

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, April 15, 2019  
7:00 PM

### I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, April 15, 2019, at the Ferguson Township Municipal Building. In attendance were:

<b>Board:</b>	Steve Miller	<b>Staff:</b>	Dave Pribulka, Township Manager
	Richard Killian		Dave Modricker, Public Works Director
	Peter Buckland, Absent		Ray Stolinis, Director of Planning & Zoning
	Laura Dininni		Chris Albright, Chief of Police
	Tony Ricciardi		

*Others in attendance included:* Faith Norris, Recording Secretary; Jon Dietz, UAJA; Pam Adams; Fareed Hhurad; Lisa Strickland; Bill Keough; Jeremie Thompson.

### II. CALL TO ORDER

Mr. Miller called the Monday, April 15, 2019, regular meeting to order at 7:00 p.m.

### III. CITIZENS INPUT

Two citizens inquired about an update on constructing an Islamic Center at a West College Avenue location with the current zoning regulations. Mr. Miller noted a variance was granted for that use. Mr. Stolinis stated the Township has reached out for a meeting but has not heard back from the representative as of yet.

### IV. SPECIAL REPORTS

#### 1. University Area Joint Authority – Jon Dietz

An update was given on ongoing activities that included beneficial reuse of wastewater, permits under review and planned upgrades to the treatment plant. Mr. Dietz continued his report on solar panels and battery array and the Greenbriar Demonstration Project.

Ms. Dininni inquired about Greenbriar's regional growth boundary perimeter and whether a homeowner/developer outside of Greenbriar would pay less for their sewer connection. Mr. Dietz responded in detail on fees assessed and UAJA's absorbed costs per homeowner. UAJA has no responsibility on who connects outside the regional growth boundary/sewer service area. He stated the pressurized system that will be installed has no cost benefit to an adjacent land owner. A detail discussion followed. Ms. Dininni inquired about PFAS, emerging contaminants, concentration levels and perimeters.

Mr. Pribulka inquired about the exploration of the feasibility of connecting on lot septic systems outside the sewer service area and asked for an update on next phases of the demonstration project. Mr. Dietz stated the focus for the next phases for the next 5 to 10 years will be inside the sewer service area. Further discussion followed on ACT 537 Plan, referencing areas outside the sewer service area that looks at the entire region. UAJA will go outside the sewer service area if ACT 537 states it is necessary.

### V. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of April 1, 2019. Mr. Killian seconded the motion. The motion passed unanimously.

## VI. UNFINISHED BUSINESS

### a. REVIEW OF SUBURBAN PARK MASTER PLAN

Mr. Pribulka reviewed the plan. A review is needed from the Ferguson Township Parks & Recreation Committee. A presentation from the architect is scheduled for the Board on May 6<sup>th</sup> to receive comments and final design update to the Board on May 20<sup>th</sup> for formal approval. The document is used to help staff, the Board, and the public to identify needed amenities, opportunity for improvements and the budgeting process.

Ms. Dininni inquired about details on the restroom facilities, cost estimates and usage of facilities. Mr. Ricciardi inquired about other natural playgrounds in the region and how well they are received. Discussion followed with regional park examples, public engagement sessions, grant funding perks and that this is the first of its kind proposed in Ferguson Township. Mr. Killian noted his positive comments on the process done along with working with the drainage area.

### b. INTERGOVERNMENTAL SOLAR POWER PURCHASING AGREEMENT (SPPA) COMMITTEE APPOINTEE

Mr. Pribulka introduced the item for discussion. Next steps were outlined for a study the Board and other regional agencies had expressed interest supporting to evaluate a SPPA that included creating a working group. Details followed on the recommendations for a representative to serve on the working group.

Ms. Dininni moved that the Board of Supervisors **appoint** Mr. Eric Endresen to serve on the Intergovernmental Solar Power Purchasing Agreement Working Group. Mr. Ricciardi seconded the motion. The motion passed unanimously.

