

**FERGUSON TOWNSHIP BOARD OF SUPERVISORS**  
**Regular Meeting Agenda**  
**Tuesday, September 8, 2020, 7:00 PM**

Join Zoom Meeting:  
<https://us02web.zoom.us/j/87264300730>

**Meeting ID:** 872 6430 0730

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

**I. CALL TO ORDER**

Executive Session Announcement

**II. CITIZENS INPUT**

**III. APPROVAL OF MINUTES**

1. August 17, 2020, Board of Supervisors Regular Meeting

**IV. SPECIAL REPORTS**

- a. COVID-19 (Coronavirus) Response Report
- b. University Area Joint Authority – Jonathan Dietz
- c. University Area Joint Authority Solar Project – Cory Miller
- d. Ferguson Township Second Quarter Financial Report
- e. Ferguson Township Public Works Maintenance Facility Update

**V. UNFINISHED BUSINESS**

1. Public Hearing - Temporary Emergency Ordinance to Reduce Transmission of COVID-19
2. Public Hearing - Resolution Adopting 2021 – 2025 Capital Improvement Program Budget
3. Public Hearing Resolution – Receipt of CARES Act County Block Grant Funding
4. Stormwater Utility Fee Ordinance – Authorization for Public Hearing
5. Continued Discussion – Recreational Fire/Smoker Regulations

**VI. NEW BUSINESS**

1. Consent Agenda
2. Request for Waiver - Parkview Subdivision
3. Parkview Subdivision Preliminary/Final Plan
4. Review Draft Centre County Long Range Transportation Plan 2050
5. Proclamation – Centre Region Fall Bike Events and Activities Plan
6. Review of Draft Green Infrastructure Policy
7. Award of Contract 2020-C3, Cured-In-Place Pipe Lining

**VII. REPORTS**

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

**VIII. COMMUNICATIONS TO THE BOARD**

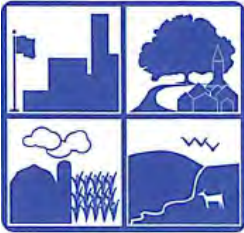
**IX. CALENDAR ITEMS – SEPTEMBER**

1. Monday, September 7<sup>th</sup>, Ferguson Township Administrative Offices are closed for Labor Day
2. [Tuesday, September 15<sup>th</sup> at 6:00 p.m., Board of Supervisors & Planning Commission Special Meeting](#)
3. [Wednesday, September 16<sup>th</sup> at 6:00 p.m., Board of Supervisors & Planning Commission Special Meeting](#)

**X. ADJOURNMENT**



Visit the Township's Web Site [www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us) and sign up for *Notify Me!* to receive email notices about Township Information.



# TOWNSHIP OF FERGUSON

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**Board of Supervisors  
Regular Meeting Agenda  
Tuesday, September 8, 2020  
7:00 P.M.**

**I. CALL TO ORDER**

**Executive Session Announcement**

**II. CITIZEN'S INPUT**

**III. APPROVAL OF MINUTES**

1. August 17, 2020, Board of Supervisors Regular Meeting Minutes

**IV. SPECIAL REPORTS**

30 minutes

1. COVID-19 (Coronavirus) Response Report – David Pribulka, Township Manager
2. University Area Joint Authority – Jonathan Dietz
3. University Area Joint Authority Solar Project – Cory Miller, UAJA Executive Director
4. Ferguson Township Second Quarter Financial Report – Eric Endresen, Director of Finance
5. Ferguson Township Public Works Maintenance Facility Update and Virtual Tour – David Modricker, Director of Public Works

**V. UNFINISHED BUSINESS**

1. **A PUBLIC HEARING ON A TEMPORARY EMERGENCY ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REQUIRING THE WEARING OF FACE COVERINGS AND IMPLEMENTING ADDITIONAL REGULATIONS TO REDUCE THE RISK OF TRANSMISSION OF THE COVID-19 VIRUS.** 20 minutes

**Narrative**

Provided with the agenda is a copy of the ordinance advertised for public hearing extending the local requirements on the wearing of face coverings to combat the spread of the COVID-19 pandemic. The ordinance as presented is substantively the same as the version enacted on August 17<sup>th</sup>; however, staff is recommending the removal of the religious exemption described in Section 4. The ordinance has been advertised without that provision. There is no requirement to provide this exemption, and a local epidemiologist has raised a concern about its inclusion. If adopted, the ordinance would expire with the rescinding of the emergency declarations of the Centre Region Council of Governments and the Pennsylvania Department of Health, or January 31, 2021, whichever is earlier.

*Recommended Motion: That the Board of Supervisors adopt the temporary emergency ordinance requiring the wearing of face coverings and implementing additional regulations to reduce the risk of transmission of the COVID-19 virus.*

**Staff Recommendation**

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

**2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE YEARS 2021 THROUGH 2025. 20 minutes**

**Narrative**

On August 17th, the Board authorized advertisement of a public hearing on the 2021 – 2025 Capital Improvement Program Plan (CIP). The CIP has been presented by the Township Manager and reviewed by the Board of Supervisors at two public special meetings, as well as a virtual road tour where proposed street projects were reviewed. Changes that have been made by the Board at the special meetings and on August 17th have been incorporated in the document. Provided with the agenda is a copy of the resolution as advertised for public hearing. A link to the revised 2021-2025 CIP is provided below from the Township's website.

- [2021-2025 Capital Improvement Plan](#)

*Recommended Motion: That the Board of Supervisors adopt the resolution adopting the Capital Improvement Program Budget for the years 2021 through 2025.*

**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 AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE AN AGREEMENT WITH CENTRE COUNTY FOR THE RECEIPT OF CARES ACT COUNTY RELIEF BLOCK GRANT FUNDING. 10 minutes**

**Narrative**

Provided with the agenda is a copy of a resolution advertised for public hearing authorizing the Chairman and Secretary to execute an agreement with Centre County for the receipt of \$183,158 in Federal CARES Act funding for eligible pandemic-related expenditures. The county has determined the allocation based on Census data and describes in the agreement eligible reimbursement expenses under the program. Staff have been tracking costs associated with the pandemic, and we are currently evaluating additional options for receipt of the funding prior to the December 31, 2020, deadline. The agreement is appended to the resolution as an exhibit.

*Recommended Motion: That the Board of Supervisors adopt the resolution approving an agreement with Centre County for the receipt of CARES Act County Relief Block Grant Funding.*

**Staff Recommendation**

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

#### 4. STORMWATER UTILITY FEE ORDINANCE – AUTHORIZATION FOR PUBLIC HEARING

20 minutes

##### Narrative

Provided with the agenda is a copy of a draft ordinance for consideration for authorization for public hearing establishing a stormwater management utility fee beginning fiscal year 2021. The Board received a presentation from Elizabeth Treadway of Wood at the August 17<sup>th</sup> Regular Meeting. While the draft ordinance suggests a billing unit be established based on 1,000 square feet of impervious area, the Board is asked to provide direction on whether this billing structure or an Equivalent Residential Unit (ERU) billing structure is more desirable. Additional outstanding items to be discussed this evening include the following:

- Should equipment be purchased in this fund or contracted out? This may be a case-by-case basis, but the Stormwater Advisory Committee was split on this issue. Staff's recommendation is that a sinking fund be established with the intent of purchasing equipment in the seventh year of the program.
- Should pipe lining continue to be funded through the Transportation Improvement Fund or should it transition to the Stormwater Management Utility Fund? Staff is recommending a transition over time, with the TIF being used to subsidize the project until the fund becomes more stable.
- Should there be a credit policy manual to accompany the program to off-set property owners' obligations under the fee? If so, what should the maximum eligible credit allowance be capped at? Staff is recommending that a credit policy manual be established and that the maximum credit allowance be limited to forty percent (40%) of the total fee per property.

Dave Modricker, Director of Public Works, will introduce the item. Several Board members have submitted questions for consideration that will be reviewed at the meeting. This evening, the Board is being asked to schedule a public hearing for an agreeable date later in the month of September. A suggestion of Wednesday, September 23, 2020, at 6:00 p.m. has been provided in the recommended motion. The Board should provide direction on whether C-NET should be invited to broadcast the public hearing, as well.

*Recommended Motion: That the Board of Supervisors authorize advertisement of a public hearing on the proposed Stormwater Utility Fee for Wednesday, September 23, 2020 at 6:00 p.m.*

##### Staff Recommendation

That the Board of Supervisors **authorize** advertisement of a public hearing on the proposed Stormwater Utility Fee.

#### 5. CONTINUED DISCUSSION – RECREATIONAL FIRE/SMOKER REGULATIONS

10 minutes

##### Narrative

At the August 3<sup>rd</sup> Regular Meeting, the Board discussed the current regulations in place on recreational fires and the use of wood smokers on private properties. The outcome of the discussion was to direct staff to research the Board's ability to prohibit open burn permits from being issued by the Centre Region Code Administration in residential zoning districts; as well as whether the Board can regulate the use of residential meat smokers within a certain distance of the property line or when determined to be a nuisance. A verbal report will be provided on this item. No action is requested by staff at this time.



## VI. NEW BUSINESS

### 1. CONSENT AGENDA

5 minutes

- a. Award 2020-C9, Pay App 1, Microsurfacing: \$334,429.68
- b. Award 2020-C9, Pay App 2, Microsurfacing: \$17,601.56
- c. Treasurer's Report for Acceptance – July 2020
- d. Board Member Request – HR 763 Support Resolution

### 2. REQUEST FOR WAIVER – PARKVIEW SUBDIVISION

5 minutes

#### Narrative

On August 24, 2020, Penn Terra Engineering, on behalf of their client, submitted an application for Consideration of a Modification/Waiver for the Parkview Subdivision located at 1401 Circleville Road (TP: 24-118-128 and 24-118-12A), for relief from §22-306—Minor Subdivision and Minor Alteration Plan. This section of the ordinance outlines a process and application requirements for a Minor Subdivision; however, what was left out of this chapter during the Subdivision and Land Development Ordinance update is what constitutes a minor subdivision. Minor subdivision isn't defined in the Township's ordinances, nor in the Pennsylvania Municipalities Planning Code (PA MPC). Staff believes that there was intent to provide an expedited process for minor subdivisions and that the Parkview Subdivision is considered to be minor in nature. Included in your packet is a copy of the application submitted as well as the Parkview Subdivision Plan. Planning Commission reviewed the modification/waiver at their August 24, 2020 regular meeting and recommended approval of the application.

*Recommended Motion: That the Board of Supervisors grant the waiver from §22-306—Minor Subdivision and Minor Alteration Plan for the Parkview Subdivision Plan.*

#### Staff Recommendation

That the Board of Supervisors **grant** the waiver.

### 3. PARKVIEW SUBDIVISION PLAN – REPLOT OF TAX PARCEL 24-118-128 AND TAX PARCEL 24-118-128A

5 minutes

#### Narrative

A subdivision/replot submitted by PennTerra Engineering, Inc., on behalf of their client, Alec J. Pringle and Jodie L. Green, owners of the two parcels located at 1401 Circleville Road and 1403 Circleville Road respectively. Tax parcel 24-118-128, referred to as Lot 3R on the subdivision plan is currently 0.786 acres. Tax parcel 24-118-128A, referred to as Lot 4 on the subdivision plan is currently 1.971 acres. This replot is proposed to add 0.505 acres to Lot 3R to create a 1.291-acre parcel (Lot 3RR). Lot 4 will be reduced to 1.387 acres (Lot 4R), with this replot. There is a shared access driveway to both parcels. The parcels are zoned Single-Family Residential (R1). Planning Commission reviewed this plan at their August 24, 2020, meeting and recommended approval. Included with the agenda is the Parkview Subdivision Plan as well as a memorandum from the Planning and Zoning Director dated September 2, 2020, listing outstanding staff comments.

*Recommended Motion: That the Board of Supervisors approve the Parkview Subdivision pending outstanding staff comments outlined in the Director of Planning and Zoning's memorandum dated September 2, 2020.*

#### Staff Recommendation

That the Board of Supervisors **approve** the subdivision.

#### 4. REVIEW OF THE DRAFT CENTRE COUNTY LONG RANGE TRANSPORTATION PLAN 2050 20 minutes

##### Narrative

Below is a link to the Centre County Metropolitan Planning Organization (CCMPO) DRAFT 2050 Long Range Transportation Plan (LRTP). This update is somewhat unique as noted on the CCMPO webpage: "The new LRTP 2050 is a transitional plan that includes several elements of the current plan but adds new information about the data-driven, performance-based transportation planning approach now required by federal regulations. However, because more data must be compiled and analyzed by the CCMPO, PennDOT, CATA, and the Centre County Office of Transportation to make the full transition to a performance-based plan, the CCMPO anticipates updating the LRTP again in the next 2-3 years, instead of the typical 4-5 year time-frame."

The public comment period on the draft document opened on Friday, August 14<sup>th</sup> and concludes on Monday, September 14<sup>th</sup>. Ms. Strickland is the Township's representative on the CCMPO Coordinating Committee and Ron Seybert, Township Engineer, is the Township's representative on the CCMPO Technical Committee. Historically, the Board has been given an opportunity to review and provide any comments to the CCMPO on the draft plan before it is finalized.

- [Centre County Metropolitan Planning Organization Long Range Transportation Plan 2050](#)

*Recommended Motion: That the Board of Supervisors direct the Township Manager to forward its comments on the draft Long-Range Transportation Plan and the 2020 Air Quality Conformity Determination Report to Tom Zilla, Principal Transportation Planner for the Centre County Metropolitan Planning Organization.*

##### Staff Recommendation

That the Board of Supervisors **review and comment** on the draft Long-Range Transportation Plan and 2020 Air Quality and Conformity Determination Report.

#### 5. PROCLAMATION – CENTRE REGION FALL BIKE EVENTS AND ACTIVITIES PLAN 5 minutes

##### Narrative

Provided with the agenda is a proclamation to promote and support the fall 2020 Centre Region Bike Events and Activities. This Proclamation of Ferguson Township will designate September 21, 2020, to September 27, 2020, as "Bike-To-Work Week", September 22, 2020, as "Bike-To-Work Day" and September 25, 2020, as "Bike Anywhere Friday". The Township will partner with the Centre Regional Planning Agency to promote and publicize the bicycle-friendly events and activities sponsored by community partners CentreBike, Centre Region Parks and Recreation, Centre Moves, Penn State Transportation Services, and State College Borough.

*Recommended Motion: That the Board of Supervisors proclaim September 21, 2020, to September 27, 2020, as "Bike-To-Work Week;" September 22, 2020, as "Bike-To-Work Day;" and September 25, 2020, as "Bike Anywhere Friday."*

##### Staff Recommendation

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

**6. REVIEW OF DRAFT GREEN INFRASTRUCTURE POLICY**

20 minutes

**Narrative**

The Township receives requests by residents, staff, and the Board to convert passive areas within parks to low-no/mow areas. Examples include Cecil Irvin Park, Fairbrook Park, Tudek Park and Haymarket Park. For each example provided, a different process has been facilitated for the conversion based on the nature of the situation and because there is no policy that exists to inform on how to process requests and manage a maintenance plan for approved low-no/mow areas within Township Parks. Attached with the Agenda is a drafted Green Infrastructure Policy prepared by staff and reviewed by the Parks and Recreation Committee. Also provided with the agenda are the comments reviewed by the Parks and Recreation Committee.

**Staff Recommendation**

That the Board of Supervisors *review and comment* on the draft Green Infrastructure Policy.

**7. AWARD OF CONTRACT 2020-C3, CURED-IN-PLACE PIPE LINING**

5 minutes

**Narrative**

On August 12, 2020, bids were opened publicly and read aloud for contract 2020-C3. The bid was advertised in the Centre Daily Times and was sent out to potential bidders. The contract involves installing cured in place liners in storm water pipes. Provided with the agenda is a memorandum from the Assistant Township Engineer dated August 13, 2020, recommending award of the contract.

*Recommended Motion: That the Board of Supervisors award Contract 2020-C3, Cured-in-Place Pipe Lining, to National Water Main Cleaning Company in accordance with their bid in the amount of \$425,979.00.*

**Staff Recommendation**

That the Board of Supervisors *award* the contract.

**VII. STAFF AND COMMITTEE REPORTS**

**1. COG COMMITTEE REPORTS**

20 minutes

- a. Executive Committee
- b. Finance Committee
- c. Human Resources Committee
- d. Public Safety Committee

**2. OTHER COMMITTEE REPORTS**

5 minutes

- a. Climate Action Adaptation Technical Advisory 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 – SEPTEMBER**

1. Monday, September 7<sup>th</sup>, Ferguson Township Administrative Offices are closed for Labor Day.
2. Tuesday, September 15<sup>th</sup> at 6:00 p.m., Board of Supervisors & Planning Commission Special Meeting on Zoning Map Amendments, Zoom virtual meeting information can be found at:
  - o [Zoning Map Amendments Special Meeting](#)
3. Wednesday, September 16<sup>th</sup> at 6:00 p.m., Board of Supervisors & Planning Commission Special Meeting on Workforce Housing Ordinance, Zoom virtual meeting information can be found at:
  - o [Chapter 19, Zoning, Section 716, Workforce Housing Special Meeting](#)

**X. ADJOURNMENT**

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, August 17, 2020  
7:00 PM

### ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, August 17, 2020, via Zoom. In attendance were:

<b>Board:</b>	Steve Miller, Chairman	<b>Staff:</b>	Dave Pribulka, Township Manager
	Prasenjit Mitra		Jenna Wargo, Planning/Zoning Director
	Patty Stephens		Chris Albright, Chief of Police
	Lisa Strickland		Centrice Martin, Assistant to the Manager
			Eric Endresen, Director of Finance
			Dave Modricker, Director of Public Works
			Ron Seybert, Township Engineer
			Nick Fugaro, Communications Coordinator

Others in attendance included: Rhonda Demchak, Recording Secretary; Jennifer Moeny, Ferguson Township Resident; Kevin Abbey, Land Conservation Manager, ClearWater Conservancy; Betsy Dupuis, Ferguson Township Resident; Matthew Cox, Ferguson Township Resident; Ford Stryker, SCBWA; Hayden Yoder, Patton Township Resident; Dorothy Blair, Ferguson Township Resident; Charles Suhr, Stephens & Lee; Johnathan Smith, Ferguson Township Resident; Joseph Green, Ferguson Township Resident; Elizabeth Treadway, Wood; Virginia Thornton, Gannet Fleming; Katie Plumer, Ferguson Township Resident; Dave Stone, Ferguson Township Resident; Charima Young, Director, Local Govt. and Community Relations, PSU; Joe Viglione, Finance Director, Centre Region Council of Governments; Eric Norenberg, Executive Director, Centre Region Council of Governments; Devon Moran, Sergeant, Ferguson Township Police Department

### CALL TO ORDER

Mr. Miller called the Monday, August 17, 2020, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised as both a virtual meeting and an in-person meeting. 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.

### I. CITIZENS INPUT

Mr. Hayden, Patton Township Resident, requested to submit a proposal for a public legal graffiti wall to be constructed at 901 West College Avenue. Mr. Pribulka requested that Mr. Hayden email the proposal to him and it will be added to an agenda next month.

### II. APPROVAL OF MINUTES

Ms. Strickland moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of August 3, 2020. Mr. Mitra seconded the motion.

### III. SPECIAL REPORTS

#### 1. COVID-19 (Coronavirus) Response Report

Mr. Pribulka reported on the regional consideration of local ordinances enforcing the PA Dept of Health and the Centers for Disease Control guidelines to prevent the transmission of COVID-19. The Centre Region Municipalities have been discussing the implementation of regulations and enforcing strategies in response of the return of Penn State students. Mr. Pribulka noted that it is unlikely that a standardized set of regulations will be presented in the near term. Ms. Martin noted that as of August 17, 2020, the Township received 55 responses from businesses in the Township regarding the Business Needs Survey. 95% of the businesses noted that they have experienced a financial impact resulting from the COVID-19 pandemic, 71% reported a moderate financial impact, none of the businesses reported that they closed; however, it was reported that if Penn State limits the number of students back on campus, 47% indicated a financial loss and one business reported they would close. The deadline for the survey is August 31, 2020. Mr. Pribulka thanked the staff for their patience as the Township moves forward during the COVID crisis. Ms. Strickland asked if the Township or COG reached out to the State College Area School District (SCASD)? Mr. Pribulka noted that Randy Brown and Eric Norenberg are regular attendees at weekly meetings and there is a line of communication between the COG and the SCASD. Ms. Stephens noted that she has had people contact her regarding the safety of crossing the intersection of Clinton Avenue and North Atherton Street since the school district is encouraging students to walk to school. Chief Albright responded that they have contacted the school district about the intersection and currently working out issues because the school is policed by State College, but the roads around are Ferguson Township. Chief Albright noted they will be ready for the start of the school year.

#### 2. STATE COLLEGE BOROUGH WATER AUTHORITY

Mr. Ford Stryker, liaison for Ferguson Township presented a report on the SCBWA. The SCBWA has been meeting via Zoom since April. There have been no public comments made during these meetings as attendance is down. The Water Quality Study has been published and there were no issues. Well Production is down for the first seven months of 2020. The SCBWA approved and published their annual report and it is located on their website. The Nixon-Kocher plant was approved, and they are under construction. Mr. Stryker noted that the COVID-19 pandemic didn't impact the construction.

#### 3. STORMWATER FEE STUDY PHASE II PRESENTATION

Mr. Modricker introduced Elizabeth Treadway from Wood and Virginia Thornton from Gannet Fleming. Mr. Modricker thanked the Advisory Committee for their work on this project. Ms. Treadway presented slides that were included in the agenda. A review of the Project Summary from Phase I was given. The Advisory Committee focused their work in Phase II from Phase I on the critical policies that focused around three major areas of policy that is located on page 26 of the agenda packet. There was a major Social Media Campaign in June 2020 and a Town Hall Meeting was held on June 24, 2020. Policy Issues for the Board to consider are the Fee Methodology; Evaluation of continuing system inspection and assessment after FY26; and Utilization of the TIF for the CMP rehabilitation program (lining pipes). Mr. Pribulka noted that the next steps is to present an item for authorization to advertise a public hearing on an ordinance to establish this program. Another discussion will take place in September. Mr. Pribulka recommended to the Board to consider a public hearing outside of a Regular Board meeting so that this would be the only topic to discuss, because there will be a lot of interest in the meeting. Once this is completed, the Board will vote in October or November. Mr. Mitra asked if Ms. Treadway was familiar with the bioswales program and have they considered this as an option? Mr. Treadway noted that they have, and Mr. Modricker noted that they would consider as a best management

practice. Ms. Strickland noted her concerns with the timing and would want this heavily advertised so that residences are aware especially during this pandemic. Mr. Pribulka noted that the Storm Water Fee page is the first tab on the Township's website and encourages everyone to peruse this information. Mr. Pribulka indicated that the Board should consider a few items before this is moved forward. The Township should be sensitive to property owners, not just business owners, but particularly homeowners and condo associations that have a deadline to establish their fees for the upcoming year. Every delay or deferment of this action, which has been delayed for a year due to turn over with staff and elected officials, is going to further add to the learning curve. Mr. Miller indicated that at the next meeting there will be more information available from staff and will have further discussions. Mr. Miller advised anyone with questions to please forward to Mr. Pribulka before the next meeting.

#### IV. UNFINISHED BUSINESS

##### 1. PUBLIC HEARING ORDINANCE AMENDING CH.19, SIGNS AND BILLBOARDS

Mr. Pribulka presented a copy of the ordinance that was provided in the agenda and was advertised as a public hearing. The document has been available for inspection at the Township Office, as well as online at the Ferguson Township website. The intent of this chapter is to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety, minimize the possible adverse effects of signs on nearby private property, enable the fair and consistent enforcement of these restrictions, and protect the public health, safety, and general welfare. The Planning Commission reviewed the draft at their May 11, 2020 and July 13, 2020 meetings, and recommended approval to the Board of Supervisors. The Board of Supervisors reviewed this draft during the July 20, 2020, meeting and provided input. That input is reflected in the advertised ordinance.

Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter 19, Signs and Billboards by repealing it in its entirety and replacing it with a new Chapter 19, Signs and Billboards. Ms. Stephens seconded the motion. The motion passed unanimously.

ROLL CALL: Ms. Stephens – Yes: Ms. Strickland – Yes: Mr. Miller – Yes: Mr. Mitra - Yes

##### 2. PUBLIC HEARING ORDINANCE AMENDING CH.27, ZONING: SECTION 720, DOMESTIC CHICKENS AND REPLACING WITH DOMESTIC CHICKEN AND DUCKS

Mr. Pribulka presented a copy of the ordinance that was provided in the agenda and advertised as a public hearing to amend Chapter 27, Section 720, Domestic Chickens and Ducks. The document has been made available for inspection at the Township Office, and the Ferguson Township website. The intent of this section is to establish regulations for the keeping of chickens and ducks on residentially zoned properties in the Township. This section established standards and enforcement authority that ensure that domesticated chickens and/or ducks do not adversely impact the neighborhood surrounding the property on which the chickens and/or ducks are kept. The Planning Commission reviewed the draft ordinance at their July 13, 2020, regular meeting and recommended approval to the Board of Supervisors. The Board of Supervisors reviewed this draft during the July 20, 2020, meeting and provided input. That input is reflected in the advertised ordinance. Centre Regional Planning Commission (CRPC) reviewed the draft ordinance at their August 6, 2020 meeting and supports the proposed amendments. Included with the agenda is their review letter.



Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter 27, Zoning; Section 702, Domestic Chickens by repealing it in its entirety and replacing it with a new Chapter 27, Zoning; Section 702, Domestic Chickens and Ducks. Ms. Stephens seconded the motion. The motion passed unanimously.

ROLL CALL: Ms. Strickland – Yes: Mr. Miller – Yes: Mr. Mitra – Yes: Ms. Stephens

3. AUTHORIZING ADVERTISEMENT OF A PUBLIC HEARING ON TEMPORARY EMERGENCY ORDINANCE REQUIRING FACE COVERINGS AND IMPLEMENTING REGULATIONS TO REDUCE THE RISK OF TRANSMITTING COVID-19

Mr. Pribulka presented the temporary emergency ordinance and noted that at the Board meeting held on August 3, 2020, the Board of Supervisors directed staff to draft an ordinance to enforce the Governor's directives for social distancing and wearing of masks in response to the COVID-19 pandemic. Included with the agenda is draft copy of the ordinance along with a letter received by Penn State's President, Eric Barron asking the Township to consider passing a public health ordinance to enforce the Pennsylvania Department of Health's mandate on wearing face coverings and practicing social distancing. The Board of Supervisors was asked to consider adoption of this Temporary Emergency Ordinance requiring the wearing of face coverings and implementing additional regulations on Tuesday, September 8, 2020. Mr. Pribulka noted that there are a few ways that the ordinance can be enacted. First, the Board can proceed with an advertisement for a public hearing Tuesday, September 8, 2020 and enacting at the conclusion of the hearing. Secondly, the manager can enact the ordinance effective immediately under emergency powers that have been granted by the Home Rule Charters that was adopted earlier this year. Thirdly, and the recommended route by staff is that the Board consider enacting the emergency ordinance effective tonight, August 17, 2020, by powers granted in Section 2.25 of the Home Rule Charter. Section 2.25 states the following: To meet a public emergency affecting life, health, property or public safety, the Board by a vote of the entire Board may adopt an emergency ordinance at the meeting at which it is introduced, and may make it effective immediately except that no such ordinance may be used to levy taxes, grant or extend a franchise, or authorize the borrowing of money. After the adoption of an emergency ordinance, the Board shall have it published in full within 10 days in a daily newspaper of general circulation. Unless otherwise revoked, emergency ordinances will be subjected to a time limit of one year after the date of passage.

Mr. Pribulka noted that ordinance mirrors the State College Borough Ordinance that was enacted with the exception of a few provisions such as tighter restrictions on indoor and outdoor gathering sizes, and the provision regarding members of the general public to submit verification of medical conditions if invoked as an exemption.

Ms. Dorothy Blair, Ferguson Township Resident and President of the Nittany Valley Environmental Coalition, indicated that she would like the ordinance as strong as it can be and suggest including a strong mask ordinance and restrictions on gathering sizes. Ms. Strickland noted that she liked the ordinance but expressed concerns with excluding language about gathering sizes. She suggested inserting the language from the Governor's limitation on gathering sizes. Mr. Pribulka has concerns because if the size restriction changes at the Governor's level, it would not change in the enacted ordinance. Mr. Pribulka recommended mirroring the state's guidance on size restrictions, so that would still permit the Township to do so if the language is not included in the Townships ordinance. Ms. Strickland asked about a penalty if one is in violation. Chief Albright noted that there is a state law to allow the Township to enforce the Governor's Order and the Department of Health that is dated from the 1950's and that this is something the police department can do. Mr. Mitra noted that his preference is to include the language in the Township ordinance

so there is no gray area of concern. David Stone, Ferguson Township Resident, noted that College Township is mimicking the Borough and didn't include size; however, they left a placeholder to include language later. Ms. Jennifer Moeny, Ferguson Township Resident, stated that she is not in favor of more restrictions with masking and the Governor's Order is enough. Also, Ms. Money asked with the passage of the ordinance, how will the Township address potential bullying of businesses who have customers with legitimate masking exemptions shopping at their business? Chief Albright noted that the medical exemption is valid, and when the officers investigate, it is noted there is a medical exemption, and then they drop the investigation. Mr. Pribulka noted that it is important to reiterate that the intention of the Ferguson Township Police Department and the Ordinance Officer is to educate and encourage compliance of the ordinance, opposed to giving out fines and being heavy handed. However, the Township wants to reserve the ability to do so if the needs arise. Mr. Mitra recommended to amend the ordinance regarding medical exemptions by a reference to section three.

Mr. Mitra moved that the Board of Supervisors **amend** Section 4.A with a reference that will allow exceptions only to those that are allowed by Section 3 of the PA Department of Health Guidelines on universal masking on the emergency ordinance and the long-term ordinance. Ms. Strickland seconded the motion. The motion passed unanimously.

Mr. Miller moved that the Board of Supervisors **authorize** advertisement for a public hearing on a temporary emergency ordinance requiring the wearing of face coverings and implementing additional regulations to reduce the risk of transmission of the COVID-19 virus for Tuesday, September 8,2020. Ms. Strickland seconded the motion. The motion passed unanimously.

Mr. Miller moved that Board of Supervisors **adopt** the temporary emergency ordinance as amended tonight, August 17, 2020 requiring the wearing of face coverings and implementing additional regulations to reduce the risk of transmission of the COVID-19 virus effective immediately and expiring on September 9, 2020 at 12:01 a.m. unless extended by action of the Board of Supervisors. Ms. Strickland seconded the motion. The motion passed unanimously.

ROLL CALL: Yes: Mr. Miller – Yes: Ms. Strickland – Yes: Mr. Mitra – Yes: Ms. Stephens - Yes

#### 4. CONTINUED REVIEW OF WORKFORCE HOUSING ORDINANCE AMENDMENT

Ms. Wargo introduced the ordinance. The Board is being asked to provide input on the intended goals and outcomes of the Workforce Housing Ordinance amendment to assist staff in writing the draft amendment. The current Workforce Housing Ordinance is codified under Supplemental Regulations of Chapter 27—Zoning and applies to all zoning districts where the provision of workforce housing units is required or incentivized. Currently, it is the Traditional Town Development (TTD) Zoning District and is incentivized in the Terraced Streetscape (TS) Zoning District. The original ordinance was adopted in 2015 and achieves a very specific purpose of establishing a legacy workforce housing program through deed-restricted, owner-occupied units. The following questions were utilized to guide the Board's discussion:

- Incentives for workforce housing provision? Specifically, the bonus units?
- Workforce Housing Options —Does the Board want to allow applicants to take advantage of a certain number of options or unlimited?
- What percentage of a development can be offered as fee-in?
- Payment of fee-in-lieu?
- Rentals or for-sale units?
  - o Is the Township requiring a certain percentage of each to be built?

- o Does the Township want to include requirements for affordability at certain percentages for each Area Median Income (AMI) household?

Ms. Wargo presented slides to the Board. With regards to the incentives, the current draft ordinance stipulates that out of 100 units being built, 10 must be Workforce Units. A lot of municipalities are going about this by giving the developer bonus market rate units. Ms. Strickland noted that she would apply a limit to the incentives for workforce housing provision. In the current draft ordinance, the Workforce Housing Options has the option to build on site, build off site, fee-in-lieu, designate off site, and land and/or building donation to the Township. Ms. Wargo asked if the Board wants to allow applicants to take advantage of a certain number of options or unlimited. However, unlimited could result in no Workforce Units being built in the original development. A discussion ensued about the options and it was determined that more conversations will be needed. With regards to the options, Ms. Wargo asked the Board which option allow for bonus units. Staff recommends the build on site, build off site, and designate off site would allow the applicants to take advantage of the bonus market rate units because they are taking on the obligation to get the units online.

Ms. Wargo noted that it would not be the Townships responsibility to manage the fee-in-lieu money or the land trust to figure out what needs to be done with a piece of land. Mr. Miller indicated that he agrees with staff recommendation. Ms. Strickland noted that she would like to see a first-time home buyer assistant program established. Ms. Wargo noted that the draft ordinance has 40% of units that may be paid in fee-in-lieu. Ms. Wargo stated that the fee-in-lieu payment for developments that are phase projects are paid upfront, but for larger projects to ask the applicant to pay the entire fee-in-lieu of 100 Workforce Units could threaten their project. Ms. Wargo noted that waiting to receive the fee-in-lieu until the end would be a disservice to the Township because the money could be utilized during construction. Ms. Wargo suggested dividing the fee-in-lieu in phases. The current draft does not have a rental vs for sale requirement and would the Township require a certain percentage of each to be built. Ms. Wargo thanked the Board and will update the draft ordinance an bring back to Board at a later date.

