

**Benner Township Supervisors
Re-Organizational Meeting
January 2, 2018**

The re-organizational meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Dennis O'Leary, Don Franson, Shirley Gryczuk, Tony Fruchtl, Tim Miller, Willis Houser and Sharon Royer.

ORGANIZATION OF THE BOARD

Chairman and Vice-Chairman: Mr. Capriani moved to appoint Randy Moyer to serve as Chairman of the Board and David Wise as the Vice Chairman. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

APPOINTMENTS

Secretary-Treasurer: Mr. Moyer moved to appoint Sharon Royer as the Township's Secretary/Treasurer. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Sewage Enforcement Officer: Mr. Moyer moved to appoint Chuck Herr as the Township's Sewage Enforcement Officer. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Back up Sewage Enforcement Officer/SMP Administrator: Mr. Moyer moved to appoint Pamela Winter as the back-up Sewage Enforcement Officer as well as the Septic Management Administrator. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Zoning Officer: Mr. Wise moved to appoint Penns Valley Code Enforcement Agency as the Township's Zoning Officer. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Back Up Zoning Officer: Mr. Moyer moved to appoint Sharon Royer as the Township's back up Zoning Officer. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Building Code Officers: Mr. Moyer moved to all residents to have the choice of Building Code Officer from Harry Burd, Keystone Inspection Agency and Penns Valley Code Enforcement Agency as Benner Township's Building Code Officer for 2018. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Solicitor/Firm: Mr. Moyer moved to appoint Robert Rayman as the Township's Attorney for 2018. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Engineering: Mr. Moyer moved to appoint Franson Engineering as the Township's primary Engineer. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Traffic Engineers: Mr. Moyer moved to appoint the firm of McCormick Taylor as the Township's Traffic Engineer. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Structural Engineer: Mr. Moyer moved to appoint Brian Chilton as the Township's structural engineer. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Bank: Mr. Moyer moved to appoint M & T Bank, Pliget, and Jersey Shore State Bank as banks of the township for 2018. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Mr. Moyer moved to appoint the following:

Roadmaster Appointment: Dennis O'Leary as the Township's Roadmaster/Road Superintendent.

Road Crew Appointments: Harold Meyer and Thomas Moyer and John Dutton as full time road crew staff. Full time staff to have a clothing allowance of \$250 and part-time \$100. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

PSATS Voting Delegate: Mr. Moyer nominated himself as the 2018 PSATS Voting Delegate. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Benner Township Zoning Hearing Board: Mr. Moyer moved to reappoint Ed Galus to the Zoning Hearing Board for a 3 year term. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Benner Township Water Authority: Mr. Moyer moved to appoint Steve Lanich to a 5 year term to the Benner Township Water Authority. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Mr. Moyer moved to appoint the following persons to the following Boards/Committees:

Centre County Tax Collection Committee: Sharon Royer as the primary appointment with Randy Moyer being the alternate.

Spring Creek Watershed Commission David Wise

Board Appointments:

Nittany Valley Joint Planning Commission – David Wise and Paul Kurtz

Fire Executive Board – Sharon Royer

Township's Spring Creek Canyon TAG Representative – David Wise

Certified Public Accountant: Appointment of the firm of BakerTilly (formally ParenteBeard) as the Township's accountant for the 2017 year end audit.

Vacancy Board: - Tom Moyer

Centre Area Cable Consortium: Mark Capriani

Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

Meeting dates/times: Mr. Moyer moved to hold the Board of Supervisors meetings the first Monday of each month at 7:00 p.m. with the exception of September which will be held on Thursday, September 6th due to the holiday. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

The re-organizational meeting was adjourned the time being 7:14 p.m.

Sharon Royer, Secretary

BENNER TOWNSHIP BOARD OF SUPERVISORS
JANUARY 2, 2018

The regular meeting of the Benner Township Board of Supervisors was called to order at 7:16 p.m. by the Chairman, Randy Moyer with members David Wise and Mark Capriani present. Also in attendance were Dennis O'Leary, Don Franson, Shirley Gryczuk, Tony Fruchtl, Tim Miller, Willis Houser and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Trony Fruchtl – Penn Terra Engineering: Mr. Fruchtl was present to discuss the proposal of Nittany Express. It was noted that due to two words in the Township's current Zoning Ordinance Nittany Express cannot build their taxi cab business on the lot that they own on High Tech Road. It was noted that they want to build a facility that will house their office, shop and supply overflow parking to the car rental businesses at University Park Airport. It was noted that in the Airport Industrial Zoning it states that a taxi cab facility must have 200' of arterial road frontage. Mrs. Royer noted that the Ordinance even calls out what roads they are defining as such which several are not under PennDot classification. It was noted by simply eliminating the word arterial would fix this problem. It was noted further that there is already a taxi cab facility in the Airport Park and there has been no reported issues with this use being located

there. The other section deals with fuel storage tanks yet in another section it calls out setback for fuel storage tanks. It was noted that Nittany Express wishes to have an above ground storage tank to fuel their taxi cabs. It was noted by removing the word "fuels" in Section 453.9 would fix this problem. Mr. Capriani moved to make these amendments and advertise this zoning amendment. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

ARL Land Development: Mr. Fruchtl noted that the ARL building is complete with a few minor items needing to be complete once the weather breaks. Surety is being given in the amount of 23,540.00. It was noted that the surety agreement and amount has been reviewed by the Township Engineer and County and has found to be in order. Mr. Wise moved to approve the surety agreement and sign the plans for recording. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

MINUTES

The minutes of December 4, 2017, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

BILLS

The bills of January 2, 2018, were presented to the Board for their review and approval. Mr. Capriani moved that the bills of January 2, 2018 were approved as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Bills from the Building Fund in the amount of \$78,779.76 were presented to the Board for their review and approval. It was noted that these payments will close out all of the Building contracts but one. Mr. Moyer moved to approve the payments. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that everything that he has is on the agenda somewhere.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted on the following:

*It was noted that two tree contractors submitted quotes. Aikey Tree Service and Bartlet. Mr. O'Leary noted that he would like to have both of them on stand by should an emergency come up.

*Road Work: It was noted that with having to have the majority of the road budget tied up to pay the bills for the Purdue Mt. Road repairs and waiting for the reimbursement at closeout that not much work will be able to be done again this

upcoming year. Mr. O'Leary noted that some tar and chipping will have to be done or that several roads will become in poor condition if they are not maintained with an additional treatment.

COMMITTEE REPORTS

It was noted that most of the Committee meetings were cancelled for the month of December.

OLD BUSINESS

New Township Municipal Building: It was noted that everything is winding down. Bonds and sureties have been received from the contractors.

Agreement with Centre Region COG Re: Deputy Emergency Management Coordinator:
This item remains tabled.

Storm Damage Update: Mrs. Royer noted that the small projects have been closed out. The Township is waiting for the design for the additional walls from Hillis Carnes in order to get a new cost estimate from HRI, Inc.

Debra Burger – Park Name Change Request: This item remains tabled.

Nittany Valley Joint Rec. Authority: The secretary noted that she drafted a letter to the Nittany Valley Joint Rec. Authority which outlines that the Township has committed to contributing \$12,5000 per year for 4 years towards the Kepler Pool project. Mr. Wise moved to approve the letter. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

NEW BUSINESS

Easter Skating Party: Mrs. Royer noted that Gloria Lohr has been in communication with the Township asking if the Board will once again participate in the Easter Community Skating Event. Mr. Capriani moved to contribute \$400 towards this event as in the past. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Commission Correspondence:
 - a. Time Extensions
 - i. SCI Rockview Land Development Restricted Housing unit
 - ii. Mammoth Resoration & Construction
 - iii. Rockview State Police Barracks
 - iv. Dunkin Donuts
 - v. Sullivan's Mini Storage Phase VIII
 - vi. Village of Nittany Glen Phase III-B.2, III-C, III-D.1, & III-D.2

- b. Non-Substantive Change for ARL Test Track
- 2. PSATS News Bulletin
- 3. Violation Notice to Neil Edwards Re: SMP
- 4. Benner Township Water Authority Minutes November 21, 2017
- 5. SBWJA Minutes of November 29, 2017
- 6. Conservation District Letters
 - a. Earth Disturbance inspection Grove Park
 - b. RSE, Inc. – NPDES Permit
 - c. PSU Ag Digester South Storage Tank
 - d. PSU E & S North Storage Tank
 - e. Columbia Gas E & S Plan
- 7. Penn State Aboveground Storage Downstream Notifications

NOTES

The Board questioned when the next Water Authority meeting was to be held. Mrs. Royer noted that it will be on January 16th here in meeting room. Board members noted that they may attend to discuss the funds that are being expended fighting the Spicer law suit/injunction.

Mr. Miller noted that he has decided to remain on the Spring Benner Walker Joint Authority Board however he will no longer Chair the board. Mr. Miller noted that there are several things that he wishes to see through before he leaves the Board.

EXECUTIVE SESSION NOTICE

The Board noted that at the conclusion of tonight's meeting that they will hold an Executive Session to discuss personnel matters and that the regular meeting will not be re-convened.

ADJOURNMENT

The meeting was adjourned the time being 7:42 p.m.

Sharon Royer, Secretary

**Benner Township Supervisors
Ordinance 131 Hearing
February 5, 2018**

The public hearing for proposed Ordinance 131 was called to order at 7:00 p.m. by the Vice Chairman, David Wise with member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Tony Fruchtl, Tom Dilella, Don Franson, Dennis O'Leary, Susan Rockey, Nickel Bierly, Linda Whitlock, George Lyons, Tim Miller, Shirley Gryczuk, Nate Campbell, Thomas Eby, H. Park Lane, Dave Bierly, Mike Soble, Karen Soble and Sharon Royer.

It was noted that this Ordinance would amend Ordinance 104 by removing the word "arterial" from Section 453.4 and delete the word "fuels" from Section 453.9. Mr. Wise explained that this change is being proposed to allow for a Taxi Cab Terminal to be constructed along High Tech Road. It was noted that currently a taxi cab facility exists right across the street. Mr. Wise asked if anyone present had any questions or objections to the proposed ordinance. No one present had any comments and no comments were received in writing. Mr. Wise moved to close the hearing the time being 7:07 p.m. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

**Benner Township Supervisors
February 5, 2018**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:08 p.m. by the Vice Chairman, David Wise with member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Tony Fruchtl, Tom Dilella, Don Franson, Dennis O'Leary, Susan Rockey, Nickel Bierly, Linda Whitlock, George Lyons, Tim Miller, Shirley Gryczuk, Nate Campbell, Thomas Eby, H. Park Lane, Dave Bierly, Mike Soble, Karen Soble and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

All Storage Solutions: Tom Dilella was present to ask the Board if they would approve his MOU for the Final Land Development Plan of All Storage Solutions. Mrs. Royer noted that the outstanding items on his preliminary plan should be resolved in the next day or two and that they would like to get the Final Plan submitted to the county before the submission deadline this week. Mr. Wise moved to approve the All Storage Solutions MOU for the final plan. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Purdue Mountain Residents: A number of residents that live along Purdue Mountain Road were present seeking a status update on the road repairs. Mr. Wise noted that this process is complex and that the Township is moving as quickly as possible. It was explained that when the initial repairs were done and the road was almost ready to open that other areas failed during a rain event. From that point experts were called upon, additional approvals were needed from FEMA and PEMA. From there drilling had to take place, data had to be analyzed, new wall designs based on the data received needed to be completed. It was noted that the completed wall design was just received by the Township today. From here, the new designs will be forwarded to HRI, Inc. for cost estimates. Once the cost estimates are received back, everything (drilling results, engineer's design and cost estimates) must be sent back to FEMA and PEMA for review and approval prior to any additional work taking place. Mr. Wise continued that if it wasn't for the Federal/State Disaster Proclamation reaching the thresholds to qualify for repair funding the road would have been closed and remained that way. The Board acknowledged the timeframe for the repairs is frustrating for residents but is necessary to acquire the funding. Residents

questioned if the road could be opened in it's current state. Mr. O'Leary noted that several ideas were floated to PennDot and the engineers but in the end all options discussed were determined to be too unsafe. Residents asked if the road could be a one way road. It was noted that this was one of the options discussed but was decided against. The Board noted that this will ultimately end up being around a 2 million dollar project. Mrs. Royer noted that the last 25% of the reimbursable funds will not be reimbursed to the Township until the project is completed and closed out. It was explained by FEMA/PEMA that this is, at a minimum, a 4 month approval process. With the Township being required to spend these funds and wait for reimbursement that very little, if any, road work will be able to take place on the Township's remaining roads as our roadwork funds will be tied up on this project.

