

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda
Monday, April 19, 2021, 7:00 PM

Join Zoom Meeting:

<https://us02web.zoom.us/j/88575479202>

Meeting ID: 885 7547 9202

[Zoom Access Instructions](#)

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZENS INPUT

IV. APPROVAL OF MINUTES

1. April 5, 2021, Board of Supervisors Regular Meeting Minutes
2. March 29, 2021, Board of Supervisors Special Meeting – Whitehall Road Regional Park
3. March 31, 2021, Board of Supervisors Worksession – Solar Power Purchase Agreement

V. SPECIAL REPORTS

- a. COVID-19 (Coronavirus) Response Report
- b. Mental Health Taskforce Report

VI. PROCLAMATIONS

- a. 2021 Asian Heritage Month Proclamation

VII. UNFINISHED BUSINESS

1. Public Hearing – Recreation Fire Open Burn Ordinance
2. Public Hearing – Resolution Condemning Violence Against Asian American Community
3. Public Hearing – Resolution Establishing Green Infrastructure Policy
4. Public Hearing – Resolution Authorizing Tourism Grant Application for Agritourism Event

VIII. NEW BUSINESS

1. Consent Agenda
2. Board Member Request – Terraced Streetscape District Ordinance Amendment
3. Contract 2021-C9, Microsurfacing
4. Contract 2021-C7a, Fuel
5. Contract 2021-C7c, Asphalt and Aggregate

IX. REPORTS

1. COG Committee Reports
2. Other Regional Reports
3. Staff Reports

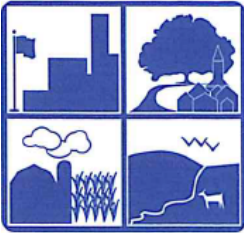
X. COMMUNICATIONS TO THE BOARD

XI. CALENDAR ITEMS – APRIL/MAY

XII. ADJOURNMENT



Visit the Township's Web Site www.twp.ferguson.pa.us and sign up for *Notify Me!* to receive email notices about Township Information.



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801
Telephone: 814-238-4651 • Fax: 814-238-3454
www.twp.ferguson.pa.us

**Board of Supervisors
Regular Meeting Agenda
Monday, April 19, 2021
7:00 P.M.**

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZEN'S INPUT

IV. APPROVAL OF MINUTES

1. April 5, 2021, Board of Supervisors Regular Meeting Minutes
2. March 29, 2021, Board of Supervisors Special Meeting – Whitehall Road Regional Park
3. March 31, 2021, Board of Supervisors Worksession – Solar Power Purchase Agreement

V. SPECIAL REPORTS

40 minutes

1. COVID-19 (Coronavirus) Response Report – David Pribulka, Township Manager
2. Mental Health Taskforce Report – Chief Albright & Traci Small, Centre County CIT Coordinator

VI. PROCLAMATIONS

1. ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH PROCLAMATION

Prasenjit Mitra, Township Supervisor

5 minutes

Narrative

Provided with the agenda is a copy of a proclamation designating May 2021 to be Asian American and Pacific Islander Heritage Month in Ferguson Township. Mr. Mitra will introduce the proclamation.

Recommended motion: That the Board of Supervisors adopt the proclamation designating May 2021 as Asian Heritage Month in Ferguson Township.

Staff Recommendation

That the Board of Supervisors **adopt** the proclamation.

VII. UNFINISHED BUSINESS

1. **A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA CHAPTER 10, HEALTH AND SAFETY, ADDING PART VII SECTION 10-701 APPLICATION; 10-702 DEFINITIONS; 10-703 RECREATIONAL FIRES; 10-704 BURNING LEAVES AND**

LEAF WASTE; 10-705 BURNING REFUSE AND TRADE WASTE PROHIBITED; 10-706 OPEN BURN PERMITS; 10-707 SAFETY ZONES FOR OPEN BURNS, SMOKERS AND RECREATIONAL FIRES; 10-708 SPECIAL PROHIBITIONS. 10 minutes

Chris Albright, Chief of Police

Narrative

Provided with the agenda is a copy of an ordinance that was advertised for public hearing establishing additional fire code and safety regulations within Ferguson Township. The Board of Supervisors reviewed this draft ordinance during their March 15, 2021, regular meeting and authorized staff to advertise the ordinance for public hearing. The new regulations prohibit burning certain materials; and creates safety setbacks and prohibits burning during dry weather conditions.

