

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, May 21, 2018
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, May 21, 2018, at the Ferguson Township Municipal Building. In attendance were:

Board: Peter Buckland
Steve Miller
Laura Dininni
Tony Ricciardi

Staff: Dave Pribulka, Township Manager
Dave Modricker, Public Works Director
Ray Stolinias, Director of Planning & Zoning
Chris Albright, Chief of Police

Others in attendance included: Crystal Judy, Recording Secretary; Michelle Spiering; Todd Giddings; E. Green; Lewis Steinberg; Kimberly Fragola; Tom Songer; Steve Bog; Cindy Hahn; Thomas Giles; Ronald Seybert and Elizabeth Treadway.

II. CALL TO ORDER

Mr. Buckland called the Monday, May 21, 2018, regular meeting to order at 7:00 p.m.

Mr. Buckland announced that the board would hold an executive session following the regular meeting to discuss matters of litigation for the township.

III. CITIZENS INPUT – none noted.

IV. SPECIAL REPORTS

a. Schlow Centre Region Library- Lewis Steinberg, Esq.

Presentation included an update on the Centre Foundation - Centre Gives Fundraiser. Mr. Steinberg reported that the library is on budget and they plan to stick to that budget for the remainder of 2018. A study will be done to determine short/long term building improvements so that the library can budget accordingly and address concerns such as signage and access to the library. Mr. Steinberg mentioned the progress of making the library more accessible to remote areas.

Return Profit for the Library Foundation was presented with the suggestion that Library Foundation continue to invest money and increase the return profit. Mr. Steinberg mentioned some of the most recent programs facilitated by the library and plans the library is considering for the 2019 budget.

b. C-NET – Cindy Hahn and Thomas Giles

The presentation was facilitated by Thomas Giles and Cindy Hahn. Mr. Giles presented 2017 highlights including programs, the implementation of a new strategic plan for organizations, amended Articles of Incorporation allowing local and county authorities to become C-NET member organizations. State College Borough Water Authority recently became a member and many other agencies have been approached and are considering utilizing the service.

Ms. Hahn provided a list and an evaluation of programming sponsored by Ferguson Township in 2017 and compared that data over a 5 year period to determine funding and contributions in future years. A brief comparison of program sponsorship among other local agencies was also reviewed.

The presentation concluded with online viewer ratings for some of the meetings posted on the website.

V. **APPROVAL OF MINUTES**

Ms. Dininni moved that the Board of Supervisors approve the May 3, 2018, Special Meeting and the May 7, 2018, Regular Meeting minutes. Mr. Ricciardi seconded the motion. The motion passed unanimously.

VI. **UNFINISHED BUSINESS**

a. Discussion of the Ferguson Township Stormwater Fee Feasibility Study.

Mr. Modricker provided a history of the discussion and introduced Mr. Seybert and Ms. Treadway.

The study included evaluations of the current stormwater system, an explanation of why it's necessary to update/maintain the system in place, projected costs relevant to maintaining the system, comparisons/contrasts of projected usage and costs between urban and rural settings as well as University usage, and a comparison analysis between implementing a user fee versus other options. Ms. Treadway suggested that based on study results, it would be feasible to consider user fees and she concluded with a suggestion of pathways which could serve as check points should the township decide to move forward and consider implementing a stormwater fee. Each check point would address a series of questions which would help the township determine if it is still feasible to implement a stormwater fee, with the ability to stop the process should the township determine that the stormwater fee is no longer feasible.

Mr. Pribulka explained that there is no specific action needed unless the board decides that they do not want to accept the report and further look into the feasibility of a stormwater fee. If the board does not object, a proposal for phase two of the study would be prepared for discussion.

Ms. Dininni was interested in the costs of moving forward with the stormwater fee feasibility analysis. Mr. Modricker explained that more data review would be necessary in order to provide an estimated fee. It was also explained that at this point the board would not be moving forward with imposing the user fee yet until more data is collected, evaluated and presented. Ms. Dininni requested clarification on the Penn State partnership study recommendations. She further asked why it was necessary to consider Penn State separately from urban and rural usage. It was determined that it would be necessary to assess University usage to determine if it is necessary to form a partnership with the University. The alternative solution would be to charge a rate comparable to urban areas, however it is a possibility that the university might use more than a typical urban dwelling in our area. After additional discussion on the topic, Mr. Buckland suggested that presenting data with Penn State having their own category might be necessary in determining if Penn State should pay a different rate and it might also make the difference between a passing and failing vote.