## V. NEW BUSINESS

1. CONSENT AGENDA
  - a. Special Events Permit – 2020 You Matter 5k
  - b. Special Events Permit – Cranksgiving
  - c. Voucher Report – July 2020

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

### 2. ZONING /VARIANCE REQUEST: 2437 WEST GATESBURG ROAD

Mr. Pribulka introduced the variance that was included in the agenda. Thomas J. Whitehill of 2437 West Gatesburg Road, Warriors Mark, PA (24-005-017A) is requesting a variance from §27-205.1 District Regulations to construct a 40' x 60' accessory structure approximately 10' from the rear property boundary. The required yard setback in the Rural Agricultural (RA) District for a single-family lot is 50'. Mr. Pribulka noted that staff is recommending that the Board remain neutral on the request for variance.

Mr. Mitra moved that the Board of Supervisors remain neutral on the variance for 2437 West Gatesburg Road. Ms. Strickland seconded the motion.

Mr. Mitra asked what the impact would be if the variance was approved. Ms. Wargo noted that with Zoning Districts there are required setbacks for many reasons. Originally it was 30 feet then the Board amended to 50 feet. Ms. Wargo noted that it is often decided because of what is around the property. The motion passed unanimously.

3. HONORING EFFORTS OF FERGUSON TOWNSHIP POLICE DEPARTMENT IN ATTAINING REACCREDITATION FROM PA LAW ENFORCEMENT ACCREDITATION COMMISSION

Chief Albright noted that on August 4, 2020, the Pennsylvania Law Enforcement Accreditation Commission formally recognized the Ferguson Township Police Department with a Certificate of Reaccreditation. In Pennsylvania, there are roughly 1,200 police departments. Only 145 of those departments are accredited. There accreditation program currently has 140 professional standards and 100 sub-sections within those standards. An agency must prove that it has policies that meet the standards, that training is provided on those policies, and that those policies are followed and properly documented. The process requires a continual evaluation of policies and practices. The program requires a commitment from every member of the police department. Accreditation Manager, Sergeant Devon Moran, was and continues to be an integral part of the accreditation process. Chief Albright thanked the police officers and the staff of the police department for their commitment to the program. Also, Chief Albright thanked Sergeant Devon Moran for his hard work with organizing and preparing everything for the evaluation committee. Attached to the agenda is the certificate and it is hanging proudly at the police department.

4. REVIEW OF 2020 COG PROGRAM PLAN AND 2020-2024 CAPITAL IMPROVEMENT AND REPLACEMENT PLAN

Mr. Pribulka introduced the program and replacement plan, and noted that Eric Norenberg, Executive Director, and Joe Viglione, Finance Director, from Centre Region Council of Governments were attending the meeting. This item was referred by the General Forum on July 27, 2020, to the participating municipalities. There are a couple of items attached to the agenda and two links that are within the narrative as well as the 2021 – 2025 Capital Improvement and Replacement Plan. The Board utilized the matrix to guide them through the process. The matrix is on pages 152 - 160. The matrix was reviewed by the Board and comments were provided to the Manager to forward to the COG Executive Director.

5. CERTIFICATION OF 2021 MINIMUM MUNICIPAL OBLIGATION FOR POLICE PENSION AND NON-UNIFORMED PENSION FUNDS

Mr. Pribulka noted that this is annual requirement in accordance with PA Act 205, provided with the agenda is a memorandum from the Township Manager dated August 17, 2020 describing the anticipated Minimum Municipal Obligation (MMO) for the Police and Non-Uniformed Pension Plans for 2021. Act 205 requires the Chief Administrative Officer for the pension plans to provide the governing body with the MMO for the upcoming year by September 30th. However, the State Aid Unit Value has not been determined and is not an exact amount at this time. The total municipal pension cost is estimated to be \$380,321 for the Police Pension Plan and \$270,000 for the Non-Uniformed Pension Plan. This item was only for informational awareness and no action was required by the Board.

6. REQUEST FOR SUPPORT – ACQUISITION OF THE DRY HOLLOW HUNTING CLUB

Mr. Kevin Abbey, Land Conservation Manager at ClearWater Conservancy introduced the acquisition. ClearWater Conservancy requested support for the acquisition and transfer transaction of the Dry Hollow Hunting Club property. The Dry Hollow Hunting Club property is 1,271 acres with about 18% of it in Ferguson Township. The property is privately owned and has

been a hunting preserve since 1947. The property went into receivership and ClearWater did not want to see the land be development but rather conserve the land. As of June 2020, there is an agreement of sale. There is continued fundraising to acquire the property with the intention to convey the land immediately to Rothrock State Forest who will maintain as well. Mr. Abbey is asking for the Township's support.

Ms. Strickland moved that the Board of Supervisors **authorize** a letter of support for ClearWater Conservancy to pursue the acquisition and transfer transaction of Dry Hollow Hunting Club property. Ms. Stephens seconded the motion. The motion passed unanimously.

## **VI. STAFF AND COMMITTEE REPORTS**

### **1. COG COMMITTEE REPORTS**

- a. Ad Hoc Facilities Committee – Ms. Stephen noted that they discussed the Millbrook Marsh Nature Center boardwalk. The RFP went out and came back. The due date was August 7, 2020. The process for the boardwalk repair will begin the end of September. The Code Renovation is almost done. The HVAC system in the General Forum room needs to be replaced. It is leaking gas. COG will be evaluating indoor air quality in all their facilities. They reviewed the values and goals along with the mission statement.
- b. Public Services & Environmental Committee – Mr. Mitra was unable to attend the meeting but noted the minutes from the August 6, 2020 meeting are attached to the agenda.
- c. Public Safety Committee - Mr. Miller filled in for Ms. Dininni at the August 11, 2020 meeting. The minutes are attached to the agenda.

### **2. OTHER REGIONAL REPORTS**

None.

### **3. STAFF REPORTS**

- a. Manager's Report - Mr. Pribulka noted that he and Mr. Jeff Ressler, Zoning Administrator, met with representatives from the Penn State START Lab a couple weeks ago to get a field demonstration of the noise mitigation that was installed for the high intensity fan that is being used for turbine testing. Mr. Pribulka noted that this was the source of concerns from Stonebridge residents about a year ago. Mr. Pribulka and Mr. Ressler are satisfied with the outcome of the noise reduction. The noise has been cut in half. Work continues with the salary study and anticipates a completed report sometime in September for the Board to review.
- b. Public Works – Mr. Modricker's report was included in the agenda.
- c. Planning and Zoning – Ms. Wargo's report was provided in the agenda. The Planning Commission will be meeting on August 24, 2020 at 6:00 p.m. to discuss the Affordable Housing Ordinance. The Manager will be giving a presentation on the Stormwater Fee Program during the meeting.
- d. Chief of Police – Mr. Albright's report was included in the agenda for the month of July. Serious crimes remain down, and part 2 crimes are about the same as before. Overall, the calls for July were up a little bit. Mr. Albright noted that they have received calls about unemployment scams in the Township. The suspects are using stolen identities, applying for unemployment benefits and after the check is processed, they are able to go online and change the payment to an electronic transfer. The Use of Force for the month of July is also included in the agenda.

## **VII. COMMUNICATIONS TO THE BOARD**

Ms. Stephens reminded everyone to be careful at the crossing of Atherton at Clinton Avenue when school starts. It is a dangerous intersection.

Ms. Strickland received an email with concerns about workers on Blue Course Drive who were cutting trees and were not wearing masks.

**VIII. CALENDAR ITEMS - AUGUST/SEPTEMBER**

None.

**IX. ADJOURNMENT**

With no further business to come before the Board of Supervisors, Ms. Strickland motioned to adjourn the meeting. The meeting adjourned at 11:40 p.m.

Respectfully submitted,

David Pribulka, Township Manager  
For the Board of Supervisors

# General Ledger

## Quarterly BOS Revenue Summary



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 Period 04 - 06  
 Fiscal Year 2020

Account Number	Description	Budget	Current Actual	YTD Actual	\$ Remain	% Remain
<b>01</b>	<b>GENERAL FUND</b>					
301	REAL PROPERTY TAX REVENUE	1,494,220.00	1,381,353.42	1,401,262.86	92,957.14	6.22
310	LOCAL ENABLING TAX REVENUE	8,780,000.00	2,059,619.44	4,153,501.89	4,626,498.11	52.69
321	BUSINESS LICENSES & PERMITS	256,100.00	65,245.00	131,558.53	124,541.47	48.63
322	NON-BUSINESS LICENSESPERMITS	45,952.00	2,165.00	3,425.00	42,527.00	92.55
331	FINES	65,300.00	9,150.20	21,006.21	44,293.79	67.83
332	FOREFEITS	0.00	0.00	0.00	0.00	0.00
341	INTEREST EARNED	66,200.00	17,182.51	43,057.27	23,142.73	34.96
342	RENTS & ROYALTIES	44,109.00	10,707.13	21,414.26	22,694.74	51.45
351	FEDERAL GRANTS	40,000.00	4,061.12	10,055.17	29,944.83	74.86
354	STATE GRANTS	41,081.00	0.00	263.28	40,817.72	99.36
355	STATE SHARED REVENUES	582,584.00	4,557.37	8,157.37	574,426.63	98.60
356	STATE PAYMENT IN-LIEU OF TAX	7,926.00	0.00	0.00	7,926.00	100.00
357	LOCAL GRANTS	0.00	0.00	30,000.00	-30,000.00	0.00
358	LOCAL SHARED PAYMENTS	35,000.00	10,484.71	10,484.71	24,515.29	70.04
359	LOCAL PAYMENTS IN-LIEU OF TAX	160,398.00	0.00	2,244.04	158,153.96	98.60
361	DEPARTMENTAL EARNINGS	110,450.00	9,990.00	35,226.45	75,223.55	68.11
362	PUBLIC SAFETY	54,990.00	475.00	1,315.00	53,675.00	97.61
363	PUBLIC WORKS SERVICE REVENUE	0.00	0.00	0.00	0.00	0.00
364	SANITATION REVENUE	0.00	0.00	0.00	0.00	0.00
365	HEALTH SERVICES REVENUE	8,500.00	1,298.45	2,625.35	5,874.65	69.11
367	CULTURERECREATION	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	116,100.00	69,023.98	71,384.49	44,715.51	38.51
392	INTERFUND TRANSFERS IN	70,766.00	0.00	0.00	70,766.00	100.00
395	REFUNDS OF PRIOR YR'S EXPENSES	0.00	0.00	0.00	0.00	0.00
<b>01</b>	<b>GENERAL FUND</b>	<b>11,979,676.00</b>	<b>3,645,313.33</b>	<b>5,946,981.88</b>	<b>6,032,694.12</b>	<b>50.36</b>
<b>02</b>	<b>STREET LIGHT FUND</b>					
341	INTEREST EARNED	150.00	21.80	60.88	89.12	59.41
383	SPECIAL ASSESSMENTS	23,000.00	0.00	0.00	23,000.00	100.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
<b>02</b>	<b>STREET LIGHT FUND</b>	<b>23,150.00</b>	<b>21.80</b>	<b>60.88</b>	<b>23,089.12</b>	<b>99.74</b>
<b>03</b>	<b>HYDRANT FUND</b>					
341	INTEREST EARNED	500.00	189.89	329.50	170.50	34.10
383	SPECIAL ASSESSMENTS	85,000.00	0.00	50,000.00	35,000.00	41.18



Account Number	Description	Budget	Current Actual	YTD Actual	\$ Remain	% Remain
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
<b>03</b>	<b>HYDRANT FUND</b>	<b>85,500.00</b>	<b>189.89</b>	<b>50,329.50</b>	<b>35,170.50</b>	<b>41.14</b>
<b>16</b>	<b>GOA FUND</b>					
341	INTEREST EARNED	2,000.00	23,768.32	48,292.15	-46,292.15	-2,314.61
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	1,000,000.00	500,000.00	500,000.00	500,000.00	50.00
393	PROCEEDS FROM LONG TERM DEBT	6,957,051.00	0.00	0.00	6,957,051.00	100.00
<b>16</b>	<b>GOA FUND</b>	<b>7,959,051.00</b>	<b>523,768.32</b>	<b>548,292.15</b>	<b>7,410,758.85</b>	<b>93.11</b>
<b>18</b>	<b>CLOSED DO NOT USE</b>					
341	INTEREST EARNED	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
<b>18</b>	<b>CLOSED DO NOT USE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>19</b>	<b>AG PRESERVATION FUND</b>					
341	INTEREST EARNED	750.00	27.79	72.81	677.19	90.29
392	INTERFUND TRANSFERS IN	25,000.00	0.00	0.00	25,000.00	100.00
<b>19</b>	<b>AG PRESERVATION FUND</b>	<b>25,750.00</b>	<b>27.79</b>	<b>72.81</b>	<b>25,677.19</b>	<b>99.72</b>
<b>30</b>	<b>CAPITAL RESERVE FUND</b>					
341	INTEREST EARNED	22,500.00	5,047.10	8,603.17	13,896.83	61.76
342	RENTS & ROYALTIES	10,000.00	0.00	0.00	10,000.00	100.00
354	STATE GRANTS	0.00	0.00	231,366.00	-231,366.00	0.00
355	STATE SHARED REVENUES	0.00	0.00	0.00	0.00	0.00
357	LOCAL GRANTS	3,950.00	0.00	0.00	3,950.00	100.00
358	LOCAL SHARED PAYMENTS	0.00	0.00	0.00	0.00	0.00
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
391	SALE OF FIXED ASSETS	2,000.00	23,650.00	23,650.00	-21,650.00	-1,082.50
392	INTERFUND TRANSFERS IN	8,112,763.00	274,804.25	1,374,804.25	6,737,958.75	83.05
393	PROCEEDS FROM LONG TERM DEBT	0.00	0.00	0.00	0.00	0.00
395	REFUNDS OF PRIOR YR'S EXPENSES	0.00	0.00	0.00	0.00	0.00
<b>30</b>	<b>CAPITAL RESERVE FUND</b>	<b>8,151,213.00</b>	<b>303,501.35</b>	<b>1,638,423.42</b>	<b>6,512,789.58</b>	<b>79.90</b>
<b>31</b>	<b>REG CAP REC PROJECTS FUND</b>					
341	INTEREST EARNED	15,000.00	3,743.94	7,923.75	7,076.25	47.18
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
<b>31</b>	<b>REG CAP REC PROJECTS FUND</b>	<b>15,000.00</b>	<b>3,743.94</b>	<b>7,923.75</b>	<b>7,076.25</b>	<b>47.18</b>
<b>32</b>	<b>TRANSPORT IMPROVEMENT FUND</b>					
341	INTEREST EARNED	50,000.00	24,233.89	45,865.56	4,134.44	8.27
351	FEDERAL GRANTS	768,000.00	0.00	0.00	768,000.00	100.00
354	STATE GRANTS	0.00	0.00	80,000.00	-80,000.00	0.00
357	LOCAL GRANTS	50,000.00	0.00	0.00	50,000.00	100.00
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00

Account Number	Description	Budget	Current Actual	YTD Actual	\$ Remain	% Remain
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	1,126,496.00	359,664.63	624,651.59	501,844.41	44.55
393	PROCEEDS FROM LONG TERM DEBT	0.00	0.00	0.00	0.00	0.00
<b>32</b>	<b>TRANSPORT IMPROVEMENT FUND</b>	<b>1,994,496.00</b>	<b>383,898.52</b>	<b>750,517.15</b>	<b>1,243,978.85</b>	<b>62.37</b>
<b>33</b>	<b>PGM STREETLIGHT FUND</b>					
341	INTEREST EARNED	300.00	63.99	132.96	167.04	55.68
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
<b>33</b>	<b>PGM STREETLIGHT FUND</b>	<b>300.00</b>	<b>63.99</b>	<b>132.96</b>	<b>167.04</b>	<b>55.68</b>
<b>34</b>	<b>PARK IMPROVEMENT FUND</b>					
341	INTEREST EARNED	2,000.00	547.52	977.43	1,022.57	51.13
359	LOCAL PAYMENTS IN-LIEU OF TAX	0.00	0.00	56,007.00	-56,007.00	0.00
367	CULTURERECREATION	0.00	387.00	387.00	-387.00	0.00
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	150,000.00	0.00	0.00	150,000.00	100.00
<b>34</b>	<b>PARK IMPROVEMENT FUND</b>	<b>152,000.00</b>	<b>934.52</b>	<b>57,371.43</b>	<b>94,628.57</b>	<b>62.26</b>
<b>35</b>	<b>LIQUID FUELS FUND</b>					
341	INTEREST EARNED	20,000.00	6,786.89	8,955.14	11,044.86	55.22
355	STATE SHARED REVENUES	679,737.00	0.00	661,918.93	17,818.07	2.62
392	INTERFUND TRANSFERS IN	0.00	0.00	19,230.07	-19,230.07	0.00
<b>35</b>	<b>LIQUID FUELS FUND</b>	<b>699,737.00</b>	<b>6,786.89</b>	<b>690,104.14</b>	<b>9,632.86</b>	<b>1.38</b>
<b>Revenue Total</b>		<b><u>31,085,873.00</u></b>	<b><u>4,868,250.34</u></b>	<b><u>9,690,210.07</u></b>	<b><u>21,395,662.93</u></b>	<b><u>0.6883</u></b>

# General Ledger

## Quarterly BOS Expenditure Summary



User: eendresen  
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 Period 04 - 06  
 Fiscal Year 2020

Account Number	Description	Budget	Current Actual	YTD Actual	Encumbered	\$ Remain	% Remain
<b>01</b>	<b>GENERAL FUND</b>						
400	LEGISLATIVE BODY	59,781.00	13,035.79	27,330.08	0.00	32,450.92	54.28
401	EXECUTIVE	355,981.00	90,524.13	172,046.31	0.00	183,934.69	51.67
402	FINANCE	234,490.00	63,891.16	116,813.92	0.00	117,676.08	50.18
403	TAX OFFICE	47,167.00	10,047.14	25,876.04	0.00	21,290.96	45.14
404	LEGAL	67,000.00	14,260.70	27,579.36	0.00	39,420.64	58.84
406	OTHER GOVT ADMINISTRATION	147,015.00	36,753.75	73,507.50	0.00	73,507.50	50.00
407	IT-NETWORKING	191,618.00	42,165.25	120,500.71	0.00	71,117.29	37.11
408	ENGINEERING	512,853.00	110,099.64	213,465.12	0.00	299,387.88	58.38
409	BUILDINGS & GROUNDS	186,853.00	41,270.84	80,430.03	4,225.00	102,197.97	54.69
410	POLICE	2,450,666.00	563,991.19	1,092,285.73	7,924.35	1,350,455.92	55.11
411	FIRE	587,400.00	113,140.50	226,281.00	0.00	361,119.00	61.48
412	AMBULANCE	7,000.00	0.00	0.00	0.00	7,000.00	100.00
413	CODE ENFORCEMENT	300.00	0.00	0.00	0.00	300.00	100.00
414	PLANNING & ZONING	441,415.00	104,876.67	206,264.79	0.00	235,150.21	53.27
415	EMERGENCY MANAGEMENT	36,239.00	9,059.75	18,119.50	0.00	18,119.50	50.00
421	HEALTH & WELFARE	9,500.00	0.00	2,361.53	0.00	7,138.47	75.14
426	RECYCLING	33,005.00	0.00	0.00	0.00	33,005.00	100.00
430	PUBLIC WORKS ADMINISTRATION	132,505.00	18,091.31	48,545.31	19,989.15	63,970.54	48.28
432	WINTER MAINTENANCE	21,300.00	0.00	4,589.98	0.00	16,710.02	78.45
433	TRAFFIC CONTROL DEVICES	41,250.00	4,608.46	13,290.58	2,655.00	25,304.42	61.34
437	TOOLS & EQUIPMENT MAINTENANCE	217,626.00	41,492.34	94,553.14	0.00	123,072.86	56.55
438	ROAD & BRIDGE MAINTENANCE	822,625.00	190,169.56	357,015.42	0.00	465,609.58	56.60
447	TRANSIT SYSTEM	128,638.00	32,703.00	32,703.00	0.00	95,935.00	74.58
452	PARTICIPANT RECREATION	680,179.00	170,044.75	340,089.50	0.00	340,089.50	50.00
453	SPECTATOR RECREATION	12,000.00	691.55	9,591.55	0.00	2,408.45	20.07
454	PARKS	400.00	0.00	0.00	0.00	400.00	100.00
455	SHADE TREES	207,964.00	19,673.68	58,945.58	0.00	149,018.42	71.66
456	LIBRARIES	500,356.00	125,089.00	250,178.00	0.00	250,178.00	50.00
458	SENIOR CITIZENS	43,800.00	10,950.00	21,900.00	0.00	21,900.00	50.00
461	NATURAL RESOURCE CONSERVATION	6,609.00	0.00	0.00	0.00	6,609.00	100.00
462	SLAB CABIN RUN INITIATIVE	6,000.00	0.00	0.00	0.00	6,000.00	100.00
463	COMMUNITY DEVELOPMENT	40,000.00	3,000.00	3,000.00	0.00	37,000.00	92.50
472	DEBT SERVICE INTEREST	500.00	60.43	1,795.47	0.00	-1,295.47	-259.09

Account Number	Description	Budget	Current Actual	YTD Actual	Encumbered	\$ Remain	% Remain
481	PAYROLL TAXES	322,979.00	90,640.33	161,561.45	0.00	161,417.55	49.98
483	PENSIONS	566,235.00	61,545.37	114,573.14	0.00	451,661.86	79.77
486	PROPERTY INSURANCE	316,749.00	101,060.05	244,071.05	0.00	72,677.95	22.94
487	HEALTH INSURANCE	1,018,684.00	157,314.14	463,569.32	0.00	555,114.68	54.49
489	MISCELLANEOUS EXPENSE	69,483.00	0.00	950.00	0.00	68,533.00	98.63
491	REFUND OF PRIOR YR'S REVENUE	0.00	0.00	7,392.00	0.00	-7,392.00	0.00
492	INTERFUND TRANSFERS OUT	3,091,496.00	798,431.74	2,013,959.73	0.00	1,077,536.27	34.85
<b>01</b>	<b>GENERAL FUND</b>	<b>13,615,661.00</b>	<b>3,038,682.22</b>	<b>6,645,135.84</b>	<b>34,793.50</b>	<b>6,935,731.66</b>	<b>50.94</b>
<b>02</b>	<b>STREET LIGHT FUND</b>						
434	STREET LIGHTING	22,500.00	4,294.08	7,606.31	0.00	14,893.69	66.19
<b>02</b>	<b>STREET LIGHT FUND</b>	<b>22,500.00</b>	<b>4,294.08</b>	<b>7,606.31</b>	<b>0.00</b>	<b>14,893.69</b>	<b>66.19</b>
<b>03</b>	<b>HYDRANT FUND</b>						
448	WATER SYSTEMS	85,000.00	27,131.99	49,007.18	0.00	35,992.82	42.34
<b>03</b>	<b>HYDRANT FUND</b>	<b>85,000.00</b>	<b>27,131.99</b>	<b>49,007.18</b>	<b>0.00</b>	<b>35,992.82</b>	<b>42.34</b>
<b>16</b>	<b>GOA FUND</b>						
401	EXECUTIVE	2,500.00	0.00	0.00	0.00	2,500.00	100.00
404	LEGAL	26,500.00	0.00	0.00	0.00	26,500.00	100.00
471	DEBT SERVICE PRINCIPAL	0.00	0.00	0.00	0.00	0.00	0.00
472	DEBT SERVICE INTEREST	160,844.00	80,806.13	80,806.13	0.00	80,037.87	49.76
475	FISCAL AGENT FEES	105,288.00	0.00	0.00	0.00	105,288.00	100.00
486	PROPERTY INSURANCE	0.00	0.00	0.00	0.00	0.00	0.00
492	INTERFUND TRANSFERS OUT	7,322,763.00	274,804.25	374,804.25	0.00	6,947,958.75	94.88
<b>16</b>	<b>GOA FUND</b>	<b>7,617,895.00</b>	<b>355,610.38</b>	<b>455,610.38</b>	<b>0.00</b>	<b>7,162,284.62</b>	<b>94.02</b>
<b>18</b>	<b>CLOSED DO NOT USE</b>						
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
<b>18</b>	<b>CLOSED DO NOT USE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>19</b>	<b>AG PRESERVATION FUND</b>						
461	NATURAL RESOURCE CONSERVATION	53,250.00	0.00	35,250.00	0.00	18,000.00	33.80
<b>19</b>	<b>AG PRESERVATION FUND</b>	<b>53,250.00</b>	<b>0.00</b>	<b>35,250.00</b>	<b>0.00</b>	<b>18,000.00</b>	<b>33.80</b>
<b>30</b>	<b>CAPITAL RESERVE FUND</b>						
401	EXECUTIVE	65,000.00	4,000.00	4,000.00	0.00	61,000.00	93.85
402	FINANCE	0.00	0.00	0.00	0.00	0.00	0.00
407	IT-NETWORKING	75,000.00	7,523.81	8,547.63	4,254.40	62,197.97	82.93
408	ENGINEERING	0.00	0.00	0.00	0.00	0.00	0.00
409	BUILDINGS & GROUNDS	8,154,950.00	801,670.30	1,566,777.24	3,093.00	6,585,079.76	80.75
410	POLICE	231,400.00	7,120.64	44,099.31	11,590.00	175,710.69	75.93
414	PLANNING & ZONING	0.00	103.75	11,743.75	0.00	-11,743.75	0.00
430	PUBLIC WORKS ADMINISTRATION	11,400.00	3,499.95	13,305.95	0.00	-1,905.95	-16.72
434	STREET LIGHTING	32,000.00	0.00	0.00	0.00	32,000.00	100.00
438	ROAD & BRIDGE MAINTENANCE	0.00	0.00	0.00	0.00	0.00	0.00

Account Number	Description	Budget	Current Actual	YTD Actual	Encumbered	\$ Remain	% Remain
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
446	STORMWATER	295,000.00	-4,952.66	33,093.95	0.00	261,906.05	88.78
452	PARTICIPANT RECREATION	0.00	0.00	0.00	0.00	0.00	0.00
454	PARKS	0.00	0.00	0.00	0.00	0.00	0.00
455	SHADE TREES	63,350.00	9,831.64	10,569.90	3,715.00	49,065.10	77.45
486	PROPERTY INSURANCE	6,000.00	320.65	745.65	0.00	5,254.35	87.57
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
<b>30</b>	<b>CAPITAL RESERVE FUND</b>	<b>8,934,100.00</b>	<b>829,118.08</b>	<b>1,692,883.38</b>	<b>22,652.40</b>	<b>7,218,564.22</b>	<b>80.80</b>
<b>31</b>	<b>REG CAP REC PROJECTS FUND</b>						
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
452	PARTICIPANT RECREATION	143,216.00	25,714.00	51,428.00	0.00	91,788.00	64.09
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
<b>31</b>	<b>REG CAP REC PROJECTS FUND</b>	<b>143,216.00</b>	<b>25,714.00</b>	<b>51,428.00</b>	<b>0.00</b>	<b>91,788.00</b>	<b>64.09</b>
<b>32</b>	<b>TRANSPORT IMPROVEMENT FUND</b>						
402	FINANCE	0.00	0.00	0.00	0.00	0.00	0.00
404	LEGAL	0.00	0.00	0.00	0.00	0.00	0.00
408	ENGINEERING	180,000.00	6,425.63	28,413.58	0.00	151,586.42	84.21
434	STREET LIGHTING	0.00	0.00	0.00	0.00	0.00	0.00
439	ROAD CONSTRUCTION	2,856,400.00	10,828.00	37,312.39	0.00	2,819,087.61	98.69
<b>32</b>	<b>TRANSPORT IMPROVEMENT FUND</b>	<b>3,036,400.00</b>	<b>17,253.63</b>	<b>65,725.97</b>	<b>0.00</b>	<b>2,970,674.03</b>	<b>97.84</b>
<b>33</b>	<b>PGM STREETLIGHT FUND</b>						
434	STREET LIGHTING	0.00	0.00	0.00	0.00	0.00	0.00
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
<b>33</b>	<b>PGM STREETLIGHT FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>34</b>	<b>PARK IMPROVEMENT FUND</b>						
430	PUBLIC WORKS ADMINISTRATION	0.00	0.00	441.45	0.00	-441.45	0.00
454	PARKS	270,100.00	2,479.21	8,075.08	0.00	262,024.92	97.01
<b>34</b>	<b>PARK IMPROVEMENT FUND</b>	<b>270,100.00</b>	<b>2,479.21</b>	<b>8,516.53</b>	<b>0.00</b>	<b>261,583.47</b>	<b>96.85</b>
<b>35</b>	<b>LIQUID FUELS FUND</b>						
403	TAX OFFICE	0.00	0.00	0.00	0.00	0.00	0.00
404	LEGAL	0.00	0.00	0.00	0.00	0.00	0.00
408	ENGINEERING	0.00	0.00	0.00	0.00	0.00	0.00
430	PUBLIC WORKS ADMINISTRATION	306,300.00	43,770.00	147,945.40	2,680.00	155,674.60	50.82
432	WINTER MAINTENANCE	122,750.00	0.00	77,812.03	0.00	44,937.97	36.61
433	TRAFFIC CONTROL DEVICES	80,000.00	84,588.95	84,588.95	0.00	-4,588.95	-5.74
438	ROAD & BRIDGE MAINTENANCE	292,000.00	6,286.04	13,608.93	0.00	278,391.07	95.34
439	ROAD CONSTRUCTION	98,000.00	0.00	30,000.00	0.00	68,000.00	69.39
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
<b>35</b>	<b>LIQUID FUELS FUND</b>	<b>899,050.00</b>	<b>134,644.99</b>	<b>353,955.31</b>	<b>2,680.00</b>	<b>542,414.69</b>	<b>60.33</b>
<b>Expense Total</b>		<b>34,677,172.00</b>	<b>4,434,928.58</b>	<b>9,365,118.90</b>	<b>60,125.90</b>	<b>25,251,927.20</b>	<b>0.7282</b>

<u>Account Number</u>	<u>Description</u>	<u>Budget</u>	<u>Current Actual</u>	<u>YTD Actual</u>	<u>Encumbered</u>	<u>\$ Remain</u>	<u>% Remain</u>
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ORDINANCE NO. \_\_\_\_\_

**A TEMPORARY EMERGENCY ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REQUIRING THE WEARING OF FACE COVERINGS AND IMPLEMENTING ADDITIONAL REGULATIONS TO REDUCE THE RISK OF TRANSMISSION OF THE COVID-19 VIRUS.**

**WHEREAS**, Ferguson Township is currently in the midst of a pandemic resulting from the aggressive spread of the COVID-19 virus across the globe. The Commonwealth of Pennsylvania has issued a Disaster Declaration directing behavioral modifications and limitations as expressed herein. Until such time as an effective cure or vaccine is developed, the only effective method to combat the spread of COVID-19 is through limiting exposure to the virus; and

**WHEREAS**, in accordance with the obligation of the Ferguson Township Board of Supervisors to promulgate regulations in the interest of the general health, safety, and welfare of the Township and its residents, the restrictions described herein are intended to minimize risk to the public health, and reduce pressure on healthcare providers and pharmaceutical companies by lowering the rate and risk of infection; and

**WHEREAS**, the governments of the United States of America, Commonwealth of Pennsylvania, Centre County, and the Centre Region Council of Governments have each declared states of emergency in response to the COVID-19 pandemic, and the primary purpose of this Ordinance is to clarify the requirements of public behavior throughout the recovery process; and

**WHEREAS**, this Ordinance is intended to expire with the lifting of the states of emergency declarations by the political subdivisions described above.

**NOW, THEREFORE, BE IT ORDAINED**, in an effort to combat the spread of the COVID-19 virus, the following regulations and restrictions are in effect:

**SECTION 1. Definitions**

**Business.** All commercial, retail, wholesale, professional, and service establishments, whether for profit or not for profit, if members of the public, guests, clients, customers, and/or persons who are not family or household members may enter or otherwise come into contact with owners, operators, or employees.

**Face Covering.** A clean cloth, fabric, or other soft or permeable material, without holes, that covers both the mouth and nose, including, but not limited to surgical masks, respirators, face shields, handmade or homemade masks, bandanas, neck gaiters, scarves, or wraps made up on tightly woven fabric such as denim or cotton.

**Household.** All persons living in the same dwelling unit. It does not include the residents of separate dwelling units at the same location, such as may be the case at a residence hall, apartment complex, or other multi-unit residence.

**In Contact.** The act of an individual or group of individuals coming within proximity of six (6) feet or less to another individual or group of individuals.



**Person(s).** All persons typically not exempted from wearing face coverings or masks in this ordinance. The terms include business employees, as well as customers, visitors, guests, clients and invitees.

**Public Places.** All publicly-owned property, but also includes business properties to which members of the public and/or customers, clients or guests are allowed or invited.

