

BENNER TOWNSHIP SUPERVISORS

December 3, 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 Dave Breon and Michael Kelleher present. Also in attendance were Mark Ralston, Jon Eich, Jim Swartzell, Darla Poorman, Jeanette Gilbert, Larry Jodon, Bill Schaeffer, Mary Miles, Richard Miles and Renee Swancer.

AT & T Conditional Use Request

This request was again tabled upon the request of the applicant.

PERSONS TO ADDRESS THE BOARD

Mark Ralston- Converse Consultants: Mr. Ralston noted that he has been hired by the Centre County Commissioners to do a feasibility study on an onsite water supply for the new Centre County Prison. Mr. Ralston noted that they are looking for a well that will yield 40,000 gallons per day. Should Bellefonte not be able to provide the prison with water and a well is drilled, a storage tank for fire protection will need to be erected on site. Mr. Ralston noted that if the Board can think of any information relative to this site that would be beneficial for him to know, to please contact him. Mr. Kelleher asked that the Township's Water Authority be kept up to date on any new developments relative to this project.

Mr. Eich noted that Bellefonte Borough has indicated that they would not be able to provide them a letter committing water service for approximately two years.

Mr. Jodon questioned why the Rockview Water source has not been checked into. Mr. Eich replied that it has been looked into but that the source is too far away and too costly to get to the site treated for use.

Jon Eich: Mr. Eich presented the Board with a letter dated December 3, 2001, which discusses aesthetics issues raised to the Commissioners by the Board in a letter dated September 17, 2001. Mr. Eich also asked that the Board review and approve the Sewage Facilities Planning Module for the prison and the fire training facility. Mrs. Swancer noted that a letter needs to be received from Bellefonte Borough stating that they will accept flows and a review of the module will need to take place before approval is given.

William Schaeffer: Mr. Schaeffer was present to ask if the Board would grant him a time extension on hooking on to the sewer system. Mr. Schaeffer noted that he currently has a sand mound and that his system is not malfunctioning. Mr. Schaeffer asked the Board if they would consider an extension deadline of May 2002. Mr. Lahr moved to grant the Schaeffer's a time extension of actual hook up to the sewer until May 30, 2002 as long as the tap fee and quarterly billing is paid to Spring Benner Walker Joint Authority. Mr. Kelleher seconded the motion.

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

Mary & Larry Miles: Mr. & Mrs. Miles were present to express their disgust on the readdressing project. Mrs. Miles noted that she does not understand why Continental

Courts needs to be readdressed and then for them to do it only to notify them two days later that oops - disregard your previous notification. Much discussion was held. Mrs. Swancer noted that she has spent countless hours reviewing the addressing lists only to find the same mistakes time and time again. It was noted that the Board has not approved several areas of the township and were not to be mailed anything at this time. The Board noted that they want Kimball and Associates to phone those individuals that should not have been sent an address change.

Janette Gilbert & Darla Poorman: Ms. Gilbert noted that they are still having stormwater problems. The Board noted that they are waiting on the written recommendation by from the township engineer before they can comment on their problem.

A five-minute recess was taken.

MINUTES

The minutes of November 19, 2001, were presented to the Board for their review and comments. Mr. Breon moved to approve the minutes as presented. Mr. Kelleher seconded the motion.

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

BILLS

The bills of December 3, 2001, were submitted to the Board for their review and approval. It was noted that check 21452 is now in the amount of \$21,550.00 and that check 21453 to Highland Tank in the amount of \$6,592.73 has been added. Mr. Breon moved to approve the bills as amended. Mr. Kelleher seconded the motion.

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

ZONING OFFICER'S REPORT

Daycare Facility: Mrs. Swancer noted that she would check with the state to see if the daycare has received all of their necessary paperwork.

Tower Lighting: Mrs. Swancer noted that Mrs. Yvonne Smith has contacted the Township expressing concerns that she feels the Centre Communications tower should be lighted. Mrs. Swancer stated that she has contacted FAA, which indicated that the tower does not fall within their specifications to be lighted; therefore, they will not require Centre Communications to install a light. Mr. Lahr noted that he will contact Centre Communications to see if they would consider lighting the tower regardless of the FAA guidelines.

911 Addressing: Mrs. Swancer noted that L. Robert Kimball and Associates mailed out what may be the entire township's addresses out not just the ones that were approved. Discussion was held.

