

# FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda  
Tuesday, December 13, 2022

7:00 PM

## MEETING PARTICIPATION OPTIONS

### VIRTUAL:

Join Zoom Meeting Link:

<https://us02web.zoom.us/j/87031665680>

Meeting ID: 870 3166 5680

[Zoom Access Instructions](#)

### IN-PERSON:

Ferguson Township Municipal Building  
Main Meeting Room  
3147 Research Drive  
State College, PA

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#### I. CALL TO ORDER

##### APPOINTMENT OF NEW CHIEF OF POLICE

#### II. PLEDGE OF ALLEGIANCE

#### III. CITIZENS INPUT

#### IV. APPROVAL OF MINUTES

#### V. AUTHORITIES, BOARDS, AND COMMISSION REPORTS

#### VI. SPECIAL REPORTS

#### VII. COG REGIONAL REPORTS

#### VIII. STAFF REPORTS

#### IX. UNFINISHED BUSINESS

1. A Public Hearing on the Proposed 2023 Ferguson Township Annual Operating Budget
2. A Public Hearing Establishing a new Ferguson Township Schedule of Fees
3. Approval of 2023 CRCOG Summary Budget
4. Update on the Anti-Discrimination Ordinance and Regional Human Resources Committee

#### X. NEW BUSINESS

1. Consent Agenda
2. Public Hearing on a Resolution Levying Taxes and Assessments for the Fiscal Year 2023.
3. Public Hearing on a Resolution of the Township of Ferguson, Centre County, Pennsylvania Repealing Resolution 2021-43 and Adopting a Revised Compensation Plan for Non-Uniformed Employees With an Effective Date of January 1, 2023.
4. Public Hearing on a Resolution Establishing Contributions to the Police Pension Fund.
5. Discussion of 2023 Board of Supervisors Regular Meeting and Worksession Dates.
6. Public Hearing Resolution Authorizing an Agreement with Hammertech, for Information Technology Governance and Other Technology Focused Tasks.
7. Request for Modification/Waiver - 111 N Butz Street – Hair Studio 111

#### XI. COMMUNICATIONS TO THE BOARD

#### XII. CALENDAR ITEMS

#### XIII. ADJOURNMENT



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



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# TOWNSHIP OF FERGUSON

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## **BOARD OF SUPERVISORS Regular Meeting Agenda Tuesday, December 13, 2022 7:00 p.m.**

- I. CALL TO ORDER**
- II. APPOINTMENT OF FERGUSON TOWNSHIP CHIEF OF POLICE**
- III. PLEDGE OF ALLEGIANCE**
- IV. CITIZEN'S INPUT** 5 minutes per resident
- V. APPROVAL OF MINUTES**
- VI. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT**
  1. No reports scheduled.
- VII. SPECIAL REPORTS AND ACKNOWLEDGEMENTS** 25 minutes
  1. Diversity, Equity, and Inclusionary Acknowledgements –*Christmas Day (Federal holiday), New Year's Eve, Kwanzaa, Hanukkah*
  2. Township and Fiscal Responsibility – no report
  3. Environment – UPDATE ON MS4 PRP projects (Municipal Separate Storm Sewer System, Pollutant Reduction Plan), Dave Modricker, Director of Public Works.
- VIII. COG AND REGIONAL COMMITTEE REPORTS** 15 minutes
  - 1. COG COMMITTEE REPORT**
    - a. Finance Committee
    - b. Climate Action and Sustainability Committee – cancellation notice
    - c. Public Safety Committee
    - d. Executive Committee
    - e. Human Resources Committee – *cancellation notice*
  - 2. OTHER COMMITTEE REPORTS**
- IX. STAFF REPORTS**
  1. Township Manager's Report - no written report
  2. Public Works Director Report - no written report
  3. Planning and Zoning Report
  4. Officer-in-Charge Report

**X. UNFINISHED BUSINESS**

- 1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2023, BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023.** 10 minutes

*Centrice Martin, Township Manager*

**Narrative**

Provided with the agenda is a copy of the resolution advertised for public hearing adopting the 2023 Ferguson Township Annual Operating Budget. The Board approved the proposed budget following the public hearing held on December 6, 2022. All changes made to the proposed budget by the Board at the special meetings, held on November 9 and 10, have been incorporated into the final budget presented for adoption this evening. Below is a link to the final 2023 Operating Budget presented for adoption.

[2023 Proposed Ferguson Township Annual Operating Budget](#)

*Recommended Motion: That the Board of Supervisors adopt the resolution approving the Operating Budget for fiscal year 2023, beginning January 1, 2023, and ending December 31, 2023.*

**Staff Recommendation**

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

- 2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2021-40 AND ESTABLISHING A NEW FERGUSON TOWNSHIP SCHEDULE OF FEES** 10 minutes

*Centrice Martin, Township Manager*

**Narrative**

Provided with the agenda is a copy of the resolution advertised for public hearing establishing a new 2023 Ferguson Township Schedule of Fees.