## **SECTION 2. Face Coverings Required**

All persons in the Township of Ferguson shall be required to wear a face mask when in contact another person or persons as set forth herein in Section 2, Paragraphs A through G:

- A. Inside any building open to the public, such as, but not limited to, grocery stores, pharmacies, business locations, home improvement stores, retail stores, service establishments, and medical and dental treatment facilities;
- B. Inside all municipal and other governmental buildings;
- C. On all transport and transit vehicles, including, but not limited to Centre Area Transportation Authority (CATA) buses, rideshare vehicles (such as Uber or Lyft) and shuttle vehicles;
- D. While waiting to enter any building open to the public, any municipal and other governmental building, or waiting to board any transport or transit vehicle, unless a distance of at least six feet is maintained from any person who is not that person's family or household member;
- E. When in contact with any person who is not that person's family or household member, whether indoors or outdoors, including, but not limited to contact during gatherings, curbside pickup, drive-thru and food truck purchases, deliveries, and service calls;
- F. While working in all jobs that entail coming in contact with any member of the public, including, but not limited to, all work, involving the preparation or packaging of food and/or beverage unless separated by a physical barrier between the employee and the public; and
- G. Parents or guardians are responsible for ensuring that minor children wear face coverings, unless such children are exempt as set forth herein.

## **SECTION 3. Location Exemptions**

The wearing of face coverings may be advisable, but shall not be required:

- A. In personal private vehicles and private dwellings;
- B. In private business locations, or in individual private offices, at times when members of the public, clients, customers, guests, or other invitees are not present, as long as there is a distance of at least six (6) feet between individual(s) maintained;
- C. Individuals who are under two years of age;
- D. While participating in recreational physical activities, whether outdoor or indoor; and

D. When amongst family members and/or members of the same household.

**SECTION 4. Wearing of Face Coverings Not Required**

Wearing of face coverings shall not be required under the following circumstances:

- A. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering; as described in Section 3 of the Order of the Secretary of Pennsylvania Department of Health Requiring Universal Face Coverings dated July 1, 2020;
- B. Persons who are hearing impaired, or who are communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
- C. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state or federal regulators or workplace safety guidelines;
- D. Persons who are obtaining a service or treatment involving the nose or face or a medical procedure for which temporary removal of the face covering is necessary to perform the service; and
- E. Persons who are seated at a restaurant or other establishment that offers food or beverage service, and all requirements as established by the Pennsylvania Department of Health are followed.

**SECTION 5. Enforcement**

Law enforcement and other public safety, health officers, ordinance enforcement officers, and emergency management personnel shall be charged with the enforcement of this ordinance.

- A. Any person found to have violated any mandatory provisions of this Ordinance shall be found guilty of a civil infraction, punishable by a fine of not more than one hundred dollars (\$100);
- B. Any business found not requiring their employees to comply with this Ordinance shall be found guilty of a civil infraction, punishable by a fine of three hundred dollars (\$300). Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense;
- C. In addition to these enforcement measures, repeated violations by a person or business are hereby declared to be a public nuisance, which may be abated by the Township through all other legal means.

**SECTION 6. Severability**

If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such holding shall not affect the validity of the remaining portions or applications of this Ordinance.

**SECTION 7. Effective Date**

This Ordinance shall take effect immediately upon adoption and shall remain in effect until the Pennsylvania Department of Health, and the Centre Region Council of Governments rescinds their Emergency Declarations or on January 31, 2021, whichever date is earlier.

**ORDAINED AND ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_

Steve Miller, Chairman  
Board of Supervisors

[ S E A L ]

ATTEST:

\_\_\_\_\_  
David G. Pribulka, Secretary

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, ADOPTING THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE YEARS 2021 THROUGH 2025.**

**WHEREAS**, the Board of Supervisors of the Township of Ferguson hereby resolves that:

Section 1. The 2021 - 2025 Capital Improvement Program (CIP) Budget for the Township of Ferguson, as presented by the Township Manager and revised through September 8, 2020, at a Regular Meeting of the Board of Supervisors is hereby adopted.

**RESOLVED**, this 8<sup>th</sup> day of September, 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Steve Miller, Chairman  
Board of Supervisors

[ S E A L ]

**ATTEST:**

By: \_\_\_\_\_  
David Pribulka, Secretary

**RESOLUTION \_\_\_\_\_**

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE AN AGREEMENT WITH CENTRE COUNTY FOR THE RECEIPT OF CARES ACT COUNTY RELIEF BLOCK GRANT FUNDING.**

**BE IT RESOLVED**, by authority of the Township of Ferguson, Centre County, Pennsylvania, and it is hereby resolved by authority of the same, that the Chairman and Secretary of the Board of Supervisors be authorized and directed to sign the attached Exhibit "A" Agreement on its behalf.

**RESOLVED** this 8<sup>TH</sup> day of September 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Steve Miller, Chairman  
Board of Supervisors

[ S E A L ]

**ATTEST:**

By: \_\_\_\_\_  
David Pribulka, Secretary

"Exhibit A"

**CARES ACT COUNTY RELIEF BLOCK GRANT FUND RECIPIENT AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by and between the **COUNTY OF CENTRE**, a political subdivision under the laws of the Commonwealth of Pennsylvania, hereinafter referred to as "the County,"

AND

The **Ferguson Township**, having its headquarters and principal business office at **3147 Research Drive, State College, PA 16801**, hereinafter referred to as "Recipient."

The County and the Recipient separately shall be referred to as a "Party" and collectively shall be referred to as the "Parties."

**RECITALS:**

**WHEREAS**, Section 5001 of the Federal Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), which became law on March 27, 2020, establishes a Coronavirus Relief Fund; and

**WHEREAS**, the CARES Act requires that Coronavirus Relief Fund money be used for expenditures that (1) were necessary expenditures incurred due to the COVID-19 public health emergency; (2) were not accounted for in the budget most recently approved as March 27, 2020; and (3) were incurred, on a cash basis, during the period that begins on March 1, 2020, and ends on December 30, 2020; and

**WHEREAS**, the County received Coronavirus Relief Fund money from the Commonwealth of Pennsylvania under Act 24 of 2020 through the Department of Community and Economic Development's County Relief Block Grant, which funding was distributed to the Commonwealth by the United States Department of the Treasury ("U.S. Treasury"); and

**WHEREAS**, the County is distributing County Relief Block Grant money to eligible entities for permissible expenditures; and

**WHEREAS**, the County Relief Block Grant money spent on impermissible purposes or that is not spent by December 30, 2020 is subject to repayment to the U.S. Treasury; and

**WHEREAS**, the County has placed an **October 31, 2020** deadline on the expenditure of County Relief Block Grant money distributed by the County but will permit Recipients to be reimbursed funds following this date provided they commit to expend the same and receive all goods and services before December 30, 2020, in accordance with this Agreement; and

**NOW, THEREFORE**, for good and valuable consideration, the sufficiency of which is mutually acknowledged, and intending to be bound, the Parties agree as follows:

## 1. RECITALS

The Recitals are incorporated herein by reference, as if fully set forth in the body of this Agreement.

## 2. PURPOSE

The purpose of this Agreement is to provide for the distribution of the County Relief Block Grant money under Act 24 of 2020 to Recipient for uses identified in and permitted by the County; the CARES Act, as may be amended; Act 24, as may be amended; and related guidance from the U.S. Treasury and the Commonwealth, as may be amended.

## 3. CONDITIONS

Recipient will receive County Relief Block Grant money from the County on a reimbursement basis not to exceed \$183,158. As a condition of receiving County Relief Block Grant money from the County, Recipient agrees that the County Relief Block Grant money it receives will be spent in accordance with the purposes set forth in this Agreement and in compliance with the CARES Act and related guidance issued by the United States government and the Commonwealth of Pennsylvania, including applicable future amendments to statutory provisions or related federal or state guidance, and in accordance with the limitations outlined in this Agreement. Recipient agrees that County Relief Block Grant money will be spent solely on expenditures that meet all of the following requirements:

- Expenditures that are necessary expenditures incurred due to the COVID-19 public health emergency.
- Expenditures that were not accounted for in the 2020 operating budget most recently approved by the municipality (not including any amendments or supplemental budgets passed in response to the COVID-19 public health emergency).

Expenditures that will be incurred between March 1, 2020 and *October 31, 2020* with the provision that Recipient can commit to expenditures following this date, and use funding for the same, provided that all such goods and services are purchased and received by December 30, 2020.

- Recipient will provide to the County Controller all receipts and related documentation, as required by County in its sole discretion, to confirm that use of the grant monies provided under this Agreement were expended in accordance with the requirement of this Agreement and the CARES Act. All such receipts and expenditures completed on or before October 31, 2020, shall be provided to the County Controller on that date or within five (5) days thereafter. For any grant funds not yet spent but committed to be spent, Recipient shall confirm its commitment to expend the same prior to



December 30, 2020, and then provide evidence of such expenditures to the County Controller for reimbursement on or before January 15, 2021.

- Recipient is permitted to distribute funds to eligible units of government but must enter into an agreement with that eligible unit of government as a “Sub-Recipient” under this Agreement. The Sub-Recipient will likewise be bound by all terms under this Agreement (which shall be incorporated into any agreement with the Sub-Recipient). Recipient will be responsible for submitting all documentation to County for Sub-Recipient expenses/reimbursements and distribution of any eligible grant funds to Sub-Recipient.

#### **4. CATEGORIES OF PERMISSIBLE EXPENDITURES**

Recipient acknowledges that the County has limited expenditures of County Relief Block Grant money received from the County to the following types of expenditures:

1. COVID-19 related medical expenses such as:
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including blood sample testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
2. Public health expenses such as:
  - Expenses for communicating COVID-19 “stay at home” orders and other COVID-19-related public health orders.
  - Expenses for enforcing COVID-19 “stay at home” orders and other COVID-19-related public health orders.
  - Expenses to purchase and distribute Personal Protective Equipment (“PPE”), sanitizing products, and other similar medical and protective supplies needed to reduce the risk of COVID-19 exposure for police officers, direct service providers who work with older adults or individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
  - Expenses for disinfection of public areas or facilities such as public or private nursing homes in your community, in response to the COVID-19 public health emergency.

- Expenses for providing technical assistance to other entities related to mitigation of COVID-19-related threats to public health and safety.
- Expenses for public safety measures undertaken in response to COVID-19. Examples include costs of placing barriers or fences to enforce social distancing or closures at public parks or other public facilities or installing Plexiglas shields and hand sanitizer pumps in public facilities.
- Expenses for quarantining individuals.

3. Where the statutory requirements have been met, certain payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:

- Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable groups, to enhance compliance with COVID-19 public health precautions.
- Expenses to improve telework capabilities for governmental employees to enable compliance with COVID-19 public health precautions.
- Expenses of providing Families First Coronavirus Response Act benefits under the Emergency Paid Sick Leave Act and the Emergency Paid Family and Medical Leave Expansion Act to governmental employees in order to further compliance with COVID-19 public health recommendations and precautions.
- Expenditures for care for homeless populations made to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

5. Expenses related to providing economic support in connection with the COVID-19 public health emergency, such as:

- Unemployment compensation costs related to the COVID-19 public health emergency if those costs will not be reimbursed by the federal government through the CARES Act or otherwise.

6. Other COVID-19-related expenses that the County determines are reasonably necessary to the function of government that satisfy the statutory eligibility criteria for the use of County Relief Block Grant funds. In order to qualify, Recipient must contact

the County Administrator and make a formal request for expenditures to be considered by the County for use under this Agreement (beyond the permitted expenditures identified herein). All decisions by the County will be final.

Goods and services purchased with County Relief Block Grant money must be received or provided no later than December 30, 2020. Recipient acknowledges that this requirement is mandatory and agrees to include provisions indicating that time is of the essence and that this deadline is mandatory in all agreements with providers of good and services.

#### **5. ADDITIONAL PROHIBITED CATEGORIES OF EXPENDITURES**

Recipient acknowledges that County Relief Block Grant money distributed by the County may only be used for the purposes identified in the immediate preceding section. In addition to expenditures that do not meet all three CARES Act conditions outlined above or fall within the categories of expenditures permitted by the County. Recipient acknowledges that federal CARES Act guidance issued by the U.S. Treasury prohibits the use of County Relief Block Grant money to fill shortfalls in governmental revenue, including but not limited to by making expenditures that do not otherwise qualify for the use of County Relief Block Grant money, and that County Relief Block Grant money may not be used to reimburse portions of an expense that are also being reimbursed by another federal or state funding source. Recipient further acknowledges that prohibited uses of County Relief Block Grant money include, but are not limited to, the following types of expenditures:

- Damages covered by insurance.
- Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
- Expenses that have been or will be reimbursed under any federal programs or other sources.
- Reimbursement for donated items or services.
- Workforce bonuses other than payments such as overtime or hazard pay for employees substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
- Severance pay.
- Legal settlements.
- Expenditures not in compliance with any other limitations or requirements that have been or will be established by the County, the Commonwealth, applicable law, applicable regulations, or applicable CARES Act or Act 24 guidance.

## **6. REPAYMENT**

In the event any funds reimbursed to Recipient hereunder, and in accordance with the terms herein, are deemed by the Commonwealth of Pennsylvania or United States Government to be impermissible use of funds under the CARES Act or Department of Community and Economic Development regulations, the Recipient will be required to refund those monies to County who will in turn refund the monies to the Commonwealth.

## **7. RETENTION OF RECORDS**

Recipient is obligated to retain records relating to the use of County Relief Block Grant money, including, but not limited to, invoices, contracts, receipts, purchase orders, correspondence, records demonstrating that funds were spend for purposes permitted by the CARES Act and related federal guidance, and other records documenting County Relief Block Grant expenditures. Such records shall be made available to representatives of Centre County upon request and in the format requested by the County. Records must be retained for five (5) years following the last date of usage of funds by the Recipient or by the County, whichever is later.

## **8. FEDERAL SINGLE AUDIT ACT AND UNIFORM GUIDANCE**

Recipient acknowledges that guidance issued by the U.S. Treasury indicates that County Relief Block Grant payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding sub recipient monitoring and management, and subpart F regarding audit requirements. Recipient further acknowledges that Fund payments to Recipient count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements and that Recipient would be subject to a single audit or program specific audit pursuant to 2 C.F.R. § 200.501(a) if Recipient spends a total of \$750,000 or more in federal awards during its fiscal year. Recipient further acknowledges that CFDA Number for this federal funding is 21.109.

## **9. RESOLUTION**

Recipient acknowledges that it has adopted or passed a lawfully adopted written resolution or taken similar official action approving this Agreement and authorizing the individual signing this Agreement to execute this Agreement on behalf of Recipient, to act as its representative with respect to the Agreement and to provide such additional information as may be required by the County or its agents/officers.

## **10. NONWAIVER**

A. A failure by each Party to take action with respect to any default or violation by the other Party of any of the terms, conditions or covenants of this Agreement shall not, in

any way, limit, prejudice, diminish or constitute a waiver of any right of each such Party to act with respect to any prior, contemporaneous or subsequent violation or default or with respect to any continuation or repetition of the original violation or default.

B. Additionally, a failure by each Party to take action with respect to any default or violation by the other Party of any of the terms, conditions or covenants of this Agreement shall not, in any way, limit, prejudice, diminish or constitute a waiver of any right of each Party to act with respect to any prior, contemporaneous or subsequent violation or default or with respect to any continuation or repetition of the original violation or default.

#### **11. TERMINATION; CUMULATIVE REMEDIES**

A. This Agreement may be terminated for any reason by the County upon thirty (30) days written notice to Recipient.

B. It is understood that the right to terminate shall be in addition to all other remedies, which are or may be available to the County or the Recipient, for the other Party's breach of any covenant, term or condition of this Agreement. All rights and remedies under this Agreement shall be cumulative and shall be in addition to those rights which the Parties may have under applicable law, statute, regulation or otherwise.

#### **12. RIGHT TO KNOW LAW**

County and Recipient acknowledge that this Agreement and all matters pertaining thereto are subject to Pennsylvania's Right To Know Law ("RTKL"). In connection with the RTKL, the parties incorporate herein the provisions governing the same as provided in Exhibit "A" attached hereto and incorporated herein.

#### **13. TERM**

This Agreement shall enter into effect on the date set forth on page 1, and unless sooner terminated pursuant to Paragraph 12 hereof, shall expire when the County, in its discretion, determines that the expenditure of County Relief Block Grant money and Recipient's obligations under this Agreement, including those relating to review of expenditures, if any, by the U.S. Treasury have been completed.

#### **14. NOTICES**

- A. All notices, reports, or documents required to be given or made pursuant to this Agreement shall be in writing and shall be sent by either:
1. United States Mail first class delivery, postage pre-paid; or
  2. Electronic mail (e-mail), confirmed by letter sent by United States Mail first class delivery, postage pre-paid;

3. Facsimile (fax) transmission confirmed by letter sent by United States Mail first class delivery, postage pre-paid.
- B. All notices, reports or documents required to be given or made under this Agreement shall be sent to the respective Parties as follows:

1. As to the County:

Margaret N. Gray, County Administrator  
Willowbank Building  
420 Holmes Street  
Bellefonte, PA 16823  
[mngray@centrecountypa.gov](mailto:mngray@centrecountypa.gov)

Or to such other person or address as the County may from time to time designate in writing.

2. As to the Recipient:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

or to such other person or address as the Recipient may from time to time designate in writing.

#### **15. NO PERSONAL LIABILITY**

No elected official, officer, appointee, agent or employee of County or Recipient, shall be charged personally or held contractually liable by or to the Recipient under any term or provision of this Agreement or because of any breach hereof or because of its or their execution, approval, or attempted execution of this Agreement.

**16. HEADINGS**

The headings of the several paragraphs of this Agreement are inserted only as a matter of convenience and for reference, and they in no way define, limit or describe the scope or intent of any provision of this Agreement, nor shall they be construed to affect in any manner the terms and provisions hereof or the interpretation or construction thereof.

**17. SEVERABILITY**

The Parties intend and agree that, if any paragraph, subparagraph, phrase, clause, or other provision of this Agreement, or any portion thereof, shall be made to be void or otherwise unenforceable, all other portions of this Agreement shall remain in full force and effect.

**18. MERGER; MODIFICATION OR AMENDMENT**

A. The Parties intend this writing as the final expression of their agreement and as a complete and exclusive statement of its terms. This Agreement supersedes all other prior agreements and understandings both written and oral between the Parties with respect to the subject matter thereof.

B. This Agreement may be changed, modified, discharged, or extended only by written change order or amendment duly executed by the Parties.

C. The Recipient agrees that no representations or warranties shall be binding upon County unless expressed in writing herein or in a duly executed amendment or change order hereof.

**19. APPLICABLE LAW; VENUE**

A. This Agreement shall be deemed to have been made in and shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

B. The Parties agree that the state and federal courts sitting in Bellefonte, Pennsylvania (state) or Williamsport, Pennsylvania (federal) shall have proper and exclusive jurisdiction and venue for any proceedings arising from this Agreement.

**20. ABSENCE OF RIGHTS IN THIRD PARTIES**

No provision of this Agreement shall be construed in any manner so as to create any rights in third parties who are not signatories to this Agreement. It shall be interpreted solely to define specific duties and responsibilities between the County and the Recipient, and shall not provide any basis for claims of any other individual, partnership, corporation, organization or municipal entity.

**21. COMPLIANCE WITH APPLICABLE LAWS**

Each Party shall comply at its own expense with all applicable federal, state, and local statutes, laws, rules, regulations, guidance, codes, final and non-appealable orders, decisions, injunctions, judgments, awards and decrees (“Applicable Laws”) that relate to its obligations under this Agreement. Recipient agrees to comply with all Applicable Laws, including but not limited to applicable bidding and procurement requirements, applicable labor laws, applicable employment laws, applicable non-discrimination laws, applicable provisions of the Hatch Act, and other Applicable Laws. Recipient shall not discriminate on the basis of race, religion, age, gender, national origin, disability, or any other unlawful basis with respect to its use of Coronavirus Relief Fund money received from the County.

**22. BINDING EFFECT**

This Agreement will be binding upon and shall inure to the benefit of the County and the Recipient and their respective authorized successors and assigns, if any.

**23. AUTHORIZATION**

- A. Recipient represents and warrants that its signatory has been duly authorized to execute this Agreement on its behalf.
- B. This Agreement is entered into by the County pursuant to official action by the County Board of Commissioners.

**[REMAINDER OF PAGE INTENTIONALLY BLANK]**



**INTENDING TO BE LEGALLY BOUND HEREBY,** the parties hereto set their hands and seals the day and year first above written.

**Ferguson Township**

**WITNESS:**

\_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**By:** \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**COUNTY OF CENTRE  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Michael Pipe, Chair

\_\_\_\_\_  
Mark Higgins, Vice-Chair

\_\_\_\_\_  
Steven Dershem, Commissioner

**WITNESS:**

\_\_\_\_\_

Margaret N. Gray, Administrator

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
County Solicitor

\_\_\_\_\_

## EXHIBIT A

### A. Right to Know Law Provisions

1. The Contractor understands that the Contract and records related to or arising out of the Contract are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§67.101-3104, (RTKL"). For the purpose of these provisions, the term "the County" shall refer to Centre County Government and all departments and agencies thereto.
2. If the County needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in the Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the County.
3. Upon written notification from the County that it requires Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), Contractor shall:
  - a. Provide the County, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in Contractor's possession arising out of this Contract that the County reasonably believes is Requested Information and may be a public record under the RTKL; and
  - b. Provide such other assistance as the County may reasonably request, in order to comply with the RTKL with respect to this Contract.
4. If Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL or other information that Contractor considers exempt from production under the RTKL, Contractor must notify the County and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
5. The County will rely upon the written statement from Contractor in denying a RTKL request for the Requested Information unless the County determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the County determine that the Requested Information is clearly not exempt from disclosure, Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the County's determination.

6. If Contractor fails to provide the Requested Information within the time period required by these provisions, Contractor shall indemnify and hold the County 22 harmless for any damages, penalties, costs, detriment or harm that the County may incur as a result of Contractor's failure, including any statutory damages assessed against the County.
7. The County will reimburse Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable and to the extent costs are reimbursed by the requestor pursuant to such schedule.
8. Contractor may file a legal challenge to any County decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, Contractor shall indemnify the County for any legal expenses incurred by the County as a result of such a challenge and shall hold the County harmless for any damages, penalties, costs, detriment or harm that the County may incur as a result of Contractor's failure, including any statutory damages assessed against the County, regardless of the outcome of such legal challenge. As between the parties, Contractor agrees to waive all rights or remedies that may be available to it as a result of the County's disclosure of Requested Information pursuant to he RTKL.
9. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

**From:** Natalie L. Smith <nlsmith@centrecountypa.gov> on behalf of Margaret N. Gray <mnggray@centrecountypa.gov>  
**Sent:** Friday, August 21, 2020 5:54 PM  
**To:** admin  
**Cc:** Margaret N. Gray  
**Subject:** Coronavirus Relief Fund Municipal Agreement  
**Attachments:** Ferguson Township.pdf; Exhibit A - Right to Know Law.pdf

Good afternoon,

As a follow-up to the County Relief Block Grant allocation letter sent to you this past Tuesday, attached please find a copy of the Recipient Agreement referenced in that letter. A copy is also being sent by regular mail. This Agreement needs to be executed by your municipality and returned for Commissioners' approval and signatures before funds are disbursed.

Please do not hesitate to contact me with any questions or concerns.

We are looking forward to getting these funds in your hands as quickly as possible.

Margaret

Margaret N. Gray, County Administrator  
Centre County Government  
Willowbank Office Building  
420 Holmes Street  
Bellefonte, PA 16823  
814.355.6700  
[mnggray@centrecountypa.gov](mailto:mnggray@centrecountypa.gov)

## CARES ACT COUNTY RELIEF BLOCK GRANT FUND RECIPIENT AGREEMENT

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by and between the **COUNTY OF CENTRE**, a political subdivision under the laws of the Commonwealth of Pennsylvania, hereinafter referred to as “the County,”

AND

The **Ferguson Township**, having its headquarters and principal business office at **3147 Research Drive, State College, PA 16801**, hereinafter referred to as “Recipient.”

The County and the Recipient separately shall be referred to as a “Party” and collectively shall be referred to as the “Parties.”

### RECITALS:

**WHEREAS**, Section 5001 of the Federal Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), which became law on March 27, 2020, establishes a Coronavirus Relief Fund; and

**WHEREAS**, the CARES Act requires that Coronavirus Relief Fund money be used for expenditures that (1) were necessary expenditures incurred due to the COVID-19 public health emergency; (2) were not accounted for in the budget most recently approved as March 27, 2020; and (3) were incurred, on a cash basis, during the period that begins on March 1, 2020, and ends on December 30, 2020; and

**WHEREAS**, the County received Coronavirus Relief Fund money from the Commonwealth of Pennsylvania under Act 24 of 2020 through the Department of Community and Economic Development’s County Relief Block Grant, which funding was distributed to the Commonwealth by the United States Department of the Treasury (“U.S. Treasury”); and

**WHEREAS**, the County is distributing County Relief Block Grant money to eligible entities for permissible expenditures; and

**WHEREAS**, the County Relief Block Grant money spent on impermissible purposes or that is not spent by December 30, 2020 is subject to repayment to the U.S. Treasury; and

**WHEREAS**, the County has placed an **October 31, 2020** deadline on the expenditure of County Relief Block Grant money distributed by the County but will permit Recipients to be reimbursed funds following this date provided they commit to expend the same and receive all goods and services before December 30, 2020, in accordance with this Agreement; and

**NOW, THEREFORE**, for good and valuable consideration, the sufficiency of which is mutually acknowledged, and intending to be bound, the Parties agree as follows:

## 1. RECITALS

The Recitals are incorporated herein by reference, as if fully set forth in the body of this Agreement.

## 2. PURPOSE

The purpose of this Agreement is to provide for the distribution of the County Relief Block Grant money under Act 24 of 2020 to Recipient for uses identified in and permitted by the County; the CARES Act, as may be amended; Act 24, as may be amended; and related guidance from the U.S. Treasury and the Commonwealth, as may be amended.

## 3. CONDITIONS

Recipient will receive County Relief Block Grant money from the County on a reimbursement basis not to exceed **\$183,158**. As a condition of receiving County Relief Block Grant money from the County, Recipient agrees that the County Relief Block Grant money it receives will be spent in accordance with the purposes set forth in this Agreement and in compliance with the CARES Act and related guidance issued by the United States government and the Commonwealth of Pennsylvania, including applicable future amendments to statutory provisions or related federal or state guidance, and in accordance with the limitations outlined in this Agreement. Recipient agrees that County Relief Block Grant money will be spent solely on expenditures that meet all of the following requirements:

- Expenditures that are necessary expenditures incurred due to the COVID-19 public health emergency.
- Expenditures that were not accounted for in the 2020 operating budget most recently approved by the municipality (not including any amendments or supplemental budgets passed in response to the COVID-19 public health emergency).

Expenditures that will be incurred between March 1, 2020 and ***October 31, 2020*** with the provision that Recipient can commit to expenditures following this date, and use funding for the same, provided that all such goods and services are purchased and received by December 30, 2020.

- Recipient will provide to the County Controller all receipts and related documentation, as required by County in its sole discretion, to confirm that use of the grant monies provided under this Agreement were expended in accordance with the requirement of this Agreement and the CARES Act. All such receipts and expenditures completed on or before October 31, 2020, shall be provided to the County Controller on that date or within five (5) days thereafter. For any grant funds not yet spent but committed to be spent, Recipient shall confirm its commitment to expend the same prior to

December 30, 2020, and then provide evidence of such expenditures to the County Controller for reimbursement on or before January 15, 2021.

- Recipient is permitted to distribute funds to eligible units of government but must enter into an agreement with that eligible unit of government as a “Sub-Recipient” under this Agreement. The Sub-Recipient will likewise be bound by all terms under this Agreement (which shall be incorporated into any agreement with the Sub-Recipient). Recipient will be responsible for submitting all documentation to County for Sub-Recipient expenses/reimbursements and distribution of any eligible grant funds to Sub-Recipient.

#### **4. CATEGORIES OF PERMISSIBLE EXPENDITURES**

Recipient acknowledges that the County has limited expenditures of County Relief Block Grant money received from the County to the following types of expenditures:

1. COVID-19 related medical expenses such as:
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including blood sample testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
2. Public health expenses such as:
  - Expenses for communicating COVID-19 “stay at home” orders and other COVID-19-related public health orders.
  - Expenses for enforcing COVID-19 “stay at home” orders and other COVID-19-related public health orders.
  - Expenses to purchase and distribute Personal Protective Equipment (“PPE”), sanitizing products, and other similar medical and protective supplies needed to reduce the risk of COVID-19 exposure for police officers, direct service providers who work with older adults or individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
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- Expenses for public safety measures undertaken in response to COVID-19. Examples include costs of placing barriers or fences to enforce social distancing or closures at public parks or other public facilities or installing Plexiglas shields and hand sanitizer pumps in public facilities.
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3. Where the statutory requirements have been met, certain payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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- Expenses to improve telework capabilities for governmental employees to enable compliance with COVID-19 public health precautions.
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- Expenditures for care for homeless populations made to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

5. Expenses related to providing economic support in connection with the COVID-19 public health emergency, such as:

- Unemployment compensation costs related to the COVID-19 public health emergency if those costs will not be reimbursed by the federal government through the CARES Act or otherwise.

6. Other COVID-19-related expenses that the County determines are reasonably necessary to the function of government that satisfy the statutory eligibility criteria for the use of County Relief Block Grant funds. In order to qualify, Recipient must contact



the County Administrator and make a formal request for expenditures to be considered by the County for use under this Agreement (beyond the permitted expenditures identified herein). All decisions by the County will be final.

Goods and services purchased with County Relief Block Grant money must be received or provided no later than December 30, 2020. Recipient acknowledges that this requirement is mandatory and agrees to include provisions indicating that time is of the essence and that this deadline is mandatory in all agreements with providers of good and services.

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Recipient acknowledges that County Relief Block Grant money distributed by the County may only be used for the purposes identified in the immediate preceding section. In addition to expenditures that do not meet all three CARES Act conditions outlined above or fall within the categories of expenditures permitted by the County. Recipient acknowledges that federal CARES Act guidance issued by the U.S. Treasury prohibits the use of County Relief Block Grant money to fill shortfalls in governmental revenue, including but not limited to by making expenditures that do not otherwise qualify for the use of County Relief Block Grant money, and that County Relief Block Grant money may not be used to reimburse portions of an expense that are also being reimbursed by another federal or state funding source. Recipient further acknowledges that prohibited uses of County Relief Block Grant money include, but are not limited to, the following types of expenditures:

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- Expenditures not in compliance with any other limitations or requirements that have been or will be established by the County, the Commonwealth, applicable law, applicable regulations, or applicable CARES Act or Act 24 guidance.

## **6. REPAYMENT**

In the event any funds reimbursed to Recipient hereunder, and in accordance with the terms herein, are deemed by the Commonwealth of Pennsylvania or United States Government to be impermissible use of funds under the CARES Act or Department of Community and Economic Development regulations, the Recipient will be required to refund those monies to County who will in turn refund the monies to the Commonwealth.

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Recipient is obligated to retain records relating to the use of County Relief Block Grant money, including, but not limited to, invoices, contracts, receipts, purchase orders, correspondence, records demonstrating that funds were spend for purposes permitted by the CARES Act and related federal guidance, and other records documenting County Relief Block Grant expenditures. Such records shall be made available to representatives of Centre County upon request and in the format requested by the County. Records must be retained for five (5) years following the last date of usage of funds by the Recipient or by the County, whichever is later.

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## **9. RESOLUTION**

Recipient acknowledges that it has adopted or passed a lawfully adopted written resolution or taken similar official action approving this Agreement and authorizing the individual signing this Agreement to execute this Agreement on behalf of Recipient, to act as its representative with respect to the Agreement and to provide such additional information as may be required by the County or its agents/officers.

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A. A failure by each Party to take action with respect to any default or violation by the other Party of any of the terms, conditions or covenants of this Agreement shall not, in

any way, limit, prejudice, diminish or constitute a waiver of any right of each such Party to act with respect to any prior, contemporaneous or subsequent violation or default or with respect to any continuation or repetition of the original violation or default.

B. Additionally, a failure by each Party to take action with respect to any default or violation by the other Party of any of the terms, conditions or covenants of this Agreement shall not, in any way, limit, prejudice, diminish or constitute a waiver of any right of each Party to act with respect to any prior, contemporaneous or subsequent violation or default or with respect to any continuation or repetition of the original violation or default.

**11. TERMINATION; CUMULATIVE REMEDIES**

A. This Agreement may be terminated for any reason by the County upon thirty (30) days written notice to Recipient.

B. It is understood that the right to terminate shall be in addition to all other remedies, which are or may be available to the County or the Recipient, for the other Party's breach of any covenant, term or condition of this Agreement. All rights and remedies under this Agreement shall be cumulative and shall be in addition to those rights which the Parties may have under applicable law, statute, regulation or otherwise.

**12. RIGHT TO KNOW LAW**

County and Recipient acknowledge that this Agreement and all matters pertaining thereto are subject to Pennsylvania's Right To Know Law ("RTKL"). In connection with the RTKL, the parties incorporate herein the provisions governing the same as provided in Exhibit "A" attached hereto and incorporated herein.

**13. TERM**

This Agreement shall enter into effect on the date set forth on page 1, and unless sooner terminated pursuant to Paragraph 12 hereof, shall expire when the County, in its discretion, determines that the expenditure of County Relief Block Grant money and Recipient's obligations under this Agreement, including those relating to review of expenditures, if any, by the U.S. Treasury have been completed.

**14. NOTICES**

- A. All notices, reports, or documents required to be given or made pursuant to this Agreement shall be in writing and shall be sent by either:
1. United States Mail first class delivery, postage pre-paid; or
  2. Electronic mail (e-mail), confirmed by letter sent by United States Mail first class delivery, postage pre-paid;

3. Facsimile (fax) transmission confirmed by letter sent by United States Mail first class delivery, postage pre-paid.
- B. All notices, reports or documents required to be given or made under this Agreement shall be sent to the respective Parties as follows:

1. As to the County:

Margaret N. Gray, County Administrator  
Willowbank Building  
420 Holmes Street  
Bellefonte, PA 16823  
[mngray@centrecountypa.gov](mailto:mngray@centrecountypa.gov)

Or to such other person or address as the County may from time to time designate in writing.

