

**FERGUSON TOWNSHIP BOARD OF SUPERVISORS**  
**Regular Meeting Agenda**  
**Monday, October 19, 2020, 7:00 PM**

Join Zoom Meeting:

<https://us02web.zoom.us/j/83307659142>

Meeting ID: 833 0765 9142

[Ferguson Meetings Page](#)  
[Zoom Instructions](#)

**I. CALL TO ORDER**

**II. CITIZENS INPUT**

**III. APPROVAL OF MINUTES**

- October 5, 2020, Board of Supervisors Regular Meeting Minutes
- October 7, 2020, Board of Supervisors Regular Meeting Minutes
- September 23, 2020, Board of Supervisors Special Meeting Minutes

**IV. SPECIAL REPORTS**

- a. COVID-19 (Coronavirus) Response Report
- b. Centre Area Transportation Authority
- c. Schlow Centre Region Library Report

**V. UNFINISHED BUSINESS**

1. Public Hearing - Resolution Petitioning PA Liquor Control Board for Noise Exemption
2. Public Hearing – HR 763 Support Resolution
3. Authorization for Public Hearing - Stormwater Management Utility Fee Ordinance
4. Continued Discussion - Draft Workforce Housing Ordinance Amendment

**VI. NEW BUSINESS**

1. Consent Agenda
2. Public Hearing - Resolution Adopting a Sidewalk Snow Removal Map
3. Review of Draft Parks and Recreation Ordinance Amendment
4. Authorization for PA Liquid Fuels Grant Application Submittal

**VII. REPORTS**

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

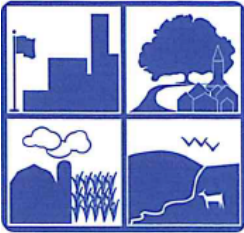
**VIII. COMMUNICATIONS TO THE BOARD**

**IX. CALENDAR ITEMS – OCTOBER / NOVEMBER**

**X. ADJOURNMENT**



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# TOWNSHIP OF FERGUSON

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## Board of Supervisors Regular Meeting Agenda Monday, October 19, 2020 7:00 P.M.

- I. **CALL TO ORDER**
- II. **CITIZEN'S INPUT**
- III. **APPROVAL OF MINUTES**
  - 1. October 5, 2020, Board of Supervisors Regular Meeting Minutes
  - 2. October 7, 2020, Board of Supervisors Regular Meeting Minutes
  - 3. September 23, 2020, Board of Supervisors Special Meeting Minutes
- IV. **SPECIAL REPORTS** 25 minutes
  - 1. COVID-19 (Coronavirus) Response Report – David Pribulka, Township Manager
  - 2. Centre Area Transportation Authority – John Spsychalski
  - 3. Schlow Centre Region Library Report – Susan Werner
- V. **UNFINISHED BUSINESS**
  - 1. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE SUBMISSION OF A PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD TO SUBSTITUTE THE MUNICIPAL NOISE ORDINANCE FOR SECTION 493(34) OF THE PENNSYLVANIA LIQUOR CODE IN LICENSED ESTABLISHMENTS LOCATED IN FERGUSON TOWNSHIP.** 10 minutes

### **Narrative**

Provided with the agenda is a copy of a resolution advertised for public hearing affirming the Board's intent to file and support of a petition to the Pennsylvania Liquor Control Board to substitute the Township's noise ordinance for the regulations promulgated under Section 493(34) of the Pennsylvania Liquor Code. In August, the Board adopted a resolution in support of the same for the property doing business as Pine Grove Hall in Pine Grove Mills. However, upon further consultation with counsel for the Pennsylvania Liquor Control Board, it was clarified that the petition must come from the host municipality. The PA Liquor Code does not permit any audible noise from a licensed establishment at the property line. The Township has restrictions on decibels measurable at the property line, but generally does not prohibit any audible noise. It is recommended that the Board adopt the attached resolution and submit it along with the petition to the PA Liquor Control Board (PLCB) to substitute its noise ordinance in lieu of the applicable PA Liquor Code provisions for all licensed establishments in Ferguson Township. The relevant section of the PA Liquor Code describing the process to petition for an exemption is also

attached to the agenda. Following the submittal, the PLCB will schedule a public hearing at a physical location in the proposed exempted area prior to consideration of approving the request.

*Recommended Motion: That the Board of Supervisors adopt the resolution authorizing the submission of a petition to the Pennsylvania Liquor Control Board to substitute the municipal noise ordinance for Section 493(34) of the Pennsylvania Liquor Code in licensed establishments located in Ferguson Township.*

**Staff Recommendation**

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

**2. A PUBLIC HEARING ON 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.** 10 minutes

**Narrative**

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 Greenhouse Gas 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. Provided with the agenda is a copy of the draft resolution proposed for consideration.

The following are the details of the proposed bill:

- Place a steadily increasing price on carbon fuels at their source (the well, mine, or port);
- Reduce American emissions by 40% in the first twelve years;
- Revenue neutral; does not grow the size of government;
- Improve health and save lives by reducing pollution;
- Create 2.1 million new jobs over a ten-year period;
- More information is available at <https://energyinnovationact.org>

*Recommended Motion: That the Board of Supervisors adopt the resolution calling on the United States Congress to address climate change by passing the Energy Innovation and Carbon Dividend Act.*

**Staff Recommendation**

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

**3. AUTHORIZATION FOR PUBLIC HEARING - STORMWATER MANAGEMENT UTILITY FEE ORDINANCE** 60 minutes

**Narrative**

At the October 5<sup>th</sup> regular meeting of the Board of Supervisors, the public hearing on stormwater management utility fee was closed and the Board did not vote on the ordinance. Rather, the Board directed staff to report back with additional information. Staff revised the billing structure to reflect 3 options for consideration: option 1) a 500 sq. ft. billing unit; option 2) a 1,000 sq. ft. billing unit; and option 3) an ERU (equivalent residential unit = 3,097 SF). In addition, the "billing unit table" was revised to reflect the motion at the

October 5<sup>th</sup> meeting to cap the fee on working farm properties with 30 percent or less impervious area to twice the mean billing unit of all parcels. Provided with the agenda is a copy of the revised draft ordinance and below is a link to the updated billing unit table. Also provided with the agenda is a matrix describing some hardship policies that have been enacted in other communities that have established a stormwater management utility fee.

- [Stormwater Management Utility Fee Revised Billing Unit Table](#)

*Recommended Motion: That the Board of Supervisors authorize advertisement of a public hearing on the stormwater management utility fee ordinance for \_\_\_\_\_.*

**Staff Recommendation**

That the Board of Supervisors **authorize** advertisement of a public hearing.

**4. A CONTINUED DISCUSSION ON THE DRAFT WORKFORCE HOUSING ORDINANCE AMENDMENT** 30 minutes

**Narrative**

At the October 7, 2020 Board meeting, the draft Workforce Housing Ordinance was discussed, and staff was directed to update the ordinance based on that meeting. Included with the agenda is the updated draft Workforce Housing Ordinance and the following has been updated to reflect that meeting:

- §27-716.6.b.1. Accommodations—Built, for-sale Workforce Dwelling Units are only eligible for bonus market rate units;
- §27-716.6.d.ii. Workforce Dwelling Units must be occupied by the income qualified individual and/or family and must be the principal place of residence; and
- §27-716.10.a.ii. Rental Dwelling Units—After a year of actively advertising the Workforce Unit, no fee-in-lieu payment will be required to be paid to the Township for rental units to be removed from the program.

Staff has confirmed that an income qualified individual may or may not be claimed as a dependent. Regional affordable housing programs are for primary residences and typically consider the incomes of all the occupants within the unit. The Board could clarify that income qualifications for rental units will be assessed based on the income of the occupants of the unit, which may not necessarily correspond to the name on the lease or the individual(s) claiming the occupant(s) as dependents.

**Staff Recommendation**

That the Board of Supervisors **discuss** the draft workforce housing ordinance amendment.

**VI. NEW BUSINESS**

**1. CONSENT AGENDA** 5 minutes

- a. Contract 2018-PWGG General, Pay Application 6: \$588,012.69
- b. Contract 2018-PWGGd Electrical, Pay Application 6: \$162,145.05
- c. Contract 2020-C4 Suburban Park, Pay Application 4: \$12,309.68
- d. Contract 2020-C8 Pavement Markings, Pay Application 5: \$7,755.87

**2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2019-23 BY ADOPTING A REVISED SIDEWALK SNOW REMOVAL MAP. 10 minutes**

**Narrative**

Pursuant to Chapter 21, Section 207 of the Ferguson Township Code of Ordinances, the Board of Supervisors adopts a sidewalk snow removal map annually identifying the sections of public sidewalk that fall under the provision of the ordinance requiring sidewalks be kept clear of snow and ice. The map assists the Township's Ordinance Enforcement Officer in identifying new sections of sidewalk, as well as areas that are exempt from the requirements of the ordinance. Provided with the agenda is a copy of the resolution as advertised for public hearing, which includes the map attachment as Exhibit "A." Also provided with the agenda is a PDF version of the map so that it can be viewed at a higher resolution.

*Recommended Motion: That the Board of Supervisors adopt the resolution repealing Resolution 2019-23 by adopting a revised sidewalk snow removal map.*

**Staff Recommendation**

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

**3. REVIEW OF DRAFT PARKS AND RECREATION ORDINANCE AMENDMENT**

10 minutes

**Narrative**

The Centre Region Municipal Ordinances vary with some inconsistencies across municipalities. Provided with the agenda is the Ferguson Township Parks and Recreation Ordinance with comments and edits from Centre Region Parks and Recreation for the Township's consideration. In previous conversations with CRPR and the Centre Region municipal managers, the initial topic of interest was in the Unmanned Aircraft ordinance. According to CRPR, the Federal Aviation Administration (FAA) controls the airspace for flyers and that municipalities can control what happens on their land (landings/take-offs). Language has been updated in the ordinance provided for review and comment. Staff would like to review this with the Parks and Recreation Committee to receive comments and then bring back an updated drafted ordinance for the Board's consideration.

*Recommended Motion: That the Board of Supervisors refer the draft amendment to Chapter 16, Parks and Recreation to the Parks and Recreation Committee for review and comment.*

**Staff Recommendation**

That the Board of Supervisors **refer** the draft ordinance to the Parks and Recreation Committee.

**4. AUTHORIZATION TO SUBMIT A LIQUID FUELS GRANT APPLICATION FOR THE CONSTRUCTION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF SCIENCE PARK ROAD AND SANDY DRIVE. 10 minutes**

**Narrative**

The Centre County Board of Commissioners is accepting applications for funding assistance through the 2021 County Liquid Fuels program. The application deadline is October 23<sup>rd</sup>. The Township's capital improvement program (CIP) includes construction of a traffic signal at the northernmost intersection of Science Park Road and Sandy Drive in the amount of \$525,000 and staff suggests applying for \$50,000 in liquid fuel aid from the County for the project. Provided with the agenda is a copy of the draft application for consideration by the Board this evening.

*Recommended Motion: That the Board of Supervisors authorize staff to submit a Liquid Fuels Grant Application for the construction of a traffic signal at the intersection of Science Park Road and Sandy Drive.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the submission of a Liquid Fuels Grant Application.

**VII. STAFF AND COMMITTEE REPORTS**

- |                                   |            |
|-----------------------------------|------------|
| <b>1. COG COMMITTEE REPORTS</b>   | 20 minutes |
| a. Joint TLU Committee and CRPC   |            |
| b. Ad Hoc Facilities Committee    |            |
| c. Finance Committee              |            |
| d. Public Safety Committee        |            |
| <b>2. OTHER COMMITTEE REPORTS</b> | 5 minutes  |
| <b>3. STAFF REPORTS</b>           | 20 minutes |
| a. Manager's Report               |            |
| b. Public Works Director          |            |
| c. Planning & Zoning Director     |            |
| d. Chief of Police                |            |

**VIII. COMMUNICATIONS TO THE BOARD**

**IX. CALENDAR ITEMS – OCTOBER / NOVEMBER**

**X. ADJOURNMENT**

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, October 5, 2020  
7:00 PM

### ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, October 5, 2020, via Zoom in a webinar format. In attendance were:

<b>Board:</b>	Steve Miller, Chairman	<b>Staff:</b>	Dave Pribulka, Township Manager
	Laura Dininni, Vice Chair		Chris Albright, Chief of Police
	Prasenjit Mitra		Dave Modricker, Director of Public Works
	Patty Stephens		Nick Fugaro, Communications Coordinator
	Lisa Strickland		Eric Endresen, Director of Finance
			Ron Seybert, Township Engineer

Others in attendance included: Rhonda Demchak, Recording Secretary; Elizabeth Treadway, Principal Program Manager, Wood

### I. CALL TO ORDER

Mr. Miller called the Monday, October 5, 2020, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised as a virtual meeting via Zoom in a webinar format due to the number of attendees that were present to hear about the Stormwater Fee Ordinance. Mr. Pribulka posted the google form for attendees to sign up to talk during the public hearing. C-NET is recording as well. There is also an audio conference bridge that is accessible by accessing the Ferguson Township's main line at 814-238-4651 and then dialing extension 3799. Per the Sunshine Act, which allows during a time of disaster recovery to meet virtually, but it also requires that a Roll Call be taken and that elected officials verbally respond. Mr. Pribulka took Roll Call and there was a quorum.

### II. CITIZENS INPUT

### III. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the Minutes of September 21, 2020. Ms. Strickland seconded the motion. The motion passed unanimously.

### IV. SPECIAL REPORTS

#### a) COVID-19 (Coronavirus) Response Report

Mr. Pribulka noted that Ms. Martin was unavailable to present the Business Needs Survey but will be at the meeting on October 7<sup>th</sup> to present. Trick-or-Treat has been set for October 29, 2020, from 6:00 p.m. – 8:00 p.m. with a rain date of November 1, 2020. There will be a reevaluation of the Trick-or-Treat date due to the COVID-19 Pandemic the week of October 19, 2020. All communication will be delivered via the Township's Website and social media. The Strike Team meeting that was assembled by the PA Department of Health due to the increasing number of COVID-19 cases has completed their review and provided a report on the Emergency Operation Center in Centre County.

Recommendations include enforcement of local ordinances, expansion of Community Partnerships, expanding regional cooperation, and leveraging emergency aid and assistance. Many of these recommendations were either currently in place or being pursued at the regional and county level, coupled with this initiative was a drive-through free COVID-19 testing facility located at the Nittany Mall. The most recent data that Mr. Pribulka viewed the site tested more than 300 participants with 278 testing negative and 23 testing positive for the virus. The majority of positive cases were in the age range of 19 to 24. The test site remains open this week, Tuesday through Saturday from 7 a.m. to 6 p.m. There is no cost, no insurance is required, and no appointment is needed. As of October 1<sup>st</sup>, there are 2,688 cases in Centre County, 26,762 people have tested negative for COVID-19. Most of the confirmed cases are in the 16801 and the 16802 zip codes and a majority of the geographic area of Ferguson Township continues to report zero positive cases. The Center Area Transportation Authority (CATA) is temporarily discontinuing service on its CATA bus commuter routes as of today, October 5, 2020. More information on specific routes impacted can be found online and at CATA bus.com. Ferguson Township, the F route with service to Pine Grove Mills and the S route which serviced Science Park has been temporarily suspended. Mr. Pribulka noted that in response to a question from Ms. Dininni from the last meeting, Mr. Pribulka was informed that approximately 11% of the students quarantining on campus and Penn State's facilities reside permanently off campus. As of October 2<sup>nd</sup>, the Penn State dashboard has 2,678 total positive cases and 2,040 are no longer active. Staff has concluded its business needs survey, however, as Mr. Pribulka noted earlier, Ms. Martin, Assistant to the Manager is unavailable to provide a report this evening. One of the conclusions from the report was there is a greater need for childcare services. Ms. Wargo will be presenting the agenda item later in the evening. Mr. Pribulka thanked the Township for their patience and understanding during the pandemic.

## V. UNFINISHED BUSINESS

### 1. PRELIMINARY LAND DEVELOPMENTS PLAN – 3961 WEST WHITEHALL ROAD

Ms. Wargo introduced the land development plan. A copy of the preliminary land development plan submitted by Gwin, Dobson & Foreman Engineering, Inc., on behalf of their client, State College Borough Water Authority was included in the agenda. The land development plan proposes water pumping improvements to the Kocher Well Fields on Tax Parcel 24-006-055E, located at 3961 W. Whitehall Road. The parcel is 47.7 acres and is zoned Rural Agricultural (RA). The construction consists of two (2) buildings that measure 7 feet 4 inches by 7 feet 4 inches. Each building will be in close proximity to existing well #71 and well #78. There is an existing floodplain that traverse the parcel and no construction is planned within the floodplain. On June 23, 2020, a variance was granted to utilize FEMA mapping for floodplain boundary determination instead of independent Hydrologic and Hydraulic (H&H) study as required by §27-701, Floodplain Conservation. Planning Commission reviewed the plan at their September 14, 2020, Regular Meeting and recommended that the Board of Supervisors approve the preliminary land development plan for 3961 West Whitehall Road—SCBWA Kocher Well Field Water Pumping Improvements.

Ms. Dininni moved that the Board of Supervisors **approve** the Preliminary Land Development Plan for 3961 West Whitehall Road subject to the outstanding conditions as described in the Community Planner memorandum dated September 29, 2020. Mr. Mitra seconded the motion. The motion passed unanimously.

### 2. PUBLIC HEARING – ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT UTILITY FEE

Mr. Pribulka noted that provided with the agenda is a copy of the ordinance advertised for public hearing establishing a utility fee for stormwater collection and management. Mr. Pribulka reminded



that in the chat box there was a sign in sheet that was posted to the link and if someone wished to speak during the public hearing to please make use of the Google Form. The hearing represents a three year-long study to evaluate the feasibility and the structure of a Stormwater Management Utility Fee, while enabling state legislation that has permitted municipalities to establish these has only been in place since 2016. Communities around the country have been establishing these programs since the 1970's as a means to provide a more equitable mechanism for assigning costs based on contribution to the problem of stormwater management. Staff did not have a lengthy presentation scheduled but provided detailed slides and data to the Board and the public in prior meetings, all of which can be accessed from the stormwater fee tab on the Township's website. Mr. Modricker, Director of Public Works, Ms. Elizabeth Treadway of the firm Wood and the Townships Stormwater Fee Consultant, Eric Endersen, Director of Finance, and Ron Seybert, Township Engineer were in attendance to answer any questions. Mr. Pribulka publicly thanked them for their work on the study and the many hours that they spent finding the proposed scope and billing methodology to reflect the current and projected revenue needs for this critical service. Also, Mr. Pribulka thanked the men and women who served on our Stormwater Advisory Committee throughout the process. The Committee was tasked with forming a structure for consideration by the Board including finding the levels of service, providing input on the credit policy manual, billing methodologies and other components of the program. They were not however asked to make a recommendation on whether or not the Township should implement a fee. Also, staff does not have a recommendation to offer on the subject as Fiscal Policy is set by the elected officials of Ferguson Township based on what they believe to be the best interests of our residents with meeting the growing demands on the infrastructure and service delivery. Mr. Pribulka noted that the proposed level of service has been revised to reflect the removal of the acquisition of equipment, the employment of additional foreman and operator, as well as to commit all capital projects related to stormwater management in the first year of the program. This was in consideration of the Board's direction to remove additional staff and to contract out services in the interest of reducing expenditures. No equipment will be purchased with this fund and no staff other than the transition from part-time to full-time employment and stormwater engineer has been incorporated into the first two years of the program. Mr. Pribulka noted that there are no committed expenditures in the proposed program schedule and all expenditures are evaluated year to year along with the entire Township budget. The Board and staff worked to ensure to only include costs that are necessary to achieve the goals established through the budgeting process. Mr. Pribulka reminded that the public can engage with the Board by completing the Google Form that was reference earlier in the evening. Mr. Pribulka recommended that the Board of Supervisors continue the public hearing until October 19<sup>th</sup> during the regular meeting and at the conclusion there will be a vote to be scheduled.

Mr. Miller stated that this is a public hearing and it's a chance for the public to make comments and suggestions. The Board will not be answering questions directly but will be part of the Board's discussion after the hearing. Mr. Miller noted that there will be 60 minutes for public comment.

#### Public Hearing Comments and Questions:

Ms. Davies noted that she sent emails to all of the Supervisors last week and spent a few evenings walking around the Piney Ridge Area. Ms. Davies indicated that most people didn't know what the fee was all about, let alone that there was going to be a Zoom meeting tonight. Ms. Davies expressed concerns with passing such a tax fee during the COVID-19 pandemic because people have lost their jobs, hours have been cut, people are on fixed incomes and can't afford to pay an additional tax.

Ms. Charima Young, Director of Government and Community Relations, PSU, stated that PSU submitted a letter requesting 100% credit. Ms. Young noted that PSU believes that based on the fact that a lot of MS Work permit holders like Penn State do have best management practices that are implemented as permit holders and PSU and has good documentation. PSU mitigates its own stormwater and in addition to that, the University conducted a comprehensive analysis of stormwater impact from PSU properties and found that quite a bit of runoff comes from Ferguson Township onto PSU property. Ms. Young indicated that it is about a 5:1 ratio. Since PSU already mitigates, PSU believes that they qualify to receive an exemption of 100% and asked that the Board take that into consideration. Ms. Young noted that if the Board needs more information, to please let her know.

Mr. Todd Giddings, member of the Storm Water Advisory Committee, noted that he has lived in Ferguson Township for more than 40 years. Mr. Giddings stated that the principle of the ordinances to equitably and proportionately assess property owners in the Township for stormwater runoff is not proportional and is not equitable. Mr. Giddings stated that in fact, Section 8 of the Ordinance does not allow the appeal of a credit application that was denied. The Storm Water Advisory Committee did not have an opportunity at the meetings to develop the credit program fully and so the generic draft credit program is not appropriate for Ferguson Township. Mr. Giddings stated that the Ordinance needs important rewriting and the credit program needs to be developed

Mr. Alexandru Degeratu stated that in preparation for the meeting he went through the documents that the Township posted and one from Mr. Tom Songer. Mr. Degeratu noted that he would second whatever comments Mr. Songer had.

Mr. Stocks noted that he was sitting tonight with a group of friends that are farmers and businesspeople and residents of the Township. Mr. Stocks stated that the tax is not needed, and Ferguson Township has the highest income tax and the highest real estate transfer tax in the area. Mr. Stocks stated the Township has done some extravagant spending for new equipment, buildings, etc. Mr. Stocks finds it especially offensive at a time when families and businesses are struggling over the pandemic and feels it is a money grab in order to grow the government.

Lisa Rittenhouse, Ferguson Township Resident, noted that she has lived in Foxpointe for almost 20 years and there was an email from her Association that they want to give up one of the parks in the development of Hunters Chase. There is a fee of \$176 per household per calendar year. So, with that being levied on them, along with the homeowner's association dues, Ms. Rittenhouse stated that the fee should be set aside.

Mr. James Steamer noted that he has been living in the Park Hills area for 22 years. He asked if the fee is implemented would it be for the individual taxpayer based on the square footage of impenetrable areas such as driveways, cement etc. Also, Mr. Steamer asked if the fee is implemented could it simply be added to the annual property tax bill. Mr. Steamer stated that he would like to know what the fee is going to be and how burdensome it is going to be. Mr. Steamer noted that this isn't going to be popular if implemented because Ferguson Township already has the highest tax rates in the area.

Mr. Pribulka noted that the Township does have a spreadsheet that's available on the website under the main page that can be utilized to access and identify based on your specific address under the current proposal what that fee would look like.

Ms. Higgins noted that she is here to speak against the implementation of the fee, because it is a tax on the rain that falls on our properties and it is ridiculous. The Township's ability to use its General Funds in a fiscally responsible manner doesn't constitute creation of another fee. There

is no need for the fee. Ms. Higgins stated that she feels the Township is extorting money and finds it disgraceful because it is hitting farmers, nonprofit veterans club, churches, etc. Ms. Higgins requested that the Township learn to manage the money that is currently in the budget.

Mr. John Simbeck, noted that Ferguson Township taxes are \$177 in real estate tax based on Township's website and pay another \$195 to the new SAC fee. This is about 111% increase of what our tax would be. Mr. Simbeck indicated the Township generates a lot of money in the Township and this would add another 10 or 12 percent to our yearly budget. Mr. Simbeck noted this isn't the right way to go and feels a lot of consideration should be taken before it is decided.

Ms. Dawnyelle Holsinger noted that she serves as an advocate for homeowners in Centre County. Ms. Holsinger expressed concerns with passing such a fee during the COVID-19 pandemic because many are suffering with job losses, frozen wages, and increased costs. Housing affordability will become an increasingly difficult goal if the fee is implemented. Ms. Holsinger stated meetings like this need to be in person and is requesting Ferguson Township to consider postponing the fee discussion.

Ms. Harpster noted that he owns farmland in Ferguson Township, that would certainly be affected by the stormwater fee. Ms. Harpster also has separate property that would be affected in addition to that as a resident of this Township for over 60 years. Ms. Harpster stated that she has seen struggles and that the Ag Community has persevered, and this additional fee would be a definite hardship for most people in the farming community. Ms. Harpster feels that voting on the proposal at this time would be a huge mistake and that a lot of people have had to do more with less and the Township should be no exception.

Mr. Larry Harpster stated that he is a farmer in the Western part of Ferguson Township and has been a lifelong resident. The Ferguson Township Ag Committee met on September 21, 2020, for the purpose of discussing and reacting to the stormwater fee proposal. There were 23 different owners in attendance. The Ag Community contributes very little, probably less than 1% of the level of service necessary in the Township to manage storm water. The Ag Community keeps the water it gets from the sky on their farm property as part of its crop and animal management system. Mr. Harpster indicated that they don't send surface water to other surfaces. The Ag Community is already regulated by state and federal government through registered conservation plans, nutrient management, and erosion control measures. Three years ago the Ag Community of Ferguson Township was applauded for its stewardship and contributions to the infiltration system that provides a significant amount of drinking water for the entire Center Region and there was no effort made to reimburse the Ag Community for this critical service. Mr. Harpster noted that they are going to be taxed even more for good intentions and efforts. Mr. Harpster noted that the Ag Community does not agree with the fee.

Mr. Tom Songer noted that he supports the staff for looking at the future and determining what the capital needs will be in respect to maintaining and replacing deteriorated storm surges as well as issues relating to the MS4. Mr. Songer feels in his opinion that the fee can be paid from the Township's current Transportation Improvement Fund (TIP) which is the way the Township has been doing business for many years. Mr. Songer indicated that if the Township can't afford the fee, then perhaps it is time to raise taxes. Mr. Songer suggested creating a Financial Advisory Committee to review budgets and make recommendations in order to save money. Also, Mr. Songer indicated that he served on the Stormwater Advisory Committee for more than two years and the Committee never voted on the issue. Mr. Songer recommends that the Board not vote on or at least table the ordinance until the pandemic is over.

Mr. John Corneal noted that he is a businessperson in Ferguson Township and has been a resident for over 35 years. Mr. Corneal stated that Ferguson Township needs to support the businesses and the community. The Township has the highest taxes and then adding this additional fee, this could jeopardize the community. Also, it doesn't appear the fee has much to do with stormwater, but rather a taxing platform as a member of the MS4 group. Mr. Corneal recommends that the funds should be designated directly for stormwater management only and not be allowed to be used for any other purpose in the Township.

Mr. Pribulka noted that the Township would absolutely earmark any funds that were generated in response to a result of a stormwater fee, it would be its own separate fund that would be purely designated for the purpose of stormwater management. It would be subject to an audit. It would become part of the Township's annual operating budget with full transparency and be able to be reviewed. It would free up other capital for other purposes.

Mr. Lauck noted that he is a lifelong resident of Ferguson Township and the Township has taxed the residents to the end of their ability. Also, with the current pandemic Mr. Lauck recommends holding off on implementing.

Rick Tetzlaff noted that he is a 27-year resident of Ferguson Township and spoke tonight as a member of the board for the Homeowners Association in Aaron Village. Mr. Tetzlaff noted that he is against the fee and their needs to be more time to be put into it and more input from residents. Mr. Tetzlaff inquired about how the credits will be done. Mr. Tetzlaff talked about how Aaron Village was required to put in stormwater basins that could have been placed by the Township. Mr. Tetzlaff stated he is against the fee and should postpone the vote on October 19, 2020.

Mr. Thomas Price thanked the Board for compiling the information and noted that he lives in a rural part of Ferguson Township and his water flows straight into Beaver Branch. Mr. Price stated that the tax just seems unreasonable and with the pandemic that it is absolutely not the time to implement this fee. Mr. Price noted that he feels it is unacceptable to consider this fee because of the financial hardship that people are facing with the pandemic. Mr. Price feels this should be tabled until people can meet in person.

Ms. Eleazer noted that she agreed with most of the other points made especially during a pandemic to increase the fees is absurd and for her personal house, it would be almost an additional 100% tax which is outrageous. Ms. Eleazer noted that she looked at her own personal fee for her house versus her neighbors and noted that the Township is rounding to the nearest 1000 IA, and her property is 23 square feet more than her neighbors and her tax was more than 47% higher.

Bob doesn't understand why the residents should have to pay a fee for the developments that are dumping water onto the roads. Bob stated that he is opposed of the fee and he has several properties in the Township.

Jeanne Fudrow noted that she agrees with the points that is in Mr. Songer's letter. It is well written and also agrees with the comments this evening. Ms. Fudrow asked why the storm water issue isn't addressed regionally.

Mr. Ron Strouse noted that he is representing the Pine Hall Cemetery Association which is a non-profit corporation serving the Centre Region for 128 years and based on the fee spreadsheet the fee would be over \$1,900. This will create additional financial hardship to the association and Mr. Strouse is asking for an exemption.

Ms. Marnie Deibler noted that she is a wife of a farmer in the Township and is a daughter-in-law of a farmer in the Township. Ms. Deibler noted that she agrees with the statement that Larry

Harpster made and many others. Ms. Deibler completely opposes the stormwater fee and would see an equivalent of 100% increase each year in the yearly costs. Ms. Deibler stated that it's shameful that the Board wants to bring the proposal to a vote later in the month during a worldwide health pandemic.

Mr. Justin Kocher noted he has a dairy farm out at the West End of Whitehall Road. The farm is about 800 acres of prime farmland and has devoted his life to it. Mr. Kocher noted that milk prices have been low due to the pandemic and cannot afford the fee. Mr. Kocher noted that his fee would be around \$8,560 a year on top of other taxes. Their farm has been practicing no-till for years to prevent soil runoff, erosion control, and is opposed to receiving a fee for stuff they have been preventing years ago.

Public Hearing concluded after one hour.

Mr. Miller noted that there were several emails received and they will be read. Mr. Pribulka indicated that Nick Furgaro has been tracking the questions tonight and will respond. Mr. Miller asked the Board members to make any comments or statements addressing the comments that were received tonight.

Ms. Strickland thanked everybody who has emailed or called with thoughts, concerns, and suggestions. Ms. Strickland stated that she is not in favor of the fee and while she understands the systems are a vital infrastructure there are a number of concerns about the funding scheme. Ms. Strickland noted that the Board did not task itself nor did it task the Storm Water Advisory Committee to scrutinize the budget freeze, cut, or stretch spending. Also, the assessment of the infrastructure will be done after the fee is imposed. Ms. Strickland stated that the Ag Community would be hard hit by the fee despite having their own nutrient management and conservation plans. There are no hardship exemptions and Ms. Strickland noted that the region and the Township are already exceptionally expensive to live in. The nonprofit organizations that will be affected by the fee includes area churches and they are already losing their donations due to the pandemic. Ms. Strickland stated that Penn State will be exempt from part of the fee because they hold their own MS4 Permit. Penn State knows that whatever they agree to pay it will be used as a basis for what other municipalities intend to charge them in the future. Penn State is doubly motivated to keep that number as small as possible and possibly challenge their duty to pay. With regards to the credit program, Ms. Strickland noted that while it will bring some relief to the burden of the fee, it will create another administrative burden for the Township and it has the potential to reduce revenue by up to perhaps 40% maybe more and this loss has not been modeled in revenue or expenditure projections. Ms. Strickland stated that the timing is her biggest problem with the fee because of the pandemic and would like to delay the conversation. Ms. Strickland suggested a few ideas. Hold off voting on the fee at this time, moving forward with conducting the assessment of the stormwater infrastructure over the next several years, using contracted services prioritized by age of the area, and ecology in scheduled programs provided by the study. The study could be funded by holding off on the planned storm water projects that are in the CIP over the next several years, excluding the Park Hills project, emergency repairs, etc. Ms. Strickland stated that at the conclusion of the assessment the Board could determine the cost of the repairs, the replacements needed and then create a master plan for that and ongoing maintenance at that point. The Board could create a separate fund like the TIP fund as directed in the ordinance to allocate funds to pay for the projects. Ms. Strickland suggested looking into increasing taxes. Ms. Strickland suggested to create a Review Committee to evaluate the ordinance once it's built out. The Board could have a very specific scope of work to critique the finalized ordinance and to review the projected cost, the program plan, and the credit policy manual that will go along with the ordinance.

Ms. Dininni is open to accommodating in various ways adapting to the pandemic and this is the conclusion of a 3-year journey. There were many projects that have been put on hold and would be interested in implementing the first year as half of the fee. Ms. Dininni stated that she is not interested in putting this on hold. Ms. Dininni noted that there was a lot of feedback on the methodology and is willing to explore all the methods.

Mr. Miller requested that attendees not use the chat feature for inappropriate conversations and to not use the chat feature at all.

Mr. Mitra stated that he realizes that this is a very hard time for everyone in the community, especially for businesses who have had revenue loss and some folks, especially in the lower wage bracket have lost their jobs and at this point Mr. Mitra has serious concerns about putting this additional burden on the community. Although Mr. Mitra has concerns, he noted that he liked the idea of a stormwater fee; however, would like the polluters to pay. Mr. Mitra's preference would make this a revenue-neutral fee so that the Township isn't doing this to increase the size of local government. Mr. Mitra would like to discuss the ordinance more because some things are unclear and has received several inquiries. Mr. Mitra inquired what exactly the Township incurs in the rural areas versus what the Township incurs in a growth area and why are the farmers being asked to pay for a problem they didn't create. Mr. Mitra noted that he wants the fee to be fair because he heard a lot tonight about fairness, perhaps have different calculations for rural areas. Mr. Mitra stated that if a property is not generating any storm water, then they should not have to pay. Mr. Mitra strongly agrees with Ms. Strickland on creating an independent committee and suggest that the Board move in this direction.

Ms. Stephens stated that the community is hurting financially due to the pandemic but noted that it would be irresponsible to throw away the hard work that had been done over the last 3-years. Ms. Stephens agrees that the ordinance could be tweaked and would agree to tighten the budget.

Mr. Miller noted he received a lot of the emails asking why a fee and not a tax. It is being called a fee because that is what the State Legislation has enabled the Board to call it. Mr. Miller stated that there will never be a fee structure that everyone will agree on. There is a big emphasis on stormwater runoff, but there is more to the management of the runoff. There are infrastructures that serve the entire Township. There are a lot of costs and ultimately those costs need to be paid. Mr. Miller stated that his preference is to approve the fee.

Discussion ensued with the Board members.

Ms. Dininni noted that the fee is unfairly targeting the agricultural community that does have fewer needs and impacts on stormwater. Ms. Dininni stated that Ferguson Township's mills are very low because agricultural land is valued. Ms. Dininni proposed an amendment to the ordinance and noted PA Senate Bill 1026.

Ms. Dininni moved that the Board of Supervisors **amend** the ordinance to state that the Township's shall not assess on any working farm whose total area of impervious surface does not exceed 30% of the property's total land area, a fee that is greater than twice the median assessment fee imposed on all properties in the Township. Ms. Strickland seconded the motion.

Discussion ensued on the amendment.

Ms. Dininni requested figures to get a better understanding. Mr. Pribulka noted that it would equate to approximately 11% reduction in the Township's total number of billing units under the current fee methodology of a 1000 square foot be reduced by a total of 5,651 approximate billing units. At \$17

per unit outside the regional growth boundary, that equates to approximately \$96,000 in reduced revenue and that maximum agricultural land exposure would be capped at \$102.

Mr. Mitra requested information on how much of the Township's stormwater runoff comes from rural areas and urban areas. Mr. Modricker stated that there is not a quantitative breakout and stormwater fees have been around a long time. Mr. Mitra stated that he is interested in the science of this and wanted to know what the best model would be because it is not evidence based.

Ms. Dininni continued a discussion on the amendment she made.

Mr. Mitra expressed concerns and a discussion ensued about who is creating the problem and who would be paying for it.

Ms. Dininni stated that there was a lot of feedback on implementing a property tax but is not in favor.

Ms. Strickland noted that she did research and although the fees have been around a long time, there is not a lot of data available on the effectiveness of different stormwater utility fee designs. Ms. Strickland suggested looking into a tiered program to look at pervious versus impervious surfaces on a lot.

Ms. Dininni noted that early in the process there was a conversation about not including the regional growth boundary.

Mr. Mitra noted that he is in support of the amendment and does not want to bankrupt the farmers.

Mr. Pribulka respectfully requested that he is able to research some level of analysis in terms of the legality of it and is not in the position to provide an opinion at this time.

Mr. Modricker requested that staff and the consultant be afforded the opportunity to go over the calculations.

Mr. Miller called for a vote on the amendment to the proposed ordinance. The motion passed unanimously.

Further discussion continued.

Ms. Strickland asked how the cemeteries are being assessed. Mr. Seybert noted that tombstones were not digitized for impervious areas, because it was too difficult with the level of mapping that the Township has. Paved areas were captured but not headstones.