## VII. NEW BUSINESS

### 1. CONSENT AGENDA

- a. Treasurer's Report for February 2019.
- b. 2019-C2 Street Improvement Project – West: \$201,630.79
- c. 2019-C7c – Aggregate: \$9,855.00; Asphalt: \$25,100.00 (Total: \$34,955.00)
- d. NexGen energy Management System Repair: \$27,100.00
- e. Ray Stolinis – Letter of Resignation

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

### 2. PROCLAMATION PROCLAIMING SATURDAY, APRIL 20<sup>TH</sup> WATERSHED CLEANUP DAY

Mr. Pribulka introduced the item and reviewed the event over the years. Anyone interested in the event can sign up online at ClearWater Conservancy.

Ms. Dininni moved that the Board of Supervisors **adopt** the proclamation designating April 20<sup>th</sup> as Watershed Cleanup Day in Ferguson Township. Mr. Killian seconded the motion.

Mr. Miller noted since the inception of the Watershed Cleanup Day, he has seen significant decrease in the amount of trash being collected. Discussion followed.

The motion passed unanimously.

3. PUBLIC HEARING ON A RESOLUTION AUTHORIZING THE DISPOSITION OF SPECIFIC PUBLIC RECORDS

Mr. Pribulka reviewed the item for discussion as provided with the agenda narrative. It is an annual exercise of the Board that provides a detail list of disposition of records.

No public comments were noted.

Mr. Ricciardi moved that the Board of Supervisors **adopt** the resolution authorizing the disposition of specific public records in accordance with the retention and disposition schedule. Ms. Dininni seconded the motion.

Roll Call vote on Resolution 2019-14: Mr. Killian – YES; Mr. Miller – YES; Mr. Ricciardi – YES; Ms. Dininni – YES. Motion carried 4 to 0.

4. REQUEST LETTER OF SUPPORT – CLEARWATER CONSERVANCY GRANT FOR EASEMENT ON WINDY HILL FARM

Mr. Pribulka introduced the item. A presentation followed. The property is zoned Rural Residential and is approximately 28 acres.

Mr. Ricciardi moved that the Board of Supervisors **approve** a letter of support for Clearwater Conservancy's Commonwealth Finance Authority grant application to acquire a conservation easement on Windy Hill Farm in Ferguson Township. Mr. Miller seconded the motion.

Ms. Dininni noted her support in conservation easements especially when the land owner is compensated for loss of use. Ms. Dininni requested clarification of the Slab Cabin Watershed plans, referencing Project Description in the draft document provided at this meeting. Mr. Miller suggested the Township request partnering with Clearwater on any restoration projects that may allow the Township to get nutrient management credits. Mr. Pribulka went into more detail on the easement process and sediment management requirements. Mr. Modricker noted to look into whether it qualifies as a Pollutant Reduction Plan project.

The motion passed unanimously.

5. CENTRE REGION REFUSE AND RECYCLING CONTRACT – PAM ADAMS

Ms. Adams presented a detailed overview of the request for bid report on both the Base Bid and Alternate Bid. Either contract is slated to start in 2020, and will continue for five years with fuel adjustments. The Cart price will change in January.

A discussion followed on collection carts, the educational process, worker safety, incentives for use and cost management. Following a discussion on pros and cons of the bid options, the consensus was that Messrs. Ricciardi, Miller and Killian were in favor of the Alternate Bid. Ms. Dininni stated she was in favor of the Base Bid that is less expensive and noted the region may want to discuss incentives.

Mr. Killian moved that the Board of Supervisors **recommend** that the COG General Forum accept the Alternate Bid for the regional refuse contract with Advanced Disposal. Mr. Ricciardi seconded the motion. The motion passed 3 to 1 with Ms. Dininni dissenting.

## 6. PINE GROVE MILLS FARMERS MARKET – REQUEST FOR SUPPORT

Ms. Dininni recused herself from the discussion and voting due to her position as a member of the PGM Farmers Market Steering Committee.

Mr. Pribulka introduced the item for discussion. Mr. Keough and Ms. Strickland reported on the successfully first year of the farmers market. In continuation of the market, there are 18 vendors committed for next year. Discussion followed on community engagement, marketing, support, goals and services.