The board agreed unanimously to move forward with the report and analysis.

Mr. Buckland called for a recess.

b. A Public hearing on resolution of the Township of Ferguson, Centre County, Pennsylvania authorizing the township to make application to Centre County of an allocation of County Liquid Fuels Tax Funds.

Mr. Pribulka reviewed the History of the resolution and Provided Estimated Project Costs. It was explained that the board is required to adopt the resolution which was provided with the agenda, PennDOT MS 339 Form, which authorizes the acceptance of the funds.

There were no public comments.

Ms. Dininni moved that the Board of Supervisors to **adopt** the resolution authorizing the Township to make application for an allocation of \$30,000.00 from the Centre County Liquid Fuels Tax Funds. Mr. Ricciardi seconded the motion.

The motion was seconded.

There was no further discussion.

Roll Call Vote, Resolution 2018-17: Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland - YES

VII. **NEW BUSINESS**

a. Consent Agenda

1. 2018--C9 Microsurfacing Contract - \$277,562.90
2. 2018-C10 Bike path and Parking Lot Sealcoat -\$25,943.95
3. Board Member Request – CBICC Update
4. Board Member Request – SCBWA Letter Requesting Cooperation with CRPRA on Whitehall Road Regional Park

Mr. Miller requested that the board remove the CBICC update off of the consent agenda.

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

Mr. Buckland commented that the CBICC update would be placed at the end of New Business.

b. A proclamation of the Township of Ferguson, Centre County, Pennsylvania designating the week of May 20th, 2018, as Ferguson Township Public Works Week.

Mr. Pribulka noted the proclamation was provided with the agenda.

Mr. Miller moved that the Board of Supervisors **make** a proclamation designating the week of May 20th, 2018, as Ferguson Township Public Works Week. Ms. Dininni seconded the motion.

In discussion, Mr. Miller complimented the Public Works Department. Mr. Modricker shared that the Public Works Department did a group photo and there will be a news article along with a celebration for National Public Works Week with a group visitation and tour of some of the public works facilities in the area.

The motion was passed unanimously.

- c. A public hearing on a resolution of the Township of Ferguson, Centre County, Pennsylvania, certifying provision of local match for state operating and capital financial assistance to the Centre Area Transportation Authority and repealing resolution 2017-11.

Mr. Pribulka reviewed the history of the resolution and explained the new resolution and how it is different. He compared the operating funds and capital expenditures to last year's fiscal year. Mr. Pribulka indicated that Ms. Fragola could answer any questions the board may have.

There was no public discussion.

Mr. Ricciardi moved that the Board of Supervisors **adopt** the resolution certifying the provision of local match for state operating and capital financial assistance to the Centre Area Transportation Authority and repealing Resolution 2017-11. Ms. Dininni seconded the motion.

In discussion, the board explained that in the past the board has always discussed the budget in detail prior to voting. In order to get the state and federal matching funds to the maximum level, there is a 5% increase that is mandated by the state, which is why there really is not much to discuss.

Roll Call Vote, Resolution 2018-18: Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland – YES; Ms. Dininni - YES

- d. Discussion of the Centre Region sustainability initiatives.

Mr. Buckland reviewed the information provided by Colleen Barrett, who was not able to make it to the meeting. It was explained that Ms. Barrett has been conducting interviews and is working on putting together a Regional Climate Action Strategy. Four questions were asked, which were provided with the agenda and have to do with the region's sustainability efforts, understanding if government operations remain at a municipal level, if there are any ideas for models or examples of existing models, and if anyone was inadvertently missed in the process.

Mr. Buckland directed the board to have an open discussion so that Mr. Pribulka could bring back the board's input on the sustainability initiatives.

Mr. Miller expressed his interest in offering public education to teach the public why the sustainability initiatives are important and how they can be achieved.