MINUTES

The minutes of January 2, 2018, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

BILLS

The bills of February 5, 2018 were presented to the Board for their review and approval. Mr. Capriani moved to approve the bills as presented. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that the only thing he has been involved with that isn't on the agenda is the Keystone Payroll Land Development Plan. It was noted that Keystone Payroll plans to construct a building along High Tech Road to operate their payroll company from. The land development plan will be submitted to the County and Township soon.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted that normal equipment maintenance and snow removal have been taking place.

ZONING OFFICER'S REPORT

It was noted that no report has been received this month due to Penns Valley Code just getting started.

COMMITTEE REPORTS

Mr. Wise noted that he attended the:

- *Spring Creek Watershed Commission meeting. Discussion took place on the watershed plan.

- *Nittany Valley Joint Planning Commission: It was noted that discussion continues on updating the Joint Comprehensive Plan.

Mrs. Royer reported on the following:

- *Centre Area Tax Consortium had their annual organizational meeting on January 31st. It was noted that our fees will now be deducted from our taxes collected because several of the smaller municipalities have failed to forward their fees associated with the consortium.

- *Centre County Cable Consortium – will hold their public hearing on Comcast Cable on February 27th at 7 p.m. at the College Township Municipal Building.

OLD BUSINESS

Centre Region COG Re: Deputy EM Coordinator: - Continues to be tabled.

FEMA Storm Damage: It was noted that the Board is in receipt of an updated engineering proposal from Hillis-Carnes Engineering to deal with the second set of slides. The estimated cost of the additional engineering work is \$52,625.00. Mr. Wise moved to approve this additional work. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Zoning Officer Position: The Board is in receipt of a proposal from Penns Valley Code Enforcement Agency to act at the Township's Zoning Officer and third alternative as Building Code Enforcement. It was noted that the rate of compensation for zoning activities is \$25.00 per hour plus mileage. Mr. Wise moved to approve the agreement as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Debra Burger Re: Renaming Township Park: Mr. Capriani noted that he should have something ready for the next meeting.

ARL Surety: It was noted that the outstanding work on the ARL project has been completed and that they are asking that surety be released. It was noted that we have a letter from Mr. Franson stating that he is in concurrence. Mr. Wise moved to release the ARL surety. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

NEW BUSINESS

Ordinance 131: Proposed Ordinance 131 was presented for final comments/adoption. Mr. Wise moved to adopt Ordinance 131. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Nittany Express Conditional Use Application: The Board is in receipt of a conditional use application for Nittany Express. Mr. Wise moved to pass this application on to the Planning Commission for review. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Co-Stars Electrical Contract: Mrs. Royer noted that she has become aware that PA Co Stars is offering municipalities to join in on their electrical contract for electricity. Mr. Wise moved to make application to this program to see what our potential savings could be. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Nittany Valley MPO Representatives: It was noted that at the last Nittany Valley Planning Commission meeting the group agreed to appoint to the Coordinating Committee – David Wise with Doug Johnson as the alternate and to the Tech Committee Bill MacMath with Rick Dillon as the alternate. It was noted that the bylaws specify that the appointment must take place by each municipality. Mr. Wise moved to agree with the recommended Nittany Valley Joint Planning Commission appointments. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Benner Township Water Authority Grant Opportunity: It was noted that the Benner Township Water Authority plans on applying for a DCED Small Water and Sewer Program grant to modify their pumps on their system and to purchase radio telemetry system. The Authority is asking that the Board write a letter of support to be submitted with their application. A draft letter has been prepared for the Board's review. The Board agreed to approve the letter that was drafted.

Keystone Payroll MOU Agreement: Mr. Capriani moved to approve the MOU for the Keystone Payroll Land Development Plan. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

Berks @ Nittany Glen, LLC MOU Agreement: It was noted that Berks has purchased the Village of Nittany Glen and, therefore, a new MOU Agreement needs to be executed with them for the remainder of the development to take place there. Mr. Capriani moved to approve the MOU for Berks @ Nittany Glen, LLC. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Invitation to Logan Fire Company annual banquet
2. Notice from DEP on fuel spill at 189 Cedar Street
3. Conservation District Correspondence
 - a. CCIDC – NPDES permit to expire
4. SBWJA minutes of December 11, 2017 & January 8, 2018
5. HJB Code – Annual Report
6. Benner Township Water Authority Minutes – December 19, 2017
7. Correspondence RE: All Storage Solutions Plan
8. Centre County Planning Commission
 - a. Handy Delivery Time Extension
 - b. Minor Land Development Plan – UAJA AWT Feed Pump building
9. Pleasant Gap Fireman's Relief Audit 1/1/2014 – 12/31/2016
10. Copy of Resolution from County Commissioners Re: Redistricting

ADJOURNMENT

The meeting was adjourned the time being 7:50 p.m.

Sharon Royer, Secretary

NITTANY EXPRESS
Conditional Use Hearing
March 5, 2018

The Conditional Use hearing for Nittany Express was called to order at 7:00 p.m. by the Chairman, Randy Moyer with member Mark Capriani present. Mr. Wise was absent. Also in attendance were Dennis O'Leary, Don Franson, Stefan Cherinka, Sean Janoscrat, Liza Johnson, Ed Galus, James California, Dan Alters, Deborah Rhoads, Chris Murrell, Paul Ross, Tracy Ascah, Lynne Heritage, John Kostas, Tom Moyer, Tony Fructal, Omar Ahmed and Sharon Royer.

Mr. Fructal of Penn Terra Engineering was present to go over the proposed Land Development Plan. It was noted that the Supervisors recently adopted a zoning amendment to allow for this proposal to be presented. The proposed tax cab service and parking lot is to take place on tax parcel 12-004-35E in Airport Park off of High Tech Road in the Airport Industrial Zoning District. The lot is 3.566 acres in size. The proposed building is a 2,225 square foot structure that will contain a dispatch office, light maintenance facility, car detailing area and storage. Asphalt parking that will hold 225 parking stalls will be leased to existing airport rental companies as an overflow storage area. They are also proposing an approximate 10,000 gallon above ground fuel storage tank. The building will be connected to public water and sewer.

Mr. Moyer asked if anyone in attendance had any questions. No one responded.

Mr. Moyer moved to approve the conditional use application as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – absent

Sharon Royer, Sec.

Benner Township Supervisors
March 5, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:06 p.m. by the Chairman, Randy Moyer with member Mark Capriani present. Mr. Wise was absent. Also in attendance were Dennis O'Leary, Don Franson, Stefan Cherinka, Sean Janoscrat, Liza Johnson, Ed Galus, James California, Dan Alters, Deborah Rhoads, Chris Murrell, Paul Ross, Tracy Ascah, Lynne Heritage, John Kostas, Tom Moyer and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Grove Park Residents: A number of residents from the Grove Park Development were present and questioned the Supervisors on what they were doing concerning the nitrate levels that have been climbing in the Grove Park water system. The Board noted that they were unaware that this was happening and that this would be an issue that would need to be taken up with the Benner Township Water Authority since they are the authority that over sees the water system. Residents noted that some of the recent test results have come in in the high 8's and that once the results reach 10 as they understand it, a water filtration plant will need to be installed. The residents noted that they are concerned with how such a system will be paid for. Mr. Moyer again noted that this is a question for the Benner Township Water Authority. It was noted that

the Water Authority meets on the Third Tuesdays of each month here at the Township building and that residents should attend that meeting to get answers to their questions.

Questions on Nestle Water: Several residents questioned the Board on what they knew about the Nestle Water proposal. Mr. Moyer noted that the Board knows pretty much the same thing as what has been published in the newspaper on it. A location for the plant has not been decided upon. Apparently locations are still being considered in both Spring and Benner Townships. He noted as he understands it that testing on the water from the Spring Township Water Authority is still ongoing. Mr. Moyer noted that he did attend a tour of one of their plants located near Allentown, PA. He noted that the plant was very impressive and that he spoke to local government representatives of where the plant is located and that they noted that they couldn't ask for a better company to be located in their township. The municipal representative noted that the company gives back to the community all the time supporting local sports teams, community events, parks and fire companies.

MINUTES

The minutes of February 5, 2018, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – absent

BILLS

The bills of March 5, 2018 were presented to the Board for their review and approval. It was noted that the bills from the General Fund amount to \$78,397.80 and the State Fund in the amount of \$14,839.55. Mr. Moyer moved to approve the payment as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – absent

ENGINEER'S REPORT

Mr. Franson noted that the MS-4 application is due the beginning of April and that he will be working on completing the application in the coming weeks.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted that we received the cost estimate back from HRI, Inc. on the second set of slides in the amount of \$933,000. The new engineer drawings and cost estimate was forwarded to FEMA/PEMA for review and approval.

COMMITTEE REPORTS

None.

OLD BUSINESS

Agreement with Centre Region GOC Re: Deputy EM Coordinator: This item remains tabled.

FEMA Storm Damage Update: As noted earlier, we are awaiting an approval before proceeding.

Debra Burger letter Re: Renaming Township Park: This item remains tabled.

NEW BUSINESS

Bellefonte Borough Compost Facility Agreement: The Board was in receipt of a draft agreement between Bellefonte Borough/Spring Township/ and Benner Township on utilizing the Bellefonte

Composting facility. Mrs. Royer noted that once this agreement is in place that the gate will be moved and the brush, etc. will no longer be accepted at the Township grounds. Mr. Capriani moved to adopt and approve the agreement as presented. Mr. Moyer seconded the motion.
Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – absent

Spring Creek Watershed Cleanup: Mrs. Royer noted that Mrs. Robine is asking for the Township's staff's assistance in picking up the bags of trash the Monday after the clean up day. The Board noted that they would be happy to assist again this year.

CORRESPONDENCE

The Board acknowledged the following correspondence:

1. Conservation District Notice
 - a. NPDES permit completeness letter Nittany Express
 - b. Notice of NPDES Permit application for Keystone Payroll
 - c. Earth Disturbance inspection report Lyn Lee Farms Fill Site
2. SBWJA Minutes – January 22, 2018
3. Sewage Planning Module denial Trevor Meyer Land Development
4. Engineering Review Letters
 - a. Keystone Payroll
 - b. Nittany Express
5. Act 14 Notification of PA Fish & Boat Commission Renewal of National Pollutant Discharge Elimination System permit
6. PSATS News Bulletin
7. Notice of Nestle Water Informational Session – March 12th at CPI from 6:30 – 8:30

ADJOURNMENT

The meeting was adjourned the time being 7:30 p.m.

Sharon Royer, Secretary

Benner Township Supervisors

April 2, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, Randy Moyer with member Mark Capriani present. Mr. Wise was absent. Also in attendance were John Kostas, Dennis O'Leary, Don Franson, Andy Hillegass, Wayne Engle, Nate Campbell, George Lyons, Thomas Eby, Tom Moyer, Jared Evey, Kathy Evey, Shirley Gryczuk, Deb Burger and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Deb Burger and Andy Hillegass: Ms. Burger and Mr. Hillegass presented the Board with a petition signed by community members asking that the one of the Township parks be renamed the "Dennis Johnsonbaugh Veteran Community Park". They noted that their first choice would be the current Buffalo Run Community Park. She noted further that Mr. Johnsonbaugh is a Vietnam Veteran and feels that not enough has been done in the community to honor those who have served in this war. She showed the Board several examples of signs that could be done. The existing park sign would be removed and replaced with the new sign and landscaping around it. They noted that they feel that this would be a great project for an Eagle Scout to take on. Ms. Burger noted that she has spoken with a sign contractor and that the sign would cost between \$2,500 and \$3,000. Mr. Capriani noted that the Board would take all of this under advisement and will set up a meeting with Ms. Burger in the next week to further discuss. Mrs. Royer noted that we do have an Eagle Scout candidate that is currently trying to come up with a project to complete.

Kathy and Jared Evey: The Eveys were present to discuss the Septic Management Program. Mrs. Evey noted that in the 33 years time that she and her husband lived in their home they had their system pumped two times and never had any issues with their system. She is questioning why it is necessary to have their system pumped every three years. She noted that they are both retired and now live on a fixed income. She was questioning why there isn't a waiver from the program or if there is a sliding scale based on the amount of people living in the homes. Mr. Moyer explained that this is what DEP is requiring. Mrs. Evey suggested that the letters that are sent should be more clear about the program and the possible availability to request a waiver from having the tank pumped if only a couple people live in the home during the cycle of an on-site inspection. It was noted that this program has been established to maintain on lot systems noting that if their system would fail that the cost of being connected to public sewer and monthly costs would be substantially higher than the septic management program.

George Lyons: Mr. Lyons questioned that status of Purdue Mt. Road. It was noted that the Township is waiting on the written confirmation from FEMA that they will increase the funding to what the actual costs are anticipated to be. It was noted that once this is received that HRI, Inc. is ready to begin.