*Recommended Motion: That the Board of Supervisors adopt the resolution repealing Resolution 2021-40 and establishing a new Ferguson Township Schedule of Fees for 2023.*

**Staff Recommendation**

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

- 3. APPROVAL OF 2023 CENTRE REGION COUNCIL OF GOVERNMENT SUMMARY BUDGET**

*Centrice Martin, Township Manager*

10 minutes

**Narrative**

At the November 28, 2022, the Centre Region Council of Governments (CRCOG) voted to approve the 2023 (CRCOG) budget and referred it to the participating municipalities for adoption by December 31, 2022. At a previous Regular Meeting, the Board reviewed the 2023 CRCOG Summary Budget and comments from the discussion were forwarded to the CRCOG Executive Director. Below is a link to the 2023 CRCOG Summary Budget presented for adoption:

[2023 Centre Region Council of Governments Summary Budget](#)

*Recommended Motion: That the Board of Supervisors approve the 2023 Centre Region Council of Governments (CRCOG) Summary Budget.*

**Staff Recommendation**

That the Board of Supervisors *approve* the budget.

**4. UPDATE ON THE ANTI-DISCRIMINATION ORDINANCE AND REGIONAL HUMAN RELATIONS COMMISSION ORDINANCE** 15 minutes

*Centrice Martin, Township Manager*

**Narrative**

Provided with the agenda is a draft version of the Regional Anti-Discrimination Ordinance as well as a copy of draft of the Regional Human Relations Commission. The Regional Human Relations Commission ordinance, if adopted, would adjudicate all complaints related to several protected classes on the basis of housing, employment, and public accommodations. The ordinance would provide for local relief to complainants in lieu of the Pennsylvania Human Relations Commission.

In collaboration with the Township Solicitor and discussions with the State College Borough Manager, the outstanding items involving consideration of protected classes particularly pertaining to support animals, and the dual filing with the Pennsylvania HRC have been addressed within the document. The items highlighted in yellow are areas to which will be finalized in coordination with the participating municipalities and Solicitors' legal recommendation.

*Recommended Motion: That the Board of Supervisors authorize staff to advertise for a public hearing for adoption of the Anti-Discrimination Ordinance and Regional Human Relations Ordinance.*

**Staff Recommendation**

That the Board of Supervisors *authorize* staff to advertisement for ordinance adoption.

**XI. NEW BUSINESS**

**1. CONSENT AGENDA** 5 minutes

a. October Treasurer's Report – *for acceptance*

**2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA LEVYING TAXES AND ASSESSMENTS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023**

Eric Endresen, Director of Finance and Tax 10 minutes

**Narrative**

Provided with the agenda is a copy of the resolution advertised for public hearing establishing taxes and assessments for fiscal year 2023 beginning January 1, 2023 and ending December 31, 2023. Real Estate Tax remains at 2.422 mills. Real Estate Transfer Tax remains at 1.25 percent of the consideration, or value of transfer. Earned Income Tax remains at 1.40 percent and Local Services Tax remains at \$52 per person, \$5 of which is remitted to the State College Area School District and the remaining \$47 is remitted to the Township. There are no changes in the Fire Hydrant Assessment or the Street Light Assessment.

Additionally, the Stormwater Management Utility Fee remains the same as 2022 at \$119 per (ERU) Equivalent Residential Unit for properties inside the Regional Growth



Boundary/Sewer Service Area and \$75 per (ERU) Equivalent Residential Unit for properties outside the Regional Growth Boundary/Sewer Service Area.

*Recommended motion: That the Board of Supervisors adopt the resolution levying taxes and assessments for the fiscal year beginning January 1, 2023 and ending December 31, 2023.*

**Staff Recommendation**

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

3. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2021-43 AND ADOPTING A REVISED COMPENSATION PLAN FOR NON-UNIFORMED EMPLOYEES WITH AN EFFECTIVE DATE OF JANUARY 1, 2023.** 5 minutes

*Centrice Martin, Township Manager*

**Narrative**

Provided with the agenda is a copy of the resolution advertised for public hearing along with an attachment illustrating the non-uniformed employee pay grades and ranges. For 2023, the Board authorized a 5 percent cost-of-living increase for non-uniformed employees. A revised compensation plan and salary schedule reflects the changes in each pay grade so that the salary ranges are increased by this cost-of-living adjustment. As in prior years, employees will move through their respective pay ranges by achieving merit increases through successful performance evaluations.

*Recommended motion: That the Board of Supervisors adopt the resolution repealing resolution 2021-43 and adopting a revised compensation plan for non-uniformed employees with an effective date of January 1, 2023.*

**Staff Recommendation**

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

4. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING CONTRIBUTIONS TO THE POLICE PENSION FUND BY ITS MEMBERS.** 5 minutes

*Eric Endresen, Director of Finance and Tax*

**Narrative**

In accordance with Pennsylvania Act 205, the Board of Supervisors is required to establish annually a contribution rate, if any, by members of the Police Pension Plan. Provided with the agenda is a copy of the resolution advertised for public hearing.

