

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

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Meeting ID: 858 1899 0999

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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

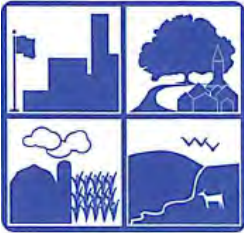
IX. CALENDAR ITEMS – JULY

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

X. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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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

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, June 15, 2020
7:00 PM

ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, June 15, 2020, via Zoom. In attendance were:

Board:	Steve Miller, Chairman	Staff:	Dave Pribulka, Township Manager
	Laura Dininni		Jenna Wargo, Planning/Zoning Director
	Prasenjit Mitra		Chris Albright, Chief of Police
	Patty Stephens		Dave Modricker, Public Works Director
	Lisa Strickland		Centrice Martin, Assistant to the Manager

Others in attendance included: Rhonda Demchak, Recording Secretary; Jonathan Dietz, Secretary, University Area Joint Authority (UAJA); Cindy Hahn, Executive Director, C-NET; Jeremie Thompson, Ferguson Township Resident; Bill Keough, Ferguson Township Resident; Wes Glebe, Ferguson Township Resident; Michael Twomley, Ferguson Township Resident

I. CALL TO ORDER

Mr. Miller called the Monday, June 15, 2020, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised as a virtual meeting via Zoom and C-NET is recording as well. There is also an audio conference bridge that is accessible by accessing the Ferguson Township's main line at 814-238-4651 and then dialing extension 3799. Per the Sunshine Act, which allows during a time of disaster recovery to meet virtually, but it also requires that a Roll Call be taken and that elected officials verbally respond. Mr. Pribulka took Roll Call and there was a quorum.

II. CITIZENS INPUT

None.

III. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of June 1, 2020. Ms. Stephens seconded the motion.

Ms. Strickland requested that a correction be made to the minutes regarding language within the Transportation & Land Use Committee report to be changed from Warner Boulevard to reflect that the Shingletown Routes 26 and 45 improvements were discussed. Mr. Mitra requested that one prefix be changed for Ms. Strickland. The motion passed unanimously.

IV. SPECIAL REPORTS

1. COVID-19 (Coronavirus) Response Report

Mr. Pribulka reported that playgrounds in the Township and Centre Region have reopened. There is signage posted advising the public to use at their own risk because the equipment is not regularly

cleaned or sanitized. Anyone using the playground is being urged to read the advisory placards at each park for helpful guidelines on how to stay safe while using the playgrounds.

A public meeting was held this afternoon, June 15, 2020, by the Centre County Commissioners. The Commissioners introduced the \$14.7 million funding from the Federal CARES Act that was allocated to the County through the State Department of Community and Economic Development. Mr. Pribulka noted that he submitted a preliminary estimate of eligible expenditures by the Township in response to the COVID-19 pandemic, but the exact appropriation has yet to be determined. Eligible costs included the purchase of personal protective equipment and cleaning supplies and materials to sanitize the Municipal Building. Lost revenue as a result of the pandemic is not eligible. Another potential use of the funding is for public infrastructure improvements such as, streetscape enhancement design to provide pedestrians with facilities that will accommodate social distancing. Mr. Pribulka will further consider the application of funds to complete projects in the Pine Grove Mills area. A stipulation of receiving funds is that they need to be utilized by December 31, 2020.

Mr. Pribulka stated that revenue is looking better than anticipated. May's earned income tax collection was approximately \$700,000 and is on par with prior fiscal years. The real estate tax collection is also on pace to meet budget. The transfer tax in May did take an anticipated dip likely resulting from the pandemic. Overall collections for the fiscal year are strong. Mr. Pribulka stated that it is still too early to know if the Township is "out of the woods", but revenue collection is encouraging. Mr. Pribulka and the Finance Manager will continue to monitor the Township's financial position and will be prepared to make any adjustments.

Mr. Pribulka will be opening the Municipal Building by appointment only soon. Once the decision is made, there will be a notification sent out via social media and on the Township's website.

A virtual Town Hall meeting has been planned for Tuesday, June 30th at 4:00 p.m. Instructions to access the Town Hall meeting is posted on the Township's website. The event will include Township staff discussing local and regional matters in response to the COVID-19 pandemic. The Township staff is trying to schedule a representative from the Pennsylvania Department of Community and Economic Development to speak during the Town Hall meeting.

Mr. Pribulka again expressed his appreciation on behalf of the Township and staff for the continued patience and understanding as the Township recovers from the crisis.

2. University Area Joint Authority

Mr. Miller reported that the main issues happening at the UAJA that involve Ferguson Township is the 537 Special Study on the Scott Road Pump Station. The pump station was built in 2000 and upgraded in 2007. Currently the pumps are not big enough to handle the demand. Although there has not been a problem with the pumps, DEP would likely not allow more hookups. The UAJA explored numerous possibilities, but the most economical would be to upgrade the pumps and sewer lines. The study will be over the course of next year and construction starting fall 2021. Mr. Miller noted that the south side of Whitehall Road of the Harner Farms Development will not be able to tap into the sewer system until the upgrade is done to pump station. The UAJA is looking at several capital projects to combine water and energy, one of which will be a residential solar energy project. Mr. Dietz noted that UAJA is installing another 10-15 acres of solar panels on site and they are working with DEP about the nitrogen offsets. Discussion ensued regarding the Scott Road Pumping Station and how the process is completed for land development plans.

3. C-NET Annual Report

Ms. Cindy Hahn, Executive Director of C-NET presented the annual report. The report included highlights from 2019. There were 478 programs produced by C-NET. The franchise agreement between Comcast and the Centre Area Cable Consortium was finalized in November 2019. Ferguson Township sponsored 43 programs and 61 Bulletin Board Messages. Ms. Hahn noted that the funding formula is determined by a 5-year rolling average and programming in 2015-2019 will determine the Township's 2021 C-NET dues.

V. UNFINISHED BUSINESS

1. DISCUSSION ON DRAFT ZONING ORDINANCE AMENDMENT – DOMESTIC KEEPING OF CHICKEN AND DUCKS

Ms. Wargo reported on the draft zoning ordinance amendment. On November 18, 2019, the Board of Supervisors discussed a request from a resident in Pine Grove Mills to allow for the domestic keeping of ducks in residential zoning districts. Provided with the agenda is the draft Backyard Chicken and Duck Ordinance for the Board to review and provide questions and comments to staff. Ms. Stephens noted that Standard 6 is not clear about the total number of chicken and ducks. Ms. Wargo noted that it is 6 in total and not 6 of each. Ms. Dininni had questions and comments regarding AR, RA or RR Zoning Districts. Ms. Wargo will work with Mr. Ressler to obtain clarification with the zoning districts. Ms. Strickland requested to have the staff examine the water requirement to ensure it is adequate and noted that Standard 6 was unclear.

Ms. Dininni moved that the Board of Supervisors **refer** the draft ordinance to the Planning Commission for review and comment. Ms. Strickland seconded the motion. The motion passed unanimously.

VI. NEW BUSINESS

1. CONSENT AGENDA

- a. Award 2020-C19, 5-yr Detection Upgrade: \$10,828.00
- b. Special Events Permit – Stonebridge 4th of July Parade
- c. Voucher Report – April 2020
- d. Voucher Report – May 2020
- e. Board Member Request – Fairbrook Park Native Landscape Map Amendment
- f. Board Member Request – Resolution on Systemic Racism Related to Ethnicity and Skin Tone
- g. Board Member Request – Police Response Report
- h. Township Business Needs Survey

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

2. PROCLAMATION – SUPPORT FOR AWARENESS OF BIAS, DIVERSITY, AND EQUAL JUSTICE

Centrice Martin, Assistant to the Manager, drafted and introduced the proclamation that was provided with the agenda.

Ms. Strickland moved that the Board of Supervisors **adopt** proclamation condemning racism and promoting cultural diversity and inclusion. Mr. Mitra seconded the motion. The motion passed unanimously.

3. BOARD MEMBER REQUEST – PROCUREMENT POLICY AMENDMENT

Mr. Mitra submitted and introduced the request to amend Chapter 1, 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 but above \$10,000, bidders certify that all employees involved with the contract will be paid a minimum of \$15 per hour. Mr. Pribulka discussed the highlighted language on page 63 of the agenda. Discussion continued regarding the number of contracts, prevailing wage rates, and the possible financial impact to the Township. Mr. Pribulka noted that there are no employees at the Township that are full-time making under \$15 per hour. Mr. Modricker explained prevailing wage contracts. Mr. Mitra expressed that he would like the ordinance to be based off data. The Board collectively agreed that there needs to be more data collected before the Board makes any decision. Mr. Modricker noted that he will contact contractors that the Township has built good relationships with to gather data such as range of contracts, wages, bidding, etc.

4. AWARD OF CONTRACT 2018-C26 – TRAFFIC SIGNAL PHASING CHANGES

Mr. Modricker reviewed the bids for the 2018-C26 Traffic Signal Phasing Changes Contract that was advertised in the Centre Daily Times and invitations were sent to qualified contractors. Bids were open for this contract on June 9, 2020.

Ms. Dininni moved that the Board of Supervisors **award Contract 2018-C26, Traffic Signal Phasing Changes to M&B Services, LLC in accordance with their bid in the amount of \$29,961.32. Mr. Stephens seconded the motion. The motion passed unanimously.**

5. DISCUSSION – FUTURE BOARD OF SUPERVISORS MEETING FORMAT

Mr. Pribulka noted that the Board of Supervisors and other Township Authorities, Boards, and Commissions have been meeting virtually since April 6, 2020. Since Centre County is now in the Green Phase, Mr. Pribulka asked the Board to discuss whether the meetings should continue via Zoom or to resume meeting in person with additional safety protocols. The Board discussed having hybrid meetings with the option of attending in person with a Zoom option. Mr. Pribulka noted that there is some difficulty having both C-NET and having Zoom capability but stated that they may have found a solution. The Board collectively decided to hold these meetings in person and with a Zoom option if capable on July 6, 2020.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Ad Hoc Facilities Committee – The report was provided in the packet. Ms. Stephens reported that they met on June 2, 2020. The Committee discussed the Park Maintenance Facility because the lease is up in December. They also discussed the COG Building parking lot and how to extend the life of the lot. Ms. Stephens noted that the Millbrook Marsh had a difficult time obtaining their initial draft of an RFP because of rolling furloughs. The staining project at the Spring Creek Educational Building has been completed and came in under budget.
- b. Public Services & Environmental Committee – The report was provided in the packet. Mr. Mitra gave a summary on the Scott Road Pump Station and the Bristol Avenue Interceptor,

the UAJA Nutrient Capacity, and the Draft Climate Action Resolution. Mr. Mitra noted that through the Penn State's Sustainable Communities Collaborative, a graphic design class created a logo that would become recognizable for the sustainability/climate actions in the Centre Region.

- c. Public Safety Committee – The report was provided in the packet. Ms. Dininni reported that the committee met on June 9, 2020 via Zoom. They discussed the transfer of the Hazmat Program from PSU to COG. Ms. Dininni noted that there is a one-year quit notice so that in the event the Township wanted to drop out of the agreement, they could. The \$75,000 for the first and second year that PS will be giving to the program will cover the cost of the 3rd year. A motion was made and passed to send to the General Forum via the Executive Committee. The Committee discussed COVID-19 Safety Monitoring at Construction Sites.
- d. Finance Committee – The report was provided in the packet. Mr. Miller reported that the Committee met on June 11th. Mr. Miller noted that the Committee approved the loan application for the payroll protection program for the Schlow Library.

2. OTHER COMMITTEE REPORTS

- a. CCMPO Technical Committee – The report was provided in the packet. Ms. Strickland noted that there will be a CCMPO Coordinating meeting on June 23, 2020. The Long Range Transportation Plan (LRTP) will be an agenda item. The Committee received information from Tom Zilla regarding the Route 26 & 45 flashing yellow light intersection and the status of it on the LRTP. Ms. Strickland noted that if there were any questions or comments to let her know and she will take it to the Committee. Ms. Strickland noted that funding doesn't look promising. Ms. Dininni would like to see the project modified before it is completely cut out.

3. STAFF REPORTS

- a. Manager's Report - Mr. Pribulka reported on the implementation process of a new financial planning software module that was developed by PFM. The tool is called Synopsis and will help to apply different scenario based projections to the Township's overall financial picture due to COVID-19 pandemic. Once the program is implemented, Mr. Pribulka will present to the Board. There will be two virtual Town Hall meetings scheduled including one to discuss the proposed Stormwater Fee and another one regarding the pandemic response by local and regional agencies. The Stormwater Fee Town Hall is scheduled for 6:00 p.m. on Wednesday, June 24th. The Town Hall on the disaster recovery is scheduled for 4:00 p.m. on June 30th. More details will be forthcoming. Mr. Pribulka noted they recommenced with the salary survey consultant. The Board can expect a report by the consultant in the coming months.
- b. Public Works – Mr. Modricker reported on the COVID-19 Work Safety Plan for Public Works and noted that his report is in the packet. Staff has been working diligently on the 5-year Capital Improvement Plan. There will be future work sessions planned. Construction continues on the Public Works Building and is on time and within budget. Mr. Modricker noted that there will be a public education and outreach event on June 24th at 5:30 p.m. on the Stormwater Fee Study Phase 2.
- c. Planning and Zoning – The report was provided in the packet. Ms. Wargo reported that the Commission met with the Adventure Bureau to review the draft Sign Ordinance Amendments. Ms. Wargo and Mr. Pribulka met to discuss the rezoning process via Zoom. Next steps would be a joint Board and Planning Commission work session to present the Planning Commission's recommendations to the Board for map amendments.
- d. Chief of Police – Chief Albright reported that his report was provided in the packet and it is for the month of May. The report summarizes the departments activities. Crimes are down

for the year. There were several domestic violence arrests and one drug related incident. Starting next month, Chief Albright will start including a chart to track the use of force for the department.