MINUTES

The minutes of March 5, 2018, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.
Vote: Mr. Capriani – yes Mr. Moyer - - yes Mr. Wise – absent

BILLS

The bills of April 2, 2018, were presented to the Board for their review and approval. Mr. Capriani moved to approve the bills for the General Fund in the amount of \$71,775.55 and the State Fund in the amount of \$4,123.51. Mr. Moyer seconded the motion.
Vote: Mr. Capriani – yes Mr. Moyer - - yes Mr. Wise – absent

ENGINEER'S REPORT

Grove Park Phase II: Mr. Franson noted that Garren Smith, developer of Grove Park, is asking that the surety for Phase II of Grove Park be allowed to lapse since there is enough funds in the Phase III surety to cover the minimal amount of work needed in Phase II. It was noted that the Township has received a letter from Mr. Smith dated March 31st stating that he would agree that funds for the Phase II items would be allowed from Phase III surety. Mr. Moyer moved to allow the surety for Grove Park Phase II to lapse based upon the recommendation of the Township Engineer and the letter that was received by Mr. Smith. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer - - yes Mr. Wise – absent

MS4: Mr. Franson noted that the MS4 waiver application is due to DEP within the next month. A check in the amount of \$2,500 will need to accompany this application.

ROAD SUPERINTENDENT REPORT

Mr. O'Leary reported on the following:

*An Eagle Scout candidate has been working on finding a project to do for the township.

*Purdue Mt. – still working with FEMA/PEMA and HRI, Inc. to get the project to keep moving forward.

*Tractor. Mr. O'Leary noted that he would like permission to go ahead and place the tractor that was discussed during budgeting out for bids. This tractor would replace the old salvage tractor that was purchased 20+ years ago that is used for roadside mowing. Mr. O'Leary noted that he would also like permission to purchase the two attachments the new mower and blower. Mr. Capriani moved to authorize the purchase of the mower and blower and to place the tractor out for bids. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer - - yes Mr. Wise – absent

*Right of Way Trees: Mr. O'Leary noted that he plans on discussing with the Township Solicitor on how to handle people's hazardous trees that are off of the right of way but will land in the right of way when they fall.

OLD BUSINESS

Agreement with Centre Region COG re: EM Coordinator: This item remains tabled.

FEMA Storm Damage Update: Mrs. Royer noted that there will be over \$500,000 in work that the Township will have to pay for the Purdue Mt. Road repairs and wait to get reimbursement for. This amount represents the 25% that will come from PEMA. The timeframe for reimbursement could be 6 months or longer. It was noted that a “gap” loan is available from the Pennsylvania Infrastructure Bank at 0%. Mrs. Royer noted that if the amount was \$100 to \$200,000 for the six month wait that the funds could be found to temporarily cover the expenses but at \$500,000 we don’t. Mr. Moyer moved to have the Township apply for a PIB loan to cover the Purdue Mt. road repairs until the funds are reimbursed by PEMA. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer - - yes

Mr. Wise – absent

NEW BUSINESS

Road Material Bids: Sealed bids were opened for the following road materials:

| | GOH | | Hanson | | HRI | HEI-Way | |
|---|--------|--------|--------|-------|-------|---------|--------|
| 3,000 tons (+ or -) 2A | 7.16 | 10.99 | 7.30 | 11.05 | | | |
| 1,000 tons (+ or -) – 2RC | 7.16 | 10.99 | 6.70 | 10.45 | | | |
| 500 tons (+ or -) #3 | 9.21 | 13.04 | 9.15 | 12.90 | | | |
| 500 tons (+ or -) #4 | 9.21 | 13.04 | 9.15 | 12.90 | | | |
| 500 tons (+ or -) R4 | 10.00 | 14.40 | 11.00 | 14.75 | | | |
| 500 tons (+ or -) R5 | 12.00 | 16.60 | 12.50 | 16.25 | | | |
| 500 tons (+ or -) R6 | 12.70 | 17.68 | 13.25 | 17.00 | | | |
| 500 tons (+ or -) 2B | 9.21 | 13.04 | 9.15 | 12.90 | | | |
| 5,000 tons (+ or -) washed 1Bs | 17.00 | 20.83 | 14.25 | 18.00 | | | |
| 500 tons (+ or -) 1Bs | 17.00 | 20.83 | 14.25 | 18.00 | | | |
| 100 tons (+ or -) Cold patch | 130.00 | | | | 90.00 | 86.00 | 103.00 |
| 400 tons (+ or -) Surge Stone | 10.00 | 13.83 | 9.50 | 13.25 | | | |
| 900 tons (+ or -) S.P. wearing course 9.5 mm | 54.00 | | | | 56.50 | | |
| 500 tons (+ or -) S.P. binder course 19 mm | 50.00 | | | | 52.00 | | |
| 500 tons (+ or -) S.P. wearing course 19 mm | 50.00 | | | | 52.00 | | |
| 600 tons (+ or -) S.P. wearing course 12.0 mm | No Bid | | | | 54.00 | | |
| 500 tons (+ or -) S.P. binder course 25.0 mm | 45.00 | | | | 45.00 | | |
| 1,500 tons (+ or -) DSA | 12.00 | 15.83 | 10.95 | 14.70 | | | |
| 500 tons (+ or -) Limestone Sand | 9.00 | 12.83 | 9.20 | 12.95 | | | |
| 100 tons (+ or -) UPM Cold Patch | 130.00 | 133.83 | | | | 86.00 | 103.00 |

Mr. Capriani moved to award the bids to the lowest responsible bidder. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer - - yes

Mr. Wise – absent

Fisherman's Paradise Surety: Mr. Moyer moved to renew the surety package for Fisherman's Paradise LLC. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer - - yes

Mr. Wise – absent

Rogers Subdivision: It was noted that the Rogers property along Rishel Hill Road was being subdivided into three lots. This is considered by the County to be a minor subdivision and therefore the Board needed to complete a comment or no comment form. The Board indicated that they didn't have any comments on the proposed subdivision.

Non Substantive Change Village of Nittany Glen: It was noted that since the ownership has changed for the Village of Nittany Glen from the McKee Group to Berks Homes that the plan needed to be changed. This is considered a non-substantive change by the County Planning Office. Mr. Moyer moved to approve the request for the non-substantive change. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer - - yes

Mr. Wise – absent

All Storage Solutions Stormwater Waiver Request: It was noted that the All Storage Solutions Land Development Plan originally was shown to remove the old storage building from the property. The owners are now wishing to keep the building, however it will sit too close to the stormwater detention basin as per the Township's stormwater management ordinance. This waiver request has been reviewed by the Township Engineer and has found to be acceptable since the structure is not a habitable structure. Mr. Moyer moved to approve the stormwater waiver request as approved by the Township Engineer. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer - - yes

Mr. Wise – absent

Sullivan's Storage Final Plan Phase VII: It was noted that the building has been completed. Final inspections were done and no issues were found. The plans are ready for signatures so that the plan can be recorded and the building occupied. Mr. Capriani moved to approve the Sullivan Phase VII Plan. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer - - yes

Mr. Wise – absent

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Conservation District Notice
 - a. E & S PSU Flaska Lab
 - b. NPDES Permit Plan Revision – Lyn Lee Farms
 - c. NPDES Stormwater Construction Burnham Farm Estates
 - d. NPDES Stormwater Glenn at Paradise Hills
2. SBWJA Minutes – February 12, 2018, February 26, 2018, March 12, 2018
3. Centre County Planning Commission
 - a. Dunkin Donuts – Commencement with Construction
 - b. Minor Land Development Plan for T & M 50 Properties
4. Benner Township Water Authority Minutes January 16, 2018
5. Letter from Nittany Valley Joint Recreation Authority Re: Notification of Grant Application

6. Letter from CCAA – notice of application for Multimodal Transportation Fund Project Notice
7. Letter from David Roberts RE: Nestle Water Extraction Concerns
8. Zoning Officer's Report

ADJOURNMENT

The meeting was adjourned the time being 8:00 p.m.

Sharon Royer, Secretary

Benner Township Supervisors
May 7, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members Dave Wise and Mark Capriani present. Also in attendance were Justin Evey, Preston Evey, Chad Stafford, Don Franson, Dennis O'Leary, Fred Gay, Tom Lang, George Lyons, Pam Adams, Garen Smith, Jane Koppen, Robert Runkle, Pamela Czapla, Russ Crowe, Edward Galus, Dick Warner, Thomas Eby and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

George Lyons: Mr. Lyons was present to ask for an update on Purdue Mt. Road. It was noted that the most up to date information can be found on the website. It was noted that HRI, Inc. has begun to start work again. A \$500,000 PIB loan application has been submitted to cover the 25% of the project that the Township will have to wait to be reimbursed from the state once the project is complete.

Fred Gay: Mr. Gay noted that three years ago he was required to have his septic system pumped and inspected to which he complied. He noted that he now has received a notice three years later requiring another \$40 fee and to pump his tank. Mr. Gay reported that he has removed his tank lid and that there is only 5" of sludge in his tank and therefore he feels that he should be granted a waiver from pumping for an additional 3 years. The Board noted that it is DEP and the Ordinance that DEP approved. The Board noted that Mr. Gay may get a waiver from having his tank pumped but that he would then have to pay the \$180 fee and have Ms. Winters come out and do another inspection.

Pam Adams: Mrs. Adams was present to give the Board an update on the garbage contract. It was noted that the garbage contract is on year 4 of the 5 year contract. The next contract will occur in 2020. It was noted that organics will most likely be included in the contract bid documents to see how the pricing comes in. It was noted that the garbage rates have remained the same since 2015. Mrs. Adams went over the customer survey results with the Board.

Dick Warner – Officer Phil Program: Mr. Warner was present and presented the Board with certificates of appreciation from the Bellefonte and Spring Township Police Departments for their participation in the Officer Phil Program. It was explained that the program is for elementary school students Kindergarten through 5th grade to teach kids about the dangers of drugs and alcohol as well as strangers. The board noted that they will participate in the program again this year.

Preston Evey: Mr. Evey was present to go over with the Board of Supervisors a potential Eagle Scout Project that he is proposing for the Buffalo Run Community Park. Mr. Evey noted with the discussion that took place at the Board's previous meeting about renaming the park in honor of Veterans he was proposing to do a project that included a new park sign, the option of having people purchase bricks with loved ones names on them with the branch of service, a new flag pole, landscaping and some benches. Mr. Evey noted that it was his thought of "Buffalo Run Veteran's Park" so that no war or person serving would feel excluded and this would also allow everyone who has served in the military a chance to be honored. Sketches

were given to the Board. The Board thanked Preston for his efforts and indicated that they would be happy for him to continue towards getting his project approved through the Scouts.

MINUTES

The minutes of April 2, 2018, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – abstained

BILLS

The bills of May 7, 2018, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that the Township's MS-4 application has been completed and sent in. It was noted that a waiver from these requirements is being sought.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted the following:

*Two dirt and gravel road projects were submitted to the Conservation District for review. It was noted that we could possibly hear something back from them by the end of the week.

*Purdue Mt. – work has resumed.

*Grass and weed cutting as resumed when the weather has permitted.

COMMITTEE REPORTS

Mr. Wise noted that he attended the Spring Creek Watershed Commission meeting. There was a breakout roundtable discussion on various topics with PSU Law Students. The students will prepare results/findings of the discussions that were held and report back at a future meeting.

Mr. Wise noted that at the last MPO meeting it was noted that an INFRA grant was applied for for the I-99 and Interstate 80 interchange. It was further reported that this was the only project in PA that applied for these funds and that this was the last interstate interchange in the state that was operated by stop signs. Work will also commence on Jacksonville Road for the necessary improvements required down to where the new exit for Jacksonville will be located.

OLD BUSINESS

Agreement with Centre Region Re: Deputy EM Coordinator: This item remains tabled.

FEMA Storm Damage Update: Mrs. Royer noted that a PIB gap loan in the amount of \$500,000 for the Purdue Mt. Road work has been applied for.

NEW BUSINESS

Chad Stafford – Penn Terra Engineering: Mr. Stafford noted that he was present to ask that the Board approve the surety amount estimate for the Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2 in the amount of \$788,290.00. Mr. Franson noted that he has reviewed the amount and approved it.

Mr. Stafford noted that he is also seeking approval of the modified hammerhead end for Larch Lane. Residents of the development asked to see the diagram of what is being proposed. It was noted that no parking is permitted along the streets in the development. Mr. Franson noted that he has reviewed this proposal and found it to be acceptable.