2. As to the Recipient:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

or to such other person or address as the Recipient may from time to time designate in writing.

**15. NO PERSONAL LIABILITY**

No elected official, officer, appointee, agent or employee of County or Recipient, shall be charged personally or held contractually liable by or to the Recipient under any term or provision of this Agreement or because of any breach hereof or because of its or their execution, approval, or attempted execution of this Agreement.

**16. HEADINGS**

The headings of the several paragraphs of this Agreement are inserted only as a matter of convenience and for reference, and they in no way define, limit or describe the scope or intent of any provision of this Agreement, nor shall they be construed to affect in any manner the terms and provisions hereof or the interpretation or construction thereof.

**17. SEVERABILITY**

The Parties intend and agree that, if any paragraph, subparagraph, phrase, clause, or other provision of this Agreement, or any portion thereof, shall be made to be void or otherwise unenforceable, all other portions of this Agreement shall remain in full force and effect.

**18. MERGER; MODIFICATION OR AMENDMENT**

A. The Parties intend this writing as the final expression of their agreement and as a complete and exclusive statement of its terms. This Agreement supersedes all other prior agreements and understandings both written and oral between the Parties with respect to the subject matter thereof.

B. This Agreement may be changed, modified, discharged, or extended only by written change order or amendment duly executed by the Parties.

C. The Recipient agrees that no representations or warranties shall be binding upon County unless expressed in writing herein or in a duly executed amendment or change order hereof.

**19. APPLICABLE LAW; VENUE**

A. This Agreement shall be deemed to have been made in and shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

B. The Parties agree that the state and federal courts sitting in Bellefonte, Pennsylvania (state) or Williamsport, Pennsylvania (federal) shall have proper and exclusive jurisdiction and venue for any proceedings arising from this Agreement.

**20. ABSENCE OF RIGHTS IN THIRD PARTIES**

No provision of this Agreement shall be construed in any manner so as to create any rights in third parties who are not signatories to this Agreement. It shall be interpreted solely to define specific duties and responsibilities between the County and the Recipient, and shall not provide any basis for claims of any other individual, partnership, corporation, organization or municipal entity.

**21. COMPLIANCE WITH APPLICABLE LAWS**

Each Party shall comply at its own expense with all applicable federal, state, and local statutes, laws, rules, regulations, guidance, codes, final and non-appealable orders, decisions, injunctions, judgments, awards and decrees (“Applicable Laws”) that relate to its obligations under this Agreement. Recipient agrees to comply with all Applicable Laws, including but not limited to applicable bidding and procurement requirements, applicable labor laws, applicable employment laws, applicable non-discrimination laws, applicable provisions of the Hatch Act, and other Applicable Laws. Recipient shall not discriminate on the basis of race, religion, age, gender, national origin, disability, or any other unlawful basis with respect to its use of Coronavirus Relief Fund money received from the County.

**22. BINDING EFFECT**

This Agreement will be binding upon and shall inure to the benefit of the County and the Recipient and their respective authorized successors and assigns, if any.

**23. AUTHORIZATION**

- A. Recipient represents and warrants that its signatory has been duly authorized to execute this Agreement on its behalf.
- B. This Agreement is entered into by the County pursuant to official action by the County Board of Commissioners.

**[REMAINDER OF PAGE INTENTIONALLY BLANK]**

**INTENDING TO BE LEGALLY BOUND HEREBY**, the parties hereto set their hands and seals the day and year first above written.

**Ferguson Township**

**WITNESS:**

\_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**By:** \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**COUNTY OF CENTRE  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Michael Pipe, Chair

\_\_\_\_\_  
Mark Higgins, Vice-Chair

\_\_\_\_\_  
Steven Dershem, Commissioner

**WITNESS:**

\_\_\_\_\_  
Margaret N. Gray, Administrator

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
County Solicitor

\_\_\_\_\_

## EXHIBIT A

### A. Right to Know Law Provisions

1. The Contractor understands that the Contract and records related to or arising out of the Contract are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§67.101-3104, (RTKL"). For the purpose of these provisions, the term "the County" shall refer to Centre County Government and all departments and agencies thereto.
2. If the County needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in the Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the County.
3. Upon written notification from the County that it requires Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), Contractor shall:
  - a. Provide the County, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in Contractor's possession arising out of this Contract that the County reasonably believes is Requested Information and may be a public record under the RTKL; and
  - b. Provide such other assistance as the County may reasonably request, in order to comply with the RTKL with respect to this Contract.
4. If Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL or other information that Contractor considers exempt from production under the RTKL, Contractor must notify the County and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
5. The County will rely upon the written statement from Contractor in denying a RTKL request for the Requested Information unless the County determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the County determine that the Requested Information is clearly not exempt from disclosure, Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the County's determination.



6. If Contractor fails to provide the Requested Information within the time period required by these provisions, Contractor shall indemnify and hold the County 22 harmless for any damages, penalties, costs, detriment or harm that the County may incur as a result of Contractor's failure, including any statutory damages assessed against the County.
7. The County will reimburse Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable and to the extent costs are reimbursed by the requestor pursuant to such schedule.
8. Contractor may file a legal challenge to any County decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, Contractor shall indemnify the County for any legal expenses incurred by the County as a result of such a challenge and shall hold the County harmless for any damages, penalties, costs, detriment or harm that the County may incur as a result of Contractor's failure, including any statutory damages assessed against the County, regardless of the outcome of such legal challenge. As between the parties, Contractor agrees to waive all rights or remedies that may be available to it as a result of the County's disclosure of Requested Information pursuant to he RTKL.
9. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING A UTILITY FEE FOR STORMWATER COLLECTION AND MANAGEMENT.**

**WHEREAS**, The Ferguson Township Board of Supervisors is authorized under the Second-Class Township Code, and otherwise authorized and obligated under laws of the Commonwealth of Pennsylvania to regulate stormwater through its Municipal Separate Storm Sewer System (MS4) Permit; and

**WHEREAS**, the existing stormwater management system and infrastructure requires maintenance, repair, improvements, and replacement to meet current and future needs, including addressing increased precipitation and flooding events; and

**WHEREAS**, the Township, through its obligations under its Stormwater Management Ordinance and MS4 Permit requirements, maintains significant capital and operational infrastructure necessary to provide for water quality and rate control; and

**WHEREAS**, a comprehensive multi-phased analysis was completed to evaluate the feasibility, need, and structure of a proposed Stormwater Management Utility Fee; and

**WHEREAS**, the Board of Supervisors hereby determines that a Stormwater Management Utility Fee is necessary to equitably and proportionately assess property owners in the Township for stormwater runoff contributed to the public system as a result of the impact of land development.

**NOW, THEREFORE, BE IT ORDAINED** that the Ferguson Township Board of Supervisors hereby enacts and implements a Stormwater Management Utility Fee for the purposes of meeting the needs described herein and in accordance with the following provisions:

**Section 1 – Purpose and Policy.**

The Board of Supervisors finds that an adequate, sustainable source of revenue for stormwater management is necessary to protect the general health, safety, and welfare of the residents of the Town. Further, the Board of Supervisors finds that higher amounts of impervious area contribute greater amounts of stormwater and associated pollutants to the stormwater management system. Therefore, the Board of Supervisors determines that it is in the best interest of the public to enact a stormwater utility fee that allocates stormwater management program costs to property owners based on impervious area.

**Section 2 – Definitions.**

- A. Billing Unit – One billing unit equates to 1,000 feet of impervious area.
- B. Developed Parcel – A parcel that contains an impervious area equal to or greater than five hundred (500) square feet.

- C. Director – Refers to the Director of Public Works or his/her designee.
- D. Impervious Area - A surface that prevents the percolation of water into the ground. Impervious surfaces (or areas) shall include, but not be limited to: roofs; additional indoor living spaces, patios, garages, storage sheds and similar structures; and any new streets or sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration. Gravel or crushed stone shall be considered impervious area when designed or primarily utilized to support vehicular traffic. The Director may develop specifications for the mapping of impervious area for the purpose of this Article, including the establishment of a uniform threshold under which a contiguous unit of impervious area is considered de minimis and not subject to mapping.
- E. Owner - any person, firm, corporation, partnership, trust, company, association, government agency, society, or group owning real property in the Township.
- F. Stormwater - Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.
- G. Stormwater Management Program - The activities of the Township necessary to operate, maintain, enhance, and expand the stormwater management system and the activities necessary to carry out the Town's municipal separate storm system (MS4) permit and the stormwater-related provisions of the Subdivision and Land Development Ordinance, Floodplain Conservation Ordinance, and the Stormwater Management Ordinance.
- H. Stormwater Management System - The system of runoff avoidance, infiltration, collection, and conveyance, including storm sewers, curbs, pipes, conduits, mains, inlets, culvers, catch basins, gutters, ditches, channels, detention ponds, streets, drains, and all devices, appliances, and stormwater management practices and facilities used for collecting, conducting, pumping, conveying, detaining, infiltrating, reducing, managing, avoiding generation of, and treating stormwater.
- I. Township Manager – Refers to the Township Manager or his/her designee.

### **Section 3 –Stormwater Utility Fee Established.**

- A. A stormwater utility fee shall be imposed on every developed parcel in the Town that appears in the Centre County parcel database as of December 31<sup>st</sup> of each year. All stormwater utility fees shall be deposited into the Stormwater Management Fund of the Town described in Section 4.
- B. The rate per billing unit to be used for calculating the stormwater utility fee shall be established by Resolution of the Board of Supervisors and shall be reviewed annually.
- C. Notwithstanding Section 3.A. above, the following impervious area shall be exempt from the imposition of the stormwater utility fee:

- a. Public Streets as defined in Chapter 22, Subdivision and Land Development; Section 502, Streets; and
- b. Rail and associated rail ballast.

#### **Section 4 –Stormwater Management Fund.**

The Stormwater Management Fund is established as a separate enterprise fund of the Township, which shall be used solely to cover the cost of the Township's stormwater management program. The fund shall consist of revenue generated by the stormwater utility fee and other deposits that may be made from time to time by the Board of Supervisors, including but not limited to federal or state grants and revenue from the sale of bonds. All interest or other income derived from stormwater utility fees shall remain or otherwise be deposited into the fund.

#### **Section 5 –Stormwater Utility Fee Calculation.**

- A. Unless otherwise specified in this Article, the stormwater utility fee for each parcel shall be calculated in the following manner:
  - a. Determine the location of the parcel as either within the Regional Growth Boundary or not;
  - b. Determine the impervious area of the parcel in square feet;
  - c. Divide the impervious area of the parcel by the billing unit;
  - d. Round the resulting calculation using natural rounding to determine the number of billing units;
  - e. Multiply the number of billing units by the rate established by Resolution of the Board of Supervisors to obtain the stormwater utility fee for the parcel.
- B. Impervious area held in common ownership shall be calculated using the methodology in Section 5(A), above. The resulting stormwater utility fee will then be divided equally among parcels sharing common ownership. The Township Manager may, on a case by case basis and at the request of an association representing the owners of the property under common ownership or the recommendation of the Director, implement alternative methodology for dividing the stormwater utility fee, including but not limited to an established par value.

#### **Section 6 –Stormwater Utility Fee Credits.**

- A. The Board of Supervisors shall adopt by Resolution a Stormwater Management Program Credit Policy Manual for reductions in the stormwater utility fee in recognition of practices that are targeted to reduce the cost of the Township's stormwater management program. The types and amounts of credits are at the sole discretion of the Board of Supervisors. The credits shall be applied after determination of the stormwater utility fee in accordance with Section 5, above.
- B. The Director shall develop written policies and procedures necessary to implement the system of credits. These policies and procedures shall include, but not be limited to, provisions to reduce or eliminate the amount of credit if the Director determines that the practice is not functioning as intended.

- C. Nothing shall prevent the Board of Supervisors from modifying the adopted system of credits, and such modifications may apply to holders of existing credits.

### **Section 7 –Billing, Interest, and Enforcement.**

- A. The stormwater utility fee shall be billed each year on or before March 1 to the record owner of each parcel subject to the fee in combination with bill for real estate taxes. If the property owner is making real estate tax payments on an installment basis as authorized in this ordinance, then the stormwater utility fee will be collected on the same schedule. Any portion of a stormwater utility fee that is unpaid as of the subsequent December 31<sup>st</sup> of each year the property owner or agent was billed shall be considered delinquent except if the unpaid stormwater utility fee is subject to an appeal in accordance with Section 8.
- B. The penalty assessed for delinquent fees will be 1.5% per month.
- C. In addition to any penalty assessed in Section 7(B.) above, any cost or fee incurred by the Township in conjunction with the collection of a delinquent fee shall be the responsibility of and paid by the owner of the subject parcel.
- D. A delinquent fee, along with cumulative penalties and collection costs or fees, shall constitute a lien on the parcel ranking on a parity with liens for unpaid real estate taxes and shall be handled in the same manner as provided for the collection of unpaid real estate taxes.

### **Section 8 –Appeal Process and Procedure.**

- A. Any owner of a parcel who believes the provisions of this Article have been applied in error may appeal in accordance with this Section, provided, however, that grounds for appeal are limited to the following:
  - a. An error was made regarding the square footage of the impervious area attributed to the parcel;
  - b. The property is exempt under Section 3(C.);
  - c. There is a mathematical error in calculating the stormwater utility fee;
  - d. The identification of the parcel owner invoiced is in error; and/or
  - e. An approved credit was incorrectly applied.
- B. The parcel owner shall complete and submit to the Township Manager a Stormwater Utility Fee Appeal Form in a format approved by the Township within thirty (30) days of the charge being mailed or otherwise issued to the owner (“appeal date”). A Hearing Officer, designated by the Director, shall review the appeal for completeness and make a determination within fifteen (15) calendar days. In the event that the Hearing Officer finds that the appeal is incomplete, the Hearing Officer shall offer the owner thirty (30) calendar days from the determination that the appeal is incomplete to supply the missing information. If all information requested is not provided within the thirty (30) calendar days, the petition for appeal shall be deemed to have been withdrawn.

- C. Once the appeal has been determined to be complete, the Hearing Officer shall conduct a technical review of the alleged error and respond to the owner in writing within thirty (30) calendar days. The Hearing Officer may deny the appeal or adjust the stormwater utility fee if it is found to be in error.
- D. A decision by the Hearing Officer that is adverse to the appellant may be further appealed to the Township Manager within thirty (30) days of the determination being mailed or otherwise issued to the owner. The Township Manager shall review the determination of denial made by the Hearing Officer and either affirm, reject, or modify the determination. The Township Manager's determination will be provided to the owner in writing by certified or registered mail within thirty (30) calendar days of receiving the denial appeal request.
- E. Any person aggrieved by a decision of the Township Manager may further appeal to the Centre County Court of Common Pleas within thirty (30) days of receipt of such written final decision.
- F. If payment is not made within fifteen (15) calendar days after the expiration of the owner's right to appeal in accordance with this Section or December 31<sup>st</sup> of each year, whichever date is later, or a decision that is adverse to the owner made by the Centre County Court of Common Pleas, the unpaid fee shall be considered delinquent and subject to the provisions of Section 7(B.) through Section 7(D.).

#### **Section 9 – Policies and Procedures.**

- A. The Board of Supervisors may by Resolution adopt such policies and procedures it deems appropriate to ensure collection of stormwater utility fees imposed pursuant to this article.
- B. The Director may implement such administrative procedures necessary to implement the requirements set forth in this Article.

#### **Section 10 – Repealer.**

Any and all previous Ordinance(s) or parts thereof which are inconsistent with the terms and provisions of this Ordinance are hereby repealed.

#### **Section 11 – Severability.**

If any section, subsection, sentence, clause, phrase, provision, or portion of this Ordinance is found to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision. Such decision shall not affect the validity of the remaining portions of this Ordinance.

#### **Section 12 – Effective Date.**

This Ordinance shall become effective on January 1, 2021. The fee for the 2021 fiscal year shall be calculated on a prorated basis to account for one-half (1/2) of the annual fee. This proration has been deemed appropriate as the program will not be fully operational at the start of the 2021

fiscal year. Beginning January 1, 2022, the full annual fee shall be assessed to each applicable property owner.

**Ordained and Enacted** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Steve Miller, Chairman  
Board of Supervisors

[ S E A L ]

ATTEST:

\_\_\_\_\_  
David G. Pribulka, Secretary



PO BOX 530 - HAMMONTON, NJ 08037  
 PHONE (609) 561-4161 - FAX (609)567-2824

**PROJECT ESTIMATE #1**

PROJECT NAME: Microsurfacing Contract 2020-C9  
 APS PROJECT NO.: 202003  
 OWNER PROJECT NUMBER: 2020-C9  
 PROJECT OWNER: Ferguson Twp

INVOICE DATE: 8/19/2020  
 INVOICE #: 202003 -1  
 WORK PERFORMED FROM: 7/29/2020 TO: 8/18/2020  
 RETAINAGE: 5.0%

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	PREVIOUS QUANTITY	PREVIOUS AMOUNT	QUANTITY THIS EST.	AMOUNT DUE THIS EST.	TOTAL QTY TO DATE	TOTAL AMT TO DATE
4483-3214	Polymer Modified Emulsified Asphalt Paving System (Micro Surfacing), Double Application, Type A	SY	\$ 4.18			84,218.00	\$ 352,031.24	84,218.00	\$ 352,031.24

EST #	DATE PAID	PAYMENT
TOTAL		\$ -

TOTAL DUE THIS ESTIMATE \$352,031.24  
 LESS: RETAINAGE \$17,601.56  
 TOTAL DUE THIS ESTIMATE **\$334,429.68**

TOTAL EARNED TO DATE	\$ 352,031.24
LESS RETAINAGE	\$ 17,601.56
TOTAL TO DATE	\$ 334,429.68
LESS PAYMENTS	\$ -
CURRENT AMOUNT DUE	<b>\$ 334,429.68</b>

Pay per  
RTS

2020-C9 (Pay App #1)  
 Acct#: 32.439.610 \$133,504.37  
 35.438.610 \$200,925.31  
 Pay App #1 Total \$334,429.68

*Ray P. Scale*



**MICROSURFACING CONTRACT 2020-C9  
CONSTRUCTION QUANTITIES**

FERGUSON TOWNSHIP ROADS							Type A - Double SRL - M	Type A - Double SRL - L	Type A - Double SRL - M		Type A - Double SRL - L	
Road Name	From Street	To Street	SRL	Length (FT)	Width (FT)	Cul-de-sac or radii (SF)	Total Area (SY)	Total Area (SY)	Unit Cost	Extended Total	Unit Cost	Extended Total
Dry Hollow	County	Marengo		6842	24	380	18,289		\$4.18	\$76,446.44		
Deibler Road	SR 45	Tadpole		5073	24	1100	13,650		\$4.18	\$57,057.93		
James Ave	Stonebridge	Stonebridge		1,467	26	760		4,322			\$4.18	\$18,067.82
Red Lion	Stonebridge	Kings Ct		1,351	26	550		3,964			\$4.18	\$16,569.52
Chownings Ct	Red Lion	Cul-De-Sac		72	26	5,888		862			\$4.18	\$3,603.95
Williamsburg	Red Lion	Cul-De-Sac		1,518	26	5,380		4,983			\$4.18	\$20,829.40
Kings Ct	Williamsburg	Cul-De-Sac		605	26	5,888		2,402			\$4.18	\$10,040.22
Wetherburn Dr	Williamsburg	Stonebridge		366	26	760		1,142			\$4.18	\$4,772.63
Aaron Dr	N Atherton St	End Twp Rd		2,112	28	0		6,571			\$4.18	\$27,465.39
Horseshoe Cir	Tadpole	Tadpole		1,373	20	340		3,088			\$4.18	\$12,909.70
Beaver Branch Rd	Tadpole	cul-de-sac		1,659	20	5,000		4,242			\$4.18	\$17,732.49
Butz	End	W Beaver		957	26	170		2,784			\$4.18	\$11,635.26
W Beaver Ave	Twp Line	Corl St		1,480	23	270		3,812			\$4.18	\$15,935.09
S Osmond St	W College Ave	Twp Line		712	26	170		2,076			\$4.18	\$8,676.75
Hoy St	W College Ave	Highland Alley		702	26	340		2,066			\$4.18	\$8,634.95
S Corl	W College Ave	Highland Alley		709	26	0		2,048			\$4.18	\$8,561.57
Fairbrook	W Whitehall	Cul-de-sac		1,691	21	5,000		4,501			\$4.18	\$18,815.11
Greenlee	Fairbrook	Cul-de-sac		696	20	1,800		1,747			\$4.18	\$7,301.07
Beaverbrook	Fairbrook	Cul-de-sac		501	20	5,000		1,669			\$4.18	\$6,975.96
<b>Ferguson Township Subtotal</b>							<b>31,939</b>	<b>52,279</b>		<b>\$133,504.37</b>		<b>\$218,526.87</b>
<b>TOTAL CONTRACT</b>										<b>\$352,031.24</b>		

Pay App 1	
Pay App Sub-Total	\$352,031.24
Retainage (%)	-0.05
Retainage (\$)	-\$17,601.56
<b>Pay App Total</b>	<b>\$334,429.68</b>
32.439.610	\$133,504.37
35.438.610	\$200,925.31
Outstanding Funds	\$17,601.56

**Pay App Distribution Per Account**

Account	Amount Used
32.439.610	\$133,504.37
35.438.610	\$218,526.87
<b>Total</b>	<b>\$352,031.24</b>

AUG 31 2020



PO BOX 530 - HAMMONTON, NJ 08037  
PHONE (609) 561-4161 - FAX (609)567-2824

**PROJECT ESTIMATE #1**

PROJECT NAME: Microsurfacing Contract 2020-C9  
 APS PROJECT NO.: 202003  
 OWNER PROJECT NUMBER: 2020-C9  
 PROJECT OWNER: Ferguson Twp

INVOICE DATE: 8/28/2020  
 INVOICE #: 202003 -2 Final  
 WORK PERFORMED FROM: 8/19/2020 TO: 8/27/2020  
 RETAINAGE: 0.0%

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	PREVIOUS QUANTITY	PREVIOUS AMOUNT	QUANTITY THIS EST.	AMOUNT DUE THIS EST.	TOTAL QTY TO DATE	TOTAL AMT TO DATE
4483-3214	Polymer Modified Emulsified Asphalt Paving System (Micro Surfacing), Double Application, Type A	SY	\$ 4.18			84,218.00	\$ 352,031.24	84,218.00	\$ 352,031.24

EST #	DATE PAID	PAYMENT
1	Not paid	\$ 334,429.68
	TOTAL	\$ 334,429.68

TOTAL DUE THIS ESTIMATE \$352,031.24  
 LESS: RETAINAGE \$0.00  
 TOTAL DUE THIS ESTIMATE **\$352,031.24**

TOTAL EARNED TO DATE	\$ 352,031.24
LESS RETAINAGE	\$ -
TOTAL TO DATE	\$ 352,031.24
LESS PAYMENTS	\$ 334,429.68
CURRENT AMOUNT DUE	\$ 17,601.56

*PAY RTS*

*2020-C9 (FINAL)  
 ACCT#: 35.438.610  
 PAY: \$17,601.56  
 Ryan J. Sala*

**MICROSURFACING CONTRACT 2020-C9  
CONSTRUCTION QUANTITIES**

FERGUSON TOWNSHIP ROADS							Type A - Double SRL - M	Type A - Double SRL - L	Type A - Double SRL - M		Type A - Double SRL - L		
Road Name	From Street	To Street	SRL	Length (FT)	Width (FT)	Cul-de-sac or radii (SF)	Total Area (SY)	Total Area (SY)	Unit Cost	Extended Total	Unit Cost	Extended Total	
Dry Hollow	County	Marengo		6842	24	380	18,289		\$4.18	\$76,446.44			
Deibler Road	SR 45	Tadpole		5073	24	1100	13,650		\$4.18	\$57,057.93			
James Ave	Stonebridge	Stonebridge		1,467	26	760		4,322			\$4.18	\$18,067.82	
Red Lion	Stonebridge	Kings Ct		1,351	26	550		3,964			\$4.18	\$16,569.52	
Chownings Ct	Red Lion	Cul-De-Sac		72	26	5,888		862			\$4.18	\$3,603.95	
Williamsburg	Red Lion	Cul-De-Sac		1,518	26	5,380		4,983			\$4.18	\$20,829.40	
Kings Ct	Williamsburg	Cul-De-Sac		605	26	5,888		2,402			\$4.18	\$10,040.22	
Wetherburn Dr	Williamsburg	Stonebridge		366	26	760		1,142			\$4.18	\$4,772.63	
Aaron Dr	N Atherton St	End Twp Rd		2,112	28	0		6,571			\$4.18	\$27,465.39	
Horseshoe Cir	Tadpole	Tadpole		1,373	20	340		3,088			\$4.18	\$12,909.70	
Beaver Branch Rd	Tadpole	cul-de-sac		1,659	20	5,000		4,242			\$4.18	\$17,732.49	
Butz	End	W Beaver		957	26	170		2,784			\$4.18	\$11,635.26	
W Beaver Ave	Twp Line	Corl St		1,480	23	270		3,812			\$4.18	\$15,935.09	
S Osmond St	W College Ave	Twp Line		712	26	170		2,076			\$4.18	\$8,676.75	
Hoy St	W College Ave	Highland Alley		702	26	340		2,066			\$4.18	\$8,634.95	
S Corl	W College Ave	Highland Alley		709	26	0		2,048			\$4.18	\$8,561.57	
Fairbrook	W Whitehall	Cul-de-sac		1,691	21	5,000		4,501			\$4.18	\$18,815.11	
Greenlee	Fairbrook	Cul-de-sac		696	20	1,800		1,747			\$4.18	\$7,301.07	
Beaverbrook	Fairbrook	Cul-de-sac		501	20	5,000		1,669			\$4.18	\$6,975.96	
<b>Ferguson Township Subtotal</b>							<b>31,939</b>	<b>52,279</b>		<b>\$133,504.37</b>		<b>\$218,526.87</b>	
<b>TOTAL CONTRACT</b>												<b>\$352,031.24</b>	

	Pay App 1	Pay App 2	Total	Budget
Pay App Sub-Total	\$352,031.24	\$0.00	\$352,031.24	
Retainage (%)	-0.05			
Retainage (\$)	-\$17,601.56	\$17,601.56	\$0.00	
<b>Pay App Total</b>	<b>\$334,429.68</b>	<b>\$17,601.56</b>	<b>\$352,031.24</b>	
32.439.610	\$133,504.37	\$0.00	\$133,504.37	\$189,000
35.438.610	\$200,925.31	\$17,601.56	\$218,526.87	\$247,000
Outstanding Funds	\$17,601.56	\$0.00		

**Distribution Per Account**

Account	
32.439.610	\$133,504.37
35.438.610	\$218,526.87
<b>Total</b>	<b>\$352,031.24</b>

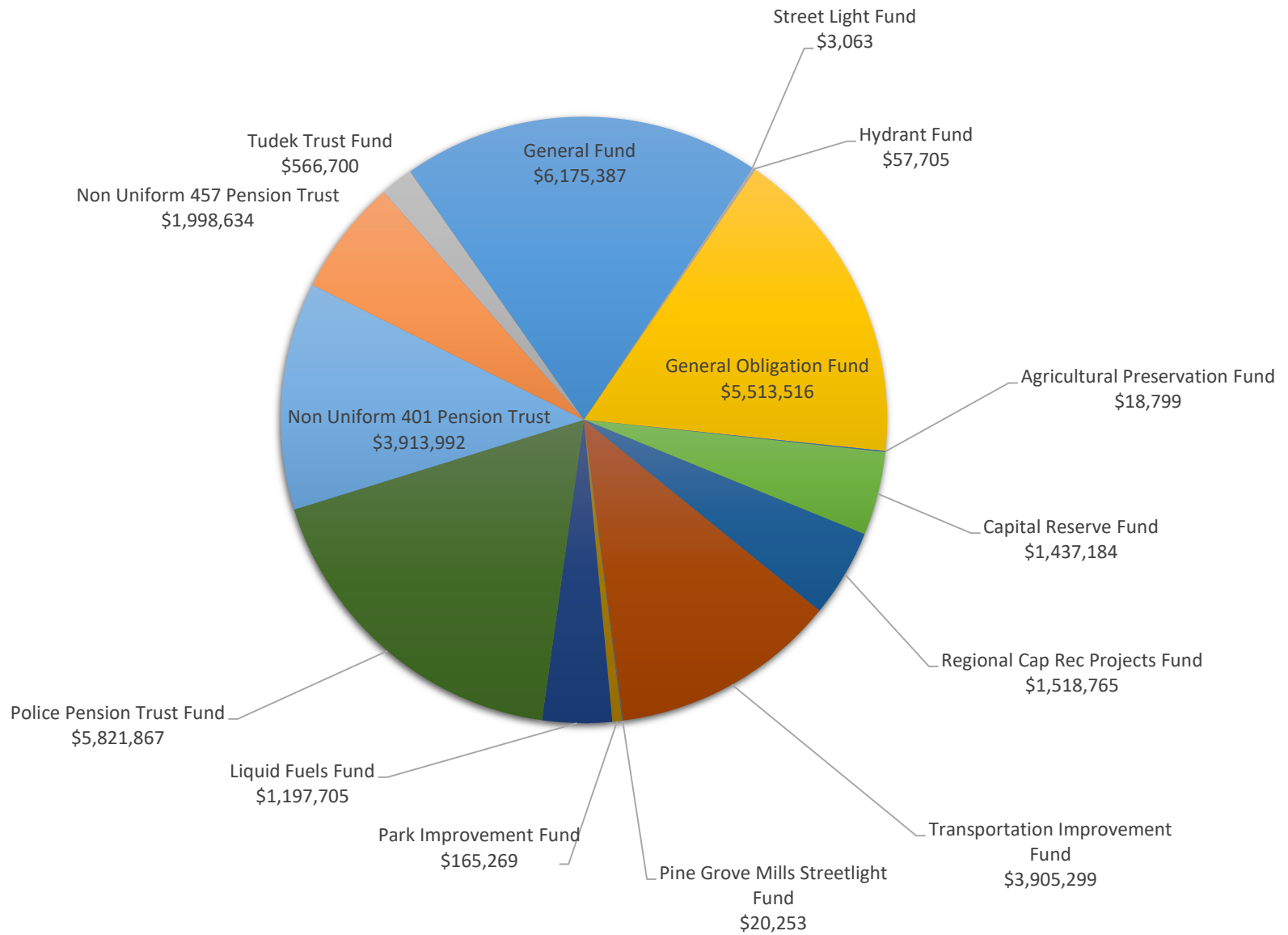


# *MONTHLY TREASURERS REPORT*

JULY 2020



### CASH BALANCES BY FUND - JULY 31, 2020



# Ferguson Township Treasurer's Report

July 31, 2020

## Statement of Cash Balances

### General Fund

**Checking**

Jersey Shore State Bank Operating (3245)	4,063,793.24
JSSB Flex Plan Checking (8757)	19,026.99
Ameriserv Money Market 2602	261,966.87
Ameriserv CD (0210) (matures 12/3/21)(1/3 of total)	268,156.08
PLGIT General Fund Classs (3017)	441,583.81
PLGIT General Fund Prime (3017)	802,280.19
PLGIT General Fund CD (matured 6/30/20)	0.00

**Investments**

JSSB/Voya Brokerage Account (@ market)	318,579.37
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**TOTAL GENERAL FUND**

**6,175,386.55**

### Other Funds

**Fund 02 Street Lights**

JSSB Checking (4836)	3,062.90
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**Fund 03 Fire Hydrant**

JSSB Checking (4844)	57,704.50
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**Fund 16 General Obligation**

JSSB Checking (4852)	428,117.85
JSSB 2019 Bond Checking	5,085,397.80

**Fund 19 Agricultural Preservation**

JSSB Checking (4879)	18,799.47
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**Fund 30 Capital Reserve**

Paypal Account	31,055.92
JSSB Checking (Employee Wellness Sinking Fund)(4909)	13,478.97
JSSB Capital Reserve Checking (3555)	577,670.67
JSSB Checking (Police Equipment Sinking Fund) (1711)	95.18
JSSB Checking (PW Equipment Sinking Fund)(4895)	576,264.33
JSSB Checking (Bldg Equipment Sinking Fund)(4887)	238,619.07

**Fund 31 Regional Capital Recreation Projects**

JSSB Checking (3547)	988,642.38
Ameriserv Money Market 2818	261,966.87
Ameriserv CD (0210) (matures 12/3/21)(1/3 of total)	268,156.08

**Fund 32 Transportation Improvement**

JSSB Checking (3539)	2,056,764.88
PLGIT Checking (Class & Plus)(3261)	66,163.33
PLGIT Checking (Prime)(3261)	1,006,247.54
PLGIT CD (matures 11/6/20)	246,000.00
Ameriserv Money Market 2693	261,966.87
Ameriserv CD (0210) (matures 12/3/21)(1/3 of total)	268,156.08

