

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Organizational Meeting
Tuesday, January 2, 2018
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its Organizational Meeting on Tuesday, January 2, 2018, at the Ferguson Township Municipal Building. In attendance were:

Board: Steve Miller
Peter Buckland
Laura Dininni
Sara Carlson
Tony Ricciardi

Staff: David Pribulka, Township Manager
Chris Albright, Chief of Police

Others in attendance included: Mike Twomley; William Keough; Judge Katie Oliver; Randy Hurst; Roy Campbell; Faith Norris, Recording Secretary

II. CALL TO ORDER

Mr. Miller called the Tuesday, January 2, 2018, organizational meeting to order at 7:02 pm.

Mr. Miller stated an executive session was held prior to this meeting.

SWEARING IN OF NEW BOARD MEMBERS – District Judge Katie Oliver

A ceremony followed on the swearing-in of new Board members Mr. Ricciardi and Ms. Carlson. The new board members were officially seated and acknowledged. Board member Mr. Miller was reappointed and sworn-in as Vice-Chair.

III. ELECTION OF OFFICERS

Mr. Miller made a motion that Dave Pribulka act as temporary chair. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Pribulka asked for nominations for 2018 Chairperson. Mr. Miller made a motion nominating Mr. Buckland. Ms. Carlson seconded the nomination.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

Mr. Pribulka turned the meeting over to Mr. Buckland, the newly-appointed chairperson for Ferguson Township Board of Supervisors.

Mr. Buckland requested nominations for Vice Chairperson. Mr. Buckland made a motion nominating Mr. Miller. Mr. Ricciardi seconded the nomination.

Mr. Miller called point of order stating nominations do not require a second motion.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

Mr. Buckland asked for nominations for Secretary and Treasurer position. Ms. Dininni made a motion nominating Mr. Pribulka.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

IV. ANNUAL APPOINTMENTS

Mr. Buckland stated the annual appointments are made by the Board of Supervisors and asked the Board members how they wished to vote on this year's appointments.

Ms. Dininni requested postponement of one appointment class for consideration. Board discussion followed on clarification of appointments and process. Ms. Dininni asked for clarification on what the consultants did when appointing the previous class of appointments.

By the Board's unanimous consent, voting proceeded on all Annual appointees except for the solicitor. The positions were read for record with the exception of the solicitor. A discussion followed on the solicitor position.

Local Services Tax Collector, Borough of State College (BSC)	Linda Welker
Health Officer, BSC	Brian O'Donnell
Certified Public Accountant – Auditor	Baker Tilly Virchow Krause, LLP
Sewage Enforcement Officer	Charles F. Herr, Jr. – Primary Pamela R. Winters - Alternate Tom Bowes – 2 nd Alternate
Earned Income and Net Profits Tax Collector	Centre Tax Agency
Tax Administrator	Eric Endresen
Consulting Engineers	Dan Miller, Pennoni Associates, Inc. Scott Brown, NTM Engineering-Stormwater/Lighting

Ms. Dininni made a motion that the Board of Supervisors approve the slate of appointments as presented. Mr. Miller seconded the motion.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

By request of Ms. Dininni, Mr. Pribulka recapped the ABC appointment interview process and new policy for the new Board members. Ms. Dininni clarified the volunteer appointments vs. the term appointments.

Ms. Dininni made a motion that the Board postpone the solicitor's appointment for 60 days and advertise as an open position similar to ABCs. The motion was not seconded.

Mr. Buckland asked for nominations for the Township solicitor. Mr. Miller made a motion nominating Joseph Green. Ms. Dininni made a motion nominating Ms. Elizabeth Dupuis.

Roll Call Vote: Mr. Buckland - MR. GREEN; Ms. Carlson - MR. GREEN; Ms. Dininni - MS. DUPUIS; Mr. Miller - MR. GREEN; Mr. Ricciardi - MR. GREEN.

V. APPOINTMENTS TO AUTHORITIES, BOARDS & COMMISSIONS (ABCs)

Mr. Buckland reviewed the new established policy and process. He stated that all of the election wards would be represented on the various ABCs.

Planning Commission terms: 1/2018 – 12/2021.

Following the reading of the candidates for record, Mr. Buckland open the floor for nominations to proceed.

The Planning Commission has two open positions. Mr. Miller made a motion nominating Ralph Wheland to the Planning Commission. Mr. Buckland made a motion nominating Lisa Strickland to the Planning Commission.