Mr. Capriani moved to approve the surety amount of \$788,290.00 and the design for the modified hammerhead for Larch Lane. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

MOU Nittany Building Specialties (formerly Mammoth Restoration): It was noted that Nittany Building Specialties has purchased the Mammoth Restoration property in Benner Commerce Park. This MOU is just to reflect the change in ownership and payment responsibility. Mr. Moyer moved to approve the MOU. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Garen Smith: Mr. Smith noted that he was present for the Road Dedication for Aster Avenue. It was noted that the 18 month surety bond has been received and that the Engineer completed his inspection. Mr. Moyer moved to approve Resolution 18-01 which accepts the dedication of Aster Ave. to the Township. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

2018 Scholastic Scholarship Awards: The Board noted that they will review the applications and make a decision at the end of the meeting.

YMCA Happy Valley Sprint Triathlon: The Board is in receipt of a request from the YMCA to once again use Fox Hill Road as part of their Happy Valley Sprint Triathlon on July 1st. Proof of insurance has been provided and race marshals will be used. Mr. Moyer moved to approve this request. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Employee Health Insurance: The Township is in receipt of its health care insurance renewal information. It was noted that the notice indicates that our plan will no longer be grandfathered after the end of the year. The Board noted that the Township will retain Geisinger Health Plan until the end of the year and look at different plans at that time.

Cindy Spangler – Dog Complaint: Mrs. Royer indicated that the Township has received additional complaints from Cindy Spangler that her neighbor is allowing his dog to roam at large again and wants something done about it. It was noted that PV Code indicated that they were not handling non-zoning ordinance violations. The Board suggested contacting the Township's elected Constable to see if this is something that he can handle.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Conservation District Notice
 - a. Benner Commerce Park Property NPDES
 - b. Review letter on Rick Shawley NPDES Application
 - c. All Storage Solutions
2. SBWJA Minutes – March 26, 2018, April 9, 2018
3. Centre County Planning Commission

- a. Commencement of Construction for Phase I All Storage Solutions
- b. Handy Delivery Time Extension
- 4. Benner Township Water Authority Minutes March 20, 2018
- 5. Zoning Officer's Report
- 6. Notice of TIP hearing – Tuesday, May 8th
- 7. Email from David Roberts Re: Interest in serving on Spring Creek Watershed Commission
- 8. DEP Review letter on Bellefonte Borough Annual Wasteload Management Report
- 9. Thank You letter from Greater Buffalo Run Valley for co-sponsorship of Skating Event
- 10. PSATS News Bulletin
- 11. Notice from Kelley Gillette-Walker Re: Neil Edwards filing

NOTES

Tom Eby: Mr. Eby gave the Board an update on the Court case between the Benner Township Water Authority and Bellefonte Borough concerning the placement of Bio-Solids on the Spicer Farm. Mr. Eby noted that deadlines for the rebuttals are over and that it is anticipated that a decision will be rendered sometime in June. Mr. Capriani noted that he has serious concerns that the Water Authority has almost spent \$100,000 on fighting this and feels that these funds could have been much better spent or saved on something more critical for the residents served by the water systems.

EXECUTIVE SESSION

The Board noted that they would be holding an executive session at the conclusion of the meeting on personnel and that the regular meeting would not reconvene.

ADJOURNMENT

The meeting was adjourned the time being 8:04 p.m.

Sharon Royer, Secretary

Benner Township Supervisors

June 4, 2018

Ordinance Hearing 131

The public hearing on proposed Ordinance 131 was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members David Wise and Mark Capriani present. Also in attendance were Nate Campbell, Don Franson, Dennis O'Leary, Bill VandenBerg, Jim Dunleavy, Tomas Eby, Andrew Swales, Tom Moyer, Vincent Corso, Debra Burger and Sharon Royer.

Mrs. Royer noted that Ordinance 131 concerns the Township applying for a PIB "gap loan" for the work being done on Purdue Mt. The loan would be for \$500,000.00 and would be zero percent interest for the term of the loan. No payments are due until October of 2020. The loan will enable the Township to pay the contractor until waiting for the PEMA funds to be released. Once the funds are released the loan will be paid off.

No one present had any questions, therefore the hearing was adjourned the time being 7:04 p.m.

Sharon Royer, Secretary

Benner Township Supervisors

June 4, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:05 p.m. by the Chairman, Randy Moyer with members David Wise and Mark Capriani present. Also in attendance were Nate Campbell, Don Franson, Dennis O'Leary, Bill VandenBerg, Jim Dunleavy, Tomas Eby, Andrew Swales, Tom Moyer, Vincent Corso, Debra Burger and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

FAIR Districts PA: Bill VandenBerg and Jim Dunleavy from FAIR Districts PA was present to share with the Board what their group is about and what they are hoping to accomplish. It was noted that they are looking for the Board to adopt a Resolution that can be forwarded to Harrisburg that would amend the PA Constitution to establish a redistricting process that is independent, transparent, impartial and ethically bound. Mr. Dunleavy noted that several boroughs, townships in the area as well as the county have already adopted resolutions of support for this cause. It was noted that the Township didn't receive any materials prior to the meeting: therefore, they didn't feel comfortable adopting a resolution without ample time to educate themselves on the subject. Documents were left for the Board to review for the next meeting.

Tom Eby and Andrew Swales (Benner Township Water Authority) Water Authority Board members gave the Supervisors a timeline of the actions taken regarding the Bellefonte Bio-Solid application process for the Spicer property. Mr. Eby noted that they believe that the Courts will render a decision by the end of the month on the appeal. It was noted that the nitrate level in the Grove Park well has gone up in the last several years. It was noted that once the reading reaches 10 that some kind of remedy will be needed. It was noted that the Authority is looking into several ideas for this problem such as a treatment system, drilling another well or drilling the existing well deeper to a lower water table. Mr. Eby noted that they will keep the Board updated on any new developments with the court case and the test results.

Deb Burger: Ms. Burger was present to see what the status is of renaming the Buffalo Run Community Park for Dennis Johnstonbaugh. Mr. Capriani noted that the project is moving forward. It was further noted that Preston Evey has decided to take on this project for his Eagle Scout project. Preston's contact information was given to Ms. Burger.

MINUTES

The minutes of May 7, 2018, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

BILLS

The bills of June 4, 2018, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that he didn't have anything other than what is already on the agenda.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

*10 pieces of split rail fence was stolen from the Rock Road parking lot of the Spring Creek Canyon Trail.

*The Columbia gas line project on Rishel Hill Road is proceeding and appears to be keeping with their schedule.

*Cost estimates were received from Pine Creek Township for some Tar and Chipping of roads. This work should be completed in July.

*Purdue Mt. roadwork: It was noted that both Mr. Franson and Matt Kenepf (the Township's PennDot Municipal Service Representative) looked at the newest area where Purdue Mt. Road is failing and both agree that Ripp Rapp along the bank of the

roadway and making the road down to one lane in this particular area is an acceptable fix. One estimate has been received and two additional ones will be needed. The Board noted to give the go ahead to the lowest price of the three estimates.

*Grass/Weed complaints: Mr. O'Leary noted that the office has received several complaints about the one property located on Seibert Road not mowing their grass. Discussion was held. The Board asked that a memo be sent to the property owner asking them to address their yard and making them aware that while we don't currently have regulations that they could be adopted as many complaints are being received.

COMMITTEE REPORTS

Mr. Wise:

*Reported that he attended the Spring Creek Watershed Commission meeting. He noted that Todd Giddings addressed the Commission about the information that they were handing out and noted that the Watershed is NOT a sole source watershed as was depicted on a handout that they distributed that the watershed has several water sources that supplies the area. The remainder of the meeting was spent going over the results of the previous interactive workshop that was held.

*Reported that he attended the Nittany Valley Joint Planning Commission meeting. It was noted that the Board is nearing the end of the Comprehensive Plan updates. It is hoped that the new document will be adopted in a single approval process instead of each municipality individually.

Mrs. Royer: Attended the Fire Executive Board meeting. It was noted that the Fire Department Chief, Walt Schneider, was pleased with the fire training event that was held at the University Park Airport. He noted that there was a lot of participation from all companies.

OLD BUSINESS

Agreement with Centre Region COG Re: EM Coordinator: Table.

FEMA Storm Damage Update: Work is continuing on the Purdue Mt. slides.

Dog Complaints: Mrs. Royer noted that she has heard back from the Township's elected constable and he has indicated that after looking into it, that handling dog complaints isn't something that he is authorized and able to do. Mr. Wise noted that he has had a conversation with Bill MacMath to see if we could purchase services from Spring Township for something like this. He indicated that they weren't interested in this but would be willing to discuss packaging police services. It was noted that this could be an option should the state continue to discuss charging for State Police Services.

NEW BUSINESS

Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2 Non Substantive Change: The revised plan was submitted which indicated the ownership name change

and name change of this phase of the plan. Mr. Capriani moved to approve this non-substantive change. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Rishel Hill Road Paving Bids: Sealed bids for the Rishel Hill Paving project were opened. The results were as follows:

HRI, Inc.: \$22,420.00

Ameron Cosntruction: \$35,636.25

Mr. Moyer moved to award the paving project to HRI, Inc. in the amount of \$22,420.00.

Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Tractor Bids: Sealed bids were opened for a new utility tractor. It was noted that only one bid was received that that was from Weldon Equipment in the amount of \$31,874.00. Discussion was held concerning this bid. Mr. Moyer questioned if this is the right sized tractor or perhaps something else would better serve the Township. Mr. O’Leary noted that this tractor would be used for roadside mowing not mowing at the park. The Board decided to table this bid until the next meeting.

Ordinance 131: It was noted that the public hearing for Ordinance 131 was held earlier in the meeting with no comments. Ordinance 131 authorizes the application for a 0% interest PIB loan for \$500,000 as a gap loan for the Purdue Mt. roadwork until PEMA funds are received. Mr. Moyer moved for the adoption of Ordinance 131. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

CATA Funding Resolution 18-02: Resolution 18-2 was presented to the Board for their consideration. The resolution commits the Township to funding for CATA for the fiscal year 2018-2019 in the amount of \$4,866 and capital funding of \$802.00. Mr. Capriani moved to adopt Resolution 18-2. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Rogers Subdivision Sewage Planning Module: The Sewage planning module for the 3 lot Rogers Subdivision along Rishel Hill Road was presented for approval. Mr. Moyer moved to approve the planning module as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

CORRESPONDENCE

The following correspondence was received:

1. Conservation District Notice
 - a. Technical Deficiency Notice Re: Rick Shawley RSE, Inc.
 - b. Earth Disturbance Inspection Rick Shawley, RSE, Inc.
 - c. Earth Disturbance Inspection Fiore/Rogers

- d. Earth Disturbance Inspection Gerald Clair/CMJ Trucking and Construction
2. SBWJA Minutes – April 23, 2018 and May 14, 2018
3. Benner Township Water Authority Minutes – April 17, 2018
4. SEO letter on Tomco Subdivision
5. Letter Re: County's West Nile Virus Surveillance program
6. PSATS News Bulletin
7. Notice of Judicial Sale

NOTES

Mr. Wise noted that he received a draft of the zoning ordinance from Mr. Lesniak. The Board asked that the most updated copy of the Ordinance be obtained so that they can start to review. The Board also noted that they would like a work session scheduled with Mr. Lesniak to start the review process. Potential dates were June 15 or 18th at 8:00 a.m.

ADJOURNMENT

The meeting was adjourned with the time being 8:12 p.m.

Sharon Royer, Sec.

Benner Township Board of Supervisors

July 2, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors meeting was called to order at 7:04 p.m. by the Chairman, Randy Moyer with member David Wise present. Mr. Capriani was absent. Also in attendance were Nate Campbell, Ed Galus, Tom Moyer, Thomas Eby and Dennis O'Leary.

MINUTES

The minutes of June 4, 2018, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent Mr. Wise – yes Mr. Moyer – yes

BILLS

The bills of July 2, 2018, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent Mr. Wise – yes Mr. Moyer – yes

ROAD SUPERINTENDENT'S REPORT

*Estimates were received for the additional work needed on Purdue Mt. Road for the additional stone and guiderail. HRI, Inc. is still the lowest bid for this work.

*Two applications were submitted for dirt and gravel road projects. One project was approved and the other was not. The project that was approved was for Barns Lane down near the bridge along the Paul Hartle property. John Claar was the lowest bid for this work.

*Two potential paving projects for Barns Lane and Upper Gyp Road were written but have yet to be placed out for bid. It was noted that if these projects would move forward that the amount of tar and chip would be reduced. Mr. Moyer noted that while it would be nice to eliminate more of our dirt roads, he would rather see the tar and chipping move forward with the uncertainty of the Purdue Mt. project.

OLD BUSINESS

Agreement with Centre Region COG RE: Deputy EM Coordinator: This item remains tabled.

FEMA Storm Damage: Work continues, it is hopeful that the Purdue Mt. Road repairs will be completed by the end of August.