Ms. Strickland asked about different paving materials and how they were going to be assessed. Mr. Modricker noted impervious areas don't infiltrate water and asphalt bituminous pavement, concrete, and crushed hardpack are in that category. Purposefully built pervious pavement would not be that category. Mr. Modricker stated that if it was built, designed and infiltrates water, it will not be considered in the calculation. In the event that it was captured incorrectly, it will be corrected. Mr. Mitra inquired if gravel roads would be pervious or impervious. Mr. Modricker noted that gravel roads are impervious.

Ms. Dininni commented on potentially raising revenue either through a stormwater fee or maybe property tax. Ms. Dininni noted that the Board heard a lot of people talking about how the Township should be managing the money better and discussed ways to cut expenditures. Ms. Dininni also noted that there are a lot of expenditures in the future such as a fire station out in the West End of the Township.

Ms. Strickland noted that there was a lot of feedback on the billing system following the last meeting and has done even more research on how it will impact different property owners in different ways. There was a lot of communication that the ERU might be a fairer model. Ms. Strickland concurs with Mr. Mitra with regards of considering lowering the 1000 square foot grounding point. Ms. Dininni liked the idea of exploring the smaller rounding unit perhaps at 500 square feet. Mr. Pribulka believes that the ERU model creates a perception of equity more so than the 1000 square feet billing model. Since publishing the spreadsheets online, Mr. Pribulka stated that he has heard from several residents that are looking at their fee and in some cases the fee is twice of their adjacent neighbors are paying. Ms. Dininni stated that she favors the 1000 square foot model. Mr. Miller supports the ERU method because it is simpler. Ms. Strickland is in favor of the 1000 square foot model but is open to reconsider. Ms. Strickland asked if there is a possibility of modeling the 500 square feet. Mr. Modricker indicated that it can be a possibility. Ms. Strickland stated she is leaning towards the ERU, but would like to see the models of 1000 sq. ft., 500 sq. ft. and the ERU model. Mr. Miller stated that if a major change is made in the ordinance, the Board can't vote. Mr. Modricker can run different scenarios. Mr. Pribulka stated the amendment regarding the cap on the agricultural fees is significant enough to re-advertise for a new public hearing on October 19<sup>th</sup>. Mr. Modricker and Ms. Treadway will go over the models, and then re-advertise for a public hearing on November 2, 2020.

Mr. Mitra requested from the other Board members their thoughts on low-income exemption and fixed-income exemption. Mr. Miller stated that Mr. Pribulka will need to look at the legality perimeters of exemptions. Mr. Pribulka will do some research for the next meeting. Ms. Treadway noted that there are hardship considerations that have been made in utilities and they're made today, even in places like the power companies where they have established a hardship program. Ms. Treadway noted that the legal review that Mr. Pribulka discussed is very important.

Ms. Strickland requested forming a Stormwater Ordinance Review Committee. Mr. Miller stated that he is not in favor of the committee. Mr. Pribulka noted that he would need more information to decide. Mr. Miller recommend proposing the committee as an agenda item to Ms. Strickland. Ms. Strickland agreed and will propose this for the next meeting.

3. PUBLIC HEARING – RESOLUTION AUTHORIZING THE ENGAGEMENT OF VOYA FINANCIAL FOR NON-UNIFORMED PENSION PLAN SPONSORSHIP SERVICES

Mr. Miller opened the Public Hearing and asked for comment. There were no public comment and the hearing closed.

The resolution was included in the agenda and needed no further comment from the Board.

Ms. Dininni moved that the Board of Supervisors **authorize** to adopt the resolution authorizing the Chairman and Secretary to execute an agreement with Voya Financial for plan sponsorship services for the Township 457 Deferred Compensation Retirement Plans; Post Employment Healthcare Plan; and Roth IRA Plan. Ms. Stephens seconded the motion. The motion passed unanimously.

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

**VI. NEW BUSINESS**

1. CONSENT AGENDA

a. Contract 2019-C32c, Pay Application 6, Electrical: \$7,349.93



- b. Contract 2019-C32a, Pay Application 7, General: \$14,677.50
- c. Contract 2019-C32a, Pay Application 8, General: \$17,557.99
- d. Voucher Report – August
- e. Treasurer’s Report for Acceptance – August

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda and **accept** the Treasurer’s Report for August . Mr. Mitra seconded the motion. The motion passed unanimously.

2. ZONING ORDINANCE AMENDMENT, CHILDCARE FACILITIES – AUTHORIZATION FOR PUBLIC HEARING

Ms. Wargo introduced the Zoning Ordinance Amendment. Based on the results of the business needs survey, staff explored potential options within the Township’s control to provide relief to residents and businesses in Ferguson Township. Staff reviewed the requirements and processes of establishing a Family Child-Care Home and a Group Child-Care Home within residential areas of the Township. A Family Child-Care Home is defined as a residence in which out-of-home care is provided, as an accessory use, at any one time, for part of a twenty-four-hour day, for up to and including six children who are not related to the operator and who are 15 years of age or younger. This definition does not apply to: care provided in the home of someone who is a relative to all of the children being cared for or care provided by a relative in the home of children whom are all related to each other and to the relative. A Group Child-Care Home is defined as a residence in which out-of-home care is provided, as an accessory use, at any time, for part of a twenty-four-hour day to more than six but fewer than 16 older school-age children or more than six but less than 13 children of any other age. This definition does not apply to: care provided in the home of someone who is a relative to all of the children being cared for or care provided by a relative in the home of children whom are all related to each other and to the relative. Currently, both uses are considered Accessory Uses, and both uses would follow a conditional use process for approval. The conditional use process is longer and more expensive for the applicant in comparison to a zoning permit approval. Ms. Wargo spent time working with Mr. Ressler on all the zoning districts. Currently it is only permitted as an accessory use in the RR and RA zoning district for both childcare homes. Staff is recommending to amend Chapter 27, Zoning; Part 2, District Regulations; Section 205.5—Single Family Residential (R1); Section 205.6—Suburban Single Family Residential (R1B); Section 205.7—Two Family Residential (R2); Section 205.8—Townhouse Residential (R3); Section 205.9—Multi-Family Residential (R4) and Section 205.11—Village (V) to amend the conditional use for Family Child-Care Homes to a permitted use for Single-family Detached Dwellings in these zoning districts and amend the conditional use for Group Child-Care Homes to a permitted use for Single-Family Detached Dwellings in the Single Family Residential (R1) and Suburban Single Family Residential (R1B) zoning districts. All conditions as outlined in the conditional use process would still be applied to the permitted uses and residents would be able to apply for a no-fee zoning permit for approval as opposed to going through the conditional use process.

Ms. Dininni asked if the larger group homes in R4 are allowed by conditional use. Ms. Wargo noted that they are not allowed within R4.

Ms. Strickland noted that she is supportive of this amendment, but thought the idea was to make it a permanent accessory use. Ms. Wargo noted that she was not employed at the Township when this was written.

Mr. Miller asked if all the conditions that were previously established would still apply. Ms. Wargo stated that yes, but it not a conditional use process. Mr. Pribulka indicated that the one limitation that might be considered would be applied to with this is if the Board would take out the Conditional Use Hearing Process that it would preclude the Board from placing additional conditions beyond

what is included in the supplemental regulations. The Board does have some latitude during the conditional use process to attach items that are not ordained. Ms. Dininni asked if it was temporary. Mr. Pribulka stated that no it is not temporary under the proposal. Ms. Dininni requested making the conditional use process temporary and expressed concerns over the larger group homes. Mr. Miller expressed that he does not have a problem with the family childcare home but suggest looking into group childcare home before approving. Continued discussion ensued regarding the process once the temporary allowances expire. Ms. Dininni prefers to have the larger group homes removed from the ordinance. Mr. Miller agrees to have the conditional use hearing on the larger group homes. Mr. Mitra concurs. Ms. Wargo will note the change.

Ms. Dininni moved that the Board of Supervisors **authorize** advertisement of a public hearing on an ordinance permitting family childcare facilities as an accessory use home occupation in all residential zoning districts for Monday, November 16<sup>th</sup>. Ms. Stephens seconded the motion. The motion passed unanimously.

## **VII. STAFF AND COMMITTEE REPORTS**

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

- a. Executive Committee – No report.
- b. Public Services and Environmental Committee - Mr. Mitra was unable to attend the meeting but there was a discussion on the Climate Action and Adaptation Plan and there will be a future session scheduled. The UAJA Solar Pilot program was discussed.
- c. Joint TLU and CRPC Meeting – Ms. Strickland stated that they met today, October 5, 2020, and had a presentation on the Utility-Scale Solar Projects in the Centre Region. They discussed the Accessory Dwelling Units in the Centre Region and it is in the CRPA work plan. Ms. Strickland encouraged the Board to look at the draft Centre Region Land Consumption Study that was provided in the agenda. Ms. Dininni suggested to revisit the Accessory Dwelling Units.
- d. Finance Committee – Mr. Miller noted that the review of the COG Budget has been completed. The final meeting is Thursday, October 8, 2020.

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

- a. CCMPO Coordinating Committee CCMPO Coordinating Committee – Ms. Strickland noted that the PennDot Multimodal Transportation Fund Cycle is open until November 6, 2020. CCMPO reviewed the comments that were made about the Long Range Transportation Plan. With regards to the projects in Pine Grove Mills that Ferguson Township requested to separate, Ms. Strickland noted that the Committee did not recommend, but if the Township would have a successful study then the two projects can be separated. Ms. Strickland asked to place a footnote stating that the two projects can be separated if there is a successful study because Ms. Strickland doesn't want it to get lost.

### **3. STAFF REPORTS**

- a. Manager's Report - Mr. Pribulka noted that his report is in the agenda. There will be a Virtual Municipal Leadership Summit on October 29-31, 2020. Board members can attend and to let the Manager know. Ferguson Township was awarded a \$250,000 grant from the Community Conservation Partnership Program for Phase I of the Suburban Park. Ms. Martin took the lead on drafting the application and Mr. Pribulka thanked her.

- b. Public Works – Mr. Modricker’s report was included in the agenda. There will be two brush collections that will occur in October. Mr. Modricker updated the Board on the Arborist and Tree Commission. Mr. Modricker is in the process of reviewing requests for proposals for a solar power purchase agreement.
- c. Planning and Zoning – Ms. Wargo noted that the report was provided in the agenda and noted that the staff is preparing for the public hearings in November and ensuring that it is in compliance with the MPC.

**VIII. COMMUNICATIONS TO THE BOARD**

None

**IX. CALENDAR ITEMS - SEPTEMBER/OCTOBER**

- 1. Wednesday, October 5, 2020, Board of Supervisors meeting

**X. ADJOURNMENT**

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 11:05 p.m.

Respectfully submitted,

David Pribulka, Township Manager  
For the Board of Supervisors

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Continuation Meeting from October 5, 2020

Wednesday, October 7, 2020

7:00 PM

### ATTENDANCE

The Board of Supervisors held a continuation meeting from Monday, October 5, 2020, to October 7, 2020 via Zoom. In attendance were:

<b>Board:</b>	Steve Miller, Chairman	<b>Staff:</b>	Dave Pribulka, Township Manager
	Laura Dininni, Vice Chair		Dave Modricker, Director of Public Works
	Prasenjit Mitra		Nick Fugaro, Communications Coordinator
	Patty Stephens		Eric Endresen, Director of Finance
	Lisa Strickland		Jenna Wargo, Planning & Zoning Director

Others in attendance included: Rhonda Demchak, Recording Secretary; Bill Keough, Member, Centre Region Parks & Recreation Authority; Bruce Bender, Ferguson Township Resident; Doug Bart, Ferguson Township Resident; Mark Kunkle, Ferguson Township Resident; Joseph Green, Township Solicitor, Joe Viglione, Finance Director, COG

### I. CALL TO ORDER

Mr. Miller called the Monday, October 5, 2020, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised as a virtual meeting via Zoom. 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. Members of the public who would like to speak on behalf of an agenda item are asked to enter their name, municipality, and the topic by utilizing the chat feature. Per the Sunshine Act, which allows during a time of disaster recovery to meet virtually, but it also requires that a Roll Call. Mr. Pribulka took Roll Call and there was a quorum.

Mr. Miller stated that the Board unanimously agreed to add an item to the agenda tonight to discuss where the Board is with the process of the Stormwater Fee Ordinance. There will be no motions with the ordinance.

### II. CITIZENS INPUT

None.

### III. SPECIAL REPORTS

#### a. Centre Region Parks & Recreation Authority

Mr. Bill Keough presented the report. Mr. Keough noted that from a staff perspective on the Park and Recreation Department, there's been a huge amount of focus on the COVID-19 issues and the changes that have been required as a result of the almost daily, if not weekly changes in information coming from the Department of Health with regards to what is allowed and what is not allowed. Mr. Keough stated that whenever a change occurs, staff goes into high operation mode to try and determine whether the activity that is planned complies with the latest COVID-19 regulations. Also, the townships have enacted or are in the process of enacting emergency ordinances which vary from township to township and a little bit from the state. Mr. Keough noted that trying to figure out

where the activity is taking place, what township it involves, and then applying the matrix to determine if the activity is in compliance, is a lot of work.

Mr. Keough noted that the bid packages for the Whitehall Road Regional Park are all completed and DCNR has reviewed about 75% of those packages. CRPR is waiting for documents to come from the Authority Solicitor, which should satisfy DCNR's checklist. At that time, CRPR can set the bidding period and advertise the bids for Whitehall Road Regional Park.

Staff completed a grant application to the Centre Foundation COVID-19 Community Grant focusing on helping to support the technology and equipment needs related to the COVID-19 pandemic and also completed the grant to the Centre County Cares Act COVID-19 fund for revenue losses, utilities, and rent for the authorities operations. CRPR welcomed Kristy Owens at their last meeting. Ms. Owens is the new Recreation Services Manager. The previous manager has relocated out of the area. Ms. Owens was recently hired to take the position and will have a very steep learning curve given all the things that are occurring in the region and nationally.

The Oak Hall Youth Flag Football Program is underway. Mr. Jeff Hall has been able to add two brand new team activities to the Park and Recreation program this fall. The first is a wood bat league where only the use of wooden bats are allowed. There are 10 teams assembled and will be utilizing the Softball Complex because it has lights. A new sand volleyball league was established as well.

The Adult Center has taken a real hit with COVID-19 and is having a great deal of difficulty meeting the compliance issues, especially with the population that is being served at the Center. They are all seniors and represent the high-risk population. Mr. Keough was pleased to report that the Center will be offering a program one day a week and will also be providing one outing a week.

In September CRPR was able to add a low-impact exercise program called Healthy Steps.

Mr. Keough expressed excitement for a new program called Single Track School for Girls. It is a program for bicycle riders. They will be meeting three Sundays in September and October. In addition, the CRPR established a partnership with an organization called Soccer Shots for 2- and 3-year old's and 4-and 6-year olds at Suburban Park.

CRPR is also offering Start Smart Baseball and Start Smart Basketball at Spring Creek. The Start Smart Sports Programs will bring parents and their children in to work together to learn the basics of the sport.

The Park Maintenance Program has been very busy. CRPR started seeding and fertilizing a number of the grass areas but had to discontinue because the conditions were too dry.

College Township has assisted CRPR in adding compost to the sports fields at Spring Creek Park. Mr. Keough noted that CRPR also has the maintenance staff enhancing the playground safety surfaces by adding new certified engineered wood fibers to the fall zone areas in the parks. In Ferguson Township, the maintenance department has continued to maintain the soccer fields.

The Park Forest Pool was closed for the season on September 7<sup>th</sup> and the Welch Pool closed for the season on September 27<sup>th</sup>. Mr. Keough explained that the reason for the different dates had to do with the ability to maintain staff especially lifeguard staff. CRPR could maintain enough staff for operating one pool after Labor Day but couldn't get enough staff to maintain both pools after Labor Day. Both pools are now closed and starting to winterize them.

A contractor recommended and approved to complete part one of the boardwalk feasibility study at Millbrook Marsh and looking to receive quotes for the pavilion roof replacement.

There also was an issue of invasive species at Millbrook Marsh. A representative from the U.S. Fish and Wildlife Service completed a study. CRPR is always concerned about the invasive species when it comes to Millbrook Marsh.

Mr. Keough noted that one of the biggest issues has clearly been a loss of revenue across all the operating budgets. All the operating budgets have taken a serious hit when it comes to the ability to get revenue to support the programs and continues to be a major challenge for the CRPR. The CRPR tried to minimize and reduce some of the expenses across all the operating budgets for all of the programming and that included full-time staff furloughs this summer and reduction in seasonal staffing.

Mr. Keough stated the he is very interested in listening to the agenda item about the Whitehall Road Regional Park.

Ms. Strickland asked if the wooden bat teams are local or traveling. Mr. Keough noted they are local. Ms. Strickland wanted to know what it means to partner with Soccer Shots. Mr. Keough stated he was not sure but will get an answer for Ms. Strickland.

Ms. Dininni asked Mr. Pribulka if it is fair to say that Centre Region Park and Recreation is exempted from the Ferguson Township Ordinance. Mr. Pribulka stated they are exempt.

#### **IV. UNFINISHED BUSINESS**

##### **1. Citizen's Right to Be Heard – Whitehall Road Stormwater Runoff**

Mr. Pribulka noted that Mr. Bender, 6315 W Whitehall Road, has submitted a request through the Citizen's Right to Be Heard Provision of the Home Rule Charter to appear in front of the Board this evening and reviewed his concerns that he has in respect to his property and some of the adjacent property owners on West Whitehall and Johnson Road.

Mr. Bender stated that it initiated in 1958 when PennDOT did some work on Whitehall Road and redirected the stormwater. The stormwater now runs across Whitehall Road, across Johnson Road, and then comes down the hill into their properties. Mr. Bender noted it is thousands of gallons of water when it is time to pump it out. Mr. Bender is requesting Township to reconstruct the stormwater runoff situation. Mr. Bender noted that when it was presented in the past one of the big concerns was being able to locate the water line in that area. This Spring Water Company did locate it. Mr. Bender is requesting it to be added to the Capitalization Plan because it's a serious problem. The deepest point is about three feet deep and Mr. Bender has had to pump it out. It takes hours to pump with a 2-inch gas-powered pump, and it runs for 2 or 3 days depending on how deep the water is. Mr. Bender is asking to consider this to be an agenda item to be funded.

Mr. Miller noted that this has been looked at in the past. Mr. Modricker noted that Mr. Bender described the situation well. The issue is mostly upstream, private property water commingled with road water, and at one time was the state road system, which was also relined. There have been field views and preliminary estimates. This was not included in the road paving project, but it's not that stormwater couldn't be incorporated. However, in this case it would only be benefitting the private property owners. If next steps were to be taken it would require surveying design work, PA One Call, accurately locate the Rock Spring Water Line, and any other utilities. Mr. Modricker noted that the feasible way would be to pipe the road to the south side of White Hall Road and run it down the ditch line that is between the road and the embankment where the evergreen trees are, then down to the creek.

Mr. Mitra asked about the degree of the problem. Mr. Bender stated that when it floods it spreads out over three properties and the septic fields are under water. Mr. Bender noted that he gets up

to 6 inches of water at times in his basement due to the flooding. The runoff contains gasoline, pesticides, manure, etc. Mr. Bender reiterated that it is a seriously problem. Mr. Bart, Ferguson Township Resident, noted that it looks like a stream coming down off the hill with visible erosion to the property. Mr. Modricker noted that there has not been a detailed analysis performed but the storm water does heads down in that direction and ends up in a depression. Mr. Bender noted that he didn't feel the pond has any influence on the property.

Mr. Miller asked how much it would cost to obtain an estimate and would this be Township Staff. Mr. Modricker stated that it would be done by Staff.

Ms. Dininni asked if the Township would have a stormwater fee, would it be funded and would it have to be an agreement with other property owners. Mr. Modricker noted that an analysis was not done to say how much of it is contributory from private property and how much is public but noted that it is probably private. Mr. Modricker stated that not all property owners have agreed but could be done in the Townships right-of-way and not impact others adversely.

Ms. Strickland noted that the situation is similar to the Piney Ridge Road Project. Mr. Modricker explained the similarities and the differences. Mr. Modricker stated that issues with private property where the stormwater crosses the road are not typically addressed. Mr. Pribulka noted that often times it is a civil matter between the property owners and the Township doesn't have any regulations or ordinances that pertained to run off that originated from upstream development affecting another private property owner. There are some cases where the Centre County Conservation District might get involved if the issue is significant enough, but typically it doesn't. Mr. Modricker stated that with Mr. Bender's issue this might be a little different due to a very old road system. Ms. Strickland noted that the Township should fix whatever problems are created by failures in the road system but is concerned with overstepping and setting a bad precedent where the township would be responsible for other improvements or fixes on private property.

Mr. Miller thinks it would be worth doing the work to get a good estimate before the next Capital Improvement Plan process in 2021. Ms. Strickland asked if it would be possible to investigate further without moving it on the CIP to see where the responsibility lies. Mr. Green, Township Solicitor, stated that without committing to any course of action, obtaining an estimate would be appropriate and making an evaluation. Mr. Modricker noted that to get a better cost estimate, design work needs to begin. Ms. Strickland expressed concerns about staff time and shouldn't finding out who is responsible be the next step. Mr. Green noted that it would be a viable approach and might be the best first step. Mr. Modricker reviewed a map of the area.

Mr. Miller asked the Board if an analysis should be done. Mr. Miller stated that he would move forward with the engineering analysis. Mr. Mitra's preference would be to find out who would be responsible first before completing the design. Mr. Modricker stated that an accurate break out can be completed on preexisting and post contributory areas. Mr. Mark Kunkle, Ferguson Township resident, noted that the Township could consider assessment to the property owners, but would assume the full cost of any project. The resident would pay it over a period of years with the assessment secured by a lien against their property.

Ms. Strickland moved that the Board of Supervisors **direct** staff to move forward with the first 25%, which is the assessment of the flooding and run off conditions to determine who would be responsible. Mr. Mitra seconded the motion.

Mr. Pribulka clarified that there will be no design work done at this time, but only to determine where the runoff is originating from.

The motion passed unanimously.

## 2. Ferguson Township Zoning Map Amendment – Authorization for Public Hearing

Ms. Wargo introduced the amendment. On November 18, 2019, Ferguson Township Board of Supervisors held a public hearing and amended Chapter 27, Zoning Ordinance. The next step in amending the zoning ordinance is amending the Ferguson Township Zoning Map. Amending the zoning map modifies the district boundaries in areas identified by the Board during their February 3, 2020 meeting. The areas that have been identified during the first phase of the rewrite process are outlined in the attached Exhibit “A” and was included in a memorandum dated September 29, 2020, from the Director of Planning and Zoning, summarizing the recommendations as discussed during the September 15, 2020, Joint Special Meeting with the Board of Supervisors and the September 28, 2020, Regular Planning Commission meeting. Pine Grove Mills Advisory Committee reviewed the Ridge Overlay Lots that are adjacent to the Pine Grove Mills Area and recommended that the lots be rezoned to Forest Game Lands. Ms. Wargo stated that the public will be notified by a letter of the public hearing date and will recommend their attendance.

Ms. Dininni moved that the Board of Supervisors **authorize** advertisement of a public hearing on an ordinance amending the Ferguson Township Zoning Ordinance and Zoning Map for Monday, November 16, 2020. Ms. Stephens seconded the motion. The motion passed unanimously.

## 3. Ferguson Township Workforce Housing Ordinance Amendment – Authorization for Public Hearing

Mr. Pribulka noted that there is a copy of the draft ordinance that's been worked on over the last several months with staff, Planning Commission, and some other relevant stakeholders who have been providing their input.

Ms. Wargo noted that included with the agenda is the updated Draft Workforce Housing Ordinance based on comments received during the joint special meetings held September 1<sup>st</sup> and September 16<sup>th</sup> with Planning Commission. The ordinance will be applicable to the following developments within the Traditional Town Development (TTD) and Terraced Streetscape (TS) Zoning Districts:

- 10 or more residential dwelling units
- Renovation of a multi-family dwelling that increases the number of residential units from the number of units in the original structure
- Conversion of an existing residential structure regardless of dwelling type to a multi-family dwelling that results in ten or more residential dwelling units; and
- Conversion of a nonresidential property to a residential property that results in ten or more residential dwelling units.

It expands upon the Legacy Workforce Program by allowing for rentals or owner-occupied units; and provides workforce housing units to be built on-site, built off-site, and/or paid through fee-in-lieu.

Planning Commission reviewed this draft at the September 28, 2020, regular meeting and recommended that the Draft Workforce Housing Ordinance not be approved.

The memorandum dated September 29, 2020, from the Director of Planning & Zoning summarizes the updated draft based on the discussions from the September 16, 2020, Joint Special Meeting. Ms. Wargo will be providing a memo describing why the Commission will not be approving the ordinance.



Staff reviewed the Terraced Streetscape (TS) Zoning District and the Traditional Town Development (TTD) Zoning District and is recommending that Chapter 27, Zoning; Part 3, Residential Planned Development and Mixed Use; Section 204, Terraced Streetscape (TS) District be amended by amending and adding the following to §27-304.C.2 Building Height Incentives to read:

*c. If a building is complying with §27-716, Workforce Housing, the by right maximum height of 55 feet may be increased to accommodate bonus market rate units, not to exceed 75 feet.*

Ms. Dininni moved that the Board of Supervisors **authorize** an advertisement of a public hearing on an ordinance amending the Ferguson Township Workforce Housing Ordinance by repealing it and replacing it in its entirety for Monday, November 16, 2020. Mr. Mitra seconded the motion.

Ms. Stephens noted that the ordinance doesn't address the proposed stormwater fees and asked if it should be added. Ms. Wargo stated that it can be an addition to the ordinance.

Ms. Dininni inquired if the ordinance is proposing the height restriction from 55 to 75 feet with TS. Ms. Wargo noted that it currently allows for 75 feet if a developer would build Workforce Units, it is an incentive and they aren't required to build them.

With regards to the Student Housing Building that is being developed Ms. Dininni asked about the income guidelines and affordable housing. Ms. Wargo stated that the current draft allows for a 100% paid in fee-in-lieu if they are rental units. If the developer is building at student rental complex the developer would be required to provide workforce rental units. Ms. Wargo noted that she doesn't believe anyone in the workforce would want to live in that building, but the developer would have the option to pay all the units in fee-in-lieu and would not get any bonus units. Ms. Dininni thought they could have the release valve and wouldn't owe the fee-in-lieu and asked for more clarification in regard to the developer producing rental housing.

Mr. Miller noted that there are two meetings before the Public Hearings and to raise questions now so that they can be worked out in the ordinance. Mr. Pribulka noted that it's not likely to run into that circumstance with a rental unit. Ms. Wargo personally wouldn't recommend not having a release valve for the rental units that can't be rented because then it's essentially having empty units until there is qualified renters for them. Ms. Wargo recommends having the release valve and percentage of the fee-in-lieu paid to the Township to allow for the market rate.

Mr. Miller asked for clarification if the parent's income would be in play with the undergraduate student housing. Ms. Wargo noted they do not include the parent's income; however, will check with Land Trust on the policy.

Ms. Strickland asked why in the TSD why it needs to be 75 feet and not 65 feet as a maximum. Ms. Wargo stated that currently the ordinance allows up to 75 feet. If the developer were to build workforce housing units, it states an additional 20 feet in the ordinance. Ms. Wargo noted that it is to ensure they couldn't go beyond what's currently there. Ms. Strickland expressed concerns with 75 feet and would prefer it capped at 55 if not 65 feet. A discussion ensued with regards to the height restrictions.

Ms. Strickland recommends changing the language that the TSD reads 65 feet. Ms. Dininni supports the recommendation and has concerns with the height in the TSD. Ms. Strickland suggested establishing a limit on bonus units.

Mr. Miller stated that the Board is not making changes to the document now, but rather the motion here is to schedule a Public Hearing. Ms. Wargo will go over all the questions and concerns from this meeting and will discuss at the next meeting.

Ms. Strickland asked if a review of the manual is possible because she has several questions and would like to look up. Ms. Wargo stated that Ms. Schoonover would be the person to ask questions and that there is no other ordinance like this in the county. Mr. Pribulka suggested having Ms. Schoonover attend a meeting between now and the Public Hearing to answer questions. Ms. Strickland asked if the Board will be approving the manual. Mr. Pribulka stated that it would be an internal document for the Land Trust to develop.

Ms. Dininni asked about the fee-in-lieu in the budget. Mr. Pribulka proposed that it would be its own separate fund. Ms. Wargo noted that she and Ms. Schoonover would recommend either a policy or a resolution be adopted by the Board on what the funds can be used for because it would be faster especially in real estate. Ms. Dininni asked why under limitations on page 7 is the ordinance excluding the for-rent units as needing to be a principal place of residence. Ms. Wargo stated that it relates to the for-sale units so they wouldn't be able to be rented. Ms. Wargo will clarify the language.

Mr. Miller called for a vote on the motion that the Board of Supervisors **authorize** advertisement of a public hearing on an ordinance amending the Ferguson Township Workforce Housing Ordinance by repealing it and replacing it in its entirety for Monday, November 16, 2020. The motion passed unanimously.

## V. NEW BUSINESS

### 1. WHITEHALL ROAD REGIONAL PARK FUNDING DISCUSSION

Mr. Miller noted that attached to the agenda is a memo from the General Forum with questions that need to be answered.

Mr. Miller read Option #1. If your municipality supports only utilizing the current \$4.8 million dollar loan, plus any grants and donations, what amenities of the already reduced Phase I scope should be removed from the park to meet the budget?

Mr. Endresen stated that a lot of the discussion and information that was presented during the Zoom & Learn hopefully provided background but noted they are still looking for consistent feedback from all the municipalities. Ms. Dininni expressed difficulty understanding the options and asked for clarification. Mr. Viglione noted that Option #1 would increase the Regional Parks budget by \$300,000. Option #2 would go back to the municipalities. Mr. Miller stated that the Finance Committee did not want to move forward with refinancing because it would incur costs. The first option essentially would keep the payments the same but could borrow more money for those payments. Mr. Miller indicated that the loan cannot be closed out because a unanimous decision would need to be made from the five municipalities. Ms. Dininni noted the loan should be closed out, does not want Ferguson Township to give additional sources funding, and does not want to move forward with Option #4.

Ms. Dininni read a statement to the Board that she wrote. *Phase I of all three regional parks were to be completed by 2015. Far before the opposition to the Toll Brothers occurred, there was a severe shortage of funds for Whitehall Road Regional Park. The current plan even in 2014 was over budget and Ms. Dininni quoted Mr. Ron Wood from a memo June 13th, 2014. "We have a conditionally approved Land Development Plan that we cannot afford." There was a one-way \$2 million dollar fund balance that was increased by \$7.5 million dollars in 2011 to come to a total of*

*\$8.9 million dollars to develop Oak Hall and Whitehall Road Regional Park Phase I. Those millions and millions of dollars have shrunk steadily over the years and we have not even begun Whitehall Road. On top of that, we still have a centralized maintenance facility and staff headquarters to fund. As I think about the best use of that land and the best use of our taxpayer dollars, I refer directly what both the regional surveys and the Ferguson Township survey had to say about the development of the Regional Parks and Recreation opportunities. In the Regional Park Amenity Survey, the top five amenities that folks wanted to see in the park were walking trails, picnic pavilions, shade trees, flowers, playground areas and open space. Two times now in a regional level survey, it's been indicated that the people want local amenities, shade trees, places to walk, pavilions, bathrooms, conserving the natural environment was very very highly valued as a CRPR planning priority as identified by residents recently. Despite that and the importance of this parcel to water conservation and quality, and our terribly limited budget we move forward with a master plan that requires intensive land development. We see that the region is even still considering putting the maintenance facility there, even though the Water Authority has said they do not want quantities of herbicide fertilizer and fertilizer stored there. Ferguson Township residents when queried about what they'd like to see at the regional park land at Whitehall they indicated they wanted to see fitness trails, restrooms, parking areas, public gardens and picnic areas, not ball fields, lights and fences. When residents at the regional level were asked recently, what do you think the priority for parks and rec in the Centre Region over the next 10 years should be. Two of the three top where conserve open space and natural resources and develop trails and greenways. Currently we have a shared loan for \$4.8 million dollars and the authority was tasked very specifically to build in accordance with the master plan within that budget. By January 2020, I had on my to-do list to discuss the matter of the bathrooms being shifted out of the base bid that the Authority was preparing to put forward. Even though the Park Authority knew that not only Ferguson Township, but all of the municipalities agreed from the start that bathrooms were an absolute priority. By January, they were moving forward with the bids that did not include them in a base bid. Now here we are and it's October and they are just now coming to us with a park design that does not include bathrooms. There was never an option according to the municipalities to not include bathrooms. The Township is looking at rising costs and a population that does not want to see rising fees or taxes and we are being asked for more money to fund the majority of a project that was shaky from the start. Ferguson Township pays the most of the park loan at 28%. Along with that loan comes operational costs recurring every year and many many years of continued borrowing to get the park to reasonably match the plan. It is irresponsible of us to further invest in a park that has been chronically over budget, planned for poorly, and that is the gateway to nothing more than costs. Ferguson Township provided an inordinate amount of money for the development of this park, far more than any other municipality. In addition, if COG were dissolved or restructured in the future, so as to not be able to maintain the park, it would revert to full ownership by Ferguson Township. So even though that this is developed as a regional park, we will have a responsibility for that park should the structure of COG ever change. In addition, we have the responsibility to maximize the benefit and minimize the impact on our residents and ecosystem services. As I've mentioned already, our residents clearly indicated much more interest in passive amenities. This area is home to many species of migrating and over wintering birds even known as White Hawk Farms Birder Hotspot. The special ecological features of this location are not confined to birds despite the fact that when the region applied for a grant to DCNR to develop this park, they indicated there were no prime agriculture soils at this site, that is incorrect. In fact, the entire site is prime agricultural soil. Additionally, this land is riddled with sinkholes and is an integral part of the water recharge of the Harter Thomas Well Field. And in addition, is adjacent to the parcel of land that the State College Borough Water Authority has an obligation via deed restriction to manage for water protection. Meeting field needs, should they actually exist? Does not have to entail meeting costly tournament needs here at this location. Thank you.*

Mr. Miller read Option #4. Is it the request of your municipality that the Authority close out the loan/repay outstanding balance, and then abandon the project? If so, why?

Mr. Viglione reviewed the financial implications. Ms. Dininni stated that she would want to close out and is sensitive to having to repay part of the grant given the position of the State College Borough Water Authority throughout this project. Ms. Dininni stated that that if they saw that there was an opportunity for the parcel to be put into passive recreation that does not disturb the ground, that they might be willing to offset the grant repayment. Ms. Dininni also suggested that in terms of repayment that the Township should look at the Borough Water Authority as a potential partner. Mr. Miller asked the Board if this should be closed out. Ms. Dininni commented that none of the surveys that were generated match the amenities in the park. Ms. Stephens noted that she is on the fence and could go either way. Mr. Viglione noted they do not want to rush anything and wants to come to a knowledgeable thoughtful decision. Mr. Endresen indicated that they might not be able to achieve a final consensus by the municipalities through the General Forum at the end of October. Ms. Strickland commented that she couldn't give an answer to close because no one knows what the penalties would be. Ms. Strickland had concerns with the budget and can't justify spending money on the park. Mr. Mitra noted that he was undecided. Ms. Dininni reiterated that there is no budget and perhaps do a smaller version of a park. Mr. Viglione noted that if the Board chooses Option #4, there will be no park. If the Board would go with Option #1 or #2, it would be a portion of Phase I. Mr. Mitra asked for more information with the options. Ms. Stephens noted that she is leaning towards closing out but is worried about the penalties. Mr. Viglione indicated that the Oak Hall Park loan is almost paid off. Mr. Mitra commented that at this time, he would close out, but would like more information to make an informed decision. Ms. Dininni inquired about the impacts with the agreements. Mr. Viglione stated that Pam Salokangas, Director, CRPR, will be able to answer some of the questions from the meeting tonight and will follow-up. The Board agreed that as a Board it is unable to decide until questions have been answered. Mr. Miller would like a presentation on what it would mean to go forward with \$2 million dollars more and noted it's too premature to discuss refinancing. Ms. Dininni had concerns with not having a right-of-way with Penn State to get to the trail and wanted to know what the cost would be to have an agreement. Ms. Dininni requested to see the documentation from Penn State to make a better decision on having the trail. Ms. Strickland asked if the All-Ability Playground could be located at another site that is a non-regional park since it will not work on the Oak Hall Regional Park's Master Plan. Mr. Viglione stated that the loan indicates that the All-Ability Playground must be in either Oak Hall or Whitehall Regional Park. Mr. Miller noted that any changes to the loan such as refinancing or ending would take a unanimous vote. Mr. Miller proposed to ask COG if the playing fields could be excluded so that hiking trails, playgrounds, restrooms, etc., could be included. Mr. Pribulka reviewed the questions and comments that were made tonight to be sent to COG.

1. What would be the penalties and cost to the municipalities if the loan is repaid and abandoned? What are the loan payments that need to be met? What would be the cost amount be by municipalities?

2. If we continue with the refinancing what would be the additional revenue amount be and what can it be used for to purchase in Phase I development?

3. The Board would like to know about the agreements that are in place with other organizations for priority use of the park. How will this impact its ability to be utilized by local organizations? How will the lack of restrooms facility impact the priority use agreements? Would any of the organizations who have committed funding could withdraw if restrooms or other amenities are not developed?

4. What is the guarantee of the connection to Musser Gap Greenway and the cost? Who would be responsible for the connectivity? What are the agreements that exist between Penn State and ClearWater that may guarantee connectivity? The Board would like to see the agreement to make an informed decision on whether to include or remove the trail.