Mr. Killian moved that the Board of Supervisors **appropriate** \$3,000.00 from the Township's Economic Development account to the Pine Grove Mills Farmers Market. Mr. Ricciardi seconded the motion.

Discussion followed on availability of contingency funds from vendor fees and area businesses. This year the steering committee is reaching out to other sources for grant opportunities for marketing. Mr. Miller stated he is in support of the local businesses and it aligns with the Township's Strategic Plan. Mr. Ricciardi noted positive comments about the market and it being an incubator for first time vendors.

Mr. Ricciardi recommended an increased appropriation from the Board of Supervisors.

Mr. Ricciardi moved that the Board of Supervisors **amend** the appropriation to increase it to \$3,500 for the Pine Grove Mills Farmers Market, with \$500 of the appropriation to be dedicated to a reserve account. Mr. Killian seconded the motion. The motion passed unanimously.

## 7. ACCEPTANCE OF MR. PETER BUCKLAND'S LETTER OF RESIGNATION FROM THE FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Mr. Pribulka reviewed the item for discussion. Noted for record, Mr. Buckland's resignation date is effective June 30, 2019. Mr. Buckland will be moving out of Ward II. An appointee is required to live in Ward II geographic area of Ferguson Township. The process was reviewed. Mr. Buckland's term ends December 31, 2019; therefore, an appointee would serve the remainder of this unexpired term.

Discussion followed clarification on open application period for candidates that will be through May 31, 2019.

Ms. Dininni moved that the Board of Supervisors **accept** the resignation of Peter Buckland from the Ferguson Township Board of Supervisors effective June 30, 2019. Further, the Board of Supervisors **open** an application period for candidates interested in filling the vacant seat said application period to close on May 31<sup>st</sup>.2019. Mr. Ricciardi seconded the motion. The motion passed 4 to 0.

## VIII. STAFF AND COMMITTEE REPORTS

### a. COG COMMITTEE REPORTS

1. Ad Hoc Facilities Committee. The agenda is in the packet.
2. Steering Committee – Parks & Rec Regional Comp Plan. Ms. Dininni stated the committee reviewed draft documents to incorporate into the Comprehensive Plan; park benchmark classifications – details followed on benchmarking and holistic view; and survey is still open if people are still interested in taking it.

3. Human Resources Committee. Mr. Ricciardi stated the committee did a final review of the personnel policy handbook and it should go before the next General Form meeting; approved job description for a full-time sustainability planner position; and reviewed the guidelines for public comment that will be split into two sets of guidelines – details followed.
4. Public Service & Environmental Committee. The agenda is in the packet.
5. Public Safety Committee (PSC). Ms. Dininni stated the meeting was held April 9<sup>th</sup>. A couple of items noted under Annual Emergency Medical Services Report and Senate SR 6 Committee Update.
  - EMS - volunteer hours in 2018 are down 3,000 from 2017; that is equal to 1 FTE staff person – concern for recruiting volunteers – details followed; Opportunities for local government to assist EMS organization – for local station in Patton and Ferguson townships – details followed; and
  - Senate SR 6 – 27 recommendations for strengthening local fire companies – details on six items as noted in the agenda from Mr. Bair that are proposed to PSC for endorsement.
6. Finance Committee. Mr. Killian stated the meeting was held on April 11<sup>th</sup>. Reviewed three topics as noted. Approved an Interfund loan at the last General Forum Meeting – details followed on consensus to match the rate to a typical CD rate and its terms. The Millbrook Marsh lease is up for renegotiation with Penn State.

Mr. Killian asked for comments from the Board on the budgetary guidelines discussion - more creative approach vs. dictated arbitrary funds approach. The COG finance structure will have a total budget increase soon. Discussion followed on the budget percentage guidelines, responsibility, percentage not even among non-participating municipalities in some categories, appropriate process of setting the cap or a threshold accountability. Noted, the fire protection was the reasoning for the cost increase in 2018. The consensus was to take a more strategic approach and prioritize.