VIII. COMMUNICATIONS TO THE BOARD

- a. Ms. Dininni reported that she received communication about the use of a device that was causing a lot of smoke in a back yard that was in close proximity to another house. Ms. Dininni noted this is not the first time this has been brought to the Board's attention and is concerned. Several residents have communicated to Ms. Dininni about a property not being maintained properly. Ms. Dininni will follow up with the residents to get more information. Another resident contacted Ms. Dininni about potentially putting forward another proclamation and wanted to know the process.
- b. Mr. Mitra reported that he received several emails from constituents related to the current situation with police brutality. Mr. Mitra is collecting information for the constituents.

IX. CALENDAR ITEMS - JUNE

- a. There will be a Virtual Coffee & Conversation on July 10th at 8:00 a.m. Zoom information is listed on the Township [website](#).

X. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 9:55 p.m.

Respectfully submitted,

David Pribulka, Township Manager
For the Board of Supervisors

Wage survey of contractors working for Ferguson Township, not paid prevailing wages

Type of Construction Work	Microsurfacing	Traffic Signal work	Tree Planting	Line Striping	Tree Trimming	Backflow Inspectoin	HVAC preventive maintenance and repairs
Q1 Do you pay construction workers a minimum \$15/hour?	Yes	yes, lowest rate is \$27/hr plus benefits, except flaggers are paid \$15.32/hr plus benefits	yes, \$19/hr plus benefits	no, minimum is \$12/hr for new hire, most guys are making \$14/hr	yes	yes, sole proprietor, no employees	varies based on level of technician, minimum rate is \$17/hr
Q2 If yes to Q1, do you deduct any per diem from this amount?	No	no	no	no, workers are paid per diem on top of hourly rate	no	none	no
Q3 If no to Q1, would you bid future work with Ferguson Township if contract required paying workers a minimum of \$15/hr?				Yes, likely submit certified payrolls			
Q4 If no to Q1, and you bid future work, how would it affect the pricing eg 15% increase?				not much since most workers are at \$14/hr but assuming labor is half total cost it can be estimated			
Q5 If you have subcontractors, are they paid a minimum \$15/hr eg flaggers?	unknown	majority yes, not sure about flaggers	seldom use subcontractors and if they do they are specialized	typically don't sub	don't know	none	
Current contract amount	\$423,000	\$100,000	\$11,000	\$119,000	\$17,264	\$450	\$15,000
Net \$\$ effect on future contracts	\$0	\$0	\$0	\$7,933	\$0	\$0	\$0

Value of contracts surveyed	\$685,714
Sum net increase if required a minimum \$15/hr	\$7,933
percent difference	1.2%

Pribulka,David

From: Pribulka,David
Sent: Monday, June 29, 2020 8:30 AM
To: Dininni,Laura
Subject: RE: Consent Agenda Item

Yes

David G. Pribulka
Township Manager
Ferguson Township
tel: (814) 238-4651
fax: (814) 238-3454



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Notice: All Township employee email may be subject to public disclosure under the Commonwealth of Pennsylvania Right to Know Act.

From: Dininni,Laura <ldininni@twp.ferguson.pa.us>
Sent: Friday, June 26, 2020 5:51 PM
To: Pribulka,David <dprbulka@twp.ferguson.pa.us>
Subject: Consent Agenda Item

Hi Dave,

Can you please add the following to the next consent agenda?

There are multiple serious risks that come along with open burning and the use of outdoor cooking devices. Not only do these activities bring a risk of property destroying fire, they also can severely affect air quality, and quality of life for nearby neighbors. In addition to these being high risk activities, often the regulation and enforcement of open burning is unclear and it is an area in which we see a steady stream of complaints. To familiarize the Board and public with current ordinance relevant to recreational fires, open burns (including brush fires and burn barrels), and outdoor cooking devices, I'm requesting the Board receive a report on said regulation from FTPD and Centre Region Code, the two agencies tasked with enforcement of said regulations. Additionally, I'd like the Board discuss any needed changes to current policy and to consider directing Staff to

distill our fire safety regulations into an easy to understand, comprehensive communication piece to be utilized liberally to educate our residents about fire safety regulations.

Thank you,

Laura

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Pribulka,David

From: Dininni,Laura
Sent: Thursday, June 11, 2020 7:47 PM
To: Pribulka,David
Subject: Agenda request- Enhancing Safe Pedestrian Movement at Martin St/Northland

Hi Dave,

Can you add the following to the next consent agenda:

I'd like to request that the BOS discuss options available to improve pedestrian safety in the area from the intersection of Park Crest Blvd and Martin St to the front of the Northland Center.

Attachments (not needed for Consent Agenda)

Northland Area Mobility Study

Remax LDP

Northland LDP

Google maps screenshot of area (I will provide)

Photos of site (I will provide)

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Pribulka,David

From: Strickland,Lisa
Sent: Tuesday, June 30, 2020 3:51 PM
To: Pribulka,David
Subject: Consent agenda item

Hi Dave,

I'd like to add the following to the consent agenda: A discussion at an upcoming meeting on a resolution affirming and endorsing the Governor's mask wearing and social distancing recommendations to prevent the spread of Covid-19 (modeled after that of the County Commissioners) and of possible ordinance or enforcement measures the Township is permitted to pursue.

Thanks,
Lisa

Pribulka,David

From: Prasenjit Mitra <pmitra3@gmail.com>
Sent: Wednesday, July 1, 2020 4:13 PM
To: Pribulka,David
Subject: Item for Consent Agenda

Hi David,

I would like to introduce an element for the consent agenda. Essentially, I would like to discuss reform items related to policing in Ferguson Township:

1. Citizens' Oversight Board related to allegations of police misconduct.
2. Deprioritization of low-level offenses and policy changes needed to avoid conflict between citizens and police officers and violent arrests when not absolutely essential.
3. Identifying needs, e.g., related to mental health, etc. that may be better served by mental health professionals instead of police.
4. A resolution that covers these and other constituent requests related to policing reforms.

Best,
Prasenjit

From: Dininni,Laura
Sent: Thursday, July 2, 2020 10:48 AM
To: Pribulka,David <dpribulka@twp.ferguson.pa.us>
Subject: Consent Agenda item

Hi Dave,
Could you please add the following to the next Consent Agenda?

Title: Consideration of a Resolution on Racial Justice, Equity and Policing in Ferguson Township.

The level of extremism and fear we are experiencing as a country, in the context of global pandemic, racial inequality and highly polarized political dialogue beckons each of us to examine our own biases and motivations in our interpersonal interactions, and in our community and its institutions.

It is through open dialogue that we, as a community, can continue to make conscious our most deeply held, if implicit, beliefs and examine the policies and larger social arrangements we support and participate in.

I would like to offer for discussion of the Board, in conjunction with leadership of the Ferguson Township Police Department, a resolution on Racial Justice Equity and Policing in Ferguson Township, which affirms our commitment to, and actions in service of, racial justice and equity in Ferguson Township, including its institutions, entities and the entire community.

TOWNSHIP OF FERGUSON CENTRE COUNTY, PA RESOLUTION 2020- _____
A RESOLUTION OF THE FERGUSON TOWNSHIP SUPERVISORS, CENTRE COUNTY, PENNSYLVANIA ON RACIAL JUSTICE, EQUITY, AND POLICING IN FERGUSON TOWNSHIP

WHEREAS this Board denounces white supremacy in all its forms, and we recognize that “all its forms” requires us to look at ourselves; the systems we have inherited, sustained, or created; and engage in challenging and important conversations with our community.

WHEREAS we are a nation in crisis – not just due to global pandemic, but also due to our history of racist systems and institutions that originated in slavery and continue today in our institutions, systems, and communities.

WHEREAS national and international protests and demonstrations give voice to demands that elected officials take action to address institutionalized racism and white supremacy.

WHEREAS we acknowledge that the goal of the Ferguson Township Police Department is to provide quality service in a fair, equitable, lawful, unbiased and fiscally responsible manner to everyone through policy, training and leadership.

WHEREAS we affirm that current training efforts by the Department exceed Pennsylvania and National standards for police departments and that the Department is accredited by an autonomous agency that establishes the professional best-practice standards for departments, as well as ensures the Department is following those standards by conducting a comprehensive onsite assessment. We commit to maintaining that accreditation.

WHEREAS we affirm that the Department has policies that provide guidance in the use of force, de-escalation, mental health calls, discipline for on and off-duty conduct and prohibition against bias based policing.

WHEREAS in addition to the training related to policies, officers attend ongoing training on diversity, implicit bias, mental health response, procedural justice and de-escalation, all of which espouse treating all people with dignity and respect.

WHEREAS we affirm our commitment to standard operating procedures which emphasize de-escalation strategies to be used during engagement and having consequences for failure to execute and all officers have received de-escalation training. We commit to continuing de-escalation training on an annual basis, including Crisis Intervention Training and Use of Force/De-escalation Scenario Based Training. Further, we commit to hosting meetings specifically dedicated to a discussion of current training, future training needs, and our work with accreditation.

WHEREAS the Board acknowledges the “8 Can’t Wait” solutions recommended by Campaign Zero as instrumental in reducing fatalities involving police. We pledge to continue to support policy that is proven to de-escalate crises and save lives.

WHEREAS we affirm the current policy of the Department which already prohibits the use of chokeholds, strangleholds, and knee restraints. We further commit to the development of an ordinance that will prohibit the use of chokeholds, strangleholds, and knee restraints in the Township – for all police and private security companies employed within the Township.

WHEREAS the Department is working with the Police Executive Research Forum (PERF) to bring a training course to our area titled Integrating Communication Assessment and Tactics. The training will be offered to all regional departments.

WHEREAS we affirm the important work of the Task Force on Mental Health Crisis Services charged to evaluate mental health crisis response in Centre County. We commit to hosting an educational session for the Board and members of the public to more fully understand the implications of Task Force recommendations.

WHEREAS we affirm that accessibility and transparency is critical in ensuring good police and community relations. Leadership of the Department routinely meets with residents and is present at public Board meetings to discuss the things the Department has done, things they are doing and the things they plan to do to ensure community safety.

WHEREAS we affirm that the Department began use of body and car cameras in 2018, we acknowledge our support to continue the use of cameras.

WHEREAS we note that officer misconduct information is not publicly released except for misconduct that results in demotion or discharge as it is exempt under the PA Right to Know Law Section 708 b.; the Department will provide an annual report to the Board of Supervisors summarizing officer misconduct. The report will be posted on the Ferguson Township Township website.

WHEREAS we acknowledge that data regarding policing with special attention to race and ethnicity had been available on the PA State website until 2019 and that the Township has registered as a participant in the Federal Bureau of Investigation Use of Force Database, we pledge to ensure such data is accessible via the Ferguson Township Township website. As part of its monthly report to the Board of Supervisors, the police department will provide a summary report on the Use of Force applications.

WHEREAS the Ferguson Township Supervisors – the elected body responsible for policy making and fiduciary responsibility for the Home Rule Municipality of Ferguson Township – should and must respond to demands from the public and join them in shared efforts to continue to move our community forward.

WHEREAS the Ferguson Township Board of Supervisors has demonstrated their commitment to maintain a professionally trained police force by allocating sufficient funding for police training.

NOW, THEREFORE, BE IT RESOLVED that the Ferguson Township Board, by way of this Resolution, commit ourselves to:

- holding an educational session following receipt of the Task Force on Mental Health Crisis Services report to more fully understand the recommendations;
- calling special meetings specifically dedicated to discuss current police training, future training needs, and the Department's work with the community;
- developing an ordinance that will affirm the current policy that prohibits the use of chokeholds, strangleholds, and knee restraints in the Township;
- ensuring that policing data (where applicable by law), along with the FTPD Response to Aggression / Use of Force policy, is accessible via the Ferguson Township website; and

BE IT FURTHER RESOLVED that the Board will add a standing section to each meeting agenda focused on "Diversity, Equity, and Inclusion Initiatives" to receive updates on our various initiatives, discuss items requiring action by The Board in the future, and take action on items before The Board that continue to move us closer to being a safer, more equitable, and more just Ferguson Township.

BE IT FURTHER RESOLVED that the Board commits to develop a human relations ordinance to provide a regionally based mechanism for hearing discrimination complaints based on race; religion; ancestry; age; sex; sexual orientation; national origin; familial status; or disability.