5. What can be built with the available funding? Ask the participating municipalities if the fields could be eliminated from the park to include the proposed amenities? Would there be any interest in converting the park into a passive use park and playground that would maintain the loan but redirect the funding?

6. What would be the cost saving with not including the fields and only doing the site work for amenities that would be installed?

7. If we don't develop as an active use park, what affect does it have on the DCNR commitments?

## 2. STORMWATER FEE ORDINANCE DISCUSSION

Mr. Miller noted that he doesn't feel the Board is ready for a Public Hearing in November and to place this on the next Board agenda for continued discussions. Mr. Miller proposed to move the Public Hearing until the first meeting in February because there are a lot of details to be worked out. Mr. Pribulka provided an update. First, there was a formal amendment at the October 5, 2020 meeting requesting additional information. The Public Hearing was closed because of a substantive amendment that was made to the draft ordinance. The amendment was capping the exposure of agricultural properties at two times the billing unit median which would be equal to 6 billing units at \$17 per unit. Outside the growth boundary it would equate to \$102 per year the first year of the program. Secondly, staff is working on a spreadsheet on what the fee structure would entail under three methodologies. Thirdly, research on hardship exemptions asked by Mr. Mitra will be included at the next discussion on October 19, 2020. Ms. Strickland asked if the Board will get legal advice. Mr. Pribulka noted that he sent a request to Mr. Green. Ms. Dininni noted that her motion was not agricultural properties but working farms. Ms. Strickland reviewed her list of questions to be discussed at future meetings that included, what is considered a working farm, hardship exemptions, ratio of pervious and impervious on a lot, impact of density, assessments of cemeteries, credit discussion, and timeline of fee and related infrastructure assessment.

## VI. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 11:25 p.m.

Respectfully submitted,

David Pribulka, Township Manager  
For the Board of Supervisors

**FERGUSON TOWNSHIP**  
Stormwater Utility Fee Special Meeting  
September 23, 2020  
6:00 P.M.

**ATTENDANCE**

Board: Steve Miller; Laura Dininni; Prasenjit Mitra; Patty Stephens; Lisa Strickland  
Staff: Dave Pribulka; Dave Modricker; Ron Seybert; Nick Fugaro; Centrice Martin  
Other Attendees:  
Elizabeth Treadway; numerous Residents

**I. CALL TO ORDER.**

Mr. Miller called the meeting to order at 6:01 p.m.

Mr. Pribulka reviewed the protocol for the Zoom meeting; conveyed appreciation to those who took part in phases 1 and 2 of the project and discussed the modeling for the utility fee. Mr. Pribulka took Roll Call and there was a quorum.

Mr. Miller reviewed the process and protocol for the meeting.

**II. CITIZEN'S INPUT.** None noted.

**III. CONTINUED DISCUSSION ON PROPOSED STORMWATER MANAGEMENT UTILITY FEE**

Mr. Modricker did a slide presentation. Topics included: ERU/Billing units; storm pipe lining; equipment; and reviewed the proposed model.

Extensive Q and A followed the slide presentation with citizens, staff and Board of Supervisors.

Concerns from the Board members included:

- Ms. Strickland: Generally concerned but appreciative of questions and comments, scrutinize budget more;
- Ms. Dininni: Fairness in structure;
- Ms. Stephens: Board members are residents and affects us as well.

Discussion followed on the four specific questions and motions below.

1. ERU vs. Square foot billing rate.

Ms. Dininni moved that the Board of Supervisors **approve** square footage method of billing for the Stormwater Fee program. Ms. Strickland seconded. The motion passed 3 to 2 with Ms. Stephens and Mr. Miller dissenting.

2. Sinking Fund for eventual purchase of equipment.

Ms. Strickland moved that that the Board of Supervisors **remove** the sinking fund. Ms. Dininni seconded the motion. The motion passed unanimously.

3. Pipe Lining.

Ms. Stephens moved that the Board of Supervisors **approve** adding Capital Expenditures into the Stormwater Fund beginning in year one. Ms. Strickland seconded the motion. The motion passed 3 to 2 with Mr. Mitra and Ms. Dininni dissenting.

4. Credit Policy Manual program in ordinance for different lane uses.

Extensive discussion.

The consensus of the Board is to have a Credit Policy program. No motion was needed.

Ms. Dininni moved that the Board of Supervisors **schedule** a public hearing on the Stormwater Fee for October 5, 2020. Ms. Stephens seconded the motion. The motion passed unanimously.

IV. **OPEN DISCUSSION.** Per above.

V. **ADJOURNMENT**

With no further business to come before the Board of Supervisors, Ms. Strickland motioned to adjourn the meeting. The meeting adjourned around 10:30 p.m.

Respectfully submitted,

David Pribulka, Township Manager  
For the Board of Supervisors

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

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE SUBMISSION OF A PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD TO SUBSTITUTE THE MUNICIPAL NOISE ORDINANCE FOR SECTION 493(34) OF THE PENNSYLVANIA LIQUOR CODE IN LICENSED ESTABLISHMENTS LOCATED IN FERGUSON TOWNSHIP.**

**WHEREAS**, the Township of Ferguson, a Home Rule Municipality, has duly and properly enacted an ordinance regulating noise in the Township with the intent of protecting the physical, mental, and social wellbeing of the residents of the Township of Ferguson; and

**WHEREAS**, the Township's noise ordinance is codified under Chapter 10, Health and Safety; Part 3, Noise of the Ferguson Township Code of Ordinances; and

**WHEREAS**, by adoption of this resolution, the Ferguson Township Board of Supervisors is hereby affirming its intention to enforce the noise ordinance of the Township of Ferguson in place of the regulations promulgated in Section 493(34) of the Pennsylvania Liquor Code for all licensed establishments in Ferguson Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Ferguson Township Board of Supervisors does hereby affirm its intent to enforce its noise ordinance in place of the regulations established under Section 493(34) of the Pennsylvania Liquor Code for all licensed establishments in Ferguson Township.

**BE IT FURTHER RESOLVED** that the Ferguson Township Board of Supervisors does hereby offer its support of the petition to substitute its noise ordinance in place of the regulations established under Section 493(34) of the Pennsylvania Liquor Code for all licensed establishments in Ferguson Township.

**RESOLVED**, this 19<sup>th</sup> day of October 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Laura Dininni, Vice Chairwoman  
Board of Supervisors

[ S E A L ]

**ATTEST:**

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



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### § 5.36. Municipal noise ordinances.

(a) A municipality that desires exemption from section 493(34) of the Liquor Code (47 P. S. § 4-493(34)), shall, under section 493.1(b) of the Liquor Code (47 P. S. § 4-493.1(b)), file a petition with the Board, requesting approval. With its petition, the municipality shall file the following:

- (1) A copy of the municipality's noise ordinance currently in effect.
  - (2) The municipality's resolution that:
    - (i) Confirms the municipality's support of the petition to substitute the municipal noise ordinance for section 493(34) of the Liquor Code.
    - (ii) Cites the municipal noise ordinance.
    - (iii) States the municipality's intention to enforce the ordinance in place of section 493(34) of the Liquor Code.
  - (3) A complete written description of the boundary lines for the proposed exempted noise area.
  - (4) One copy of a geographical map, the minimum size of which is 36" x 36", including the designated boundary lines of the proposed exempted noise area within the municipality.
  - (5) Three copies of the geographical map required by paragraph (4), the size of which will be 8 1/2" x 11 1/2".
  - (6) Identification of a proposed location, within the proposed exempted noise area, to be used by the Board to hold the required public hearing within the proposed exempted area.
  - (7) Identification of a local print publication of general circulation that would satisfy 65 Pa.C.S. Chapter 7 (relating to Sunshine Act) notice requirement for announcement of the required public hearing.
- (b) A date for a public hearing shall be set and public notice given in advance of the hearing: The hearing must comply with all notice, recording and public participation requirements of 65 Pa.C.S. Chapter 7.
- (c) Within 60 days after receipt of the petition, the Board will disapprove the petition for an exemption in its entirety or may approve an area more limited for which the petition will be granted if the Board finds that granting the petition will have an adverse effect on the welfare, health, peace and morals of the residents living in the vicinity of the identified area; otherwise the Board will approve the petition.
- (d) The Board may place additional conditions on the petition's approval such as limiting the duration of the approval and any other condition the Board deems appropriate.
- (e) There shall be a right to appeal to the court of common pleas in the same manner provided by this act for appeals from refusals to grant licenses.
- (f) A municipality may rescind any existing exemption from section 493(34) of the Liquor Code by notifying the Board of its intention to do so in writing, 15 days prior to the rescission date. The notice must be accompanied by an ordinance or resolution authorizing the rescission.

(g) A rescission of an existing exemption which does not rescind the entire exempted area shall be treated as a new petition for exemption with the Board and shall follow the procedures in this section.

### **Authority**

The provisions of this § 5.36 amended under section 207(i) of the Liquor Code (47 P. S. § 2-207(i)).

### **Source**

The provisions of this § 5.36 adopted November 12, 2004, effective November 13, 2004, 34 Pa.B. 6139; amended October 4, 2013, effective October 5, 2013, 43 Pa.B. 5817. Immediately preceding text appears at serial pages (337276) and (348105).

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

**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.**

**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 greenhouse gas 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 to address 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 19<sup>th</sup> day of October 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Laura Dininni, Vice Chairwoman  
Board of Supervisors

[ S E A L ]

**ATTEST:**

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

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 Township. 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, individual, firm, corporation, entity, institution, 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 Township'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 Township 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 Township 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.
- C. Maximum Fee for Agricultural Properties Established. The Township shall not assess on any agricultural property whose total area of impervious surface does not exceed thirty percent (30%) of the property's total land area a fee that is greater than twice the median assessment imposed on all properties in the Township. The term "agricultural property" shall include all contiguous area of real property operated by a person(s) as part of "agricultural use" as defined in Section 2 of the Act of December 19, 1974, known as the "Pennsylvania Farmland and Forest Land Assessment Act," regardless of whether the area is comprised of more than one deeded tract.

#### **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

[SEAL]

ATTEST:

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

## Overview of Hardship Program

A hardship policy provides a fee reduction or exemption based on the assumption that the fee may create a hardship for those with an income under a certain threshold or where a property owner has another short or long-term financial challenge.

### Maryland Programs:

MS4 Phase I localities adopting fees as required in Section 4-202.1(j) (passed by the Maryland General Assembly in 2012) must “establish a program to exempt from the requirements of this section a property able to demonstrate financial hardship as a result of the stormwater remediation fee.” As a result, these localities have adopted and implemented hardship policies. Although not the case in Maryland since hardship is included in the state law, some localities such as Charlottesville in Virginia have chosen to fund their hardship policies outside of the stormwater fee structure in order to preserve the fee-for-service model. This is similar to how the Maryland Energy Assistance Program (MEAP) provides funding to a local utility for hardship cases rather than having the utility provide a direct exemption or reduction that would then be borne by other rate payers.

The following table provides a summary of residential hardship policies adopted by Montgomery County, Howard County, and Baltimore County as required by HB987.

Locality	Residential Hardship Policy
Howard County	Eligibility Criteria: Income less than 2.5 times the poverty level.
	Reduction Amount: Up to 60%.
	Mechanism: Automatic if enrolled in Trash Fee Credit Program.
Montgomery County	Eligibility Criteria: Income less than 170% of the federal poverty level or approved for benefits under the Maryland Energy Assistance Program.
	Reduction Amount: 100%.
	Mechanism: Separate annual application.
Baltimore <a href="https://publicworks.baltimorecity.gov/hardship-exemption-programCounty">https://publicworks.baltimorecity.gov/hardship-exemption-programCounty</a>	Eligibility Criteria: Must receive at least one of the following existing tax credits: <ul style="list-style-type: none"> <li>• Baltimore County supplement to the Maryland State Homeowners Tax Credit.</li> <li>• The tax credit exemption for a disabled veteran or the surviving spouse of a disabled veteran.</li> </ul>

	<ul style="list-style-type: none"> <li>• The property tax credit for surviving spouses of fallen law enforcement officers or rescue workers.</li> <li>• The property tax credit for disabled law enforcement officers or rescue workers.</li> </ul>
	Reduction Amount: 100%.
	Mechanism: Separate annual application; fee is removed and refunded after verification of information.

Gaithersburg MD Hardship Program

<https://www.gaithersburgmd.gov/services/environmental-services/stormwater-management-program/hardship-exemptions-appeals-policy>

The ordinance establishing the stormwater user fee includes the following language:

**Sec. 8-48. Hardship policy.**

*The city council may adopt by resolution as part of the Stormwater Fee Policy and Procedure Manual a hardship policy that reduces or eliminates the stormwater program fee for a property owner who demonstrates substantial financial hardship as a result of the imposition of the stormwater program fee. The revenue source for implementation of the hardship policy shall be separate and distinct from the stormwater management fee and shall be deposited by the city council into the stormwater management fund. Nothing shall prevent the city council from modifying or eliminating the adopted hardship policy. Any such modification or elimination may apply to beneficiaries of an existing hardship policy at the discretion of the city council.*

Critical Questions for Hardship Policy Consideration:

The following questions should be considered by the Township if it decides to adopt a hardship policy:

- Will it be funded through the Township’s general fund or a third party in order to make the fund whole?
- Will it be a full or partial exemption? If a partial exemption, on what basis will the Township determine the maximum exemption amount?
- Will it be a flat exemption or a sliding scale exemption based on an ability to pay?

- Will it be based on an existing exemption or tax credit program locally? If so, will it be applied automatically or require a separate application form?

Exhibit "A"

FERGUSON TOWNSHIP  
§27-716. WORKFORCE HOUSING ORDINANCE

1) **Purpose.**

The purpose of this Chapter is:

- a) Provide a wide range of quality, workforce housing for households with an income of 80% to 120% of Area Median Income (AMI) in high opportunity neighborhoods, those with superior access to quality schools, services, amenities and transportation;
- b) To support the Centre Region Comprehensive Plan's goal of providing a wide range of sound, affordable and accessible housing consistent with the fair share needs of each municipality in the Centre Region;
- c) Provide criteria for workforce housing including, but not limited to, design, construction, phasing, and location within a development;
- d) To facilitate and encourage development and redevelopment that includes a range of housing opportunities through a variety of residential types, forms of ownership, home sale prices and rental rates;
- e) To work in partnership and support local, state, and federal programs to create additional housing opportunities;
- f) Responsibly allocate resources to increase housing opportunities for families and individuals facing the greatest disparities;
- g) Ensure the opportunity of workforce housing for employees of businesses that are located in or will be located in the Township;
- h) To ensure affordable homeownership, is defined as a mortgage payment and housing expenses (principal, interest, taxes, insurance, and condominium or association fees, if any) costing no more than 30% of a family's gross month income, per the Department of Housing and Urban Development (HUD) definition; and
- i) Effectively enforce and administer the provisions of the Workforce Housing Program.

2) **Authority.** Provisions for the Workforce Housing Chapter are intended to comply with the following articles of the Pennsylvania Municipal Planning Code.

(1) Article VI Zoning.

Section 603. Ordinance Provisions where:

- (a) Zoning Ordinances should reflect the policy goals of the statement of the community development objectives and give consideration to the character of the municipality, the needs of the citizens and the suitabilities and special nature of particular parts of the municipality.

(c) Zoning Ordinances may contain:

- (5) Provisions to encourage innovations and to promote flexibility, economy and ingenuity in development, including subdivisions and land developments as defined in this act;
- (6) Provisions authorizing increases in the permissible density of population or intensity of a particular use based upon expressed standards and criteria set forth in the zoning ordinance;

(j) Zoning Ordinances adopted by municipalities shall be generally consistent with the municipal or multi-municipal Comprehensive Plan or, where none exists, with the municipal statement of community development objectives and the county Comprehensive Plan.

Section 604. Zoning Purposes. The provisions of zoning ordinances shall be designed:

(1) To promote coordinated and practical community development and proper density of population.

Section 605. Classifications.

(3) For the purpose of encouraging innovation and the promotion of flexibility, economy and ingenuity in development, including subdivisions and land developments as defined in this act, and for the purpose of authorizing increases in the permissible density of population or intensity of a particular use based upon expressed standards and criteria set forth in the zoning ordinance.

(2) These regulations are enacted under the authority of the Pennsylvania Human Relations Act (Act of October 27, 1995, P.L. 744, as amended), which guarantees fair housing.

(3) Posting of the Fair Housing Practices Notice is required pursuant to the Pennsylvania Human Relations Act.

3) **Definitions.** As used in this chapter, the following words and terms shall have the meanings specified herein:

**AREA MEDIAN INCOME**—The midpoint of combined salaries, wages, or other sources of income based upon household size in the State College Metropolitan Statistical Area.

**CONVERSION**—A change in a residential rental development or a mixed-use development that includes rental dwelling units to a development that contains only owner-occupied individual dwelling units or a change in a development that contains owner-occupied individual units to a residential rental development or mixed-use development.

**DENSITY BONUS**—An increase in the number of market-rate units on the site in order to provide an incentive for the construction of affordable housing pursuant to this chapter, also known as a bonus unit.

**DEVELOPMENT**—The entire proposal to construct or place one or more dwelling units on a particular lot or contiguous lots including, without limitation, a Traditional Town Development (TTD) Master Plan, a Planned Residential Development (PRD), land development or subdivision.

**FEE-IN-LIEU**—A payment of money to Ferguson Township’s Affordable Housing Fund in-lieu of providing Workforce Housing Units. This fee is updated annually within the Ferguson Township Schedule of Fees.

**LOT**—A designated parcel, tract or area of land established by a plat or otherwise as permitted by law

and to be used, developed or built upon as a unit.

**MEDIAN GROSS HOUSEHOLD INCOME**—The median income level for the State College, PA Metropolitan Statistical Area (MSA), as established and defined in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development, adjusted for household size.

**MULTI-FAMILY DWELLING**—Three (3) or more dwelling units, with the units stacked one above the other.

**PHASE**—The portions of an approved Development, or, in the case of a Master Plan approval, a Specific Implementation Plan, which are set out for development according to a Township-approved schedule.

**RENOVATION**—The physical improvement that adds to the value of real property, but that excludes painting, ordinary repairs, and normal maintenance.

**WORKFORCE HOUSING**—Housing with a sales price or rental amount within the means of a household that may occupy moderate income housing. In the case of dwelling units for sale, affordable means housing in which mortgage, amortization, taxes insurance, and condominium or association fees, if any, constitute no more than thirty (30) percent of such gross annual household income for a household of the size that may occupy the unit in question. In the case of dwelling units for rent, affordable means housing for which the rent and basic utilities constitutes no more than thirty (30) percent of such gross annual household income for a household of the size that may occupy the unit in question. Utilities for rental units include: electric/gas, trash, water and condominium or association fees.

**WORKFORCE HOUSING DEVELOPMENT AGREEMENT**— A written agreement duly executed between the applicant for a development, the Township, and, if applicable, the designated third-party administrator of the Workforce Housing Program. Said agreement shall include, at minimum, all of the provisions established in §27-716, Subsection 7.

**WORKFORCE HOUSING FUND**—The fund created by Ferguson Township to receive funds generated from the administration of fee-in-lieu payments to support workforce housing within Ferguson Township.

**WORKFORCE HOUSING DWELLING UNIT**—A housing unit documented in an applicant’s Workforce Housing Development Agreement as required in order to comply with the Workforce Housing Program requirements, subsidized by the federal or state government or subject to covenants and deed restrictions that ensure its continued affordability. When calculating the required percentage of Workforce Units in a development, any fractional result between 0.01 and 0.49 will be rounded down to the number immediately preceding it numerically, and any fractional result between 0.50 and 0.99 will be rounded up to the next consecutive whole number. However, the total Workforce Unit percentage shall not exceed ten (10) percent of the required total Workforce Housing Units in the development.



- 4) **Applicability.** Workforce Housing must be provided in the following Developments and minor alterations within the Terraced Streetscape (TS) Zoning District and the Traditional Town Development (TTD) Zoning District that results in or contains:
  - a) Ten or more residential dwelling units;
  - b) Renovation of a multi-family dwelling that increases the number of residential units from the number of units in the original structure;
  - c) Conversion of an existing residential structure regardless of dwelling type to a multi-family dwelling that results in ten or more residential dwelling units; and
  - d) Conversion of a nonresidential property to a residential property that results in ten or more residential dwelling units.
  
- 5) **General Requirements for Workforce Units.** For all applicable developments listed in Section 4. Applicability, within the Terraced Streetscape (TS) Zoning District and the Traditional Town Development (TTD) Zoning District, projects must comply with the following requirements.
  - a) The permit application must include a Workforce Housing Program option selection.
  - b) Calculation of Workforce Units. To calculate the minimum number of workforce units required in any land development listed in Subsection 4. Applicability, the total number of proposed units shall be multiplied by ten (10) percent.
    - i) When calculating the required percentage of Workforce Units in a development, any fractional result between 0.01 and 0.49 will be rounded down to the number immediately preceding it numerically, and any fractional result between 0.50 and 0.99 will be rounded up to the next consecutive whole number. However, the total Workforce Unit percentage shall not be required to exceed ten percent of the total units in the development.
  
- 6) **Standards.** Workforce Housing must be provided, or a fee-in-lieu of providing Workforce Housing must be paid, according to the following standards:
  - a) Workforce units may be built on-site, paid fee-in-lieu, or built off-site.
    - i) Diversity Standards as outlined in §27-303.C.2.a. (related to TTD developments) may be modified to the extent needed to accommodate all required workforce units and allowable bonus units.
    - ii) In the case of Workforce Housing Dwelling Units provided as a single-family dwelling, duplex, multi-plex or townhouse:
      - (1) The units shall not be segregated or clustered within a development.
      - (2) Except in the case of lots containing more than one unit, no more than two adjacent lots or units shall contain Workforce Housing Dwelling Units.
    - iii) Workforce Housing Dwelling Units may be clustered within a multi-family dwelling (for sale or rent) and no more than 25% of the total units per floor can be designated as Workforce Units, excluding the top floor.
    - iv) Workforce Housing Dwelling Units shall be like market rate units, exclusive of upgrades, with regard to number of bedrooms, amenities, and access to amenities, but may differ from market-rate units regarding interior amenities, provided that:
      - (1) These differences, excluding differences related to size differentials, are not apparent in the general exterior appearance of the market-rate units;
      - (2) These differences do not include insulation, windows, heating systems, and other improvements related to the energy efficiency and standard components of the unit;

- (3) Amenities for Workforce Units are determined to be reasonably equivalent if the appliances have the same Energy Star rating as those in the market-rate units; and
    - (4) Workforce units may be up to 10 percent smaller than the market-rate units;
  - v) In order to ensure an adequate distribution of workforce units by household size, the bedroom mix of workforce units in any project shall be in the same ratio as the bedroom mix of the market-rate units of the project.
  - vi) Workforce units required under this chapter shall be offered for sale or lease to a qualified household to be used for its own primary residence, except for units purchased by the Township or its designee;
  - vii) The sale or lease of Workforce Housing Dwelling Units shall be limited to qualified households earning between 80% and 120% Area Median Income (AMI), adjusted for household size.
  - viii) If the Development contains Phases, Workforce Housing shall be provided in all residential Phases, according to the options set forth in Section 8.
  - ix) Owners of Workforce Housing Dwelling Units are required to sign an agreement, suitable for recording, providing that such unit is subject to the terms and conditions of this Ordinance.
- b) Accommodations.
- i) Developments that provide built Workforce Housing Dwelling Units, either built on-site or built off-site will be entitled to the following:
    - (1) One additional equivalent unit (bonus unit) may be added to the Sending Development for each for-sale Workforce Housing Unit provided;
    - (2) Multi-family dwellings may exceed the maximum height set forth in the underlying zoning district by one additional story; and
    - (3) Off-street parking may be provided but is not required for any workforce unit built or designated within multi-family dwellings.
- c) Ferguson Township's Option to Purchase.
- i) The following provisions apply to the initial offering of workforce units for sale by the developer:
    - (1) As a condition of land development approval, the applicant shall notify the Township or its designee of the prospective availability of any workforce units at the time the design and pricing are being established for such units.
    - (2) From the time of building permit issuance, the Township or its designee shall have an exclusive option for 60 days to enter into a purchase and sales agreement at the workforce unit pricing for each workforce unit offered for sale by the applicant. The Township may waive or assign this option.
    - (3) If the Township fails to exercise its option for the workforce units, or if the Township or its designee declares its intent not to exercise its option, the applicant shall offer the units for purchase to households per §27-716.6.a.v. If requested, by the applicant, the Township or its designee shall execute documents that may be recorded with the Centre County Office of Recorder of Deeds to evidence said waiver of option.
    - (4) Closing on workforce units purchased by the Township or its designee occurs within 30 days after issuance of the certificate of occupancy. If the Township or its designee fails to close on these workforce units within such 30 days, the applicant shall offer the unit for purchase or rent to households per §27-716.6.a.v.

- (5) The Township may assign its options under this section, in which event it shall notify the applicant of the agency to which it has assigned the option, which agency shall work directly with the applicant, and shall have all of the authority of the Township as provided under this section.
  - (6) At any point after the initial option period, (2) above, the applicant may offer the Workforce Housing Dwelling Units to the Township or its designee for purchase at the workforce unit pricing. The Township or its designee then shall have 30 days to enter into a purchase and sales agreement and close within 30 days thereafter.
- d) Limitations.
- i) To the extent permitted by Federal Law, priority will be given to residents of Centre County, or individuals employed by a business located in Centre County.
  - ii) The Workforce Housing Dwelling Units must be occupied by the income qualified individual and/or family and must be used as the principal place of residence;
- e) Except for household income, asset limitations and the primary residency requirement as set forth herein, occupancy of any workforce unit shall not be limited by any conditions that are not otherwise applicable to all units within the covered project;
- f) Execution of a Workforce Housing Development Agreement shall be a condition of approval of a land development plan, or a Specific Implementation Plan (SIP) for a Phase within a Master Plan.

**7) Workforce Housing Development Agreement.**

For Developments required to contain Workforce Housing, no land development plan, subdivision plan, or Specific Implementation Plan for a Phase within a Development, shall be recorded without having first duly executed a Workforce Housing Development Agreement for such Development or Phase. Ferguson Township, Township designee, and the applicant for the development, shall each be parties to the Workforce Housing Development Agreement, which shall, as minimum, contain the following provisions:

- a) Concurrence by the designated administrator of the Workforce Housing Program that the Workforce Housing is being provided within the Development or Phase;
- b) The location(s), zoning designation(s) and ownership of the Development or Phase;
- c) The number and type of Workforce Housing Dwelling Units that will be provided and the calculations used to determine the number of units provided;
- d) If a fee-in-lieu is proposed for the Development or Phase, in whole or part, the fee-in-lieu calculation methodology and amounts that will be applied to Workforce Housing Dwelling Units, within the Development or Phase;
- e) Any accommodations provided in §27-716.6.b that are being utilized for the project;
- f) The prevailing interest rate for residential mortgages to be used to calculate Workforce Housing, set for the Development or Phase at a rate of the prevailing 30-year fixed mortgage rate;
- g) A description of the Development or Phase proposed, including the name of the development project and marketing name;
- h) A graphical depiction of the location of Workforce Housing Units within the Development or Phase, and if available, the lot numbers for the Workforce Housing Dwelling Units;
- i) A schedule for the construction of the Workforce Housing Dwelling Units, consistent with that shown on the approved plans for the Development or Phase.
- j) The proposed sale prices and affordability restrictions for each Workforce Housing Dwelling Unit and a copy of the applicable affordability deed restrictions and covenants;

- k) The proposed marketing plan for the Workforce Housing;
  - l) Acknowledgement that §27-716.11—Continued Affordability, Compliance and Reporting Requirements will be followed.
  - m) Indication of which, if any, of the Workforce Housing Dwelling Units will be special needs housing for seniors, disabled, or other special needs populations and a description of the unique features or services for that population;
  - n) Indication as to whether the applicant or, for off-site construction, a third party will be constructing the Workforce Housing Dwelling Units. If a third party is to construct the Workforce Housing Dwelling Units, the third party shall join in and be bound by the terms and conditions of the Workforce Housing Development Agreement;
  - o) Within any given Development or Phase, Certificate of Occupancy permits for the last ten (10%) of market-rate units that are offered for sale within that Development or Phase shall be withheld by the Township until all of the Workforce Housing Dwelling Units within that Development or Phase have been issued Certificates of Occupancy or release by payment of a fee-in-lieu.
  - p) Acknowledgement that the designated workforce housing administrator of the Township's Workforce Housing Program shall have full authority to administer the provisions of the Workforce Housing Development Agreement.
  - q) The draft Workforce Housing Development Agreement shall be reviewed by the Township Solicitor with finalization a condition of approval of the plans for the Development or Phase. The fully executed Workforce Housing Development Agreement shall be recorded concurrently with the plans for the Development or Phase.
- 8) **Workforce Housing options.** Workforce Housing may be provided within a Development or Phase using one or more of the following options selected by the applicant:
- a) On-Site construction.
    - i) Accommodations that will be provided to the Developer as set forth in §27-716.6.b. for the project.
  - b) Fee-In-Lieu.
    - i) A fee-in-lieu may be paid to the Workforce Housing Fund to offset the construction of one or more Workforce Housing Dwelling Units as follows:
      - (1) Up to 40 percent of the Workforce Housing Dwelling Units attributable to for-sale units within the Development can be offset by a fee-in-lieu; and
      - (2) Up to 100 percent of the Workforce Housing Dwelling Units attributable to rental units within the Development or Phase can be offset by a fee-in-lieu.
    - ii) Board of Supervisors shall establish by resolution the amount of the fee-in-lieu payment per unit following written recommendation by the Township Manager and adopt it as part of the Township's Schedule of Fees.
    - iii) For single-phased development projects, the fee-in-lieu shall be paid prior to issuance of the zoning permit.
    - iv) For development projects with Phases (Specific Implementation Plans), the fee-in-lieu shall be paid on a phase by phase basis based upon the number of workforce housing units being released in that phase with payment made prior to the issuance of the zoning permit for each Phase.
    - v) The Township shall create and administer a Workforce Housing Fund into which all fee-in-lieu payments shall be deposited. All funds received pursuant to this chapter shall be used to

further the Township's mission to maintain and further Workforce Housing within Ferguson Township.

- vi) Upon payment of the fee-in-lieu amount for one or more Workforce Housing Dwelling Units, the applicant has no additional Workforce Housing requirements relative to such units. Upon payment, the Township and applicant shall execute a recordable instrument indicating that the Workforce Housing requirements have been met for those units and that the units are no longer Workforce Housing Dwelling Units subject to the terms and conditions of this Ordinance.
- c) Build off-site.
- i) Workforce Housing Dwelling Units may be constructed off-site, in a development (the "Receiving Development") within Ferguson Township that is separate from the Development or Phase (the "Sending Development") that is required to provide Workforce Housing.
  - ii) The Receiving Development must be an approved development, or the applicant must obtain land development plan approval from the Township for the Receiving Development concurrently with the land development plan approval for the Sending Development.
  - iii) The workforce units built in the Receiving Development must be reasonably equivalent in size and bedroom count to the units on the Sending Development. Workforce Units designated cannot be located in the basement.
  - iv) The Receiving Development shall not contain 100 percent Workforce Housing Dwelling Units.
  - v) The owner of the Sending Development must provide the following information to Township Staff and/or designee:
    - (1) Location of the Receiving Development;
    - (2) Concurrence of the owner of the Receiving Development to construct the Workforce Housing Dwelling Units; and
    - (3) The number of units and Workforce Housing Dwelling Units proposed within the Receiving Development.
  - vi) The Sending Development will receive all bonus units and accommodations attributable to the Workforce Housing Dwelling Units.
  - vii) The Receiving Development must be located within the Regional Growth Boundary (RGB) as illustrated in the Centre Region Comprehensive Plan.
  - viii) The owner or developer of the Receiving Development must enter into the Sending Development's Workforce Housing Development Agreement for the Workforce Housing Dwelling Units that are going to be provided on the Receiving Development, as well as accommodations attributable to the Workforce Housing Dwelling Units.
  - ix) The Receiving Development is subject to the Workforce Housing Program requirements outlined in §27-716.
  - x) The Receiving Development must develop the Workforce Housing Dwelling Units according to the schedule set forth in the Workforce Housing Development Agreement.
  - xi) A penalty to the Sending Development will be due to Ferguson Township if the Workforce Units in the Receiving Development are not made available as set forth in the Workforce Housing Development Agreement.
- 9) **Policy and Procedures Manuals for Administration of Workforce Housing Dwelling Units For Sale and Rent.** Ferguson Township Planning Department and/or designee shall provide an administrative manual to offer guidance to applicants regarding compliance with the terms and conditions of this Ordinance. Applicants are encouraged to follow the terms set forth therein.

- a) Owners or their property managers are encouraged to use the same systems for attracting potential tenants for leasing up Workforce Housing Dwelling Units as are used for market rate units. Applicants and their agents are expected to work closely and in cooperation with Township Staff and/or designee to make the workforce marketing and sales process as efficient and equitable as possible.
- b) The Workforce Housing program has no rules or guidelines about the method owners, or their property managers use to determine the order in which tenants are offered Workforce Housing Dwelling units.
- c) These documents will include clarifying information and procedures when requested by the Township. These procedures may be updated from time to time to increase the effectiveness of the Workforce Housing Program.

**10) Inability to Rent or Sell Workforce Housing Units to Qualified Households.**

- a) By Developer. If the developer meets or exceeds the marketing guidelines set forth in its Workforce Housing Development Agreement for a period of one year from final certificates of occupancy issuance and is still unable to sell or rent such a unit to a qualified household, the developer shall notify the Township. The Township or its designee shall have 30 days from the date notice was given to enter into a contract to purchase the unit at its marketed price, with closing to take place within 30 days thereafter. After which, the Township, or its designee shall market and sell the unit as a Workforce Housing Dwelling Unit. If the Township or its designee does not purchase the Workforce Dwelling Unit, it shall be conclusively demonstrated that there is no market for such unit being a Workforce Dwelling Unit.
  - i) For-Sale Dwelling Units—The developer shall pay the Township 60% of the original per unit fee-in-lieu and may remove the unit as a Workforce Housing Dwelling Unit and the unit shall become a market-rate unit, no longer subject to the terms and conditions of this Ordinance.
  - ii) Rental Dwelling Units—The developer shall notify the Director of Planning and Zoning by certified mail that the deed restriction will be removed from the rental unit and consequently, the unit will be removed from the Workforce Housing Program.
- b) By Unit Owner. The owner of a Workforce Housing Dwelling Unit may remove the unit by subsequent sale to a non-qualifying owner by paying a fee-in-lieu to the Workforce Housing Fund as follows: If the gross purchase price on the subsequent sale is greater than the original sales price, increased by 6% per year since the original sale, the difference between the original sale price (as adjusted) and the gross purchase price is the fee-in-lieu paid.

**11) Continued Affordability, Compliance and Reporting Requirements.**

- a) For Sale Workforce Units.
  - i) The continuity of a Workforce Housing Dwelling Unit that is sold shall be ensured for a period of 99 years commencing on the date the certificate of occupancy is issued for the unit. To provide for this, a restriction shall be place on the deed of the Workforce Housing Dwelling Unit, which shall read as follows: "This property is to remain affordable for a period of 99 years from its initial date of sale for persons earning between 80 percent and 120 percent of the Area Median Income (AMI) for State College, PA Metropolitan Statistical Area (MSA) as established by the latest income guidelines defined in the annual schedule published by the Secretary of the United States Department of Housing and Urban Development."
  - ii) Prospective buyers shall enter into a legally binding agreement with the designated administrator of the Workforce Housing Program that will stipulate the process for certifying subsequent buyers of Workforce Housing Dwelling Units for the applicable 99 year period,

- and the amount of equity able to be recouped by the homeowner upon sale of the Workforce Housing Dwelling Unit. The designated administrator of the Workforce Housing Program shall have the authority to require additional stipulations in the agreement including, but not limited to, the requirement of prospective buyers to participate in financial counseling in accordance with the procedures and requirements of the designated administrator.
- iii) The Township shall require resale conditions in order to maintain the availability of workforce units in perpetuity be specified in the Affordability Instrument, including resale calculations.
    - (1) At the time of purchase, the owners of any workforce unit shall execute a Resale Restriction Agreement and Option to Purchase provided by the Township, stating the restrictions imposed pursuant to this Resale Restrictions section, including but not limited to all applicable resale controls and occupancy restrictions. This Resale Restriction Agreement and Option to Purchase shall be recorded in the Centre County Office of Recorder of Deeds and shall afford the Township or its assignee the right to enforce the declaration of restrictions.
    - (2) The Township or its designee shall be responsible for monitoring and facilitating the resale of workforce units.
  - iv) Provisions for continued affordability of workforce units shall provide that the Township have an exclusive option to purchase any workforce unit when it is offered for resale.
    - (1) The owner shall notify the Township or its designee of the prospective availability of any workforce unit for sale.
    - (2) Upon being notified by the owner of the workforce unit, the Township or its designee shall have an exclusive option for 30 days to enter into a purchase and sales agreement at the workforce unit pricing the unit being offered for sale by the owner. The Township may waive or assign this option.
  - v) If the Township fails to exercise its option for the workforce unit, or if the Township or its designee declares its intent not to exercise its option, the owner shall notify the Director of Planning and Zoning by certified mail that the deed restriction will be removed from the property and consequently, the unit will be removed from the Workforce Housing Program. Upon notification, the owner may sell the Workforce Unit to a non-qualifying owner by paying a fee-in-lieu to the Workforce Housing Fund as outlined in §27-716.10.b. If requested, by the owner, the Township or its designee shall execute documents that may be recorded with the Centre County Office of Recorder of Deeds to evidence said waiver of option.
  - vi) Closing on workforce units purchased by the Township or its designee occurs within 30 days of notifying the owner of the Township or its designee's intent to exercise its option. If the Township or its designee fails to close on this workforce unit within such 30 days, the owner shall notify the Director of Planning and Zoning by certified mail that the deed restriction will be removed from the property and consequently, the unit will be removed from the Workforce Housing Program. Upon notification, the owner may sell the Workforce Unit to a non-qualifying owner by paying a fee-in-lieu to the Workforce Housing Fund as outlined in §27-716.10.b. If requested, by the owner, the Township or its designee shall execute documents that may be recorded with the Centre County Office of Recorder of Deeds to evidence said waiver of option.
- b) Leasing/Rental Developments.
- i) Static Data, Unit Composition and Rent Schedule.

