

**BENNER TOWNSHIP SUPERVISORS  
MINUTES  
October 7, 2002**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:50 p.m. by the Chairman, Richard Lahr, with members Dave Breon and John Elnitski, Jr. present. Also in attendance were Jim Ryder, Helen Alters, and Clair Stem.

**Ordinance No. 83**

The hearing for the proposed Ordinance No. 83 creating the Nittany Valley Planning Commission was called to order 7:53 pm. The Nittany Valley Planning Commission is being formed as part of the regional Comprehensive Plan underway by Marion, Spring, Bellefonte Borough, Walker, and Benner Townships. Mr. Lahr asked if anyone present had questions on the proposed ordinance. No one present had comments. Mr. Breon moved to adopt Ordinance No. 83. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr: yes            Mr. Breon: yes            Mr. Elnitski: yes

**PERSONS TO ADDRESS THE BOARD**

None.

**MINUTES**

The minutes of September 16, 2002, were presented to the Board for their review and comments. Mr. Breon moved the minutes be accepted as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr: yes            Mr. Breon: yes            Mr. Elnitski: yes

**BILLS**

The bills for October 7<sup>th</sup> were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr: yes            Mr. Breon: yes            Mr. Elnitski: yes

**ZONING OFFICER'S REPORT**

Firearms Discharge Complaint. Ms. Cindy Spangler of Valley View filed a complaint with the Township about her neighbors target practicing on Valley View Road. Ms. Spangler feels the Township should adopt an ordinance regulating the discharging of firearms in the Township in residential areas. Trooper Montresor, of the State Police, responded to the complaint filed by Ms. Spangler, and he indicated that there is no law in the Crimes Code or the Game Code which makes target practicing illegal. Mr. Lahr felt the Township should not adopt any regulations, and neither did Mr. Elnitski. The Supervisors felt an ordinance would be hard to regulate since many Township residents hunt. The Supervisors informed Mr. Ryder that he should take all precautions when target practicing on his property.

**OLD BUSINESS**

Spring Township Agreement/Township Boundary and Patton Township/Benner Township Boundary. Ms. Swancer explained that resolving the Patton Township boundary line problem would probably require the annexation process through the Courts because in 1947 the boundary line between the two Townships was established by the Courts through the Board of Review. On the contrary, the established boundary

lines are not being used by the County today. The annexation process requires a referendum on the ballot. Mr. Tom Kurtz, Patton Township Manager, has requested to review the files from Benner Township, and has indicated their Township is agreeable to working out the boundary line problem.

The Spring Township boundary line, however, is ambiguous, thereby requires the process of boundary line resolution which still requires the Courts, through the Board of Review, to establish the lines. Discussion with Spring Township will need to be held to resolve the problem here. Mr. Breon indicated he wants to review the files and maps of these areas.

Beezer Hill Road Closing. Mr. Lahr presented the Board with a letter to be sent to Dick Lewis from the Township in response to Penn DOT's rejection of the road closure permit.

Polymics Plan: Polymics, located in Airport Park, completed its addition. The site was inspected by the Township, Township Engineer, and the County, and found to be in compliance with the land development plan. With no other items to address, Mr. Lahr moved to approve the plan. Mr. Breon seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

Helen Alters, Park and Rec Director. Mrs. Alters gave an update on the following:

1. Fall Festival – great success, and she thanks the road crew for all their help.
2. I-99 Open house. Mrs. Alters is setting up a table at the open house. She will have exhibits showing old township roads, and information about the History Book.
3. Day of Caring. 15 students from Bellefonte High School were here and did cleaning of weeds, mulching and painting of tables.
4. ADA Grant from County: The rest of the money from the grant will be applied to the bridge constructed this summer at the park.
5. Soccer Field: The area designated at the park for the new soccer field needs fill. It is about 18"-24" too low and needs filled to make the field. Mrs. Alters has been trying to get topsoil provided for free, but has been unsuccessful, and wonders if the Township wants to pay to have the topsoil brought in. Mr. Lahr recommended that she get an estimate on the cost of the project from the Township Engineer.
6. Halloween party. The three Benner Township churches are doing a "Light the Night" Halloween night, to give children a safe alternative to the standard "trick or treat" door-to-door night. It is scheduled the same night as Halloween, October 31. The churches want to use the Buffalo Run Community Park for this function. Mrs. Alters wondered if the Board wanted to participate, instead of doing the Halloween party we do every year, since it will be held on Halloween night because the churches are trying to encourage "Light the Night" as a community effort. Bags of candy will be distributed by the churches with a religious paper inserted into each bag. Mr. Breon was not in favor of direct participation because he felt the Township should not get involved with "faith issues." Mr. Elnitski and Mr. Lahr agreed. The Board felt that if this function turns into a