**Fund 33 Pine Grove Mills Street Lights**

# Ferguson Township Treasurer's Report

July 31, 2020

## Statement of Cash Balances

JSSB Checking (4917)	20,252.76
<b><u>Fund 34 Park Improvement</u></b>	
JSSB Checking (4925)	165,268.65
<b><u>Fund 35 Liquid Fuels</u></b>	
JSSB Checking (4933)	278,935.90
PLGIT Checking (Class) (3020)	517,586.56
PLGIT Checking (Prime) (3020)	401,182.39
PLGIT CD (3020)	0.00
<b><u>Fund 93 Tudek Memorial Trust</u></b>	
JSSB Checking (4976)	24,704.08
FNB Investments (@market)	153,266.61
Centre Foundation Investments	388,729.02
<b>TOTAL OTHER FUNDS</b>	<b>14,404,256.66</b>
<b>TOTAL NON PENSION FUNDS</b>	<b>20,579,643.21</b>
<b>Employer Pension Trust Funds</b>	
<b><u>Fund 60 Police Pension Trust</u></b>	
JSSB Checking (4941)	24,942.36
PNC Enterprise Checking (9642)	53,261.43
PNC Investments (@market)(includes accrued interest)	5,743,662.89
<b><u>Fund 65 Non Uniformed 401a Pension Trust</u></b>	
JSSB Checking (4968)	102.29
ICMA-RHS (801695) Employee Retirement Health Savings Trust (@ market)	82,857.67
ICMA-401 (108860) Employer Pension Investment Trust (@ market)	3,831,031.72
<b>TOTAL PENSION TRUST FUNDS</b>	<b>9,735,858.36</b>
<b>GRAND TOTAL</b>	<b>30,315,501.57</b>
<b>Employee Pension Trust Funds</b>	
<b><u>Fund 66 Non Uniformed 457 Pension Trust</u></b>	
ICMA-457 (300747) Employee Pension Investment Trust (@ market)	1,961,199.84
ICMA-ROTH IRA (706007) Employee Pension Investment Trust (@ market)	37,433.94
	<b>1,998,633.78</b>

# Bank Reconciliation

## Uncleared Checks by Fund

User: eendresen  
Printed: 08/14/2020 - 3:02PM  
Checks Before: 07/31/2020



Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
01	GENERAL FUND					
0	07/15/2020	Uncleared	AP	10870	PNC INSTITUTIONAL INVESTMENTS	3,424.67
0	07/15/2020	Uncleared	AP	11216	VANTAGEPOINT TRANSFER AGENTS 401	8,367.64
0	07/15/2020	Uncleared	AP	11218	VANTAGEPOINT TRANSFER AGENTS 457	6,904.75
0	07/15/2020	Uncleared	AP	11381	VANTAGEPOINT TRANSFER AGENTS-706007 ROTH	181.28
0	07/15/2020	Uncleared	AP	11751	NITRO SOFTWARE, INC.	749.85
0	07/31/2020	Uncleared	AP	10870	PNC INSTITUTIONAL INVESTMENTS	3,438.89
0	07/31/2020	Uncleared	AP	11216	VANTAGEPOINT TRANSFER AGENTS 401	8,220.46
0	07/31/2020	Uncleared	AP	11218	VANTAGEPOINT TRANSFER AGENTS 457	6,904.75
0	07/31/2020	Uncleared	AP	11381	VANTAGEPOINT TRANSFER AGENTS-706007 ROTH	181.28
6192	09/29/2017	Uncleared	AP	11577	CBICC	2,500.00
6255	10/13/2017	Uncleared	AP	11547	FOSTER DANIEL	250.00
6727	01/31/2018	Uncleared	AP	11597	WITHERS KARYN	15.00
7254	06/15/2018	Uncleared	AP	11738	GREENE HERBERT	25.00
7622	08/31/2018	Uncleared	AP	11756	TOMKEIL PAUL	40.00
7947	11/15/2018	Uncleared	AP	11344	PETERSON INDUSTRIES INC.	684.53
8001	11/29/2018	Uncleared	AP	10720	MORRISON SHAWN	25.00
8162	01/15/2019	Uncleared	AP	10670	MAYER JONATHAN	750.00
8358	02/28/2019	Uncleared	AP	11614	SNAP ON INDUSTRIAL	11.47
8596	04/30/2019	Uncleared	AP	10422	GEISINGER HEALTH SYSTEM	157.47
8753	06/15/2019	Uncleared	AP	10755	NITTANY OFFICE EQUIP C O HON	254.10
8799	06/28/2019	Uncleared	AP	10240	COLLEGIATE PRIDE INC	171.92
9001	08/22/2019	Uncleared	AP	10263	CORMANS MAIL SERVICE	2,873.11
9183	10/15/2019	Uncleared	AP	11593	HOME DEPOT CREDIT SERVICES	288.05
9272	11/15/2019	Uncleared	AP	10035	ALS TECHNOLOGIES INC	1,145.00
9297	11/15/2019	Uncleared	AP	11253	INFRADAPT LLC	3,221.44
9340	11/29/2019	Uncleared	AP	11855	ANDERSON INDUSTRIAL MACHINERY	769.80
9437	12/31/2019	Uncleared	AP	10035	ALS TECHNOLOGIES INC	1,145.00
9467	12/31/2019	Uncleared	AP	10670	MAYER JONATHAN	750.00
9562	01/20/2020	Uncleared	AP	11173	WALKER & WALKER EQUIPMENT II LLC	43.19
9717	02/28/2020	Uncleared	AP	11702	BLUE KNOB AUTO	600.00



Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
9725	02/28/2020	Uncleared	AP	11248	CENTRO PRINT SOLUTIONS	100.17
9806	03/15/2020	Uncleared	AP	11797	LANDPRO EQUIPMENT LLC	759.15
9842	03/31/2020	Uncleared	AP	11702	BLUE KNOB AUTO	300.00
9874	03/31/2020	Uncleared	AP	11877	RUSSIAN CHURCH OF CHRIST	78.11
9937	04/30/2020	Uncleared	AP	11219	COMMONWEALTH OF PENNSYLVANIA	50.00
10004	05/15/2020	Uncleared	AP	11702	BLUE KNOB AUTO	300.00
10091	05/31/2020	Uncleared	AP	11490	RECONYX, INC	970.51
10151	06/30/2020	Uncleared	AP	10232	CLEARWATER CONSERVANCY	360.91
10154	06/30/2020	Uncleared	AP	10324	DONS POWER EQUIPMENT	36.99
10175	06/30/2020	Uncleared	AP	10788	PA DEP	100.00
10186	06/30/2020	Uncleared	AP	11589	STOICHEFF'S AUTO PARTS	38.00
10199	07/15/2020	Uncleared	AP	10027	ALL TRAFFIC SOLUTIONS	500.00
10201	07/15/2020	Uncleared	AP	11390	BAKER TILLY VIRCHOW KRAUSE, LLP	3,800.00
10203	07/15/2020	Uncleared	AP	11702	BLUE KNOB AUTO	300.00
10209	07/15/2020	Uncleared	AP	10142	CNET	6,526.50
10214	07/15/2020	Uncleared	AP	10346	ECOLAWN	247.50
10215	07/15/2020	Uncleared	AP	10366	EXCEL PERFORMANCE PRODUCTS LLC	520.48
10219	07/15/2020	Uncleared	AP	10396	FISHER AUTO PARTS	317.63
10222	07/15/2020	Uncleared	AP	10409	FRED CARSON DISPOSAL INC.	234.00
10227	07/15/2020	Uncleared	AP	10565	JOHN TENNIS TOWING	175.00
10229	07/15/2020	Uncleared	AP	11797	LANDPRO EQUIPMENT LLC	49.15
10233	07/15/2020	Uncleared	AP	10701	MILLER WELDING SERVICE	10.00
10236	07/15/2020	Uncleared	AP	11897	MUNICIPAY LLC	170.00
10240	07/15/2020	Uncleared	AP	10798	PA ONE CALL SYSTEM	121.85
10241	07/15/2020	Uncleared	AP	10819	PATTON TOWNSHIP SUPERVISORS	227.70
10245	07/15/2020	Uncleared	AP	10945	ROBINSON SEPTIC SERVICE INC	265.00
10246	07/15/2020	Uncleared	AP	10961	SAFELITE FULFILLMENT INC	277.98
10251	07/15/2020	Uncleared	AP	11589	STOICHEFF'S AUTO PARTS	480.00
10253	07/15/2020	Uncleared	AP	10481	THE HARTMAN GROUP	4,250.00
10256	07/15/2020	Uncleared	AP	11159	VERIZON WIRELESS	446.37
10261	07/31/2020	Uncleared	AP	10016	AFLAC	176.77
10262	07/31/2020	Uncleared	AP	11242	AMAZON CAPITAL SERVICES INC	32.95
10263	07/31/2020	Uncleared	AP	10046	AMERON CONSTRUCTION	375.00
10264	07/31/2020	Uncleared	AP	11649	BABST CALLAND CLEMENTS AND ZOMNIR P.C.	4,977.00
10265	07/31/2020	Uncleared	AP	10100	BEST LINE EQUIPMENT	42.51
10266	07/31/2020	Uncleared	AP	10122	BOROUGH OF STATE COLLEGE	1,735.66
10267	07/31/2020	Uncleared	AP	11221	CENTRE AREA TRANSPORTATION AUTHORITY	33,877.50
10268	07/31/2020	Uncleared	AP	10184	CENTRE COMMUNICATIONS INC	354.00
10269	07/31/2020	Uncleared	AP	10201	CENTRE COUNTY UNITED WAY	27.00
10270	07/31/2020	Uncleared	AP	10203	CENTRE DAILY TIMES	1,046.19
10271	07/31/2020	Uncleared	AP	10208	CENTRE REGION COUNCIL OF GOVERNMENTS	179,612.75

Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
10272	07/31/2020	Uncleared	AP	10209	CENTRE REGION PARKS & RECREATION DEPARTMENT	180,994.75
10273	07/31/2020	Uncleared	AP	10231	CLEARFIELD WHOLESALE PAPER COMPANY INC	99.90
10274	07/31/2020	Uncleared	AP	10236	CMT LABORATORIES	750.00
10275	07/31/2020	Uncleared	AP	10243	COLUMBIA GAS OF PA INC	128.39
10276	07/31/2020	Uncleared	AP	10244	COMCAST BUSINESS	251.50
10277	07/31/2020	Uncleared	AP	11578	CRILON CORP	1,045.65
10278	07/31/2020	Uncleared	AP	10284	CUSTOM ALTERATIONS	23.20
10279	07/31/2020	Uncleared	AP	11901	DAVES SAWMILL	195.00
10280	07/31/2020	Uncleared	AP	10324	DONS POWER EQUIPMENT	32.99
10281	07/31/2020	Uncleared	AP	10372	FASTENAL COMPANY	73.50
10282	07/31/2020	Uncleared	AP	11217	FERGUSON TOWNSHIP POLICE ASSOCIATION	420.00
10283	07/31/2020	Uncleared	AP	11450	GROVE PRINTING	468.27
10284	07/31/2020	Uncleared	AP	10491	HINTON & ASSOCIATES	2,875.00
10285	07/31/2020	Uncleared	AP	10561	JOHN DEERE FINANCIAL	2,371.26
10286	07/31/2020	Uncleared	AP	10565	JOHN TENNIS TOWING	115.00
10287	07/31/2020	Uncleared	AP	10586	KIMBALL MIDWEST	263.57
10288	07/31/2020	Uncleared	AP	10590	KISTLER OBRIEN	360.00
10289	07/31/2020	Uncleared	AP	10762	MARCO	430.03
10290	07/31/2020	Uncleared	AP	11839	MARCO TECHNOLOGIES LLC	78.00
10291	07/31/2020	Uncleared	AP	10673	MCCARTNEYS INC	99.18
10292	07/31/2020	Uncleared	AP	11900	MCCLELLAN MILLWORK	562.50
10293	07/31/2020	Uncleared	AP	10688	MID STATE BATTERY LLC	30.50
10294	07/31/2020	Uncleared	AP	11807	MODEL UNIFORMS	348.82
10295	07/31/2020	Uncleared	AP	11378	P & A GROUP	121.50
10296	07/31/2020	Uncleared	AP	11677	PLANET TECHNOLOGIES	211.20
10297	07/31/2020	Uncleared	AP	11902	PRECISE TRIAL, LLC	670.63
10298	07/31/2020	Uncleared	AP	10927	REDLINE SPEED SHINE	280.33
10299	07/31/2020	Uncleared	AP	10945	ROBINSON SEPTIC SERVICE INC	125.00
10300	07/31/2020	Uncleared	AP	10978	SCHLOW CENTRE REGION LIBRARY	125,089.00
10301	07/31/2020	Uncleared	AP	11017	SOSMETAL PRODUCTS INC	69.75
10302	07/31/2020	Uncleared	AP	11029	STAHL SHEAFFER ENGINEERING LLC	14,978.34
10303	07/31/2020	Uncleared	AP	11058	STOVER MCGLAUGHLIN	731.00
10304	07/31/2020	Uncleared	AP	11763	SUNBELT RENTALS, INC.	116.60
10305	07/31/2020	Uncleared	AP	11073	SWARTZ FIRE & SAFETY EQUIPMENT	841.15
10306	07/31/2020	Uncleared	AP	11080	T C TRANSPORT INC	680.00
10307	07/31/2020	Uncleared	AP	11665	TERMINAL SUPPLY COMPANY	123.97
10308	07/31/2020	Uncleared	AP	11729	THE HR OFFICE	143.75
10309	07/31/2020	Uncleared	AP	11903	TOLL BROTHERS APARTMENT LIVING	35.00
10310	07/31/2020	Uncleared	AP	11133	U COMP	378.70
10311	07/31/2020	Uncleared	AP	11192	WEST PENN POWER	5,890.92
10312	07/31/2020	Uncleared	AP	11199	WILLIAMS BROTHERS	65.92

Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
10313	07/31/2020	Uncleared	AP	10771	WITMER PUBLIC SAFETY GROUP INC	92.00
10314	07/31/2020	Uncleared	AP	11214	ZEIGLERS PACKING & CRATING	112.50
Fund 01 Total:						641,138.25
02	STREET LIGHT FUND					
131	07/31/2020	Uncleared	AP	11192	WEST PENN POWER	331.61
Fund 02 Total:						331.61
30	CAPITAL RESERVE FUND					
741	07/15/2020	Uncleared	AP	11083	AXON ENTERPRISE, INC	8,950.00
743	07/31/2020	Uncleared	AP	10031	ALLIED MECHANICAL & ELECTRICAL	51,053.00
744	07/31/2020	Uncleared	AP	11083	AXON ENTERPRISE, INC	2,640.00
745	07/31/2020	Uncleared	AP	10236	CMT LABORATORIES	5,630.00
746	07/31/2020	Uncleared	AP	11881	LEONARD S. FIORE INC	720,796.23
747	07/31/2020	Uncleared	AP	11880	WHITMAN, REQUARDT & ASSOCIATES, LLP	68,955.00
Fund 30 Total:						858,024.23
31	REG CAP REC PROJECTS FUND					
29	07/31/2020	Uncleared	AP	10209	CENTRE REGION PARKS & RECREATION DEPARTMENT	25,714.00
Fund 31 Total:						25,714.00
32	TRANSPORT IMPROVEMENT FUND					
2017076	07/31/2020	Uncleared	AP	10183	CENTRE CO RECORDER OF DEEDS	120.00
2017077	07/31/2020	Uncleared	AP	10742	NEW ENTERPRISE STONE & LIME CO INC	772,159.92
Fund 32 Total:						772,279.92
34	PARK IMPROVEMENT FUND					
44	07/31/2020	Uncleared	AP	10509	HRI INC	10,425.72
Fund 34 Total:						10,425.72
35	LIQUID FUELS FUND					
357	07/31/2020	Uncleared	AP	10436	GLENN O HAWBAKER INC	71,478.25
358	07/31/2020	Uncleared	AP	10509	HRI INC	412.70
Fund 35 Total:						71,890.95
93	TUDEK PARK TRUST FUND					
20190930	07/31/2020	Uncleared	AP	11139	UNIVERSITY AREA JOINT AUTHORITY	104.00
20190931	07/31/2020	Uncleared	AP	11192	WEST PENN POWER	37.05

Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
					Fund 93Total:	141.05
					Grand Total:	2,379,945.73

**RESOLUTION 2020-\_\_\_\_\_**

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY,  
PENNSYLVANIA, CALLING ON THE UNITED STATES CONGRESS TO  
ADDRESS CLIMATE CHANGE BY PASSING THE ENERGY INNOVATION  
AND CARBON DIVIDEND ACT**

**RESOLVED** by the Board of Supervisors of the Township of Ferguson, Centre County, Pennsylvania, that

**WHEREAS**, climate change poses a threat to Ferguson Township and its citizens in terms of the economy, public health, and environment as the recently issued Fourth National Climate Assessment makes clear; and

**WHEREAS**, as a result of climate change, the Northeast United States is experiencing warming temperatures and a large increase in the amount of rainfall measured during heavy precipitation events; and

**WHEREAS**, more frequent heavy rains are expected to increase flooding and storm surge, threatening infrastructure; and

**WHEREAS**, as temperatures rise, agriculture will likely face reduced yields, potentially damaging livelihoods and the regional economy; and

**WHEREAS**, climate scientists are clear that to avoid the worst impacts of climate change, society must dramatically reduce its carbon dioxide emissions;

**WHEREAS**, presently the environmental, health, and social costs of carbon emissions are not included in prices paid for fossil fuels, but rather these externalized costs are borne directly and indirectly by all Americans and global citizens;

**WHEREAS**, a price on carbon will begin to correct this market failure, while protecting low- and middle-income households by returning all proceeds in the form of a carbon dividend;

**WHEREAS**, a price on carbon will improve public health and save lives by decreasing air pollution;

**WHEREAS**, Ferguson Township resolved in 2017 to reduce its carbon emissions to net zero by 2050;

**WHEREAS**, a price on carbon will spur new innovations and bring new technologies into financial reach, making it easier for Ferguson Township to implement emissions reduction goals;

**WHEREAS**, Ferguson Township resolved in 2017 to engage other stakeholders in a dialogue to develop courses of action to reduce the impact of

human-induced climate change to Pennsylvania and people and places around the world;

**WHEREAS**, Congress has the responsibility to act swiftly and meaningfully on the issue of climate change;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Ferguson Township, endorses the policies set forth in H.R. 763, the “Energy Innovation and Carbon Dividend Act” as introduced into the House of Representatives on January 24, 2019, and calls on Congress to pass this legislation.

**RESOLVED** this \_\_\_\_ day of \_\_\_\_\_, 2020

## Pribulka,David

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**From:** Dininni,Laura  
**Sent:** Thursday, September 3, 2020 12:36 PM  
**To:** Pribulka,David  
**Subject:** Fw: [Ferguson Township PA] Ferguson Township and HR 763 (Sent by Linda Westrick, linda.westrick@gmail.com)  
**Attachments:** ferguson\_resolution.doc

Hi Dave,

Can you add the attachment and this narrative to the next Consent Agenda?

A resident of Pine Grove Mills has requested that Ferguson Township pass a resolution in support of HR #763, the Energy Innovation and Carbon Dividend Act.

Ferguson Township passed a GHG Emissions Reduction Resolution in 2017 committing our Township to a role of climate leadership and to reducing our own emissions as quickly as feasible. A national price on carbon would make our local efforts more cost-competitive and thus accelerate our progress towards this goal.

Here are the details of the bill.

- Puts a steadily increasing price on carbon fuels at their source: the well, mine or port
- Reduces American emissions 40% in the first 12 years.
- Distributes revenues to all US households.
- Revenue neutral; does not grow the size of our government.
- Improves health and saves lives by reducing pollution.
- Creates 2.1M new jobs over 10 years.
- More information at <https://energyinnovationact.org/>

I'd like to request the Board discuss and consider passing a resolution in support of HR #763. See draft attached to this agenda as a starting point.

---

**From:** cmsmailer@civicplus.com <cmsmailer@civicplus.com> on behalf of Contact form at Ferguson Township PA <cmsmailer@civicplus.com>  
**Sent:** Tuesday, July 21, 2020 3:26 PM  
**To:** Dininni,Laura <ldininni@twp.ferguson.pa.us>  
**Subject:** [Ferguson Township PA] Ferguson Township and HR 763 (Sent by Linda Westrick, linda.westrick@gmail.com)

Hello ldininni,

Linda Westrick (linda.westrick@gmail.com) has sent you a message via your contact form (<https://www.twp.ferguson.pa.us/user/56/contact>) at Ferguson Township PA.

If you don't want to receive such e-mails, you can change your settings at <https://www.twp.ferguson.pa.us/user/56/edit>.

Message:

Dear Ms. Dininni,

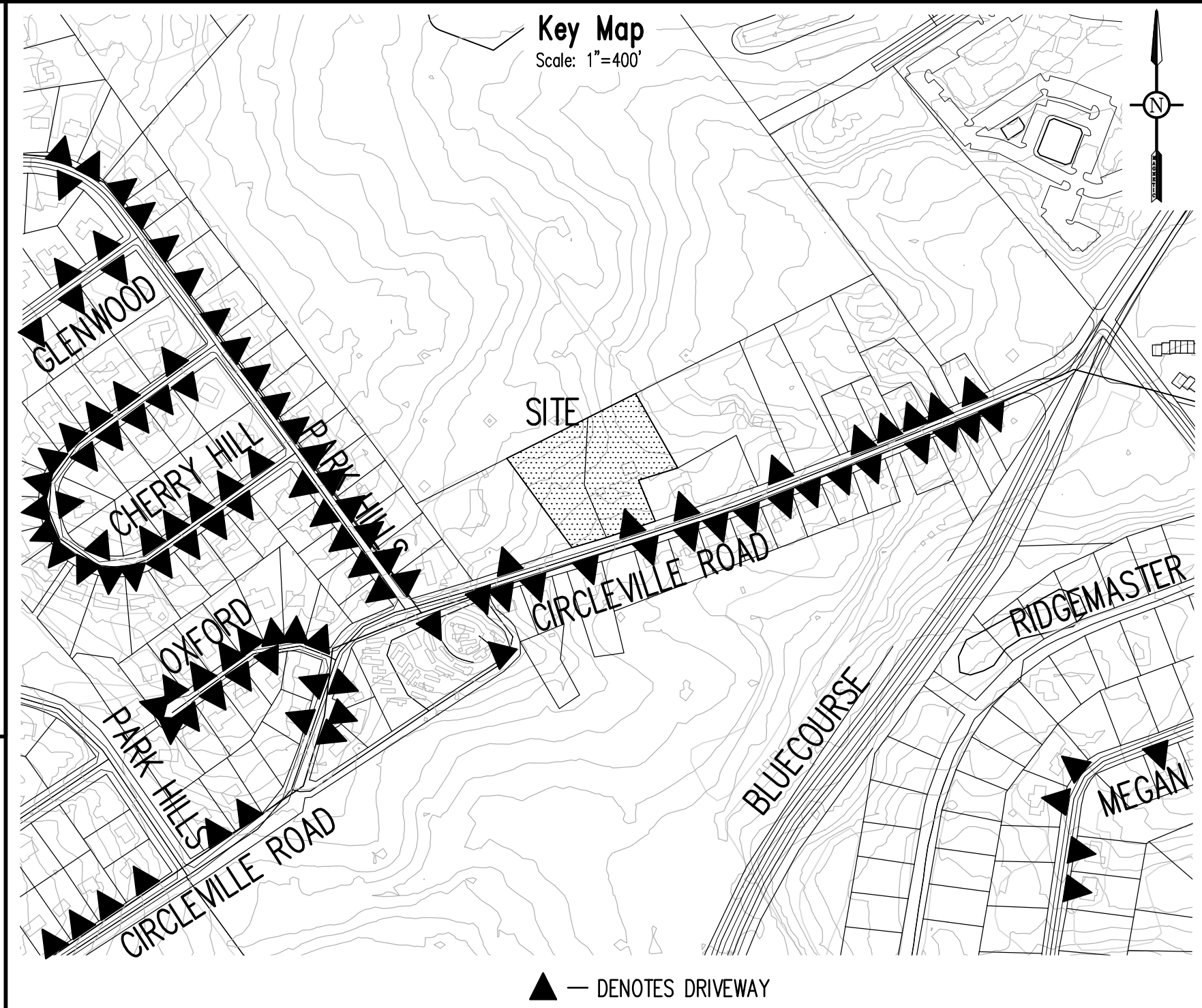
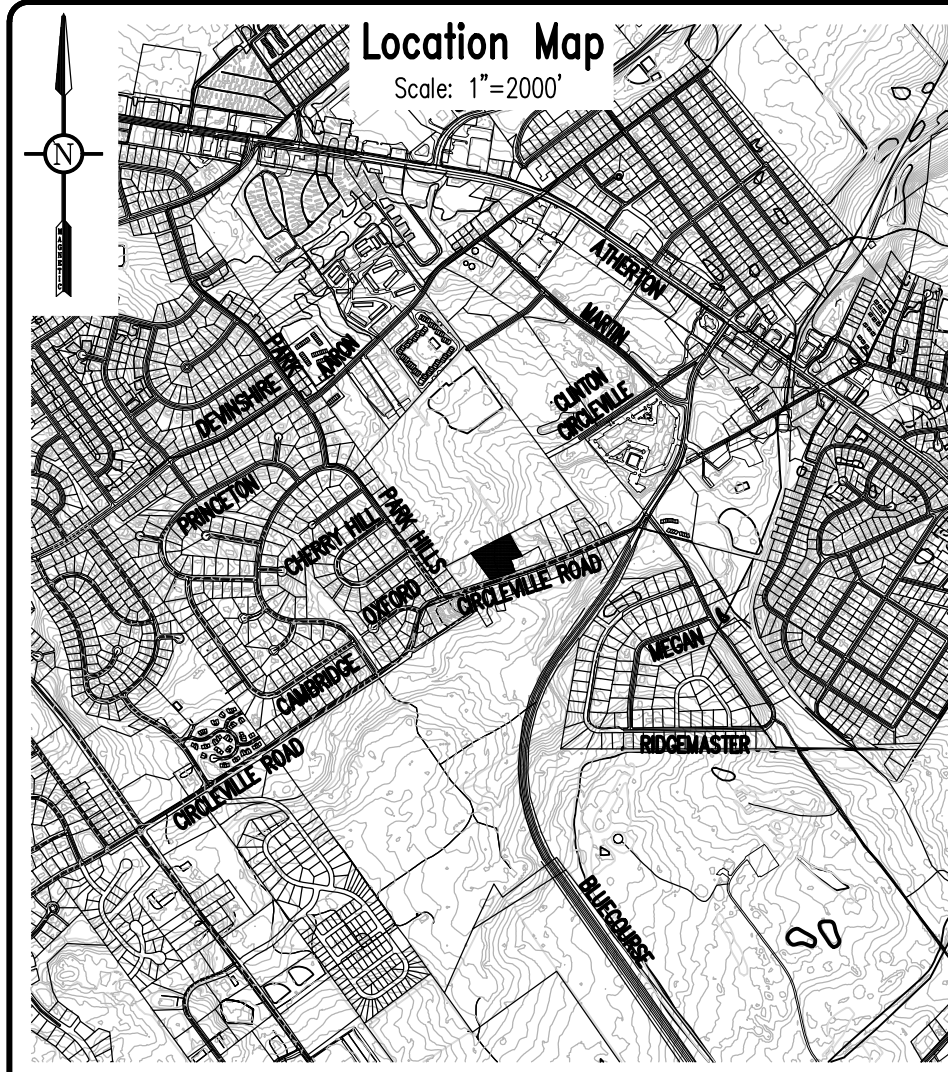
Greetings from a constituent in Ferguson. I am a Pine Grove Mills resident, faculty at Penn State, and a member of Citizens' Climate Lobby, a national, non-profit, non-partisan, grassroots advocacy organization. As you may know, we support a bi-partisan approach to address climate change. Our chapter leader, Sylvia Neely, mentioned seeing you at one of our meetings in the past, and we really appreciate your interest in and support for actions to mitigate our climate crisis.

I am writing today because I would be enthused to see I have attached a sample resolution which could serve as a starting point, as well as a similar resolution which was passed by Patton Township last year. I would be very happy to answer any questions you may have about the bill, and of course I hope for your support. I look forward to hearing from you. Thank you!

Sincerely,  
Linda Westrick  
Citizens' Climate Lobby, State College Chapter

**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.





**Owners Certification**

Commonwealth of Pennsylvania County of Centre  
 On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ personally appeared \_\_\_\_\_ before me and certified that they were the owners of the properties shown on this plan and acknowledge the same to be their act and plan and designs, the same to be recorded as such, according to the law.

Alec J. Pringle \_\_\_\_\_ Owner  
 Jodi L. Green \_\_\_\_\_ Owner

witness my hand and seal, this date \_\_\_\_\_

Notary Public \_\_\_\_\_ Commission Expires \_\_\_\_\_

**Offer of Dedication**

I, the owner of the Real Estate shown and described herein, certify that all proposed streets, rights of ways, and easements not heretofore dedicated, are hereby offered for public use. I acknowledge responsibility for maintenance of lands and/or facilities until they are completed and accepted for dedication by the Municipality.

witness my hand and seal, this date \_\_\_\_\_

Notary Public \_\_\_\_\_ Commission Expires \_\_\_\_\_

**Township Planning Commission**  
 Ferguson Township Planning Commission Approved

Chairman \_\_\_\_\_ Date \_\_\_\_\_  
 Secretary \_\_\_\_\_ Date \_\_\_\_\_

**Township Supervisors**  
 Ferguson Township Supervisors Approved

Chairman \_\_\_\_\_ Date \_\_\_\_\_  
 Secretary \_\_\_\_\_ Date \_\_\_\_\_

**Recorder of Deeds**

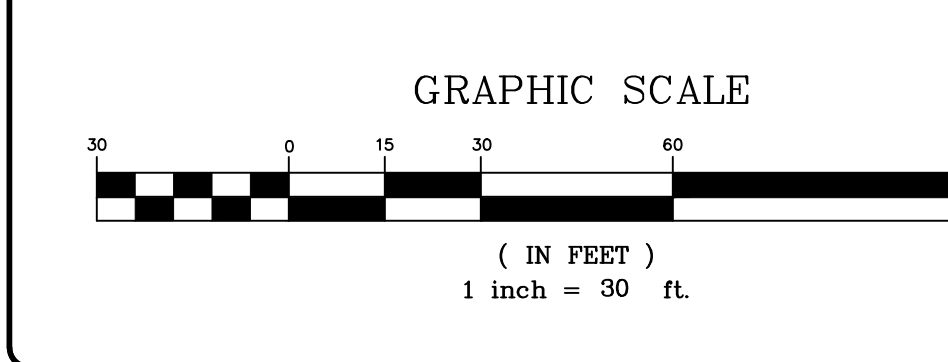
Recorded in the Office of the Recorder of Deeds at Centre County, Pennsylvania, in Plat Book \_\_\_\_\_ Page \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Recorder of Deeds \_\_\_\_\_

**Professional Land Surveyor Certification**

I, Nevin L. Grove, a Professional Land Surveyor in the Commonwealth of Pennsylvania, do hereby certify that this plan correctly represents the tracts of lands as shown.