Based on the Minimum Municipal Obligation Certification dated September 12, 2022, members of the Police Pension Plan will be required to contribute 3 percent of their base salary to the Police Pension Fund in 2023. This contribution rate is below the maximum authorized under Pennsylvania Act 600 and is required due to actuarial-determined funding requirements. These member contributions will be added to the municipal contributions in order to keep the plan actuarially sound.

*Recommended motion: That the Board of Supervisors adopt the resolution establishing contributions to the Police Pension Fund by its members.*

**Staff Recommendation**

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

**5. DISCUSSION OF 2023 BOARD OF SUPERVISORS REGULAR MEETING AND WORKSESSION DATES.** 10 minutes

*Centrice Martin, Township Manager*

**Narrative**

Provided with the agenda is a copy of the proposed 2023 board of supervisors regular meeting and work session schedule. The Board is asked to consider canceling the first meeting in July and consider moving the regular meeting from Tuesday to Monday on May 16 and November 6. Township Manager also proposes a tentative meeting schedule for the following annual Ferguson Township meeting events:

- Capital Improvement Plan Special Meeting #1, June 27
- Capital Improvement Plan Special Meeting #2, June 29
- Capital Improvement Plan Road Tour, June 21
- Authorities, Boards, and Commission (ABC) Appreciation Event, Thursday, August 17, 2023
- Operating Budget Special Meeting #1, October 24
- Operating Budget Special Meeting #2, October 26

**Staff Recommendation**

That the Board of Supervisors **discuss** the meeting dates.

**6. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP MANAGER TO EXECUTE AN AGREEMENT WITH HAMMERTECH, A DIVISION OF WEIDENHAMMER TO PROVIDE TECHNICAL ASSISTANCE AND VIRTUAL CIO CONSULTING SERVICES FOR INFORMATION TECHNOLOGY GOVERNANCE AND OTHER TECHNOLOGY FOCUSED TASKS**

*Centrice Martin, Township Manager*

10 minutes

**Narrative**

In July of 2022, the Board of Supervisors authorized the Township Manager to execute an agreement with Hammertech to a conduct a Strategic Technology Assessment and vulnerability study. Deliverables for that assessment included Deliverables include a strategic road map informing future decisions on IT-related matters including, but not limited to, IT Staff, staff collaboration, hardware and software, phone systems, and audio/visual equipment. The Township Manager is recommending the board consider the engagement of Virtual Chief Information Officer (vCIO) and consulting services from Hammertech to implement the recommendations resulting from the initial assessment.

As part of the 12-month, \$34,800 agreement Hammertech will assign a vCIO Consultant to lead the project and provide consulting services. The vCIO will assist the Township in reviewing, creating and aligning best practice policies, procedures, and security frameworks to strengthen the overall cyber security posture of the Township. With a primary focus on improving the overall Information Technology Governance for the Township, the vCIO will assist with other technology-focused tasks as part of this 12-month engagement. These tasks include creating RFPs for replacing phone systems and audio/visual technology, assisting with job descriptions and recruitment of IT staff, and development of an IT strategic plan.

*Recommended motion: That the Board of Supervisors conduct a public hearing, adopt the resolution, and authorize Township Manager to execute the Agreement with HammerTECH.*

**Staff Recommendation**

That the Board of Supervisors *conduct a public hearing, adopt the resolution, and give authorization* for the Township Manager to execute an agreement with Hammertech.

**7. REQUEST FOR MODIFICATION/WAIVER - 111 N. BUTZ STREET-HAIR STUDIO 111** 5 minutes  
*Jenna Wargo, Planning and Zoning Director*

**Narrative**

On December 2, 2022, Judy Brooks requested a modification from Chapter 22 – 5C01.1.B.(2) – Off-Street Parking and Loading. This section of the ordinance includes the parking calculations for required parking spaces on a site.

Ms. Brooks has been operating her business, Hair Studio 111, at 111 N. Butz Street since 2008 and has experienced significant business growth. She is requesting to add an additional stylist chair to accommodate her growing business.

Currently, the parking requirement for personal service establishments is one (1) space per 200 square feet of net floor area or two (2) parking spaces per customer chair, whichever is greater. With the additional chair, the applicant would be required to provide two (2) additional parking spaces on site. Ms. Brooks is proposing to utilize on-street parking that is located in front of her business to satisfy the requirements.

Staff has reviewed the request and is recommending the Board of Supervisors approve the request because on-street parking is provided directly in front of the business and the building footprint (occupancy) isn't changing.

*Recommended Motion: That the Board of Supervisors grant the modification from §22-5C01.1.B.(2) - Off-Street Parking and Loading requirements for Hair Studio 111.*

**Staff Recommendation**

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

**XI COMMUNICATIONS TO THE BOARD**

**XII CALENDAR ITEMS – December**

- a. Planning Commission, December 12
- b. Pine Grove Mills Small Area Plan Advisory Committee - December 15
- c. Administrative office closed Monday, December 26 in observance of the holiday

**XIII. ADJOURNMENT**