- (1) This form is required both prior to lease up and annually that includes: total units, bedroom size, tenant incomes and rents, unit locations within the development, and square footage.
- ii) Tenant incomes and rent determination.
  - (1) Measurement of household income is determined using the Housing and Urban Development's (HUD) annually published area median income and rent chart based upon household size in the State College Metropolitan Statistical Area (MSA).
- iii) Incomes rising in place.
  - (1) Households that have initially qualified for a Workforce Housing unit are permitted to remain in that unit and not be subject to market rate rents until their incomes reach or exceed the income limits contained in this chapter. After qualifying at lease-up, a tenant's income may increase above the affordability restrictions of a development and still have the unit fulfill the development's Workforce Housing requirements, based on the following schedule:
    - (a) Tenants in units restricted at 80% of AMI levels, may have income increase up to 120% of AMI.
  - (2) The owner or property manager may revise the expiring leases with tenants who, upon recertification, no longer meet the income requirements. Tenants may continue living in a Workforce Housing Dwelling unit at market rate rent. The market rate rent level must be comparable to reasonably equivalent units within the development, or a comparable development. Tenants must not be required to submit additional deposits or fees.
    - (a) Un-constructed Units. If units within the Phase or Development (for single phase developments) are not yet constructed, another unit must be designated from such un-constructed units in the Phase or Development as a Workforce Housing Dwelling Unit in order to maintain the affordability requirements as described in the Vacancy section below.
    - (b) Constructed Units. For developments that are completely constructed, another unit must be designated in the development as a Workforce Housing unit in order to maintain the affordability requirements as described in the Vacancy section below.
- iv) Vacancies.
  - (1) The following shall apply when, through the annual tenant income certification reporting cycle, a tenant's income is above what's allowable for the Workforce Housing Dwelling Unit:
    - (a) Owner or their property manager will check the reported income against that allowed by the incomes rising in place policy.
    - (b) When a tenant's income is at or below the incomes rising in place policy, there is no action required by the owner or their property manager. The owner or their property manager at their discretion may raise tenant rent up to the maximum allowed for the tenant's household according to the current Housing and Urban Development's (HUD) annually published AMI and rent chart based upon household size in the State College (MSA), taking into account any applicable laws, rules, or policies regarding rent increases.
    - (c) In the case that a tenant no longer qualifies for a Workforce Housing unit, the owner or their property manager must give at least 240-day written notice to the tenant and Ferguson Township and/or designee prior to an increase in the unit's rent. This



information must be included in the lease or lease addendum for each Workforce Housing unit and an executed copy provided to Ferguson Township and/or designee as the development is leased up and at unit takeover.

- c) Annual Reporting and Review.
  - i) Developments with rental units will be subject to Ferguson Township and/or designee annual reporting requirements as set forth in the Workforce Housing Development Agreement. Owners or their property managers on an annual basis will submit information on Workforce Housing Dwelling Units and the tenants living in such units.
  - ii) The Township and/or designee reserves the right to physically inspect developments containing Workforce Housing Dwelling Units at least once every three years. Inspections will also include an audit of Workforce Housing related files such as the tenant income compliance. Developments that are determined to be out of compliance may be inspected more frequently or until they are brought back into compliance.
- 12) **Administration.** The Ferguson Township Planning and Zoning Department and/or designee shall administer and monitor activity under this chapter and shall report periodically to the Board of Supervisors, setting forth its findings, conclusions and recommendations for changes that will render the program more effective.
- 13) **Implementation.** The Ferguson Township Planning and Zoning Department and/or designee may establish procedures, and prepare forms for the implementation, administration and compliance monitoring consistent with the provisions of this Chapter.
- 14) **Fees.** Fees to administer the program such as a monitoring fee, refinance fee, or resale fee, may be established by resolution by the Board of Supervisors, following written recommendation by the Township Manager and adopted as part of the Township's schedule of fees.

# APPLICATION AND CERTIFICATE FOR PAYMENT

INVOICE # 14028

PAGE 1 OF 6 PAGES

OWNER: Ferguson Township  
3147 Research Drive  
State College, PA 16801

PROJECT: Contract 2018-PWGG  
New Public Works Building  
**General Construction**

APPLICATION NO.: Six

Distribution to:

- OWNER  
 ARCHITECT  
 CONTRACTOR

PERIOD TO: 09/30/20  
LSF Job #: FT-0412

CONTRACT NO:  
% COMPLETE: 63%

CONTRACTOR: Leonard S. Fiore, Inc.  
5506 Sixth Avenue, Rear  
Altoona, PA 16602

ARCHITECT: Greenfield Architects  
1853 Wm Penn Way  
Lancaster, PA 17601

CONTRACT DATE: 11/15/19

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 4,416,000.00
2. Net change by Change Orders ..... \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 4,416,000.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 2,770,220.40  
(Column G on Continuation Sheet)
5. RETAINAGE:
  - a. 5% of Completed Work \$ 137,373.25  
(Columns D + E on Continuation Sheet)
  - b. 5% of Stored Material \$ 1,137.77  
(Columns F on Continuation Sheet)

Total Retainage (Line 5a + 5b or  
Total in Column I of Continuation Sheet ..... \$ 138,511.02
6. TOTAL EARNED LESS RETAINAGE ..... \$ 2,631,709.38  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT  
(Line 6 from prior Certificate) \$ 2,043,696.69
8. CURRENT PAYMENT DUE ..... \$ 588,012.69
9. BALANCE TO FINISH INCLUDING RETAINAGE  
(Line 3 less Line 6) \$ 1,784,290.62

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: LEONARD S. FIORE, INC.

By:

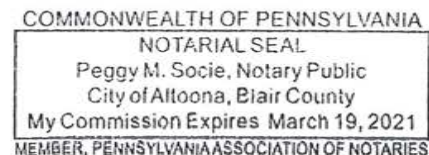
State of: PENNSYLVANIA

County of: BLAIR

Subscribed and sworn to before me this

9 day of October, 2020

Date: 10/9/2020



Notary Public:

My Commission expires: 3/19/2021

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

**AMOUNT CERTIFIED** ..... \$ **588,012.69**

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and the Continuation Sheet that changed to conform to the amount certified.)

Construction Manager: Brad E. Wade

Contract: 2018-PWGG  
Fund: 30.409.750

By: Brad E. Wade, PE  
on behalf of David Modrick

Date: 10/12/2020

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

# CONTINUATION SHEET

Contract 2018-PWGG

APPLICATION AND CERTIFICATE FOR PAYMENT,  
containing Contractor's signed Certification, is attached.

APPLICATION NO.: Six  
 APPLICATION DATE: 09/30/20  
 PERIOD TO: 09/30/20  
 ARCHITECT'S PROJECT NO.: FT-0412

A ITEM NO.	B DESCRIPTION	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)		H BALANCE TO FINISH	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E + F)				% COMP.			
<b>General Conditions</b>										
1	Mobilization 1 LS	8,000.00	8,000.00	0.00	0.00	8,000.00	100%	0.00	400.00	
2	Performance & Payment Bond 1 LS	27,220.00	27,220.00	0.00	0.00	27,220.00	100%	0.00	1,361.00	
3	Builders Risk Insurance 1 LS	3,100.00	3,100.00	0.00	0.00	3,100.00	100%	0.00	155.00	
4	Supervision/Project Management 6 MO	98,500.00	44,325.00	9,850.00	0.00	54,175.00	55%	44,325.00	2,708.75	
5	General Conditions 6 MO	74,000.00	33,300.00	7,400.00	0.00	40,700.00	55%	33,300.00	2,035.00	
6	Final Cleaning 1 LS	4,500.00	0.00	0.00	0.00	0.00	0%	4,500.00	0.00	
7	Dumpsters 1 LS	16,000.00	7,200.00	1,600.00	0.00	8,800.00	55%	7,200.00	440.00	
8	Layout 6 MO	10,000.00	9,500.00	500.00	0.00	10,000.00	100%	0.00	500.00	
9	Construction Fencing 1 Ls	6,500.00	5,850.00	0.00	0.00	5,850.00	90%	650.00	292.50	
<b>Site Construction</b>										
10	Site Demolition 1 LS	19,500.00	19,500.00	0.00	0.00	19,500.00	100%	0.00	975.00	
11	Earthwork 1 LS	251,600.00	226,440.00	0.00	0.00	226,440.00	90%	25,160.00	11,322.00	
12	Erosion & Sediment Control 1 LS	22,200.00	19,980.00	0.00	0.00	19,980.00	90%	2,220.00	999.00	
13	Site Storm Water 1 LS	118,000.00	106,200.00	0.00	0.00	106,200.00	90%	11,800.00	5,310.00	



# CONTINUATION SHEET

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 ARCHITECT'S PROJECT NO.: FT-0412

A ITEM NO.	B DESCRIPTION	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)		H BALANCE TO FINISH	I RETAINAGE (IF VARIABLE RATE)	
			FROM PREVIOUS APPLICATION (D + E + F)	THIS PERIOD		% COMP.				
			14	Asphalt Paving 1 LS		100,700.00	0.00			45,315.00
15	Concrete Walks 1 LS	34,500.00	0.00	0.00	0.00	0.00	0%	34,500.00	0.00	
16	Concrete Pavement 1 LS	29,800.00	0.00	16,390.00	0.00	16,390.00	55%	13,410.00	819.50	
17	Concrete Slabs (Exterior) 1 LS	37,940.00	0.00	0.00	0.00	0.00	0%	37,940.00	0.00	
18	Bollards 1 LS	16,200.00	8,100.00	6,480.00	0.00	14,580.00	90%	1,620.00	729.00	
19	Concrete Curbing 1 LS	6,200.00	0.00	0.00	0.00	0.00	0%	6,200.00	0.00	
20	Site Signage 1 LS	1,300.00	1,300.00	0.00	0.00	1,300.00	100%	0.00	65.00	
21	Bike Racks 1 LS	2,500.00	0.00	0.00	0.00	0.00	0%	2,500.00	0.00	
22	Segmental Retaining Wall 1 LS	35,600.00	10,680.00	21,360.00	0.00	32,040.00	90%	3,560.00	1,602.00	
23	Landscaping 1 LS	35,000.00	0.00	0.00	0.00	0.00	0%	35,000.00	0.00	
<b>Building Construction</b>										
24	Rebar 1 LS	51,500.00	48,925.00	0.00	0.00	48,925.00	95%	2,575.00	2,446.25	
25	Foundation Excavation 1 LS	43,500.00	43,500.00	0.00	0.00	43,500.00	100%	0.00	2,175.00	
26	Strip Footers 1 LS	28,900.00	28,900.00	0.00	0.00	28,900.00	100%	0.00	1,445.00	
27	Spread Footers 1 LS	39,500.00	39,500.00	0.00	0.00	39,500.00	100%	0.00	1,975.00	

# CONTINUATION SHEET

Contract 2018-PWGG

PAGE 4 OF 6 PAGES

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APPLICATION NO.: Six  
APPLICATION DATE: 09/30/20  
PERIOD TO: 09/30/20  
ARCHITECT'S PROJECT NO.: FT-0412

ITEM NO.	DESCRIPTION	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)		BALANCE TO FINISH	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E + F)	THIS PERIOD		% COMP.			
28	Columns 1 LS	30,500.00	30,500.00	0.00	0.00	30,500.00	100%	0.00	1,525.00
29	Trench Drain Walls/Slabs 1 LS	8,400.00	0.00	0.00	0.00	0.00	0%	8,400.00	0.00
30	Lift Pit Walls/Slabs 1 LS	10,200.00	10,200.00	0.00	0.00	10,200.00	100%	0.00	510.00
31	Wash Equipment Walls/Slabs 1 LS	9,800.00	9,800.00	0.00	0.00	9,800.00	100%	0.00	490.00
32	Slab on Grade 4" 1 LS	41,500.00	41,500.00	0.00	0.00	41,500.00	100%	0.00	2,075.00
33	Slab on Grade 8" (cr) 1 LS	112,000.00	0.00	112,000.00	0.00	112,000.00	100%	0.00	5,600.00
34	Concrete Stoops 1 LS	22,500.00	0.00	0.00	0.00	0.00	0%	22,500.00	0.00
35	Slab on Deck 1 LS	14,500.00	14,500.00	0.00	0.00	14,500.00	100%	0.00	725.00
36	Stair pans/Landing Concrete 1 LS	1,900.00	0.00	0.00	0.00	0.00	0%	1,900.00	0.00
37	Concrete Waterproofing 1 LS	10,200.00	5,100.00	5,100.00	0.00	10,200.00	100%	0.00	510.00
38	Unit Masonry 1 LS	440,000.00	286,000.00	66,000.00	0.00	352,000.00	80%	88,000.00	17,600.00
39	Structural & Miscellaneous Steel 1 LS	464,000.00	417,600.00	46,400.00	0.00	464,000.00	100%	0.00	23,200.00
40	Rough Carpentry 1 LS	15,200.00	6,080.00	2,280.00	0.00	8,360.00	55%	6,840.00	418.00
41	Finish Carpentry 1 LS	31,500.00	0.00	0.00	0.00	0.00	0%	31,500.00	0.00
42	Urethane Insulation 1 LS	2,300.00	2,300.00	0.00	0.00	2,300.00	100%	0.00	115.00

**CONTINUATION SHEET**

**Contract 2018-PWGG**

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APPLICATION NO.: Six  
APPLICATION DATE: 09/30/20  
PERIOD TO: 09/30/20  
ARCHITECT'S PROJECT NO.: FT-0412

A ITEM NO.	B DESCRIPTION	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)		H BALANCE TO FINISH	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E + F)	THIS PERIOD		% COMP.			
			43	Metal Wall Panels 1 LS		364,000.00	160,104.67		
44	TPO Roofing 1 LS	206,000.00	0.00	164,800.00	0.00	164,800.00	80%	41,200.00	8,240.00
45	Intumescent Fireproofing 1 LS	16,300.00	16,300.00	0.00	0.00	16,300.00	100%	0.00	815.00
46	Fire Stopping/Caulking 1 LS	10,000.00	0.00	500.00	0.00	500.00	5%	9,500.00	25.00
47	Doors/Frames/Hardware 1 LS	56,800.00	28,400.00	0.00	0.00	28,400.00	50%	28,400.00	1,420.00
48	Overhead Coiling Doors 1 LS	79,100.00	3,955.00	0.00	0.00	3,955.00	5%	75,145.00	197.75
49	Entrances/Storefront 1 LS	142,500.00	31,350.00	0.00	22,755.40	54,105.40	38%	88,394.60	2,705.27
50	GWB/Metal Stud Framing 1 LS	191,500.00	9,575.00	0.00	0.00	9,575.00	5%	181,925.00	478.75
51	Resilient Flooring 1 LS	48,400.00	0.00	2,420.00	0.00	2,420.00	5%	45,980.00	121.00
52	Resinous Flooring 1 LS	16,500.00	0.00	825.00	0.00	825.00	5%	15,675.00	41.25
53	Painting 1 LS	60,900.00	0.00	3,045.00	0.00	3,045.00	5%	57,855.00	152.25
54	Interior Signage 1 LS	5,600.00	0.00	0.00	0.00	0.00	0%	5,600.00	0.00
55	Toilet Compartments/Accessories 1 LS	14,000.00	0.00	0.00	0.00	0.00	0%	14,000.00	0.00
56	Wall Protection 1 LS	740.00	0.00	0.00	0.00	0.00	0%	740.00	0.00
57	F.E. Cabinets 1 LS	2,000.00	0.00	0.00	0.00	0.00	0%	2,000.00	0.00



# CONTINUATION SHEET

Contract 2018-PWGG

APPLICATION AND CERTIFICATE FOR PAYMENT,  
containing Contractor's signed Certification, is attached.

APPLICATION NO.: Six  
 APPLICATION DATE: 09/30/20  
 PERIOD TO: 09/30/20  
 ARCHITECT'S PROJECT NO.: FT-0412

A ITEM NO.	B DESCRIPTION	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)		H BALANCE TO FINISH	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E + F)				% COMP.			
58	Lockers 1 LS	20,500.00	0.00		1,025.00	0.00	1,025.00	5%	19,475.00	51.25
59	Fuel Dispensing System 1 LS	425,400.00	319,050.00		21,270.00	0.00	340,320.00	80%	85,080.00	17,016.00
60	Truck Wash System 1 LS	171,000.00	42,750.00		0.00	0.00	42,750.00	25%	128,250.00	2,137.50
61	Projection Screen/Projector Kit 1 LS	8,400.00	0.00		0.00	0.00	0.00	0%	8,400.00	0.00
62	Window Shades 1 LS	8,100.00	0.00		0.00	0.00	0.00	0%	8,100.00	0.00
63	Vehicle Lifts 1 LS	164,500.00	24,675.00		0.00	0.00	24,675.00	15%	139,825.00	1,233.75
64	Vehicle Lube Equipment 1 LS	67,000.00	0.00		3,350.00	0.00	3,350.00	5%	63,650.00	167.50
<b>TOTALS:</b>		4,416,000.00	2,151,259.67		596,205.33	22,755.40	2,770,220.40	63%	1,645,779.60	138,511.02

**PARTIAL LIEN WAIVER AND RELEASE UPON PROGRESS PAYMENT**  
**(CONTRACTOR)**

THIS PARTIAL LIEN WAIVER AND RELEASE UPON PROGRESS PAYMENT is executed this 8<sup>th</sup> day of October, 2020 by Leonard S. Fiore, Inc. ("Contractor").

WHEREAS, on or about January 15<sup>th</sup>, 2020, Contractor entered into an agreement with the Ferguson Township, State College, PA ("Owner"), pursuant to which Contractor agreed to provide certain construction services in connection with the New Public Works Building, Contract 2018-PWGG (the "Project").

NOW THEREFORE, contingent only upon Contractor's receipt of the partial payment of \$588,012.69 for sums attributable to any claims for payments on the Project through **09/30/20**, Contractor does hereby release and forever discharge Owner and its respective officers, directors, shareholders, partners, successors, assigns, agents, insurers, sureties and legal representatives of and from any and all manner of actions, causes of action, suits, demands, damages, debts, contracts, contributions, claims, mechanic's liens, public improvement liens, rights in materials or goods furnished, stop notices, claims against a bond, judgments and executions whatsoever, in law or equity or otherwise, which Contractor ever had, now has or may hereafter have, whether known or unknown, against Owner related to, created by or arising out of any claim for payments (excluding retainage) relating to the Project as of **09/30/20**. This release and partial waiver of liens is contingent only upon Contractor's receipt of payment as set forth herein, and Contractor agrees that this partial lien waiver and release shall become unconditional upon Contractor's receipt of said payment.

This release covers only progress payments (excluding retainage) for all goods, materials, equipment, labor and/or services furnished directly or indirectly to or on behalf of Owner on the Project as of **09/30/20** such that all claims for goods, materials, equipment, labor and/or services furnished to or on behalf of Owner as of **09/30/20** are hereby released to the full extent of payment received for such work. This release does not cover retention or items furnished after **09/30/20**.

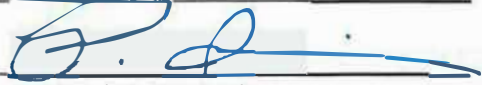
In executing this release, Contractor represents that all labor charges, wages, taxes and applicable fringe benefits have been paid in full on behalf of Contractor's employees and laborers who performed work on the Project as of **09/30/20** and that all subcontractors and suppliers who provided labor, goods, materials and/or services to Contractor in connection with the Project have also been or will be paid in full as of **09/30/20**. Contractor further agrees that it shall, at its sole cost and expense, forever defend and hold harmless Owner and its respective insurers and sureties, if any, from any and all claims, demands, damages, judgments and liens asserted or brought by any employee, supplier or subcontractor of Contractor in connection with the Project.

In the event that any of the work performed by Contractor on the Project (including the materials used or incorporated therein and the workmanship thereof) is the subject of any guaranty or warranty by Contractor, neither the giving of this release and waiver of liens by Contractor nor its acceptance by Owner shall operate in any way to reduce or modify such



guaranty or warranty or to release the undersigned therefrom. Contractor further agrees that if it hereafter performs any labor or furnishes any materials, tools, equipment, supplies, or services pursuant to such guaranty or warranty, it will fully pay for the same, will pay any and all taxes and charges in connection therewith and will release, discharge, defend and hold harmless Owner from any and all claims, demands, liens and claims of lien arising in connection therewith all in a like manner and to the same extent as is herein provided with respect to labor, materials, etc., heretofore furnished.

In executing this partial lien waiver and release, Contractor states under penalty of perjury that the sum to be paid herewith is the entire and complete sum owed or due to Contractor for goods, materials, equipment, labor and/or services on the Project as of **09/30/20** and for which payment has not previously been made by Owner or any other person or entity.

Contractor: Leonard S. Fiore, Inc.  
Address: 5506 Sixth Ave., Rear  
Altoona PA 16602  
Signature:   
Title: Patrick M. Irwin  
Vice President

Witness:   
Jill Hart



**APPLICATION AND CERTIFICATE FOR PAYMENT**

To (OWNER): FERGUSON TWP  
3147 RESEARCH DRIVE  
STATE COLLEGE, PA 16801

Project: FERGUSON PUBLIC WORKS  
3147 RESEARCH DRIVE  
STATE COLLEGE, PA 16801

Application No: 6  
Invoice No: 6 SEP 20  
Period To: 9/30/2020

From: WESTMORELAND ELECTRIC SERVICES LLC  
193 CENTRAL ROAD  
TARRS, PA 15688

Via (Architect):

Architect's  
Project No:

Contract Date:

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Approved previous months	0.00	0.00
Approved this month	0.00	0.00
<b>TOTALS</b>	<b>0.00</b>	<b>0.00</b>
Net change by change orders	0.00	

1. ORIGINAL CONTRACT SUM	\$	846,000.00
2. Net change by Change Orders	\$	0.00
3. CONTRACT SUM TO DATE (LINE 1+/-2)	\$	846,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on Continuation Sheet)	\$	444,918.62
5. RETAINAGE	\$	22,245.93
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5)	\$	422,672.69
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	260,527.64
8. SALES TAX	\$	0.00
9. <b>CURRENT PAYMENT DUE</b>	\$	<b>162,145.05</b>
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	\$	423,327.31

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payment received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: WESTMORELAND ELECTRIC SERVICES LLC  
By: [Signature] Date: 10-09-2020

State of: Pennsylvania County of: Westmoreland  
Subscribed and sworn to before me this 9th day of October, 2020

Notary Public: Lori R. Stoner  
My Commission expires: 11-22-2023

Commonwealth of Pennsylvania - Notary Seal  
Lori R. Stoner, Notary Public  
Westmoreland County  
My commission expires November 22, 2023  
Commission number 1360056  
Member, Pennsylvania Association of Notaries

[Signature]

**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....**162,145.05**.....\$

(Attach explanation if amount certified differs from the amount applied for.)

Construction Manager: Brad E. Wade Contract: 2018-PWGG  
Brad E. Wade, PE Fund: 30.409.750

By [Signature] on behalf of David Modricker Date 10/12/2020

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-1	JOB MOBILIZATION-M	42,601.00	42,601.00	0.00	0.00	42,601.00	100	0.00	2,130.05
E-2	SUBMITTALS-M	20,000.00	17,500.00	0.00	0.00	17,500.00	88	2,500.00	875.00
E-3	SUPERVISION & PROJECT MANAGEMENT-L	23,000.00	13,800.00	4,600.00	0.00	18,400.00	80	4,600.00	920.00
E-4	COMMISSIONING-L	3,680.00	0.00	0.00	0.00	0.00	0	3,680.00	0.00
E-5	NETA TESTING-M	5,000.00	0.00	0.00	0.00	0.00	0	5,000.00	0.00
E-6	NETA TESTING-L	1,840.00	0.00	0.00	0.00	0.00	0	1,840.00	0.00
E-7	CLOSE OUT AND PUNCH LIST-M	25,380.00	0.00	0.00	0.00	0.00	0	25,380.00	0.00
E-8	JOB DE-MOBILIZATION-M	20,000.00	0.00	0.00	0.00	0.00	0	20,000.00	0.00

**DWG C-007 SITE UTILITIES PLAN**

E-9	FEEDER CONDUIT-M	5,000.00	5,000.00	0.00	0.00	5,000.00	100	0.00	250.00
E-10	FEEDER CONDUIT-L	10,120.00	9,614.00	0.00	0.00	9,614.00	95	506.00	480.70
E-11	TELECOM CONDUIT-M	2,000.00	2,000.00	0.00	0.00	2,000.00	100	0.00	100.00
E-12	TELECOM CONDUIT-L	4,600.00	4,600.00	0.00	0.00	4,600.00	100	0.00	230.00
E-13	FIBER-M	1,000.00	0.00	0.00	0.00	0.00	0	1,000.00	0.00
E-14	FIBER-L	276.00	0.00	0.00	0.00	0.00	0	276.00	0.00
E-15	GENERATOR-M	130,000.00	0.00	130,000.00	0.00	130,000.00	100	0.00	6,500.00
E-16	GENERATOR-L	4,600.00	0.00	4,600.00	0.00	4,600.00	100	0.00	230.00
E-17	EXCAVATION-L	9,660.00	9,177.00	0.00	0.00	9,177.00	95	483.00	458.85
E-18	COUNTERPOISE-M	3,500.00	3,500.00	0.00	0.00	3,500.00	100	0.00	175.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-19	COUNTERPOISE-L	920.00	920.00	0.00	0.00	920.00	100	0.00	46.00
		<b>171,676.00</b>	<b>34,811.00</b>	<b>134,600.00</b>	<b>0.00</b>	<b>169,411.00</b>	<b>99</b>	<b>2,265.00</b>	<b>8,470.55</b>

**DWG C-011 SITE LIGHTING PLAN**

E-20	BRANCH CONDUIT-M	1,000.00	1,000.00	0.00	0.00	1,000.00	100	0.00	50.00
E-21	BRANCH CONDUIT-L	1,840.00	460.00	920.00	0.00	1,380.00	75	460.00	69.00
E-22	BRANCH WIRE-M	1,000.00	0.00	0.00	0.00	0.00	0	1,000.00	0.00
E-23	BRANCH WIRE-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-24	ESCAVATION-L	3,680.00	920.00	920.00	0.00	1,840.00	50	1,840.00	92.00
E-25	FIXTURES-M	6,240.00	0.00	0.00	6,240.00	6,240.00	0	0.00	312.00
E-26	FIXTURES-L	1,196.00	0.00	0.00	0.00	0.00	0	1,196.00	0.00
E-27	LIGHT BASES-M	2,000.00	0.00	0.00	0.00	0.00	0	2,000.00	0.00
E-28	LIGHT BASES-L	736.00	0.00	0.00	0.00	0.00	0	736.00	0.00
		<b>18,612.00</b>	<b>2,380.00</b>	<b>1,840.00</b>	<b>6,240.00</b>	<b>10,460.00</b>	<b>23</b>	<b>8,152.00</b>	<b>523.00</b>

**DWG E-101 1ST FL LTG PLAN**

E-29	BRANCH LIGHTING-M	3,000.00	0.00	0.00	0.00	0.00	0	3,000.00	0.00
E-30	BRANCH LIGHTING-L	9,200.00	0.00	0.00	0.00	0.00	0	9,200.00	0.00
E-31	FIXTURES-M	23,868.49	0.00	0.00	23,868.49	23,868.49	0	0.00	1,193.42
E-32	FIXTURES-L	4,600.00	0.00	0.00	0.00	0.00	0	4,600.00	0.00
E-33	LIGHTING CONTROL DEVICES	7,500.00	0.00	0.00	0.00	0.00	0	7,500.00	0.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
	ROUGH-IN-M								
E-34	LIGHTING CONTROL DEVICES ROUGH-IN-L	3,450.00	0.00	0.00	0.00	0.00	0	3,450.00	0.00
E-35	LIGHTING CONTROL DEVICES-M	7,631.51	0.00	0.00	7,631.51	7,631.51	0	0.00	381.58
E-36	LIGHTING CONTROL DEVICES-L	3,450.00	0.00	0.00	0.00	0.00	0	3,450.00	0.00
		<b>62,700.00</b>	<b>0.00</b>	<b>0.00</b>	<b>31,500.00</b>	<b>31,500.00</b>	<b>0</b>	<b>31,200.00</b>	<b>1,575.00</b>

**DWG E-102 2ND FL/ROOF LTG PLAN**

E-37	BRANCH LIGHTING-M	4,000.00	0.00	0.00	0.00	0.00	0	4,000.00	0.00
E-38	BRANCH LIGHTING-L	6,440.00	0.00	0.00	0.00	0.00	0	6,440.00	0.00
E-39	FIXTURES-M	30,000.00	0.00	0.00	10,485.04	10,485.04	0	19,514.96	524.25
E-40	FIXTURES-L	5,750.00	0.00	0.00	0.00	0.00	0	5,750.00	0.00
E-41	LIGHTING CONTROL DEVICES ROUGH-IN-M	4,500.00	0.00	0.00	0.00	0.00	0	4,500.00	0.00
E-42	LIGHTING CONTROL DEVICES ROUGH-IN-L	2,070.00	0.00	0.00	0.00	0.00	0	2,070.00	0.00
E-43	LIGHTING CONTROL DEVICES-M	4,500.00	0.00	0.00	4,500.00	4,500.00	0	0.00	225.00
E-44	LIGHTING CONTROL DEVICES-L	2,070.00	0.00	0.00	0.00	0.00	0	2,070.00	0.00
		<b>59,330.00</b>	<b>0.00</b>	<b>0.00</b>	<b>14,985.04</b>	<b>14,985.04</b>	<b>0</b>	<b>44,344.96</b>	<b>749.25</b>

**DWG E-201 1ST FL PWR PLAN**

E-45	FEEDER CONDUIT-M	12,000.00	10,800.00	0.00	0.00	10,800.00	90	1,200.00	540.00
E-46	FEEDER CONDUIT-L	20,700.00	18,630.00	0.00	0.00	18,630.00	90	2,070.00	931.50
E-47	FEEDER WIRE-M	30,000.00	0.00	0.00	0.00	0.00	0	30,000.00	0.00
E-48	FEEDER WIRE-L	3,680.00	0.00	0.00	0.00	0.00	0	3,680.00	0.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-49	GROUNDING-M	1,500.00	1,125.00	0.00	0.00	1,125.00	75	375.00	56.25
E-50	GROUNDING-L	1,840.00	920.00	460.00	0.00	1,380.00	75	460.00	69.00
E-51	BRANCH POWER (OVERHEAD)-M	20,000.00	0.00	5,000.00	0.00	5,000.00	25	15,000.00	250.00
E-52	BRANCH POWER (OVERHEAD)-L	32,200.00	0.00	8,050.00	0.00	8,050.00	25	24,150.00	402.50
E-53	BRANCH POWER (IN WALL)-M	550.00	300.00	200.00	0.00	500.00	91	50.00	25.00
E-54	BRANCH POWER (IN WALL)-L	2,530.00	0.00	920.00	0.00	920.00	36	1,610.00	46.00
E-55	WIRING DEVICES-M	1,100.00	1,100.00	0.00	0.00	1,100.00	100	0.00	55.00
E-56	WIRING DEVICES-L	506.00	0.00	0.00	0.00	0.00	0	506.00	0.00
E-57	CORD REELS-M	2,250.00	2,250.00	0.00	0.00	2,250.00	100	0.00	112.50
E-58	CORD REELS-L	414.00	0.00	0.00	0.00	0.00	0	414.00	0.00
E-59	SPECIAL PURPOSE DEVICES-M	100.00	0.00	0.00	0.00	0.00	0	100.00	0.00
E-60	SPECIAL PURPOSE DEVICES-L	46.00	46.00	0.00	0.00	46.00	100	0.00	2.30
E-61	HVAC AND MOTORS-M	1,000.00	0.00	0.00	0.00	0.00	0	1,000.00	0.00
E-62	HVAC AND MOTORS-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-63	CHARGE POINT CHARGING STATION-M	15,000.00	0.00	0.00	10,553.08	10,553.08	0	4,446.92	527.65
E-64	CHARGE POINT CHARGING STATION-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-65	RADIANT HEAT TRACE-M	18,000.00	18,000.00	0.00	0.00	18,000.00	100	0.00	900.00
E-66	RADIANT HEAT TRACE-L	3,680.00	0.00	0.00	0.00	0.00	0	3,680.00	0.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
		<b>168,936.00</b>	<b>53,171.00</b>	<b>14,630.00</b>	<b>10,553.08</b>	<b>78,354.08</b>	<b>40</b>	<b>90,581.92</b>	<b>3,917.70</b>

**DWG E-202 2ND FL/ROOF PWR PLAN**

E-67	FEEDER CONDUIT-M	600.00	540.00	0.00	0.00	540.00	90	60.00	27.00
E-68	FEEDER CONDUIT-L	920.00	828.00	0.00	0.00	828.00	90	92.00	41.40
E-69	FEEDER WIRE-M	2,000.00	0.00	0.00	0.00	0.00	0	2,000.00	0.00
E-70	FEEDER WIRE-L	460.00	0.00	0.00	0.00	0.00	0	460.00	0.00
E-71	PANELBOARDS-M	2,000.00	0.00	0.00	2,000.00	2,000.00	0	0.00	100.00
E-72	PANELBOARDS-L	460.00	0.00	0.00	0.00	0.00	0	460.00	0.00
E-73	BRANCH POWER (OVERHEAD)-M	7,000.00	0.00	5,250.00	0.00	5,250.00	75	1,750.00	262.50
E-74	BRANCH POWER (OVERHEAD)-L	18,400.00	0.00	0.00	0.00	0.00	0	18,400.00	0.00
E-75	BRANCH POWER (IN WALL)-M	2,600.00	1,300.00	0.00	0.00	1,300.00	50	1,300.00	65.00
E-76	BRANCH POWER (IN WALL)-L	1,196.00	0.00	0.00	0.00	0.00	0	1,196.00	0.00
E-77	WIRING DEVICES-M	520.00	520.00	0.00	0.00	520.00	100	0.00	26.00
E-78	WIRING DEVICES-L	239.20	0.00	0.00	0.00	0.00	0	239.20	0.00
E-79	FLOOR BOXES-M	1,250.00	1,250.00	0.00	0.00	1,250.00	100	0.00	62.50
E-80	FLOOR BOXES-L	230.00	184.00	0.00	0.00	184.00	80	46.00	9.20
E-81	HVAC AND MOTORS-M	1,000.00	0.00	0.00	0.00	0.00	0	1,000.00	0.00
E-82	HVAC AND MOTORS-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-83	RADIANT HEAT TRACE-M	2,000.00	1,004.11	0.00	0.00	1,004.11	50	995.89	50.21



**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-84	RADIANT HEAT TRACE-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
		<b>42,715.20</b>	<b>5,626.11</b>	<b>5,250.00</b>	<b>2,000.00</b>	<b>12,876.11</b>	<b>25</b>	<b>29,839.09</b>	<b>643.81</b>

**DWG E-301 1ST FL SYSTEMS PLAN**

E-85	FIRE ALARM BRANCH-M	1,000.00	0.00	0.00	0.00	0.00	0	1,000.00	0.00
E-86	FIRE ALARM BRANCH-L	2,760.00	0.00	0.00	0.00	0.00	0	2,760.00	0.00
E-87	FIRE ALARM (IN WALL)-M	1,000.00	0.00	250.00	0.00	250.00	25	750.00	12.50
E-88	FIRE ALARM (IN WALL)-L	3,680.00	0.00	920.00	0.00	920.00	25	2,760.00	46.00
E-89	FIRE ALARM WIRE-M	500.00	0.00	0.00	0.00	0.00	0	500.00	0.00
E-90	FIRE ALARM WIRE-L	1,840.00	0.00	0.00	0.00	0.00	0	1,840.00	0.00
E-91	FIRE ALARM DEVICES-M	6,450.00	0.00	0.00	0.00	0.00	0	6,450.00	0.00
E-92	FIRE ALARM DEVICES-L	1,978.00	0.00	0.00	0.00	0.00	0	1,978.00	0.00
E-93	DATA (IN WALL)-M	500.00	0.00	375.00	0.00	375.00	75	125.00	18.75
E-94	DATA (IN WALL)-L	1,840.00	0.00	184.00	0.00	184.00	10	1,656.00	9.20
E-95	DATA CABLING-M	2,000.00	0.00	0.00	2,000.00	2,000.00	0	0.00	100.00
E-96	DATA CABLING-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-97	DATA JACKS-M	680.00	0.00	0.00	680.00	680.00	0	0.00	34.00
E-98	DATA JACKS-L	391.00	0.00	0.00	0.00	0.00	0	391.00	0.00
E-99	DATA TESTING-L	368.00	0.00	0.00	0.00	0.00	0	368.00	0.00
E-100	SECURITY (IN WALL) RACEWAYS ONLY-M	1,000.00	1,000.00	0.00	0.00	1,000.00	100	0.00	50.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-101	SECURITY (IN WALL) RACEWAYS ONLY-L	3,680.00	2,760.00	920.00	0.00	3,680.00	100	0.00	184.00
E-102	FIRE ALARM PANEL-M	2,500.00	0.00	0.00	0.00	0.00	0	2,500.00	0.00
E-103	FIRE ALARM PANEL-L	460.00	0.00	0.00	0.00	0.00	0	460.00	0.00
		<b>33,547.00</b>	<b>3,760.00</b>	<b>2,649.00</b>	<b>2,680.00</b>	<b>9,089.00</b>	<b>19</b>	<b>24,458.00</b>	<b>454.45</b>