Recommended motion: That the Board of Supervisors adopt the ordinance amending Chapter 10, Health and Safety by establishing additional fire code and safety regulations within Ferguson Township.

Staff Recommendation

That the Board of Supervisors **adopt** the ordinance.

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, CONDEMNING ACTS OF HATRED, BIAS, AND EXCLUSIONARY BEHAVIOR TOWARDS PEOPLE OF COLOR, ESPECIALLY ASIANS, ASIAN-AMERICANS, AND PACIFIC ISLANDERS, HEREAFTER REFERRED TO AS "AAPI", AND JOINS OTHER COMMUNITIES AROUND THE WORLD IN PURSUIT OF RACIAL AND SOCIAL EQUITY. 10 minutes

Prasenjit Mitra, Township Supervisor

Narrative

Provided with the agenda is a copy of the resolution advertised for public hearing condemning acts of hatred, bias, and exclusionary behavior against the AAPI Community. This resolution was adopted in similar form by the Centre Region Council of Governments at the March 22nd General Forum meeting. Mr. Mitra will introduce the resolution. Judge Don Hahn and Dr. Nalini Krishnankutty are in attendance as representatives of the Governor's Commission on Asian Pacific American Affairs.

Recommended motion: That the Board of Supervisors adopt the resolution condemning acts of hatred, bias, and exclusionary behavior against the AAPI Community.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING A GREEN INFRASTRUCTURE POLICY AS DESCRIBED IN EXHIBIT "A". 20 minutes

Centrice Martin, Assistant Township Manager

Narrative

The Township receives requests by residents, staff and the Board to convert passive areas within parks to green infrastructure areas. Examples include Cecil Irvin Park, Fairbrook Park, Tudek Park and Haymarket Park. Responses to these requests have varied based on the nature of the situation and because there is no policy that exists to inform on how to process these requests or manage a maintenance plan for approved green infrastructure areas within Township Parks. The drafted Green Infrastructure Policy presented to the Board in September 2020 has been reviewed and updated based on input from the Parks and Recreation Committee and Centre Region Parks and Recreation, as well as comments received by members of the Board.

Provided with the agenda is a copy of the resolution advertised for a public hearing to adopt a policy to establish a program plan and process for integrating green infrastructure into appropriate park areas with a written maintenance plan for each approved green infrastructure area in Township parks.

Recommended motion: That the Board of Supervisors adopt the resolution establishing a Green Infrastructure Policy as described in Exhibit "A" of the resolution.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

VIII. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Contract 2020-C3, Pay App #4: \$19,693.48
- b. Special Events Permit – Overlook Heights Block Parties
- c. Special Events Permit – Glimcher Keystone Country Ride

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP MANAGER TO SUBMIT A TOURISM GRANT APPLICATION TO THE HAPPY VALLEY ADVENTURE BUREAU WITH MILLHEIM BOROUGH FOR AN AGRITOURISM EVENT.

David Pribulka, Township Manager

5 minutes

Narrative

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 Millheim Borough. If successful, the event would connect Millheim Borough and Ferguson Township establishments including 814 Cider Works and Pine Grove Hall for music and locally sourced menu through a self-guided tour participants can take throughout the week of the event. The resolution also authorizes a local match up to \$4,500 that would come from the Township's Economic Development account.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the Township Manager to submit a Tourism Grant application to the Happy Valley Adventure Bureau for an agritourism event with Millheim Borough.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

3. BOARD MEMBER REQUEST – TERRACED STREETScape DISTRICT ORDINANCE AMENDMENT 20 minutes

Lisa Strickland, Township Supervisor

Narrative

Ms. Strickland has requested a discussion by the Board to review the Terraced Streetscape District (TSD) to provide direction to the Planning Commission as they begin their review of the TSD. The discussion and work item will lay the foundation for the expected engagement of a consultant in 2022 to revise the ordinance. Provided with the agenda is the request from Ms. Strickland and the text of the Terraced Streetscape District ordinance to help guide the discussion. The Board is asked to refer their comments and goals to the Planning Commission for their review and comment. Following the Planning Commission's discussion, the item will be presented back to the Board of Supervisors for an additional review prior to commencing the rewrite.