NEW BUSINESS

Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2:

Surety: The complete surety package for the Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2 in the amount of \$788,290.00 was presented to the Board for their approval. It was noted that this amount has been reviewed and approved by Mr. Franson as well as the County. Mr. Wise moved to approve the surety package. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent Mr. Wise – yes Mr. Moyer – yes

Plan approval: The Final plan for the Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2 was presented to the Board for their approval. Mr. Moyer moved to approve the plan as presented. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent Mr. Wise – yes Mr. Moyer – yes

Bids for Tractor: The Board decided to reject the bids that were opened at the last meeting. Different sizes and types of machines will be looked at.

Rockview State Police Barracks Plan: It was noted that the final inspection was conducted by the County and Mr. Franson on the new Rockview State Police Barracks and everything was found to be completed, therefore surety is not needed and they may proceed to move into their new facility. Mr. Moyer moved to approve the final land development plan for the Rockview State Police Barracks. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent

Mr. Wise – yes

Mr. Moyer – yes

Tomco Subdivision Plan: The board was in receipt of a one lot subdivision plan for Tomco. It was noted that this is a minor plan and therefore the county is only seeking comments on the plan if the Board has any. Mr. Moyer moved to approve the plan without comments. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent

Mr. Wise – yes

Mr. Moyer – yes

Shindy Letter requesting Tax interest and penalty relief: The Board was in receipt of a letter from Benjamin and Marina Shindy asking if the Board would consider waiving the interest and penalties to be removed from the Township's real estate taxes on Tax Parcel 37-004-017 for the tax years 2014, 2015, 2016, and 2017. Mr. Wise noted that he did not believe that the Board has the authority to do this and therefore no action will be taken on this request.

Suicide Awareness and Prevention Month: The Board was in receipt of a draft resolution which would show support of Suicide Awareness and Prevention Month for the month of July. Mr. Wise moved to approve Resolution 2018-3. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent

Mr. Wise – yes

Mr. Moyer – yes

CORRESPONDENCE

The Board acknowledge receipt of the following correspondence:

1. Conservation District Notice
 - a. Technical Deficiency Notice Re: Rick Shawley RSE, Inc.
 - b. All Storage Solutions inspection report
 - c. Grove Park/Berks Homes Termination approval
 - d. Hudson Advisors – inspection report
 - e. Rick Shawley – Inspection report
 - f. Eagle Point – inspection report
 - g. Permit Transfer to Berks Homes (Amberleigh Development)
2. SBWJA Minutes – May 29, 2018 and June 11, 2018
3. Benner Township Water Authority Minutes – May 15, 2018
4. Centre County Planning Commission Correspondence
 - a. Paul & Cleo Tomco Subdivision Comments
 - b. Comment letter on Rogers Subdivision Re: Spring Township Ordinance
 - c. Time Extensions
 - i. Dunkin Donuts
 - ii. Mammoth Restoration & Construction Land Development (Nittany Building Specialties)
 - iii. Rockview Police Barracks
 - iv. Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2
 - v. Nittany Express
 - vi. Keystone Payroll
 - vii. SCI Rockview – Restricted Housing Unit Additions
 - viii. All Storage Solutions

- ix. Rogers Subdivision
- d. The Village of Nittany Glen Phase III B.2, III-C, III-D.1 and III-D.2 Commencement with Construction
- 5. Zoning Officer's report
- 6. DEP letter Re: Rick Shawley RSE, Inc. request for extension

NOTES

Mr. Wise noted that as he understands it, Berks Homes will be coming in soon for permits. Discussion was held as to best handle this as the ordinance is written currently he didn't believe that permits will be issued for what they want to do. Mr. Wise moved to start the process to amend the MHP zoning district as suggested by Mr. Rayman. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent

Mr. Wise – yes

Mr. Moyer – yes

Clair Property: Mr. Wise noted that he has been given a sketch plan by Dr. Clair showing a hotel and restaurant for his property located next to the PennDot maintenance facility. It was noted that public sewer service discussions will need to begin again.

ADJOURNMENT

The meeting was adjourned the time being 7:24 p.m.

Sharon Royer, Secretary

Benner Township Supervisors

August 6, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Vice Chairman, David Wise with member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Chris Fries, Scott Busa, Dennis O'Leary, Don Franson, Michael MacNamara, Thomas Eby, Tom Moyer, Brad Karch, Chris Aumiller, Tim Miller and Sharon Royer.

PERSONS TO ADDRESS THE BOARD:

Nextera Energy: Scott Busa and Chris Fries were present to present to the Board a power point presentation on the company that they work for, Nextera Energy. They noted that Penn State University has a Request For Proposal out for 28 MW of solar generated energy. It was noted that they would need between 160 to 200 acres to be able to install equipment on to generate this much energy. Mr. Busa noted that their company doesn't purchase land they only lease it. It was noted that the equipment has a 30 year life cycle. It was noted that site location would need to be in close proximity to the grid and has to have the proper topography. During the presentation it was mentioned that there would be "Millions of dollars in tax benefits." Mr. Wise questioned where these tax dollars would be seen. Questions were asked on how a project like this would affect the assessed value of the property. The Board noted that they would need more specifics on the actual benefit to be realized before any further discussion would take place. It was noted that currently this type of facility is not permitted in the Township and would require a zoning amendment. Mr. Busa noted that they would look into this further and get back to the Board.

Silcotek MOU: Michael MacNamara from Keller Engineers was present to go over the expansion plans for Silcotek. It was noted that a 30,000 sq. ft. addition is proposed with 50 new parking spaces. The company currently has 48 employees and plans on hiring an additional 48 more. The Board noted that they didn't have any comments. Mr. Wise moved to approve the standard MOU for this expansion project. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

MINUTES

The minutes of July 2, 2018, were presented. It was noted that since Mr. Capriani wasn't present at this meeting and Mr. Moyer isn't present at this meeting, that the minutes approval will be tabled until the next meeting.

BILLS

The bills of August 6, 2018, were presented to the Board for their review and approval. Mr. Wise moved to approve the bills as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that he didn't have anything to add that wasn't already on the agenda.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

- *Purdue Mt. – some additional issues have come up with pile ons. The contractor and engineers are working it out to keep the construction timeframe on track. It was noted that mafia blocks will be placed down over the bank where some of road bank was starting to erode away to help stabilize the bank. This will allow the road to stay two lanes.
- *Grove Park HOA is requesting no parking signs and stop ahead signs near Seibert Road with the hopes that it will slow speeders down.
- *Rishel Hill paving project is complete.
- *Tar and chipping of roads to be done by Pine Creek Township should be completed within the month.

COMMITTEE REPORTS

Mr. Wise noted that the I80-I99 interchange has been moved up on the transportation plan list. A traffic light will be install at the West bound ramp prior to the PSU football games starting.

OLD BUSINESS

Centre Region COG – EMC: This item remains tabled.

FEMA Storm Damage: Work should be completed prior to school starting. It was noted that Spring Township was just opening bids tonight for the work on Purdue Mt. that they were responsible for.

NEW BUSINESS

Resolution 18-4 PIB Documents: It was noted that Resolution 18-4 authorizes Mr. Moyer and Mrs. Royer to execute the paperwork dealing with the PIB loan documents. Mr. Wise moved to approve Resolution 18-4. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

Nittany Valley Half Marathon: It was noted that the Nittany Valley Half Marathon is once again seeking permission to use Rock Road for their race on the morning of December 2nd. It was noted that they have been using this road for years without incident. Mr. Capriani moved to approve the request. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – absent Mr. Wise – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Conservation District Notices
 - a. Permit Transfer Village of Nittany Glen
 - b. Earth Disturbance Inspection Report Village of Nittany Glen
2. SBWJA Minutes – June 25, 2018 and July 9, 2018
3. Benner Township Water Authority Minutes – June 19, 2018
4. Centre County Planning Commission Correspondence
 - a. Nittany Express – Commence Construction Notice
5. Zoning Officer's report – June & July

6. Bellefonte Borough Notice of rezoning
7. Letter from Benner Twp. Water Authority to the Benner Township Planning Commission Re: Source Water Protection
8. PSATS News Bulletin

NOTES

Zoning: Mr. Wise noted that the final draft of the zoning ordinance should be delivered to the office on Wednesday morning.

Shiloh Road Sewage: Mr. Wise noted that he has drafted a letter to SBWJA asking them for an engineer's estimate on cost and a time schedule for a project to construct a line to accommodate 50 EDUs on property that lays east of Interstate 99 off of the Shiloh Road exit with build out at 100 EDUs. In the letter he noted that he would like this schedule back to the Board of Supervisors by their next meeting to be held on September 6th. It was also noted that we were not interested in tap on fees and quarterly service fees only the overall costs to extend the line and the schedule that it involves getting the design, permit approvals and construction completed.

Mr. Tim Miller noted that beginning in 2019 there will be \$5.00 per quarter rate increase. Mr. Miller noted that the rate study that they had completed showed that this rate increase was necessary. He also noted that this is the first rate increase that the Authority has had in 15 years. Mr. Miller noted that he would like to see SBWJA keep the Shiloh Road area in it's service area. Mr. Miller suggested that a meeting with both SBWJA and UAJA Executive Directors, the Chairpersons of each Authority and a Township Board member hold a meeting to discuss area.

Buy a Brick Patio: Mr. Capriani shared the information that he received from Preston Evey on his Eagle Scout project for the Veterans patio project. It was noted that we will post this information on the Township's web site and an upcoming newsletter.

ADJOURNMENT

The meeting was adjourned the time being 8:07 p.m.

Sharon Royer, Secretary

**Benner Township Supervisors
September 6, 2018**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, Randy Moyer with member David Wise present. Mr. Capriani was absent. Also in attendance were Scott Rhoat, Dennis O'Leary, Fred Gustkey, Thomas Eby, Brian Book and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Fred Gustkey – Judson Mantz Sewage Planning Module: Mr. Gustkey noted that he has prepared a sewage planning module to submit to DEP for a small flow treatment facility for the Mantz property along Valley View Road. Public notice was given in the newspaper and no comments have been received. It was noted as part of this submission the Township must adopt a Resolution to accompany the documentation. Mr. Wise moved to approve Resolution 18-5. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

*Mr. Capriani is now present. The time is 7:05 p.m.

Mr. Gustkey noted that a Maintenance Agreement between the Township and the owner is also necessary. A copy of a standard agreement that Mr. Gustkey obtained from DEP was presented for approval and signatures. Mr. Wise moved to approve and sign the maintenance agreement. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Scott Rhoat – Bellefonte EMS: Mr. Rhoat was present to give a presentation on the Bellefonte EMS as far as incidents responded to, their fleet information, personnel and budget. Mr. Rhoat noted that as of today Bellefonte EMS has responded to 1610 incidents in 2018. Of this amount 168 of those calls were in Benner Township. Mr. Rhoat noted that ambulance service across the state is in crisis. A meeting is scheduled for September 13th at the Bellefonte EMS building and he noted that he would very much appreciate it if a member of the Board of Supervisors could attend. Mr. Wise noted that he would attend on behalf of the Board.

MINUTES

The minutes of July 2, 2018, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – abstained Mr. Moyer – yes Mr. Wise – yes

The minutes of August 6, 2018, were presented to the Board for review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – abstained Mr. Wise – yes

BILLS

The bills of September 6, 2018, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted that most of the last couple weeks has been spent on repairing storm damage from all of the rain that we have been receiving this summer. Pine Creek Township is scheduled next week to do the tar and chipping that is planned.

OLD BUSINESS

Centre Region COG – Deputy EM Coordinator: This remains tabled.

FEMA Storm Damage: It was noted that Purdue Mt. road is now open. It was opened on August 24th. Work will now begin to make final submission to FEMA/PEMA.

Shiloh Road Sewer Service: The Board is in receipt of a letter dated 8/20/18 from Robert Mix on behalf of SBWJA. This letter was in response to the letter that was sent by Mr. Wise on 8/5/18 asking for realistic time frames and an estimated cost should SBWJA extend sewer service to the Shiloh Road area. Mr. Wise noted that this response letter didn't come close to answering any of the questions that was asked in his letter. Mr. Wise noted that in order to forward this, he has consulted with Brian Book to see what would be the easiest way for further progress on sewerage the Benner Township properties in the Shiloh Road area. Mr. Book suggested scheduling a planning consultation meeting with DEP to see how they would require the Township's 537 plan to be modified. Mr. Book noted that it could end up being as simple as a Component 3 Planning Module. It was noted that the meeting with DEP is critical in having them define the process that will need to be completed. Mr. Book estimated that a Component 3 Planning Module could cost between \$3,000 and \$5,000. If a special study needs to be completed it could cost between \$5,000 and \$7,000 a complete 537 Plan Update could be as much as \$10,000 to \$15,000. Mr. Moyer noted that he was not interested in taking on cost for this amendment. Mr. Book noted that these are fees that could be passed on to the developer needing the sewer service. Mr. Wise commented that if any development and tax dollars are going to be realized in this area of the Township sewer service must be resolved. Mr. Wise moved to authorize Mr. Book and himself to schedule a no cost planning consultation meeting with DEP to determine the process for the modification of the Township's 537 Plan. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

NEW BUSINESS

Letter from Bellefonte EMS: It was noted that this was discussed earlier in the meeting. Mr. Wise will attend the meeting on September 13th.