“community” function similar to the Benner Township Fall Festival where many groups participate, then we as a Township can help fund such participation, but not until then. At this point, the Supervisors feel that if Mrs. Alter participates in the function on an “supervisory position” (ie., making sure the park is used correctly, coordinate its use, etc.) then the Supervisors have no problem. It was decided that we would not do a Halloween party this year.

## **NEW BUSINESS**

Omni Point Conditional Use Request: Omni Point requests to place an antenna on Purdue Mountain tower site. Mr. Breon moved to pass the conditional use application to the Planning Commission. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

Letter from French re: Water Service for Fire Training and County Prison: Mr. Lahr agrees with the Solicitor and recommends a resolution authorizing water service from College Township to Benner Township residents be prepared. Mr. Lahr moved to have a resolution prepared for the next meeting. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

Portable Carports. Discussion was held as to whether the Board wants to require zoning permits for pre-manufactured carports. The Board decided permits would be required.

### Salt and Anti Skid Bids:

Salt Bids were opened for salt to be delivered to the Township, and the results were as follows:

|    |                            |    |                |
|----|----------------------------|----|----------------|
| 1. | American Rock Salt Company | \$ | 38.28 per ton. |
| 2. | Morton Salt                |    | 42.68 per ton  |
| 3. | North American Salt        |    | 44.07 per ton  |
| 4. | Cargill Salt               |    | 39.34 per ton  |
| 5. | International Salt         |    | 49.85 per ton  |
| 6. | Eastern Salt               |    | No Bid         |

Mr. Lahr moved to award the lowest bid to American Rock Salt for \$38.28 per ton. Mr. Breon seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

Anti-Skid bids were opened, and the results were as follows:

|    | <u>Pickup at Plant</u> | <u>Delivered to Township</u>                 |
|----|------------------------|--|
| 1. | Glenn O. Hawbaker      | \$ 4.10 ton                      \$ 5.85 ton |
| 2. | Hanson Aggregates      | \$ 4.40 ton                      \$ 5.64 ton |

Mr. Lahr moved to award the antiskid bid to Glenn O. Hawbaker for pick up at plant for \$4.10 ton and to Hanson Aggregates for delivery to Township for 5.64 ton. Mr. Breon seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

Appointment of Nittany Valley Planning Commission Members: Mr. Lahr moved to appoint Dave Breon and Robert Fugate to the Commission. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

Budget Meeting. The Board scheduled a budget meeting for October 14<sup>th</sup> at 7:30 p.m.

Halloween: Mr. Breon moved to set Halloween on October 31 from 6:00 p.m. to 8:00 p.m. Mr. Lahr seconded the motion.

Vote: Mr. Lahr: yes                      Mr. Breon: yes                      Mr. Elnitski: yes

**CORRESPONDENCE**

1. Copies of letter SBWJA sent to customers about septic tanks being pumped out.
2. Conservation District E & S approval letter for University Park Terminal Apron project
3. Letter from Commissioners RE: Agricultural Conservation Easements
4. Community Solicitor Newsletter
5. DEP letter Rockview S.C.I. interconnect with College Township water
6. County Planning Office letters
  - a. Burnham Farm Estates Commercial Properties
  - b. Time extension Malcolm Krape
  - c. Burnham Farm Estates
7. SWBJA Minutes, September 9, 2002
8. Centre County Planning Office Comprehensive Plan Update
9. Notice from Con-Lime Inc., re: Title V permit application
10. South Centre Centre County Transportation Study Newsletter
11. SBWJA letter re: Lynn T. Walkers Septic Tank
12. Letter from Hourigan, Kluger & Quinn re: Verizon Wireless
13. Letter from McQuaide Blasko re: Centre Communications
14. State College Borough Water Authority's well monitoring report

**NOTES**

Centre Communications: Mr. Lahr discussed with the Board the letter sent to Centre Communications. We are awaiting a legal response from Mr. French.

**ADJOURN**

With all business complete, the meeting adjourned at 10:25 p.m.

Respectfully submitted by:  
*Renee Swancer, Zoning Officer*