BE IT FURTHER RESOLVED that we support a series of police reform efforts proposed by the Pennsylvania Black Legislative Caucus and call on Representative Scott Conklin, Representative Kerry Benninghoff, Representative Rich Irvin, and Senator Jake Corman to fully support the passage of these proposals from committee so that they may come to their respective chambers for action. While we continually work to improve in Ferguson Township, many of the reforms we would like to see require action by the Commonwealth.

BE IT FURTHER RESOLVED that the work of equity, racial and social justice, and safety will never be fully resolved, we pledge to work tirelessly and with full commitment, recognizing our own shortcomings and biases and to seek input from those who can guide us.

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Department of
PLANNING AND ZONING

Interoffice Memorandum

TO: Board of Supervisors

FROM: Jenna Wargo, AICP
Director of Planning and Zoning

DATE: June 30, 2020

SUBJECT: COVID-19 Flexible Business Support Resolution

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 more safe 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.

If the Board passes the resolution, Staff will issue a press release to local media, post the guidelines on the Township website and share a link to the guidelines in the above noted channels. In addition, Township Staff will host a Zoom webinar for local businesses to share information and answer any questions.

STAFF RECOMMENDATION: Staff recommends that the Board of Supervisors adopt the proposed resolution for Flexible Business Support Allowing Businesses to Implement COVID-19 Safety Protocols.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWNSHIP OF FERGUSON BOARD OF SUPERVISORS, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING GUIDELINES AND POLICY FOR FLEXIBLE BUSINESS SUPPORT ALLOWING BUSINESSES TO IMPLEMENT COVID-19 SAFETY PROTOCOLS.

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency due to the public health threat posed by the novel coronavirus (COVID-19), authorizing political subdivisions to act as necessary within the powers conferred by the Proclamation of Disaster Emergency to meet the exigencies of the emergency; AND

WHEREAS, on April 22, 2020, the Governor's Office presented a plan entitled Process to Reopen Pennsylvania which will ease social-gathering restrictions in phases based upon health indicators, while requiring on-going compliance with Center for Disease Control and Pennsylvania Department of Health guidance for social distancing and workplace safety; AND

WHEREAS, federal and state health and regulatory agencies have called for the implementation of safety measures, such as increased workplace ventilation, increased physical distance between employees and customers, and alteration of hours based on building size and number of employees; AND

WHEREAS, the Township desires to institute strategic measures in support of the Township's business community to operate safely and in a manner designed to prevent a resurgence of the virus while respecting and following the Commonwealth's restrictions; AND

WHEREAS, the safety measures are made more effective by the temporary allowance of outdoor dining, commercial activity and gathering, provided such activities consistently occur with all other state and federal statutes, regulations, and orders; AND

WHEREAS, the Township intends to implement certain strategic measures in compliance with the restrictions issued by the Governor's Office and to continue to assess and modify the measure as necessary to fulfill the goals noted herein.

BE IT RESOLVED, that the Ferguson Township Board of Supervisors establishes guidelines and an application for outdoor sale of merchandise, outdoor dining and outdoor gathering of existing businesses in the Township for a period ending thirty (30) days following the lifting of the Governor's capacity restrictions in areas and on properties where it might otherwise be prohibited provided the following:

1. The business owner seeking to use outdoor space to conduct commercial activity and dining shall be responsible for compliance with all state and federal statutes, regulations, and orders, as well as obtaining permission from the landlord or owner of the property where the use is being requested. The terms of this resolution and the guidelines to conduct outdoor commercial activity and dining expressly do not excuse business owners from complying with federal and state orders, including, but not limited to, those relating to COVID-19 mitigation nor pre-existing statutes and regulations such as Pennsylvania Department of Health requirements relating to outdoor dining.

2. The Township will temporarily suspend enforcement of certain Township ordinance regulations related to yard area setbacks and parking requirements to the extent necessary to enable businesses to utilize areas on their private property to display products, provide tables, chairs and/or gathering space for use by their patrons.
3. The business owner seeking to use outdoor space to conduct commercial activity shall nevertheless provide sufficient parking to meet the needs of its customers.
4. If a business owner uses part of a sidewalk, the business owner shall allow sufficient space for pedestrians and handicapped individuals to traverse the sidewalk. The business owner may not extend tables beyond the footprint of the business.
5. If a business owner uses spaces in a parking lot, the business owner shall provide safe separation between its customers and vehicles with the use of physical barriers and signage approved by the Zoning Officer, and the Ferguson Township Police Department, and shall not occupy any handicapped parking areas.
6. If a business owner uses a tent or other enclosure for the sale of food, merchandise or gathering space, the enclosure shall be subject to applicable requirements of the Uniform Construction Code.
7. The business owner seeking to use outdoor space to conduct commercial activity shall abide by all Township nuisance regulations, including, but not limited to, noise, lighting and odor.
8. This Resolution and its authorization to conduct commercial activity in outdoor spaces shall expire thirty (30) days following the lifting of the Governor's capacity restrictions.

BE IT FURTHER RESOLVED that the attached Ferguson Township COVID-19 Recovery Flexible Business Support Application shall be implemented as a part of this program. The application can be altered and/or modified to remain in compliance with the Governor's present or future orders or as deemed appropriate by Township Staff without further legislative action by the Board of Supervisors. This Resolution specifically authorizes Township Staff to revise and/or amend the attached COVID-19 Recovery Flexible Business Support Application as deemed appropriate and necessary by the Township without the need for a separate Resolution, and the current Application shall be maintained for public availability at the Township office and on the Township website.

BE IT FURTHER RESOLVED that this Resolution and the Ferguson Township COVID-19 Recovery Flexible Business Support Application shall become effective immediately.

RESOLVED, this 6th day of July, 2020.

TOWNSHIP OF FERGUSON

By _____
Steve Miller, Chairman
Board of Supervisors

[S E A L]

ATTEST

By _____
David G. Pribulka, Secretary



APPLICATION FOR COVID-19 RECOVERY—FLEXIBLE BUSINESS SUPPORT

Ferguson Township, Centre County

July 2020

DATE: _____

BUSINESS INFORMATION

NAME OF BUSINESS:	
LOCATION OF BUSINESS:	
PHONE:	FAX:
EMAIL:	
DESCRIPTION OF RELIEF:	

APPLICANT INFORMATION

PERSON IN CHARGE:	
PHONE:	FAX:
EMAIL:	

ALL APPLICATIONS MUST INCLUDE WRITTEN PERMISSION FROM THE LANDLORD OR OWNER OF THE PROPERTY WHERE THE USE IS BEING REQUESTED.

INTERNAL USE ONLY

DATE RECEIVED BY TOWNSHIP: _____	
CUSTOMER NO.	ACCT. NO.
DATE APPROVED BY FERGUSON TOWNSHIP:	

RESOLUTION NO. _____

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).

WHEREAS, Grantor is the owner of real estate situated in the Township of Ferguson, at 4201 West Whitehall Road, Penna. Furnace, PA 16865 as more particularly described in Centre County Deed Book 0463, Page 0543, and known as Parcel Number 24-006B-023-0000; and

WHEREAS, the parties have agreed that, in lieu of condemnation, the Grantor will convey to the Township a permanent easement for drainage purposes to provide for adequate stormwater management from Goddard Circle; and

WHEREAS, Grantor and the Grantee desire by this Easement Agreement to provide for the required permanent drainage easement.

NOW THEREFORE, the Township Board of Supervisors accepts the Easement Agreement attached hereto as Exhibit "A".

RESOLVED THIS 6TH DAY OF JULY 2020

**FERGUSON TOWNSHIP
BOARD OF SUPERVISORS**

Steve Miller, Chairman

[S E A L]

ATTEST:

David Pribulka, Secretary

EASEMENT AGREEMENT

THIS AGREEMENT, made this ____ day of _____, by and between FAIRBROOK UNITED METHODIST CHURCH TRUSTEES, party of the first part, (hereinafter referred to as "Grantor"),

AND

TOWNSHIP OF FERGUSON, a Home Rule Municipality having a principal office at 3147 Research Drive, State College, Centre County, Pennsylvania, party of the second part, (hereinafter referred to as "Grantee" or "Township"),

WITNESSETH:

WHEREAS, Grantor is the owner of real estate situated in the Township of Ferguson, at 4201 West Whitehall Road, Penna. Furnace, PA 16865 as more particularly described in Centre County Deed Book 0463, Page 0543, and known as Parcel Number 24-006B-023-0000.

WHEREAS, the parties have agreed that, in lieu of condemnation, the Grantor will convey to the Township a permanent easement for drainage purposes to provide for adequate stormwater management from Goddard Circle.

WHEREAS, Grantor and the Grantee desire by this Easement Agreement to provide for the required permanent drainage easement.

NOW THEREFORE, In consideration of the sum of four thousand dollars (\$4,000.00), the receipt of which is hereby acknowledged, Grantors and Grantee agree as follows.

1. Recitals. The above recitals are incorporated in this easement.
2. Grant of Easement. The Grantor hereby grants to Grantee a perpetual, non-exclusive easement for the purpose of constructing, maintaining, repairing or replacing a drainage swale desired by the Township in the easement area as depicted on Exhibit "A" attached hereto. The permanent drainage easement is to be for the purpose of providing adequate drainage from Goddard Circle. The Temporary Easement depicted on Exhibit "A" shall automatically extinguish once work is completed to establish the drainage swale as depicted on Exhibit "A". Access to the easement area shall only occur using the existing drainage easement from Goddard Circle, unless permission to enter is granted by the Grantor.
3. Construction, Maintenance & Repair. The Township shall be responsible for the cost of construction, repair, and maintenance of all improvements in and to the drainage system. Grantor shall not place or plant any obstructions in the drainage easement without consent of the Township.

4. Restoration of Easement Area. After maintenance, repair, replacement or removal of the drainage system is completed, the area affected shall be restored to a condition as near as possible to that which existed prior to the commencement of such work. The restoration shall consist of topsoil, seed, and mulch to establish a lawn condition.

5. Covenant Running With the Land. This Grant of Easement shall constitute a perpetual covenant running with the land for the benefit of the Grantee and its successors and assigns.

6. Indemnification. Grantee shall indemnify and hold harmless the Grantor and its heirs and assigns from and against all claims and demands, including reasonable counsel fees, for injury or alleged injury or death to persons, or damage to property, caused by, arising from, incidental to, connected with or growing out of any actions of Grantee, its agents or subcontractors, in connection with the installation, maintenance, repair, replacement, removal, use, or operation of the drainage system contemplated by this agreement.

7. Waiver of Certain Property Rights. The Grantor does further remise, release, quitclaim and forever discharge the Township or any agency or political subdivision thereof, its employees or representatives of and from all suits, damages, claims and demands which the Grantor might otherwise have been entitled to assert under the provisions of the Eminent Domain Code for or on account of any injury to or destruction of the aforesaid property of the Grantors through or by reason of the aforesaid drainage system construction.

8. Miscellaneous. The provisions of this Easement Agreement shall be independent and severable, and the invalidity or unenforceability of any provision or portion of this agreement shall not affect the enforceability or validity of any other provision or portion thereof. The easement shall be construed, interpreted and applied in accordance with the laws of the Commonwealth of Pennsylvania. This easement shall be recorded in the Office of the Recorder of Deeds of Centre County, Pennsylvania, at the expense of the Township.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have caused this Easement Agreement to be duly executed on the day and year first above written.

ATTEST:

GRANTOR.

BY: _____
Patricia C. Hartle, Chair of Trustees,
Fairbrook United Methodist Church

ATTEST:

TOWNSHIP OF FERGUSON

David G. Pribulka, Township Secretary

BY: _____
Steve Miller, Chairman
Ferguson Township Board of
Supervisors

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF CENTRE :

On this, the ____ day of _____ 2019, before me, a Notary Public, personally appeared Patricia C. Hartle, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they have executed the same for the purposes therein contained.

