on April 5, 2022, bids were opened publicly and read aloud for contract 2021-C4. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves reconstruction, drainage, and paving of a section of Harold Drive. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 6, 2022, recommending award of the contract. The bids were as follows:

Mid-State Paving and Excavation \$80,520.50
Cottle's Asphalt Maintenance \$87,439.35
Glenn O. Hawbaker \$89,648.25
HRI \$97,536.00

Ms. Strickland moved that the Board of Supervisors **award** Contract 2022-C8, Pavement Markings, to Alpha Space Control Company, in the amount of \$429,077.29, and that staff manage the contract within the budgeted amount. Ms. Williams seconded the motion. The motion passed unanimously.

13. Award Contract 2022-C8, Pavement Markings

Mr. Modricker reported that on March 8, 2022, bids were opened publicly and read aloud for contract 2022-C8. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves painting lines and legends on Township roads, as well as paint eradication as needed in advance of microsurfacing. The bid was over budget and a plan has been developed to manage costs within the budget. About a dozen other municipalities piggybacked on this contract and issued separate purchase orders for their share of the work. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 13, 2022, recommending award of the contract.

Mr. Modricker noted there was only one bid that was received. It is as follows:

Alpha Space Control Co., Inc. \$429,077.29
\$198,877.12 (Ferguson only)

Mr. Modricker reported that other municipalities piggyback to share and benefit from the low cost the Township receives. Mr. Modricker noted that it is over the approved budget and is recommending painting certain roads on even years, some on odd years, and some roads every year.

Ms. Williams moved that the Board of Supervisors **award** Contract 2022-C8, Pavement Markings, to Alpha Space Control Company, in the amount of \$429,077.29, and that staff manage the contract within the budgeted amount. Ms. Stephens seconded the motion.

Ms. Stephens asked if the computer programs will keep track of the assessments. Mr. Modricker answered that the condition of the pavement will be tracked in PAVER and TRAISR will be used for asset management.

The motion passed unanimously.

14. Award Contract 2022-C1, Street Improvement Project (In-Town)

Mr. Modricker stated that on April 12, 2022, bids were opened publicly and read aloud for contract 2022-C1 Street Improvement Projects (in town). This contract includes primarily paving and some related curb, stormwater, and ancillary improvements to (or sections of) the following roads: W. Aaron Drive, N. Allen Street, Circleville Road, Park Crest Lane, Research Drive, and Sleepy Hollow Drive. The bid was advertised in the Centre Daily Times and was sent to potential bidders. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 12, 2022, recommending award of the contract.

Three (3) bids were received as follows:

Glenn O. Hawbaker, Inc. \$793,174.25
HRI, Inc. \$996,734.00
New Enterprise Stone & Lime Co., Inc. \$1,155,898.25

Ms. Caldwell has expressed her concerns about Glenn O. Hawbaker in the past and wants to ensure the money is going to the workers and not just the corporation. Ms. Caldwell suggested receiving more information from their corporate monitor since they are on probation. Ms. Caldwell suggested tabling until more information is obtained. Mr. Modricker stated that the contract last 45 days from the bid opening and the award doesn't need approved tonight.

Ms. Martin shared with the Board that she consulted with the solicitor prior to the meeting and the solicitor identified a process to which the municipality could go through to identify if the contractor were on a state list that would forbid awarding contracts. The solicitor noted that they are not likely on the list. Additional criteria that could be considered for the Township to disqualify is if they have failed to pay their performance bond or subs, performed poorly on a job, or if there is proof, they cheated the Township out of something. Ms. Martin noted that there is a potential for a lawsuit if it weren't awarded based on their recent situation. It is Ms. Martin's understanding the restitution has been paid and the matter is closed. Ms. Martin offered to obtain a written opinion from the solicitor on what steps that the Township can take. Ms. Martin recommends the recommended motion.

Ms. Stephens noted that there is an aggressive Public Works agenda and is interested in moving forward with the awards.

Ms. Williams stated that she would like more information and tabling.

Ms. Caldwell asked if it were tabled would it interfere with the Public Works schedule. Mr. Modricker noted it can wait until the next agenda. Mr. Modricker made note that he has never had the issues that Ms. Martin listed with Glenn O. Hawbaker.

Ms. Strickland shared her concerns and suggested tabling to get more information.

Ms. Caldwell moved that the Board of Supervisors **table** Contract 2022-C1 and Contract 2022-C2 until the next meeting. Ms. Williams seconded the motion. The motion passed 4-1 with Ms. Stephens opposing.

X. COMMUNICATIONS TO THE BOARD

Ms. Williams and Ms. Strickland attended the Coffee and Conversations and suggested promoting them more.

Ms. Dininni shared that there was a discussion in Executive Committee that Harris Township put forth regarding meeting formats.

Ms. Martin read a communication from Mr. Randy Hudson asking not to cut the tree down in Farmstead Lane.

XI. CALENDAR ITEMS – MARCH

- a. Arbor Day Event – April 30
- b. Ferguson Township upcoming committee meetings:
 - 1. Planning Commission – April 25, May 9 & 23
 - 2. Parks & Recreation Committee - May 12
 - 3. Tree Commission – May 16
 - 4. Pine Grove Mills Small Area Advisory Committee - April 28, May 26

Ms. Dininni reported that the Pine Grove Mills Mobility Study had an open house recently and the plan is phenomenal. Ms. Dininni thanked Mr. Modricker for his work on the project.

XII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting. The meeting adjourned at 10:00 p.m.

Respectfully submitted,



Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 05-03-2022