Roll Call Vote: Mr. Buckland – YES to BOTH; Ms. Carlson - YES to BOTH; Ms. Dininni - YES to BOTH; Mr. Miller - YES to BOTH; Mr. Ricciardi – YES to BOTH

Ms. Dininni asked for clarification on Roll Call Vote on each candidate. Discussion followed.

Planning Commission Alternate position. Ms. Carlson made a motion nominating Jeremie Thompson as an Alternate to the Planning Commission.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

Zoning Hearing Board candidates. Mr. Buckland stated that Mr. MacNeely's term will be five years from January 2018 to December 2022. Ms. Dininni called point of order and asked the question on the 4-year term listed on the agenda. Mr. Pribulka clarified that the recommendation is for a 5-year term expiring December 2022 and had further discussion.

Ms. Dininni made a motion nominating Michael MacNeely for a term of five years expiring on December 31, 2022, on the Zoning Hearing Board.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

Zoning Hearing Board Alternate. Candidate Charles Ferrell for a two-year term from January 2018 to December 2020. Ms. Dininni made a motion nominating Charles Ferrell to serve until December 31, 2020, as an alternate to the Zoning Hearing Board.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

Tax Review Board. Candidate Mark Geleskie for a four-year term from January 2018 to December 2021. Ms. Dininni made a motion nominating Mark Geleskie to serve until December 31, 2021, on the Tax Review Board.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

No candidates were listed for Industrial and Commercial Development Authority.

Mr. Buckland stated there are two vacancies and four candidates for Schlow Library for a two-year term from January 2018 to December 2020. Ms. Carlson made a motion nominating Lewis Steinberg to serve until December 31, 2020, on the Schlow Library Board.

Mr. Miller made a motion nominating Sue Werner to serve until December 31, 2020, on the Schlow Library Board.

Roll Call Vote: Mr. Buckland – YES to BOTH; Ms. Carlson - YES to BOTH; Ms. Dininni - YES to BOTH; Mr. Miller - YES to BOTH; Mr. Ricciardi – YES to BOTH

State College Borough Water Authority (SCBWA) representative Steven Jackson to serve until December 2018. Ms. Dininni made a motion nominating Steven Jackson to serve until December 31, 2018 on the SCBWA.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

C-NET representative Thomas Giles to serve until December 2018. Ms. Dininni made a motion nominating Thomas Giles to serve until December 31, 2018 on the C-NET Board.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

Mr. Buckland asked the Board to place the Parks and Recreation Committee appointment nominations on the Regular Meeting Agenda as an agenda item.

Ms. Dininni made a motion that the Board of Supervisors **place** Parks and Recreation Committee appointments on the Regular Meeting Agenda following this meeting. Mr. Miller seconded the motion. The motion passed unanimously.

VI. MODIFICATIONS TO ZONING HEARING BOARD TERMS

It was noted that the appointed members to the Zoning Hearing Board in prior years were erroneously appointed for a four-year term that is not in compliance with the PA Municipalities Planning Code (MPC), Section 903, that states, “the terms of office a five-member board shall be five years and shall be so fixed that the term of office of one member of a five-member board shall expire each year.”

The Township Manager and Zoning Hearing Board Chair developed a proposed resolution which was subsequently discussed by the entire Zoning Hearing Board. All future Zoning Hearing Board appointments should be made for five-year terms. The members were read for record.

It was recommended to update two members’ appointments to comply with the MPC: Michael Twomley from December 31, 2020 to December 31, 2018 and Susan Buda from December 31, 2020 to December 31, 2021.

Mr. Miller made a motion that the Board of Supervisors **amend** the Zoning Hearing Board term of Michael Twomley to expire on December 31, 2018, and amend the Zoning Hearing Board term of Susan Buda to expire on December 31, 2021. Mr. Buckland seconded the motion. The motion passed unanimously.

VII. APPOINTMENTS TO C.O.G. AND/OR REGIONAL COMMITTEES

Mr. Miller was recognized and stated according to the Administrative Code that the Board is required to do a Roll-Call Vote on nominations unless the Board chooses another method.

Mr. Miller made a motion that the Board of Supervisors **change** from a Roll-Call Vote method to a regular voting method for when nominations are done. Ms. Dininni asked for clarification on whether that rule can be overridden. Mr. Miller stated the rule specifically states that the majority can override the Roll-Call Vote.

Mr. Ricciardi seconded the motion. The motion passed unanimously.

Mr. Buckland made a motion nominating Mr. Miller to the Executive Committee. The motion passed unanimously.