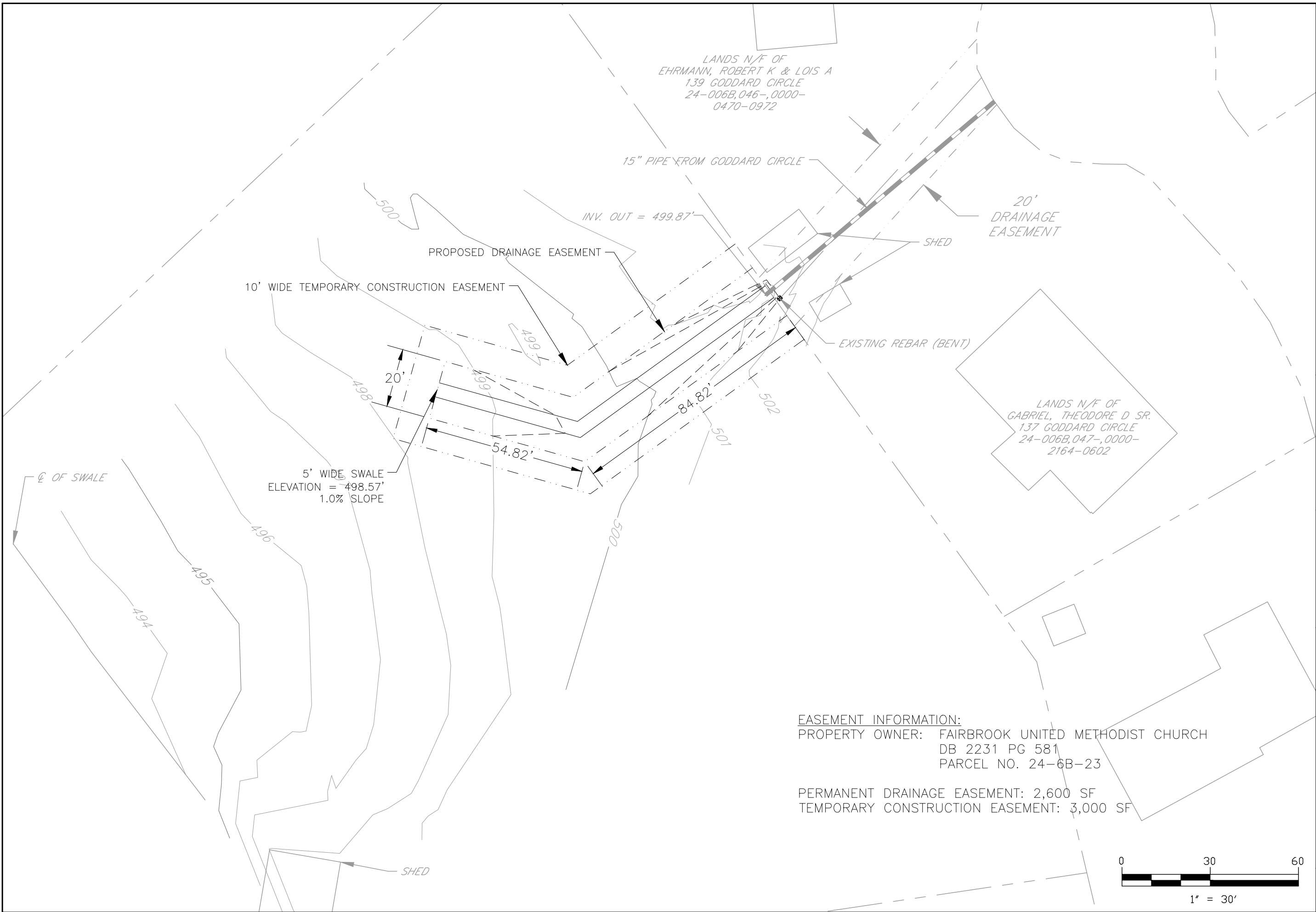
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF CENTRE :

On this, the _____ day of _____ 2019, before me, a Notary Public, the undersigned officer, personally appeared Steve Miller who acknowledged himself to be the Chairman of the Board of Supervisors of the Township of Ferguson, and that he/she as such, being authorized to do so, executed the foregoing instrument on behalf of the Township for the purposes therein contained.

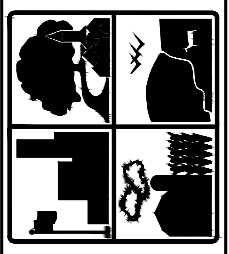
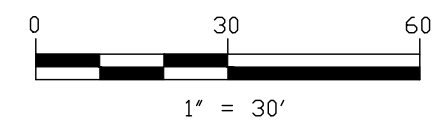
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

PATH:\PUBLIC WORKS\PWROADS\GODDARD CIRCLE.DWG\GODDARD CIRCLE DRAINAGE EASEMENT.DWG SHEET:11X17A SAVED:12/2/2019 10:08 AM



EASEMENT INFORMATION:
 PROPERTY OWNER: FAIRBROOK UNITED METHODIST CHURCH
 DB 2231 PG 581
 PARCEL NO. 24-6B-23

PERMANENT DRAINAGE EASEMENT: 2,600 SF
 TEMPORARY CONSTRUCTION EASEMENT: 3,000 SF



FERGUSON TOWNSHIP
 DEPT. OF PUBLIC WORKS & ENGINEERING
 3147 RESEARCH DRIVE
 STATE COLLEGE, PA 16801
 PHONE: 814-238-4651
 FAX: 814-238-3454
 www.twp.ferguson.pa.us

REV.	DATE

GODDARD CIRCLE
DRAINAGE EASEMENT

EXHIBIT A

1

Ferguson Township Suicide Awareness and Prevention Month

WHEREAS, suicide is the tenth leading cause of all deaths in the United States; and

WHEREAS, in Pennsylvania, one person dies by suicide every four hours; making it the second leading cause of death for 15 – 34 year-olds and the fourth leading cause of death for 35 – 54 year-olds; and

WHEREAS, nearly five million people in the United States have lost a loved one to suicide; and

WHEREAS, each member of our community is valuable and irreplaceable; and

WHEREAS, talking openly about stress and psychological health builds trust, reduces barriers to care, and enables early intervention; and

WHEREAS, local and statewide suicide prevention efforts should be developed and encouraged to the maximum extent possible; and

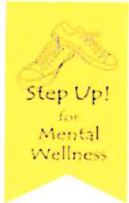
WHEREAS, most suicides are preventable.

NOW THEREFORE, The Ferguson Township Board of Supervisors does hereby designate the month of September 2020 to be “Ferguson Township Suicide Awareness and Prevention Month” and September 10, 2020 to be “Ferguson Township Suicide Awareness and Prevention Day.”

PROCLAIMED this 6th day of July 2020.

Ferguson Township Board of Supervisors,

Steve Miller, Chairman



Centre County Suicide Prevention Task Force

June 19, 2020

David Pribulka
Ferguson Township
3147 Research Drive
State College, PA 16801

Dear David,

In Centre County, there are approximately 20 confirmed suicides each year. In Pennsylvania, on average, one person dies by suicide every four hours. Nearly three times as many people die by suicide in Pennsylvania annually than by homicide; the total deaths to suicide reflect a total of 37,335 years of potential life lost before age 65 (AFSP Facts & Figures). These aren't just statistics. These are sons, daughters, mothers, fathers, siblings, and future leaders of our great community that have lost hope.

As a task force, we recognize the significance of this. However, it is important to remember that suicide can be preventable. Sadly, the prejudice and discrimination often associated with mental health and suicide works against suicide prevention by discouraging persons at risk from seeking lifesaving help, further traumatizing survivors of suicide. A number of initiatives are currently underway across Centre County to raise awareness, eliminate stigma, and promote mental wellness. It is crucial that we continue to join forces to make mental wellness a top priority across Centre County.

September marks suicide prevention month. We are writing to ask for your continued support in our efforts. Below are three easy ways to get involved and to step up for mental wellness!

- **Adopt a Resolution!** Once again, the Centre County Commissioners will proclaim September 10th as "Centre County Suicide Awareness and Prevention Day" and the month of September as "Centre County Suicide Prevention Month." We ask that you present the enclosed resolution of proclamation to the Ferguson Township Council for consideration of the same. I have attached a sample resolution for your consideration.
- **Attend an Event!** On Tuesday, September 8, 2020, the Centre County Suicide Prevention Task Force plans to host our 5th annual Suicide Prevention Rally. More details on time and location will be announced shortly. Please consider showing your support of this important event by attending the event.
- **Help Spread Awareness!** Please share about your commitment to Suicide Prevention Month (September) and Suicide Prevention and Awareness Day (September 10, 2020) in your newsletters and on your social media. If you need help with wording, please let us know!

Furthermore, we strongly urge the citizens of Centre County to continue this discussion everyday – not just during the month of September. Thank you for your attention to this important request.

Sincerely,

Centre County Suicide Prevention Task Force

A handwritten signature in blue ink that reads 'Marisa Vicere'.

Marisa Vicere

Chair of the Centre County Suicide Prevention Task Force

President, Jana Marie Foundation

marisa@janamariefoundation.org

Enclosure

Pribulka,David

From: Dininni,Laura
Sent: Monday, June 8, 2020 11:34 AM
To: Pribulka,David
Cc: Modricker,David
Subject: consent agenda item

Hi Dave P.

Can you please add the following to the next consent agenda?

Grow Zones at Fairbrook: Minor clarification and modification to map.

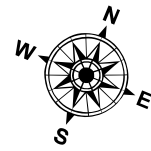
As we move into the second season of implementation of the Low Mow (aka Grow Zone) Policy for Fairbrook Park, the policy is in need of a slight modification, for clarity.

Creating separation between high grass and other park amenities is essential to control of spread of invasive species and to allow access to those areas of the park.






The focus of this map modification is solely to create a visual guide for mowing staff to use to direct them where to create these essential separations.

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FAIRBROOK PARK



Legend

-  Low-Mow Area
-  Native Landscape
-  Fairbrook Park
-  Index Contours; Index Depression Contours
-  Intermediate Contours; Intermediate Depression Contours



Pribulka,David

From: Mitra, Prasenjit
Sent: Wednesday, June 10, 2020 8:03 PM
To: Pribulka,David
Cc: Miller,Steve
Subject: Fwd: FT public awareness and outreach on structural discrimination

Hi David,

I would like to add this to the consent agenda. This is a redacted message from a constituent requesting action from the board. If you think more redactions are needed to protect the innocent, please do so.

The objective is to discuss whether the township should pass any resolution or proclamation related to systemic discrimination related to ethnicity and skin tone. Maybe we can combine this with the anti-Asian resolution? Or the board can deem this separate.

Thanks.

Best,
Prasenjit

Hello Prasenjit,
I hope you and your family are doing well, all things considered.

Below is a request <redacted>. Perhaps it might be constructive if Ferguson Township Board of Supervisors would consider adopting this request as well?

Sincerely,
<redacted>

///break///

<Redacted>

I hope you, your family and staff are doing well, all things considered.
Several years ago you invited me to visit your office to discuss the Pennsylvania Human Relations Act which does not prohibit discrimination based on sexual orientation.

The purpose of writing here is to request your participation in advocating public awareness about confronting systemic discrimination based on ethnicity and skin tone. I do not see information about this topic on your webpage. If you have addressed systemic discrimination, please point me to white papers or resources you have posted.

If you do not have resources available, will you take actions to correct this?

The policy action I am requesting of you here is the following: Within the drop down menu located under 'RESOURCES' on your website, would you please add a sub-menu titled 'Confronting systemic discrimination'. Within this sub-menu would you add a link to this ~5 min YouTube link titled: Systematic Racism Explained.

https://www.youtube.com/watch?v=YrHIQIO_bdQ

Offering education resources is a constructive means of public awareness advocacy. It is one small step in reinforcing to constituents that your moral conviction is to confront personal and structural forms of discrimination. Including this initial educational resource will encourage constituents to seek your participation in drafting relevant legislation.

I would appreciate you or your staff acknowledging receipt of this message and acknowledging whether you will support this request.

Respectfully,
<Redacted>

///end///

RESOLUTION 2017-7

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REAFFIRMING AND EXPANDING ITS COMMITMENT TO EQUITY AND INCLUSION, AND DECLARING ITS OPPOSITION TO IMMIGRATION POLICIES THAT SEEK TO EXCLUDE INDIVIDUALS BASED ON RELIGION, ETHNICITY, NATIONAL ORIGIN, NATIONALITY, OR CITIZENSHIP.

WHEREAS, the Ferguson Township Board of Supervisors has adopted Resolution 2016-36 affirming commitment to equity and inclusion; and

WHEREAS, Ferguson Township believes in and stands for constitutional rights, equal protection, and the values of inclusion, equity, and justice, and condemns islamophobia, anti-Semitism, racism, xenophobia, sexism, and homophobia, in rhetoric or action; and

WHEREAS, Ferguson Township welcomes all persons regardless of race, creed, color, sex, sexual orientation, gender, gender identity or expression, ethnicity, religion, disability, genetic information, protected veterans status, military service, nationality, or national origin or citizenship status; and supports policies that do the same; and

WHEREAS, Ferguson Township will continue its work in making services and programs accessible and open to all individuals.

NOW, THEREFORE, BE IT RESOLVED that Ferguson Township is committed to non-discrimination in all public services.

BE IT FURTHER RESOLVED that Ferguson Township opposes any immigration policies at the federal level that seek to exclude from the United States classes of individuals based on religion, ethnicity, national origin, nationality, or citizenship under a proxy of national security.

BE IT FURTHER RESOLVED that Ferguson Township welcomes immigrants and refugees and values the contribution they make to the community.

BE IT FURTHER RESOLVED that Ferguson Township opposes any policies at the local, state, and federal level that seek to register and track individuals based on religion, ethnicity, national origin, nationality, or citizenship as a law enforcement tool, and views the same as undermining the Township's commitment to non-discrimination.


BE IT FURTHER RESOLVED that Ferguson Township supports the general practice that local police officers refrain from asking individuals about their immigration status unless pertinent to an investigation or in the interest of public safety.