7. Parks Capital Committee. Mr. Miller updated the Board on main discussion items that included the Comprehensive Study; Whitehall Road Regional Park; and Millbrook Marsh Nature Center lease. More details followed on the Millbrook Marsh lease and a statement that was misinterpreted.
- b. OTHER REGIONAL REPORTS - None
- c. STAFF REPORTS
1. Township Manager. Mr. Pribulka touched on items in the report. Coffee and Conversation is scheduled for Saturday, April 20<sup>th</sup> which is the same day as Watershed Cleanup Day. A meeting of the Ferguson Township Industrial and Commercial Development Authority was held on April 10<sup>th</sup> that welcomed new member Lisa Rittenhouse and talked about Authority responsibilities, new investment options and the 2018 draft audit. The Manager met with PSU Law School students and talked about plastic bag/impact fee ordinance project in preparation for upcoming stakeholder interviews - analysis results to be shared with the Board. The report reviewed discussion items from the April 8<sup>th</sup> Ferguson Parks & Recreation Committee. A field view was completed with the Public Works Director and Township Engineer on Rushcliffe Street to evaluate options for parking restrictions - staff has not observed any speeding concerns. Parking restrictions will be discussed at an upcoming Board meeting. Staff met with SCBWA and discussed their Land Development Plan for the Nixon-Kocher Treatment Facility. A procedural validity challenge was held on the Traditional Town Development Zoning Ordinance amendments.

2. Planning and Zoning Director. Mr. Stolinas provided the Active Plan list and latest minutes of April 25<sup>th</sup> and March 11<sup>th</sup>. The report included updates on the Hummel Subdivision and Pine Grove Mills Small Area Plan – next meeting scheduled for May 1<sup>st</sup> at 6:00 p.m.

Ms. Dininni received clarification from Mr. Stolinas that Whitehall Road Regional Park has not been officially submitted as a Land Development Plan.

3. Public Works Director. Mr. Modricker reported updates on highlighted items in his report. SR 26/45 Shingletown Road Intersection – PennDOT concluded best option is to continue with realigned signalized intersection; Tree Commission met April 15<sup>th</sup> and discussed a potential tree ordinance; maintenance work and brush collection update: 2017-C1 Kansa Avenue was awarded and work can start as soon as next week; just awarded 2019-C2-Paving improvements; 2019-C8-Pavement Markings work will start in May; 2019-C13 Street Tree Planting - work has started.

Discussion followed on the SR26/45 roundabout topography factor and benefit cost ratio comparison.

4. Chief of Police. Chief Albright summarized the report for March 2019 and year-to-date. Part 1 Crimes are up a little due to assaults; Part 2 Crimes (less serious offenses), frauds and alcohol related offenses were up; Calls for Service are down; Arrests are up – details followed; recorded Public Service Announcements for school bus safety; the Chief attended a Pine Grove Mills Senior Citizens meeting and discussed scams and other current events; officers visited area schools and discussed being a police officer; officer-conducted station tour completed; discussion on number of times officers deal with calls for service on mental health events and the levels/ranges/referrals; reviewed in detail the Municipal Police Officers' Education & Training Commission training and certification standards and course requirements.

**IX. COMMUNICATIONS TO THE BOARD – None were noted.**

**X. CALENDAR ITEMS**

- a. Coffee & Conversation, April 20<sup>th</sup>, Giant Food – Northland Center, 8:00 a.m.;
- b. 23<sup>rd</sup> Annual Watershed Cleanup Day, April 20<sup>th</sup> – sign up at Clearwater;
- c. Arbor Day and Pollinator Garden Planting, May 5<sup>th</sup>, Songbird Sanctuary, 10:00 a.m. – 12:00 p.m.- will have Master Gardeners;
- d. Centre Gives Campaign for Tom Tudek Memorial Park Trust, May 7<sup>th</sup> from 8:00 a.m. through May 8<sup>th</sup> at 8:00 p.m.

Mr. Miller stated the Board had an executive session prior to this meeting on a personal matter.

**XI. ADJOURNMENT**

Mr. Miller called for adjournment. With no further business to come before the before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 9:34 p.m.

Respectfully submitted,



David Pribulka, Township Manager  
For the Board of Supervisors

Date approved by the Board: 05-06-2019