Signature \_\_\_\_\_ Date \_\_\_\_\_



**LEGEND EXISTING FEATURES**

- Existing Building
- Existing Curbing
- Existing Soil Limit Line / Boundary
- Existing Soil Type
- Existing Sanitary Sewer w/ Manhole
- Existing Overhead Utility Line W/Pole
- Existing Light Pole/Standard
- Existing Fence
- Existing Contours (5's & 10's)
- Existing Mail Box
- Existing Water Service Lateral
- Existing Sanitary Sewer Lateral
- Existing Water Main
- Existing Storm Sewer Line w/ Inlet
- Existing Deciduous Tree
- Existing Evergreen Tree

**LEGEND SURVEY FEATURES**

- Property Line, Lot Line or Right of Way Line
- Adjoining Property Line
- Building Setback Line
- Roadway Center Line
- Easement Line
- I.P. Found
- I.P. To Be Set

**LEGEND PROPOSED FEATURES**

- PROPOSED SHARED ACCESS EASEMENT FOR LOTS 2R, 3RR, AND 4R
- PROPOSED SHARED ACCESS EASEMENT FOR LOT 4R TO LOT 3RR
- PROPOSED SHARED ACCESS EASEMENT FOR LOT 3RR TO LOT 4R
- PROPOSED SHARED ACCESS EASEMENT FOR LOT 4R TO LOT 2R
- PROPOSED SHARED ACCESS EASEMENT FOR LOT 2R TO LOT 4R

**DELETED LINE TABLE**

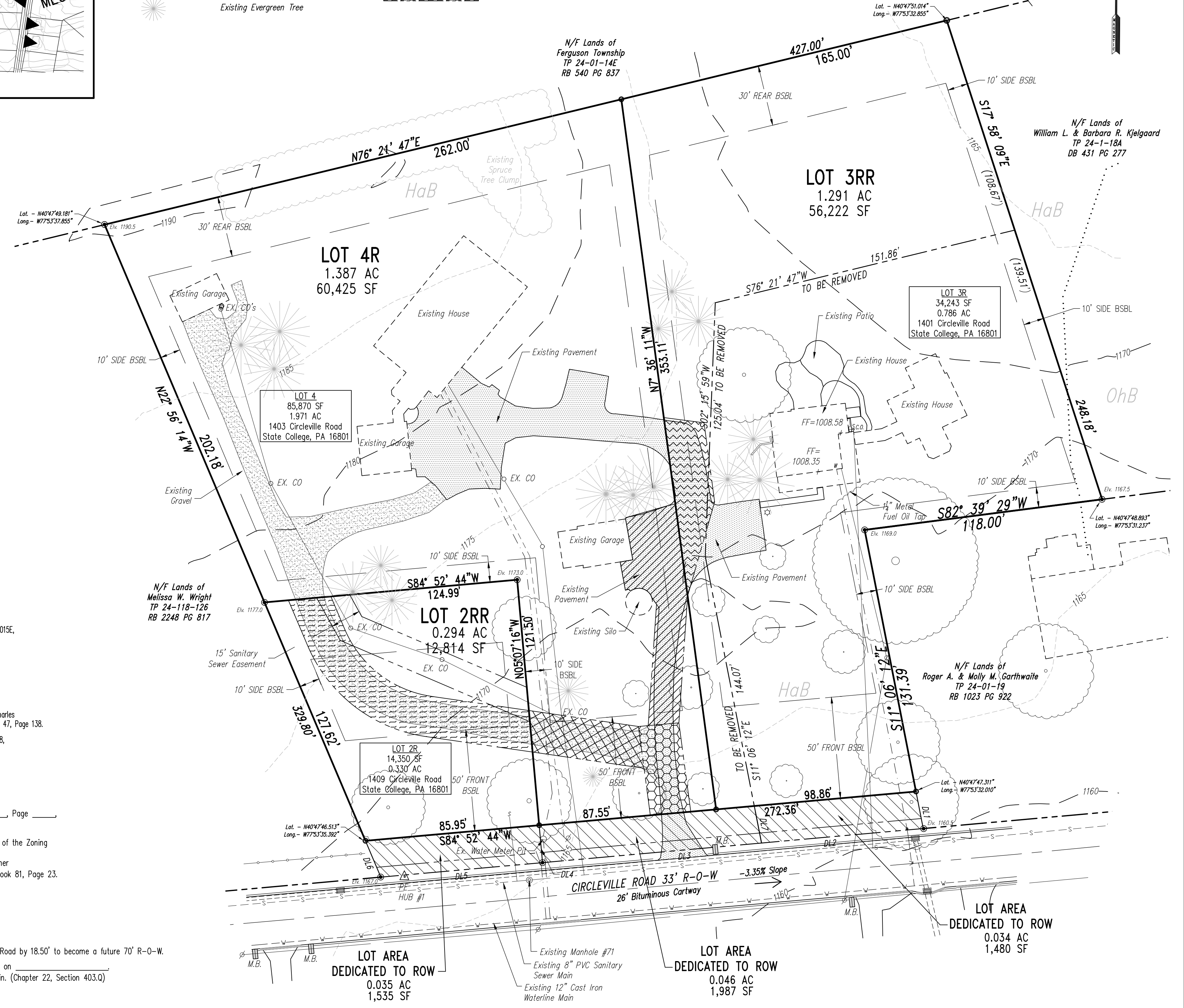
LINE	DIRECTION	LENGTH
DL1	S 11° 06' 12" E	18.60'
DL2	S 84° 52' 44" W	80.00'
DL3	S 84° 52' 44" W	108.35'
DL4	S 5° 07' 16" E	18.50'
DL5	S 84° 52' 44" W	80.00'
DL6	N 22° 56' 14" W	19.43'
DL7	S 11° 06' 12" E	18.60'

**SOIL LEGEND**

HaB - Hagerstown silt loam, 3 to 8 percent slopes  
 OhB - Opequon-Hagerstown complex, 3 to 8 percent slopes

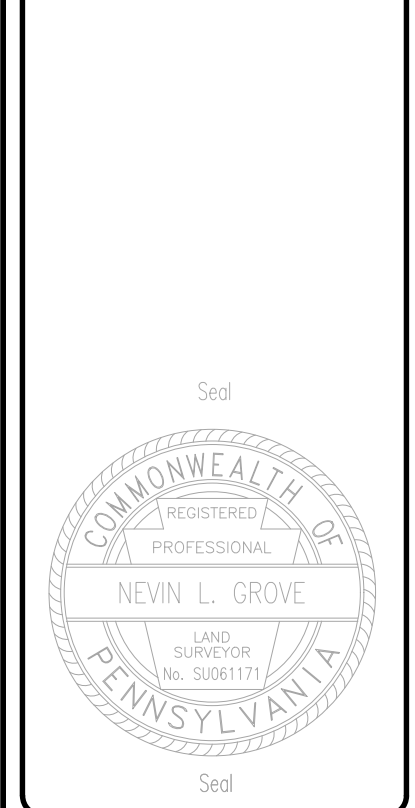
- PROJECT NOTES:**
- General Site Information:
    - Owner of Record: Alec J. Pringle and Jodi L. Green, 1401 Circleville Road, State College, PA 16801
    - Site Location: 1401 Circleville Road, State College, PA 16801
    - Tax Parcel No.: 24-118-128 & 24-118-128A
    - Title Source: RB 2014 PG 602 & RB 2127 PG 189; PB 81 PG 23 & PB 81 PG 23
    - Lot Sizes (Existing): Lot 2R (14,350 SF / 0.330 Ac), Lot 3R (34,243 SF / 0.786 Ac), Lot 4 (85,870 SF / 1.971 Ac)
    - Zoning: Residential (R-1)
    - Site Use: Single-Family Residential (Existing), Single-Family Residential (Proposed)
    - Minimum Site Size: 10,000 SF - 0.229 Ac
    - Building Setbacks: 50' (Front), 10' (Side), 30' (Rear)
    - Impervious Coverage: 50% Maximum
    - Minimum Lot Width: 50' at street line, 80' at building setback
    - Building Height: 40'
    - Building Coverage: 30% Maximum
  - Lot Information:
 

	3 (Existing)	3 (Proposed)	Lot 4R
Number of Lots	3	3	1
Lot 2RR	12,814 SF / 0.294 Ac	56,222 SF / 1.291 Ac	60,425 SF / 1.387 Ac
Building Coverage	0 SF (Existing), 0 SF (Proposed), 0 % Building Coverage	2,692 SF (Existing), 0 SF (Proposed), 4.8% Building Coverage	4,745 SF (Existing), 0 SF (Proposed), 7.8% Building Coverage
Impervious Coverage	1,774 SF (Existing), 0 SF (Proposed), 13.8% Imperv. Coverage	6,062 SF (Existing), 0 SF (Proposed), 10.8% Imperv. Coverage	16,916 SF (Existing), 0 SF (Proposed), 28.0% Imperv. Coverage
  - ACT 287 Utility Information:
    - Sanitary Sewer: University Area Joint Authority, 1576 Spring Valley Road, State College, PA 16801 - Phone: 814-238-5361
    - Water: State College Borough Water Authority, 1201 West Branch Road, State College, Pa. 16801 - Phone: 814-238-6766
    - Electric: West Penn Power Company, 2800 E. College Ave., State College, PA 16801 - Phone: 814-237-5721
    - Telephone: Verizon, Facility Management Center, 224 S.Allen Street, State College, PA 16801 - Phone: 814-231-6511
    - TV Cable: Comcast, 60 Decibel Road, State College, PA 16801 - Phone: 814-238-5050
    - Gas: Columbia Gas, 2550 Carolean Drive, State College, PA 16801 - Phone: 814-278-5840
    - Storm Sewer & Traffic Devices: Ferguson Township, 3147 Research Drive, State College, PA 16801 - Phone: 814-238-4651
  - Contours are from USGS mapping and have not been field verified.
  - Soil limits and descriptions have been taken from the Soil Survey of Centre County, dated August 1981.
  - The site is not located within the 100-year flood plain shown on the Flood Insurance Rate Map (FIRM), Community Panel 4202600015E, prepare by Federal Emergency Management Agency (FEMA).
  - There are no wetlands located on site according to the National Wetlands Inventory mapping, Julian, PA quadrangle, 1988.
  - Based on field survey by PennTerra Engineering, Inc., there are no steep slopes on the property.
  - Based on field survey by PennTerra Engineering, Inc., there are no visible sinkholes on the property.
  - Project References:
    - Previous Subdivision Plan prepared by Sweetland Engineering & Associates, Inc., entitled "Preliminary/Final Plan of Lands of Charles S. & Luella G. Myers into 3 Lots", dated July 21, 1993, recorded at the Centre County Recorder of Deeds Office in Plat Book 47, Page 138.
    - "Lot Consolidation of Tax Parcels 24-118-127 & 24-118-128", prepared by PennTerra Engineering, Inc., dated March 14, 2008, recorded at the Centre County Courthouse Recorder of Deeds Office in Plat Book 80, Page 154.
    - "Preliminary/Final Plan for the Parkview Subdivision", prepared by PennTerra Engineering, Inc., dated March 14, 2008, recorded at the Centre County Courthouse Recorder of Deeds Office in Plat Book 81, Page 23.
    - "Minor Alteration Plan for Parkview Subdivision", prepared by PennTerra Engineering, Inc., dated September 10, 2010, recorded at the Centre County Courthouse Recorder of Deeds Office in Plat Book 83, Page 128.
    - A Private Right-of-Way agreement, recorded at the Centre County Recorder of Deeds in Record Book \_\_\_\_\_ Page \_\_\_\_\_ provides access to Lot 2RR and Lot 3RR through Lot 4R by way of a variable width easement.
  - On July 21, 2009, the Ferguson Township Zoning Hearing Board granted a temporary variance from Section 810 of the Zoning Ordinance requiring installation of sidewalks with the following conditions:
    - That at such time that construction of sidewalks is directed by the Township Supervisors, the property owner shall construct the sidewalk shown on the "Parkview Subdivision, Preliminary/Final Subdivision Plan." Plat Book 81, Page 23.
    - That at such time as Lot 2R is conveyed, the deed will contain a driveway easement connecting to the existing driveway so that there will be only one access from Circleville Road.
  - A modification granting relief from Section 512 of the Subdivision and Land Development Ordinance requiring installation of sidewalks was granted by the Ferguson Township Board of Supervisors on August 16, 2010.
  - The purpose of this plan is to Replot Tax Parcels 24-118-128 and 24-118-128A.
  - A total of 5,002 SF (0.115 Acres) is offered for dedication to Ferguson Township for the widening of Circleville Road by 18.50' to become a future 70' R-O-W.
  - This Record Plan conforms with the Plan receiving final approval by the Ferguson Township Board of Supervisors on \_\_\_\_\_ All improvements are or will be installed in accordance with such Plan in a manner and time so specified therein. (Chapter 22, Section 403.0)



**PennTerra ENGINEERING INC.**  
 3075 ENTERPRISE DRIVE  
 SUITE 100  
 STATE COLLEGE, PA 16801  
 PH: 814-237-8285  
 Fax: 814-237-2308  
 WWW.PENTERRA.COM

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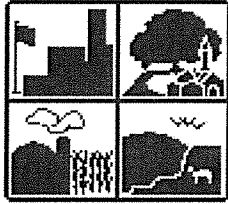
Designer: RRK  
 Draftsman: RRK  
 Proj/Manager: JCS  
 Surveyor: JMG  
 Perimeter OK: \_\_\_\_\_  
 Book: 425 Pg: 52-56  
 Drive: P:\E08 View/Shop: REPLOTTING  
 dwg:\plot\08023-900-MD-REPLOTTING

RRK 08/28/20 RELEASED PER TWP COMMENTS  
 Date Description  
 REVISIONS

**PARKVIEW SUBDIVISION**  
 FERUGSON TOWNSHIP  
 CENTRE COUNTY  
 PENNSYLVANIA

**REPLOTTING OF TAX PARCELS**  
 24-118-128  
 AND  
 24-118-128A

PROJECT NO.  
**08023-900**  
 DATE  
**JULY 24, 2020**  
 SCALE SHEET NO.  
**1 OF 1**



**APPLICATION FOR CONSIDERATION OF A MODIFICATION**  
Fergusson Township, Centre County

Submittal Date: 8-24-2020

*A fee of \$50.00 is required at the time of submitting this application.*

The undersigned hereby applies for approval of a modification/waiver, submitted herewith and described below:

**Applicant Information**

**Alec J. Pringle and Jodi L. Green**

Name

**1401 Circleville Road      State College      PA**

Street Address

City

Zip

**(814) 893-9311**

Phone Number

**Property/Plan Information**

**Parkview Subdivision-Replot of Tax Parcels 24-118-128 and 24-118-12A**

Plan Name

**08023**

**7/24/2020**

Plan Number

Plan Date

**1401 Circleville Road**

**24-118-128 and 24-118-12A**

Project Location

Parcel Number

**same as applicant**

Name of Property Owner(s)

Street Address

City

Zip

Application Type:

Subdivision

Terraced Streetscape District (TSD)

Land Development

Traditional Town Development (TSD) District

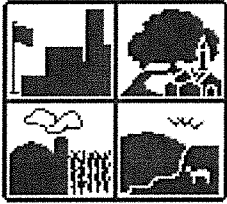
**Modification/Waiver Request Information**

Specific Section(s) of the Subdivision and Land Development Ordinance or Design Standards for which a Modification/Waiver is requested:

Modification/waiver from §22-306

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**APPLICATION FOR CONSIDERATION OF A MODIFICATION**  
Ferguson Township, Centre County

State any proposed alternative(s) to the requirement:

This section has a process outlined and what is required with submission, however what was left out of the section is (during the Zoning and SALDO update process) what constitutes a minor subdivision. And it's not defined anywhere in in the township's ordinances.

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Please state in full, the grounds and facts of the unreasonableness or hardship the Ferguson Township Subdivision and Land Development Ordinance has placed on the property.

This plan is a proposed replot which would meet the requirements of a Minor Plan Subdivision since it proposes no new infrastructure and no new lots.

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\*If necessary, please continue with your hardship specification on another page.

The undersigned hereby represents that, to the best of their knowledge and belief, all information listed above is true, correct, and complete.

\_\_\_\_\_  
Signature

8-24-2020  
Date

**-For Office Use Only-**

Date Received: \_\_\_\_\_ By: \_\_\_\_\_

Date Paid: \_\_\_\_\_ Check No.: \_\_\_\_\_ Amount: \_\_\_\_\_

Advertisement Dates: \_\_\_\_\_ Planning Commission Review Date: \_\_\_\_\_

Board of Supervisors Meeting Date: \_\_\_\_\_



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# TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801  
Telephone: 814-238-4651 • Fax: 814-238-3454  
[www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

---

TO: Ferguson Township Board of Supervisors

FROM: Kristina Aneckstein, Community Planner

DATE: September 2, 2020

SUBJECT: Consideration for Modification/Waiver – Parkview Subdivision

*PennTerra Engineering submitted on behalf of their client, an application for a Consideration for a Modification/Waiver for The Parkview Subdivision - Replot of Tax parcel 24-118-128 and 24-118-128A, located at 1401 Circleville Road. They are seeking a modification from §22-306, Minor Subdivision and Minor Alteration Plan. There is no definition of what constitutes a minor subdivision in the section, and a request has been made for the Parkview Subdivision – Replot of Tax Parcel 24-118-128 and Tax Parcel 24-118-128A to be reviewed as a minor subdivision.*

*The plan proposes the moving of a lot line and a ROW dedication along Circleville Road. All parcels are owned by Alec J. Pringle and Jodi L. Green, husband and wife. This replot is proposed to add 0.505 acres to Lot 3R to create a 1.291-acre parcel (Lot 3RR). Lot 4 will be reduced to 1.387 acres (Lot 4R) with this replot. 0.115 acres will be dedicated to the Township for Roadway Right-of-Way along Circleville Road. There is a shared access driveway to both parcels. The parcels are zoned Residential-single family (R1). At the August 24<sup>th</sup> Planning Commission Meeting, this application was reviewed and Planning Commission made a recommendation to the Board of Supervisors to approve the Consideration for a modification/waiver.*



Department of  
**PLANNING AND ZONING**

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Interoffice Memorandum

**TO:** Board of Supervisors

**FROM:** Jenna Wargo, AICP, Director of Planning & Zoning

**DATE:** September 2, 2020

**SUBJECT:** Parkview Subdivision Plan—Replot of Tax Parcel 24-118-128 and Tax Parcel 24-118-128A

On behalf of their client, Penn Terra Engineering submitted the Parkview Subdivision/Replot Plan for 1401 and 1403 Circleville Road, plan dated, July 24, 2020, revised August 28, 2020. Tax parcel 24-118-128, referred to as Lot 3R on the subdivision plan is currently 0.786 acres. Tax parcel 24-118-128A, referred to as Lot 4 on the subdivision plan is currently 1.971 acres. This replot is proposed to add 0.505 acres to Lot 3R to create a 1.291-acre parcel (Lot 3RR). Lot 4 will be reduced to 1.387 acres (Lot 4R), with this replot. There is a shared access driveway to both parcels. The parcels are zoned Single-Family Residential (R1).

Planning Commission reviewed this plan at their August 24, 2020 meeting and the Request for Modification/Waiver from §22-306—Minor Subdivision and Minor Alteration Plan, and recommended approval for both. The modification is being requested because this section of the ordinance outlines a process and application requirements for a minor subdivision, however, what constitutes a minor subdivision was left out of the update to the Subdivision and Land Development Ordinance. Minor subdivision isn't defined in the Township's ordinances and it is staff's opinion that there was an intent to provide an expedited process for minor subdivisions and that the Parkview Subdivision is considered to be minor.

Outstanding staff comments from Kristina Aneckstein, Community Planner, and Ron Seybert, Township Engineer, are attached to this memorandum.

**STAFF RECOMMENDATION:** Staff recommends that the Board of Supervisors approve the Parkview Subdivision Plan pending outstanding staff comments included with this memorandum.



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# TOWNSHIP OF FERGUSON

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Telephone: 814-238-4651 • Fax: 814-238-3454  
[www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

---

TO: Ferguson Township Board of Supervisors

FROM: Kristina Aneckstein, Community Planner

DATE: September 2, 2020

SUBJECT: Outstanding Comments for Parkview Subdivision – Replot of Tax Parcel 24-118-128 and Tax Parcel 24-118-128

- §22-508.A.2 Markers shall be set at all lot corners, at all changes in direction of lot lines. Please label the proposed markers with the longitude and latitude on the map. *This comment was partially addressed. Longitude and Latitude were labeled on some exiting corners. Anywhere a new pin on a new lot line is placed, longitude and latitude should be shown on the map.*
- *Lot 2R is being replotted and should be reflected in the title.*
- *Deeds for all land dedications and updated deeds for all three properties must be submitted.*



## TOWNSHIP OF FERGUSON

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Telephone: 814-238-4651 • Fax: 814-238-3454  
[www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

TO: Kristina Aneckstein, Community Planner  
FROM: Ron Seybert, Township Engineer  
DATE: September 2, 2020  
SUBJECT: Parkview Subdivision  
Second Review (ES-411)

As requested, I have reviewed the 'Parkview Subdivision | Replot of Tax Parcels 24-118-128 and 24-118-128A' prepared by PennTerra Engineering and dated July 24, 2020 and last revised August 28, 2020 as well as the 'Third Amended Shared Access Easement' for conformity to the Township Subdivision and Land Development Ordinance (Chapter 22).

1. The plan labels the existing right of way for Circleville Road as 50 feet. All records indicate it is 33 feet even though it has been previously shown on plans as 50 feet. (Ch 22-401.A(2)(d)) **Resolved.**
2. The plan should show the existing storm sewer and inlets along Circleville Road. (Ch 22-401.A(2)(d)) **Resolved.**
3. Circleville Road is classified as a collector street. The minimum right of way for a collector street is 70 feet. Please provide the additional 18.5 feet of additional right of way along the property frontages. (Ch22-502.5.H(1)(a)) **Partially resolved. The plan depicts the additional right of way. A deed of dedication needs to be provided for review and approval.**
4. The plan should include an offer of dedication for additional right of way along Circleville Road. (Ch 22-401.B.(3)) **Resolved.**
5. The lot sizes will need revised based upon dedication of additional right of way for Circleville Road. (Ch 22-401.A(2)(g)) **Resolved.**
6. The front yard setback will need revised along Circleville Road based upon dedication of additional right of way. (Ch 22-401.A(2)(i)) **Resolved.**
7. The location of proposed dedicated right of way for Circleville Road needs to be shown and described. (Ch22-401.A(3)(a)) **Resolved.**
8. The plan proposes the creation of an easement across Parcel 24-118-128B. As such, shouldn't that parcel be part of this plan as well? It appears this is the Lot 2R as referenced in the legend of proposed features. (Ch22-401.A(3)(j)) **Partially resolved. The plan title should be updated to reflect all three lots and the source of title added to Note 1d.**
9. The plan includes a detail for sidewalk installation but does not show any sidewalks. A variance and modification for sidewalks along these properties was previously granted. Are sidewalks proposed to be constructed at this time? (Ch 22-512) **Resolved, provided the Board of Supervisors do not request the sidewalks to be installed with this plan.**
10. The plan should reference the new access easement agreement.

**11. Note 13 should be updated to reflect revised access easement and dedication of right of way.**

**12. Comments on the access easement document:**

- a. Recital A should list all three lots and be consistent with the current plan.**
- b. Exhibit A is missing.**
- c. There is a spelling error in the first line of paragraph 4.**

If you have any questions on this review or require additional information, please let me know.

Copy: Jenna Wargo



# **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA TO PROMOTE AND SUPPORT FALL 2020 CENTRE REGION BIKE EVENTS AND ACTIVITIES**

**Whereas**, Ferguson Township supports the efforts of CentreBike and the Centre Region Planning Agency to promote bicycle riding of all types throughout the Centre Region; and

**Whereas**, Ferguson Township recognizes the bicycle is a healthy, convenient, financially and environmentally sound form of transportation and an excellent tool for recreation, physical fitness, and enjoyment of Centre County's scenic beauty, natural attractions and friendly neighborhoods; and

**Whereas**, Ferguson Township supports the fall 2020 Centre Region Bike Events and encourages residents and visitors to experience the joys of bicycling through the Bike Scavenger Hunt, Bike Lingo Word Search, Bike Bingo, Bike and Munch, Fall Bike Anywhere Friday, Centre Region Parks and Recreation Virtual Biking 101 and Bike Commuting 101 classes and Teen Ride for Ice Cream, or by simply getting out and going for a ride; and

**Whereas**, Ferguson Township will host a Centre Region Bike Chat during the month of September to inform citizens about bike facilities and provide an opportunity to ask bicycle related questions; and

**Whereas**, the Centre Region is proudly recognized as a Bronze Certified "Bicycle Friendly Community" by the League of American Cyclists.

**Now, therefore**, the Ferguson Township Board of Supervisors does hereby proclaim that Fall 2020 Bike Activities and Events will be recognized by Ferguson Township; and hereby designates September 21, 2020, to September 27, 2020, as "Bike-To-Work Week", September 22, 2020, as "Bike-To-Work Day" and September 25, 2020, as "Bike Anywhere Friday".

**Proclaimed this 8<sup>th</sup> day of September 2020.**

**Ferguson Township Board of Supervisors**

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**Steve Miller, Chairman**

Attendance: Norris Muth, Chairman of Parks and Recreation Committee; Bill Keough, Centre Region Parks and Recreation Authority Representative; Dave Pribulka, Township Manager; Centrice Martin, Assistant to the Manager.

1. Definitions. In the definitions there is mention of “high level, moderate level, low level maintenance” Need to consider defining or describing what high vs. low level maintenance means.
2. Definitions. Park Classifications - Regional/Community Parks.
  - a. Bill prefers “Requires mixed levels of maintenance between high use event areas and more natural passive park areas,” and references Oak Hall to illustrate the example.
3. Recommends referencing and defining in the policy a maintenance plan. Potential for Ferguson Township Green Infrastructure Policy to be a model as other Townships consider an infrastructure policy as per the Regional Comprehensive Recreation, Parks and Open Space Plan. Consider working with Centre Region Parks and Recreation (CRPR) on this effort.
4. Definitions. Natural Areas.
  - a. Inquired about the definitions listed in (section b) to better understand how these terms were identified and applied to the existing and future infrastructure. Specifically pointed out that these definitions that give reference to “requires low level of maintenance,” but does not define the maintenance plan. Discussed how there were communications with the Assistant to the Manager, Township Arborist and Township Engineer, to identify and include definitions to be included in this policy to be used in designated to describe existing and future infrastructure that potentially may be a good fit for any Township park. Definitions were included to classify or designate each type of existing and future infrastructures that allow residents, staff, and the Board. Having consistent language helps with outreach to residents and assist with basic understanding and expectation with facilitating a request to designate a green infrastructure.
5. Suggestion to include annual survey to identify and remove invasive species to help identify and remove invasive species. Natural areas have weed patches. Concerns that by declaring a piece of property as low/no-mow meadow will create problems if work is not done to kill off all-natural growth and will require a maintenance plan. Norris expressed concern with the hygiene or effort taken to prevent the spread of invasive species from park to park. Norris noted he has little concern with new vegetative issues popping up as a result of designating low/no-mow areas. Problems that current exists may just continue to be a problem and suggest the focus be on weeds. Some people observe weedy vegetative and believe its invasive and really its just nonnative. Whatever vegetation it is, all things will require some level of maintenance which is specified is outlined in this document. There is not a one size fits all. If you let things go too long, then it does become a problem. There is not concern that this policy will create new problems it may just make easier to see existing problems. Bill referenced Oak Hall to illustrate concerns to be considered. Lots of invasive that are real problematic. Consensus is to ensure this POLICY

obligates the establishment of a maintenance plan as these different low-mow no-mow landscapes are identified. Discussed how the circumstances of parks there bring all things to consider; for example, the Township is responding to a complaint from a family with a child with allergies as a result to the low-mow area at Tudek Park.

- a. Moving forward will be sure to include a section or reference a maintenance plan in the policy.
6. Definitions. Natural Areas. Rain Gardens. Vegetative Buffers. Concerns that the policy includes a definition for a feature primarily for private landowners and less likely a feature of Township parks.
  7. Definition. Natural Areas. Infiltration basin. Inquired and discussed the need to include stormwater infrastructure in the policy. Discussed how we need to identify the definition as in current stormwater facilities the Township has converted stormwater facility to a stormwater facility with a low-mow area planted with native seed mix to help with stormwater management. The definition is included in the policy not to promote or encourage but to help identify the functionality and purpose of the stormwater facility and how, for example, a low-mow planted meadow will be designated within a basin facility that aims to improve stormwater management. It is understood that a stormwater facility such as an infiltration basin or detention basin has a very prescribed maintenance that will be followed for managing the infrastructure.
  8. Suggestion to either add the term “Parks” after each ‘Natural Areas’ or emphasize in the explanation or definition of ‘Natural Areas’
  9. Pre-Planning and Assessment for Integrating Natural Areas. Remove the word “frequently”
  10. Pre-Planning and Assessment for Integrating Natural Areas – Funding. Interest in discussing and exploring funding strategies.
  11. Pre-Planning and Assessment for Integrating Natural Areas – Community Involvement. Explore and consider recommendations within the Centre Region Comprehensive Recreation, Parks and Open Space Plan.
  12. Tracking and Management of this policy. Piloting the process for integrating natural areas into park areas will involve a collaborative approach. Support from FT staff including administration office, Arborist, Park Authority and Centre Region Parks and Recreation. Consideration will be given to how previous efforts including the designation of Grow Zone project at Fairbrook, low-mow planting meadow in the stormwater facility at Haymarket Park, for example, will serve as a point of reference as staff implements this policy.

## Drafted Park Green Infrastructure Policy

### I. Purpose

- a. Ferguson Township recognizes the importance of maintaining the condition, accessibility and safety of its naturalized environments to serve as a green feature or green stormwater sustainable infrastructure within developed and undeveloped parks. The focus of this policy is to classify its park system and establish a framework that defines the different types of natural areas for green features or green stormwater infrastructure and identifies levels of maintenance standards for service to be associated within the park system.

### II. Definitions

#### a. Park Classifications

- i. **Mini Parks** – Smallest park type, addresses limited recreation need. Provides close to home recreation. Requires high level of maintenance associated with well-developed park and playground and high visitation.
  - ii. **Neighborhood Parks** – Focus of neighborhood; in walking/biking distance of visitors. Provides access to basic recreation opportunities. Contributes to neighborhood identity. Establishes sense of community. Requires high level of maintenance associated with well-developed park and reasonably high visitation.
  - iii. **Regional/Community Parks** – Large park for active and passive recreation; serves residents municipality-wide. Accommodates large groups. Variety of recreation opportunities for all ages and interests. Space for organized, large scale, high participation events, family destination with fitness and wellness opportunities. Requires moderate level of maintenance associated with moderate level of development, budget restrictions, inability to perform higher levels of maintenance. Potential for park “friends” or adopt a-park-partner.
  - iv. **Natural Preserve** – An area of land that is managed to conserve wildlife or plant habitat or other natural features. Protects resources. Provides opportunities for environmental education. Requires lower level of maintenance.
- b. **Natural Areas** – Also referred to as “Natural Environments” are designated areas for naturalizing a park area to serve as a green feature or a green stormwater sustainable infrastructure. Different types of Natural Areas include the following:
    - i. **Low-mow planted meadow** – designated area purposefully planted with native grass, forbe, and wildflower seed to provide food sources and

habitat for wildlife and pollinators. Low-mow planted meadow may serve as an effective strategy to help improve stormwater management in appropriate settings. Typically mowed once per year in the Fall after the first frost. Requires labor and monetary resources.

- ii. **Low-mow meadow** - designated area where existing site vegetation (turf grass) remains in place to provide habitat for wildlife and pollinators. Typically mowed twice per year, once prior to April 1<sup>st</sup> and again in the Fall after the first frost.
- iii. **No-mow planted meadow** – designated area purposefully planted with native grass, forb, and wildflower seed to provide food sources and habitat for wildlife and pollinators. No-mow planted meadows may serve as an effective strategy to help improve stormwater management in appropriate settings. Typically mowed once every 3-4 years to control woody vegetation.
- iv. **No-mow meadow** – designated area where existing site vegetation (turf grass) is left in place to provide habitat for wildlife and pollinators. Typically mowed once every 3-4 years to control woody vegetation.
- v. **Grow Zone** – refers to all types of meadows, with native seed mix plantings or natural vegetation growth,
- vi. **Pollinator gardens** - designated area that is planted with specific plant types beneficial to pollinators in a designed garden. Used for demonstration and educational purposes. Typically requires ongoing maintenance including weeding, mulching, trimming, plant care.
- vii. **Pollinator plots** - designated area planted with wildflower seed to provide food sources and habitat specifically for pollinators. Typically mowed once per year in the Fall after the first frost.
- viii. **Rain garden** - an excavated shallow surface depression planted with specifically selected native vegetation to treat and capture stormwater runoff. Requires ongoing maintenance including weeding, trimming, mulching, and sediment removal as defined in the approved plan. If constructed as a stormwater feature related to a stormwater management site plan, it cannot be modified from design without revising the approved plan.

- ix. **Vegetative buffers** - may naturally form or through a comprehensive landscape design, proper plant selection and arrangement is determined for a designated area. Typically located near a property line or waterways consisting of trees, shrubs, and other woody vegetation. Healthy vegetated buffers are used as a screen between adjacent properties to control line of sight and mitigate sound and wind. Provides wildlife habitat and may serve as an effective strategy to improve stormwater management in the appropriate setting. Typically, little to no maintenance needed once established.
  
  - x. **Infiltration basin** - a shallow impoundment that stores and infiltrates stormwater runoff over a level, uncompacted, (preferably undisturbed area) with relatively permeable soils. Designed with low maintenance vegetation that gets maintained as defined in the approved plan. If constructed as a stormwater feature related to a stormwater management site plan, it cannot be modified from design without revising the approved plan.
  
  - xi. **Detention basin** - an earthen structure constructed either by impoundment of a natural depression or excavation of existing soil that provides temporary storage of stormwater runoff to attenuate stormwater runoff peak rates. Designed with various vegetative cover that get maintained as defined in the approved plan. If constructed as a stormwater feature related to a stormwater management site plan, it cannot be modified from design without revising the approved plan.
  
  - xii. **Tree canopy preservation** – an area of existing trees in close proximity to impervious areas that are preserved for the purpose of managing stormwater. Maintenance of the trees is to be in accordance with the approved plan. If preserved as a stormwater feature related to a stormwater management site plan, the preservation area cannot be modified without revising the approved plan.
  
  - xiii. **Natural filter/buffer** – a wide natural downstream drainageway that is protected from disturbance by development for the purpose of filtering and recharging stormwater runoff. Designed with various vegetative cover that get maintained as defined in the approved plan. If preserved as a stormwater feature related to a stormwater management site plan, it cannot be modified from design without revising the approved plan.
- c. **Undeveloped area** – an area within the park that is not for active use.

- d. **Future phase of development** – a designated area within the park planned to be develop in a future phase of development.

### III. Pre-Planning and Assessment for Integrating Natural Areas

- a. Ferguson Township parks are evaluated to determine if naturalizing a park area would benefit the park setting, expand or enhance habitat areas, and/or provide a sustainable landscape.
- b. Various site conditions have an impact on determining the most appropriate natural area practices available, or how a specific practice must be adapted to meet the physical constraints of the site. Examples include location, soil conditions, space availability or size and shape of existing parkland or land slated for park redevelopment, the need to integrate green stormwater infrastructure practices into existing landscape features and existing site features such as utilities, structures, mature trees, or other existing natural resources and rights-of-way.
- c. **Funding**
- d. **Community Involvement**

### IV. Process for Integrating Natural Areas into Appropriate Park Areas

- a. To identify and/or determine facilities, improvements, and appropriate park areas that shall be considered suitable for conversion to a natural environment, an established multidisciplinary team approach is required as part of the park planning process. Integrating natural environments for green sustainable infrastructure into existing parks, expanded parks and new park sites is accomplished through a park assessment and planning process or through the development of a Park Master Plan.
- b. The park assessment and planning process may be initiated following a citizen request, staff recommendation, Parks and Recreation Committee recommendation or is directed by the Township Manager or Board of Supervisors. The park assessment and planning process reviews Township Parks and considers the needs and interests of visitors, appropriateness of facilities, potential need for green stormwater facilities, and opportunities to integrate naturalized areas and functional improvements and consideration is given to any issues that need addressed.
- c. All requests and recommendations shall be submitted for review by completing the online Ferguson Township Parks and Recreation (FTPR) Request Form for Green Infrastructure. The form is received by the Manager and Assistant to the

Manager and will initiate the formal park assessment and planning process review. Requests submitted by May 1 of each year provides ample time to evaluate, determine if request or recommendation is feasible, and plan as well as budget appropriately for work to be done the following year. Requests received after May 1 will not be considered until the following year.