Letter from Rutter's RE: Traffic Study interpretation: Discussion was held. The Board asked that this be forwarded on to Mr. Rayman for his legal interpretation.

Meeting room usage: Mrs. Royer noted that she has received several inquiries about renting the meeting room out for various purposes. Discussion was held. The Board decided that they

only wish to allow those that have been using the room in the past to continue to use the facilities.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Conservation District Notices
 - a. Earth Disturbance Inspection Village of Nittany Glen – Phase III
2. SBWJA Minutes –July 23, 2018 and August 13, 2018
3. Memo from Liz Lose Re: Updated Comprehensive Plan Adoption Process
4. Email from Bill Hughes RE: Reappointment to SBWJA
5. PSATS News Bulletin
6. Letter from Lindsay Schoch Re: Spring Creek Canyon Trail

NOTES

Mr. Capriani asked for an update on the status of the Zoning Ordinance. Mrs. Royer noted that the Planning Commission asked for one more meeting to review the final draft prior to them holding their public meeting. The review is scheduled for September 13 with the public meeting scheduled for September 27th. A newsletter has been sent out to the Township making them aware of the meeting date and where to find the draft document. The Board of Supervisors should receive their final draft from the Planning Commission on October 1st with the NVJPC and County Planning Commission to begin their 45 day review process on October 2nd. This would mean that the 45 day review comment period would conclude on November 15th and that the Board of Supervisors could hold their public hearing anytime after that with adoption.

AJOURNMENT

The meeting was adjourned the time being 8:07 p.m.

Sharon Royer, Secretary

Benner Township Supervisors

October 1, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members David Wise and Mark Capriani present. Also in attendance were Devon Warner, Don Franson, Thomas Eby, G.F. Clair, H. Hosterman, P. Reilly, Bev Hohner, Don Hohner, Karen Querns, Helen Alters, Bob Runkle, Cathy Runkle, Diane Crowe, Kathy Koehler, Jane Koppen, Tom Yackley, Pamela Czapla, Shirley Gryczuk, Domenick Divito, Mario Meraglia, Sue Morgan, Anthony Gallucci, Barrie Kutruff, Karen Kutruff, Andy Swales, Sandi Swales, Lee Copper, Paul Kurtz, Andrea Murrell, Judson Mantz, Lynn Chaplin, Brian Alterio, Nate Campbell, Jeffrey Lucas, Scott Brumbaugh and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Jane Koppen: Ms. Koppen noted that she was concerned with the new R-3 Zoning District and how it will affect her development. Noting further that two story homes, duplexes and townhomes will change the character of the development. It was noted that the development has already undergone so many changes from what they originally bought into. It was noted that the clubhouse has been downsized, the 55 and over restriction was changed and now the types of homes. Ms. Koppen noted that at their quarterly meeting in January they were told that the development would be sold to Berks Homes but were told that the homes that they would be building would be of the same character as what was currently there. At their meeting in April they were shown pictures of different homes that could potentially be built in their development but most residents were not happy when they learned of two story homes potentially being constructed.

Diane Crowe: Questioned what the R-3 district allowed for.

Mr. Moyer noted that the Village of Nittany Glen was changed to R-3 which will accommodate the existing plan of Nittany Glen as far as lot sizes but would allow for stick built homes. This new designation was created as not to effect the other properties zoned MHP and keep those developments as they are. In the current draft, townhomes and duplexes would be permitted noting that an amendment had previously be approved which allows townhomes in the front section of the development currently.

Devon Warner: Mr. Warner noted that yes, Berks plans in construct two story homes in Nittany Glen. He noted that with the small lot sizes that building the two story homes is the only way to get customers the square footage they desire.

Bob Runkle: Mr. Runkle noted that he hoped that the people in the existing community and the developer could meet and reach common goals for the Nittany Glen development.

Dr. Clair: Dr. Clair noted that while he is a property owner of Commercial property in the township, he is 100% against changing the impervious coverages from 60% to 80%.

Helen Alters: Mrs. Alters noted that by changing the density regulations in the Ag District it will greatly impact the schools, roads and water usage. She noted that while the existing 20 to 1 ratio may not be logical this needs to be re-looked at.

Brian Alterio: Mr. Alterio noted that he agrees with Mrs. Alters. Where did the proposed 1/3 acre lots come from? Who is recommending this change? He noted that with no checks and balances development will be uncontained. He noted that all of the other townships have regulations that limits the number of homes and wanted to know why this was left out for our township.

Randy Moyer: Mr. Moyer noted that the 1/3 acre lots as proposed must have both public water and sewer and that this isn't going to happen easily. Noting further that a great deal of engineering would need to be involved for any sewer extensions to take place.

Mr. Alterio asked the Supervisors to each state what they do for a living. The replies were:
Moyer – Construction and excavation
Capriani – Sales
Wise – retired, crop farming

Mr. Capriani noted that he made a commitment when he was elected to change the zoning from the Roth Plan. He noted further that he doesn't find it fair that those that have owned land for generations are being penalized and not being allowed to profiting from it when they need to. Noting that the ones that have recently built and have the "I got mine and now I don't want to see anything change" mentality doesn't sit well with him.

Robert Fera: Mr. Fera questioned what was the Planning Commission's recommendations? He noted that it seems that with the development as proposed that the Township could turn into closer to what State College looks like.

John Kostas: Mr. Kostas questioned the size of the lots if on lot septic is done. It was noted that the size would be 1 1/2 acres because each lot would be required to have a main system site and a replacement site.

Helen Alters: Mrs. Alters noted that it was mentioned that the Planning Commission has been working on revising the existing plan for years. Who wrote the changes after the Planning Commission was finished? Why did the ratio change from what the Planning Commission proposed?

Mark Capriani: Mr. Capriani noted that the Board told the Planning Commission that they didn't like what was in the Roth Plan but that for the ratios they pretty much kept it similar to what it was and that they were told that those would not be approved.

Robert Fera: Mr. Fera questioned why would the Board go against what the Township residents want.

Mark Capriani: Mr. Capriani noted that he was elected by the people of the Township to make these decisions.

Andy Swales: Mr. Swales noted that pretty much all of the developable land in the Township is in the water recharge area. He noted that protection of water resources is critical and that he feels additional ideas should be looked at to continue its protection. He noted further that he

feels that perhaps this process needs to take a step back to allow for more time to look into this further.

Andrea Murrell: Ms. Murrell noted that she is opposed to this draft. She noted that while the zoning map shows little change, the document represents huge changes. She continued that she feels that more information needs to get out to the public as to the changes that are really being proposed. She noted that if residents really knew and understood what was being proposed she feels that a whole lot more people would be in attendance at this meeting. She further questioned what Appendix A is and why is it mentioned in the document but not included. She concluded that it is too big of a risk to pass this document as currently written at this time and encouraged the Board to take more time to review.

Dr. Clair: Dr. Clair noted that he feels that the 20 to 1 ratio is too large but that 1/3 acre lots are too small.

Mr. Wise explained what the 20 to 1 ratio is and how it works.

Brian Alterio: Mr. Alterio noted that he doesn't see any support for this document as it is currently so why would the Board would want to proceed with this document.

Tom Eby: Mr. Eby noted that he would like to see more park lands in the Township that isn't subjected to continuous flooding. He also noted that he has increased concerns for stormwater issues. He stated that there are several locations where there were small fields and then the fence rows were removed which assisted in stormwater retention and now are causing run off issues.

Nate Campbell: Mr. Campbell noted that the Planning Commission was ok with changing the zoning at Nittany Glen to allow for stick built homes but doesn't agree with allowing townhomes to be built anywhere on the property.

He also noted that while the 20 to 1 may not be ideal and should be looked at he feels that allowing for 1/3 acre lots is not ideal either. He continued that he disagrees with Mr. Moyer that the criteria to obtain the 1/3 acre lots would be hard to obtain. He noted that wells for "public" water has been done three times already in the Township to get smaller building lots and that major sewer trunks are in very close proximity to several large vacant farm fields.

Mr. Campbell noted that he knows that development is evitable and that it can't be stopped but feels that the properties should be zoned for what they are and when rezoning is needed it can be handled on a case by case basis.

Mr. Campbell noted that in an earlier draft that the Planning Commission worked on called for developments to have open space included in them. He noted that he feels that the Planning Commission and the Board of Supervisors should hold a few joint work sessions to work on the remaining issues of the draft.

Karen Querns: Ms. Querns noted that she would like to thank the Planning Commission members for all of the time that they have invested in educating themselves and seeking knowledge to make the best possible decisions for the Township realizing that this is a

thankless, volunteer job. Ms. Querns noted that she would like to ask the Board members a few general questions.

1. Has any board member ever purchased land from a farmer in the Township?

All board members indicated "no".

2. Has any Board member been involved in activities that would be considered as acting as a developer in the Township?

Mr. Wise: noted that he was employed by the CBICC when Benner Commerce Park was developed.

Mr. Capriani: No

Mr. Moyer: Noted that he has done work for developers but hasn't been one.

3. What is the remainder of the Board's terms:

Mr. Capriani – 1 year

Mr. Moyer – 3 years

Mr. Wise – 5 years

Helen Alters: Mrs. Alters questioned if the County comes back with comments on what is being proposed would the Board consider making changes?

It was noted that a draft has been sent to the County as well as the municipalities in the Nittany Valley for comments, however the Board isn't required to make any suggested changes.

Andy Swales: Mr. Swales reiterated that he feels that is a very reckless move to approve this document without an appendix "A" addressing environmental concerns.

Mark Mahoney: Mr. Mahoney suggested that perhaps the Board take a look at Patton Township and Halfmoon Township's ordinances. He noted that they allow for one unit per acre with open space requirements and that perhaps that this would be a compromise to consider.

Sandy Swales: Mrs. Swales asked, "What is the rush in getting this adopted?"

Mr. Capriani noted that work on this document has been going on for over five years and it needs done.

MINUTES

The minutes of September 6, 2018, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

BILLS

The bills of October 1, 2018, were presented to the Board for their review and approval. Mrs. Royer noted there is \$347,414.34 in bills to be paid for the Purdue Mountain project however we are still awaiting for the PIB loan funds to be released. Noting that she would like approval to pay these bills as soon as the funds are received. Mr. Moyer moved to approve the General Fund and PIB Loan bills as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that other than what is on the agenda, he has been working with the other engineers on the Purdue Mt. project close out paperwork.

COMMITTEE REPORTS

Mr. Wise noted that he attended the Spring Creek Watershed Committee where the ATLAS project was discussed and well as the CCMPO meeting where amendments to the long range transportation plan were approved.

OLD BUSINESS

Centre Region COG Deputy EM Coordinator: This item remains tabled.

Zoning Ordinance: The following comment letters have been received on the draft ordinance:

- a. Nate Campbell
- b. Paul Kurtz
- c. Scott Brumbaugh
- d. Spring Creek Trout Unlimited
- e. Pleasant Valley Aviation, Inc.
- f. Thomas Eby

Shiloh Road Sewage Service Update: Mr. Wise noted that progress is being made relative to a resolution to providing sewer service to the Shiloh Road area. Mr. Wise noted that he attended a meeting with DEP representatives in Williamsport where two possible solutions were discussed. Mr. Wise noted that one is easy and that the second isn't as easy but is doable. The first solution is that SBWJA signs a letter stating that they are agreeable to allow this area to be served by UAJA. The second solution is that a special study will be done in which the area will be removed from them. It was noted that Mr. Wise and Mr. Book plan to approach SBWJA one last time and if no progress is made, the special study will be started.

NEW BUSINESS

Bellefonte Emergency Medical Services: Mr. Wise noted that he attended a meeting held at the Bellefonte Emergency Medical Service facility. He noted that the area public officials were asked to attend and that it wasn't very well attended. It was noted that they are having budgetary financial issues and are asking that the area municipalities begin to contribute to them to continue to make their services available to the community. It was noted that out of the 1,800 calls that they responded to last year, that 300 of them were in Benner Township noting that they don't get many, if any, calls to the State prisons. They are asking for a \$11,678.55 2019 contribution from the Township for the 2019 budget year.

