

**Benner Township Supervisors
December 17, 2001**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, Richard Lahr with members Michael Kelleher and David Breon present. Also in attendance were Warren Miller, Doug Weikel, Doug Deibler, John Elnitski, Norm Spackman, Josh Clemente, Scott Strom, and Renee Swancer.

AT & T Tower Conditional Use Request

This request was tabled at the request of the applicant.

Ordinance 81

The hearing for proposed Ordinance 81 that would amend the Stream Valley Zoning District chart to add Water Pollution Control Facility as a conditional use and amend Article XII to add a definition for Water Pollution Control Facility was called to order at 7:33 p.m. This Ordinance also amends Article X, Administration and Enforcement by amending Section 9, to add requirements for conditional use submission.

Mr. Lahr asked if anyone present had questions on the proposed ordinance. No one present had comments. Mr. Kelleher moved to adopt Ordinance 81. Mr. Breon seconded the motion.

Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

The hearing was adjourned the time being 7:40 p.m.

Mr. Weikel briefly went over the UAJA beneficial reuse project. Mr. Weikel noted that the project's estimated cost is between 35 to 40 million.

537 Plan Amendment: The proposed amendment to the Township's 537 Plan was advertised for adoption for tonight's meeting. This amendment includes sewer service to "Upper" Seibert Road and Walnut Grove area in the 0 to 5 year time period and Shiloh Road area in the 5 year + time period. Only one comment letter was received regarding the advertisement. The property owners of a 90 acre parcel located along Shiloh Road wrote the Board stating that they believe that development will occur on their parcel within the next five years and that sewer service to this area should be more seriously considered. Mr. Miller noted that the Sewer Authority's Engineer would provide a written response to the letter that was received.

Mr. Kelleher moved to adopt Resolution 01-8 that amends the Township's 537 Plan. Mr. Breon seconded the motion.

Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr - yes

PERSONS TO ADDRESS THE BOARD

Norm Spackman, Scott Strom and Josh Clemente/911 Addressing: Much discussion was held on the continued mistakes that have taken place with this project. Discussion was held regarding the information that should be included in the upcoming mailing that explains the entire process. Mr. Spackman noted that he has met with Doug Deibler from Continental Courts and that they have agreed on an addressing system for it. Sixty-eight addresses will need to change in Continental Courts.

Mr. Spackman noted that he is asking for the Board's approval to mail the address notices out to Continental Courts. Mr. Lahr moved to approve of the mailing contingent upon Mrs. Swancer final review. Mrs. Swancer noted that she agrees with Mr. Spackman that the changes in Continental Courts should be made without too much delay so that further confusion is not caused. Mr. Kelleher reluctantly seconded the motion.

Vote: Mr. Breon - reluctantly yes Mr. Kelleher - reluctantly yes
Mr. Lahr - yes

Doug Deibler: Mr. Deibler reported to the Board on the meeting that he attended at Bellefonte Borough Office concerning the Borough's water issues and future water service to Benner Township.

MINUTES

The minutes of December 3, 2001, were presented to the Board for their review and comments. Mr. Lahr moved to approve the minutes with the following changes - on the roll call vote each time a vote was made on Page 3 and 4 Mr. Breon's name was listed twice and one of them should be amended to Mr. Lahr. Mr. Breon seconded the motion with the amendments.

Vote: Mr. Breon - yes Mr. Kelleher - yes Mr. Lahr - yes

BILLS

The bills of December 17, 2001, were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Lahr seconded the motion.

Vote: Mr. Breon - yes Mr. Kelleher - yes Mr. Lahr - yes

ENGINEER'S REPORT

Mr. Weikel went over the various projects that he has been reviewing on the Board's behalf.

Grandview traffic light: Discussion was held concerning the maintenance agreement for the traffic light needed for the Grandview Development. It was noted that the Solicitor has advised that a tax cannot be created for such a small area to generate money to pay for the maintenance agreement for a traffic light. Mr. Kelleher moved that Benner Township will agree to sign the traffic light maintenance agreement for the Grandview Development, if Spring Township agrees to pay for the maintenance until Benner Township generates funds to pay for our portion of the maintenance agreement. Mr. Lahr seconded the motion.

Vote: Mr. Breon - yes Mr. Kelleher - yes Mr. Lahr - yes

ZONING OFFICER'S REPORT

Mrs. Swancer noted that she has two Zoning Hearing Board cases scheduled for January 10th.

I-99 Overlay District: It was noted that a joint meeting was held with the Planning Commission and the College Township Planning Commission to discuss the Shiloh Road interchange. A second meeting will be held sometime in February.

OLD BUSINESS

Spring Township Agreement/Boundary Change: Tabled.

Patton Township/Benner Township Boundary: Tabled.

Spring/Benner/Walker Joint Authority Vacancy: Tabled.

Magyar Sewer Problem: Discussion was held. Mr. Lahr noted that he would send Mr. Houck another letter concerning this matter.

The Board asked that clarification be sought from Mr. French on whether or not either the township or sewer authority can construct an actual connection to those properties who have yet to connect.

AT & T Franchise Fee: It was noted that the Mr. French has reviewed the documentation from AT & T that was forwarded to him. It was noted further that he recommended not changing the agreement as it only amounts to approximately 9 cents per customer.

2002 Budget: The final 2002 budget was presented to the Board for their review and adoption. Mr. Lahr moved to adopt the 2002 Budget. Mr. Kelleher seconded the motion.
Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

Centre Communication Tower Lighting: Mr. Lahr noted that he called and spoke with Mr. Hosterman regarding lighting their tower on the Benner Pike. Mr. Hosterman noted that he was willing to investigate the matter to see what the cost involved would be, as well as what liability goes along with it should they choose to light it.

NEW BUSINESS

Insurance Renewal: The insurance quotes were received from Kilmer Insurance Agency, Doty & Hench and PIRMA. Mr. Lahr moved to continue the Township's insurance with Kilmer Insurance Agency. Mr. Kelleher seconded the motion.
Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

Tom Bickett Resignation: The Board is in receipt of a resignation letter from Tom Bickett from Spring, Benner Walker Joint Authority due to moving out of the area. Mr. Breon moved to accept Mr. Bickett's resignation. Mr. Kelleher seconded the motion.
Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

Development Rights Purchase: Mr. Breon noted that Norm Lathbury from the Centre County Planning Office contacted him to see if the Township would be interested in contributing funds to purchase development rights to Paul Hartle's Spring Creek farm. The approximate amount that they are seeking is \$5,000 to \$10,000. The Board noted that they are willing to meet with Mr. Lathbury to go over more of the specifics of the project and what it entails and entitles the township to. Mr. Breon noted that he will try to schedule a meeting after the first of the year.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Notice of Transportation Enhancement Presentation Due – Jan. 9, 2002
2. Spring-Benner-Walker Joint Authority Minutes 11-12-01 & 11-28-01
3. Conservation District Earth Disturbance GOH, Inc.
4. Spring Township letter Re: Victorian Village
5. County Comment letter for Centre County Mutual Fire Insurance Company
6. Copy of letter Centre Lime & Stone Co., Inc. sent to PUC Re: Time extension for track reactivation SR26
7. PSATS Alert - December

EXECUTIVE SESSION

An executive session was held from 10:58 p.m. until 11:20 p.m. to discuss personnel issues.

ADJOURNMENT

The meeting was adjourned the time being 11:20 p.m.

Sharon Royer, Sec.