- i. Requests or recommendations for a natural area to be integrated into an existing park or part of new park shall be reviewed first by the Township Manager to evaluate the nature of the request or recommendation to confirm or deny that the scope of work is within the purview of the Township.
  1. If the scope of the work is not within the purview of the Township, the Manager will dismiss the request or recommendation;
  2. If the scope of work is within the purview of the Township, the Manager will require the formal process as outlined in this policy for integrating natural areas into appropriate park settings and initiate the process for review.
- ii. Ferguson Township Manager or Assistant to the Manager, Arborist, Geographic Information System (GIS) Technician will coordinate with CRPR Parks Maintenance Supervisor to attend a field view to observe, discuss and list the opportunities to naturalize non-programmed park areas based on request or recommendation;
- iii. Parks and Recreation Committee reviews and discusses the request/recommendation and the list of opportunities to naturalize park areas to generate conceptual idea(s) to be mapped in a site development drawing;
- iv. FT GIS Technician will prepare a site development map that illustrates the natural area location within the park to be reviewed and accepted, or request for changes until accepted, by the Parks and Recreation Committee;
- v. Parks and Recreation Committee provides a recommendation for the Board of Supervisors to accept and approve for staff to implement the natural area with an observational period of 6 months;
  1. A minimum of four signs will be posted at the site as part of implementation;
  2. The public is encouraged to provide input in the form of an opinion survey available in print form in the office or online;



3. Five months after the site feature has been developed in the park setting, the Board of Supervisors will opinion survey results and staff input to take action at a regular meeting to conclude the six months observational period.
- vi. At a Regular Meeting, the Board of Supervisors will take action to 1) authorize advertisement of a resolution to approve a map with the natural area as a new site feature on the park plan, or 2) propose an amendment, direct staff to update the map and advertise a resolution at a future meeting after repeating steps 4(d)iii to 4(d)vi.; or 3) deny the request.

**V. Work Plan Based on Maintenance Standards**



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## TOWNSHIP OF FERGUSON

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Telephone: 814-238-4651 • Fax: 814-238-3454  
[www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

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TO: Ferguson Township Board of Supervisors  
FROM: Ryan T. Scanlan, E.I.T., Assistant Township Engineer  
DATE: August 13, 2020  
SUBJECT: **AWARD OF 2020-C3 CURED-IN-PLACE PIPE LINING**

Bids were opened publicly for Contract 2020-C3 Cured-In-Place Pipe (CIPP) Lining at 1:00 pm on Wednesday, August 12, 2020 via Zoom and read aloud. The bid opening was attended by Irnesa Okanovic and Lekha Gupta of National Water Main Cleaning Company, Summer Krape, Logan Struble, and myself from Ferguson Township. The bid was advertised in the Centre Daily Times on July 29, 2020 and the invitation to bid was sent to 17 qualified contractors.

Four (4) bids were received as follows:

National Water Main Cleaning Company	\$425,979.00
Granite Inliner	\$548,392.00
Abel Recon, LLC	\$723,530.37
Insight Pipe Contracting, LLC	\$732,445.00

Attached is a copy of the bid tabulation. The Engineers estimate for this contract is \$562,672, with \$519,233 completed in Ferguson Township and \$43,439 to be completed in College Township. College Township will be piggy backing on this contract. The budget included \$569,000 to complete this work.

I recommend that the Board of Supervisors award the contract to National Water Main Cleaning Company for a total of \$425,979.00 per their bid.

Attachments: 2020-C3 Bid Tabulation

Copy: D. Pribulka  
D. Modricker  
2020-C3 Bidding file

2020-C3 Cured-In-Place Pipe Lining  
 Bid Tabulation  
 8/12/2020

			Engineers Estimate		National Water Main Cleaning Company		**Granite Inliner, LLC		Abel Recon, LLC		Insight Pipe Contracting, LLC	
QTY	ITEM No. UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	0608 0001 LS	MOBILIZATION	\$19,825.73	\$19,825.73	\$12,000.00	\$12,000.00	\$5,000.00	\$5,000.00	\$34,643.00	\$34,643.00	\$20,000.00	\$20,000.00
1	0901 0001 LS	MAINTENANCE AND PROTECTION OF TRAFFIC DURING CONSTRUCTION	\$4,907.36	\$4,907.36	\$15,000.00	\$15,000.00	\$26,000.00	\$26,000.00	\$23,217.00	\$23,217.00	\$9,000.00	\$9,000.00
119	9000 0001 LF	UVCIPP 12" DIA. LINER	\$90.00	\$10,710.00	\$132.00	\$15,708.00	\$115.00	\$13,685.00	\$169.75	\$20,200.25	\$170.00	\$20,230.00
1,843	9000 0002 LF	UVCIPP 15" DIA. LINER	\$99.00	\$182,457.00	\$67.00	\$123,481.00	\$103.00	\$189,829.00	\$121.20	\$223,371.60	\$135.00	\$248,805.00
1,166	9000 0003 LF	UVCIPP 18" DIA. LINER	\$117.00	\$136,422.00	\$108.00	\$125,928.00	\$123.00	\$143,418.00	\$158.76	\$185,114.16	\$185.00	\$215,710.00
320	9000 0004 LF	UVCIPP 24" DIA. LINER	\$155.00	\$49,600.00	\$121.50	\$38,880.00	\$139.00	\$44,480.00	\$199.12	\$63,718.40	\$190.00	\$60,800.00
330	9000 0005 LF	UVCIPP 30" DIA. LINER	\$207.00	\$68,310.00	\$142.50	\$47,025.00	\$169.00	\$55,770.00	\$254.94	\$84,130.20	\$190.00	\$62,700.00
238	9000 0006 LF	UVCIPP 36" DIA. LINER	\$380.00	\$90,440.00	\$201.50	\$47,957.00	\$295.00	\$70,210.00	\$374.52	\$89,135.76	\$400.00	\$95,200.00
<b>TOTAL CONTRACT =</b>			<b>\$562,672.09</b>		<b>\$425,979.00</b>		<b>\$548,392.00</b>		<b>\$723,530.37</b>		<b>\$732,445.00</b>	

\*\*Items in RED include calculation error on Bid sheet.

## CENTRE REGION COUNCIL OF GOVERNMENTS

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### EXECUTIVE COMMITTEE

Video Conference

August 18, 2020

12:15 PM

During the COVID-19 health emergency, to continue business operations of the COG and ensure the safety of municipal officials and staff, and 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](mailto:sbinkley@crcog.net).

### AGENDA

1. CALL TO ORDER AND ROLL CALL

Chair Elliot Abrams will convene the meeting. Mr. Binkley will review the 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 July 21, 2020 Executive Committee meeting are **enclosed**.

4. INTERFUND/INTERAGENCY LOAN POLICY - Presented by Joe Viglione

This agenda item asks the Executive Committee to recommend to the General Forum a new policy governing when and how interfund/interagency loans should occur.

At its May 14, 2020 meeting, the Finance Committee provided direction to the Finance Director about the development of an interfund/interagency loan policy. From this guidance, the **enclosed** document was created to more clearly define when and how an interfund/interagency loan should occur and this policy was endorsed by the Finance Committee at its June 11, 2020

meeting, and referred to the General Forum for adoption. The reason being to inform the members of the General Forum of the policy, to allow General Forum members to weigh in and ask questions about the policy.

The enclosed document is broken up into three sections: Background, Intent, and Policy. This was done to briefly describe the history of interfund/interagency loans, why COG needs a policy, and the actual policy to follow.

The Executive Committee should review the Interfund/Interagency Loan Policy as recommended by the Finance Committee. Staff recommends the interfund/interagency loan policy be referred to the General Forum for adoption.

*“That the Executive Committee, as recommended by the Finance Committee, recommends that the General Forum adopt the Interfund Borrowing Policy.”*

All municipalities should vote on this motion.

5. AD HOC FACILITIES COMMITTEE MISSION, VISIONS, VALUES, AND GOALS -  
Presented by Joe Viglione

This agenda item asks the Executive Committee to recommend to the General Forum that it adopt the final Mission Statement, Vision Statement, Values, and Goals as developed by the Ad Hoc Facilities Committee and as approved during the committee’s August 4, 2020 meeting. The statements are:

**Mission Statement** – The mission of the COG Facilities Committee is to understand the operational needs and goals of each COG Agency in order to organize, plan, and recommend the most beneficial, efficient, and sustainable structuring of overall capital assets within the COG organization, for both near and long terms.

**Vision Statement** – The Facilities Committee should be recognized as a go-to source for sustainable maintenance and development of COG facilities which aim to maximize community benefit by providing an exceptional and safe living, learning, and working environment.

**Values:**

- We believe in objective, inclusive COG-wide planning
- We believe our primary responsibility is to understand the operational needs of all COG agencies
- We believe in providing impartial guidance that moves the entire organization forward
- We believe in fostering effective partnerships and regional cooperation
- We believe in infrastructure investment and renewal
- We believe in economic, environmental, and social responsibility
- We believe in fiscal accountability and sustainability

**Goals:**

- To collaborate with Authorities, Boards, and Committees in maintaining and developing COG funded facilities
- To create a short-term plan to address the existing lack of space in the COG Building
- To baseline assess and regularly reassess facility functionality, public access, space, operational cost effectiveness, building systems, security & energy efficiency
- To evaluate and prepare recommendations to the General Forum on facilities that financially benefit from COG funding
- To explore/consider facility public-private partnerships/relationships
- To serve as a clearinghouse for future facilities needs
- To strive towards new facilities being net zero energy, waste & water

If the Executive Committee agrees, the recommended Ad Hoc Facilities Committee Mission Statement, Vision Statement, Values, and Goals could be referred to the General Forum for adoption by way of the following motion:

***“That the Executive Committee, as recommended by the Ad Hoc Facilities Committee, recommends that the General Forum adopt the Mission Statement, Vision Statement, Values, and Goals of the Ad Hoc Facilities Committee.”***

**All municipalities should vote on this motion.**

6. PUBLIC COMMENT SECTION ON COG WEBSITE - Presented by Eric Norenberg

This agenda item asks the Executive Committee for comments, feedback, and any other direction on this subject. The COG website has recently been upgraded and made much more user-friendly thanks to the hard work of Scott Binkley. One section covers information on public comment and includes the Resolutions approved in 2018 and 2019 regarding COG meetings and public comment policies. Key questions and answers from these resolutions have also been highlighted on the webpage for quick reference. It is hoped that easy access to this information will give the public the answers they need to be more comfortable in providing their feedback to the COG. Staff is requesting any additional feedback from the Executive Committee regarding the content on this webpage, the public comment period generally, or on the general meeting informational cover page that was included at the beginning of this agenda.

7. SIX-MONTH EVALUATION OF THE COG EXECUTIVE DIRECTOR

The COG Executive Director’s six-month anniversary is coming up in September. In accordance with the employment agreement, a performance review is to be conducted along with a discussion with him regarding the evaluation. The COG Human Resources Officer is available to assist with the process. The Executive Committee is asked to consider scheduling an executive session for the six-month evaluation of the Executive Director ahead of the September 16, 2020 anniversary.



## 8. EXECUTIVE DIRECTOR'S REPORT

The Executive Director will update the Executive Committee on other items of current interest.

## 9. OTHER BUSINESS

- A. Matter of Record - The next meeting of the Executive Committee is scheduled for Tuesday, September 22, 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 - At the July 27, 2020, General Forum meeting, members unanimously agreed to refer the 2021 Program Plan for the Centre Region COG and the 2021-2025 Capital Improvement Program (CIP) to the Centre Region municipalities for review. Comments were requested to be submitted to the COG Executive Director by 8:00 AM, August 20, 2020 to be considered during the preparation of the draft 2021 COG Budget. The Finance Committee will review municipal comments at their August 20, 2020 meeting. A matrix that identifies the comments from each municipality and staff responses to the municipal comments will be available for the September 10, 2020, Finance Committee meeting, the September 22, 2020, Executive Committee meeting, and the September 28, 2020, General Forum meeting.

Other Upcoming Stages in the Process:

- COG Detailed Budget - Keeping the Program Plan municipal comments in mind, the COG Agency Directors will prepare the Detailed Budget that is provided to the Finance Committee for review. Copies will be distributed to the Municipal Managers. The Detailed Budget identifies proposed revenues and expenses for each of COG's 26 different funds and 1,500-line item accounts. In late September/early October, the Finance Committee will meet with each COG Agency Director to thoroughly review their budget proposals. The Finance Committee will make recommendations to the Executive Director to be incorporated into the final version of the Detailed Budget.
  - COG Summary Budget - Based on the Detailed Budget, as approved by the Finance Committee, the COG Staff will prepare a Summary Budget. This document is reviewed by the General Forum during its October meeting and individually by each governing body during their meetings in early-November. Municipal comments are forwarded to the Finance Committee for a response during its November meeting. The Summary Budget, as may be revised, is presented to the General Forum for endorsement and referral to the municipalities for adoption. During its November 23, 2020 meeting, the General Forum will be asked to endorse the 2021 COG Summary Budget and refer it to the six Centre Region municipalities for adoption.
- C. Matter of Record - Enclosed are existing structures monthly statistics for March, April, May, and June.
- D. Matter of Record - CRPA Staff has completed presentations regarding the Act 537 Amendment (Scott Road Pump Station) Special Study to Ferguson Township, College

Township, and Harris Township. All three municipalities adopted a resolution approving the Special Study. Staff will present to Halfmoon Township, Patton Township, and the State College Borough at their next Board/Council meeting (August 13, 2020, August 19, 2020, and August 17, 2020, respectively). Once the three remaining municipalities have made their decisions, each municipalities' resolutions and associated meeting minutes will be sent to the Pennsylvania Department of Environmental Protection for review and acceptance of the Special Study.

- E. Matter of Record - COG committees have reviewed and discussed the preliminary recommendations regarding the COG Committee Structure during meetings held in August. Those committees that did not meet were asked to provide any feedback via email by August 17. Staff will finalize the feedback and recommendations for the Executive Committee to review at its September 22, 2020 meeting.
- F. Matter of Record - **Enclosed** is a recently adopted policy by the State College Area School District that the Board has established to enhance a districtwide culture of sustainability. The purpose of this policy is to direct the District to further its effective environmental stewardship of resources through innovative, results-oriented and evidence-based sustainability initiatives.

#### 10. TENTATIVE AGENDA ITEMS

The next meeting of the General Forum will be held via Zoom on Monday, August 24, 2020, at 7:00 pm. Tentative agenda items could include:

- Interfund/Interagency Loan Policy
- Ad Hoc Facilities Committee Mission, Visions, Values, and Goals
- Public Comment Discussion

#### 11. ADJOURNMENT

##### ENCLOSURES

<u>Item #</u>	<u>Description</u>
03	<a href="#">July 2020 Executive Committee Minutes</a>
04	<a href="#">Interagency Borrowing Policy</a>
09C1	<a href="#">March 2020 Existing Structures Summary</a>
09C2	<a href="#">April 2020 Existing Structures Summary</a>
09C3	<a href="#">May 2020 Existing Structures Summary</a>
09C4	<a href="#">June 2020 Existing Structures Summary</a>
09F	<a href="#">SCASD Sustainability Policy</a>



# CENTRE REGION COUNCIL OF GOVERNMENTS

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## FINANCE COMMITTEE

Video Conference

August 20, 2020

8:30 AM

During the COVID-19 health emergency, to continue business operations of the COG and ensure the safety of municipal officials and staff, and to adhere to health emergency recommendations while remaining in compliance with Pennsylvania's guidelines for public meetings, this Finance Committee meeting will be held via video conference. Written public comment or requests to speak to the Finance Committee for items not on the agenda, and requests to comment to specific agenda items listed below, may be submitted in advance by emailing [casendorf@crcog.net](mailto:casendorf@crcog.net).

## AGENDA

### 1. CALL TO ORDER

Mr. Myers will convene the meeting. Mr. Asendorf will review the meeting procedures and perform a roll call of members.

### 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 (Action)

A copy of the minutes from the July 9, 2020 Finance Committee meeting is **enclosed** for approval.

### 4. 2021 COG PROGRAM PLAN AND CAPITAL IMPROVEMENT PROGRAM (Action)

During its July 27, 2020 meeting, the General Forum approved the following motion relating to the review of the 2021 COG Program Plan:

*“That the General Forum receive the 2021 Program Plan for the Centre Region COG and refer it to the Centre Region municipalities for review; and, further, that comments be referred to the COG Executive Director by 8:00 AM, August 20, 2020 to be considered during the preparation of the draft 2021 COG Budget.”*

A similar motion was approved by the General Forum regarding the review of the annual update to the COG's Capital Improvement Program (CIP). As of August 14<sup>th</sup>, College, Harris and Halfmoon Townships' comments regarding the Program Plan and the CIP have been received

and are **enclosed**. Staff will continue to compile the municipal comments as they are received into a matrix and an updated version of the matrix will be distributed to the Finance Committee next week prior to the meeting. In addition, some comments may be distributed to the Committee at the meeting. The Committee should review the municipal comments and note areas of particular concern, agreement or disagreement.

The municipal comments and Finance Committee's initial responses to then will be used by COG staff to guide their efforts in preparing the 2021 Detailed COG Budget that will be distributed next month.

A complete report identifying all municipal comments and the staff responses will be provided to the General Forum with the September meeting agenda packet.

Please remember to bring your 2021 Program Plan and 2021-2025 CIP to the meeting.

Electronic copies are also available on the COG website at the following links:

[2021 COG Program Plan](#)

[2021-2025 CIP](#)

#### 5. **BUDGET REVIEW SESSIONS (Action)**

The Finance Committee should set its schedule for reviewing the draft 2021 Detailed Budget document (presented in the large binder, as yet to be prepared). Over the years, the Committee has used a number of different options for scheduling the budget review sessions:

- A. Schedule meetings in the morning, afternoon, or evening.
- B. Schedule six meetings of approximately 90 minutes each.
- C. Schedule three meetings of three hours each, with the Committee's regular meeting (October 8) reserved as a wrap-up session.

During the past several years, the Committee has used option "C" - three review sessions concluding with a wrap-up session during the regularly scheduled meeting. COG staff expects to distribute copies of the 2020 Detailed COG Budget on September 19.

If the Committee agrees to use option "C" then three meetings should be scheduled between September 21 and October 7. As a note, the Ad Hoc Facilities Committee is currently scheduled for the morning of Tuesday, October 7. Three members of the Finance Committee and three Finance Directors (COG, Ferguson, and Patton Township) serve on the Ad Hoc Facilities Committee.

In addition, the Committee should discuss whether there is a preference for the budget review sessions to be virtual, in person, or a hybrid format. Staff will work to logistically support whichever format the Committee decides to pursue.

The budget process and a budget review calendar are **attached** for scheduling purposes.

**Please remember to bring your calendars to the meeting.**

The Committee should bring their calendars and determine if they are able to meet at this time.

**6. FORMAT FOR THE SUMMARY BUDGET DOCUMENT (Informational/Action)**

Earlier in 2020, staff approached the Finance Committee about an abbreviated Program Plan document due to the impact COVID-19 has had on staffing. The Finance Committee discussed and approved a shortened version of the Program Plan which was distributed in July. Neither staff nor the Finance Committee recommended changing/abbreviating the Capital Improvement Program and the COG Detailed Budget documents.

Similarly, staff is requesting the Finance Committee abbreviating, at least for the 2021 budget, the Summary Budget document. The 2020 Summary budget totaled 162 pages and staff has a proposal on how to reduce the staff time and size of the document without sacrificing the information available to the elected officials, supporting municipalities, and the public.

This proposal would be for the summary budget document to contain:

- the Executive Director's letter providing an overview of the budget
- key supporting summary schedules such as information in the front of the budget document
- the summary budget rollforward from each of the 26 individual budgets in the detailed budget
- a link to the detailed budget document for those interested in researching the supporting information provided in the summary budget in more detail.

The abbreviated Summary Budget would most likely be less than 80 pages.

The Committee is requested to discuss this staff proposal and determine if they would like to proceed with the summary budget in the same format as 2020, whether they would like to amend the document to follow staff's recommendation, or share a different perspective/option for staff to develop the budget document.

**7. FINANCIAL UPDATE (Informational)**

Since the May Finance Committee meeting COG staff has continued to monitor its financial condition. In addition to the feared decreases in municipal income, some of the programmatic functions at COG have been impacted as well. Since that time staff has taken selected actions

related to hiring freezes, furloughs, obtaining a PPP loan, and the postponement of capital expenses.

To track these variations and their impact on the 2020 operating budgets, COG staff analyzed the April through July monthly reports noting any significant differences. In addition, COG staff assessed the changes in the April, May, June, and July analyses and assessed the continuing impact of COVID-19 shut down on the assumptions in the 2020 COG operating budgets.

The Committee should receive the **enclosed** report and opine on the analysis.

**8. WHITEHALL ROAD REGIONAL PARK INFORMATION (Informational)**

At its July meeting the Finance Committee discussed inviting Mr. Chris Gibbons to attend the August meeting to discuss the refinancing of the Regional Parks loan with Fulton Bank and perhaps the Pools loan with Jersey Shore State Bank.

Since that meeting, new information has become available regarding cost estimates for the development of the Whitehall Road Regional Park Phase I project. Staff received and discussed these updated cost estimates at a work session with the Centre Region Parks and Recreation Authority on July 28<sup>th</sup>, noting that some of the information in the estimates needed to be researched in more depth which is currently being done.

Staff is proposing to delay action on the refinancing of the loan until more information about the project is known and presented to the elected officials, perhaps at a virtual lunch and learn for the elected officials that could take place in mid to late September.

The Committee is asked to discuss this recommendation and ask any questions they deem pertinent, and to share feedback.

**9. FEMA/CARES ACT REIMBURSEMENT DISCUSSION (Informational)**

This agenda item is a continuation of the agenda from previous meetings. Mr. Norenberg, Mr. Kauffman, and Mr. Viglione will provide the Committee with an update from the FEMA, PEMA, EM, and financial side over the past month. In addition, an update on the CARES Act COVID-19 County Relief Block Grant through Centre County will be provided by Mr. Eric Norenberger, Executive Director.

The Committee should ask questions they deem appropriate.

**10. COG COMMITTEE STRUCTURE REVIEW (Informational/Action)**

At its April 21, 2020 meeting, the Executive Committee and staff began an initial discussion on the idea of creating a COG Climate Action and Sustainability Committee, as well as reviewing the COG committee structure more broadly.

At its May 19, 2020 meeting, Executive Committee members reported that it was the consensus of their municipalities that they were in favor of taking steps to discuss the possible creation of a COG Climate Action and Sustainability Committee, but noted it should be done concurrently with a broader review of the COG committee structure. During this 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. During the June 16, 2020 Executive Committee meeting, it was determined that next steps would include the solicitation of comments and recommendations from COG Agency Directors/Program Administrators/Coordinators and the Municipal Managers. The expectation is that with changes or improvements that will enhance the committee experience, COG committees can continue to be a valuable resource in the engagement and decision making of the COG. Some of the tentative recommendations draw upon observations from meetings that have been held remotely in recent months. Other feedback draws upon broader perspectives from staffing or participating in meetings over many years. During August COG committee meetings, staff is sharing the initial feedback and recommendations as provided for by the stakeholder groups noted above.

Thus far, input and recommendations fall into three categories:

- Short-term Proposals (“low-hanging fruit”/easy to implement),
- Middle Term Proposals (items that will take more effort to implement, but are generally not costly),
- Long Term Proposals (items that may require budgeting funds, amendments to agreements, adopting resolutions, or changes in structures).

**Enclosed** is an overview summary of the feedback in the form of draft recommendations as of mid-July for discussion purposes. Committee members are requested to discuss and provide any additional feedback, as well as any new ideas, comments, or recommendations during this agenda item.

11. **AD HOC FACILITIES COMMITTEE (Informational)**

Ms. Hartle will report on the Committee’s August 4, 2020 meeting.

12. **MONTHLY REPORTS (Action)**

The **voucher** report for July 2020 is **enclosed**. To proceed, the Committee should consider the following motion:

*“That the Finance Committee approves the July 2020 voucher report for the Centre Region COG.”*

The July 2020 **financial** reports are also **enclosed**.

Each month paper copies of the **voucher** report will be available at the meeting to folks who have requested paper agenda packets. If the Committee has a question about any of the items in these reports, please let Finance Director Joe Viglione ([jviglione@crcog.net](mailto:jviglione@crcog.net) or 231-3062) know as soon as possible, so that the information can be researched prior to the next Committee meeting.

13. **OTHER BUSINESS**

- i. Matter of Record – The Consumer Price Index for the measurement period, utilized for the calculation of the Cost of Living Increase for staff, for the 2021 budget is 1.6%. The merit pool is 1.5%. Both figures have been calculated according to the approved COG pay policy.
- ii. Matter of Record – Audit fieldwork is complete and the Finance Director has received audits for the Centre Region Council of Governments and Centre Region Parks and Recreation Authority. The Schlow Centre Region Library and Centre County Federation of Public Libraries may also be available prior to the August meeting. The plan will be for the auditors to attend the September 10 COG Finance Committee meeting.
- iii. Matter of Record - The following is an update of the status of planning and evaluation studies currently underway at the COG.

	Planning Activity	Status
1	Study of Regional Fire Protection Program	The report is currently being written and staff hopes to have a draft in hand by the end of August.
2	IT Study	Due to staff limitations, this project did not go forward in 2019 and was carried into 2020. COVID-19 will cause this project to be delayed again until 2021 but the RFP is in the process of being updated. There is agreement among COG staff and Borough staff (the IT service provider for 4 COG Agencies) that this should be a priority work objective for 2021.
3	Code Software Study	TRAISS and OpenGov provided demonstrations. Coordinating group representatives will perform site visits to multiple software client locations in March. (Update: Site visits were canceled due to COVID-19 travel restrictions. This project is still on hold.)
4	COG Facilities Evaluation	The repair of the windows (and replacement of the jamb liners) has been completed with the exception of 2-3 windows in the Code suite.
5	Solar Power Purchase Agreement Working Group	The SPPA Working Group approved the cost sharing agreement and RFP for energy consulting services at its July 1 meeting. The Working Group, however, deferred the release of the RFP until at least its September meeting.

6	Fleet Management Plan/COG Building Parking Lot Study	There is agreement among COG staff and the elected officials that this should be a priority work objective for 2020. At this time a lead staff member has not been identified.
7	Evaluation of Boardwalk at Millbrook Marsh Nature Center	The Feasibility Study Working Group continued their work through the early summer months, researching and drafting a Request For Proposal that was approved by DCNR and the Authority at the July 16 meeting. The RFP was advertised and a mandatory site visit was held on July 22 with 14 people attending, representing 13 firms. Questions were addressed on-site and a Q & A addendum was provided to the firms on July 29. The RFP acceptance period closed on August 7, and the group received 6 RFPs. The Working Group is scoring those RFPs now and plans to meet on August 31 to review scoring and to make a recommendation which will be presented to DCNR and to the Authority for approval, assuming we have a project RFP that aligns with the budget.

14. ADJOURNMENT

# CENTRE REGION COUNCIL OF GOVERNMENTS

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State College, PA 16801

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## **HUMAN RESOURCES COMMITTEE**

Video Conference

Wednesday, September 2, 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](mailto: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 July 1, 2020 Human Resources Committee meeting is **enclosed** for approval.

4. PROPOSAL FOR PART-TIME HIRE: REGIONAL FIRE PROTECTION – *presented by Steve Bair*

In late July the Alpha Fire Chief suggested to the Fire Director that COG hire a third Assistant Chief or a Captain, to be primarily focused on rescue related training and equipment. There is consensus among the department’s officers supporting this request. The Fire Director believes that establishing an additional career position prior to receiving the ESCI study is undesirable, as such a position may not compliment hiring that is likely to occur in 2022 (as recommended by the study). Subsequent discussions among the



department's officers, and analyses of the department's volunteer and staff capacity, have yielded a short-term remedy for the present situation through 2021 which involves part-time hiring.

It is proposed that COG authorize the hiring of one or more persons at a rate of \$20 per hour for a combined total of 832 hours in fiscal 2021. The total cost of this proposal is \$18,088 of which \$16,640 is direct wages. The program budget for 2021 is impacted by 1.4%.

Due to the pandemic, the ESCI study of the Regional Fire Protection Program will not be received in time to consider any recommended hiring for 2021. This position is expected to expire upon hire of personnel as recommended by the ESCI study.

**Enclosed** please find the 2021 personnel justification form. Due to the unexpected timing of this submission, the request will be made at September's Finance Committee and Public Safety Committee meetings, and simultaneously through the budget process.

5. EMPLOYEE RELATIONS COMMITTEE 2021 BUDGET – *presented by DJ Lilly and Becca Petitt*

This is an action item.

The COG's Employee Relations Committee (ERC) co-chairs DJ Lilly and Becca Petitt will provide an update of the Committee's current and future activities and present two proposals for inclusion in the 2021 budget:

**2021 Employee Relations Budget** – **Enclosed** is a draft 2021 budget in amount of \$8,083, an increase of \$657 from the \$7,426 budgeted for 2020 due to varying numbers of staff recognition for their service at COG as well as an increased budget for a socially distant version of the Employee Recognition Dinner. Appropriations for the ERC budget are divided equally among the six COG Agencies. The ERC's budget varies from year to year based on the number of employees receiving 5, 10, 15, 20, 25, 30, and 35-year service awards, as well as proposed employee activities.

**2021 Employee Wellness Program Budget** – **Enclosed** is a draft 2021 budget in amount of \$9,930, a decrease of \$1280 budgeted for 2020. The decrease is due to a savings in the way the 2021 Flu Shot Clinics will be invoiced, as well as a decrease in Health Improvement Program Reimbursements (HIPR). The HIPR was a fairly new initiative and as we gain a better sense of how many employees are participating, we are able to budget more accurately. The Employee Wellness Program Budget is funded through the Medical Insurance Reserve Fund. Municipal Contributions are not paid into the Medical Insurance Reserve Fund. The fund is financed through reimbursements received from the Pennsylvania Municipal Health Insurance Cooperative (PMHIC). PMHIC administers COG's health insurance program.

The Human Resources Committee should offer comments on the ERC's activities and its proposed 2021 budgets. The Committee should then consider action to authorize the Executive Director to include the proposed appropriations in the draft 2021 COG budget document that will be considered by the General Forum on October 26, 2020. A potential motion to consider is:

***“That the Human Resources Committee accepts the 2021 budget recommendations from the COG Employee Relations Committee in the amounts of \$8,083 for employee relations activities and \$9,930 for employee wellness programs.”***

6. COVID-19 EMPLOYEE SURVEY

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

With input from the Agency Director's, the COG Administration staff recently solicited employee feedback through a short survey. The survey will be used to determine how staff felt about COG's response to and communication throughout the pandemic. Many questions revolved around work from home situations and resources necessary to work from home more comfortably and productively. The data collected will be reviewed to determine where things are going well, and what areas may need improvement. Input received will also help give the employee perspectives on a COG 'Work From Home' policy that we plan to develop in the near future.

This was a great opportunity for employees to share their views and voice, and an awesome response was received, with 83% of employees participating! There is still a lot of information to be reviewed, as staff were very thoughtful in their responses. Results will be sorted by agency, so we have a sense of what the over-arching needs are in each department. In the interim, a few of the highlights from the survey are as follows:

**What are your top concerns about being back or coming back into the workplace?**

*These are the top 3 answers submitted:*

- 51 people (57.95%) said "Interacting with the public as part of my job"
- 32 people (36.36%) said "Being high risk or exposing a high risk family member"
- 23 people (26.14%) said "Other employees not following safety procedures"

**Would you want to work from home even after the pandemic?**

- 44 people (60.27%) said YES
- 17 people (23.29%) said NO
- 12 people (16.44%) said OTHER which included comments like it would be nice to have the flexibility at times, sometimes, and not sure.

**Have you appreciated the Employee Recognitions Committee (ERC) continuing with its normal activities as much as was possible during the pandemic restrictions?**

- 58 people (69.05%) said YES
- 24 people (28.57%) said I FEEL INDIFFERENT
- 2 people (2.38%) said NO

**How have you felt about the speed of the COG bringing employees back to work (either on- or off-site), reopening the facilities, etc. and generally handling the reopening plans?**

- 10 people (11.90%) said TOO FAST
- 6 people (7.14%) said TOO SLOW
- 68 people (80.95%) said JUST RIGHT

7. WORK FROM HOME DRAFT POLICY

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

During the statewide shut-down due to the COVID-19 pandemic, many COG employees were working from home. Employees have mostly returned to the workplace; however, we are implementing staggered schedules or work from vehicles in the field to help with the physical distancing aspect. Therefore, many employees continue to work from home in some capacity. If there is a future emergency similar in nature, or in the event that our community would experience a setback during this pandemic, we want to be more prepared as an organization for remote work. Using what the management team has learned during the first half of 2020, coupled with the feedback from the recent employee survey, COG would like to develop a Work From Home policy. The policy could be a benefit to both the organization, as well as employees should their position allow them to continue work from home in some capacity. It will also set guidelines, guidance, and expectations for staff working remotely, where currently there are none.