BE IT FURTHER RESOLVED that Ferguson Township welcomes all people to visit and live within the Township free of discrimination and requests that all residents, businesses, and visitors in the Township treat each other with fairness and dignity.

BE IT FURTHER RESOLVED that Ferguson Township is committed to supporting, promoting, and standing up for the values of inclusion, equity, and justice.

RESOLVED THIS 3RD DAY OF APRIL, 2017

TOWNSHIP OF FERGUSON


By: Steve Miller, Chairman
Board of Supervisors

[SEAL]

ATTEST:



Mark A. Kunkle, Secretary

Pribulka,David

From: Mitra, Prasenjit
Sent: Friday, June 5, 2020 2:28 AM
To: Pribulka,David
Subject: Request

Follow Up Flag: Follow up
Flag Status: Flagged

Hi David,

Given the current atmosphere and given that my platform was one of ensuring social justice, I have gotten several emails from our constituents. I am trying to sort through them and will have some requests for information to you. Please let me know if I need to request anything formally and I will do so.

1. How many cases are there where officers had to discharge firearms (irrespective of whether someone was injured or not) in our force? What is the distribution of that (meaning say there were 10 shots fired, were all of it done by one officer or were they done by 10 different officers)? Did any of our officers injure any civilian or other officer either accidentally or in an effort to protect themselves?

[These questions are trying to get information about whether we have officers who frequently use their firearms and whether we frequently use firearms.]

2. What training do our officers get?

[This question tries to figure out if our officers get the "militarized" training. There is also this training that teaches officers to use force immediately if they fear the slightest bit of threat. I think we want to find out what training they get and try to figure out if this needs reform.]

3. How many complaints did we get about our officers in the last 2-3 years? Again what is the distribution of these complaints? (Meaning if we had 10 complaints, are they all against one officer or 10 different officers.)

Please note that I am deeply thankful to all officers who serve us. I recognize that they put themselves in their harm's way. They keep us safe. However, as an elected official, with some oversight duties, we need to make sure that we are doing everything within our powers to keep the odd bad apple from spoiling the trust that our community has of our officers. I think the Chief, you, and I all agree that we do not want a case where a citizen or officer is hurt in Ferguson Township. So, all that we can do to prevent that will help us.

I want to do due diligence without sounding ungrateful because I am very grateful for the Chief and his team's work.

Best,
Prasenjit

p.s. Feel free to cc the Chief. I did not want to go directly to him because I respect the chain of command. I only ask that if you forward the email, please do so in its entirety. I had a good 2.5 hour conversation with him and I think his heart is in the right place. I am just doing my job. -p.

Pribulka,David

From: Mitra, Prasenjit
Sent: Wednesday, June 10, 2020 10:36 AM
To: Pribulka,David
Subject: Consent Agenda Request

Hi David,

I would like an item in the consent agenda. I would like to find out what the police respond to and what the distribution of that is? For example, how many calls deal with mental health issues, how many deal with domestic violence issues, how many cases are the person armed or potentially armed, how many cases are about health emergencies, etc. The objective would be to understand the main types of calls that the police handle and the variety involved. Based on this, I want to make sure that our police have the appropriate training and we have the appropriate allocations to the respective issues done appropriately in future budgets, etc. At least, that would be the basis of just making sure that we are doing everything we can to handle the issues our community calls 911 or other numbers to call for police help.

Thanks,
Prasenjit

Pribulka,David

From: Dininni,Laura
Sent: Tuesday, June 9, 2020 4:13 PM
To: Pribulka,David
Cc: Strickland,Lisa
Subject: Agenda request

Hi Dave,
Could you add the following agenda request to the next consent agenda?
Thank you,
Laura

That the Ferguson Township BOS discuss directing staff to implement a similar survey as the State College Borough, a “business needs survey”, with a focus on short and long term recovery from the COVID 19 pandemic.

State College Borough Launches “Business Needs Survey” for Local Business Owners and/or Managers

State College, PA – The State College Borough and the State College Redevelopment Authority (RDA) are exploring opportunities to assist businesses within the municipality during the COVID-19 pandemic/crisis and recovery. In order to determine the best way to utilize scarce public resources, the RDA is surveying businesses, located within the State College Borough, to better understand their needs, both in stabilizing during the current crisis and preparing for long-term recovery.

Feedback from this survey is critical in the development of programs to assist local businesses that have been impacted by the COVID-19 pandemic.

IMPORTANT WARNING: The information in this message (and the documents attached to it, if any) is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken, or omitted to be taken, in reliance on it is prohibited and may be unlawful. If you have received this message in error, please delete all electronic copies of this message (and the documents attached to it, if any), destroy any hard copies you may have created and notify me immediately by replying to this email. Thank you.

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3

State College, PA 16801

Phone: (814) 231-3077 Fax: (814) 231-3083 Website: www.crcog.net

EXECUTIVE COMMITTEE

Video Conference

June 16, 2020

12:15 PM

During the COVID-19 health emergency, in order to continue business operations of the COG and ensure the safety of municipal officials and staff, the General Forum has authorized the Executive Committee to act on its behalf except in cases where a unanimous vote of the municipalities is required. To adhere to health emergency recommendations while remaining in compliance with Pennsylvania's guidelines for public meetings, this Executive Committee meeting will be held via video conference. Written public comment or requests to speak to the Executive Committee for items not on the agenda, and requests to comment to specific agenda items listed below, may be submitted in advance by emailing sbinkley@crcog.net.

AGENDA

1. CALL TO ORDER AND ROLL CALL

Chair Elliot Abrams will convene the meeting. Mr. Binkley will review meeting procedures.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit please). Comments relating to specific items on the agenda should be deferred until that point in the meeting. Submitted comments will be read into the record by the Recording Secretary at the appropriate time in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the May 19, 2020 Executive Committee meeting are **enclosed**.

4. EXTENSION OF AUTHORITY TO ACT ON BEHALF OF THE GENERAL FORUM DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

On March 16, 2020, during a special meeting of the General Forum, Resolution 2020-3 was adopted authorizing the Executive Committee to act on its behalf except for matters requiring a unanimous vote from March 16 to April 30, 2020, with the provision that the Executive Committee may extend this Resolution beyond April 30, 2020, as the Executive Committee deems necessary (Resolution 2020-3 **enclosed**). At its May 19, 2020 meeting the Executive Committee unanimously voted to extend this resolution through June 16, 2020.

As of Friday, May 29, 2020, the Centre Region joined other northcentral and northwest portions of Pennsylvania in a partial reopening of business activity known as the Green Phase of recovery. Requirements of this phase still include social distancing, frequent cleaning of surfaces, face masks worn in workplaces and public places, and teleworking is strongly encouraged. Since the CDC and PA Department of Health continue to recommend a 6' foot physical distancing during gatherings and meetings, and because there are matters that warrant the General Forum's attention, it is recommended that the Executive Committee plan on a General Forum meeting via Zoom on June 22. Staff has discussed plans for holding this General Forum meeting remotely with the COG Solicitor, along with Resolution 2020-3, and related matters.

Accordingly, staff recommends the following:

- A. Hold the General Forum meeting on June 22 as scheduled via Zoom, for the items requiring action or input from the entire General Forum (in particular, items 6 and 8). The Executive Committee should determine a procedure for taking votes at this meeting considering the large number of members. Options include:
 1. Conduct a full roll call of each member on each motion. However, this could be time consuming.
 2. Vote by voice. The Chair will ask members to provide their vote by voice. A determination will be made by the Chair if it's too close to call in which case a full roll call count may be needed. While this could be a bit chaotic, it could take less time, unless a roll call is required.
 3. Vote by Raised Hand. The Chair will ask members to provide their vote by raised hand and ask that hands be kept visible until both "Ayes", "Nays", and abstentions have been counted by the Recording Secretary. The Recording Secretary will indicate to the Chair when all the votes have been recorded.
 4. Utilize Unit Voting. If municipalities require an opportunity to caucus before the Unit vote is cast, members would need to go to separate Zoom "Breakout Rooms." Although a complex option, staff could assist municipalities by moving officials into private Zoom "Breakout Rooms" for no more than 5 minutes to confer before coming back to the public meeting to have their vote recorded.
- B. Request the General Forum renew the authority of Resolution 2020-3 for the Executive Committee to act on behalf of the General Forum on identified matters from May 1 through August 18, 2020, and
- C. Request the General Forum ratify the actions taken by the Executive Committee on behalf of the General Forum during March, April, May and June during the June 22 meeting.

If the Executive Committee supports these recommendations, the following motion could be considered:

“That the General Forum meeting shall be held on June 22 via Zoom for items referred to the General Forum during this Executive Committee meeting, including a renewal of Resolution 2020-3, from May 1 to August 18, and ratification of actions taken by the Executive Committee during March, April, May and June.”

5. COG MANAGEMENT OF HAZMAT TEAM

At the May 19, 2020 Executive Committee meeting, members voted to refer the three draft agreements that would complete the transfer of HazMat services from Penn State to the COG to individual municipalities for final review and comment. On May 19, 2020 the Executive Committee unanimously passed the following motion:

That the Executive Committee, on behalf of the General Forum, refer the three Agreements that would complete the transfer of the HazMat team as outlined in the agreements from Penn State University to the COG, effective June 30, 2020 to individual municipalities for review and comment, and further that all comments be submitted to the COG Executive Director by 12:15pm on June 9, 2020.

Formal agreements have been developed to affect the transfer of the HazMat Team from Penn State to COG, these agreements are **enclosed**. These include:

1. Agreements between COG and Penn State (an MOU and a Facilities Use Agreement)
2. Agreement between COG and Centre County
3. Agreement between COG, Alpha Fire Company, and the State College Fireman’s Relief Association

At their June 9th meeting, the public Safety Committee passed and referred the following motion to the Executive Committee for consideration:

“That the General Forum, as recommended by the Public Safety Committee, authorize the execution of the Agreements between Penn State and COG, COG and Centre County and COG, Alpha Fire Company, and State College Fireman’s Relief Association in order to affect the transfer of the HazMat Team from Penn State to Centre Region COG.”

Staff asks the Executive Committee to review the draft agreements based upon the comments provided (see below) and affirm their desire to move the project to completion. Completion of this project will require executing each of the agreements prior to June 30, 2020. It is recommended either of the following alternate motions be approved:

“That the Executive Committee, on behalf of the General Forum, and as supported by the Public Safety Committee, authorizes the execution of the Agreements that would

complete the transfer of the HazMat team as outlined in the agreements from Penn State University to the COG, effective June 30, 2020.”

OR

“That the Executive Committee, as supported by the Public Safety Committee, recommends that the General Forum authorizes the execution of the Agreements that would complete the transfer of the HazMat team as outlined in the agreements from Penn State University to the COG, effective June 30, 2020, at its June 22, meeting.”

All municipalities may vote on this motion as HazMat services are provided to all municipalities in the Centre Region regardless of their participation in the Regional Fire Protection Program.

Patton Township: During their May 27, 2020 meeting, the Patton Township Board reviewed the pending agreements. The Board members had no comments on this matter.

Harris Township: On June 9, 2020, Harris Township submitted the *enclosed* comments and were responded to by Steve Bair (*enclosed*).

Halfmoon Township: Questions were submitted by Halfmoon Township and were responded to by Steve Bair (*enclosed*).

Ferguson Township: During their June 1, 2020 meeting, the Patton Township Board reviewed the pending agreements. Questions were responded to during the meeting by the Executive Director and later by Steve Bair. A follow-up letter (*enclosed*) communicated the Board’s support for approval of the agreements.

6. SCHLOW CENTRE REGION LIBRARY PPP LOAN

This item asks the Executive Committee to consider recommending the General Forum authorize the acceptance of a Payroll Protection Program (PPP) Loan by Schlow Centre Region Library.

At its June 10 meeting, the Library Board authorized the Library Director and Finance Director to submit the application for a Small Business Administration (SBA) Payroll Protection Program (PPP) loan with the Centre Region COG’s depository institution (First National Bank). The COG Finance Committee endorsed the Library Board’s action to submit the application at its meeting on June 11. Once the application is submitted, the SBA will either approve or disallow the loan fairly quickly and then Schlow would be able to vote as to whether or not they would take the loan. This would likely occur after the June 22, 2020, General Forum meeting whereby the General Forum would be asked to endorse the acceptance of the PPP loan by the Library Board.

The Library is interested in utilizing the PPP loan to fund its payroll costs for a portion of the year. This loan does not replace the staff-wide mandatory 2-week furloughs, which will be

scheduled later in the year after the loan runs its course. The intent is to also file for loan forgiveness for the entire amount of the loan later this year – in effect, the loan would have an impact similar to a grant.

Although there are no guarantees necessary with this loan, COG is continuing with the policy whereby the General Forum and COG Finance Committee have the ability to opine on an action by a separate board that could have an impact on its financials. Even though there are no guarantees necessary, the SBA reserves the right to review the loan for a period of ten years after the loan date and determine if Schlow would need to repay the loan back. If such a determination is made the funds would need to be repaid within five years and this may have an impact on municipal budgets.