Pension Plan MMO: It was noted that the Board is required to approve the Township's MMO contribution each year for the next year. It was noted that the 2019 MMO is \$58,878 and while the state's contribution is usually 1/3 to 1/2 of this amount, that the state requires the township to include the entire amount in their budget appropriations. Mr. Moyer moved to approve 2019 MMO. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

Budget Work Session: It was decided to hold a budget work session on October 29th at 9:00 a.m.

Solicitor RFPs: The Board asked that RFPs been sent out to Rod Beard; Miller, Kistler and Campbell and Betsy Dupire for municipal legal representation.

NOTES

Mr. Moyer noted that he would like to point out that upon researching John Elnitski's comments that the acreage amount was changed to prohibit Bellefonte Airport from being able to comply with the ordinance, that this statement was not true. The acreage requirements were taken from the Roth Plan that was adopted and approved while Mr. Elnitski was in office, it was not modified.

ZONING ORDINANCE

Mr. Wise noted that he thought that draft of the zoning ordinance was further along than what it now appears to be. Noting that he feels that it is approximately 90% there. Discussion was held.

Mr. Capriani moved to advance the draft as written for advertisement for adoption on November 27, 2018 at 7:00 p.m. He also is requesting a work session with the Planning Commission to look at other options for developing in the AG and FC Zoning Districts. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – no

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Commission
 - a. Lot Addition/Replot Davann Gordon
 - b. Non Substantive Change Keystone Payroll Land Development
 - c. SilcoTek Manufacturing Comments
 - d. Time Extensions
 1. Nittany Express
 2. Keystone Payroll
 3. All Storage Solutions
 4. Dunkin Donuts
 5. Mammoth Restoration
 6. SCI Rockview Housing Units
2. SBWJA Minutes – August 27, 2018 and September 10, 2018
3. Rutters Traffic Study review letter
4. NPDES Notification letter for ARL Steam Facility
5. E & S Approval letter for Silcotek

ADJOURNMENT

The meeting was adjourned the time being 8:45 p.m.

Sharon Royer, Secretary

**Benner Township Supervisors
November 5, 2018**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order by the Chairman, Randy Moyer with member David Wise present. Mark Capriani was absent. Also in attendance were Dennis O'Leary, Don Franson, John Kostas, Edward Galus, Pamela Czaplas, Shirley Gryczuk, Thomas Eby, Bill Hughes, Tim Miller, Warren Miller, Tom Dilella, Brittany Yeheko, and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Warren Miller (SBWJA): Mr. Miller noted that the Authority was approached about a week ago by a potential developer interested in building in the Township along Shiloh Road. The potential developer wanted to discuss how sewer service could be provided in that area. The developer did not indicate what they intended to build or how much capacity that they would need, but that they had a pretty aggressive schedule of 12 to 18 months to build something there.

Mr. Miller noted that they offered the developer a couple different ways to approach public sewer connection to this area.

- a. SBWJA could build the entire system up to Shiloh Road. This would require prevailing wage rates for the entire project which would be more expensive. or
- b. The developer could build the system from Shiloh Road to Spring Creek where there would be a pump station installed. It was noted that if this approach is taken that the developer could be reimbursed funds as others connect. This could be risky as these agreements typically last 10 years but could possibly be extended to 20 years as provided for under Act 57.

Mr. Miller noted that the developer is crunching numbers at this point. He noted that he and the engineer have spent a few days out in the field in the Walnut Grove area looking at how they could possibly go about sewerage this area as well as along the stream. Mr. Miller stated that he feels that they have a pretty good handle on how this could be accomplished. Mr. Miller noted that if the whole system is constructed that it would consist of approximately 15,000' of gravity line and 10,000' of pressurized lines. It was noted that it is approximately 4,000' from the proposed Shiloh Road project to the stream. The 4,000' is the area that the developer is considering if he wants to build or have the Authority to construct the entire line and then enact a special purpose tapping fee for that area.

Mr. Miller noted that when they were looking at the homes that could be connected down along the stream, that it was found that several of them were constructed prior to 1972 when the Clean Water Act became effective. It was stated that the homes that were built prior to 1972 are deemed to be suspected failures because they were built before the regulations came into effect. He added should these systems fail that it could be difficult to find areas for replacement systems due to the lot sizes and the topography of the area.

Mr. Miller noted that SBWJA doesn't want to spend a lot of time and funds looking into this if the area is going to be given to UAJA to serve. It was noted that this proposed project would be discussed in much more detail at SBWJA's next Board meeting. Mr. Miller stated that he feels that SBWJA could complete this project in approximately 12 to 18 months. Since this area is already in the existing 537 plan, no additional planning should be needed.

Mr. Moyer questioned if this project would take in Walnut Grove and those homes along Rock Road. Mr. Miller indicated that yes, it would. He noted that the swale that Penn Dot created when they installed I-99 makes an excellent area to run the sewer line. Mr. Miller noted that two pump stations would be required. One would be down along the stream on the west side of Spring Creek near the I-99 bridge crossing of Rock Road and the other would be just up from Big Hollow on Walnut Grove Drive. He noted that both would be submersible pump stations, no buildings would be constructed. Mr. Wise questioned if a third pump station would be needed at Shiloh? Mr. Miller noted that the developer's engineer is looking at this, but at this time it is thought not to be needed.

Mr. Wise noted that he doesn't understand how that when he attended a SBWJA meeting in June that this project was thought to be a 3 to 4 million dollar project, after that he was told that it was up to 5 million and now it is some other number?

Mr. Miller noted that there is a lot of variables to this project. One such variable would be if the developer decides to construct the line from Shiloh Road to the stream themselves. Mr. Miller noted that he now believes that the entire project could be done for less than 4 million.

Mr. Moyer questioned what would it cost the developer if it was done with SBWJA. Mr. Miller noted that it just depends. It could end up costing them just the tapping fee and inspection fees. Or if they decided to install a section of pipe on their own it would be a lot less than if SBWJA would have in it at prevailing wages. Mr. Moyer then questioned what does Mr. Miller think that it would cost homeowners connecting to this new line? Mr. Moyer noted that this is a concern. Mr. Miller noted that it has been the tradition of the SBWJA Board, and that the Board would need to again approve, but traditionally when sewer is extended to existing homes that they would pay a \$2,500 tap fee and a \$50 inspection fee plus whatever it would cost them to run a line from the main line into the home. Mr. Miller noted that those that would need grinder tanks would be treated the same those that have gravity sewer. The Authority has paid for the grinder tanks and installation and would maintain them. The homeowner would be responsible to extend the electric line to the tank and for the electric bill required to run them.

Mr. Moyer questioned what the time frame would be if the Authority received the go ahead? Mr. Miller noted 12 to 18 months. He noted that the planning is done. They estimate 3 to 5 months for engineering and permitting, and then 9 to 12 months for construction.

Mr. Franson questioned how the sewer line would get from Shiloh to Rock. Mr. Miller noted that it would run along the PennDot I-99 right of way.

Mr. Wise questioned if Mr. Miller really believed that he would be able to obtain permits from DEP and the Fish Commission in 3 to 5 months for this project? Mr. Miller noted that is the timeframe that their engineer told him today. Mr. Wise noted that the Township will need a lot more in writing before any decisions can be made. It will require an engineering cost estimates, schedule, maps, etc. Mr. Wise stated again that he doesn't understand how in June it was going to cost the developer 4 million dollars and then just a few minutes ago it was stated that it may not cost the developer anything. Mr. Miller noted that there must be confusion. He noted that the developer needs to decide if they want to install part of the line themselves and perhaps get reimbursement as per Act 57 or if they want the Authority to

construct the entire system. Mr. Miller noted that the 4 million is for a Walnut Grove/Shiloh Road project.

Mr. Wise noted that Walnut Grove was not on the radar and was never in the discussion until this evening. Mr. Miller noted again that SBWJA won't spend time and money on engineering a project that could be given to UAJA.

Mr. Moyer questioned what time frame was the Walnut Grove extension listed in the 537 Plan. Mr. Miller stated that he believes that it was in the 5 to 10 year time frame which is way past the timeframe outlined.

Mr. Kostas questioned what it would cost to redo the Township's 537 Plan? Mr. Wise noted that it wasn't necessary to redo the 537 Plan it would just require a Special Study at the cost of two to three thousand dollars.

Mr. Moyer noted that he feels that the Developer needs to make a decision as to which way he wants to go.

Mr. Wise noted that he doesn't feel that the Township should force the residents of Walnut Grove to connect just to make this project viable.

Mr. Miller noted that the project is still doable without the home connections, that it could be done for the cost of about 2 to 2.5 million. This project would consist of 4,000' gravity and 11,000' of force main and two pump stations. It was explained that if done this way then the costs would be borne of the Shiloh Road developers because the project would be done just for them.

Mr. Moyer questioned if a certain percentage of properties must be failing in order to have the homes connected in Walnut Grove and Rock Road. Mr. Miller noted that the properties were previously looked at when the 537 Plan was written and is the reason that they were included in the plan back then. Mr. Miller noted that he thinks that DEP would use the pre-constructed 1972 ruling and consider those homes to be suspected or potential failures. Mr. Miller again noted that slopes in the area will hinder replacement sites to be found for the homes in this area.

Mr. Moyer questioned if Shiloh Road goes to UAJA and then systems start to fail in Walnut Grove/Rock Road area what happens then? Mr. Moyer questioned who decides when it is time to sewer an area? Is it the Township? Is it the Sewer Authority? Mr. Miller noted that it is the 537 plan and the septic management plan. Mr. Moyer questioned if by giving Shiloh Road to UAJA could this potentially financially hurt the Walnut Grove area if they need sewer later on? It was noted that the sewer authority could have them pay the tap on fee of \$2,500 per home, per edu. And the Authority would have the option available to them to create a special purpose tapping fee. That would be the cost of the project divided by the number of homes to be connected. Mr. Moyer questioned if this has ever been done? Mr. Miller noted that it hasn't been done for their Authority but that it is done all of the time in other Authorities. It was noted further that SBWJA does have special purpose tapping fees that is similar but not exactly the same. They have this for existing systems when pump stations have needed to be upgraded due to increased development.

Mr. Miller noted that the project will need to be bid to actually find out the real number. Mr. Miller noted that by using numbers on projects that were recently bid he thinks that the project could potentially be 3.5 million.

Mr. Moyer noted that he will reach out to the developer to see where they want to go. Mr. Moyer noted that he just wants to sewer the area he doesn't really care how or who does it. The developer needs to decide.

Mr. Wise noted that UAJA has sewer lines running right through residential area of Benner Township in question so if at some point in time this area needs sewered it doesn't hinge on Shiloh Road. Mr. Miller noted that it will still require a pump station.

Mr. Miller noted that if this area is given to UAJA he doesn't feel that it will be of any benefit to the Walnut Grove area and explained how it would end up being a separate project. Mr. Wise noted that this potential project to Shiloh Road really has nothing to do with Walnut Grove and never has.

Mr. Miller noted that in the Township's 537 Plan it states that sewerage this area can be handled by an agreement between SBWJA and UAJA however, Cory Miller has closed the door on this happening. Cory Miller has indicated that it is all or nothing for them (UAJA). Mr. Wise noted that the 537 Plan would need to be changed by a Special Study which is easy to do. It will take some time but does not need to be approved by DEP or Centre Region COG. Mr. Wise noted that it could also be done by a unilateral two paragraph agreement between SBWJA and UAJA stating that SBWJA agrees to give up this area to UAJA. Mr. Miller noted that he wouldn't recommend his board approving such an agreement giving up service area.

Mr. Miller noted that he believes that the costs will be similar regardless who does it noting that while the upfront costs to go to UAJA may be cheaper they will pay a lot more for the tap on fees and sewage treatment.

Mr. Moyer again noted that he will reach out to the developer to see what they are thinking.

Thomas Dilella – (All Storage Solutions):

Surety Package Phase I: Mr. Dilella noted that his storage building project is nearing completion. It was noted that there is some additional work needed on the lights, fencing, top soil in the detention ponds and the top coat of paving. Cost estimates have been prepared by Sweetland Engineering for the unfinished items and has been reviewed and approved by the Township's Engineer, Don Franson. A surety package in the amount of \$82,000.00 is being submitted for approval. Mr. Wise moved to approve the surety package for Phase I of the All Storage Solutions Land Development Plan. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

Final Plan Phase I of All Storage Solutions: It was noted that with the surety package in place the Board may now approve the Phase I Final Plan. Mr. Moyer moved to approve the Phase I final plan for signatures and recording. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

MINUTES

The minutes of October 1, 2018, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

BILLS

The bills of November 5, 2018, were presented to the Board for their review and approval. It was noted that the PIB loan funds have yet to be disbursed and that time is running out to get the final paperwork submitted to FEMA/PEMA for the close out of Purdue Mt. Road Project. Part of the necessary documentation is that all bills are paid and that canceled checks for all invoices be submitted. Therefore, the remaining invoices for HRI, Inc. are being paid out of the General Fund with funds from the PIB loan to reimburse the General Fund once they become available. Mr. Moyer moved to approve the bills as submitted. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

*Dirt and Gravel Road project on Barnes Lane was completed. The final inspection and paperwork will be completed soon.

