

FERGUSON TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting Agenda
Monday, July 6, 2020, 7:00 PM

Join Zoom Meeting:

<https://us02web.zoom.us/j/85818990999>

Meeting ID: 858 1899 0999

[Ferguson Meetings Page](#)

[Zoom Instructions](#)

Dial In: (814) 238-4651, extension 3799

I. CALL TO ORDER

II. CITIZENS INPUT

III. APPROVAL OF MINUTES

1. June 15, 2020, Board of Supervisors Regular Meeting

IV. SPECIAL REPORTS

- a. COVID-19 (Coronavirus) Response Report

V. UNFINISHED BUSINESS

1. Staff Report – Procurement Code Amendment

VI. NEW BUSINESS

1. Consent Agenda
2. Public Hearing Resolution - Establishing Guidelines for Outdoor Sales of Food & Merchandise during Coronavirus Pandemic
3. Public Hearing Resolution – Easement Agreement for Parcel 24-006B-023
4. Proclamation – Suicide Awareness & Prevention Month
5. Board Member Request – Fairbrook Park Native Landscape Map Amendment
6. Board Member Request – Resolution on Systemic Racism Related to Ethnicity & Skin Tone
7. Board Member Request – Police Response Report
8. Board Member Request – Township Business Needs Survey

VII. REPORTS

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

VIII. COMMUNICATIONS TO THE BOARD

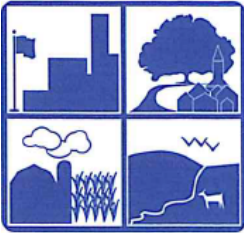
IX. CALENDAR ITEMS – JULY

1. [Virtual Coffee & Conversation, July 10, 8:00 a.m.](#)

X. 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, July 6, 2020 7:00 P.M.

I. CALL TO ORDER

II. CITIZEN'S INPUT

III. APPROVAL OF MINUTES

1. June 15, 2020, Board of Supervisors Regular Meeting Minutes

IV. SPECIAL REPORTS

5 minutes

1. COVID-19 (Coronavirus) Response Report – David Pribulka, Township Manager

V. UNFINISHED BUSINESS

1. STAFF REPORT – PROCUREMENT CODE AMENDMENT

10 minutes

Narrative

On June 15th, the Board of Supervisors considered a request from Mr. Mitra to draft an amendment to the Township's procurement code stipulating that contractors providing bids on projects whose estimated value is above \$10,000 but below prevailing wage requirements must certify that they will pay their employees a minimum of \$15 per hour for the work performed on the job. After some discussion, staff was directed to survey local contractors who have performed work on these projects in the past for the Township to determine whether the proposed regulations would be impactful and, if so, what effect it may have on our contract pricing. Provided with the agenda is a matrix prepared by David Modricker, Director of Public Works, summarizing the results of his survey. Included are responses of several firms who have performed work ranging from maintenance and repairs to microsurfacing. Of the seven contractors surveyed, only one indicated the obligation to pay a minimum of \$15 per hour would impact their pricing, and the others noted they are already paying that minimum wage. This report is provided for information only and the Board should provide any direction on proceeding.

Recommended Motion: That the Board of Supervisors direct staff to prepare a draft amendment to Chapter One, Administration and Government; Part 9, Fiscal Affairs; Section 906, Competitive Bidding System Rules and Regulations to establish that, for contracts whose values are below prevailing wage law requirements and above \$10,000, each bidder will certify that employees involved with the contract will be paid a minimum of \$15 per hour.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Board Member Request – Fire Code and Enforcement Discussion
- b. Board Member Request – Northland Area Pedestrian Safety Improvements
- c. Board Member Request – COVID-19 Masking Requirements
- d. Board Member Request – Police Reforms in Ferguson Township

- e. Board Member Request – Resolution on Racial Justice, Equity, and Policing in Ferguson Township

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING GUIDELINES FOR OUTDOOR SALES OF FOOD AND MERCHANDISE DURING THE CORONAVIRUS PANDEMIC.

10 minutes

Narrative

In order to meet new COVID-19 safety protocols for reopening, many businesses and schools are going to have to turn themselves inside-out if local businesses are to reopen in a way that provides for safer distancing between patrons. In an effort to assist local businesses in responsibly reopening and resuming operations as they recover from the effects of COVID-19, Planning Staff discussed at the regular Ferguson Township Planning Commission meeting on June 22, 2020, restrictions within our Ordinance that may need to be temporarily eased to enable businesses to safely and effectively operate in conjunction with implementing the Governor’s Office, PA Department of Health, and other agency and industry guidelines regarding social distancing, sanitation, and public health.

The Governor’s Office has developed rules and recommendations for a safe reopening of businesses, and the proposed resolution will support and supplement these directives. As noted in the resolution, the guidelines will remain flexible throughout the term of the program, which is slated to end thirty (30) days following the lifting of the Governor’s capacity restrictions in areas and on properties where it might otherwise be prohibited.

The draft Resolution is included in the agenda packet along with an application for businesses. The Resolution compiles with both Planning Commission and Planning & Zoning Staff recommendation’s based on the June 22, 2020, regular Planning Commission Meeting.