Ms. Dininni and Mr. Buckland discussed including the Sewer Authority, Water Authority, Park Authority, Parks Committee, CATA, School Districts, the County Government, Schlow Library, Regional Non Profits, Business Community and Agricultural Community.

Ms. Dininni suggested that the State College Borough Water Authority might be a good partner in this project because they were discussing the possibility of hiring someone to work at the Water Authority and look at water issues and development.

Mr. Buckland said that he emailed his comments to Mr. Pribulka. He also would really like to see how each municipality is doing in the 8 evaluation categories assessed to be a Gold Community.

Ms. Dininni ask if reduction of use of ecocides in parks would be included in addition to climate change. She also wanted to know if zoning also pertained to open space preservation and parcel identification.

Mr. Buckland stated that he is curious to know, if the Board takes on a stormwater impact fee, how that impact fee could also help with sustainability initiatives.

Ms. Dininni moved that the Board of Supervisors **direct** staff to prepare a memo to the Centre Region Planning Agency regarding the discussion. Mr. Ricciardi seconded the motion. The motion passed unanimously

e. Discussion of the CBICC Presentation

Mr. Miller wanted to clarify in the event that the CBICC does not address the document listed in the proposed agenda, if the Ferguson Township Board of Supervisors should still include that item in the agenda for discussion. Ms. Dininni said that it should still be addressed in the agenda.

Mr. Miller moved that the Board of Supervisors **add** the proposed Agenda item to the future agenda. Mr. Buckland seconded the motion. The motion passed unanimously

VIII. **STAFF AND COMMITTEE REPORTS**

a. COG COMMITTEE REPORTS – Committee agendas provided with the agenda packet

1. Human Resources Committee. Mr. Ricciardi discussed that the contract for the COG personnel handbook was awarded to Nancy Hess; 11 job descriptions/proposals were brought up to consider - Ms. Alloway suggested that hiring a part time person for philanthropy at Schlow might result in decreasing requests for funding as they would be obtaining funding elsewhere.
2. Finance Committee. Mr. Miller reported that the main topic question was regarding the staff recommendation target budget cap of 3.75%. The motion did not pass and the staff will instead submit a budget proposal based on the current budget and mandatory increases. Funding for all other items not listed will be decided on a case by case basis. The committee also voted to make pension risk management an administrative matter rather than having the committee discuss it every year.

Ms. Dininni asked if there was a conversation regarding a different way to handle the budget next year and how justifications for requests will be presented.

Mr. Miller said that there was no other conversation on how to handle things in the future and he clarified that each request will need to be justified when it is submitted. The decision to grant or deny the request will be based on the justification presented with the itemized request.

3. Joint Parks Capital and Centre Region Parks. Ms. Dininni attended the meeting on May 10th. There was a lengthy discussion about the Ad HOC Action Sports Park which sparked a new item to be added to the future agenda. There is a question about whether Joint Parks Capital should be considering other regional amenities besides those pertaining to Whitehall, Oak Hall and Hess. They also discussed the possibility of a distributed regional amenity to be housed at various parks.

Ms. Dininni mentioned that she supports the idea of Parks Capital Committee extending to what is frequently talked about as regional amenities. Lastly, Ms. Dininni reported that the Greenway language was added to the Regional Comprehensive Study and there was an update on Whitehall Road Regional Park.

4. Executive Committee. Mr. Miller reported that the main items on the agenda will be the Whitehall Regional Park Update, UAJA annual report, and a discussion on Trick or Treat night for 2018.

b. OTHER REGIONAL COMMITTEES

1. Human Relations Commission. Ms. Dininni noted she has a packet of anti-discrimination ordinances from the meeting on May 17. She is willing to share it with the board to add to a future agenda if they would like.
2. Spring Creek Watershed Commission. Mr. Buckland reported that there was a strong citizen input presented by Todd Giddings, who explained why Spring Creek Watershed is not sole source aquifer. He will provide a more in depth presentation at a later meeting. There was an update on the Watershed Hackathon which is working on collecting input from various sources to create a way to view data in real time. The commission also discussed how the forum went. A report will be provided and shared with this board at a later date. Lastly, Caitlin Teti was hired as a communications coordinator for the watershed commission and the commission has also decided that they should have an Audit since it has been a while since the last one.

c. STAFF REPORTS – Reports included with the agenda.