The Executive Committee should make a recommendation, if they deem appropriate, to the General Forum to endorse the action of the Schlow Library Board accepting the PPP loan. A potential motion would be:

“That the Executive Committee recommends to the General Forum that it endorses Schlow Library Board’s action to accept the PPP loan from the SBA.”

7. MUNICIPAL APPROVAL PROCESS FOR ACT 537 PLAN SPECIAL STUDY FOR THE SCOTT ROAD PUMP STATION AND BRISTOL AVENUE INTERCEPTOR – presented by Jim May and Corey Rilk

This item provides information regarding a revised process for the Act 527 Plan Special Study approval process. The typical process for the municipalities to take final action on an Act 537 Special Study is to have a meeting at a regularly scheduled General Forum to discuss issues related to the Special Study, recess the General Forum meeting and conduct required municipal public hearings, complete municipal resolutions approving the amendment, and then reconvene the General Forum meeting.

The COG Public Services and Environmental Committee and Centre Region Planning Commission have reviewed the Act 537 Plan Special Study for the Scott Road Pump Station and Bristol Avenue Interceptor. It is anticipated that both bodies will recommend that the municipalities approve the Special Study no later than their July meeting. This UAJA project is an amendment to the Act 537 Plan that will replace the Scott Road Pump Station and install a force main to assure continued sewer service capacity is provided to Pine Grove Mills and other areas in Ferguson Township.

Final action on the Act 537 Plan amendment may need to be conducted at individual municipal public hearings if the General Forum is not able to meet in person in the next few months. The CRPA will work with the municipal managers to establish a public hearing date in August, advertise the public meetings, provide staff for municipal meetings, and prepare resolutions for approval of the Special Study.

8. RESOLUTION 2020-6 TO ALLOW FOR REMOTE ATTENDANCE AND VOTING AT COG MEETINGS

This discussion item asks the Executive Committee to consider authorizing Resolution 2020-6 (**enclosed**) to enable remoted participation and voting in COG meetings under declared emergency circumstances utilizing procedures approved by the Executive Committee and to authorize the Executive Committee to approve procedures for individuals to participate in meetings remotely during normal, non-emergency, circumstances.

Background: In the early days of the current COVID-19 Emergency Disaster Declaration, as declared by Pennsylvania Governor, Tom Wolf on March 6, 2020, COG committees and the General Forum were unable to conduct COG business using electronic/remote meeting tools until authorizing legislation was passed and signed. Once the COVID-19 Emergency Disaster Declaration is lifted the enabling legislation will expire and the COG will lose its mechanism to lawfully conduct meetings in an electronic/remote manner. While the COVID-19 Emergency Disaster Declaration has been extended for 90 days by the Governor, it could be lifted sooner.

There may be a need to conduct COG business in an electronic/remote manner once the COVID-19 Emergency Disaster Declaration has been fully lifted during future declared emergency circumstances that affect the Centre Region. Without other enabling legislation, remote meetings would not be possible. In addition, even after the current Emergency Disaster Declaration is no longer necessary, COVID-19 or another virus may be of such concern or risk to members of our community that some General Forum or committee members may be reluctant to attend meetings in person. In addition, there may be circumstances where a participant is confined to home or is travelling and may wish to participate in the work of the COG remotely.

Staff has consulted with the COG Solicitor regarding this Resolution to enable electronic/remote meetings during future emergencies and to allow for individual remote participation. The Solicitor recommends that when no declared emergency exists, meetings be held in person and remote participation by individual members be allowed only if a quorum is present at the advertised meeting location.

While this Resolution creates the framework to enable such remote meetings in the future, detailed procedures should be developed and finalized for approval by the Executive Committee (draft rules of procedure **enclosed**). These procedures could be updated from time to time as technologies change and as the COG gains more experience with these practices.

Staff requests the Executive Committee discuss this item and provide guidance so that staff can work with the Solicitor to draft any revisions for consideration which can be presented at an upcoming General Forum meeting. If the Executive Committee is comfortable with this Resolution, with any amendments, and is prepared to present this to the General Forum on June 22, the following motion could be approved:

“That the Executive Committee recommends that the General Forum approve Resolution 2020-6 to authorize the Executive Committee to approve procedures to

enable remote meetings during future emergency circumstances and to approve procedures for individuals to attend and vote remotely, provided a quorum of members is present at the advertised meeting location.”

9. CONTINUED DISCUSSION ON COG COMMITTEE STRUCTURE REVIEW

At its April 21, 2020 meeting, the Executive Committee and staff began initial discussion on the idea of creating a COG Climate Action and Sustainability Committee as well as the idea of reviewing the COG committee structure more broadly. The Executive Committee decided to refer these topics to individual municipalities for comment and discussion.

At its May 19, 2020 meeting, Executive Committee members said it was the consensus of their individual municipalities that they were in favor of taking steps to discuss the possible creation of a COG Climate Action and Sustainability Committee but that it should be done concurrently with a broader review of the current COG committee structure taking place.

During the May 19, 2020 meeting, Executive Committee members requested that COG staff who are intimately responsible for coordinating and staffing meetings, provide a list of recommendations for municipalities to consider. **Enclosed** is a matrix of comments from coordinating staff and the COG Executive Director. The matrix is organized by items that can be implemented in the near term, without need of a formal study, and those that will require further evaluation and consideration in the future. The Executive Committee is asked to review, make comment and decide how to proceed with the comments as provided by coordinating staff.

Possible options include the following:

- The Executive Committee may determine which if any, recommendations provided by the coordinating staff and Executive Director should be considered at this time by the Executive Committee and/or the General Forum, and which items should be tabled for discussion until a broader range of stakeholder comments can be received.
- The Executive Committee may ask staff to initiate a wider survey regarding the COG committee structure to include additional stakeholder comments from Elected Officials, Municipal Managers, and Agency Directors. All comments and recommendations could be added to the matrix with the goal of creating a comprehensive list of recommendations for the Executive Committee and General Forum consideration.
- The Executive Committee may consider conducting a COG strategic plan in 2021 and delaying some changes to the committee structure until the strategic plan is complete.

The Executive Committee is asked to provide any additional guidance, including the following:

- What additional steps/level of review would it like to take place to complete this study?
- What stakeholder groups should be asked for comment on the committee structure?

10. EXECUTIVE DIRECTOR'S REPORT

The Executive Director will update the Executive Committee on other items of current interest, including updates regarding the COVID-19 Green Phase.

11. OTHER BUSINESS

- A. Matter of Record – The next meeting of the Executive Committee is scheduled for Tuesday, July 21, 2020, at 12:15 pm. It has not yet been determined if this will be an in-person or video conference meeting.
- B. Matter of Record – **Enclosed** is the letter sent to the Centre County Commissioners on behalf of the PSE Committee expressing support for them to adopt a Pennsylvania Commercial Property Assessed Clean Energy Program (C-PACE) resolution. C-PACE is a financing program launched in 2018 that provides business property owners access to low-interest, long-term loans for clean energy and clean water projects that are repaid as property tax.
- C. Matter of Record – COG building renovations are continuing to prepare the former Parks and Recreation space for Code Administration. The study of the COG parking lot is complete, and the Facilities Committee received the report at its June 2 meeting. The purchase order for the repair of the windows was issued, and the project is on hold until the parts portion of the order is completed.

12. TENTATIVE AGENDA ITEMS

If the Executive Committee so determines, the next meeting of the General Forum could be held via Zoom on Tuesday, June 22, 2020, at 7:00pm. Tentative agenda items could include:

- Endorsement of the PPP application by Schlow Centre Regional Library
- Renew the authority of Resolution 2020-3 for the Executive Committee to act on behalf of the General Forum on identified matters from May 1 through August 18, 2020
- Ratification of items that have been approved by the Executive Committee since March 16, 2020
- Report on the Status of COG operations during the COVID-19 Green Phase

13. RECESS TO AN EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER

One of the duties of the Executive Committee is to evaluate the Executive Director's work performance during the first three months of their hire date. In June 2020, Mr. Norenberg will have served as the COG Executive Director for three months. Mr. Abrams will adjourn the meeting to an Executive Session at this point for the committee to discuss the draft three-month 2020 Executive Director performance review. Upon reaching an agreement as to the performance review, the Committee will discuss it with the Executive Director.

14. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3

State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3083 • Website: www.crcog.net

HUMAN RESOURCES COMMITTEE

Video Conference

Wednesday, July 1, 2020

12:15 PM

During the COVID-19 health emergency, to continue business operations of the COG and to ensure the safety of municipal officials and staff, the General Forum has authorized the Executive Committee to act on its behalf except in cases where a unanimous vote of the municipalities is required. As a result of the "Stay at Home" order and the requirement that non-essential business operations be closed, this Human Resources meeting will be held via video conference. Written public comment or requests to speak to the Human Resources Committee for items not on the agenda and for specific agenda items below may be submitted in advance by emailing rpetitt@crcog.net

AGENDA

1. CALL TO ORDER

Chairman Nigel Wilson will convene the meeting.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes from the May 6, 2020 Human Resources Committee meeting is **enclosed** for approval.

4. SCHLOW LIBRARY DIRECTOR JOB DESCRIPTION

This is an action agenda item that asks the Human Resources Committee to consider and approve the job description for the Schlow Library Director.

In January 2020, a retirement letter was received from the currently Schlow Library Director, Ms. Cathi Alloway. Following what will be 11 years of service, Ms. Alloway's retirement date is tentatively scheduled to occur in 2021. To prepare for the recruitment, **enclosed** is a policy outlining a process in which a committee is formed, and through which

the COG and Library Board work together to seek the next Library Director. Also **enclosed** is a revised version of the Schlow Library Director's job description. The Committee should review the job description and offer comments and/or edits. Once approved, the job description will be forwarded on to the Executive Committee and Library Board to begin the process as outlined in the policy.

If the Committee approves the job description, a suggested motion is as follows:

"That the COG Human Resources Committee approved the job description for the Schlow Library Director, dated July 1, 2020."

5. COVID-19 UPDATE IN REGARD TO PERSONNEL AND WORK TASKS

This is an informational agenda topic; no action is needed.

Since the Governor moved Centre County into the "green phase" the COG buildings have remained closed to the public and COG Staff continue to work in a variety of capacities. Where able, remote work continues, however, by using staggered schedules we are beginning to slowly return employees to the offices. We continue to encourage daily self-wellness checks, physical distancing, mask wearing, and good hand hygiene.

To lift spirits and engage employees during this difficult time, the Employee Relations Committee (ERC) has continued with monthly wellness activities, challenges, and prizes, as appropriate. Participation in the activities has increased significantly, which may be attributed to higher incentives and/or more free time during the shutdown. Some of the group activities have been postponed and the ERC will be meeting in July to re-evaluate those activities moving forward. Two ERC Snack Break sessions were presented through ConnectCare3 and focused on the use of meditation, visual and breathing techniques to reduce stress. The ERC has also compiled a list of volunteer opportunities and community activities that staff, and their families, can participate in if they desire to do so.

This has been a high stress time for staff and we regularly share information for COG's 24-hour/7-day week Employee Assistance Program (EAP). Furthermore, the HR Officer has scheduled two live, interactive webinars for staff through the COG's EAP. The sessions will be held in July and topics include *Coping During Uncertain Times* and *Stress: A Way of Life or A Fact of Life*.

6. POTENTIAL WORK TASKS

This is an informational agenda topic; no action is needed.

The HR Officer, along with all other management staff, are striving to keep open and transparent communication with staff throughout this time. We also continue to spend a large amount of time dealing with COVID related work tasks, including but not limited to,

deciphering federal and state regulations and guidance, as well as responding to staff inquiries and concerns. Many of the HR Committee work tasks that were identified at the beginning of 2020 have been placed on hold in order to keep up with the sheer volume of priority COVID work tasks.

In the coming weeks, the HR Officer will work with the Executive Director and Agency Directors to develop an official Remote Work Policy. Some COG member municipalities already have Remote Work policies in place, and they vary from remote work during a pandemic only, to an employee application process for remote work at any time (subject to management review). After review of the municipal policies, and discussion with the COG Agency Director's, we would like to develop a hybrid policy that can be used both during times of a pandemic, but also during times when an employee needs the accommodation. Furthermore, remote work may be needed to support the operational needs of an agency (a remodeling, for example, or to help address space needs). The development of a policy should also address items such as, hardware, software, connectivity, security, ergonomics, workers compensation, expectation of work hours and availability, and eligibility requirements, such as employee performance.

The Executive Director and HR Officer are also considering a COG-wide employee survey to evaluate COG's response to the COVID pandemic and determine other measures that may be helpful if an employee was required to work remotely for a longer period. We would also like to include a few questions to solicit input on the Remote Work policy, as well as a few questions from the ERC regarding the spike in participation so we can gauge what motivates our staff.

HR Committee discussion, feedback, and suggestions are encouraged and welcome on both.