**DWG E-302 2ND FL/ROOF SYS PLAN**

E-104	FIRE ALARM BRANCH-M	300.00	0.00	0.00	0.00	0.00	0	300.00	0.00
E-105	FIRE ALARM BRANCH-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-106	FIRE ALARM (IN WALL)-M	500.00	0.00	0.00	0.00	0.00	0	500.00	0.00
E-107	FIRE ALARM (IN WALL)-L	1,840.00	0.00	0.00	0.00	0.00	0	1,840.00	0.00
E-108	FIRE ALARM WIRE-M	300.00	0.00	0.00	0.00	0.00	0	300.00	0.00
E-109	FIRE ALARM WIRE-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-110	FIRE ALARM DEVICES-M	2,550.00	0.00	0.00	0.00	0.00	0	2,550.00	0.00
E-111	FIRE ALARM DEVICES-L	782.00	0.00	0.00	0.00	0.00	0	782.00	0.00
E-112	DATA (IN WALL)-M	300.00	0.00	0.00	0.00	0.00	0	300.00	0.00
E-113	DATA (IN WALL)-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-114	DATA CABLING-M	1,500.00	0.00	0.00	1,500.00	1,500.00	0	0.00	75.00
E-115	DATA CABLING-L	690.00	0.00	0.00	0.00	0.00	0	690.00	0.00
E-116	DATA JACKS-M	520.00	0.00	0.00	520.00	520.00	0	0.00	26.00
E-117	DATA JACKS-L	299.00	0.00	0.00	0.00	0.00	0	299.00	0.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
 Application Date: 9/30/2020  
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 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-118	DATA TESTING-L	368.00	0.00	0.00	0.00	0.00	0	368.00	0.00
E-119	SECURITY (IN WALL) RACEWAYS ONLY-M	100.00	100.00	0.00	0.00	100.00	100	0.00	5.00
E-120	SECURITY (IN WALL) RACEWAYS ONLY-L	184.00	0.00	0.00	0.00	0.00	0	184.00	0.00
E-121	FIRE ALARM PANEL-M	1,000.00	0.00	0.00	0.00	0.00	0	1,000.00	0.00
E-122	FIRE ALARM PANEL-L	230.00	0.00	0.00	0.00	0.00	0	230.00	0.00
		<b>14,223.00</b>	<b>100.00</b>	<b>0.00</b>	<b>2,020.00</b>	<b>2,120.00</b>	<b>1</b>	<b>12,103.00</b>	<b>106.00</b>

**DWG E-401 ENLRGD PWR/SYS PLAN**

E-123	BRANCH POWER (OVERHEAD)-M	2,200.00	0.00	550.00	0.00	550.00	25	1,650.00	27.50
E-124	BRANCH POWER (OVERHEAD)-L	4,600.00	0.00	1,150.00	0.00	1,150.00	25	3,450.00	57.50
E-125	BRANCH POWER (IN WALL)-M	3,900.00	1,900.00	0.00	0.00	1,900.00	49	2,000.00	95.00
E-126	BANCH POWER (IN WALL)-L	1,794.00	0.00	0.00	0.00	0.00	0	1,794.00	0.00
E-127	WIRING DEVICES-M	780.00	780.00	0.00	0.00	780.00	100	0.00	39.00
E-128	WIRING DEVICES-L	358.80	0.00	0.00	0.00	0.00	0	358.80	0.00
E-129	DATA (IN WALL)-M	300.00	0.00	0.00	0.00	0.00	0	300.00	0.00
E-130	DATA (IN WALL)-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-131	DATA CABLING-M	3,000.00	0.00	0.00	813.35	813.35	0	2,186.65	40.67
E-132	DATA CABLING-L	1,840.00	0.00	0.00	0.00	0.00	0	1,840.00	0.00
E-133	DATA JACKS-M	520.00	0.00	0.00	520.00	520.00	0	0.00	26.00
E-134	DATA JACKS-L	299.00	0.00	0.00	0.00	0.00	0	299.00	0.00

**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 6  
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 Period To: 9/30/2020  
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREV APPLICATION (D+E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
E-135	DATA TESTING-L	368.00	0.00	0.00	0.00	0.00	0	368.00	0.00
E-136	DATA RACKS AND EQUIPMENT-M	2,000.00	0.00	0.00	0.00	0.00	0	2,000.00	0.00
E-137	DATA RACKS AND EQUIPMENT-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
E-138	PANELBOARDS AND EQUIPMENT-M	18,000.00	0.00	0.00	10,309.04	10,309.04	0	7,690.96	515.45
E-139	PANELBOARDS AND EQUIPMENT-L	4,140.00	0.00	0.00	0.00	0.00	0	4,140.00	0.00
E-140	MDP AND METERING-M	28,000.00	0.00	0.00	0.00	0.00	0	28,000.00	0.00
E-141	MDP AND METERING-L	2,300.00	0.00	0.00	0.00	0.00	0	2,300.00	0.00
E-142	ATS-M	24,000.00	0.00	0.00	0.00	0.00	0	24,000.00	0.00
E-143	ATS-L	920.00	0.00	0.00	0.00	0.00	0	920.00	0.00
		<b>101,159.80</b>	<b>2,680.00</b>	<b>1,700.00</b>	<b>11,642.39</b>	<b>16,022.39</b>	<b>4</b>	<b>85,137.41</b>	<b>801.12</b>

**TEMPORARY**

E-144	TEMPORARY-M	2,000.00	500.00	1,500.00	0.00	2,000.00	100	0.00	100.00
E-145	TEMPORARY-L	4,600.00	690.00	3,910.00	0.00	4,600.00	100	0.00	230.00
		<b>6,600.00</b>	<b>1,190.00</b>	<b>5,410.00</b>	<b>0.00</b>	<b>6,600.00</b>	<b>100</b>	<b>0.00</b>	<b>330.00</b>

**LIGHTNING PROTECTION**

E-146	LIGHTNING PROTECTION-S	25,000.00	15,000.00	0.00	0.00	15,000.00	60	10,000.00	750.00
		<b>25,000.00</b>	<b>15,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>15,000.00</b>	<b>60</b>	<b>10,000.00</b>	<b>750.00</b>

		<b>846,000.00</b>	<b>192,619.11</b>	<b>170,679.00</b>	<b>81,620.51</b>	<b>444,918.62</b>	<b>43</b>	<b>401,081.38</b>	<b>22,245.93</b>
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**SUBCONTRACTOR**

**RELEASE AND WAIVER OF LIENS AND CLAIMS**

The undersigned (the "Releasor") is a seller, supplier, vendor, or subcontractor on the Ferguson Public Works Building at 3147 Research Drive, State College, PA 16801 ("The project") on which Westmoreland Electric Services, LLC is the prime contractor to Ferguson Township ("Owner").

Intending to be legally bound and conditioned only on the receipt of the sum of \$162,145.05 which releasor agrees is the current progress payment amount due it through the date of September 30, 2020 (net of retainage) in connection with the Project, Releasor, for itself and its subcontractors and/or material and equipment suppliers, does hereby waive, release and forever discharge Contractor, Owner and their respective employees, officers, directors, agents, representatives, successors and assigns from any and all liens or encumbrances against any property of the Owner through the date of this release. Further, Releasor waives, releases and forever discharges Contractor from all claims, causes of action, demands, or damages arising out of or related in any way to the Project including, but not limited to, Releasor's furnishing of labor, materials, equipment or delay and/or inefficiencies of services on the Project through the date of September 30, 2020 excepting those claims which Releasor has provided written notice in accordance with its subcontract or purchase order.

Westmoreland Electric Services, LLC  
(Company Name)

State of Pennsylvania

Phillip E. Hunt  
(Title)

County of Westmoreland

 (Seal)  
(Signature of authorized representative)

Given under my hand and seal this

9th day of October, 2020

Managing Partner  
(Title)



Notary Public Lori R. Stoner

10/09/2020  
(Date)

November 22, 2023

My commission expires

Commonwealth of Pennsylvania - Notary Seal  
Lori R. Stoner, Notary Public  
Westmoreland County  
My commission expires November 22, 2023  
Commission number 1360056  
Member, Pennsylvania Association of Notaries

**Invoice**

**NTM Engineering Inc.**  
**130 West Church Street, Suite 200**  
**Dillsburg, PA 17019-1278**

October 7, 2020

Project No: 14003.06

Invoice No: 000000010239

Traci Miller  
 Ferguson Township  
 3147 Research Drive  
 State College, PA 16801

Project 14003.06 Suburban Park Permitting and LOMR

**Professional Services from August 23, 2020 to September 19, 2020**

Task 01.00 SWM and NPDES Permit

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Brown, Scott	5.50	162.25	892.38	
Nguyen, James	59.50	116.80	6,949.60	
Totals	65.00		7,841.98	
<b>Total Labor</b>				<b>7,841.98</b>
				<b>Total this Task \$7,841.98</b>

Task 02.00 Hydrology and Hydraulics

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Emm, Emily	6.50	124.20	807.30	
Frey, Travis	4.00	105.00	420.00	
Kambic, Matthew	17.00	105.00	1,785.00	
Robinson, Evan	20.50	60.50	1,240.25	
Tereska, Rachel	1.00	162.25	162.25	
Totals	49.00		4,414.80	
<b>Total Labor</b>				<b>4,414.80</b>
				<b>Total this Task \$4,414.80</b>

Task 99.00 Other Costs

Sub-Task MI.00 Mileage

**Unit Billing**

Current Mileage Rate				
8/26/2020	MJK Mileage 8/26 H&H field view	92.0 Mileage @ 0.575	52.90	
	<b>Total Units</b>		<b>52.90</b>	<b>52.90</b>
				<b>Total this Sub-Task \$52.90</b>
				<b>Total this Task \$52.90</b>

2020-C4  
 Pay App #4  
 Pay \$12,309.68  
 Acct#: 34.454.020

**PAY**  
**RTS** Total this Invoice \$12,309.68



# Billing Backup

Wednesday, October 7, 2020

NTM Engineering Inc.

Invoice 000000010239 Dated 10/7/2020

3:55:48 PM

Project 14003.06 Suburban Park Permitting and LOMR

Task 01.00 SWM and NPDES Permit

**Professional Personnel**

			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
040	00 - 9 - Brown, Scott	8/26/2020	.50	162.25	81.12	
040	00 - 9 - Brown, Scott	8/27/2020	1.00	162.25	162.25	
040	00 - 9 - Brown, Scott	9/2/2020	.50	162.25	81.13	
040	00 - 9 - Brown, Scott	9/3/2020	1.00	162.25	162.25	
040	00 - 9 - Brown, Scott	9/8/2020	1.00	162.25	162.25	
040	00 - 9 - Brown, Scott	9/14/2020	1.00	162.25	162.25	
040	00 - 9 - Brown, Scott	9/16/2020	.50	162.25	81.13	
041	00 - 11 - Nguyen, James	8/25/2020	6.00	116.80	700.80	
041	00 - 11 - Nguyen, James	8/26/2020	7.00	116.80	817.60	
041	00 - 11 - Nguyen, James	8/27/2020	3.00	116.80	350.40	
041	00 - 11 - Nguyen, James	8/28/2020	7.00	116.80	817.60	
041	00 - 11 - Nguyen, James	8/31/2020	1.00	116.80	116.80	
041	00 - 11 - Nguyen, James	9/1/2020	2.00	116.80	233.60	
041	00 - 11 - Nguyen, James	9/2/2020	3.00	116.80	350.40	
041	00 - 11 - Nguyen, James	9/3/2020	2.00	116.80	233.60	
041	00 - 11 - Nguyen, James	9/8/2020	2.50	116.80	292.00	
041	00 - 11 - Nguyen, James	9/9/2020	2.00	116.80	233.60	
041	00 - 11 - Nguyen, James	9/14/2020	7.00	116.80	817.60	
041	00 - 11 - Nguyen, James	9/15/2020	7.00	116.80	817.60	
041	00 - 11 - Nguyen, James	9/16/2020	6.00	116.80	700.80	
041	00 - 11 - Nguyen, James	9/17/2020	2.00	116.80	233.60	
041	00 - 11 - Nguyen, James	9/18/2020	2.00	116.80	233.60	
	Totals		65.00		7,841.98	
	<b>Total Labor</b>					<b>7,841.98</b>
				<b>Total this Task</b>		<b>\$7,841.98</b>

Task 02.00 Hydrology and Hydraulics

**Professional Personnel**

			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
032	00 - 5 - Emm, Emily	8/23/2020	2.00	124.20	248.40	
032	00 - 5 - Emm, Emily	8/25/2020	1.00	124.20	124.20	
032	00 - 5 - Emm, Emily	8/28/2020	3.00	124.20	372.60	
032	00 - 5 - Emm, Emily	9/1/2020	.50	124.20	62.10	
088	00 - 6 - Frey, Travis	8/26/2020	3.00	105.00	315.00	
088	00 - 6 - Frey, Travis	8/27/2020	1.00	105.00	105.00	
072	00 - 6 - Kambic, Matthew	8/24/2020	4.50	105.00	472.50	
072	00 - 6 - Kambic, Matthew	8/25/2020	1.50	105.00	157.50	
072	00 - 6 - Kambic, Matthew	8/26/2020	3.50	105.00	367.50	
072	00 - 6 - Kambic, Matthew	8/27/2020	1.00	105.00	105.00	
072	00 - 6 - Kambic, Matthew	8/28/2020	1.50	105.00	157.50	

Project	14003.06	Suburban Park Permitting and LOMR			Invoice	000000010239
072	00 - 6 - Kambic, Matthew	8/31/2020	1.50	105.00	157.50	
072	00 - 6 - Kambic, Matthew	9/1/2020	2.00	105.00	210.00	
072	00 - 6 - Kambic, Matthew	9/2/2020	.50	105.00	52.50	
072	00 - 6 - Kambic, Matthew	9/18/2020	1.00	105.00	105.00	
086	00 - 6 - Robinson, Evan	8/25/2020	5.50	60.50	332.75	
086	00 - 6 - Robinson, Evan	8/26/2020	7.00	60.50	423.50	
086	00 - 6 - Robinson, Evan	8/27/2020	7.00	60.50	423.50	
086	00 - 6 - Robinson, Evan	8/28/2020	1.00	60.50	60.50	
003	00 - 1 - Tereska, Rachel	8/28/2020	1.00	162.25	162.25	
	Totals		49.00		4,414.80	
	<b>Total Labor</b>					<b>4,414.80</b>
				<b>Total this Task</b>		<b>\$4,414.80</b>

Task	99.00	Other Costs
Sub-Task	MI.00	Mileage

**Unit Billing**

Current Mileage Rate				
8/26/2020	MJK Mileage 8/26 H&H field view	92.0 Mileage @ 0.575	52.90	
	<b>Total Units</b>		<b>52.90</b>	<b>52.90</b>
		<b>Total this Sub-Task</b>		<b>\$52.90</b>
		<b>Total this Task</b>		<b>\$52.90</b>
		<b>Total this Project</b>		<b>\$12,309.68</b>
		<b>Total this Report</b>		<b>\$12,309.68</b>



VEHICLE: Nissan Pathfinder

08/23/2020 - 09/19/2020

**TRAVEL LOG**

Current Mileage Rate: \$0.575

Please log mileage for every business trip. Mileage sheets are due monthly.

**ONLY ONE PROJECT PER LINE. IF YOU ARE VISITING TWO SITES ON ONE TRIP USE TWO LINES.**

DATE	JOB # AND Work Order #	Is it Billable ? Y/N	Are there Tolls? Y/N	Is there parking? Y/N If split, note other project number	Initials	Travel from (what city)	Travel to (what city)	Time Left and Time Returned	DESCRIPTION (Specific Reason for trip)	MILEAGE		
										START	FINISH	TOTAL
8/26	14003 WO 6	Y	N	N	MSK	Dillsburg	State College		H.H field view	67,807	67,899	92

# ALPHA SPACE CONTROL CO., INC.


# INVOICE

Visit Us @ [www.alphaspacecontrol.com](http://www.alphaspacecontrol.com)  
 Phone: 717-263-0182 Fax: 717-263-1193  
 1580 GABLER ROAD  
 CHAMBERSBURG, PA 17201

DATE	INVOICE #
9/30/2020	54991

NAME / ADDRESS	
FERGUSON TOWNSHIP CENTRE COUNTY 3147 RESEARCH DRIVE STATE COLLEGE, PA 16801	
ATTN:	RYAN SCALAN

JOB:	2020 TRAFFIC MARKINGS 20-348
ADDRESS:	
CITY/ST:	CENTRE COUNTY, PA.

TERMS	DUE DATE	CUSTOMER P.O. NO.	ALPHA P/SO #	SALES REP:
	10/30/2020		20-348	CHRIS / RICH
QTY	DESCRIPTION	COST	TOTAL	
64,778	ROAD STRIPING: LF OF 4" SINGLE YELLOW LINE	0.062	4,016.24	
65,125	LF OF 4" OR 6" SINGLE WHITE LINE	0.057	3,712.13	
1	H/C SYMBOL(S)	27.50	27.50	
	PENNSYLVANIA SALES TAX	6.00%	0.00	
<div style="border: 2px solid red; padding: 10px; margin: 10px auto; width: 80%;"> <p><b>2020-C8 (FINAL)</b>                      Pay app 5                      Acct#: 35.433.610                      Pay: \$7,755.87</p> <p>Initial PO = \$104,841                      Entire project over initial PO by \$2,026.06                      Approval provided by Dave Modricker</p> <p>                      By dmodricker at 12:15:51 PM, 10/6/2020</p> </div>				

TERMS: NET 30 DAYS 1.5% INTEREST AFTER DUE DATE.  VISA & MASTERCARD NOW BEING ACCEPTED. THANK YOU FOR YOUR PATRONAGE.	<b>TOTAL</b> Pay <b>\$7,755.87</b> RTS
--	---

2020-C8 Pavement Markings  
Summary of Quantities in Ferguson Township

Alpha Space  
Control

NO.	ITEM	UNIT	BID QTY	UNIT PRICE	BID TOTAL	Long Lines		All Legends		Eradication		Fall Work		Fall Work	
						Pay App 1 Qty	Pay App 1 Sub-Total	Pay App 2 Qty	Pay App 2 Sub-Total	Pay App 3 Qty	Pay App 3 Sub-Total	Pay App 4 Qty	Pay App 4 Sub-Total	Pay App 5 Qty	Pay App 5 Sub-Total
1	4" YELLOW LONG LINE	LF	394,998	\$0.062	\$24,489.88	365,359	\$22,652.26		\$0.00		\$0.00		\$0.00	64,778.00	\$4,016.24
2	4" or 6" WHITE LONG LINE	LF	358,953	\$0.057	\$20,460.32	281,373	\$16,038.26		\$0.00		\$0.00		\$0.00	65,125	\$3,712.13
3	24" WHITE (STOP / CROSS WALK / HATCHING)	LF	4,768	\$2.35	\$11,204.80		\$0.00	4,890	\$11,491.50		\$0.00	116	\$272.60		\$0.00
4	24" YELLOW (HATCHING)	LF	708	\$2.35	\$1,663.80		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
5	18" WHITE HATCHING (BIKE CROSSING)	LF	0	\$2.25	\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
6	12" WHITE (VASCAR / HATCH)	LF	1,467	\$2.15	\$3,154.05		\$0.00	1,528	\$3,285.20		\$0.00	50	\$107.50		\$0.00
7	8" WHITE CROSS WALK	LF	185	\$1.95	\$360.75		\$0.00	3,961	\$7,723.95		\$0.00		\$0.00		\$0.00
8	6" WHITE CROSSWALK	LF	8,656	\$1.85	\$16,013.60		\$0.00	1,235	\$2,284.75		\$0.00	265	\$490.25		\$0.00
9	4" WHITE PARKING STALL	EA	3,371	\$0.30	\$1,011.30		\$0.00		\$0.00		\$0.00	240	\$72.00		\$0.00
10	SINGLE ARROW	EA	357	\$50.00	\$17,850.00		\$0.00	279	\$13,950.00		\$0.00		\$0.00		\$0.00
11	COMBINATION ARROW	EA	25	\$100.00	\$2,500.00		\$0.00	7	\$700.00		\$0.00		\$0.00		\$0.00
12	"ONLY" LEGEND	EA	4	\$75.00	\$300.00		\$0.00	6	\$450.00		\$0.00		\$0.00		\$0.00
13	"STOP" LEGEND	EA	4	\$75.00	\$300.00		\$0.00	4	\$300.00		\$0.00		\$0.00		\$0.00
14	"AHEAD" LEGEND	EA	4	\$95.00	\$380.00		\$0.00	4	\$380.00		\$0.00		\$0.00		\$0.00
15	"BIKE" LEGEND	EA	0	\$75.00	\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
16	"PED" LEGEND	EA	2	\$75.00	\$150.00		\$0.00	2	\$150.00		\$0.00		\$0.00		\$0.00
17	"X-ING" LEGEND	EA	23	\$75.00	\$1,725.00		\$0.00	22	\$1,650.00		\$0.00		\$0.00		\$0.00
18	"R X R" CROSSBUCK LEGEND	EA	0	\$175.00	\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
19	"SLOW"	EA	8	\$75.00	\$600.00		\$0.00	8	\$600.00		\$0.00		\$0.00		\$0.00
20	LARGE CURVE ARROW	EA	6	\$85.00	\$510.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
21	BIKE SYMBOL	EA	20	\$50.00	\$1,000.00		\$0.00	20	\$1,000.00		\$0.00		\$0.00		\$0.00
22	WRONG WAY ARROW	EA	2	\$75.00	\$150.00		\$0.00	2	\$150.00		\$0.00		\$0.00		\$0.00
23	LANE MERGE ARROW	EA	0	\$100.00	\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
24	12"X18" YIELD TRIANGLES	EA	66	\$2.50	\$165.00		\$0.00	66	\$165.00		\$0.00		\$0.00		\$0.00
25	"+" INTERSECTION SYMBOL (12"X6")	EA	4	\$50.00	\$200.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
26	"XX MPH" LEGENG (8')	SF	0	\$75.00	\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
27	PAVEMENT MARKING REMOVAL	SF	16,117	\$0.90	\$14,505.30		\$0.00	16.7	\$15.03	15,411.0	\$13,869.90		\$0.00		\$0.00
28	SCHOOL SLOW	EA	0	\$75.00	\$0.00		\$0.00	0	\$0.00		\$0.00		\$0.00		\$0.00
29	HC SYMBOLS	EA	5	\$27.50	\$137.50		\$0.00		\$0.00		\$0.00		\$0.00	1	\$27.50
	6" YELLOW BIKE PATH LINE	LF		\$0.50			\$0.00	2,626	\$1,313.00		\$0.00		\$0.00		\$0.00
						Pay App 1	\$38,690.52	Pay App 2	\$45,608.43	Pay App 3	\$13,869.90	Pay App 4	\$942.35	Pay App 5	\$7,755.86

Total Contract to Date \$106,867.06

Contract Budget \$104,841.00

DIF -\$2,026.06







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

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING RESOLUTION 2019-23 BY ADOPTING A REVISED SIDEWALK SNOW REMOVAL MAP.**

**WHEREAS**, the Board of Supervisors of the Township of Ferguson authorized the preparation annually of a revised Sidewalk Snow Removal Policy Map, hereinafter called "Map"; and

**WHEREAS**, the Map identifies properties within the Township that will be exempt from the snow and ice removal requirements of Chapter 21, Section 207.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Supervisors hereby adopts the 2020-2021 Sidewalk Snow Removal Policy Map dated October 19, 2020 and attached hereto as Exhibit "A".

**RESOLVED**, this 19<sup>th</sup> day of October 2020.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Laura Dininni, Vice Chairwoman  
Board of Supervisors

[ SEAL ]

**ATTEST:**

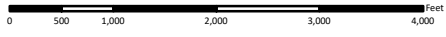
By: \_\_\_\_\_  
David G. Pribulka, Secretary

# EXHIBIT "A"



## TOWNSHIP OF FERGUSON

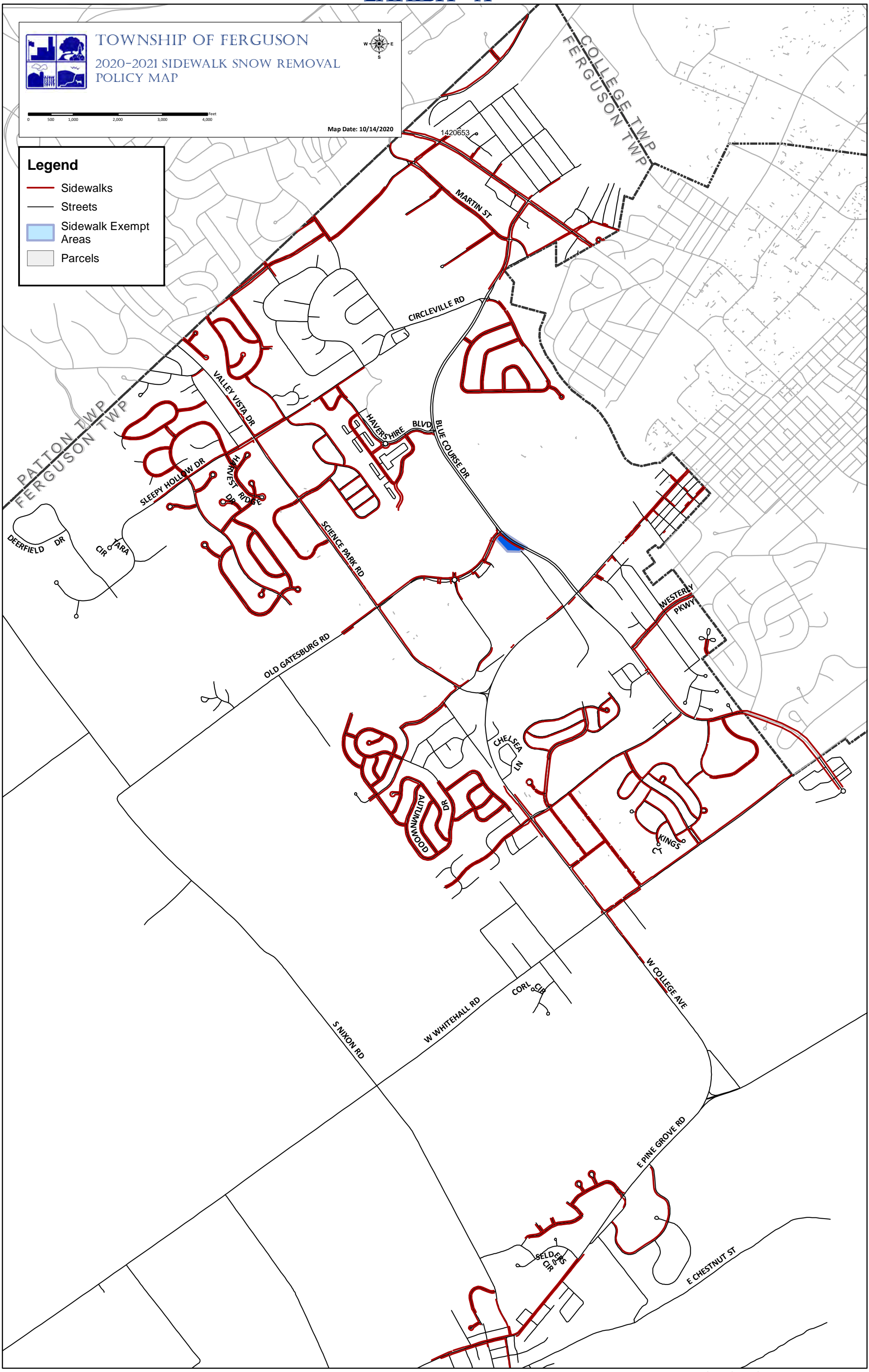
### 2020-2021 SIDEWALK SNOW REMOVAL POLICY MAP



Map Date: 10/14/2020

#### Legend

- Sidewalks
- Streets
- Sidewalk Exempt Areas
- Parcels





**B.**

Centre Region Parks and Recreation Authority.

§ 1-1121. Intention and Desire to Organize Authority. [Ord. 47, 1/13/1970, § 1]

The Board of Supervisors of this Township signifies its intention and desire to organize an Authority jointly with the Townships of College, Harris, Patton, Halfmoon and the Borough of State College, all located in Centre County, Pennsylvania, under provisions of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented ("Authorities Act"), for the purpose of exercising any and all powers conferred by the Authorities Act.

§ 1-1122. Articles of Incorporation. [Ord. 47, 1/13/1970, § 2]

The Chair or Vice Chair of the Board of Supervisors and Secretary or Assistant Secretary, respectively, of this Township are authorized and directed to execute, in behalf of this Township, Articles of Incorporation of such Authority in substantially the following form:

Articles of Incorporation

To the Secretary of the  
Commonwealth of Pennsylvania:

In compliance with requirements of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented, and pursuant to ordinances duly enacted by the municipal authorities of the Townships of College, Ferguson, Harris, Patton and Halfmoon, and the Borough of State College, all located in Centre County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize a municipality authority jointly under provisions of said Act, said incorporating municipalities do certify:

- A. The name of the Authority is "Centre Region Parks and Recreation ~~Regional Recreation~~ Authority."
- B. The Authority is formed under provisions of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented.
- C. No other Authority has been organized under said Municipality Authorities Act of 1945, as amended and supplemented, or under the Act of June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for any of said incorporating municipalities, except that:

- (1) The Township of Ferguson, Centre County, Pennsylvania, heretofore organized an Authority known as "Ferguson Township Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (2) The Township of Patton, Centre County, Pennsylvania, heretofore organized an Authority known as "Patton Township Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (3) The Township of Harris, Centre County, Pennsylvania, heretofore organized an Authority known as "Harris Township Water Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (4) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Storm Water Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (5) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Borough Authority" under the Act of June 28, 1935, P.L. 463, as amended.
- (6) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "Centre County Airport Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented. (Established jointly by Borough of State College, Borough of Bellefonte, and County of Centre).
- (7) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Joint School Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (8) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Municipal Building Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (9) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Airport Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.

- (10) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Parking Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (11) The Borough of State College, Centre County, Pennsylvania, heretofore organized an Authority known as "State College Sewer Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (12) The Townships of Patton and Ferguson, Centre County, Pennsylvania, heretofore organized an Authority known as "Patton-Ferguson Joint Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.
- (13) The Townships of College and Harris, Centre County, Pennsylvania, heretofore organized an Authority known as "College-Harris Joint Authority" under provisions of said Municipality Authorities Act of 1945, as amended and supplemented.

D. The names of the incorporating municipalities are:

- Township of College, Centre County, Pennsylvania
- Township of Harris, Centre County, Pennsylvania
- Township of Ferguson, Centre County, Pennsylvania
- Township of Patton, Centre County, Pennsylvania
- Township of Halfmoon, Centre County, Pennsylvania
- Borough of State College, Centre County, Pennsylvania

E. The names and addresses of all municipal authorities of said incorporating municipalities are:

[Here followed the names and addresses of the principal officers in office of each of the participating municipalities at the time of enactment.]

F. The members of the Board of the Authority shall be seven in number and shall be apportioned as follows:

- Township of College, Centre County, Pennsylvania 1
- Township of Ferguson, Centre County, Pennsylvania 1
- Township of Patton, Centre County, Pennsylvania 1
- Township of Harris, Centre County, Pennsylvania 1
- Township of Halfmoon, Centre County, Pennsylvania 1

Borough of State College, Centre County, 2  
Pennsylvania

- G. The names, addresses and terms of office of first members of the Board of the Authority, each of whom is a citizen of the incorporating municipality by which he/she is appointed, are as follows:

[Here followed the names and addresses of the principal officers in office.]

§ 1-1123. Necessity for Enactment. [Ord. 47, 1/13/1970, § 6]

The enactment of this Part is deemed necessary for the benefit of the preservation of the public health, peace, comfort and general welfare of citizens of this Township and will increase the prosperity of citizens of this Township.

§ 1-1124. Amendments to the Articles of Incorporation of the Authority. [Res. 2013-8, 3/4/2013, §§ 1-3]

1. The Board of Supervisors of this Township adopt and approve the amendment to the Articles of Incorporation of the Authority as proposed by a resolution duly adopted by the Board of the Authority, a copy of which resolution, duly certified by the Chair or Vice Chair and Secretary or Assistant Secretary, as appropriate, of the Authority, has been submitted to the Board of Supervisors of this Township.
2. The amendment to the Articles of Incorporation of the Authority, which is hereby adopted and approved, shall amend said Articles of Incorporation, in accordance with § 5605(a)(1) of the Authorities Act, by adopting the new Authority name of "Centre Region Parks and Recreation Authority."
3. Proper officers of the Authority hereby are authorized to execute; verify and file appropriate Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania and to take all other action and to do all other things which may be necessary in order to accomplish such amendment of the Articles of Incorporation of the Authority in the manner herein adopted and approved.

**§ 16-107. Centre Region Parks and Recreation Department.**  
**[Ord. 873, 11/20/2006, § 7]**

1. In order to provide for equitable use of park facilities, preserve park areas, and facilities, and protect the safety of users of the parks and their facilities, the Director of the Centre Region Parks and Recreation Department shall have the following authority, the enumeration of which shall not restrict the general authority and control of the Director over parks:
  - A. To Fix Time. To fix times when the parks or parts thereof shall be open to public use.
  - B. To Restrict Use. To designate parks and parts thereof as restricted to the use of certain portions of the public at certain times as he sees fit.
  - C. To Issue Permits. Under uniform conditions to be prescribed by him, to issue permits for regulated uses as hereinbefore enumerated.
  - D. To Fix Charges. The Centre Region Parks and Recreation Authority sets its fees and policies each year for the use of park areas or facilities or privileges, to be utilized by the Parks and Recreation Director for all permitting purposes.
  - ~~D.E. To , Charge and~~ Collect Fees. To ~~fix, charge and~~ collect such fees and deposits for the use of park areas or facilities or privileges as he deems advisable to help defray the expense of the parks and their facilities.

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Chapter 16  
PARKS AND RECREATION

Part 1  
RULES AND REGULATIONS

§ 16-101. Definitions. [Ord. 873, 11/20/2006, § 1]

**PARK** — Unless specifically limited, shall be deemed to include all parks, playgrounds, athletic fields, stadium, tennis courts, golf course, swimming pools, beaches, band shells, music pavilions, recreational areas and structures, museums, geological and botanical gardens, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Centre Region Parks and Recreation Board, now or hereafter owned, acquired or leased by the Township of Ferguson for park or recreation purposes. Also included are areas owned or leased on behalf of Ferguson Township for municipal park and recreational purposes by Centre Regional Recreational Authority (CRRA) and/or Centre Region Council of Governments (COG) upon designation of such areas as a "municipal park" or "regional park" by the Board of Supervisors by resolution.

**PERMIT** — Any written authorization issued by or under the authority of the Director of Parks and Recreation permitting specified park privilege.

**PERSON** — Any natural person, corporation, organization of persons, company, association or partnership.

**POLICE OFFICER** — Any peace officer of the Township of Ferguson, or State of Pennsylvania or any employee of the Department of Parks and Recreation appointed as a special police officer for the purpose of the enforcement of law and order within parks.

**EXCRETA** — All useless matter eliminated from the bodily system, as sputum, urine, fecal matter.

**INTOXICATION** — A state of any person being drunk, inebriated or under the influence of alcoholic beverages or spirituous liquors, taken internally or under the influence of drugs.

**RULES AND REGULATIONS** — Any rules and regulations hereby or hereafter established by the ordinance of Ferguson Township as promulgated by the Director of Centre Region Parks and Recreation under authority herein conferred.

§ 16-102. Interpretation of Rules and Regulations. [Ord. 873, 11/20/2006, § 2]

1. In the interpretation of the rules and regulations affecting parks, their provisions shall be construed as follows:
  - A. Terms in Singular. Any term in the singular shall include the plural.
  - B. Terms in Masculine. Any term in the masculine shall include the feminine and neuter.

- C. Extension of Rules and Regulations. Any requirement or provision of these rules and regulations relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any minor in the custody of any person, doing any act prohibited by any provisions thereof.
- D. Acts not Unlawful. No provision hereof shall make unlawful any act necessarily performed by any police officer or employee of the Department of Parks and Recreation or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Department of Parks and Recreation.
- E. Permits. Any act otherwise prohibited by these rules and regulations, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of and strictly in compliance with the provisions of a permit and to the extent authorized thereby.
- F. State and Federal Laws. These rules and regulations are in addition to and supplement all state and federal laws.