1. Township Manager. Mr. Pribulka began his presentation by thanking the Board for training investments for the 2 conferences during the last couple of weeks. The following items were presented to the board: A review of what happened at the Parks and Rec meeting on May 14th, which includes plans for the first parks tour, which is tentatively scheduled for June 11th at 4pm. The staff is preparing a request of proposals for the Fire Station Feasibility Study. Briefs were filed in Validity Challenges and will be presented to the Zoning Hearing Board in June. The 2016/2017 Annual Report from CATA is attached to the report provided to the board. At a meeting with CBICC, there was a discussion regarding the workforce development and the skills gap in technical and soft skills. There will need to be further evaluations to determine what is causing the gap and what can be done to fill the gap. Mr. Pribulka was not able to have a discussion with the State College Borough Manager regarding accepting sewer from the development of Whitehall Regional Park, but is still planning on doing so in the near future. The community planner had a discussion with the developers of The Cottages of State College. The developers have assured her that there will be no problem with meeting requirements to record the plan by the deadline. The Non Uniform Pension Advisory Committee will meet on Tuesday, May 22 to ensure that everyone, Uniform and Non Uniform, is on the same page.

Proceeding Mr. Pribulka's presentation, Ms. Dininni asked if the Parks Committee has a timetable to the Regional Park and Open Space Plan Update. Mr. Pribulka answered that it was not placed as a priority yet, but he welcomed Ms. Dininni to request that it be added as a priority if she thought that they needed to do so. Ms. Dininni also asked if the burden to educate and close the skills gap would be placed on the educators or if the CBICC would be taking that responsibility on. Mr. Pribulka explained that the responsibility would be evenly distributed to educators and the CBICC. Mr. Buckland noted that those enrolled in technical vocational classes are still required to take cautioned that standardized tests in their field and altering the curriculum could be difficult from an educators standpoint.

2. Planning and Zoning Director. Mr. Stolinas shared with the board that the Planning Meeting for May 14th was cancelled. The next meeting will be on Tuesday, May 29th. The active plan list was provided to the board. The Hummel Subdivision Plan was withdrawn; Whitehall Regional Park was discussed; Mr. Stolinas toured the area and future plans were discussed. There will be a Public

Hearing on June 18th regarding Harner Farms. Mr. Stolinis will be attending the Centre Region Planning Commission meeting. Updates were provided regarding land development, the agricultural ad hoc committee meeting, Pine Hall General Master Plan submission, ad hoc meeting for source water protection, Pine Grove Mills Small Area Plan meeting and the Traditional Town Development Ordinance Amendment validity challenge.

3. Public Works Director. Mr. Modricker reported that staff is collaborating with Penn State and expects a report by May 26 regarding the Public Works building. Staff is investigating the feasibility of utilizing the State College Borough fueling facility. Mr. Modricker provided a review of what happened at the Tree Commission Meeting and a detailed list of the maintenance work to be completed in the near future, which is also listed in the submitted report. Mr. Modricker concluded with announcing that the curb ramp upgrades contract was awarded to M&B, which will start this week.

4. Chief of Police. Mr. Albright informed the board that the report submitted included April's activities. It was reported that Crimes are down for the year and an audit was performed chosen by random selection, which was passed. Two detectives were assigned as a cold case team to reinvestigate a disappearance. The presentation was concluded with a list of community presentations provided. A summary of calls regarding Tudek Park were also provided in the report submitted.

IX. COMMUNICATIONS TO THE BOARD - None

X. CALENDAR ITEMS

- a. June 5, 2018, at 6:00pm, Joint BOS/PC work session – Pine Hall General Master Plan.
- b. Following tonight's meeting, the Board will go into an Executive Session to discuss matters of litigation.

XI. ADJOURNMENT

Mr. Buckland called for adjournment. With no further business to come before the Board of Supervisors, Mr. Miller made a motion to adjourn the meeting, with Ms. Dininni seconding the motion. The meeting adjourned at 9:30 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 06/18/18