7. OTHER BUSINESS

- A. Matter of Record - Following the Consumer Price Index, the COG Finance Director reports that wages appear to be trending towards a COLA of 1.5% and a merit of 1.5% for the 2021 budget.
- B. Mater of Record - We are nearing the end of the furloughs in the Parks agency. Schlow's two week rolling furloughs will be on hold, as they have applied for a Small Business Administration Payroll Protection Program loan. If the loan is approved and accepted, furloughs cannot occur during that time.
- C. Matter of Record - Phill Becker, a Penn State student obtaining a Master of Professional Studies (MPS) in Renewable Energy and Sustainability Systems (RESS), is returning to virtually intern with CRPA this summer. His focus will be on solar energy; specifically focusing on what is needed (i.e. policy, ordinances, checklists) to ensure the region is prepared for a growth in solar installations.

Xabine Stager-Kamats, a Penn State senior majoring in Letter, Arts and Science, and Lauren Miller, a Slippery Rock senior majoring in Geography, began virtually interning with CRPA for the summer. Both will spend 6-10 hours a week supporting the Sustainability Planner. Their focus will be to research and assist with best practices for stakeholder and public engagement (i.e. create a survey, identify report formats, prepare for social media messaging) and support the vulnerability assessment by data gathering and research.

- D. Matter of Record - The following represents a list of vacancies of COG full-time and part-time, year-round positions:

Codes - Division Manager - New Construction - Following the employee's retirement on April 3, 2020, this supervisory position remains vacant. In the interim job duties continue to be split between the Agency Director and Codes Services Manager.

Codes - Commercial Plans Examiner/Building Inspector - The position is currently being advertised internally & externally. Applications are being accepted through June 25, 2020. It is possible that the advertising time may be extended to ensure a reasonable pool of applicants.

Parks - Recreation Services Manager - The position is currently being advertised. Applications are due June 30, 2020.

Schlow - Part-time Communications Manager - Resignation was recently received from Mr. David Pencek. His last date of employment will be July 10, 2020. The **enclosed** job description was reviewed with minor edits made and approved by COG Executive Director. Initial advertisement will occur internally only.

Schlow - Part-time Library Assistant - Resignation was received from Ms. Sandy Hayward. Her last day was on June 8, 2020. There were no job description changes and initial advertisement will occur internally only.

8. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS
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PUBLIC SERVICES AND ENVIRONMENTAL COMMITTEE
Video Conference
July 2, 2020
12:15 PM

During the COVID-19 health emergency and in compliance with Pennsylvania's guidelines for public meetings, this Public Services and Environmental Committee meeting will be held via video conference. Written public comment or requests to speak to the Public Services and Environmental Committee for items not on the agenda and for specific agenda items below may be submitted in advance by emailing smato@crcog.net

AUDIO/VIDEO PROCEDURE

- Please note that this meeting is being recorded and the recording will be posted to the COG's website.
- We ask that **non-voting participants** please remain muted with their video turned off unless they are recognized or are actively speaking.
- Committee Members that wish to vote against a motion are encouraged to do so by saying "no".
- Members of the public that may wish to speak to specific agenda items during the meeting may use either the "raise hand" feature OR submit questions to either the host or chair using the chat feature. These individuals or comments will be recognized when appropriate.

AGENDA

1. **CALL TO ORDER AND ROLL CALL**

Chair Hameister will convene the meeting.
Ms. Mato will take a roll call of members to ensure that they can hear and be heard.

2. **PUBLIC COMMENTS**

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit, please). Comments relating to specific items on the

agenda should be deferred until that point in the meeting. Submitted comments will be read into the record by the Committee Chair or Recording Secretary at the appropriate time in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the June 4, 2020 Public Services and Environmental Committee meeting are *enclosed*.

4. REFUSE AND RECYCLING UPDATE – *presented by Shelly Mato*

CRCOG's Refuse and Recycling Program's contract for refuse service includes a Memorandum of Understanding that the contracted hauler (currently Advanced Disposal Services) sub-contracts with the Centre County Recycling and Refuse Authority (CCRRA) for weekly curbside recycling collection. Advanced Disposal collects the fee for recycling in its refuse bill, and CCRRA invoices Advanced Disposal for the total cost of COG curbside recycling collection at the end of each month. In response to the COVID-19 pandemic, the CCRRA suspended curbside collection of recycling from March 30 – April 26 and did not invoice Advanced Disposal for the month of April. Residents have contacted the COG R&R Administrator and municipal managers regarding this fee.

At the June 4, 2020 meeting, the committee asked the COG Refuse and Recycling Administrator and the Office of Administration to present details of expenses and an overview of the hauler and the CCRRA services at the July meeting in order to be better able to provide due diligence and ensure transparency regarding the allocation of this fee. COG staff gathered details regarding refuse and recycling collection service and costs associated with the April recycling suspension; *enclosed* is a summary of these details.

Based upon the enclosed summary, it does not appear that Advanced Disposal Services incurred costs equal to the fee collected for recycling in April. The Refuse and Recycling Administrator, COG Executive Director, and the CRPA Director discussed options with Advanced Disposal staff on June 24 to return some of the fees collected in April. Advanced Disposal maintains that they incurred unquantified costs that, in addition to documented expenses, exceed the April recycling fee and do not expect to return any of the fee.

Advanced Disposal recommended that the COG re-evaluate the cart collection bid previously offered in the contract. After re-evaluation, and if the COG decides to move forward with cart collection, Advanced Disposal would provide a credit equal to the recycling fee collected for the month of April, approximately \$90,000.

Considering the information presented in the summary of the April services and the offer of Advanced Disposal to reevaluate cart collection, the Committee should discuss their options to proceed, which could include:

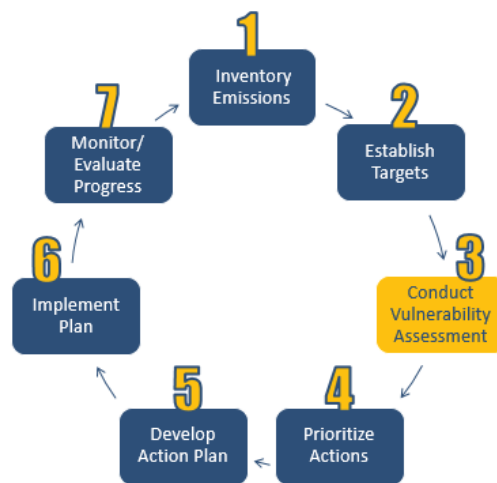
- Sending a letter regarding the committee’s request that Advanced Disposal supports CCRRA recycling services offered in April and that CCRRA be reimbursed for the costs incurred for the additional drop off recycling.
- Expressing interest in learning more about what the offer on cart collection includes and ask staff to investigate.
- Concluding that the information has been presented and no further action makes sense to pursue at this time.

The committee should review their options and determine how they would like to proceed.

5. CLIMATE VULNERABILITY ASSESSMENT – presented by Pam Adams

This agenda item asks the Public Services & Environmental Committee to provide feedback on the recommended framework for conducting a climate vulnerability assessment for the Centre Region, milestone #3 as shown in the figure to the right.

7 Milestones of Climate Action and Adaptation Planning



Conducting a climate vulnerability assessment will determine how climate change could affect our most critical assets and services and the projected impacts and risks to our community. Its purpose is to increase resilience in our community, which means increasing the capability to prepare for, withstand, recover, and adapt to significant threats with minimum damage to social well-being, the economy and the environment.

The Centre County Hazard Mitigation Planning (HMP) process has just begun and coincides with the timing for our climate vulnerability assessment. The basic framework is to work through the County’s HMP process and delve in deeper where appropriate to end up with the region’s top climate related vulnerabilities. *Enclosed* is the high-level summary of the 2015 Identified hazards for the County, of which 7 of the top 10 are climate related. Instead of duplicating efforts staff intends to integrate our efforts. It will be a more efficient use of all of our resources, and it would provide consistency of information utilized by emergency management representatives and by climate vulnerability efforts.

The Centre County Hazard Mitigation Plan timeline is:

- Kick-Off Meeting: May 28, 2020

- Municipality forms due: June 19, 2020
- Risk Assessment and Mitigation Solutions Workshop: September 2020
- Public Meeting: January 2021

The climate action role in this process is distinct from the emergency management planning response to threats as it will focus more on actions and strategies that can mitigate impacts of climate change in the Region. Staff will follow the County's process and integrate the plans to allow for the potential of future FEMA funding, but the climate vulnerability report will be a more specific subset of the County's.

In order to do this the following Climate Vulnerability Assessment Team has been assembled and its kick-off meeting is scheduled for June 30, 2020.

Alan Sam, State College Borough
Denise Gembusia, Halfmoon Township
Dave Pribulka, Ferguson Township
Shawn Kauffman, COG EM Coordinator

Mike Bloom, College Township
Amy Farkas, Harris Township
Doug Erickson, Patton Township
Pam Adams, COG Sustainability Planner

At the kick-off meeting the Climate VA Team will 1) develop the purpose and scope, 2) review available, existing data and 3) identify what additional information is needed. Ms. Adams will provide the PSE Committee with a report on the results of the kick-off meeting.

The intent of the Climate Vulnerability Assessment is to identify and prioritize key assets and services that are or may become compromised by climate related hazards. Ranking of the climate vulnerability & risks are expected to be completed by end of August. The Climate VA Team members and the Climate Technical Advisory Group (TAG) will identify mitigation strategies that will be potential actions in the Climate Action and Adaptation Plan and the County HMP.

The PSE Committee should discuss the recommended framework and provide input. This item is for informational purposes only and does not require committee action.

6. OTHER BUSINESS

A. Matter of Record – The Citizen's Climate Lobby presentation by Ms. Adams on the regional process for creating the Climate Action and Adaptation Plan is on Sunday, June 28, 2020 at 2:00pm through Zoom. It will include the GHG emissions inventory results, recommended reduction targets and possible actions our community can take to reduce GHG emissions and adapt to changing climate. [Click here to register.](#)

B. Matter of Record – TAG will host a *Transportation Climate Actions for our Community*

session on July 8, 2020 with subject matter experts from the region. For additional information and a summary of the potential transportation action items being considered visit: <https://bit.ly/2yD5V9H>.

- C. Matter of Record - *Enclosed* is the letter sent to the Centre County Commissioners on behalf of the PSE Committee expressing support for them to adopt a Pennsylvania Commercial Property Assessed Clean Energy Program (C-PACE) resolution. C-PACE is a financing program launched in 2018 that provides business property owners access to low-interest, long-term loans for clean energy and clean water projects that are repaid as property tax.

- D. Matter of Record - *Enclosed* is the June 15, 2020 meeting summary of the Climate Action and Adaptation Technical Advisory Group (TAG). The TAG's next meeting is July 13, 2020 at 8:30am virtually through Zoom. Note that the July date has been adjusted to accommodate the group's schedules.

- H. Matter of Record - The next meeting of the Public Services and Environmental Committee is scheduled for Thursday, August 6, 2020, at 12:15 pm. It has not yet been determined if this will be an in-person or video conference meeting. Staff will inform the Committee closer to the meeting day if in-person meetings are being considered as a meeting option.

7. ADJOURNMENT

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SOLAR POWER PURCHASE AGREEMENT WORKING GROUP

Video Conference

July 1, 2020

9:00 AM

During the COVID-19 health emergency, in order to continue business operations of the COG and ensure the safety of municipal officials and staff, the SPPA Working Group will hold its meeting via video conference. Written public comment or requests to speak to the SPPA Working Group for items not on the agenda and for specific agenda items below may be submitted in advance by emailing jviglione@crcog.net.

AGENDA

1. CALL TO ORDER

Mr. Buck will convene the meeting.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minute per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the March 4, 2020 Solar Power Purchase Agreement (SPPA) Working Group meeting is **enclosed**.

4. REVISED COST SHARING AGREEMENT FOR ENERGY CONSULTANT

At its March 4, 2020 meeting the Working Group was asked to endorse the **enclosed** cost sharing agreement and refer it back to their individual boards/councils for approval.

Now that the boards/councils have approved the cost sharing agreement, the SPPA Working Group should formally adopt the agreement and obtain signatures from board/council chairs shortly after. A potential motion is:

“That the SPPA Working Group approves the cost sharing agreement and formally requests that their board/council Chair/President sign the agreement.”

5. RFP FOR ENERGY CONSULTANT SERVICES

This is an action item. The Chair and Vice Chair are asking the Working Group to approve the **enclosed** draft RFP for Energy Consultant Services that has been developed by the Micro Group. Specific dates have been removed and replaced with placeholder time periods that are shown in blue italics. When the RFP is approved for release it will include actual dates.

The Committee will be asked to delay the release of the RFP for Energy Consultant Services until the September 16, 2020 SPPA meeting – unless deferred again at that time. There are numerous reasons for the delay all pertaining to COVID-19. It will then be released to prospective firms and advertised in late September or early October 2020. A potential enacting motion would be:

“That the SPPA Working Group approves the draft RFP for Energy Consultant Services and furthermore delays its decision for the approval of its release until the September meeting.”