Ordinance 82: It was noted that this ordinance could be ready for either the second meeting in January or the first meeting in February. Mr. Breon moved to advertise the ordinance for adoption at the earliest possible meeting. Mr. Lahr seconded the motion.

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

OLD BUSINESS

Spring Township Agreement/Boundary Change: Tabled.

Patton Township/Benner Township Boundary: Tabled.

Spring/Benner/Walker Joint Authority Vacancy: Tabled.

Magyar Sewer Problem: Tabled - no new information.

Victorian Village: The Township has received a legal opinion back from the Township Attorney, which advises that the township should go through the condemnation proceedings for the property that is needed for the cul-de-sac and pay Mr. Jodon the fair market value for it.

Jim Swartzell: Mr. Swartzell noted that he will be retiring soon and is interested in any committee openings that are available. The Board noted that there will be an opening on the Planning Commission the beginning of the year if he is interested.

Burnham Farm Estates Traffic Light: The board is in receipt of correspondence from Attorney Elizabeth Dupuis on behalf of the developer stating that the developer is willing to front the costs of the light and pay for the first year of maintenance expenses for the light. Discussion was held. The Board questioned if taxes for specific properties that benefit from a traffic light could be assessed an additional tax to help pay for maintenance costs. A letter will be sent to the attorney for him to look into the matter.

Roadcrew Hours: The secretary noted that she has search the Labor and Industry site to see what the regulations are concerning breaks and lunch periods but has found nothing. Mr. Breon noted that he would make a few phone calls to see if he could find anything.

NEW BUSINESS

Spring Creek Rivers Conservation Resolution: A proposed resolution of support for the Spring Creek Rivers Conservation Program was given to the Board for their consideration. Mr. Breon moved to adopt Resolution 01-6. Mr. Lahr seconded the motion.
Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

Tax Collector Resolution of Fees: A resolution detailing the fees associated with various duties of the Elected Tax Collector was presented to the Board for their consideration. Mr. Lahr moved to adopt Resolution 01-7. Mr. Breon seconded the motion.
Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

Spring Eagle Greenway Advisory Committee: Discussion was held concerning this position. The board decided that Helen Alters should continue to represent the township in this capacity.

Ed Dunkleberger Subdivision Plan: Mrs. Swancer went over the proposed subdivision plan with the Board. The board noted that they did not have any comments relative to the plan. The board also noted that they approved of the Form B non-building waiver form.

AT & T Letter Re: FCC Decision Regarding Franchise Fees: The Board asked that this letter be forwarded on to the Township Attorney for his review and recommendations.

General Aviation Plan: Mrs. Swancer reported that a final inspection was done on the General Aviation Project and that Mr. Weikel is now recommending approval of the plan. Mr. Lahr moved to approve the University Park Airport General Aviation Plan. Mr. Kelleher seconded the motion.

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

UAJA Beneficial Reuse Project: It was noted that Gwin, Dobson and Foreman has indicated that they estimate their cost to review the Beneficial Use Project around \$1,450. It was noted further that UAJA will have a memorandum of understanding with the Township and that they will be responsible for reimbursing the township for all review fees. Mr. Kelleher moved to appoint GD & F to review this project on the township's behalf due to HRG, Inc.'s conflict of interest. Mr. Breon seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre Co. Conservation District Letters
 - a. Glenn O. Hawbaker – I -99
2. County Time Extensions
 - a. University Park Airport Land Development Plan, Phase 6A
 - b. Hampton Hills Subdivision
 - c. Graymont
 - d. Fillmore Farms
3. Growing Greener Watershed Restoration & Protection Grants
4. Letter from AT & T Re: Excite @ Home bankruptcy proceedings
5. County Letter Re: Commonwealth of PA Subdivision proposal for Centre Co. Prison Project
6. Letter from Sweetland Engineering Re: Stormwater Management Plan Response Comments to Spring Creek Watershed
7. HRG comment letter for Centre Co. Mutual Fire Insurance Co.
8. Letter from James Swartzell Re: Openings on Boards and Committees

NOTES

Mr. Kelleher noted that he would be willing to work for the township at the part-time roadcrew employee established wage rate, after his term of office, should the township get in a pinch with a large project or a lot of snow.

ADJOURNMENT

The meeting was adjourned with the time being 9:47 p.m.

Sharon Royer, Sec.