Recommended Motion: That the Board of Supervisors adopt the resolution for Flexible Business Support Allowing Businesses to Implement COVID-19 Safety Protocols.

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 ACCEPTING AN EASEMENT AGREEMENT BETWEEN FAIRBROOK UNITED METHODIST CHURCH TRUSTEES (GRANTOR) ON TAX PARCEL 24-006B-023 AND FERGUSON TOWNSHIP (GRANTEE). 10 minutes

Narrative

Provided with the agenda is a copy of the resolution advertised for public hearing authorizing the Chairman and Secretary to execute an easement agreement between Fairbrook United Methodist Church and the Township for the maintenance and management of a stormwater drainage area on the property at 4201 West Whitehall Road. The parties have agreed in principle to a consideration of \$4,000 that would be paid for out of the Transportation Improvement Fund for the acquisition of the drainage easement.

Recommended Motion: That the Board of Supervisors adopt the resolution authorizing the Chairman and Secretary to execute the easement agreement between Fairbrook United Methodist Church and the Township on tax parcel 24-006B-023 attached as Exhibit “A”.

Staff Recommendation

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

4. A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA DESIGNATING THE MONTH OF SEPTEMBER TO BE “SUICIDE AWARENESS AND PREVENTION MONTH” AND SEPTEMBER 10th TO BE “SUICIDE AWARENESS AND PREVENTION DAY IN FERGUSON TOWNSHIP. 10 minutes

Narrative

Provided with the agenda is a copy of a proclamation designating September as Suicide Awareness and Prevention Month and September 10th 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 Marisa Vicere. President of the Jana Marie Foundation Ms. Vicere will be present to introduce the proclamation.

Recommended Motion: That the Board of Supervisors adopt the proclamation designating the month of September to be “Suicide Awareness and Prevention Month” and September 10th to be “Suicide Awareness and Prevention Day” in Ferguson Township.

Staff Recommendation

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

5. BOARD MEMBER REQUEST – FAIRBROOK PARK NATIVE LANDSCAPE MAP AMENDMENT 10 minutes

Narrative

Ms. Dininni will introduce the item. The proposed action is to direct staff to prepare a draft amendment to the Fairbrook Park Native Landscape Map to create a visual guide for maintenance staff to use when mowing the park that would create separation between “high grass” areas and other park amenities to control the spread of invasive species and allow access to all areas of the park. Provided with the agenda is a copy of the request from Ms. Dininni and the currently adopted Fairbrook Park Native Landscape Map.

Recommended Motion: That the Board of Supervisors direct staff to prepare a draft Fairbrook Park Native Landscape Map.

6. BOARD MEMBER REQUEST – RESOLUTION ON SYSTEMIC RACISM RELATED TO ETHNICITY AND SKIN TONE 10 minutes

Narrative

Mr. Mitra will introduce the item. The proposed action is for the Board to consider advertisement of a resolution or proclamation related to systemic discrimination based on ethnicity and skin tone. Provided with the agenda is a copy of the request from Mr. Mitra and the 2017 resolution committing the Township to equity and inclusion reference within the request.

Recommended Motion: That the Board of Supervisors direct staff to draft a resolution condemning and opposing systemic discrimination related to ethnicity and skin tone.

7. BOARD MEMBER REQUEST – POLICE RESPONSE REPORT 10 minutes

Narrative

Mr. Mitra will introduce the item. Provided with the agenda is a copy of the request from Mr. Mitra for the Board to consider requesting a report from the Ferguson Township Police Department describing police response to calls for service categorized by use of force and type of response (mental health, domestic

violence, etc.); as well as statistics related to complaints received by residents of officers and training received.

Recommended Motion: That the Board of Supervisors direct staff to provide a report to the Board focusing on the items described in Mr. Mitra's request.

8. BOARD MEMBER REQUEST – TOWNSHIP BUSINESS NEEDS SURVEY 10 minutes

Narrative

Ms. Dininni will introduce the item. Provided with the agenda is a copy of the request from Ms. Dininni for the Board to consider directing staff to conduct a "Business Needs Survey" similar to an initiative that has been undertaken by State College Borough. The purpose of the survey would be to better understand the needs of Township businesses as they respond to the immediate and long-term impacts of the COVID-19 pandemic.

Recommended Motion: That the Board of Supervisors direct staff to conduct a "Business Needs Survey" with a focus on short- and long-term recovery from the COVID-19 pandemic.

VII. STAFF AND COMMITTEE REPORTS

- | | |
|--|------------|
| 1. COG COMMITTEE REPORTS | 15 minutes |
| a. Executive Committee | |
| b. Human Resources Committee | |
| c. Public Services & Environmental Committee | |
| 2. OTHER COMMITTEE REPORTS | 5 minutes |
| a. SPPA Working Group | |
| 3. STAFF REPORTS | 15 minutes |
| a. Manager's Report | |
| b. Public Works Director | |
| c. Planning & Zoning Director | |

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – JULY

- a. [Virtual Coffee & Conversation, July 10, 8:00 a.m.](#)

X. ADJOURNMENT