§ 16-103. Conduct Prohibited in Parks. [Ord. 873, 11/20/2006, § 3; as amended by Ord. 952, 5/2/2011, § 1; and by Ord. 998, 1/19/2015, §§ 1, 2]

1. Disturbing the Peace. No person shall disturb the peace in any park by any act.
2. Immorality and Indecency. No person shall do any obscene or indecent act in any park, or display, expose or distribute any picture, banner or other object suggestive of sex in a lewd, indecent, immoral way; or enter a comfort station or toilet set apart for the use of the opposite sex; nor shall any person loiter in any comfort station or toilet at any time, nor shall any person dress or undress in any park except in dressing rooms provided for such persons.
3. Unbecoming Language. No person shall use threatening, abusive, insulting, profane or obscene language or words in any parks.
4. Soliciting Money. No person shall solicit money, subscriptions, or contributions for any purpose in any park unless authorized by permit from the Director of the Centre Region Parks and Recreation Department
5. Intoxication. No person shall enter a park in an intoxicated condition; nor shall any person have in his possession or drink, or use in any park any alcoholic beverage; nor shall any person have in his possession or use in any park drugs of any kind.
6. Weapons, Projectiles, Etc. No person shall perform the following actions within parks or playgrounds without having previously obtained



written consent and approval of the Director of the Centre Region Parks and Recreation Department. Carry or discharge an air rifle or air pistol, a paintball gun or paintball marker; fireworks (including rockets) or other missile propelling instruments or explosives a slingshot or a bow and arrow, or other dangerous weapons, excepting firearms, which have such properties as to cause annoyance or injury to any person or property; provided further that no person shall discharge any firearm within parks or playgrounds. The foregoing exception relating to firearms is intended to eliminate any prohibition relating to the carrying or possessing of firearms. However, the discharge of firearms in parks or playgrounds is prohibited other than for lawful personal protection.

7. Throwing Missiles. No person shall, in any park, throw, cast, lay, deposit or propel any missile except in the performance of an authorized recreational activity.
8. Dangerous Conduct. No person shall interfere with, encumber, obstruct or render dangerous any park or part thereof.
9. Excreta. No person shall emit, eject, or cause to be deposited in any park, any excreta of the human body, except in proper receptacles designated for such purposes.
10. Improper Admission. No person shall gain improper admission to, or use of, or attempted admission to any park facility, for which a charge is made, without paying the fixed charge or price of admission.
11. No use of snowmobiles, mini-bikes, motorcycles, or any vehicle recreational or otherwise except on designated roads, trails, or areas set aside for their use.
12. Disobeying Authorities and Signs. No person shall, in any park, disobey a proper order of a police officer or any Park and Recreation employee designated by the Director of the Centre Region Parks and Recreation Department to give orders. Nor shall any person in any park disobey, disregard or fail to comply with any rule or regulation, warning, prohibition, instruction or direction, posted or displayed by sign, notice, bulletin, card, poster, or when notified or informed as to its existence by a park employee or other authorized person.
13. Hunting and Trapping. It is unlawful to hunt for, capture or kill, or attempt to capture or kill, or aid or assist in capturing or killing of, in any manner, any wild bird or wild animal of any description, either game or otherwise.
14. Camping. Day or overnight camping of any type is prohibited except as authorized by the Director of the Centre Region Parks and Recreation Department.
15. Unmanned Aircraft to include radio-controlled, string-controlled, remote-controlled, and tethered model aircraft, and drones. Unmanned Aircraft shall not be placed in flight or landed in any

pocket, neighborhood, or community park. Unmanned Aircraft may be placed in flight or landed with a permit from the Director of the Centre Region Parks and Recreation Department in the Regional Parks (Oak Hall Regional Park, Hess Softball Complex), and Whitehall Road Regional Park) when not interfering with other permitted and scheduled events or activities. All Unmanned Aircraft operators must follow all Federal Aviation Administration's (FAA) protocols to include safe operations, licensing, inspections, training, flight patterns, distances, heights, etc. Exceptions will be made for other parks for commercial uses only (i.e., commercial filming) with a permit request to the Director of Parks and Recreation. Remote-Controlled or Tethered Model Aircraft. Remote-controlled or tethered model aircraft shall not be operated in any park without a

**Commented [SP1]:** Based on research, a municipality can only control the land on which these unmanned aircraft land and from which they take off. Added the regional parks info. per our May Manager's mtg.

permit for the operation thereof issued by the Director of the Centre Region Parks and Recreation Department.

§ 16-104. Treatment of Park Property. [Ord. 873, 11/20/2006, § 4]

1. Defacing, Breaking, and Injuring Trees, Plants, Benches, etc. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus or property or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark, or write upon any building, monument, fence, bench or other structure, or injure, deface or remove any property real or personal or any natural growth, structure, equipment, animals, signs, or other park property.
2. Setting of Fires. No fires shall be set in any park except in areas where fires are designated as permitted or except as authorized by permit issued under the authority of the Director of the Centre Region Parks and Recreation Department.
3. Discharging in Bodies of Water. No person shall throw, cast, lay, drop or discharge into or leave in any body of water in any park, or in any storm sewer, or drain flowing into said water, or in any gutter, sewer or basin, any substance, matter or thing, whatsoever.
4. Animals in Parks. No person owning or being custodian or having control of any animal, livestock or poultry, shall cause or permit same to go at large in any park except for dogs in designated fenced off-leash areas in accordance with posted rules and regulations. A dog or other domesticated animal may be brought into park; provided, that such animal is continuously restrained by a leash not exceeding six feet in length, and in control at all times, except that no dog or other such animal shall be permitted in the immediate vicinity of bath houses, wading pools, and children's play areas or in any area designated by signs as prohibited areas.
5. Horses. No person shall ride or lead a horse into or upon lawns or other areas in any park. Horses may be permitted in designated fenced pasture areas and established riding rings.
6. Waste Matter. No person or animal shall deposit, drop or leave any papers, bottles, debris, or other waste matter or refuse of any kind in any park or part thereof except in such receptacles as may be provided for the purpose.

§ 16-105. Traffic Control. [Ord. 873, 11/20/2006, § 5]

1. Vehicles to be Operated at Reasonable Speed, Not to Exceed 15 Miles per Hour. No person shall operate any motor vehicle on any roadway in any park at any rate of speed greater than is reasonable having regard to the width of the roadway, traffic, and use of such roadway, intersection with other roadways, weather and other conditions; and in

no event shall any vehicle be operated on such highway at a speed in excess of 15 miles per hour.

2. Repairs to Vehicles. No person shall in any park make repairs to any vehicle except those of a minor nature, and then only in cases of emergency.
3. Vehicle to be Operated on Roadways and Parked in Approved Areas. No person shall operate any vehicle in any part of a park except on roadways established for the operation of vehicles, nor shall any person park any vehicle in any area except those specifically designated for parking purposes.

§ 16-106. Regulated Uses. [Ord. 873, 11/20/2006, § 6]

1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof. Any violation of any law, ordinance, or rule or regulation by the holder or agents of the holder of any permit shall constitute grounds for revocation, which action shall be final. In case of revocation, all moneys paid therefore shall, at the option of the Centre Region Department of Parks and Recreation, be forfeited and shall leave the violator liable for all damages or loss suffered in excess of such forfeited or retained money, and such moneys retained or damage paid, or both, shall not relieve such person from liability to punishment for violation of any law, ordinance, rule or regulation.
2. Public Events. No person shall conduct, operate, present or manage in any park, a parade, drill, maneuver, public meeting, ceremony, speech, address, public contest, exhibit, dramatic performance, spectacle, play, motion picture, fair, circus, or show of any kind or nature, band, choir, glee club, orchestra, without a permit.
3. Picnics. All organized picnics or outings shall be authorized by permits obtained previous to entering any park.
4. ~~Baseball and Softball~~Sports Fields. All organized teams, leagues, agencies, schools, churches and other groups must obtain a permit for these facilities before announcing schedules.
5. Selling Concessions. No person shall in any park exhibit, sell, or offer for sale, hire, lease or let out any object, service or merchandise or anything whatsoever, whether corporal or incorporeal, except under a permit issued by the Centre Region Department of Parks and Recreation.
6. Advertising. No person shall advertise in any park in any manner whatsoever for any reason whatsoever, except by permit issued by the Centre Region Department of Parks and Recreation.
7. Games in Designated Areas. No person shall throw, cast, catch, kick, play with, or strike any gameball whatsoever or engage in any sport,

game, or competition except in places and during the time designated therefore. Nor shall a person engage in or play a game or other sport or contest of a nature different from the one for which the designated area was created, except in such areas as are officially set aside for diversified games.

§ 16-107. Centre Region Parks and Recreation Department. [Ord. 873, 11/20/2006, § 7]

1. In order to provide for equitable use of park facilities, preserve park areas, and facilities, and protect the safety of users of the parks and their facilities, the Director of the Centre Region Parks and Recreation Department shall have the following authority, the enumeration of which shall not restrict the general authority and control of the Director over parks:
  - A. To Fix Time. To fix times when the parks or parts thereof shall be open to public use.
  - B. To Restrict Use. To designate parks and parts thereof as restricted to the use of certain portions of the public at certain times as he sees fit.
  - C. To Issue Permits. Under uniform conditions to be prescribed by him, to issue permits for regulated uses as hereinbefore enumerated.
  - D. To Fix Charges. The Centre Region Parks and Recreation Authority sets is fees and policies each year for the use of park areas or facilities or privileges, to be utilized by the Parks and Recreation director for all permitting purposes.
  - ~~D.E. To Charge and~~ Collect Fees. To ~~fix, charge and~~ collect such fees and deposits for the use of park areas or facilities or privileges as ~~he the Director~~ deems advisable to help defray the expense of the parks and their facilities.

§ 16-108. Enforcement and Penalties. [Ord. 873, 11/20/2006, § 8]

1. Police officers of the Township or state, or Township or park employees appointed as special park police, shall have the authority to enforce these rules and regulations.
2. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues shall constitute a separate offense.
3. The Township may maintain a civil action, in addition to any prosecution under Subsection 2 hereof, to recover from any party responsible

therefore damages for injury to park and recreation equipment and property.



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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)

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October 20, 2020

Sent via email and USPS

Anne Messner – County Liquid Fuels Program  
Centre County Planning & Community Development Office  
420 Holmes Building  
Bellefonte, PA 16823

2021 County Liquid Fuels Grant Application

Dear Ms. Messner:

Ferguson Township is pleased to submit for your consideration an application for 2021 County Liquid Fuels Funding. The Township Board of Supervisors is requesting funding to construct traffic signal and safety improvements at the Science Park Road and Sandy Drive (north) intersection as detailed in the application. The project is in design by the Township and a traffic signal warrant analysis was approved by PennDOT. Construction is planned for 2021.

Motorists and residents from Ferguson Township and Centre County have been asking for a traffic signal at this location. Ferguson Township has a history of bringing needed transportation improvements to fruition and assistance from the County is appreciated.

On behalf of the Board of Supervisors, thank you for your consideration of this project.

Sincerely,

David J. Modricker, PE  
Public Works Director

Copy: David Pribulka, Manager  
Board of Supervisors  
Ronald Seybert, PE, Township Engineer

File: 2021 County Liquid Fuels

2021 Centre County Liquid Fuels Grant Application  
Ferguson Township  
Science Park Road and Sandy Drive (north) intersection improvement project

## **Centre County Liquid Fuels Program – Application for Funding Assistance**

Municipality: Ferguson Township, Centre County, PA  
Contact Person: David J. Modricker, P.E., Public Works Director  
Email: dmodricker@twp.ferguson.pa.us  
Phone: 814-238-4651

### **PROJECT TYPE**

- ✓ Safety Improvement
- ✓ Signals/Signage

### **NEED/PROBLEM DESCRIPTION**

Traffic on Science Park Road has increased steadily to the current 14,000 vehicle trips per day. Motorists complain of a difficult time turning onto Science Park Road especially during rush hour such as after dropping a child off at day care on Sandy Drive. Motorists must quickly turn onto Science Park Road during perceived small gaps in traffic and complain of a dangerous condition. Traffic flow and to an extent safety can be improved with the installation of a traffic signal.

### **SAFETY**

- ✓ Yes

Crash data was collected and evaluated by Stahl Sheaffer Engineering and submitted to PennDOT with the Traffic Signal Study in December 2019. During the 5 year period studied, a total of 6 crashes occurred at the Science Park Road and Sandy Drive (north) intersection, and 3 crashes occurred at the Science Park Road and Sandy Drive (south) intersection. While safety is a concern expressed by motorists, the frequency of crashes alone does not justify the traffic signal. It does however meet other warrants for the installation of a traffic signal.

### **PROJECT DESCRIPTION**

This project includes the installation of a fully actuated traffic signal at the intersection of Science Park Road and Sandy Drive (north) including provisions for pedestrian crossings and overhead lighting. An off street bikepath is currently accommodated at this intersection. Surveying for the project is mostly complete. The traffic signal warrant analysis is complete and approved by PennDOT. Design will be accommodated in house by the Township Engineer. Easement impacts are expected to be minimal (perhaps one pole location in our existing shared use path easement) and utility impacts are expected to be minimal, yet unknown.

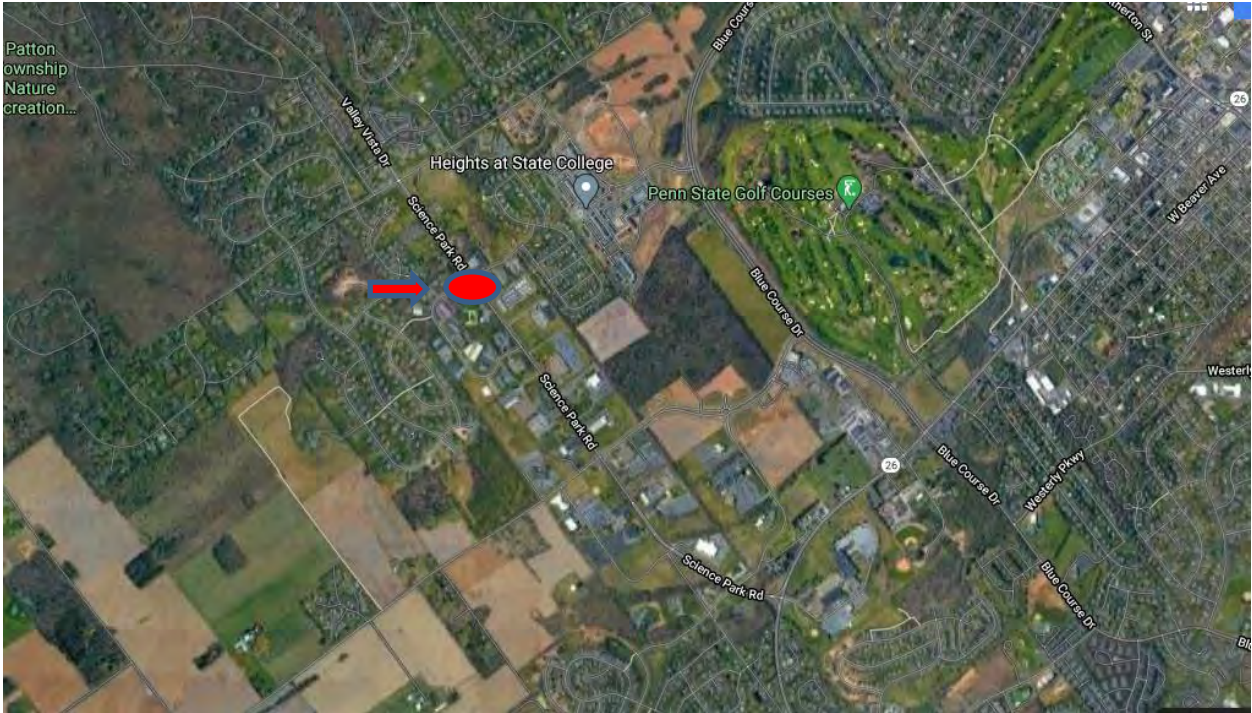
The area surrounding this project is zoned IRD Light Industry, Research and Development to the south and west, and PRD Planned Residential Development to the east, and R1 Single Family Development just to the north. The corridor supports research and industrial type businesses well as child-care facilities, churches, and residential homes.





2021 Centre County Liquid Fuels Grant Application  
Ferguson Township  
Science Park Road and Sandy Drive (north) intersection improvement project

**Attachment 1 Location Map**



**Attachment 2 Photograph**





2021 Centre County Liquid Fuels Grant Application  
 Ferguson Township  
 Science Park Road and Sandy Drive (north) intersection improvement project

**Attachment 4 Project Cost Estimate**

ITEM NO.	ITEM DESCRIPTION	QTY	UNITS	UNIT PRICE	TOTAL
0608-0001	MOBILIZATION	1.00	LS	\$16,000	\$16,000
4630-0010	PLAIN CEMENT CONCRETE CURB	60.00	LF	\$75	\$4,500
4676-0001	CEMENT CONCRETE SIDEWALK, MODIFIED	75.00	SY	\$250	\$18,750
4695-0003	DETECTABLE WARNING SURFACE, POLYMER CONCRETE, MODIFIED	100.00	SF	\$40	\$4,000
0802-0001	TOPSOIL FURNISHED AND PLACED	30.00	CY	\$100	\$3,000
0901-0001	MAINTENANCE AND PROTECTION OF TRAFFIC	1.00	LS	\$16,000	\$16,000
4931-0001	POST MOUNTED SIGNS, TYPE B	40.00	SF	\$100	\$4,000
0936-0200	STRUCTURE MOUNTED FLAT SHEET ALUMINUM SIGNS	30.00	SF	\$75	\$2,250
0951-0130	TRAFFIC SIGNAL SUPPORT, 30' MAST ARM	2.00	EACH	\$17,000	\$34,000
0951-3130	TRAFFIC SIGNAL SUPPORT, 30' MAST ARM W/ LUMINAIRE (30' MOUNTING HEIGHT)	2.00	EACH	\$18,000	\$36,000
4951-4020	PEDESTRIAN STUB POLE	8.00	EACH	\$2,000	\$16,000
4952-1030	NEMA TS-2; TYPE I CONTROLLER ASSEMBLY. TYPE I MOUNTING	1.00	EACH	\$20,000	\$20,000
0954-0012	2 INCH CONDUIT	200.00	LF	\$4	\$800

2021 Centre County Liquid Fuels Grant Application  
 Ferguson Township  
 Science Park Road and Sandy Drive (north) intersection improvement project

0954-0013	3 INCH CONDUIT	500.00	LF	\$5	\$2,500
0954-0152	TRENCH AND BACKFILL, TYPE II	200.00	LF	\$50	\$10,000
0954-0153	TRENCH AND BACKFILL, TYPE IV	250.00	LF	\$150	\$37,500
0954-0201	SIGNAL CABLE, 14 AWG, 3 CONDUCTOR	800.00	LF	\$3	\$2,400
0954-0202	SIGNAL CABLE, 14 AWG, 5 CONDUCTOR	1,000.00	LF	\$4	\$3,500
0954-0203	SIGNAL CABLE, 14 AWG, 7 CONDUCTOR	300.00	LF	\$4	\$1,200
0954-0302	JUNCTION BOX, JB-27	8.00	EA	\$1,200	\$9,600
0954-0403	ELECTRICAL SERVICE, TYPE C	1.00	EA	\$3,200	\$3,200
4954-0600	UNINTERRUPTIBLE POWER SUPPLY (UPS) WITH CABINET WARNING LIGHT	1.00	EA	\$6,000	\$6,000
0955-3208	VEHICULAR SIGNAL HEAD, THREE 12" SECTIONS	8.00	EA	\$1,200	\$9,600
0955-3722	LED COUNTDOWN PEDESTRIAN SIGNAL HEAD, TYPE A	8.00	EA	\$1,000	\$8,000
4956-0500	PEDESTRIAN PUSHBUTTON ADA COMPLIANT	8.00	EA	\$750	\$6,000
4956-0770	DIGITAL WAVE RADAR DETECTION SYSTEM	1.00	EA	\$40,000	\$40,000
4956-0802	OPTICAL PREEMPTION SYSTEM	1.00	LS	\$14,000	\$14,000
0962-1002	8" WHITE WATERBORNE PAVEMENT MARKINGS	400.00	LF	\$4	\$1,600

2021 Centre County Liquid Fuels Grant Application  
 Ferguson Township  
 Science Park Road and Sandy Drive (north) intersection improvement project

0962-1004	24" WHITE WATERBORNE PAVEMENT MARKINGS	50.00	LF	\$8	\$400
0963-0001	PAVEMENT MARKING REMOVAL	100.00	SF	\$6	\$600
9000-0001	SEEDING, SOIL SUPPLEMENTS, AND MULCHING	400.00	SY	\$6	\$2,400
9000-0002	COMMUNICATIONS SYSTEM	1.00	LS	\$15,000	\$15,000
9000-0003	UTILITY IMPACTS - UNDETERMINED YET	1.00	LS	\$55,000	\$55,000

CONSTRUCTION SUBTOTAL				\$403,800
CONTINGENCY			30%	\$121,000
CONSTRUCTION TOTAL				\$525,000
RIGHT OF WAY ACQUISITION - UNDETERMINED YET				\$26,000
<b>PROJECT TOTAL</b>				<b>\$551,000</b>

# CENTRE REGION COUNCIL OF GOVERNMENTS

Centre Regional Planning Agency  
2643 Gateway Drive, Suite #4  
State College, PA 16801  
Phone: (814) 231-3050 Fax: (814) 231-3083

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## TRANSPORTATION & LAND USE (TLU) COMMITTEE and CENTRE REGIONAL PLANNING COMMISSION (CRPC) JOINT MEETING

COG Forum Room  
2643 Gateway Drive  
Monday, October 5, 2020  
12:15 p.m.

### AGENDA

1. CALL TO ORDER - Ms. Lafer will call the meeting to order.
2. INTRODUCTIONS

Ms. Lafer will call for introductions.

Members of the TLU Committee and CRPC		
TLU Committee	CRPC	Representing
Eric Bernier	Ray Forziat, Chair	College Township
Lisa Strickland	Ellen Taricani	Ferguson Township
Dave Piper	Andrew Meehan, Vice-Chair	Halfmoon Township
Frank Harden, Vice Chair	Amy Lorek	Harris Township
Pamala Robb	Brian Rater	Patton Township
Theresa Lafer, Chair	Jon Eich	State College Borough
Neil Sullivan	Neil Sullivan	Penn State University

3. CITIZEN 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.

4. ACCEPTANCE OF MINUTES

Ms. Lafer should call for action from TLU Committee members on the minutes of the September 14, 2020 TLU Committee meeting which are *enclosed*.

Mr. Forziat should call for action from CRPC members on the September 3, 2020 CRPC meeting minutes which are *enclosed*.

5. OPEN DISCUSSION FOR COMMITTEE MEMBERS

This time is provided for open discussion of issues by members of the TLU Committee and CRPC.

6. UTILITY-SCALE SOLAR PROJECTS IN THE CENTRE REGION – *presented by Pam Adams and Mark Boeckel*

Over the past several months, the CRPA participated in several webinars and conducted research on utility-scale solar uses. Utility-scale solar energy systems generate electricity for off-site use and are not accessory to another use on the property where they are located. A variety of factors including federal and state tax incentives have pushed developers to bring these facilities online as quickly as possible. This has resulted in many municipalities lacking the necessary ordinances to appropriately permit and regulate the use.

There are currently no utility-scale solar energy systems in the Centre Region; however, systems have been proposed in Centre County and at least one potential system in the Centre Region has received interconnection approval from West Penn Power and Pennsylvania-New Jersey-Maryland Interconnection (PJM). Based on current market trends, it is likely that the Centre Region municipalities will receive formal requests to approve utility-scale solar systems within their boundaries at some point in the future.

The TLU Committee and CRPC should receive a PowerPoint presentation regarding utility-scale solar uses and current market trends. While it is not included in the current Comprehensive Plan Implementation Program (CHIP), staff believes that this timely topic should be further studied with the intent of developing a regional model ordinance for utility-scale solar uses.

Attachments: None (PowerPoint provided at the meeting)

Action: The TLU Committee and CRPC should receive a presentation on utility-scale solar systems and provide feedback on whether Staff should move forward with preparing a regional model ordinance.

Next Steps: If the TLU Committee and CRPC agree with staff's recommendations, CRPA staff will begin working with other regional and municipal staff on studying the issue and identifying standards for inclusion in a regional model ordinance.

7. CONSIDER ALLOWING ADDITIONAL ACCESSORY DWELLING UNITS (ADU) IN THE CENTRE REGION – *presented by Nicole Pollock*

This item provides an update to the CRPC regarding the progress of the Allowing More Accessory Dwelling Units in the Centre Region Project outlined in the 2020-2021



Comprehensive Plan Implementation Program (CHIP) as “A Proposal to Consider Allowing More Accessory Dwelling Units in Portions of the Centre Region”.

Affordable housing is a large scale, regional issue. Efforts to gain more affordable housing have primarily focused on new construction. This project is looking to provide affordable and workforce housing by integrating accessory dwelling units (ADUs) throughout existing neighborhoods. Ultimately, this study considers if allowing ADUs could improve flexibility in the housing market that makes sense from an environmental, lifestyle, financial, and affordable perspective.

This project focuses on four main points:

- Where ADUs are currently allowed in the Centre Region
- Barriers to allowing ADUs
- A Model Ordinance
- Potential Recommendations

The material presented will cover the large variation on what is considered an ADU, the goal of the project, the main focus points that have been researched to date, and the proposed next steps.

Attachments: None (PowerPoint provided at the meeting)

Action: This item is for information only. No action is needed

Next Steps: Staff will continue to work on the Accessory Dwelling Unit project while taking into consideration all comments provided by TLU and the CRPC.

8. A REVIEW OF THE DRAFT CENTRE REGION LAND CONSUMPTION STUDY –  
*presented by Mark Boeckel*

The 2019-2020 Comprehensive Plan Implementation Program (CHIP) includes a study to examine the rate of residential land consumption inside of the Regional Growth Boundary (RGB) and Sewer Service Area (SSA) and determine potential strategies to minimize land consumption, such as minimum development density requirements. This project seeks to understand how land is being consumed for residential uses and identify regulatory methods of ensuring efficient land development. The TLU Committee and CRPC received an update on this project at its June meetings.

Staff recently completed a final draft of the study which is included with the agenda. The study includes an evaluation of land consumption for single-family detached dwellings, attached units, and apartments inside of the Regional Growth Boundary (RGB) and Sewer Service Area (SSA). The study concludes that over 80% of the residential land within the RGB is utilized for single-family detached dwellings, which consumes the most land per

unit type. Land consumption for single-family detached dwellings increased significantly after 1950, consuming an average of 0.39 acre per unit over the past 70 years. While the amount of land consumed for other unit types also increased, these unit types account for a smaller portion of the land area devoted to residential uses.

The report also includes an assessment of the impact land that consumption rates could have on vacant land within the RGB and SSA. The 2017 Regional Development Capacity Report (REDCAP) concluded that the vacant land within the boundaries could support residential and non-residential growth beyond the year 2040. While the findings of this report are consistent with that assessment, it is probable that vacant land will development at much lower densities than those assessed within the REDCAP. This can ultimately result in increased development pressure on rurally zoned lands and potential requests to expand the RGB and SSA in the future.

The report provides several recommendations that should be considered by the Centre Region municipalities, including the following:

- Review Zoning Designations for Vacant Parcels. There are several hundred acres of vacant land within the Regional Growth Boundary (RGB) that lack approved or proposed land development plans and are zoned for rural residential densities. The report recommends that the Centre Region municipalities consider if these parcels should be rezoned to permit a residential density that is consistent with the purposes of the RGB.
- Review Minimum Lot Size Requirements. The Centre Region municipalities should consider reducing the minimum lot size for detached single-family residential dwellings in districts that are intended to support this use. Reducing the minimum lot size can increase the development potential of vacant and underdeveloped parcels in these districts, which increases the overall development capacity within the RGB. The potential for additional dwelling units also provides more opportunities for persons to live in the Region and can results in greater variety of housing sizes.
- Establish Minimum Density Requirements. The Centre Region municipalities should consider revising zoning regulations to ensure that future residential development meets or exceeds a minimum development density. This can be accomplished with the use of maximum lot restrictions and/or minimum density requirements for new developments. Minimum density requirements in residential zones are most common in western states, such as Oregon and Washington. Communities in these states utilize urban growth boundaries which are similar to the Regional Growth Boundary.

The TLU Committee and CRPC should receive a brief presentation regarding the findings of the report.

Attachments: Draft Land Consumption Study – September 2020

Action: The TLU Committee and CRPC should receive a presentation on the Land Consumption Report and provide feedback to staff.

Next Steps: The CRPA will make any edits, if necessary, and forward a final study to the municipalities.

9. REVIEW OF COMPREHENSIVE PLAN IMPLEMENTATION PROGRAM (CHIP) PROJECTS FOR 2021 - 2022 – *presented by Jim May*

This item provides the COG TLU Committee and CRPC with an update of ongoing work and projects for the Comprehensive Plan Implementation Program (CHIP). The TLU Committee and the CRPC individually discussed CHIP 2021 – 2022 projects at its respective May 2020 meetings. Staff has updated the projects based upon input from the TLU Committee and CRPC.

The 2013 Centre Region Comprehensive Plan contains an ambitious list of goals, objectives, and policies to be completed over the ten years covered by the Plan. The goals, objectives, and policies in the Comprehensive Plan are not prioritized. The CHIP provides an organized, systematic, and flexible approach to establish priorities and implement the goals, objectives, and policies in the Comprehensive Plan on an annual basis. The CHIP process keeps the Comprehensive Plan goals visible and ensures the Plan remains a dynamic, responsive document and that Regional decisions are generally consistent with the long-term goals, objectives, and policies of the Comprehensive Plan. The process also helps the CRPA manage future work within the context of existing and anticipated funding and staffing levels of the Agency.

The first iteration of the CHIP was prepared in early 2014, shortly after adoption of the Centre Region Comprehensive Plan, to guide effective implementation of the Plan using a systematic process to prioritize the actions and programs over the planning horizon of the Comprehensive Plan.

The CHIP uses a public process for recommending priorities to the COG General Forum to implement in the next budget year. The process also includes annual reporting to the General Forum on Comprehensive Plan implementation. In summary, the outcomes of this process:

- Proactively engage regional and municipal staffs, and municipal representatives on the CRPC, COG TLU Committee, and COG General Forum in an annual public process to implement the Comprehensive Plan.
- Ensure all municipalities have an active role to identify and establish priorities and reach consensus on the most relevant and beneficial projects and programs the CRPA should undertake to implement the Comprehensive Plan in the short-term.

- Provide a systematic process to address and adjust, on an annual basis, regional priorities, needs, and projects to implement long-term goals in the Comprehensive Plan.
- Ensure that the Comprehensive Plan remains a dynamic, up-to-date, relevant, and responsive guide for the physical development of the Centre Region.

Attachments: CHIP Project Status Report

Action: This item is for information only. No formal action is required. The TLU Committee and CRPC should provide comments and questions to the CRPA staff to improve and clarify the potential CHIP projects.

Next Steps: CRPA staff will review comments, questions, and any newly proposed projects and incorporate them into a final document.

10. OTHER BUSINESS

- A. Matter of Record - The next TLU Committee meeting is scheduled for Monday November 2, 2020 at 12:15 p.m. via the Zoom platform.
- B. Matter of Record - The next CRPC meeting is scheduled for Thursday, November 5, 2019 at 7:00 p.m. via the Zoom platform. **\*Please note the time change\***
- C. Matter of Record - The next meeting of the CCMPO Coordinating Committee is scheduled for Tuesday, November 24, 2020 at 6:00 p.m. via the Zoom platform. Agenda items include the Long Range Transportation Plan 2050 Action Plan, MPO Strategic Plan, State College Area Connector project, federal safety performance measure targets, and the transportation funding outlook.
- D. Matter of Record - The CRPA staff is finalizing the 2020 State College - Centre Region Bicycle Friendly Community (BFC) application. The submission deadline was extended from August 12 to October 1, 2020 to allow communities to promote September 2020 Bike to Work Week and Day events. BFC Awards for this application round will be announced in December 2020.
- E. Matter of Record- The UAJA is moving forward with a Residential Pilot Solar Program for existing UAJA customers. The UAJA has presented this item to the COG Public Services and Environmental Committee. The UAJA has also completed presentations to the five municipalities that formed the sewer authority (College, Ferguson, Harris, and Patton Townships and the Borough of State College) to receive comments and to see if there were objections to UAJA proceeding with the development of the pilot program. All five were supportive of UAJA proceeding. Based upon the results of the municipal presentations, UAJA will proceed with the development of the pilot project.

The following steps will need to be completed:

- Complete evaluation of the Pennsylvania Municipalities Authorities Act to ensure that a municipal authority can own and operate a solar project of this nature.
- Develop a draft customer service agreement
- Finalize agreements with the third-party financing partnership and installers
- Prepare a resolution for consideration by the municipalities to formally designate the residential solar pilot program as a project to be financed by UAJA.

The proposed UAJA project supports many of the goals, objectives, and policies in the Comprehensive Plan along with goals to reduce greenhouse gas emissions in the future Climate Action and Sustainability Plan.

11. ADJOURNMENT

# CENTRE REGION COUNCIL OF GOVERNMENTS

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State College, PA 16801

Phone: (814) 231-3077 ■ Fax: (814) 231-3088 ■ Website: www.crcog.net

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## **AD HOC FACILITIES COMMITTEE**

Virtual Meeting

October 6, 2020

8:30 AM

### AGENDA

#### PLEASE REMEMBER TO BRING YOUR BLACK BINDER – FACILITIES PERM FILE

1. CALL TO ORDER

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 at the appropriate time in the meeting.

3. APPROVAL OF MINUTES (Action)

A copy of the minutes of the August 4, 2020 Ad Hoc Facilities Committee meeting is **enclosed.**

4. PROJECT UPDATES (Informational)

This is an informational agenda item whereby COG staff will update the Committee on the status of current projects.

- Facilities Coordinator hire by Eric Norenberg
- Millbrook Marsh Nature Center boardwalk RFP update by CRPR staff
- Code Renovation project update by CRCA staff
- COG Building work update by Don Francke
  - Jamb liner replacement
  - Replacement of screens
  - Concrete work in the rear parking lot
  - HVAC unit in General Forum Room
  - Indoor Air Quality Report

The Committee members should ask any questions they deem pertinent.

5. FACILITIES CONDITION ASSESSMENT - PATTON FIRE STATION  
(Informational/Action)

The Committee should receive and comment upon the Facility Condition Assessment of the Patton Fire Station.

Mr. Don Francke completed the Modified Facility Condition Assessment for the Patton Township Fire Station with the help of Steve Bair, Fire Director, and Tony Berrena, volunteer firefighter for the Alpha Fire Company. **Enclosed** is the completed report which Mr. Francke will discuss in more detail at the meeting.

The Committee should read through this information, ask questions they deem pertinent, and decide if they wish to request or research additional information. The end goal of this report upon its finalization would be that it would be accepted by the Committee and incorporated into the COG ongoing operational maintenance and capital improvement plans.

6. NEXT FACILITY ASSESSMENT (Informational/Action)

The Committee should discuss which Facility Assessment they would like Mr. Francke to focus on when the Patton Fire Station is approved. Park Forest Pool was mentioned as a priority, but based on time of year and other new information that has become available since February, are there other sites/facilities that the Committee would like to make a priority? For example, when Park Forest Pool was prioritized in February, COVID was not a factor for consideration.

The Committee should discuss the various COG facilities and perhaps prepare an order for the facility assessments to be completed. Currently completed facility assessments include the COG Building, Schlow Library, and the Patton Township Fire Station.

7. PARKS MAINTENANCE FACILITY DISCUSSION (Discussion)

The Committee members should continue their discussion from the August meeting.

The Committee began an in-depth discussion and received information about the previous plans for the Parks Central Maintenance Facility at its August meeting. At that meeting Parks Agency staff was asked to provide more information, especially trip data, to support its reasoning for the preferred location of the Parks Maintenance Facility. **Enclosed** is a map from Mr. Jim Carpenter noting the High Use, Medium Use, and Low Use parks in the Centre Region Parks and Recreation inventory.

The Committee should continue its discussion and determine the next steps that should be taken in this process.

8. WHITEHALL ROAD REGIONAL PARK PROJECT (Discussion)

The Committee should discuss if there is a role in the discussion pertaining to Whitehall Road Regional Park.

COG Staff and the Centre Region Parks and Recreation Authority presented at a Zoom and Learn (held on September 17) and the General Forum (held on September 29) about the status of the Whitehall Road Regional Park project – the presentation from the September 29 General Forum meeting is **enclosed**. The Chair has requested that the Committee discuss if there is a role in analysis of the project and providing guidance to the General Forum from a facilities standpoint.

The Committee should come to the meeting prepared to discuss both presentations and opine on whether the Facilities Committee has a role in the discussions and what that role should be.

9. COG BUILDING OWNERSHIP (Discussion)

The Committee should receive the legal opinion pertaining to the ownership status of the COG Building and its property.

**Enclosed** is a response received from the COG solicitor regarding the ownership of the property and improvements at 2643 Gateway Drive (the COG Building/property) and the related building agreement and lease documents for the COG Building/property.

The Committee should receive this information and be prepared to discuss it at a future meeting.

10. FINANCE COMMITTEE REPORT (Informational)

Ms. Hartle will report on the September 10, 2020 Finance Committee meeting and the budget review sessions held on September 24, September 30, and October 1, 2020.

11. OTHER BUSINESS (Informational)

As may come forward by the members and/or staff.

12. ADJOURNMENT



# CENTRE REGION COUNCIL OF GOVERNMENTS

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## FINANCE COMMITTEE

Video Conference

October 8, 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 September 10, 2020 Finance Committee meeting is **enclosed** for approval.

### 4. CHANGE OF MEETING DATE (Action)

The Finance Committee should consider rescheduling its Thursday, November 12, 2020 to the following week, Tuesday, November 17, 2020 at 8:30 AM, to allow for additional time for municipal review of the 2021 Summary Budget.