*Conservation District representatives have indicated that the other Barnes Lane project that was submitted to the Dirt and Gravel Road grant which was not approved was very close to reaching approval and therefore was recommended to be resubmitted for next year's funding cycle. Mr. O'Leary noted that he has already purchased the pipes for this area but that they could be utilized in other areas.

*Equipment maintenance is being done in light of the upcoming winter season.

ENGINEER'S REPORT

Mr. Franson noted that this area is close to meeting the record for the wettest year on record at 59".

OLD BUSINESS

Agreement with Centre Region COG Re: Duputy EM Coordinator: This item remains tabled.

Zoning Ordinance Comment Letters: It was noted that the Board is in receipt of comment letters on the proposed Zoning Ordinance from the following:

- a. Andrea Murrell
- b. Mark Torretti
- c. Spring Township

NEW BUSINESS

MOUs: Memorandum of Understandings have been received for approval from the following: Rutters, Homeland Manufacturing, and ARL. Mr. Moyer moved to approve these memorandums. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

2019 Proposed Budget: The proposed budget was presented to the Board. It was noted that a new line item was created showing a contribution being given to the Bellefonte Ambulance. It was further noted that the budget was balanced and no tax increases were proposed. Mr. Wise

moved to tentatively adopt the 2019 budget for the public review period. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent

Mr. Moyer – yes

Mr. Wise – yes

Centre County United Way: The Board was in receipt of a letter from the Centre County United Way asking the Board if they would consider sponsoring signs asking for donations for the United Way. The Board asked that this item be tabled.

CNET: The Board was in receipt of a proposal from C-Net asking if the Board would be interested in membership for 2019. The cost to the Township would be \$8,320 which is a decrease in what was proposed in 2018. The Board noted that they are not interested in this service.

Surety release for The Glen at Paradise Hills: The Board is in receipt of the final inspection report from Don Franson stating that all required improvements have been satisfactorily made therefore the surety of \$22,558.60 that the Township is holding for the Glen at Paradise Hills may be released. Mr. Wise moved to return the surety in the amount of \$22,558.60. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – absent

Mr. Moyer – yes

Mr. Wise – yes

GM McCrossin Surety Package: A surety package from GM McCrossin for their proposed land development plan was submitted to the Board for approval in the amount of \$275,817.87. It was noted that this package was reviewed by Mr. Franson and found to be acceptable. Mr. Moyer moved to approve the GM McCrossin surety package as presented. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent

Mr. Moyer – yes

Mr. Wise – yes

Letter from Keller Williams Realtors: The Board has received a letter from Denise Wood and Virginia Frank concerning the listing of Brian and Mike Miller with the tax parcel of 12-003B,041C located along Radio Drive and the Benner Pike. It was noted that there is no direct access to Bellefonte Borough's public water lines on this parcel. It was stated that the owners have been in communication with the surrounding property owners regarding obtaining an easement for the waterline extension but that to date no one was willing to grant such an easement. Communications have been made with Bellefonte Borough who state that permission to drill a well instead of public water connection would be the decision of the Benner Township Board of Supervisors. The Board noted that with no mandatory water connection ordinance in place that they had no objections to a well being drilled.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Letter from PSU Re: 2018 In Lieu of Payment Calculation
2. PSATS News
3. Centre County Planning Commission Correspondence
 - a. Keystone Payroll Commence with Construction Letter
 - b. SilcoTek Commence with construction letter
 - c. Non-substantive Changes to Keystone Payroll
 - d. Lot Addition/Replot Davann Gordon
4. Benner Township Water Authority September 18, 2018 minutes

5. Proposed Re-Zoning in Bellefonte Borough
 - a. Comments from Spring Township on Bellefonte Borough Rezoning proposal
6. SBWJA minutes September 24, 2018 and October 8, 2018
7. Letter from PSU Re: Stocker concerns/sinkhole
8. Notice of liquor license transfer from Bonfatto's Inc. to 1747 Beer & Wine LLC
9. DEP letter Re: Small Stream Discharge permit for Judson Mantz and Lynn Chaplin
10. NPDES Permit approval for SilcoTek

ADJOURNMENT

The meeting was adjourned the time being 8:21 p.m.

Sharon Royer, Secretary

**Benner Township Board of Supervisors
Public Hearing on Proposed Zoning Ordinance
November 27, 2018**

The public hearing on the proposed Benner Township Zoning Ordinance was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members David Wise and Mark Capriani present. Also in attendance were Nate Campbell, Paul Kurtz, Lee Copper, Garm McEwen, Devon Warner, Renee Swancer, Andrea Murrell, Thomas Eby, Ed Dunkelberger, Jeffrey Lucas, John Kostas, Shirley Gryczuk, Anthony Gallucci and Sharon Royer.

Mr. Moyer asked if there was anyone that would like to speak before the Board gets into the written comments.

Mr. Nate Campbell noted that the Environmental Sections of the Ordinance still have not been added back into the document and that there is still no development ratios for the Ag and Forest Conservation Districts. He continued that these were further outlined in the comments that the Planning Commission forwarded to the Board.

Mr. Capriani noted that he would like it on the record that Mr. Moyer did try to attend the Planning Commission's meeting to discuss the Planning Commission's comments but that their meeting was cancelled.

Renee Swancer questioned the Board if they intend on putting the environmental back into the ordinance. Mr. Moyer noted that it will be reviewed prior to final adoption.

Andrea Murrell questioned if the public will be able to view the comments that were received. It was noted that the Secretary will post all of the comments received onto the Township's website.

Mr. Capriani noted that he is disappointed that the comments that were received from the County Planning Office were received outside of the 45 day comment period. Mr. Capriani noted that there are some valid comments but wished that they would have been received earlier as the Board wants to keep this document moving forward to adoption.

Mr. Moyer noted that changes will be made and that the document will be re-advertised and the comment period will start over again with another public hearing.

Gary McEwen questioned that based on the comments received by the County, does the Board see any changes on any of the Zoning Districts? Mr. Moyer indicated that he didn't believe so. Mr. Capriani noted that there wasn't anything substantial.

Mrs. Swancer questioned if the Ordinance that is online is mainly going to stay intact, has the Board given any consideration on the density level that is being proposed across the township with the aspects as to how this will impact the water, sewer, transportation and the school systems? Has anything been looked at as far as development ratios to try to limit or to thoughtfully control these impacts? Mr. Moyer noted that the Board will discuss it, a work session will have to be held to discuss. Mrs. Swancer asked if any discussions were held with Spring Benner Walker to discuss sewer capacity issues or with the Metropolitan Planning Organization to see what this potential development could have on the Buffalo Run corridor, etc. Mrs. Swancer noted that she feels that joint work sessions should be held with the Sewer and Water Authority to see how this could effect them.

Mrs. Murrell questioned if any permits have been filed under this pending document status? It was noted that two permits for two home in the Village of Nittany Glen have been applied for.

Mrs. Murrell asked if the Board could go over the time frame on what happens from here. She also suggested that the Township consult with a Water Specialist and discuss this proposed document with them to see what could potentially happen with the zoning and what effect could happen with the hydrogeology of the region especially if the environmental sections are not included back into the document. Mr. Moyer noted that he isn't sure on the timeframe. A work session needs to be scheduled ideas discussed, changes made. He noted that the Township also plans on hiring a different attorney to have him take a look at the document.

Mrs. Murrell noted that ClearWater has offered their services in these types of reviews if the Township is interested.

The Board noted that they will plan to have a joint work session with the Planning Commission on December 13th to begin the review of the comments that have been received.

Mr. Moyer moved to continue this advertised pending ordinance until such time as changes are made and the ordinance is re-advertised. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – yes Mr. Moyer – yes

It was noted that changes are anticipated. This document as it is and was advertised, is the pending document. When the changes are made and the new draft is advertised, then that new document will become the new pending document.

The hearing was adjourned the time being 7:26 p.m.

Sharon Royer, Secretary

**Benner Township Supervisors
December 3, 2018**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members David Wise and Mark Capriani present. Also in attendance were Pam Adams, Dennis O'Leary, Don Franson, Thomas Eby, Pamela Czapla, Shirley Gryczuk, Tom Moyer and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Pam Adams (Centre Region COG Re: Trash Services): Mrs. Adams was present to give the Board an update on the upcoming trash bid. It was noted that 2019 is the last year of the current trash contract that the Township is part of. It is anticipated that the new bids will go out in January with them being due in March and awarded in May and beginning on January 1, 2020. Mrs. Adams noted that the upcoming bid will be written with several alternates:

*Base bid - this will be for service as it is currently

*Alternate #1 – Cart Service (Carts would be offered in three different sizes (35 gallon, 65 gallon and 95 gallon) depending on the size the cost will be adjusted accordingly.)

*Alternate #2 – Organics collection (food and yard waste). This would also be handled with carts. It was noted that most trash that is put out can be composted and kept out of the landfill.

*Alternate #3 – Would be adding both cart service and organics collection.

Mrs. Adams noted that the recycling market is down and costs for this service is expected to rise. It was noted that this contract is expected to be higher than in previous contracts and it will depend on the bid prices to see what services will be included in the awarded bid. Mrs. Adams noted that when she has more information to offer the board she will pass it on.

MINUTES

The minutes of November 5, 2018, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – abstain Mr. Wise – yes Mr. Moyer – yes

BILLS

The bills of December 3, 2018, were presented to the Board for their review and approval. Mr. Moyer moved to approve the General Fund bills in the amount of \$66,919.18. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – yes Mr. Moyer – yes

The State Fund bills of December 3, 2018, were presented to the Board in the amount of \$9,210.29. Mr. Moyer moved to approve payment of the state fund invoices. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – yes Mr. Moyer – yes

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted the following:

*Setting up a meeting with PennDot to get a better idea on potential paving projects for next year.

*Routine maintenance is being done on equipment.

ENGINEER'S REPORT

Mr. Franson noted the following:

Completed engineering reviews for the ARL Building #3 and the Homeland Manufacturing land development plans.

COMMITTEE REPORTS

Mr. Wise noted that he attended the Spring Creek Watershed Commission meeting. A presentation was done on how homeowners can manage stormwater on their properties.

It was noted that the Nittany Valley Planning Commission meeting was cancelled due to the snow storm. The Comprehensive Plan changes/updates are nearing completion. It is being proposed to have one hearing with all the municipalities participating and then each would adopt the finalized document.

OLD BUSINESS

Centre Region COG – EM Coordinator: This remains tabled.

Draft Zoning Ordinance: It was noted that the Board would be attending the Planning Commission's regularly scheduled meeting on December 13th to begin the review of the comments that were received.

NEW BUSINESS

2019 Budget: The 2019 budget has completed its public review timeframe. No comments were received. It was noted that this budget is balanced and doesn't reflect any tax increases. Mr. Wise moved to adopt the 2019 budget. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – yes Mr. Moyer – yes

ARL Sewage Planning Module: The DEP Sewage Planning Module for the new ARL building has been prepared by PennTerra Engineering and reviewed by the Township's SEO, Charles Herr. Mr. Moyer moved to approve the Planning Module and Resolution 18-6 that accompanies it. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – yes Mr. Moyer – yes

Solicitor Proposals: The Board is in receipt of three proposals for potential legal services from Rod Beard; Miller, Kistler and Campbell and Babst, Calland. Board members noted that they reviewed the proposals that were received. Mr. Moyer noted that he phoned and spoke with Mr. Beard after reviewing his proposal and spoke with his references and feels that he would be a good fit for the township. Mr. Moyer moved to appoint Rod Beard as the Township's back up solicitor until the Township's Reorganizational meeting in January. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – yes Mr. Moyer – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes – October 22, 2018 and November 13, 2018
2. Engineer's comment
 - a. ARL Test Site Building 3 Land Development Plan
 - b. Homeland Manufacturing Services Land Development Plan
3. Letter from Bellefonte Borough Re: Borough Rezoning proposal public hearing
4. Letter from Tim Edkin Re: reappointment to BTWA
5. Minor Land Development Plans for Cannon Instruments
6. Benner Township Water Authority Minutes – October 16, 2018
7. Letter from Benner Township Water Authority Re: Adopting Community Well system standards

NOTES

Mr. Moyer noted that he will be attending a meeting with DEP Representatives and Spring Benner Walker Joint Authority on December 13th concerning the Shiloh Road properties and potential connection to their public sewer lines.

ADJOURNMENT

The meeting was adjourned the time being 7:50 p.m.

Sharon Royer, Secretary