Mr. Buckland made a motion nominating Ms. Carlson to the Public Safety Committee. The motion passed unanimously.

Ms. Dininni made a motion nominating Mr. Miller to the Finance Committee. The motion passed unanimously.

Mr. Miller made a motion nominating Mr. Ricciardi to the Human Resources Committee. The motion passed unanimously.

Ms. Dininni made a motion nominating Mr. Buckland to the Public Services and Environmental Committee. The motion passed unanimously.

Mr. Miller made a motion nominating Ms. Dininni as Coordinator and Mr. Seybert as Technical Coordinator to the Transportation and Land Use Committee and Centre County MPO for a two-year appointment that expires December 2019. The motion passed unanimously.

Mr. Miller made a motion nominating Ms. Dininni to the Parks Capital Committee. The motion passed unanimously.

Ms. Dininni made a motion nominating Mr. Buckland as primary representative to the Spring Creek Watershed Commission. The motion passed unanimously.

Mr. Miller made a motion nominating Ms. Dininni as alternate representative to the Spring Creek Watershed Commission. The motion passed unanimously.

Mr. Miller made a motion nominating Mr. Ricciardi to the Centre Area Cable Consortium. The motion passed unanimously.

Mr. Miller made a motion nominating Mr. Endresen as primary representative to the Centre County Tax Collection Committee. The motion passed unanimously.

Mr. Miller made a motion nominating Mr. Pribulka as alternate representative to the Centre County Tax Collection Committee. The motion passed unanimously.

Ms. Dininni called point of order and asked for clarification on appointment of Parks Committee. Mr. Pribulka responded by stating it is one appointment and currently stands as Ms. Dininni serving on the committee.

VIII. APPOINTMENT TO POLICE PENSION ADVISORY BOARD

Mr. Buckland moved that the Board of Supervisors **appoint** Mr. Miller as the Board of Supervisors representative on the Police Pension Advisory Board.

Roll-Call Vote: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

IX. ESTABLISH MEETING DATES FOR 2018

It was recommended that the regular meetings held normally on Monday, February 19 (President's Day) and Monday, September 3 (Labor Day) be changed to Tuesday, February 20th and Tuesday, September 4th since all Township offices will be closed on these regular meeting dates in recognition of the stated holidays.

Ms. Dininni moved that the Board of Supervisors **establish** its regular meeting schedule for 2018 as the first and third Monday of each month except that it will meet on February 20th, September 4rd and on the first two Monday's in December. Mr. Miller seconded the motion. The motion passed unanimously.

X. DESIGNATION OF DEPOSITORY

Mr. Miller moved that the Board of Supervisors **appoint** Jersey Shore State Bank as the township's primary depository and any FDIC insured bank and the PA Local Government Investment Trust for investments per the townships investment policy. Ms. Dininni seconded the motion. The motion passed unanimously.

XI. PUBLIC HEARINGS

a. Public Hearing on Resolution Establishing the Agenda Order of Business for 2018

The resolution is adopted annual in compliance with the Administrative Code. The agenda format is revised from the historically used agenda changing Old Business to Unfinished Business, Staff and Committee Reports and other Special Reports.

Ms. Dininni made a motion that the Board of Supervisors **adopt** the resolution establishing the agenda order of business for 2018. Mr. Miller seconded the motion.

No public comment was noted.

Roll-Call Vote on Resolution 2018-1: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

b. Public Hearing on a Resolution Adopting the Ferguson Township Board of Supervisors Procedures

The resolution adopting the 2018 Ferguson Township Board of Supervisors Procedures was provided with the agenda. The manual has not been changed substantively from the 2017 version with the exception of the additional Special Rule of Order adopted that allows a Board member to vote against a motion that he or she introduces.

No public comment was noted.

Mr. Ricciardi made a motion that the Board of Supervisors **adopt** the resolution adopting the Ferguson Township Board of Supervisors Procedures Manual. Ms. Carlson seconded the motion.

Ms. Dininni requested an item be added at the next scheduled Regular Meeting's agenda regarding a voting recusal clause.

Roll-Call Vote on Resolution 2018-2: Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland - YES.

XII. CITIZEN'S INPUT – None

XIII. ADJOURNMENT

Ms. Dininni made a motion to *adjourn* the meeting. Mr. Miller seconded the motion. With no further business to come before the Board of Supervisors, Mr. Buckland adjourned the meeting at 7:54 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Pribulka". The signature is stylized with loops and a horizontal line at the bottom.

Dave Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 01/16/18