### 5. BUDGET WRAPUP SESSION (Action)

During the last two weeks, the Finance Committee conducted three special meetings with COG Agency Directors and Administration staff to review the draft 2021 COG Budget.

The Committee agreed to commit its regular October meeting to serve as a “wrap-up” of outstanding budget questions/discuss items on the deferral list contained in the **enclosed** 2021 Detailed Budget Review Comments from the meetings that occurred on September 24<sup>th</sup>, September 30<sup>th</sup>, and October 1<sup>st</sup>, 2020. After the Committee reaches agreement on any revisions that may need to be made, COG staff will use the resulting budget estimates to accomplish the following:

- Prepare the “goldenrod” colored revision pages for the 2021 Detailed Budget.
- Prepare the 2021 Summary Budget that will be distributed to the General Forum with its agenda packet for the October 26, 2020 meeting.

Mr. Viglione will then review the notes from the budget review sessions and well as other changes that will have occurred during the budget review process (by way of example – the actual rates for employee health insurance will be available on October 5, 2020).

As of October 2, 2020, the changes to the Detailed Budget that the Committee have mainly been editorial in nature and are encapsulated in the meeting notes. Staff will attempt to have this information entered into and the detailed budget updated prior to the meeting on October 8, 2020.

In its only vote the Finance Committee voted to accept the Codes Overview budget, which is comprised of the Code – New Construction and Code – Existing Structures budgets, as presented by Mr. Schneider for further discussion at the budget wrap-up session scheduled for Thursday, October 8, 2020 by a 4-2 vote (Yeas – State College Borough, Harris Township, Ferguson Township, Halfmoon Township; Nays – College Township, Patton Township).

In addition, the Finance Committee requested that a deferral list for changes be created and discussed at the October 8<sup>th</sup> meeting. Items on the deferral list include:

- Review of the use and proposed 2021 ending fund balances for all budgets. *This schedule is included with the budget review comments.*
- Determine if it is possible to defer the \$10,000 included in Consulting Services for an overall COG strategic plan to the 2022 budget; alternatively, reduce the scope of the IT Study so the two projects could be a combined cost of \$25,000. *Mr. Norenberg will provide an update on his conversation with Penn State University.*
- Determine if COG should add an additional \$341 of municipal contributions to the Contingency Budget so that the ending fund balance is \$25,000.
- Investigate utilizing additional Insurance Reserve funds to smooth the projected 6% premium increase, which could aid municipal contributions in other areas. *The actual increase in 2021 premiums and the refund from Benecon should be known on October 5<sup>th</sup>. Staff will share that information with the Committee to allow decisions to be made on actual information rather than assumed information.*
- Request to investigate the timing of municipal cash flow needs versus pledge for the SCEB Phase II as it relates to the project and DCNR grant requirements. *Staff is in*

*the process of scheduling a meeting with DCNR to inquire about the requirements of DCNR pertaining to the timing of the project and its impact on the cash flow request of municipalities. At the time of agenda distribution staff cannot guarantee that meeting will occur prior to the October 8<sup>th</sup> Finance Committee meeting. Staff will be in attendance at the October 8<sup>th</sup> meeting to provide an update regarding this request.*

The Finance Committee members should express issues or concerns that were missed in the meeting notes. In addition, the Committee should identify remarks that it wants to share with the General Forum. Following this discussion, the Committee should confirm the changes that are to be made to 2021 Detailed COG Budget.

Based on the Committee's recommendations the following actions will occur:

- Goldenrod Budget sheets will be prepared and distributed to each individual who has received a copy of the Detailed Budget. These sheets will identify the changes endorsed by the Committee.
- A 2021 Summary Budget will be prepared based on the Detailed Budget as endorsed by the Committee.
- The 2021 Summary Budget will be forwarded to the General Forum with its agenda packet for the October 26, 2020 COG Forum meeting.
- The Committee Chair will prepare an introduction to the General Forum for the 2021 Detailed Budget.

After the Finance Committee completes its review of the 2021 Detailed Budget, consideration should be given to approving the following motion and referring it to the Executive Committee:

*“That the General Forum receive the draft 2021 Summary Budget for the Centre Region Council of Governments and refer it to the municipalities for consideration; and, furthermore, that comments be referred to the COG Executive Director by 8:00 AM on November 17, 2020 (see agenda item #4) for distribution to the Finance Committee.”*

**Please remember to have your draft 2021 Detailed Budget available at the meeting.**

6. AD HOC FACILITIES COMMITTEE (INFORMATIONAL)

Ms. Hartle will report on the Committee's October 6, 2020 meeting.

7. MONTHLY REPORTS (Action)

Copies of the September 2020 voucher report are enclosed with this agenda. To proceed, the Committee should consider the following motion:

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

Copies of the September 2020 COG financial reports (electronically, only) will be distributed at a later date due to the distribution date of the agenda being too close to

month end to complete the month end close out. If the Committee has any questions about 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.

**8. OTHER BUSINESS**

- A. Matter of Record - On Thursday, September 17, 2020, the COG conducted a Zoom and Learn session for General Forum members, members of the CRPR Authority, municipal managers, and other stakeholders. The goal of this Zoom and Learn session was to provide the latest information on the project and to learn the history and other details of the project. Staff provided information on the current project scope, status of grants, and the loan, along with critical timelines and options related to moving the project forward this fall. A link to the Zoom and Learn session (including the presentation, Zoom and Learn recording, and the summary of questions and responses) can be viewed on the COG website on the CRPR Authority page, or by clicking here: [Zoom and Learn: Whitehall Road Regional Park 9.17.2020 \(COG Website\)](#).
- B. Matter of Record - COG Staff applied for CARES Act funding for the Centre Region Parks and Recreation Authority and Schlow Centre Region Library in the amounts of \$358,036 and \$70,314 respectively. Staff is also working cooperatively with our municipal partners to determine the amount of funding that may be requested as a subrecipient of the municipalities.
- C. Matter of Record - Staff has calculated the costs associated with the PPP Loan received by Schlow Library for the ten-week period of July 6 through September 13, 2020 to be \$338,706 versus the \$341,223 applied for. Forgiveness of the loan will be requested once the online portal becomes available.
- D. 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 complete and will be presented at the October 13th Public Safety Committee meeting.

2	IT Study	The RFP for the IT Study that was last updated in 2017 is in the process of being updated and refreshed with the help of an intern from PSU. Our intern is a senior Information Sciences and Technology major studying remotely this semester. This week she is gathering information from Borough IT staff (the IT service provider for 4 COG Agencies) and will then survey and interview COG agency directors. The RFP should be updated by the end of the semester and ready for release in early-2021.
3	Code Software Study	TRAISR 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 Facility Condition Assessment for the Patton Fire Station is completed. In addition, Mr. Don Francke has been working on a report pertaining to indoor air quality at the COG Building.
5	Solar Power Purchase Agreement Working Group	The cost sharing agreement has been making its rounds for signature. The Working Group elected to delay the release of the RFP at its September 30 <sup>th</sup> meeting due to the impacts of COVID. Members of the SPPA Working Group (Jim Leous and Peter Buck) were also invited to present at a joint World Resources Institute-Rocky Mountain Institute workshop on September 30 <sup>th</sup> . The presentation was offered as a model for other groups to hear how the 15 entities in Centre County developed the governance structure of the SPPA Working Group and understand our lessons learned.
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 completed its work on August 31 by recommending LAN Associates as the lead consultant for this project. The PA Department of Conservation and Natural Resources approved the recommendation and gave the committee the green light to move forward with the Part One Feasibility Study. The CRPR Authority endorsed the recommendation at their September 17 meeting, and the Agency staff requested partial funding from the grant funds as well. All contracts are complete at this time, and contact info. for the Feasibility Study Working Group members has been provided to LAN

		Associates. We currently are awaiting the scheduling of the first kick-off meeting.
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9. ADJOURNMENT

PUBLIC SAFETY COMMITTEE  
Video Conference  
Tuesday, October 13, 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**

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 September 8, 2020 meeting of the COG Public Safety Committee is **attached**.

4. **REPORT ON THE STUDY OF THE REGIONAL FIRE PROTECTION – introduced by Steven Bair, Fire Director and presented by James Angle, ESCI**

Emergency Services Consulting International was commissioned by COG to study the Regional Fire Protection Program in 2020. Work began in January and is now complete. Mr. Angle and his team will present key findings of the study and answer any questions posed by the Committee.

A complete copy of the ESCI Report is **included** with this agenda for Committee members to review prior to the meeting.

Director Bair will present a suggested course of action to follow-up on various report recommendations.

5. **SPECIAL EVENT PERMIT DISCUSSION** – *presented by Shawn Kauffman*

At the September 22, 2020 meeting of the COG Executive Committee, College Township Manager Adam Brumbaugh discussed the recent wrestling tournament at C3 Sports and the citations issues as related to COVID ordinances and fire safety violations. The EM Coordinator suggested a Regional approach to special event permits. After much discussion, the EM Coordinator offered to gather all municipal special event permit requirements and provide an overview of the process to the Public Safety Committee for future consideration.

This item is informational only. The EM Coordinator will provide some background and facilitate discussion about Special Events Permits.

6. **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** (*Steven Bair*) – The Fire Director will report on current activities.
- **Emergency Management Program** (*Shawn Kauffman*) – The Emergency Management Coordinator will report on current items.

7. **OTHER BUSINESS**

- A. **Matter of Record** – The October 2020 monthly comparison of new construction code statistics, the permits issued/permits closed reports and the July 2020 existing structures statistic report, are **attached**.
- B. **Matter of Record** – The November meeting of the Public Safety Committee will be on November 9th at 12:15 p.m. It will most likely be via Zoom.

**ADJOURNMENT**





**Manager's Report  
October 19, 2020**

1. The Ferguson Township Parks and Recreation Committee met on Thursday, October 15<sup>th</sup>. Topics discussed included the replacement of play equipment at Fairbrook Park and an update on the iNaturalist initiative that Chairman Norris Muth presented.
2. The Pine Grove Mills Small Area Plan Advisory Board will meet virtually on Thursday, October 22<sup>nd</sup>. The Board will continue to strategize on the development of a Pine Grove Mills Overlay District to accommodate some of the recommendations described in the Small Area Plan.
3. Board members should have received a link to a Doodle poll to schedule two Special Meetings to review the DRAFT 2021 Ferguson Township Operating Budget. The Board is scheduled to receive a draft of the proposed budget by November 6<sup>th</sup>.
4. The Township received its renewal information for its health insurance plan for 2021. Rates have increased by six percent (6%) over 2020 rates but continue to significantly outperform the industry average increases. This is reflective of good utilization of the plan and the value the Township received from its membership in the Pennsylvania Municipal Health Insurance Cooperative. The Township is a member of a self-insured municipal cooperative that has kept rates stable and below national average.
5. The Climate Action Committee held a meeting on Monday, October 12<sup>th</sup>. A forthcoming Greenhouse Gas Inventory Report providing detailed emissions data across public and private sectors operating in the Township was discussed. The report will be provided to the Board for review and discussion at an upcoming Regular Meeting.



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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 October 19, 2020**

- 1. Operating Budget** – Staff is working on preparing the 2021 public works operating budget.
- 2. Public Works Road Crew Activities** – A second monthly brush collection occurs starting October 19<sup>th</sup>. Leaf collection is now a continuous operation meaning every week from now until winter operations start. Crew size and work hours are adjusted based on leaf fall and need for collection.
- 3. Arborist and Tree Commission Activities-** The Tree Commission meets on October 19<sup>th</sup> and includes a public hearing on tree removals. Other agenda items include a review of the official plant list and the tree canopy survey. I expect a presentation to the BOS on the tree canopy survey by the consultant at the BOS regular meeting on November 16<sup>th</sup>.
- 4. New Public Works Facility:** Work by all prime contractors continues on the new public works facility. A scheduling meeting is planned with all prime contractors, the Construction Manager, and Owner. Project costs remain within the approved budget. Change orders are being managed in cooperation with our Construction Manager. Progress and coordination meetings continue. The Construction Manager is on site full time. The base course of paving to the south of the building is to be placed by the end of this month as well as the remainder of exterior concrete flat work. Work activities for the next 3 weeks include finishing interior block walls and starting interior framing, installation of exterior insulated metal panels and brick, and getting the building dried in. Interior work includes electric conduit, plumbing, HVAC rooftop units, installation of pre-fabricated steel stairs and rails.
- 5. Public Works Engineering and GIS-** The part-time stormwater engineer will end employment with the Township at the end of October. Work continues managing construction contracts and professional engineering service contracts, reviewing land development plans, surveying for the Pine Grove Mills street light project, surveying for drainage improvements along a section of West Gatesburg Road, and other engineering related activities.
- 6. Stormwater Fee Study Phase 2** – Discussion continues at the regular meeting of the Board of Supervisors on October 19<sup>th</sup>. See agenda packet for more details.
- 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 2019-C20 Science Park and Sandy Drive Signal Study** – A peak hour warrant is met based upon traffic volume projections. PennDOT has determined that a follow up study will be required by PennDOT after the signal is constructed to justify the installation based upon actual volumes. If a follow up study indicates a signal warrant is not met, the Township will be asked to put the signal in flash mode. Under consideration is signing the southern most intersection of Sandy Drive/Science Park Road as “no left turn” during peak hours at the same time the northern most intersection is signalized. [Staff requests BOS concurrence to submit an application for a grant through the County Liquid Fuel Grants program.](#)
10. **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.
11. **Contract 2020-C3 Pipe Lining:** A notice to proceed for this work was issued. 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.
12. **Contract 2020-C18 Science Park and Sandy Drive Signal Design** – Utility location and survey started for design of the traffic signal in-house for bidding in the winter and construction in 2021.
13. **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.
14. **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.
15. **Contract 2020-C23 CBPRP Implementation Design** – Review approved PRP and start discussion regarding potential projects to meet permit requirements.



# TOWNSHIP OF FERGUSON

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## PLANNING & ZONING DIRECTOR'S REPORT

Monday, October 19, 2020

### PLANNING COMMISSION

The Planning Commission will be meeting October 26, 2020.

### LAND DEVELOPMENT PLANS AND OTHER PROJECTS

1. Active Plans are listed below for the Board of Supervisors (10/12/20).
  - 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)
  - 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. PZ Staff met with Bill Keough to discuss the West College Student Housing Land Development Plan.
4. Community Planner and PZ Director attended the Centre Regional Planning Agency/Municipal Staff Meeting.
5. PZ Director and Community Planner met with Jim May to review Staff Reports for CRPC review of ordinance amendments.
6. PZ Director met with College Township's Principal Planner, Lindsay Schoch, to review industrial uses in the Township.
7. PZ Director attended Centre County Housing and Land Trust Board meeting.
8. PZ Staff met with representation from the Turnberry development to review residual lands.
9. PZ Staff is working on scanning subdivision and land development plans and migrating them into Laserfiche.

### UPCOMING ZONING HEARING BOARD MEETINGS

The Zoning Hearing Board met September 22, 2020 to review a Request for Variance. The request was tabled until the next meeting on October 27, 2020.

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'.



FERGUSON TOWNSHIP POLICE DEPARTMENT

September 2020 Calls for Service

Part I Crimes Summary	Previous Month Sept. 2019	Current Month Sept. 2020	Previous YTD Sept. 2019	Current YTD Sept. 2020
Homicide	0	0	0	0
Rape	0	1	4	7
Robbery	0	0	0	1
Assault	4	5	38	29
Burglary	3	0	34	0
Theft	8	5	51	40
Auto Theft	0	0	0	3
Arson	0	0	0	0
<b>Total</b>	<b>15</b>	<b>11</b>	<b>127</b>	<b>80</b>

Part II Crimes Summary	Previous Month Sept. 2019	Current Month Sept. 2020	Previous YTD Sept. 2019	Current YTD Sept. 2020
Forgery	1	0	5	2
Fraud	3	8	49	46
Embezzlement	0	0	0	0
Receiving Stolen Property	0	1	1	1
Criminal Mischief	3	7	32	32
Weapons Violation	0	0	1	1
Prostitution and Commercialized Vice	0	0	1	0
Sex Offense	0	0	5	5
Drug Violation	0	1	12	11
Offenses Against Family	0	0	0	2
DUI	2	2	27	16
Liquor Laws (minors law, furnishing, false ID)	3	1	8	3
Public Intoxication	4	1	23	8
Disorderly Conduct	32	24	145	184
Vagrancy	0	0	0	0
All Other Criminal	3	1	28	20
<b>Total</b>	<b>51</b>	<b>46</b>	<b>337</b>	<b>331</b>

Total Crimes	Previous Month Sept. 2019	Current Month Sept. 2020	Previous YTD Sept. 2019	Current YTD Sept. 2020
Part I Crimes	15	11	127	80
Part II Crimes	51	46	337	331
<b>Total</b>	<b>66</b>	<b>57</b>	<b>464</b>	<b>411</b>



FERGUSON TOWNSHIP POLICE DEPARTMENT

September 2020 Calls for Service

Other Calls for Service	Previous Month Sept. 2019	Current Month Sept. 2020	Previous YTD Sept. 2019	Current YTD Sept. 2020
Vehicle Code - Crashes	23	16	218	103
Vehicle Code - Other Traffic Incidents	45	39	453	304
Health and Safety – EMS Assist	57	42	508	451
Health and Safety – Fire Assist	7	7	81	64
Other Health and Safety Incidents	22	20	170	162
Alarms	15	9	142	137
Suspicious Activity	25	31	231	286
Unsecure Property	1	1	9	12
Found Property	5	5	38	32
Lost Property	3	1	34	29
Community Relations/ Crime Prevention	9	6	58	31
Car Seat Check	1	1	12	9
School Check	25	16	180	90
Township Ordinances	5	12	74	79
Request for Assistance – Attempt to locate	3	0	26	17
Request for Assistance – Can-Help	0	1	4	1
Request for Assistance – Civil Matter	6	4	72	65
Request for Assistance - Other	58	61	432	525
Missing Persons/ Runaways	1	0	12	2
Animal Complaints	13	23	152	156
Department Information	2	0	28	26
Assist Other Agencies	18	19	154	134
<b>Total</b>	<b>344</b>	<b>314</b>	<b>3088</b>	<b>2715</b>

Total Calls for Service	Previous Month Sept. 2019	Current Month Sept. 2020	Previous YTD Sept. 2019	Current YTD Sept. 2020
Part I Crimes	15	11	127	80
Part II Crimes	51	46	337	331
Other Calls for Service	344	314	3088	2715
<b>Total</b>	<b>410</b>	<b>371</b>	<b>3552</b>	<b>3126</b>



FERGUSON TOWNSHIP POLICE DEPARTMENT

September 2020

	2019	2020	Previous YTD	Current YTD	Notes:
Traffic Citations	70	57	538	291	
Parking Tickets	126	99	954	399	
Traffic Stops	309	293	1663	1369	
Criminal Arrests	17	5	118	67	
Supplements	165	119	1522	1154	
Hearings	23	8	149	102	
Med Return	21.06	13.58	253.56	169.42	

Note:

- Traffic Stops may not include pre scheduled selective enforcement details where two or more police vehicles are assigned for specific enforcement purposes (such as Aggressive Driving Grant details).
- Criminal Arrests are the number of people arrested, not the number of charges, counts or cases cleared. These include arrests made at the time of the incident as well as those filed after an extended investigation.

**Department Notes:**

- Numerous political signs stolen. Officers worked with our Communication Coordinator to develop an e-newsletter story about this issue. The article focused on respect for differing views and taking a sign is a criminal act.
- Officers handled 5 incidents concerning possible COVID-19 ordinance violations. No arrests.
- A 43-year-old State College man was charged with receiving stolen property. The man was driving a vehicle that displayed a stolen registration plate.



- A 39-year-old Warriors Mark man was charged with possessing methamphetamine and drug paraphernalia.
- On July 11, 2020, Officer Lewis and Cpl. White received a call about an unconscious woman lying on the roadway. The officers arrived and immediately recognized that the 63-year-old woman was in cardiac arrest. Officers began CPR and utilized an Automated External Defibrillator. The woman survived the event. Officer Lewis recently met with the woman. A portion of a Facebook post she shared with family and friends is attached.

### **Investigations:**

- Detectives are investigating a sexual assault.
- Detectives are investigating a child abuse allegation involving a parent.
- Graffiti in the Blue Course Dr underpass continues. We have identified several individuals responsible for the graffiti. The cases will be handled through diversionary programs at the school district and or Magisterial District Justice.
- Simple Assault charges were filed against an 18-year-old State College man. During an argument, the State College man stabbed another male, in the face, with a pen. The victim was treated for his injuries. This case is recommended for the county's new mental health court.
- Detectives are investigating a fraud case involving a \$9000 check used to purchase items at an auction. The suspect is wanted in several states for similar behavior.

### **Community Relations:**

- Station tour for two township families
- Conducted run / hide / fight training and drills at various schools.
- Officers participated in a bike safety webinar. They also created a video for bike safety.
- Sgt. Hendrick participated in a virtual Special Olympics Buddy Walk
- The department, as well as other police departments across the county, received supplies to help with animal investigations from a non-profit group.

- An officer was interviewed by a high school student preparing a paper on race relations and law enforcement.

## Record List - Total:363

Contact or caller	Nature	Area	Reported	Incident
<b><u>800PHNMESS (1)</u></b>				
COMMUNITY MEMBER LOCKEDED OUT OF TWP ZOOM MTG	800PHNMESS		19:47:04 09/08/20	20FT04014
<b><u>ABANDVEHICL (5)</u></b>				
ABANDONED VEHICLE	ABANDVEHICL	FT2G1	13:27:07 09/22/20	20FT04324
ABANDONED VEHICLE	ABANDVEHICL	FT2G1	16:02:53 09/19/20	20FT04259
ABANDONED CAR	ABANDVEHICL	FT1B1	12:08:23 09/18/20	20FT04232
ABANDONED VEHICLE	ABANDVEHICL	FT2G1	17:12:38 09/10/20	20FT04058
2 ABANDONED VEHICLES	ABANDVEHICL	FT2G1	11:14:02 09/03/20	20FT03901
<b><u>ALARM BURGLAR (9)</u></b>				
COMMERCIAL BURGLAR ALARM	ALARM BURGLAR	FT3K1	20:29:18 09/30/20	20FT04512
RESIDENTIAL BURGLAR ALARM	ALARM BURGLAR	FT3J2	14:24:32 09/30/20	20FT04504
RESIDENTIAL BURGLAR ALARM	ALARM BURGLAR	FT1D1	14:13:50 09/30/20	20FT04502
COMMERCIAL ALARM, FALSE ALARM	ALARM BURGLAR	FT1B1	15:28:30 09/29/20	20FT04477
COMMERCIAL ALARM	ALARM BURGLAR	FT1A1	21:44:29 09/26/20	20FT04422
RESIDENTIAL ALARM	ALARM BURGLAR	FT1D1	11:49:41 09/25/20	20FT04390
COMMERCIAL ALARM, UNKNOWN CAUSE	ALARM BURGLAR	FT1B1	23:11:30 09/17/20	20FT04220
COMMERCIAL ALARM	ALARM BURGLAR	FT1A1	22:13:31 09/10/20	20FT04070
COMMERCIAL ALARM	ALARM BURGLAR	FT1A1	12:53:17 09/09/20	20FT04032
<b><u>ALCOHOL (3)</u></b>				
21 YOM ARRESTED FOR DUI	ALCOHOL	FT1B1	02:20:02 09/20/20	20FT04284
21 YOM ARRESTED FOR DUI	ALCOHOL	FT2G1	01:52:16 09/06/20	20FT03979
39 YOM UNDER THE INFLUENCE OF CONTROLLED SUBSTANCE	ALCOHOL	FT2G1	02:01:09 09/05/20	20FT03945
<b><u>ALCOHOLMINORSLW (1)</u></b>				
19 YOM, PUBLIC DRUNK / UNDERAGE	ALCOHOLMINO RSLW	FT1B1	05:38:32 09/03/20	20FT03895
<b><u>ANIMAL (23)</u></b>				
FOX IN THE AREA	ANIMAL	FT2H1	11:43:34 09/25/20	20FT04389
UNKNOWN CAT ON CALLERS STEP	ANIMAL	FT1C1	09:25:38 09/24/20	20FT04364
DOG AT LARGE - ADULT MALE PITBULL	ANIMAL	FT1B1	22:56:38 09/22/20	20FT04331
INJURED CHIPMUNK	ANIMAL	FT2H1	11:36:35 09/22/20	20FT04321
QUESTIONS ABOUT ABANDON DOG	ANIMAL	FT3T1	10:59:24 09/22/20	20FT04320
DOG RAN OFF PROPERTY AND BIT ANOTHER DOG	ANIMAL	FT1C1	15:48:41 09/21/20	20FT04308
BARKING DOGS	ANIMAL	FT1A1	11:00:16 09/19/20	20FT04253
DOGS CONTINUOUSLY BARKING	ANIMAL	FT1A1	15:31:44	20FT04236

DEAD DEER ON ROAD	ANIMAL	FT2H1	09/18/20 10:28:23	20FT04230
BEAR IN THE AREA	ANIMAL	FT1B1	09/18/20 18:43:47	20FT04216
FOUND DOG	ANIMAL	FT1A1	09/17/20 10:44:20	20FT04162
DEER STRUCK AND DISPATCHED	ANIMAL	FT2M1	09/15/20 01:27:22	20FT04158
COMPLAINT ABOUT AGGRESSIVE DOG	ANIMAL	FT1B1	09/15/20 14:58:21	20FT04108
DEAD FOX ON BIKE PATH	ANIMAL	FT2F1	09/12/20 11:18:10	20FT04105
FOX ACTING ODD, NOT AFFRAID OF PEOPLE	ANIMAL	FT2H1	09/12/20 07:36:30	20FT04049
BARKING DOGS	ANIMAL	FT1A1	09/10/20 19:17:15	20FT04041
TWO HORSES IN THE ROADWAY	ANIMAL	FT3I1	09/09/20 21:33:16	20FT04018
BARKING DOG	ANIMAL	FT2G1	09/08/20 10:13:18	20FT03923
FOUND DOGS	ANIMAL	FT3K1	09/04/20 08:06:29	20FT03921
DOG RUNNING DOWN ROAD.	ANIMAL	FT3I1	09/04/20 16:20:00	20FT03906
BEAR IN YARD - GOA	ANIMAL	FT3J1	09/03/20 09:06:36	20FT03880
DEER HIT BY VEHICLE	ANIMAL	FT3P1	09/02/20 21:03:19	20FT03874
CAT IN CAR MOTOR	ANIMAL	FT2H1	09/01/20 12:30:49	20FT03862

### ***ASSAULT (3)***

PARENTS AND SON DOMESTIC.	ASSAULT	FT1F1	17:26:31 09/24/20	20FT04373
DOMESTIC DISPUTE - 302 PETITION	ASSAULT	FT1B1	23:49:40 09/06/20	20FT03990
59 YOM ARRESTED FOR DUI	ASSAULT	FT1B1	00:38:31 09/06/20	20FT03974

### ***ASSAULTEARLIER (2)***

FEMALE BELIEVED SHE WAS DRUGGED	ASSAULTEARLI ER	FT1B1	04:30:36 09/12/20	20FT04103
70 YOF RESIDENT PUSHED 95 YOF AND HIT HER HEAD	ASSAULTEARLI ER	FT1C1	07:47:35 09/09/20	20FT04023

### ***BADCHECKS (1)***

BAD CHECK RECEIVED AT AUCTION	BADCHECKS	FT3Q1	10:46:12 09/08/20	20FT04005
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### ***CHILDCARSEATCHK (1)***

CHILD SEAT CHECK	CHILDCARSEA TCHK	FT2H1	14:59:15 09/23/20	20FT04346
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### ***COMMRELATIONS (6)***

RUN/HIDE/FIGHT DRILL AT SCHOOL	COMMRELATIO NS	FT2G1	09:02:17 09/29/20	20FT04473
VIRTUAL CENTRE REGION DOWN SYNDROME BUDDY WALK	COMMRELATIO NS	FT2H1	08:26:57 09/29/20	20FT04471
BIKE SAFETY ZOOM WEBINAR FOR COMMUNITY	COMMRELATIO NS	FT2H1	14:12:00 09/23/20	20FT04344
HIGH SCHOOL STUDENT DOING RESEARCH ON RACE RELATIONS IN LAW ENFORCEMENT	COMMRELATIO NS	FT2H1	10:02:02 09/22/20	20FT04317
COMMUNITY EVENT WITH ONE DOG AT A TIME	COMMRELATIO NS		10:37:01 09/17/20	20FT04200
STATION TOUR FOR TWO FAMILIES	COMMRELATIO NS	FT2H2	21:29:53 09/11/20	20FT04097

### ***CRIMMISCHIEF (7)***

GRAFFITI ON BIKE PATH TUNNEL	CRIMMISCHIEF	FT1F1	13:37:35	20FT04463
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NOODLES THROWN ON CAR	CRIMMISCHIEF FT1C1	09/28/20 20:44:24	20FT04329
GRAFITTI IN BIKE TUNNEL	CRIMMISCHIEF FT1F1	09/22/20 09:41:01	20FT04178
PAINTING ON BIKE TUNNEL	CRIMMISCHIEF FT1F1	09/16/20 14:40:31	20FT04055
STORM DOOR GLASS BROKEN	CRIMMISCHIEF FT1A1	09/10/20 12:09:36	20FT04051
GRAFFITI ON COMPLEX SIGNAGE	CRIMMISCHIEF FT2G1	09/10/20 08:55:47	20FT04003
POLITICAL SIGN MANGLED AND BURNED	CRIMMISCHIEF FT3J1	09/08/20 11:10:38	20FT03983
		09/06/20	

***DISORDERLYCOND (19)***

PHYSICAL CONFRONTATION	DISORDERLYC FT1A1	20:02:58	20FT04448
	OND	09/27/20	
LOUD VOICES	DISORDERLYC FT1F2	00:50:00	20FT04435
	OND	09/27/20	
LOUD PARTY	DISORDERLYC FT1F2	22:42:11	20FT04425
	OND	09/26/20	
CALLER SAID THERE IS LOUD MUSIC AT HOTEL.	DISORDERLYC FT1B1	21:15:07	20FT04357
	OND	09/23/20	
REPORT OF LOUD MUSIC	DISORDERLYC FT1A1	20:54:10	20FT04271
	OND	09/19/20	
LOUD MUSIC	DISORDERLYC FT1F2	01:45:33	20FT04245
	OND	09/19/20	
LOUD PARTY	DISORDERLYC FT1F2	00:26:58	20FT04225
	OND	09/18/20	
LOUD MUSIC	DISORDERLYC FT1B2	01:18:34	20FT04157
	OND	09/15/20	
LOUD MUSIC	DISORDERLYC FT1B1	11:46:04	20FT04140
	OND	09/14/20	
LOUD MUSIC	DISORDERLYC FT1B2	00:03:32	20FT04118
	OND	09/13/20	
LOUD MUSIC	DISORDERLYC FT1C1	03:07:37	20FT04102
	OND	09/12/20	
LOUD MUSIC	DISORDERLYC FT1F2	19:08:35	20FT04061
	OND	09/10/20	
FIREWORKS WERE BEING SET OFF PAST ALLOWABLE TIME	DISORDERLYC FT1F1	20:50:01	20FT03988
	OND	09/06/20	
D/C - LOUD MUSIC	DISORDERLYC FT2I1	00:08:28	20FT03971
	OND	09/06/20	
LOUD MUSIC	DISORDERLYC FT3T1	19:02:19	20FT03959
	OND	09/05/20	
COVID-19, LOUD PARTY NO MASKS	DISORDERLYC FT1F2	18:27:48	20FT03958
	OND	09/05/20	
D/C - LOUD VOICES/YELLING	DISORDERLYC FT1B2	02:56:37	20FT03947
	OND	09/05/20	
LOUD MUSIC	DISORDERLYC FT1B2	23:57:39	20FT03917
	OND	09/03/20	
LOUD MUSIC	DISORDERLYC FT1B1	23:30:03	20FT03894
	OND	09/02/20	

***DOMESTICDISPUTE (8)***

VERBAL DOMESTIC	DOMESTICDIS FT1B1	02:40:08	20FT04455
	PUTE	09/28/20	
DAUGHTER FIGHTING WITH MOTHER AND FATHER OVER BEING ON DRUGS - 302	DOMESTICDIS FT2H1	13:08:27	20FT04418
	PUTE	09/26/20	
DOMESTIC DISPUTE WITH EX-GIRLFRIEND.	DOMESTICDIS FT1F1	17:02:32	20FT04353
	PUTE	09/23/20	
FORMER GIRLFRIEND AT BOYFRIENDS APT, VERBAL DISPUTE	DOMESTICDIS FT1A1	13:46:58	20FT04343
	PUTE	09/23/20	
MOTHER DAUGHTER DOMESTIC MHID	DOMESTICDIS FT3S1	08:21:31	20FT04316
	PUTE	09/22/20	
MALE VS FEMALE DOMESTIC	DOMESTICDIS FT2H1	00:43:53	20FT04122
	PUTE	09/13/20	

DOMESTIC - NO INJURY - E PFA	DOMESTICDIS	FT1C1	12:06:17	20FT04106
	PUTE		09/12/20	
VERBAL ARGUMENT BETWEEN COUPLE	DOMESTICDIS	FT1A1	14:01:03	20FT03886
	PUTE		09/02/20	

**DRUGLAW (1)**

VEHICLE SPEEDING, HAD MARIJUANA INSIDE IT.	DRUGLAW	FT1B1	23:18:48	20FT04428
			09/26/20	

**FRAUD (4)**

PUPPY SCAM	FRAUD	FT1F2	16:51:01	20FT04326
			09/22/20	
FRAUDULENT CHECKS PASSED IN BUSINESS NAME	FRAUD	FT2H1	12:12:07	20FT04323
			09/22/20	
CALLERS PAY CHECK WAS TAKEN	FRAUD	FT2H1	14:19:11	20FT04087
			09/11/20	
UNAUTHORIZED CREDIT CARD CHARGE	FRAUD	FT1B2	09:56:16	20FT03949
			09/05/20	

**HARASSMENT (4)**

FEMALE OUTSIDE CALLER'S RESIDENCE	HARASSMENT	FT1E1	00:17:19	20FT04433
			09/27/20	
COMPLAINANT BELIEVES HER EX IS HARASSING HER	HARASSMENT	FT1B1	22:57:06	20FT04408
			09/25/20	
HARASSING COMMENT ON FACEBOOK POST	HARASSMENT	FT1C1	00:12:54	20FT04280
			09/20/20	
FEMALE NO LONGER WANTS FEMALE FRIEND TO CONTACT HER	HARASSMENT	FT2H1	12:27:42	20FT04052
			09/10/20	

**HLTHSFTY (19)**

80 YO FEMALE PUT A GUN TO HER HEAD	HLTHSFTY	FT2H1	20:57:40	20FT04452
			09/27/20	
3 YOUNGER ADULTS/TEENS WALKING DOWN S WATER ST	HLTHSFTY	FT3J1	22:15:53	20FT04407
			09/25/20	
CALLER SAW A MALE YELLING AT BUS STOP.	HLTHSFTY	FT1B1	14:07:55	20FT04345
			09/23/20	
WELFARE CHECK.	HLTHSFTY	FT2I2	14:15:18	20FT04325
			09/22/20	
MHID-DILUSIONAL FEMALE, TAKEN TO ER	HLTHSFTY	FT1B1	19:18:37	20FT04311
			09/21/20	
CALLER HAS NOT SPOKEN TO FRIEND IN A MONTH	HLTHSFTY	FT1A1	18:41:34	20FT04314
			09/21/20	
REPORT OF INTOXICATED PERSONS FOUND TO BE ON METHADONE	HLTHSFTY	FT2G1	10:34:35	20FT04231
			09/18/20	
302 WARRANT SERVICE; MHID	HLTHSFTY	FT2H1	22:12:20	20FT04189
			09/16/20	
WOMAN WITH ALZHEIMER'S CALLED 911	HLTHSFTY	FT2H1	13:45:39	20FT04181
			09/16/20	
CALLER WANTED MENTAL HEATH RESOURCES; MHID	HLTHSFTY	FT1B3	14:40:21	20FT04167
			09/15/20	
POSSIBLE INTOXICATED FEMALE-GOA	HLTHSFTY	FT1B1	16:26:36	20FT04089
			09/11/20	
CHECK ON FEMALE LAYING ALONG ATHERTON ST, 21 YOF, MHID	HLTHSFTY	FT1B1	14:05:52	20FT04086
			09/11/20	
85 YOM WITH DEMENTIA / WALKED AWAY FROM HOME	HLTHSFTY	FT1D1	04:10:16	20FT04046
			09/10/20	
CHECK THE WELFARE	HLTHSFTY	FT3N1	20:02:41	20FT04016
			09/08/20	
QUESTIONS REGARDING A HEART-RATE MONITOR.	HLTHSFTY	FT2H1	19:52:57	20FT04015
			09/08/20	
INTERNET VIDEO OF SUICIDE UPSET MALE; MHID	HLTHSFTY	FT2H1	15:26:31	20FT04010
			09/08/20	
WELFARE CHECK	HLTHSFTY	FT3N1	17:32:08	20FT03910
			09/03/20	
ALARM COMPANY REQUESTED WELFARE CHECK	HLTHSFTY	FT1A1	05:47:01	20FT03878
			09/02/20	
17 YOF ARGUMENT W/ FATHER, WALKED AWAY FROM HOME	HLTHSFTY	FT1E1	02:08:32	20FT03877
			09/02/20	