Recommended motion: That the Board of Supervisors refer its comments on the Terraced Streetscape District to the Planning Commission for review and comment.

Staff Recommendation

That the Board of Supervisors **refer** the item to the Planning Commission.

4. AWARD OF CONTRACT 2021-C9, MICROSURFACING

5 minutes

David Modricker, Director of Public Works

Narrative

On Tuesday, March 9, 2021, bids were opened and read aloud for Contract 2021-C9 Microsurfacing for select streets in Ferguson and Harris Townships. This is a co-operative contract that is administered by Ferguson Township. The bid was advertised in the Centre Daily Times and sent out to potential bidders. This contract involves the application of a slurry seal to the roads for pavement preservation. Provided with the agenda is a memorandum from the Assistant Township Engineer containing a summary of the bids received.

Recommended motion: That the Board of Supervisors award Contract 2021-C9, Microsurfacing to Asphalt Paving Systems, Inc., in an amount of \$435,839.52.

Staff Recommendation

That the Board of Supervisors **award** Contract 2021-C9 to Asphalt Paving Systems, Inc.

5. AWARD OF CONTRACT 2021-C7a, FUEL

5 minutes

David Modricker, Director of Public Works

Narrative

On Tuesday, April 13, 2021, bids were opened for Contract 2021-C7a Fuel and read aloud. Gasoline and Diesel fuel are bid annually. The bid was advertised in the Centre Daily Times and sent out to potential bidders. Provided with the agenda is a memorandum from the Public Works Director containing a summary of the bids received.

Recommended motion: That the Board of Supervisors award Contract 2021-C7a, Fuel to Nittany Oil Company in an amount of \$59,239.50.

Staff Recommendation

That the Board of Supervisors **award** Contract 2021-C7a to Nittany Oil Company.

6. AWARD OF CONTRACT 2021-C7c, ASPHALT & AGGREGATE

5 minutes

David Modricker, Director of Public Works

Narrative

On Tuesday, April 13, 2021, bids were opened for Contract 2021-C7c Asphalt and Aggregate and read aloud. Road materials are bid annually. The bid was advertised in the Centre Daily Times and sent out to potential bidders. Provided with the agenda is a memorandum from the Public Works Director containing a summary of the bids received.

Recommended motion: That the Board of Supervisors award Contract 2021-C7c, Asphalt & Aggregate as described in Public Works Director memo dated April 13 for items 1 through 4 (aggregate) to Glenn O. Hawbaker, Inc., in the amount of \$17,800.00 and items 5 through 8 (asphalt) to HRI in the amount of \$64,800.00.

Staff Recommendation

That the Board of Supervisors **award** Contract 2021-C7c

IX. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

20 minutes

- a. Human Resources Committee
- b. Finance Committee
- c. Climate Action & Sustainability Committee
- d. Public Safety Committee

2. OTHER COMMITTEE REPORTS

5 minutes

3. STAFF REPORTS

20 minutes

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

X. COMMUNICATIONS TO THE BOARD

XI. CALENDAR ITEMS – APRIL/MAY

- a. Ferguson Township upcoming committee meetings:
 - 1. Pine Grove Mills SAP Advisory Committee, Thursdays, April 22 and May 27, 4PM
 - 2. Planning Commission, Monday, April 26, 6PM
 - 3. Board of Supervisors, Mondays, May 3 and May 17, 7PM
 - 4. Planning Commission, Mondays, May 10 and May 24, 6PM
 - 5. Tree Commission, Monday, May 17, 4PM
 - 6. Parks & Recreation Committee, Thursday, May 20, 4PM
- b. Watershed Cleanup Day, Saturday, April 24, 8AM – 12PM
- c. Ferguson Township Virtual Bike Chat, Thursday, May 20, 12:30PM

XII. ADJOURNMENT