An outline of the items we desire the Work From Home policy to address is **enclosed**. Committee discussion and input is welcomed as staff starts to develop the details of the policy. A draft version of the full policy will be shared with the Agency Directors for comment prior to coming before the HR Committee for review.

8. JOB APPLICATION REVIEW

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

Two agencies in the COG utilize a job application, and each application is unique. The other four COG agencies do not use a job application, but rather request a cover letter and resume from job applicants. COG staff are proposing that the job application be reviewed to ensure compliance with current labor laws and regulations, and that a standard job application be developed for consistency. Furthermore, staff would like to develop an

online application that could easily be used across all COG agencies. This would be an additional potential work task for 2020. Committee discussion and feedback is welcomed.

9. OTHER BUSINESS

- A. Matter of Record - COG participated in Ferguson Township Wage Survey.
- B. Matter of Record - In July, multiple COG staff participated in Race Equity and Leadership (REAL) training through National League of Cities hosted by State College Borough.
- C. Matter of Record - Mr. Norenberg and Ms. Pettitt have taken steps to begin work with Schlow's District Consultant, as well as the Library Board President to identify ways to collect staff feedback, develop a profile for the ideal Library Director candidate, create a job ad, and appoint Library Board representatives to work with the Executive Committee throughout the Library Director recruitment and search process.
- D. Matter of Record - The following represents a list of vacancies of COG full-time and part-time, year-round positions:

**Admin** - Facilities Coordinator - Position ready to advertise, pending delayed renovation schedule at the COG building.

**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 - Following second interviews, a verbal offer of employment has been made and verbally accepted. New hire may not be in place until October.

**Parks** - Recreation Services Manager - Following second interviews an offer of employment was extended to Ms. Kristy Owens. Ms. Owens tenure will begin on August 31 and she will have a one-week overlap/training with current Rec Services Manager, Ms. Amber Merrell.

**Schlow** - Part-time Communications Manager - Following interviews, an offer of employment was accepted by Ms. Amy Caputo. She began work the week of August 17, 2020.

**NOTE:** Two part-time staff that have been furloughed from the Parks agency were extended an offer of employment at Schlow Library; one accepted. COG staff try to remain thoughtful and creative about these

types of situations as we continue to navigate the obstacles created by the pandemic.

10. ADJOURNMENT

PUBLIC SAFETY COMMITTEE  
Video Conference  
Tuesday, September 8, 2020  
12:15 p.m.

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 Public Safety meeting will be held via video conference. Written public comment or requests to speak to the Public Safety Committee for items not on the agenda and for specific agenda items below may be submitted in advance by emailing tes@crcog.net

AGENDA

1. **CALL TO ORDER**

Vice-Chair Laura Dininni 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 to that point in the meeting.

3. **APPROVAL OF MINUTES**

A copy of the minutes from the August 11, 2020 meeting of the COG Public Safety Committee is **enclosed**.

4. **ELECTION OF VICE-CHAIR**

In accordance with the COG Articles of Agreement, “*if the office of chair becomes vacant, the vice chair elect shall become acting chair for the unexpired term and a new acting vice chair elect shall be elected...*”. With the resignation of former Chair Dan Murphy, Ms. Dininni would be the successor to the Committee Chair, leaving a vacancy for Committee Vice-Chair. The Committee should elect a Vice-Chair for the remainder of 2020.

5. **ARTICLES OF AGREEMENT FOR THE CENTRE REGION BUILDING & HOUSING CODE BOARD OF APPEALS** – *presented by Walt Schneider*

At the August 11, 2020 meeting, Mr. Schneider presented a draft of the revised Articles of Agreement for the Centre Region Building & Housing Code Board of Appeals. The CRCA Agency Director has received no further comments on the draft Articles of Agreement for the CRB&HCBA. The final Articles of Agreement is **enclosed**.

To proceed with the adoption of the revised Article of Agreement for the CRB&HCBA, the Committee should consider forwarding the following motion to the Executive Committee for referral to the General Forum:

***“That the General Forum authorize that the Centre Region municipalities adopt the revised Articles of Agreement for the Centre Region Building & Housing Code Board of Appeals.”***

6. **SALE OF FIRE POLICE VEHICLES TO BELLEFONTE BOROUGH-** *presented by Steve Bair*

In accordance with the CIP two Fire Police vehicles (traffic units) were retired from service and replacement vehicles were ordered at start of the current fiscal year. Both vehicles being retired were removed from service earlier in the year due to significant mechanical issues. One of the two units was involved in a vehicle accident prior to its removal from service and was not repaired.

Since late December 2019 the units have been offered for examination by prospective vehicle brokers. While several brokers examined the units or requested information, none have accepted either unit for consignment. Bellefonte Borough, on behalf of the Undine Fire Company, has requested that we sell both units to them.

The sale of a COG fire vehicle to another municipality is not uncommon. In prior years COG sold a tanker to Spring Township to be used by the Pleasant Gap Fire Company; and COG sold an aerial truck to Osceola Mills Borough to be used by the Osceola Mills Fire Company. In accordance with state law regulating such intergovernmental sales, the units are sold at fair market value (FMV). It is COG’s responsibility to determine FMV.

Staff has researched similar vehicles currently offered for sale by brokers and fire departments and, with the aid of the supplier of our replacement vehicles, determined FMV for the two retired units. FMV was established based on:

1. The value of the two units lies wholly with the utility box body, not the chassis.
2. The value of the utility box body is 65% of the cost of a new unit.
3. The average value of the entire vehicle (chassis and utility box) is \$25,504 based on research of the current market.

Using this information, the FMV of each vehicle would be \$16,642, or \$33,285 for the pair. However, one vehicle has damage which was settled by insurance at \$18,132. Adjusted for this damage, the FMV for this sale is \$15,153.

The proposed FMV for the sale keeps the entire replacement project within budget. The proposed sale also provides other, tangible benefit to the Regional Fire Protection Program. Bellefonte's interest in these units is driven by the fact that they have no traffic units, and thus no readily available means to safely reroute traffic on major highways such as I-99. Alpha is automatically summoned to provide this support. Should Bellefonte successfully field traffic units, Alpha would no longer be automatically dispatched to incidents on I-99 north of Shiloh Road.

Staff recommends the following action by the Public Safety Committee:

***“The Public Safety Committee recommends the sale of the two, 2009 Fire Police Units to Bellefonte Borough for fair market value of \$15,153.”***

7. **PROPOSAL FOR PART-TIME HIRE: REGIONAL FIRE PROTECTION – presented by Steve Bair**

In late July the Alpha Fire Chief suggested to the Fire Director that COG hire a third Assistant Chief or a Captain, to be primarily focused on rescue related training and equipment. There is consensus among the department's officers supporting this request. The Fire Director believes that establishing an additional career position prior to receiving the ESCI study is undesirable, as such a position may not compliment hiring that is likely to occur in 2022 (as recommended by the study). Subsequent discussions among the department's officers, and analyses of the department's volunteer and staff capacity, have yielded a short-term remedy for the present situation through 2021 which involves part-time hiring.

It is proposed that COG authorize the hiring of one or more persons at a rate of \$20 per hour for a combined total of 832 hours in fiscal 2021. The total cost of this proposal is \$18,088 of which \$16,640 is direct wages. The program budget for 2021 is impacted by 1.4%.

Due to the pandemic, the ESCI study of the Regional Fire Protection Program will not be received in time to consider any recommended hiring for 2021. This position is expected to expire upon hire of personnel as recommended by the ESCI study.

8. **BUDGET AMENDMENT – TANKER PURCHASE**

This action item asks the Public Safety Committee to recommend to the Finance Committee that funds (\$453,173) from the 2021 COG Budget – Fire Capital be authorized to be expended by the General Forum during its September 28, 2020 meeting to acquire a replacement Tanker for Tanker 5-2, a 2005 International Tanker.



The 2021 CIP projected funding of \$508,000 to replace the 2005 International Tanker for the Fire Program. The Fire Director is requesting the authorization to expend these funds to purchase the replacement tanker in 2020 based on the **enclosed** White Paper.

The Committee should discuss this request and determine if such authorization is appropriate at this time.

To proceed the Public Safety Committee is asked to consider a recommendation from the Fire Director and COG staff and determine if the Finance Committee should be asked to authorize expend fund to acquire the new tanker in 2020. A potential enacting motion that could be considered by the Public Safety Committee is:

***“That the Finance Committee as recommended by the Public Safety Committee authorize the issuance of a purchase order that will encumber up to \$463,163 as identified in the 2020 COG budget – Fire Operating and the 2020 to 2024 Capital Improvement Plan.”***

9. **STAFF UPDATES**

COG Staff will provide updates on the following topics:

- **Code Administration** (*Walt Schneider*) – The Codes Director will report on current items.
- **Fire Protection** (*Steve Bair*) – The Fire Director will report on current activities.
- **Emergency Management Program** (*Shawn Kauffman*) – The Emergency Management Coordinator will report on current items.

10. **OTHER BUSINESS**

- A. **Matter of Record** – The August and September 2020 monthly comparison of new construction code statistics, and the permits issued/permits closed reports are **enclosed** in this packet.
- B. **Matter of Record** – The October meeting of the Public Safety Committee will be on October 13th at 12:15 p.m. It will most likely be via Zoom.

**ADJOURNMENT**

## CLIMATE ACTION AND ADAPTATION TECHNICAL ADVISORY GROUP (TAG) AGENDA

Monday, August 17, 2020  
8:30 AM

As a result of the “Stay at Home” order and the requirement that non-essential business operations be closed, the TAG will hold its meeting via video conference. Written public comment or requests to speak to the TAG for items not on the agenda and for specific agenda items below may be submitted in advance by emailing [padams@crcog.net](mailto:padams@crcog.net).

1. CALL TO ORDER – Ms. Robinson will convene the meeting.

2. PUBLIC COMMENT – For items not on the agenda.

3. COMMITTEE ITEMS

A. *Attached* is the meeting summary for the July 13, 2020 TAG meeting.

4. POTENTIAL TRANSPORTATION ACTION ITEMS - UPDATED

*Attached* is a summary of potential transportation action items that the TAG should review. This summary lists the potential transportation-related action items that have been identified to date, including the feedback received from the *Transportation Climate Actions for our Community* session held on July 8, 2020. This document as well as the Zoom recording of the event and notes from the meeting are listed on the COG website under the [Climate Action & Adaptation Technical Advisory Group \(TAG\) section](#).

5. SOLID WASTE CLIMATE ACTIONS FOR OUR COMMUNITY – WRAP-UP

The TAG hosted a virtual session to identify solid waste climate actions for our community on August 12, 2020 with subject matter experts in the solid waste field. Representatives from CCRRA, Penn State, State College Borough Public Works, and private industry attended. The session provided a lot of relevant feedback on the potential solid waste action items that had been identified to date by TAG. The discussion focused on the following areas:

- a) Feasible and practical strategies and technologies that are missing
- b) Pitfall and dangers with identified action items
- c) Priority of the action items.

The TAG should review and identify the main outcomes from the session. In addition, TAG should evaluate the event to discuss possible ways to improve the sessions for future remaining sessions, e.g. agriculture-land management and water.

Based on the session and TAG's input from this meeting, staff will update the summary list of potential solid waste-related action items for the September meeting. A follow up email will be sent to the participants to provide the notes from the session and an updated list of action items.

## 6. PLANNING FOR STAKEHOLDER AND PUBLIC ENGAGEMENT

Ms. Adams will share some possible methods and processes for stakeholder and public engagement with an understanding that most if not all will be virtual. It is anticipated that engagement activities will begin in October and that the first activity would be a survey for residents and businesses. Lauren Miller, CRPA Sustainability Intern, has focused on researching climate action surveys this summer and *attached* is a draft of the residential Centre Region Climate Action Survey. The purpose of the survey is to

- Determine level of climate literacy and awareness
- Identify challenges and opportunities
- Gauge interest in a range of sustainable practices

TAG should review the survey and provide feedback. Based on the TAG's feedback, Ms. Adams will draft a business-focused survey following the model of the residential survey. Test groups will be asked to take the survey in August with the plan to share the residential and business surveys with the Public Services & Environmental Committee at its September 3, 2020 meeting so that it will be ready for distribution in October.

## 7. OTHER BUSINESS

- A. Matter of Record – At its July 27, 2020 meeting, the General Forum adopted Resolution 2020-1 which set climate action goals for the region. A press release was sent out to the CRPA distribution list and is available on the [COG website news section](#).
- B. Matter of Record – At its August 10, 2020 meeting the State College Area School District Board approved the *attached* Sustainability Policy.
- C. Matter of Record – The Centre County Commissioners adopted Resolution 17 of 2020 on July 28th to create the Centre County C-PACE Program countywide and identifying SEF as the program administrator. Commercial Property Assessed Clean Energy Program (C-PACE) is a financing program launched in PA 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.

## 8. ADJOURNMENT

**CLIMATE ACTION AND ADAPTATION TECHNICAL ADVISORY GROUP**

July 13, 2020

8:30 a.m.

Virtual Meeting - Summary

**1. MEMBERS IN ATTENDANCE**

Brandi Robinson – Chair, Peter Buck – CoChair, Pam Adams, Franklin Egan, Alan Sam

Others present: Jesse Barlow, State College Borough (SCB); Shelly Mato, COG Refuse and Recycling Administrator; Barb Spencer; Halfmoon Township resident; and Tom Zilla, COG Principle Transportation Planner

**2. PUBLIC COMMENTS**

None

**3. COMMITTEE ITEMS**

The Committee accepted the June 15, 2020 meeting summary.

**4. TRANSPORTATION CLIMATE ACTIONS FOR OUR COMMUNITY – WRAP-UP**

The consensus of the TAG was the event was a success with 25 attendees including the 13 panelists representing CATA, Penn State, PennDOT, PA DEP, and private industry. There was a sense that more in-depth conversations and perhaps a second meeting will be necessary to help prioritize the transportation action items.

The TAG summarized the following main themes that will need to be considered for incorporation into the draft listing of transportation action items:

- Transportation is complex and includes some challenges
  - Regulatory requirements exist with PennDOT and Federal Transportation Administration
  - Measurement of progress and available data should be listed as an action item to be investigated
- Outreach and education will be a key component. But changing behavior will be a long, slow challenge and will be impeded by how people identify so much with their vehicles.
- Actions that are under local control should be a priority, such as continue to increase bike lanes, expand electric vehicle infrastructure and encourage local road diets.
- Transportation is strongly related to land use and there are 2 different transportation regions that need to be considered when identifying actions. One region is the urban dense State College area and the other is the surrounding area which includes vehicles coming from outside the County.

Ms. Adams will incorporate the feedback and prepare an updated list of potential transportation action items for the August meeting.

Mr. Zilla pointed out that he envisions the Centre County Metropolitan Planning Organization (MPO) will be devoting more time to transportation planning with the current policy being drafted for the Long Range Transportation Plan (LRTP) and there is a definite link between the LRTP and the Climate Action and Adaptation Plan.

## **5. POTENTIAL AGRICULTURE ACTION ITEMS**

The TAG reviewed the draft listing of potential agriculture action items and provided the following input:

- Mr. Eagan recommended that a top priority action should be farmland preservation.
- It was agreed that the focus of this session will be with professionals and researchers, but ideally include some farmers who would advocate the role of local government helping in policy and education efforts.
- Mr. Eagan pointed out that strategies that include carbon offsets outside of the Centre Region should be considered in order to have a greater impact. He also added that metrics at a regional level don't currently exist and will need to be explored. Mr. Buck suggested collaboration with Carbon Vault and Penn State might be a potential action in regard to carbon offsets.
- Ms. Robinson suggested that in starting the conversations with farmers the focus should begin with how local government can help the agriculture community adapt to the changing climate. Ms. Spencer added that the economics of actions should also be understood when talking to the agriculture community.

The TAG agreed that Mr. Eagan and Ms. Adams should contact a few key players and determine the best date to hold an *Agriculture and Land Management Climate Actions for our Community* session. Ms. Adams will send out an invitation to those identified as agriculture-land management experts in the updated [CAAP-TAG Subject Matter Experts Google sheet](#).

## **6. POTENTIAL SOLID WASTE ACTION ITEMS**

The TAG reviewed the draft listing of potential solid waste action items and provided the following input:

- Mr. Buck recommended an action for developing a building and renovation integrative design standard for governmental entities that includes waste minimization. This would apply across sectors.
- Mr. Buck also suggested that increased fuel efficiency/lower carbon fuel types of refuse and recycling vehicles be identified as an action recognizing that this crosses over to the transportation sector.

The TAG agreed to hold a *Solid Waste Climate Actions for our Community* session on Wednesday, August 12, 2020 at 8:30 am. Ms. Adams will send out an invitation to those identified as solid waste experts the [CAAP-TAG Subject Matter Experts Google](#) sheet.

**OTHER BUSINESS**

- Ms. Adams reviewed that the 2020-1 Climate Action Resolution will be presented to the General Forum for adoption at their July 27 meeting.
- The summaries from the Climate Vulnerability Assessment Team meetings will continue to be attached to TAG agendas as Matter of Records (MOR).

# Centre Region Climate Action Survey

**Focus audience:** Residents **Platform:** Survey Monkey

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The Centre Region Council of Governments (COG), in collaboration with the six member municipalities, is currently developing a [Climate Action and Adaptation Plan](#). As part of this process, the COG has completed a greenhouse gas (GHG) inventory of its own operations and of community emission sources. This will allow us to identify the areas of challenge and opportunity as we develop an action plan. The Centre Region's climate action efforts consist of more than just reducing greenhouse gas emissions - it is to make our region a more healthy, equitable, resilient, and sustainable community.

The survey should take 5-10 minutes and your responses will help us gauge interest in sustainable practices the Centre Region should consider for implementation.

Please complete this survey by October 31st.

For more information on the region's efforts, please visit [www.crcog.net/climate](http://www.crcog.net/climate)

Thank you! Your participation is much appreciated!

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## Section 1: Tell us about you

1. **When it comes to understanding climate change science, how would you rate your knowledge? (sliding scale)**

A horizontal sliding scale with a light gray background. On the left, the text "Very Limited" is positioned above a white circular slider knob. In the center, the text "Average" is positioned above a horizontal gray bar. On the right, the text "Expert" is positioned above a gray square slider knob.

2. **When it comes to understanding how climate change is likely to impact the Centre Region, how would you rate your knowledge? (sliding scale)**

A horizontal sliding scale with a light gray background. On the left, the text "Very Limited" is positioned above a white circular slider knob. In the center, the text "Average" is positioned above a horizontal gray bar. On the right, the text "Expert" is positioned above a gray square slider knob.

3. Thinking of the Centre Region as a whole, and not just your specific household, what do you think the largest local source of greenhouse gas emissions is?

Residences	Water and wastewater services
Industrial, Commercial & Institutional building	Transportation
Solid Waste	Ag-Land Management

4. How urgent do you think it is to address climate change in the Centre Region?

Not urgent at all      Somewhat urgent      Urgent      Extremely urgent      I don't know

5. How do you think your municipality is responding to climate change?

Not taking enough actions	Neutral/unsure
Just the right amount	Acting too aggressively

6. Select the top 2 local climate change impacts that concern you the most

Drought	Agriculture challenges
Extreme Temperatures	Loss of habitat/species
Extreme rain events	Wildfire
Air Quality	Public Health
Other	

7. Which municipality do you live in?

College	Harris
Ferguson	Patton
Halfmoon	State College
	Other



**8. How would you describe where you live?**

- Urban**
- Suburban**
- rural**

**9. What is your age?**

Under 18	46 - 64
18 - 25	65+
26 - 45	Prefer not to answer

**10. Identify the number of other members in your household by age**

Under 18	46 - 64
18 - 25	65+
26 - 45	Prefer not to answer

**11. Do you own or rent your home? LOGIC QUESTION** (go to either Section 2 for homeowners or Section 3 for renters)

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**Section 2: Individual sustainable practices for homeowners**

**12. What is your level of participation in the following practices to reduce energy and water use?**

*I am not interested - I somewhat do - I already do - I want to do*

- Use energy efficient light bulbs
- Install energy efficient windows
- Install solar panels
- Purchase renewable energy through PA Power Switch
- Take shorter showers
- Collect stormwater or install landscaping for no/low watering

**13. What is your level of participation in the following practices related to recycling and food?**

*I am not interested - I somewhat do - I always do - I want to do*

- Recycle
- Avoid single-use plastics-products
- Compost my food scraps
- Purchase locally grown food or grow my own
- Have a more plant-based diet (reduce meat consumption)

**14. What is your level of participation in the following practices related to transportation?**

*I am not interested - I somewhat do - I always do - I want to do*

- Take the bus to work or school
- Ride a bike to work or school
- Carpool to work or school
- Walk to work or school
- Drive an alternative fuel vehicle

**15. Please indicate your interest level in the following potential programs**

I am not interested at all	I am probably not interested	Neutral	I may be interested, but I need more information	I am very interested
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- Install solar panels through a local government leasing program
- Purchase renewable energy through a local community solar purchase program
- Purchase carbon offsets with the funds going to local GHG reduction projects
- Participate in a food waste drop off or collection program (with a nominal fee)
- Pay a stormwater fee to support green infrastructure projects to reduce flooding and protect groundwater
- Purchase a reduced CATA bus pass through my employer
- Attend monthly educational series on steps you can take to reduce your carbon footprint

**16. What do you feel are the greatest factors preventing you from taking more sustainable actions?**

Cost	Time
Lack of Information	Municipal Regulations
None, I feel I am doing my part	Other
Lack of interest	

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**Section 3: Individual sustainable practices for renters**

**17. What is your level of participation in the following practices related to energy and water use?**

*I am not interested - I somewhat do - I already do - I want to do*

- Use energy efficient light bulbs
- Conserve energy by turning off lights when I'm not using them
- Purchase renewable energy through PA Power Switch
- Take shorter showers
- Consider energy efficiency of the property when choosing where I rent

**18. What is your level of participation in the following practices related to recycling and food?**

*I am not interested - I somewhat do - I always do - I want to do*

- Recycle
- Avoid single-use plastics-products
- Compost my food scraps
- Purchase locally grown food or grow my own
- Have a more plant-based diet (reduce meat consumption)

**19. What is your level of participation in the following practices related to transportation?**

*I am not interested - I somewhat do - I always do - I want to do*

- Take the bus to work or school
- Ride a bike to work or school
- Carpool to work or school
- Walk to work or school
- Drive an alternative fuel vehicle

**20. Please indicate your interest level in the following potential programs**

I am not interested at all	I am probably not interested	Neutral	I may be interested, but I need more information	I am very interested
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- Rent from an apartment that is certified green (energy efficient, recycles, composts)
- Rent from an apartment that uses or purchases 100% renewable energy
- Purchase carbon offsets with the funds going to local GHG reduction projects
- Participate in a food waste drop off or collection program (with a nominal fee)
- Purchase a reduced CATA bus pass through my property manager
- Attend monthly educational series on steps you can take to reduce your carbon footprint

**21. What do you feel are the greatest factors preventing you from taking more sustainable actions?**

Cost	Time
Lack of Information	Property management (regulations, energy inefficient building)
None, I feel I am doing my part	Other

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**Section 4: Community Interest**

**22. Please indicate your level of support for the following potential community efforts**

I am not interested at all	I am probably not interested	Neutral	I may be interested, but I need more information	I am very interested
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- Climate literacy and education programs; particularly for ages K - 12
- Green lease programs for tenants and property owners
- Benchmarking program for commercial buildings (track and report energy usage)
- A financial energy fund for commercial building to implement energy savings project with a 5 year backpack
- Government entities commit to use 100% renewable energy
- Strategies to reach a zero waste goal for the Centre Region

- Green zoning ordinances that incentive energy efficiency, waste minimization, renewables, etc.
- Education and outreach to expand renewable energy sources and options
- Regional strategy to expand electric vehicle (EV) fleets and charging infrastructure

**23. Of the many benefits experienced by reducing greenhouse gas emissions select the 3 that are most important to you?**

- saving money from lower transportation costs
- creation of green jobs
- reducing waste sent to landfills
- improved public health
- increased resilience from climate change and natural disasters
- saving money from lower utility bills
- improved air and water quality
- reduced reliance on fossil fuels

**24. Please identify any other strategies not included here that you feel should be considered in the community Climate Action and Adaptation Plan that has been effective or used elsewhere.**

**25. If you would like to be included in email updates on the Centre Region Climate Action and Adaptation Plan, please enter your email address below. *This is optional.***

**26. If you are a member of an organization that you believe would be interested in the Centre Region Climate Action and Adaptation Plan, please let us know by providing contact information or a website for the organization below. You may also reach out to us a [SustainableCR@crcog.net](mailto:SustainableCR@crcog.net). *This is optional.***

Thank you for completing the survey. Your comments will be used to help guide the policies and decisions made by the Centre Region municipalities. For more information about the climate action and adaptation planning process and/or resources about items mentioned within the survey, please visit: [www.crcog.net/climate](http://www.crcog.net/climate)

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**STATE COLLEGE AREA SCHOOL DISTRICT**

**SECTION:** Operations  
**TITLE:** Sustainability  
**NUMBER:** 833  
**ADOPTED:**  
**STATUS:** New Policy - Draft June 30, 2020

**Policy**

The Board has established this policy to enhance a Districtwide culture of sustainability. The purpose of this policy is to direct the District to further its effective environmental stewardship of resources through innovative, results-oriented and evidence-based sustainability initiatives. Sustainability is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The Board recognizes the profound impact that District activities have on the natural environment and on the health and well-being of students, employees, and the community. The Board embraces a commitment:

- To the responsible stewardship of energy, water, and other natural resources;
- To create healthy environments for teaching and learning; and
- To support sustainability as an economic, environmental, and social priority to be taught and practiced throughout the District;
- To educate about the role and impact of individual and collective decisions and behaviors at all levels--from local to global.

Using research and information, the District will establish strategies and metrics to:

1. Encourage and support the efforts of students, teachers, and staff on individual campuses to implement environmental stewardship behaviors;
2. Develop further instruction about the environmental, social, and economic aspects of sustainability;
3. Design, construct, and operate high-performance schools and other facilities that are sensitive to natural resource use; conserve energy and water; reduce pollution and waste; promote responsible land development; and deliver a high-quality indoor environment ensuring access to fresh air and daylight;
4. Optimize use of energy and water in performance of facilities and to adopt energy- and water-efficient operations and maintenance protocols;

5. Procure materials, products, and services in a manner that integrates fiscal responsibility and community and environmental stewardship;
6. Reduce waste disposal in landfills by means of source reduction, reuse, recycling, and composting;
7. Increase efficiency and reduce the environmental burden of staff, faculty, and student transportation; and
8. Support the development of benchmarks, time lines, metrics, third-party verification, and the expectation of evaluation in each of the above areas.
9. Recognize and plan for the financial investments in infrastructure and personnel in the interest of long-term sustainability.



**Manager's Report  
September 8, 2020**

1. The Non-Uniformed Pension Advisory Committee has narrowed its search for sponsorship of the Township's 401(a) and 457 Deferred Compensation Plans to two finalists. A final meeting will be scheduled to consider the vendors and a recommendation for a contract award will be on an upcoming Regular Meeting agenda.
2. A meeting of the Town/Gown Taskforce on the pandemic response was held on Wednesday, September 2<sup>nd</sup>. The taskforce discussed the coordinated messaging campaign in the Centre Region to encourage safety protocol to combat the transmission of COVID-19. The municipalities and the University discussed a coordinated regional response and local regulations on masking, social distancing, and community gatherings.
3. A meeting between Ferguson Township and Penn State Office of the Physical Plant was held to discuss the proposed Stormwater Management Utility Fee that was discussed earlier this evening. The purpose of the meeting was to discuss an appropriate methodology for assessing the University given their obligations under the NPDES MS4 permit program. Staff is preparing a draft agreement with Penn State that will be presented for review by the Board at an upcoming meeting. It is not critical that the agreement be in place for the consideration of the ordinance on the proposed fee.
4. I attended a meeting of the Planning Commission to discuss the proposed Stormwater Management Utility Fee and respond to any questions from the Commission members.
5. The implementation of the Synopsis Financial Modeling Software is complete. The tool will be used to evaluate impacts of the COVID-19 pandemic on local revenues, as well as to model different initiatives and strategize on methods of financing.
6. Homestead Park playground has been temporarily closed until the safety issues on the equipment can be adequately addressed. Staff is working with the equipment supplier to determine whether it can be repaired or must be replaced in order to meet safety needs.





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# TOWNSHIP OF FERGUSON

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## **Public Works Director's Report to the Board of Supervisors for the regular meeting on September 8, 2020**

- 1. Public Works Road Crew Activities** – Planned activities for the week of September 8<sup>th</sup> include brush collection, leaf collection, roadside mowing, roadside spraying, and street sweeping. Crack sealing begins the week of September 14<sup>th</sup> and other work includes mowing, street sweeping, and traffic signal radar detection installation. FTPW road crew continue to follow COVID-19 safe work practices.
- 2. Arborist and Tree Commission Activities-** The Tree Commission met on August 31<sup>st</sup> and dedicated most of its discussion to responding to an NVEC letter regarding the proposed tree preservation ordinance, heritage tree resolution, and official plant list. The next meeting is scheduled for September 21<sup>st</sup>, however the Commission desires to meet more often at times TBD to continue review of the proposed tree preservation ordinance.
- 3. Public Works Fleet** - The mechanics continue to work staggered shifts to service FTPD and FTPW fleet vehicles and equipment and observe COVID-19 safe work practices.
- 4. Public Works Buildings** – The design team and HVAC contractor continue to investigate HVAC balancing issues with the newly renovated administrative building offices. Work by all prime contractors continues on the new public works facility. The substantial completion date has slipped to November 26, 2020, and efforts are being made to regain time on the schedule. Project costs remain within the approved budget. Change orders are being managed in cooperation with our Construction Manager. Current work activities include installation of block walls, hot water tubing in floor slab, pouring concrete interior floor slabs, setting metal door frames, electric conduit, plumbing, setting shower stalls, installation of emergency generator, site work. The Construction Manager is on site full time. Progress and coordination meetings continue.
- 5. Public Works Engineering and GIS-** Work includes managing 2020 capital construction projects including installation of the flashing yellow arrows at certain traffic signals, 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** –The final meeting of the Stormwater Advisory Committee took place on July 29<sup>th</sup>. A presentation of the phase 2 final report will be provided to the BOS at the regular meeting on August 17<sup>th</sup>. The BOS will be asked to make certain policy decisions and advertise for a public hearing on a stormwater fee ordinance.

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 is in construction by M&B Construction 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. Construction should start and be completed this summer.
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. A follow up study may be required by PennDOT after the signal is constructed to justify the installation based upon actual volumes.
11. **Contract 2019-C21 Pine Grove Mills Street Light Conversion:** This project is in the design phase. A utility meeting was held with West Penn Power and our consultant, Barton Associates on Sept 1<sup>st</sup>. The project includes installing power cutoffs to allow FTPW to maintain the lights, meters, and conversion to LED bulbs to conserve energy. A new LED bulb was installed in the streetlight nearest the Naked Egg.
12. **Contract 2020-C3 Pipe Lining:** Bids for this project were opened on August 12<sup>th</sup>. Work includes lining corrugated metal pipes in the Chestnut Ridge neighborhood, Saratoga Drive, Blue Course Drive, West Whitehall Road and Deibler Road. This year, College Township piggybacked on the contract. See separate award recommendation memo.
13. **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.
14. **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. Purchase orders were issued for materials and installation is by in-house forces.
15. **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 is currently on hold.](#)

16. **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. [This project is on hold.](#)
17. **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, September 8, 2020

### PLANNING COMMISSION

The Planning Commission met August 24, 2020 to discuss the draft Affordable Housing Ordinance and reviewed a subdivision and land development plan, as well as a modification/waiver request.

Planning Commission will be meeting September 14, 2020.

### LAND DEVELOPMENT PLANS AND OTHER PROJECTS

1. Active Plans are listed below for the Board of Supervisors (9/2/20).
  - Harner Farm Subdivision (24-004-067 and replot 24-004-067C)
  - Orchard View Subdivision (24-004-,067)
  - Whitehall Road Sheetz Land Development Plan (24-004-067)
  - State College Borough Water Authority (24-006-055E)
  - Parkview Subdivision (24-118-128 and 24-118-12A)
  - West College Student Housing Lot Consolidation and Land Development Plan (24-002A-015; 24-002A-016; 24-002A-017; 24-002A-018; and 36-010-006)
2. Zoning Administrator reached out to business within the Township that had requested relief for COVID-19 operations.
3. Community Planner attended the Centre Regional Planning Agency/Municipal Staff Meeting.
4. PZ Director attended the Crisis Management Team meeting.
5. PZ Staff met with Marc McMaster and clients to provide information on a Ridgeview Road lot.
6. PZ Director attended NUPAC interviews.
7. Community Planner and PZ Director attended the Township Parks and Recreation Committee meeting.
8. PZ Director attended the Tree Commission meeting and the Leadership Team Meeting.
9. PZ staff attended the Joint Planning Commission and Board meeting.
10. Zoning Administrator and PZ Director met with Peter Wulfhorst to discuss Agritourism in the Township.

### UPCOMING ZONING HEARING BOARD MEETINGS

The Zoning Hearing Board will be meeting September 22, 2020 to review a Request for Variance.

1. Thomas J. Whitehill—2437 W. Gatesburg Road, Warriors Mark, PA 16877 (24-005-017A-0000) that is zoned Rural Agricultural (RA). The applicant is requesting a variance from §27-205.1 District

Regulations to construct a 40' x 60' accessory structure approximately 10' from the rear property boundary. The required yard setback in the RA District for a single-family lot is 50'.