**HLTHSFTYEMSASST (43)**

73 YOM POSSIBLE STROKE VICTIM	HLTHSFTYEMS ASST	FT3Q1	19:22:08 09/30/20	20FT04511
64 YOF, FALL VICTIM NO INJURIES	HLTHSFTYEMS ASST	FT2G1	12:33:17 09/30/20	20FT04496
88 YOM CARDIAC ARREST	HLTHSFTYEMS ASST	FT1C1	21:03:30 09/29/20	20FT04483
23 YOM HAVING A SEIZURE	HLTHSFTYEMS ASST	FT1B1	19:54:13 09/29/20	20FT04481
60 YOM POSSIBLE STROKE	HLTHSFTYEMS ASST	FT3H1	13:18:57 09/27/20	20FT04445
58 YOF POSSIBLE DISLOCATED SHOULDER	HLTHSFTYEMS ASST	FT1E1	23:14:12 09/26/20	20FT04430
80 YOF FALL	HLTHSFTYEMS ASST	FT2H1	14:22:23 09/26/20	20FT04419
68 YOM, POSSIBLE STROKE	HLTHSFTYEMS ASST	FT2H1	11:27:33 09/26/20	20FT04417
91 YOF FALL	HLTHSFTYEMS ASST	FT3S1	01:17:16 09/24/20	20FT04361
81 YOF FEVER AND SOB	HLTHSFTYEMS ASST	FT2H1	18:46:26 09/22/20	20FT04328
77 YOF WITH DIFFICULTY SWOLLENING	HLTHSFTYEMS ASST	FT3K1	17:37:33 09/21/20	20FT04310
72 YOM, FALL W/ FACIAL INJURY	HLTHSFTYEMS ASST	FT2G1	13:33:32 09/21/20	20FT04307
22 YOF DISLOCATED SHOULDER	HLTHSFTYEMS ASST	FT1A1	07:05:34 09/21/20	20FT04293
87 YOF - RAPID HEART RATE	HLTHSFTYEMS ASST	FT1C1	22:37:29 09/20/20	20FT04291
14 YOF HAVING REACTION TO TREE NUTS.	HLTHSFTYEMS ASST		19:03:50 09/19/20	20FT04264
70 YOF, FALL VICTIM	HLTHSFTYEMS ASST	FT1B3	13:56:41 09/19/20	20FT04257
72 YOM NOT RESPONDING	HLTHSFTYEMS ASST	FT2G1	11:33:27 09/19/20	20FT04254
21 YOM DIABETIC EMERGENCY	HLTHSFTYEMS ASST	FT1B3	04:43:27 09/19/20	20FT04251
78 YOM WITH CHEST PAIN	HLTHSFTYEMS ASST	FT1F2	00:04:45 09/19/20	20FT04241
86 YOM FELL	HLTHSFTYEMS ASST	FT1E1	19:04:50 09/17/20	20FT04217
66 YOM FELL OFF LADDER	HLTHSFTYEMS ASST	FT1B1	13:39:24 09/17/20	20FT04204
62 YOM FELL OFF LADDER	HLTHSFTYEMS ASST	FT2H1	11:16:39 09/17/20	20FT04201
MEDICAL ALARM, ACCIDENTAL	HLTHSFTYEMS ASST	FT2M1	04:40:09 09/17/20	20FT04192
26 YOF STOMACH PAIN	HLTHSFTYEMS ASST	FT3N1	12:09:51 09/15/20	20FT04164
21 YOF, POSSIBLE SEIZURE	HLTHSFTYEMS ASST	FT1B2	17:53:24 09/14/20	20FT04146
88 & 77 YOF'S PUSHED ONE ANOTHER	HLTHSFTYEMS ASST	FT1C1	13:32:55 09/13/20	20FT04126
20 YOM - CONSCIOUS ALCOHOL OVERDOSE	HLTHSFTYEMS ASST	FT1B2	03:16:36 09/13/20	20FT04125
20 YOF HAVING A SEIZURE	HLTHSFTYEMS ASST	FT3I1	15:36:39 09/11/20	20FT04088
66 YOM WITH KNEE PAIN	HLTHSFTYEMS ASST	FT2H1	15:29:29 09/10/20	20FT04057
44 YOM, ALCOHOL OVERDOSE	HLTHSFTYEMS ASST	FT3N1	17:01:29 09/09/20	20FT04037
94 YOF - RINGS STUCK ON HER FINGER	HLTHSFTYEMS ASST		01:59:24 09/09/20	20FT04021
82 YOF WITH WEAK LEGS.	HLTHSFTYEMS ASST	FT2G1	16:59:05 09/07/20	20FT03997
74 YOF, CONFUSED ABOUT HER MANY PILLS SHE TAKES	HLTHSFTYEMS	FT2H1	08:10:05	20FT03992

7 YOA FEMALE FAINTED WITH LEG PAIN	ASST		09/07/20	
	HLTHSFTYEMS	FT3H1	12:28:35	20FT03984
58 YOM FOUND, EXPIRATION	ASST		09/06/20	
	HLTHSFTYEMS	FT1C1	10:57:00	20FT03982
17 YOF FELL OFF A HORSE AND INJURED HER ANKLE	ASST		09/06/20	
	HLTHSFTYEMS	FT3I1	19:22:50	20FT03960
58 YOM DISLOCATED HIP	ASST		09/05/20	
	HLTHSFTYEMS	FT3O1	11:45:44	20FT03953
18 YOF, HEAD PAIN AND ARM TINGLE	ASST		09/05/20	
	HLTHSFTYEMS	FT1F2	10:05:44	20FT03950
88 YOM, ASSIST MALE GETTING UP	ASST		09/05/20	
	HLTHSFTYEMS	FT1C1	14:25:59	20FT03904
20 YOM WITH PANIC ATTACK SYMPTOMS	ASST		09/03/20	
	HLTHSFTYEMS	FT2G1	22:04:51	20FT03891
87 YOM WITH DIABETIC ISSUES	ASST		09/02/20	
	HLTHSFTYEMS	FT1E1	16:18:58	20FT03889
MALE FEELING FAINT/UNKNOWN AGE/COVID 19	ASST		09/02/20	
	HLTHSFTYEMS	FT1A1	19:19:04	20FT03870
UNRESPONSIVE MALE BREATHING.	ASST		09/01/20	
	HLTHSFTYEMS	FT1C1	13:58:04	20FT03867
	ASST		09/01/20	

### **HLTHSFTYFIREAST (7)**

FIRE ASSIST FOR CO2	HLTHSFTYFIRE	FT2H1	20:26:56	20FT04482
	AST		09/29/20	
FIRE ALARM	HLTHSFTYFIRE	FT1F1	12:51:03	20FT04462
	AST		09/28/20	
CO 2 ALARM WITH ILLNESS	HLTHSFTYFIRE	FT1A1	20:00:47	20FT04449
	AST		09/27/20	
OVEN FIRE	HLTHSFTYFIRE	FT1B3	19:09:39	20FT04447
	AST		09/27/20	
ASSIST FIRE - PAINTER STUCK ON ROOF	HLTHSFTYFIRE	FT1F1	09:32:14	20FT04338
	AST		09/23/20	
SMALL FIRE IN GRAIN SILO	HLTHSFTYFIRE	FT3L1	09:07:23	20FT04197
	AST		09/17/20	
CALLED TO ASSIST FD WITH CARBON DIOXIDE ALARM.	HLTHSFTYFIRE	FT2H1	15:17:51	20FT03994
	AST		09/07/20	

### **IDENTITYTHEFT (3)**

LOAN OPENED WITHOUT CONSENT	IDENTITYTHEF	FT1E1	11:19:21	20FT04475
	T		09/29/20	
UNEMPLOYMENT CLAIM OPENED IN CALLER'S NAME	IDENTITYTHEF	FT2H1	09:21:21	20FT04160
	T		09/15/20	
CONTACT OWNER OF FOUND FIREARM	IDENTITYTHEF	FT2H1	10:56:02	20FT03951
	T		09/05/20	

### **ORDVIOL (9)**

SIGN ORDINANCE	ORDVIOL	FT2G1	11:35:24	20FT04388
			09/25/20	
SIGN ORDINANCE	ORDVIOL	FT2H1	11:34:46	20FT04387
			09/25/20	
SIGN ORDINANCE	ORDVIOL	FT3T1	11:15:20	20FT04386
			09/25/20	
COVID19 MASK NON COMPLIANT	ORDVIOL	FT1B1	09:09:35	20FT04300
			09/21/20	
PAVE CUT IN ROADWAY W/O PERMIT	ORDVIOL	FT2G1	11:55:22	20FT04139
			09/14/20	
COVID19 CHURCH GROUP NO MASK OR SOCIAL DISTANCE	ORDVIOL	FT2H1	18:38:36	20FT04133
			09/13/20	
COVID 19/TOO MANY PEOPLE INSIDE BUSINESS	ORDVIOL	FT1E1	18:11:16	20FT04012
			09/08/20	
COVID 19- POSSIBLE LARGE GATHERING	ORDVIOL	FT1E1	18:54:52	20FT03957
			09/05/20	
OPEN BURN	ORDVIOL	FT3T1	10:25:14	20FT03882
			09/02/20	

### **OUTAGNCYASST (17)**

ASSISTED SCPD	OUTAGNCYASS	FT1C1	10:06:08	20FT04494
	T		09/30/20	



REQUEST FOR CONTACT INFORMATION.	OUTAGNCYASS FT3J2	19:02:22	20FT04480
	T	09/29/20	
ASSITED PTPD WITH MHID PATIENT	OUTAGNCYASS PTPD	23:39:35	20FT04454
	T	09/27/20	
SCPD REQUESTED WE CHECK AN ADDRESS FOR A VEHICLE.	OUTAGNCYASS FT301	20:48:07	20FT04451
	T	09/27/20	
ASSIST SCPD WITH TRAFFIC INCIDENT	OUTAGNCYASS SB2A1	10:43:30	20FT04444
	T	09/27/20	
REPORTED VEHICLE W/ STOLEN PLATE TO SCPD	OUTAGNCYASS SB2H5	14:09:41	20FT04391
	T	09/25/20	
SCPD ASKED FOR HELP LOOKING FOR A MAZDA.	OUTAGNCYASS FT2G1	16:15:46	20FT04349
	T	09/23/20	
ASSIST BORO AND PTPD WITH NORTHBOUND VEHICLE	OUTAGNCYASS FT1B1	07:58:00	20FT04336
	T	09/23/20	
ASSIST PTPD W/ 302 WARRANT SERVICE	OUTAGNCYASS PTPD	00:49:19	20FT04292
	T	09/21/20	
ASSIST PTPD WITH TRESPASS	OUTAGNCYASS PTPD	01:11:19	20FT04156
	T	09/15/20	
ASSIST PATTON TOWNSHIP PD	OUTAGNCYASS PTPD	01:00:40	20FT04155
	T	09/15/20	
ASSISTED PTPD WITH A PHYSICAL DOMESTIC	OUTAGNCYASS PTPD	00:31:14	20FT04045
	T	09/10/20	
ASSIST SCPD LOCATE VEHICLE	OUTAGNCYASS SB2H4	06:49:41	20FT04022
	T	09/09/20	
ASSISTED PTPD WITH A WARRANT SERVICE	OUTAGNCYASS FT1B1	17:12:56	20FT04013
	T	09/08/20	
PSPROK REQUESTED FTPD FOR A DEATH NOTIFICATION	OUTAGNCYASS FT2H3	04:58:03	20FT03991
	T	09/07/20	
ASSISTED PTPD WITH UNSECURED PROPERTY	OUTAGNCYASS PTPD	01:35:27	20FT03978
	T	09/06/20	
ASS. SCPD WITH A HIT AND RUN ACCIDENT	OUTAGNCYASS SB2B2	21:52:09	20FT03964
	T	09/05/20	

#### ***PARKING (4)***

PARKING ON SIDEWALK	PARKING	FT2H3	10:10:18	20FT04416
			09/26/20	
PARKING COMPLAINT	PARKING	FT2H1	08:41:56	20FT04363
			09/24/20	
OWNERS LOCATED AND MOVED VEHICLES	PARKING	FT3J1	18:54:12	20FT04262
			09/19/20	
VEHICLE PARKED ILLEGALLY	PARKING	FT2G1	20:45:52	20FT03915
			09/03/20	

#### ***PFA SERVICE (1)***

EPFA SERVICE	PFA SERVICE	FT1C1	16:47:32	20FT04110
			09/12/20	

#### ***PROFOUND (5)***

FOUND CHILDS BICYCLE	PROFOUND	FT301	13:08:45	20FT04499
			09/30/20	
BICYCLE FOUND ABANDONED IN SAYBROOK PARK.	PROFOUND	FT1D1	14:43:22	20FT04184
			09/16/20	
FOUND HANDGUN	PROFOUND	FT2H1	16:05:34	20FT04130
			09/13/20	
WALLET FOUND AT BAR	PROFOUND	FT1A1	13:37:28	20FT04035
			09/09/20	
FOUND IPHONE	PROFOUND	FT2G1	16:49:53	20FT03890
			09/02/20	

#### ***PROPLOST (1)***

2 LOST DEALER PLATES.	PROPLOST	FT2H1	14:38:25	20FT04371
			09/24/20	

#### ***RFACANHELPMHID (1)***

23 YOF MHID / 302 WARRANT	RFACANHELPM	FT2H1	23:16:45	20FT04429
	HID		09/26/20	

#### ***RFACIVILDISP (4)***

LANDLORD CALLED ABOUT PROPERTY LINE DISPUTE	RFACIVILDISP	FT1A1	12:38:54	20FT04497
			09/30/20	

QUESTIONS ABOUT TOWING VEHICLES	RFACIVILDISP	FT1F2	14:51:00 09/26/20	20FT04420
CHILD CUSTODY DISPUTE	RFACIVILDISP	FT2H1	17:02:58 09/12/20	20FT04111
CIVIL DISPUTE OVER FUND WITHDRAW	RFACIVILDISP	FT1A1	13:37:36 09/04/20	20FT03925

**RFAOTHER (41)**

MENTAL HEALTH CONCERNS	RFAOTHER	FT2G1	14:21:03 09/30/20	20FT04503
QUESTIONS ABOUT TOWING COMPANY	RFAOTHER	FT1B2	20:08:41 09/27/20	20FT04450
CALLER FOUND A FAKE GRENADE WHILE CLEANING.	RFAOTHER	FT1A1	21:47:29 09/25/20	20FT04406
CUSTODY DISPUTE	RFAOTHER	FT2H1	17:46:00 09/25/20	20FT04400
DEALERSHIP WANTED A TINT CHECK.	RFAOTHER	FT2H1	19:13:01 09/24/20	20FT04374
CALLER NEVER ANSWERED PHONE - UNKN ISSUE	RFAOTHER	FT2H1	19:07:47 09/24/20	20FT04375
POSSIBLE CHILD ABUSE REPORTED TO CYS	RFAOTHER	FT1A1	11:39:28 09/22/20	20FT04322
BELONGINGS TAKEN TO ER FROM EARLIER H&S	RFAOTHER	FT1B1	06:00:07 09/22/20	20FT04315
SOMEONE WITH WARRANTS STAYING AT HOTEL	RFAOTHER	FT1A1	23:06:00 09/19/20	20FT04277
ANONYMOUS EMAIL REPORT OF POSSIBLE DOMESTIC	RFAOTHER	FT1B1	12:36:57 09/19/20	20FT04255
COMPLAINT SOMEONE WAS PLAYING BASKETBALL	RFAOTHER	FT1B1	22:02:10 09/18/20	20FT04240
DEBRIS IN THE ROADWAY	RFAOTHER	FT2H1	00:21:03 09/18/20	20FT04223
GARBAGE TRUCK PULLED DOWN PHONE LINE	RFAOTHER	FT3J1	08:10:14 09/17/20	20FT04194
DISPUTE OVER CAT CARRIER	RFAOTHER	FT1C1	19:07:01 09/16/20	20FT04187
VEHICLE SITTING IN HALF OF PARKING LOT.	RFAOTHER	FT1B1	18:34:12 09/16/20	20FT04186
HELP LOCATING GIRLFRIEND	RFAOTHER	FT2H1	08:18:30 09/16/20	20FT04177
CALLER HAD CONCERNS ABOUT GUNSHOTS FROM RURAL AREA	RFAOTHER	FT3N1	10:03:40 09/15/20	20FT04161
QUESTIONS ABOUT A FIFTY DOLLAR BILL	RFAOTHER	FT1B1	21:20:13 09/14/20	20FT04149
LANDLORD ADVISING US OF A TENANT WITH POSSIBLE MHID ISSUES	RFAOTHER	FT1A1	15:51:47 09/14/20	20FT04145
CUSTODY QUESTIONS	RFAOTHER	FT1B3	12:19:17 09/14/20	20FT04141
MALE ATTEMPTING TO ENTER ABANDONED BUILDING	RFAOTHER	FT2G1	18:53:40 09/13/20	20FT04132
CONCERN ABOUT PAST STATEMENTS	RFAOTHER	FT1E1	17:57:56 09/12/20	20FT04113
CALLER HAD QUESTIONS ABOUT GETTING A NEW OLN	RFAOTHER	FT2G1	12:29:26 09/12/20	20FT04107
QUESTIONS ABOUT AUTISTIC DAUGHTER	RFAOTHER	FT3J1	16:40:07 09/11/20	20FT04091
CALLER WANTED TO KNOW WHO SUBJECT WAS WAITING FOR.	RFAOTHER	FT1B1	13:12:21 09/11/20	20FT04085
CONCERNS ABOUT EX BOYFRIEND	RFAOTHER	FT1B1	12:11:34 09/11/20	20FT04083
TEXT RECEIVED FROM NEIGHBOR REGARDING CHARGES FILED	RFAOTHER	FT1B1	14:49:13 09/10/20	20FT04056
REPORTED PROBLEM WITH TRAFFIC SIGNAL	RFAOTHER	FT1F1	14:03:20 09/09/20	20FT04034
QUESTIONS REGARDING DANGEROUS DOG	RFAOTHER	FT2H1	16:09:51 09/08/20	20FT04011
VERBAL DOMESTIC	RFAOTHER	FT1B1	03:27:31	20FT03999

CALLER SAID PEOPLE FLYING UAV'S AT PARK.	RFAOTHER	FT1C1	09/08/20 19:11:14	20FT03998
EMS ASSIST CANCELLED AS I ARRIVED ON SCENE.	RFAOTHER	FT1E1	09/07/20 16:43:17	20FT03996
CUSTODY ISSUES	RFAOTHER	FT1B1	09/07/20 11:29:10	20FT03993
ROOMMATE DISPUTE OVER A MYRIAD OF ISSUES.	RFAOTHER	FT1F2	09/07/20 14:58:40	20FT03956
INDIVIDUAL WOULD NOT RETURN WALLET	RFAOTHER	FT2H1	09/05/20 11:38:37	20FT03952
CONCERN STOLEN VEHICLE WAS IN LOT	RFAOTHER	FT1B1	09/05/20 13:55:33	20FT03926
CALLER SAW A MALE THAT LOOKED SUSPICIOUSE IN BIKE TUNNEL.	RFAOTHER	FT1B1	09/04/20 20:07:25	20FT03913
CALL FOR INCIDENT THAT DIDN'T OCCUR IN TWP	RFAOTHER	FT2G1	09/03/20 16:46:18	20FT03909
DAUGHTER RECEIVED AN ANONYMOUS CALL	RFAOTHER	FT2H3	09/03/20 16:14:34	20FT03908
DISPATCHED TO A VERBAL DOMESTIC ARGUMENT.	RFAOTHER	FT3O1	09/03/20 20:55:33	20FT03873
LOST CHAIR IN STORAGE UNIT	RFAOTHER	FT1E1	09/01/20 12:01:41	20FT03861

**SCHOOLCHECK (16)**

SCHOOLCHECK			09:57:02 09/30/20	20FT04493
SCHOOLCHECK			09:27:09 09/30/20	20FT04492
SCHOOLCHECK			13:09:09 09/29/20	20FT04476
SCHOOLCHECK			08:54:39 09/28/20	20FT04459
SCHOOLCHECK			07:38:25 09/28/20	20FT04458
SCHOOLCHECK			12:38:51 09/23/20	20FT04342
SCHOOLCHECK			14:15:03 09/17/20	20FT04205
SCHOOLCHECK			11:03:07 09/14/20	20FT04138
SCHOOLCHECK			10:31:21 09/10/20	20FT04050
SCHOOLCHECK			09:49:32 09/09/20	20FT04026
SCHOOLCHECK			10:39:57 09/08/20	20FT04004
SCHOOLCHECK			14:36:46 09/03/20	20FT03903
SCHOOLCHECK			12:53:09 09/02/20	20FT03884
SCHOOLCHECK			12:42:30 09/01/20	20FT03863
SCHOOLCHECK			10:20:48 09/01/20	20FT03857
SCHOOLCHECK			10:13:09 09/01/20	20FT03856

**SUPPLEMENT (1)**

SUPPLEMENT			19:51:32 09/05/20	20FT03961
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**SUSPACTY (31)**

EXPERIAN ALERT	SUSPACTY	FT2H1	18:04:25 09/30/20	20FT04509
LIFELOCK ALERT REGARDING COMPLAINANT'S OLN	SUSPACTY	FT2E1	15:57:16 09/30/20	20FT04506
SOCIAL SECURITY SCAM	SUSPACTY	FT3J2	14:19:51	20FT04464

SUSPECT WITH SCRAP METAL	SUSPACTY	FT3N1	09/28/20 23:17:34	20FT04453
REPORT OF SOMEONE TRYING TO BREAK IN	SUSPACTY	FT3J1	09/27/20 00:18:02	20FT04432
CALLER RECIEVED A WEIRD TEXT FROM UNKNOWN NUMBER.	SUSPACTY	FT1F1	09/27/20 19:31:47	20FT04401
CALLER HAD GUESTS AT MOTEL WHO HAD NOT PAID.	SUSPACTY	FT1A1	09/25/20 17:36:03	20FT04399
TWO MALES PARKED IN BUSINESS LOT AND USED CALLERS DUMPSTER	SUSPACTY	FT2H1	09/25/20 13:09:10	20FT04203
UNKNOWN MALE TRIED TO ENTER COMPLAINANTS VEHICLE	SUSPACTY	FT2H1	09/17/20 15:37:45	20FT04183
ROOM MATE SCAM	SUSPACTY	FT1B1	09/16/20 13:22:33	20FT04180
SUSPICIOUS MALE ON COMPLAINANT'S PROPERTY.	SUSPACTY	FT3I1	09/16/20 20:25:37	20FT04169
PHONE AND WALLET LAYING OUTSIDE DOOR.	SUSPACTY	FT1A1	09/15/20 18:26:20	20FT04168
ADDRESS TO SOCIAL SECURITY WAS CHANGED.	SUSPACTY	FT2G1	09/15/20 14:17:19	20FT04165
42 YOF SPEAKING TO PEOPLE IN PARK; MHID	SUSPACTY	FT1B1	09/15/20 11:56:57	20FT04163
CONCERNS ABOUT POSSIBLE HACKING/INVASION OF PRIVACY.	SUSPACTY	FT1F2	09/15/20 15:12:53	20FT04129
POSSIBLE IDENTITY THEFT	SUSPACTY	FT2H1	09/13/20 15:59:42	20FT04090
TOW COMPANY CHECKING PARKED CARS FOR PERMITS	SUSPACTY	FT1B2	09/11/20 22:00:54	20FT04069
EMAIL SCAM	SUSPACTY	FT3O1	09/10/20 19:30:00	20FT04064
BLANKET LEFT IN RENTAL CAR	SUSPACTY	FT1B1	09/10/20 17:45:30	20FT04060
SCAM CALL	SUSPACTY	FT1A1	09/10/20 17:42:09	20FT04059
CALLER SOCIAL SECURITY CHANGED TO HER OLD ADDRESS	SUSPACTY	FT1C1	09/10/20 13:28:00	20FT04033
UNEMPLOYMENT SCAM	SUSPACTY	FT2H1	09/09/20 13:40:31	20FT04006
BROKEN GLASS IN FRONT OF CALLERS HOUSE	SUSPACTY	FT2H1	09/08/20 08:34:59	20FT04002
SUSPICIOUS MALE ASKED DIRECTIONS	SUSPACTY	FT1F2	09/08/20 20:43:05	20FT03962
QUESTIONS ABOUT SCAM CALL	SUSPACTY	FT2G1	09/05/20 12:55:03	20FT03954
MALE LOOKING IN WINDOWS	SUSPACTY	FT1F2	09/05/20 18:37:57	20FT03929
SOMEONE CHANGED HER ADDRESS WITH SOCIAL SECURITY	SUSPACTY	FT1F1	09/04/20 10:53:21	20FT03900
STRANGE TEXT MESSAGE RECEIVED	SUSPACTY	FT1E1	09/03/20 14:24:06	20FT03887
SOC SECURITY SCAM - NO LOSS	SUSPACTY	FT2G1	09/02/20 11:28:14	20FT03883
MAN WITH A BOW ON BIKE TRAIL	SUSPACTY	FT1A1	09/02/20 20:07:11	20FT03871
SUSPICIOUS CALL FROM DIRECT TV	SUSPACTY	FT2H1	09/01/20 10:44:19	20FT03859

### **TERRSTCTHREATS (1)**

STUDENT THREATEN ANOTHER STUDENT	TERRSTCTHRE ATS	FT2G1	14:35:48 09/01/20	20FT03868
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### **THEFT (5)**

STOLEN POLITICAL FLAG	THEFT	FT3T1	17:23:32 09/27/20	20FT04446
CAMPAIGN SIGNS REMOVED	THEFT	FT3Q1	10:06:02 09/24/20	20FT04365

STOLEN POLITICAL SIGNS	THEFT	FT1C1	14:29:00 09/18/20	20FT04234
PACKAGE TAKEN FROM PORCH	THEFT	FT1F2	15:21:12 09/16/20	20FT04182
CALLER HAD PACKAGES TAKEN FROM FRONT PORCH	THEFT	FT1B1	12:16:00 09/11/20	20FT04084

**TRAFFIC (36)**

MCSAP DETAIL	TRAFFIC	FT2G1	06:18:52 09/30/20	20FT04486
SUSPENDED DRIVER AND REGISTRATION PLATE	TRAFFIC	FT1D1	20:57:26 09/28/20	20FT04469
VEHICLE WITH A SUSPENDED REGISTRATION	TRAFFIC	FT1F1	19:12:23 09/28/20	20FT04468
TRAFFIC STOP-LICENSE PLATE WAS REVOCATED	TRAFFIC	FT1F1	00:14:46 09/27/20	20FT04431
TRAFFIC LIGHT ON FLASH	TRAFFIC	FT1F1	10:00:40 09/26/20	20FT04415
TRAFFIC STOP - SUSPENDED LICENSE	TRAFFIC	FT1B1	00:45:03 09/26/20	20FT04411
PERSON RIDING IN THE ROADWAY	TRAFFIC	FT2H1	14:12:31 09/25/20	20FT04392
CAR BROKE DOWN ON ROADWAY.	TRAFFIC	FT3Q1	13:19:25 09/24/20	20FT04370
COMPLAINT ABOUT SPEEDING TRACTOR TRAILERS	TRAFFIC	FT3J1	11:48:43 09/24/20	20FT04367
TRAFFIC COMPLAINT	TRAFFIC	FT1C1	10:27:04 09/24/20	20FT04366
CONSTRUCTION SIGN BLOCKING CALLER'S MAILBOX	TRAFFIC	FT3H1	16:30:00 09/23/20	20FT04352
CAR PASSED FLASHING RED SCHOOL BUS	TRAFFIC	FT3J1	08:33:48 09/23/20	20FT04337
TRAFFIC STOP, MULTIPLE VIOLATIONS	TRAFFIC	FT1B1	16:17:01 09/20/20	20FT04286
RECKLESS OPERATION	TRAFFIC	FT1D1	18:17:17 09/19/20	20FT04261
DEBRIS IN THE ROADWAY	TRAFFIC	FT1B1	01:13:20 09/19/20	20FT04242
2 CAR VEHICLE CRASH NO REPORT WANTED	TRAFFIC	FT3J1	22:43:41 09/17/20	20FT04219
REPORT OF DISABLED VEHICLE	TRAFFIC	FT2G1	14:10:25 09/17/20	20FT04206
ROAD RAGE INCIDENT	TRAFFIC	FT2G1	00:30:47 09/17/20	20FT04191
COMPLAINT OF PASSING IN A NO-PASSING ZONE.	TRAFFIC	FT2G1	18:52:01 09/16/20	20FT04188
TRAFFIC STOP W/SUSPENDED DRIVER	TRAFFIC	FT1C1	21:04:03 09/14/20	20FT04148
MOTORCYCLE PASSED COMPLAINANT	TRAFFIC	FT2G1	17:42:49 09/12/20	20FT04112
DISABLED VEHICLE	TRAFFIC	FT3R1	16:16:05 09/12/20	20FT04109
SPEEDING VEHICLE REPORTED IN NEIGHBORHOOD	TRAFFIC	FT2H1	09:59:47 09/12/20	20FT04104
VEHICLE DRIVEN ON SIDEWALK	TRAFFIC	FT2H1	20:11:49 09/11/20	20FT04095
RECKLESS OPERATION OF MOTORCYCLE	TRAFFIC	FT2G1	19:40:45 09/10/20	20FT04065
SUSPENDED REGISTRATION	TRAFFIC	FT1B3	23:11:17 09/09/20	20FT04044
MOTROCYCLE DID NOT PULL OVER	TRAFFIC	FT1B1	22:56:05 09/09/20	20FT04043
RECKLESS OPERATION	TRAFFIC	RPSP	19:54:26 09/09/20	20FT04042
COMPLAINT ABOUT MOTORCYCLE RIDING	TRAFFIC	FT2G1	19:24:24 09/09/20	20FT04040
TRAFFIC SIGNAL STUCK ON FLASH	TRAFFIC	FT1B1	15:32:00	20FT04036

SPEEDING TRUCKS	TRAFFIC	FT2H1	09/09/20 10:33:43	20FT04028
	TRAFFIC		09/09/20 20:23:11	20FT03985
TRAFFIC STOP - SUSPENDED PLATE / SUSPENDED OPERATOR	TRAFFIC	SB2C3	09/06/20 02:28:50	20FT03981
COMPLAINT OF OPERATION OF A VEHICLE AFTER POSSIBLE CONSUMPTION OF AN ALCOHOLIC BEVERAGE.	TRAFFIC	FT1B1	09/06/20 20:58:55	20FT03963
DISABLED VEHICLE	TRAFFIC	FT1F1	09/05/20 15:55:21	20FT03927
CALLER SAID A NISSIAN ALMOST HIT A CAR ON N ATHERTON.	TRAFFIC	FT1A1	09/04/20 17:14:39	20FT03869
			09/01/20	

### **TRESPASS (1)**

MALE WENT IN STORE W/OUT A MASK AFTER BEING TOLD TO PUT MASK ON, COVID-19	TRESPASS	FT2H1	11:56:19 09/24/20	20FT04368
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### **UNSECPROP (1)**

DOOR OPEN TO AN APARTMENT	UNSECPROP	FT1A1	19:44:46 09/19/20	20FT04272
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### **VACHOMECHK (1)**

VACATION HOME CHECK	VACHOMECHK	FT1D1	00:00:00 09/10/20	20FT04053
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### **VHCLCRSHHITRUN (3)**

PARKED CAR HIT BY UNKNOWN VEHICLE	VHCLCRSHHIT RUN	FT1B2	15:54:56 09/16/20	20FT04185
VEHICLE STRUCK TREE IN MEDIAN	VHCLCRSHHIT RUN	FT1B1	23:43:35 09/13/20	20FT04136
HIT & RUN VEHICLE CRASH	VHCLCRSHHIT RUN	FT1C1	21:14:01 09/08/20	20FT04017

### **VHCLCRSHNOINJ (8)**

ONE VEHICLE CRASH - NO INJURIES	VHCLCRSHNOI NJ	FT2E1	23:07:13 09/30/20	20FT04516
U-HAUL TRUCK STRUCK SIDE OF A BUILDING.	VHCLCRSHNOI NJ	FT1E1	16:45:20 09/28/20	20FT04467
2 VEHICLE CRASH W/ NO INJURIES	VHCLCRSHNOI NJ	FT1B3	20:05:10 09/19/20	20FT04267
REPORTABLE 10-45A	VHCLCRSHNOI NJ	FT1A1	11:26:02 09/16/20	20FT04179
TWO VEHICLE REPORTABLE ACCIDENT	VHCLCRSHNOI NJ	FT1F1	20:19:30 09/13/20	20FT04134
TWO VEHICLE NO INJURY CRASH	VHCLCRSHNOI NJ	FT2G1	12:40:48 09/09/20	20FT04031
2 CAR CRASH / NO INJURIES / MINOR DAMAGE	VHCLCRSHNOI NJ	FT2H1	23:21:31 09/05/20	20FT03966
NON REPORTABLE; NO INJURIES	VHCLCRSHNOI NJ	FT1C1	10:06:13 09/02/20	20FT03881

### **VHCLCRSHWINJ (5)**

2 VEHICLE REPORTABLE CRASH WITH INJURY	VHCLCRSHWIN J	FT3Q1	22:04:46 09/29/20	20FT04484
REAR END ACCIDENT	VHCLCRSHWIN J	FT1A1	10:10:26 09/22/20	20FT04318
TWO VEHICLE ACCIDENT, POSSIBLE INJURY	VHCLCRSHWIN J	FT1E1	19:16:01 09/17/20	20FT04218
4 CAR CRASH, 1 INJURY, 2 VEHICLES TOWED	VHCLCRSHWIN J	FT1B1	13:34:12 09/13/20	20FT04127
VEHICLE CRASH WITH GO CART	VHCLCRSHWIN J	FT2G1	18:32:09 09/09/20	20FT04039

### **WARRANTSERVICE (1)**

WARRANT SERVICE FOR SHERIFF'S OFFICE	WARRANTSERV ICE	FT1A1	00:33:41 09/26/20	20FT04410
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# USE OF FORCE SUMMARY REPORT

Reported 9/1/2020 12:00:01AM to 9/30/2020 11:59:59PM

10/8/2020

4-FHC	UOF - Handcuffing	7
4-FOH	UOF - Open hand/hands on	6
4-UOF	UOF - Use of force	9

# FTPD USE OF FORCE DETAILS REPORT

For incidents Reported 9/1/2020 12:00:01AM to 9/30/2020 11:59:59PM

10/8/2020

20FT03974	9/6/2020 12:38:31AM	OPN	4-FHC	UOF - Handcuffing
SUSPECT	333750 W M 59		4-FOH	UOF - Open hand/hands on
				DUI
20FT03979	9/6/2020 1:52:16AM	OPN	4-FHC	UOF - Handcuffing
SUSPECT	697992 W M 21		4-FOH	UOF - Open hand/hands on
				DUI
20FT04013	9/8/2020 5:12:56PM	CLO	4-FHC	UOF - Handcuffing
SUSPECT	781130 W M 51			WARRANT Service - Assist PTPD
20FT04132	9/13/2020 6:53:40PM	CLO	4-FHC	UOF - Handcuffing
OTHER	818189 A M 18		4-FOH	UOF - Open hand/hands on
				Suspicious Activity
20FT04284	9/20/2020 2:20:02AM	OPN	4-FHC	UOF - Handcuffing
SUSPECT	736014 B M 21			DUI
20FT04292	9/21/2020 12:49:19AM	CLO	4-FHC	UOF - Handcuffing
OTHER	804995 B M 18		4-FOH	UOF - Open hand/hands on
				ASSIST PTPD w/mental Health warrant / ASSAULT
20FT04373	9/24/2020 5:26:31PM	ECA	4-FOH	UOF - Open hand/hands on
VICTIM	195779 W M 18			Domestic / Mental Health
20FT04410	9/26/2020 12:33:41AM	CLO	4-FHC	UOF - Handcuffing
OTHER	657313 W M 23			WARRANT Service Centre County Sheriff
20FT04418	9/26/2020 1:08:27PM	ECA	4-FOH	UOF - Open hand/hands on
SUSPECT	656905 W F 23			Domestic / Mental Health WARRANT





**Janet** is 🥰 feeling thankful.

18h ·

I just had a visit from Officer Dan Lewis of the Ferguson Twp. Police Department. He and his partner, Jeff White, were the ones who saved my life when my heart stopped while on a walk. They resuscitated me. Thank you! Thank you! Thank you! from the bottom of my heart - literally!

103

33 Comments

Like

Comment

Share

**Nicole**

How wonderful! Was so good seeing you the other weekend! You look great! ❤️

Like · Reply · 18h

**Debbie**

Thank you from me, too !

Like · Reply · 18h

**Robin**

What a great feeling to know we have some great people who stepped in to save you...

Like · Reply · 18h

**Stevi**

That is amazing! ❤️❤️

Like · Reply · 18h

**Linda**

Great to know there are good people out there.

Like · Reply · 18h

**Kathv**

Dear Ferguson Township P.D.,

Thank you for serving  
and protecting our  
neighborhood and community.  
We are thankful for each  
of you and pray for your  
safety and protection. Keep  
up the good work and know  
that our community  
appreciates you!

Sincerely,

The Family



Dear officer Mike

Thank you for letting me

sit in your police truck and

letting me try on your vest.

Thank you for the stuffed

dog!

Loves Scott

Dear Officer Ozocki,

It was sincerely an honor and pleasure to meet you recently. You are undoubtedly one of the nicest and empathetic (w/ policemen I have ever met,

Thank you for what you did for me late that night, so very much. I'm sorry about the bag it was the dryer but from down below, I couldn't cover,

tell the difference.

May you have an amazing career on the force. Ferguson <sup>Hallmark</sup> Twp. is very blessed to have you. I remain

Very appreciatively,  
Betsy