6. REVISED TIMELINE

Due to delays associated with COVID-19, the updated timeline for the SPPA project is shown below:

July 1, 2020: SPPA Working Group approves Cost Sharing Agreement

July 1, 2020: SPPA Working Group approves the RFP for Energy Services Consultant and defers a decision on its release until the September SPPA Working Group meeting

July 2-September 1, 2020: The SPPA Working Group receives informational updates on SPPA markets and projects

September 16, 2020: SPPA Working Group authorizes the release of the RFP for Energy Services Consultant

Late September/Early October 2020: Advertise RFP for Energy Services Consultant

November 10, 2020: Open Bids from RFP for Energy Services Consultants

November 10-December 1, 2020: SPPA Micro Group reviews and recommends Energy Services Consultant

December 2, 2020: SPPA Working Group moves their November meeting back one week to review, recommend, and refer Energy Services Consultant to boards/councils

December 2-December 29, 2020: Boards/Councils endorse the hiring of an Energy Service Consultant

December 30, 2020: SPPA Working Group moves their December meeting back one week to recommend SCASD hire an Energy Services Consultant

January 2021: Contract is reviewed and awarded by SCASD. All documents signed by SCASD.

7. **OTHER BUSINESS**

- A. **Matter of Record** – With a growing interest by both the public and local governments in solar energy, CRPA staff created a solar energy webpage which can be found under the COG webpage: www.crcog.net | CRPA | Sustainability or follow this [link for Solar Energy](#). A link to this solar energy page has been added to the SPPA Working Group’s webpage. The solar energy webpage is a starting point to help identify the Centre Region as a friendly place for solar business and climate action. It includes existing tools and documents on solar energy and a link to the SPPA.

8. **ADJOURNMENT**



**Manager's Report
July 6, 2020**

1. The Regional Solar Power Purchasing Agreement (PPA) Working Group met on Wednesday, July 1st. Eric Endresen, Director of Finance attended as Ferguson Township's representative. At the meeting, the Working Group approved the cost sharing agreement for the consultant to prepare the Request for Proposals (RFP) to solicit firms interested in bidding on the proposed public/private partnership for the Solar PPA. The RFP draft was also approved, and action was taken to defer release of the RFP until September due to the potential financial impacts of the pandemic.
2. The 2019 Comprehensive Annual Financial Report has been completed and a hard copy will be provided to the Board of Supervisors when it is printed. A copy will be made available on the website and in the Township building for public inspection.
3. The Manager concluded meetings with senior staff to review requests for the 2021 – 2025 Capital Improvement Program Budget. Please be reminded that the Road Tour this year is self-directed, and Board members are encouraged to contact the Public Works Director with any questions about the proposed road projects. Public Special Meetings have been scheduled for July 21st and July 22nd to review the draft document. Copies will be distributed to the Board the week of July 13th.
4. The Non-Uniformed Pension Advisory Committee met on June 30th to discuss a strategy to review responses to the Request for Proposals issued for pension administration services for the Township's 457 Deferred Compensation and 401(a) pension plans. In total, eight responses were received and will be evaluated by the Committee by the end of the month. The Board can tentatively expect a recommendation at an upcoming Regular Meeting in August.
5. The Ferguson Township Parks and Recreation Meeting met on June 18th. The primary agenda item was a review of the draft 2021 – 2025 Capital Improvement Program Budget for parks. The parks tour that is typically scheduled each year with the Committee will be self-directed this year.
6. Staff held a virtual town hall on June 30th to discuss local and regional pandemic response efforts. Thank you to all who attended.



TOWNSHIP OF FERGUSON

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Public Works Director's Report to the Board of Supervisors for the regular meeting on June 15, 2020

- 1. Public Works Road Crew Activities** – Planned activities for the three-week period starting June 29th include roadway pavement patching and repairs, inlet repairs, mowing and street sweeping, brush and leaf collection per schedule, paving gravel path areas in Tudek Park as well as the typical vehicle and equipment maintenance.
- 2. Arborist and Tree Commission Activities-** The arborist is working a combination of field work including park tree inspections, trimming and tree care, and office/remote work. The investigation of oak tree mortality on private property on Pine Grove Mountain appears to related to disease other than oak wilt and land disturbance activities. The next Tree Commission meeting is scheduled for July 6th and will include a virtual tour of trees slated for removal by the arborist.
- 3. Public Works Fleet** - The mechanics continue to work staggered shifts and observe COVID-19 safe work practices.
- 4. Public Works Buildings** - The General Contractor for the administration building renovations completed punch list items. The Plumbing Contractor needs to return to repair the drinking water fountain. The Electric Contractor needs to install power for the magnetic lock for the new door between the lobby and the break room hallway. Site work, steel erection, and concrete work continue for the new public works facility in accordance with an updated COVID-19 work safety plan. Additional work planned for the next two weeks includes utility pipe installation by the Electric Contractor and Plumbing Contractor. Insulated metal panels are stored on site. The GasBoy fuel system has been ordered. The Westmatic vehicle wash equipment is being ordered. Coordination meetings with the design team, construction manager, and prime contractors continue every 2 weeks. Contractors are holding their own schedule coordination meetings as the work site is busy and only certain activities by certain trades can be worked on in certain locations as the crane sets steel overhead. The Public Works Director again communicated with a West Penn Power engineer to secure temporary and permanent power for the site. A pole must be set. The current estimated substantial completion date remains November 4, 2020. The project is on schedule (accounting for the COVID-19 work suspension and rain days) and project costs remain within the approved budget. Change orders are being managed in cooperation with our Construction Manager.
- 5. Public Works Engineering and GIS-** Engineering and GIS section personnel are working a combination of field work and office/remote work. Work includes managing 2020 capital construction projects and professional engineering service contracts, inspections of MS4

structures and BMPs, traffic signal improvement designs, land development plan reviews, development of maps to support various needs, and other engineering related activities.

6. **Stormwater Fee Study Phase 2** –A public education and outreach event was held remotely on June 24th from 6pm to 9pm. The event included a presentation for about one hour followed by the reading of questions submitted in advance and live with a panel of consultants and staff providing answers. The event was televised live on CNET. Residents interested in the presentation can find in archived on CNET. The Township web site contains current information on this topic. A final meeting of the Stormwater Advisory Committee is scheduled for July 15th at noon via ZOOM. The consultant will then present the final report of the study to the Board of Supervisors at a future public meeting.
7. **Contract 2016-C11 Traffic Signal Performance Metrics** - Jacobs Engineering continues to work with private communication providers to partner with the Township in providing a communications network to our traffic signals instead of the Township building and maintaining our own network. Design of this project is anticipated through the summer, fall, and winter with a bid early next year for construction in 2021.
8. **Contract 2018-C20 Park Hills Drainageway** – NTM Engineering is reviewing their schedule to continue design and permitting work for this project. Design and permitting activities are anticipated through 2021 with construction to follow. The BOS will consider funding related to utility relocation and easement acquisition during the budget review process. Three grant applications have been submitted to NFWF to help offset some of the costs.
9. **Contract 2018-C26 Traffic Signal Phasing Changes (FYA)** – This project was awarded and implements the flashing yellow arrow signals at three intersections (Science Park Road at Pine Hall Road, Science Park Road at Old Gatesburg Road, and Blue Course Drive at Martin Street) and changes the signal timing plans at three signals on Science Park Road. [Public outreach is planned in advance of the installation of the flashing yellow arrow.](#)
10. **Contract 2019-C20 Science Park and Sandy Drive Signal Study** – The signal warrant study has been reviewed by PennDOT and comments are being addressed by Stahl Sheaffer Engineering. [SEE to modify the report and resubmit for approval.](#) A peak hour warrant is met based upon traffic volume projections.
11. **Contract 2019-C21 Pine Grove Mills Street Light Conversion:** Funding is provided in the 2020 budget to provide power cutoffs to the lights to allow maintenance work, removal from the WPP tariff and metering, and conversion of the high pressure sodium bulbs to LED. Preliminary design work with Barton Associates is underway.
12. **Contract 2020-C1 Street Improvement Project (portions of Blue Course Drive and Saratoga Drive)** Improvements to sections of these two roads include inlet repairs, curb repairs, asphalt repairs and an asphalt overlay. Work on this project was awarded to New Enterprise. [Work for the next two weeks starting June 29th includes installing concrete curb, placing the scratch course of asphalt, manhole adjustments, and paving the asphalt wearing course.](#)

13. **Contract 2020-C2 Street Improvement Project (Dry Hollow Road, Deibler Road, portion of Whitehall Road)** – Work includes base repair, asphalt milling, and paving a new asphalt wearing course on Whitehall Road from Timothy Lane to the County line. Some sections of guiderail will be replaced. Work on this project was awarded to New Enterprise. [Work is substantially complete. Remaining work includes driveway restoration and guiderail replacement. Line painting will be completed later in the year by separate contract.](#)
14. **Contract 2020-C6 Curb and Ramp upgrades:** This is an annual contract to update and replace curb ramps on sidewalks to meet ADA requirements on roads that receive microsurfacing. [Work is substantially complete. Punchlist items remain. Topsoil backup and seed will be completed by FTPW in the near future.](#)
15. **Contract 2020-C9 Microsurfacing:** Microsurfacing is a pavement preservation technique and a contract is let annually. The work was awarded to Asphalt Paving Systems. [A Notice to Proceed was issued June 29th. Work is planned to start on July 13th.](#)
16. **Contract 2020-C18 Science Park and Sandy Drive Signal Design** – Provided the final study is approved by PennDOT, the Township will design of the traffic signal in-house during the summer and fall of 2020 for bidding in the winter and construction in 2021.
17. **Contract 2020-C19 Radar Detection Upgrades** – This project upgrades the signal detection to digital radar at six intersections along Blue Course Drive and Science Park Road and has grant money from PennDOT from both the Green Light Go and Automated Red Light Enforcement grant programs. Signal permit plans are in final design in-house for PennDOT approval. A contract for materials has been awarded by the BOS and purchase orders are being issued for materials as needed. Construction is by in-house forces and is to be completed by 2021.
18. **Contract 2020-C20 Pine Grove Mills Mobility Study** – A contract for this study has been awarded to McCormick Taylor, but a notice to proceed has not been issued due to the coronavirus pandemic which has affected traffic volumes. Staff and consultant are monitoring traffic volumes and activities to determine an appropriate time to begin the project. This project could be significantly delayed.
19. **Contract 2020-C21 Pine Grove Road & Water Street/Nixon Road Signal Warrant Study** – A contract for this study has been awarded to McCormick Taylor, but a notice to proceed has not been issued due to coronavirus pandemic which has affected traffic volumes. It is anticipated that this study will be completed in coordination with the Pine Grove Mills Mobility Study.
20. **Contract 2020-C23 CBPRP Implementation Design** – [Review approved PRP and start discussion regarding potential projects to meet permit requirements](#)



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PLANNING & ZONING DIRECTOR'S REPORT

Monday, July 6, 2020

PLANNING COMMISSION

The Planning Commission will be meeting Monday, July 13, 2020 in person and via Zoom.

LAND DEVELOPMENT PLANS AND OTHER PROJECTS

1. Active Plans are listed below for the Board of Supervisors (6/30/20).
 - o Harner Farm Subdivision (24-004-067 and replot 24-004-067C)
 - o Orchard View Subdivision (24-004-,067)
 - o Whitehall Road Sheetz Land Development Plan (24-004-067)
 - o Thistlewood Lot 19 (24-746-007)
2. PZ Director attended the Crisis Management Team and Crisis Communication Team Meetings.
3. PZ Director attended mediation for the Pine Hall development.
4. Township Manager, Finance Director and PZ Director met to review the 2021-2025 Capital Improvement Plan (CIP) for the Planning and Zoning Department.
5. PZ Director reviewed and edited comments on the Chicken and Duck Ordinance.
6. PZ Director attended the Virtual Town Hall Meeting.
7. Community Planner is working on demographics research that will provide insight to the Workforce Housing Amendment.
8. Community Planner and PZ Director drafted the COVID-19 Flexible Business Support Resolution and application.

UPCOMING ZONING HEARING BOARD MEETINGS

The Zoning Hearing Board met June 23rd and reviewed three Requests for Variances.

1. The Islamic Society of Central PA—3765 West College Avenue (RA—Rural Agricultural/ COD—Corridor Overlay District). The applicant, The Islamic Society of Central PA, is requesting a variance from Chapter 27-701; Ch. 27-701.C.1; Ch. 27-701.I; Ch. 27-701.H: Floodplain Conservation Regulations. The variance request was **approved**.
2. State College Borough Water Authority—Kocher Well Field located at 3961 W Whitehall Road (24-006-055E) that is zoned Rural Agriculture (RA). The applicant is requesting a variance from §27-701—Floodplain Conservation. The applicants are requesting a variance to not provide a detailed Hydraulic and Hydrologic Study to determine the boundary of the floodplain and to use the Zone A classification listed on the FEMA maps. The variance request was **approved**.

3. Jed Neilson—250 Banyan Drive (24-735-051-0000) that is zoned Single Family Residential (R1) is requesting a variance from §27-205.5 R1 District Quick View Setbacks. The applicant is requesting a variance to the 30' rear setback to construct a 20' x 45' basketball court within the 30' setback. The basketball court would be located approximately 10' from the rear property boundary. The variance request was **approved**.