

Benner Township Supervisors
March 3, 2003

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, Dave Breon with members John Elnitski and Richard Lahr present. Also in attendance were Josh Ramsburg, Neil Imes, Justin McCullough, Nathan Botic, Dave King, Gerald Rogers and Renee Swancer.

Stormwater Management Ordinance Hearing: The hearing for proposed Ordinance 84 was called to order at 7:32 p.m. Mr. Breon went over the changes made by the Township Engineer to the proposed model ordinance. Mr. Breon opened the floor for comments and/or questions.

Gerald Rogers of 1511 Trout Road, State College, PA called out several sections that he had comments on. Those being:

Page 17, Section 301, A. – Mr. Rogers objects to this section.

Page 19 Water Quality Sensitive Areas – believes that sewage trunk lines should be added to this section.

Page 23, Second paragraph starting with “In addition, the designer. . .” Thought that this sentence should be underlined.

Page 44 Section dealing with setbacks – Questioned if these setbacks conflict with the Overlay Zoning Ordinance.

Page 45: Was glad to see this section in the Ordinance.

Page 60, Section J: Talks about Section 407. There is no Section 407 – it should be Section 406.

Page 63, Section 602 and Section 603. Expressed concerns that the developer would be charged for the review of others plans. The entire memorandum of understanding process was explained. It was noted that detailed bills are made by the engineer for each plan he reviews.

Page 64, Section 702. Expressed concerns regarding language about the need of financial guarantee. The Board agreed to change the wording to “The applicant *may be* required to provide a financial guarantee. . .”.

Page 66, Section 706, C. Expressed concerns that three days is not enough time for notification. It was noted that, in most cases, another county or state agency will respond to the site if there is a problem and that a remedy will need to commence sooner than three days anyway.

Page 69, Section 805. Questioned the need for a \$600.00 a day fine. It was noted that this is the normal penalty amount listed in the Township's Ordinances, but that it is up to the magistrate to assign the fine at his/her discretion up to \$600.

No further comments were received from the audience.

Mr. Lahr moved to adopt Ordinance 84 with the minor amendments agreed upon by the Board during this hearing. Mr. Elnitski seconded the motion.

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

PERSONS TO ADDRESS THE BOARD

None.

MINUTES

The minutes of February 17, 2003, were presented to the Board for their review and comments. Mr. Lahr noted that he didn't amend the minutes of February 3, 2003, he clarified them. Mr. Elnitski moved to approve the minutes with the "clarification" noted. Mr. Lahr seconded the motion.

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

BILLS

The bills of March 3, 2003, were presented to the Board for their review and approval. Mr. Lahr moved to approve the bills as presented. Mr. Elnitski seconded the motion.

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

ZONING OFFICER'S REPORT

Boundary Line/Spring Township: Mrs. Swancer showed the Board the boundary line that Mr. McMath, Spring Township Zoning Officer, and herself sketched out. Mr. McMath had indicated to Mrs. Swancer that the Spring Township Supervisors have reviewed the proposal and would approve the changes. Discussion was held as to what is legally required to have the line changed and what this will cost verses the tax gain to be received. Mrs. Swancer noted that she would need to do more research on the matter. It was further noted that approximately four properties may be able to be switched at the assessment office without going before a judge as these properties already fall partially in Benner Township and the tax maps

indicated that they are in Benner but are for some reason are being taxed in Spring Township. Mr. Lahr moved to have Mrs. Swancer pursue having the four properties switched at the assessment office. Mr. Elnitski seconded the motion.

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

Chad Dubin: Mrs. Swancer indicated to the Board that she has checked with the Township solicitor to see if the Township could somehow place a deed restriction on the property that Mr. Dubin wishes to construct a wrestling camp on. Mr. French's response was that the Township cannot attach a deed restriction. A letter from Mr. Dubin stating that his club is not for profit will need to be obtained prior to a building permit being issued.

OLD BUSINESS

Patton Township/Benner Township Boundary: Tabled.

Beezer Hill Road Closing: Tabled.

Park & Rec Director Position: The Board asked that this position be advertised in the Centre Daily Times and in the time being they will work on the job description. The question was asked if the Board still wanted an Egg Hunt held with the office staff organizing it, after regular business hours, since a director won't be on staff until after that time. The Board indicated their approval of an egg hunt. It was noted that a letter has been sent to Mrs. Roth to see if she intends to return again this year as the Summer Park & Rec. Director.

NEW BUSINESS

Conditional Use Applications: Mr. Lahr moved to forward the Conditional Use application of Cellco Partnership d/b/a/ Verizon Wireless and Avail Medical on to the Planning Commission for their review and comments. Mr. Elnitski seconded the motion.

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

2003 Road Projects: The Board was asked if they had any changes to the paving project that was budgeted for the 2003. The Board noted that they still have intentions of finishing paving of Purdue Mt.

Garage Door Repair/Opener: Mr. Lahr moved to have Overhead Door of Nittany Valley repair the overhead door and at the same time install a garage door opener for the door. Mr. Breon seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. County Planning Commission Correspondence:
 - a. Graymont - time extension
 - b. Fillmore Farms - time extension
 - c. Centre Co. Mutual Fire Insurance Company – time extension
 - d. Comly Subdivision comments
2. SBWJA
 - a. Minutes – February 10, 2003
 - b. Dean Fenton Connection
 - c. Torsell Connection
3. SCBWA water-level measurement report
4. PSATS News Bulletin

ADJOURNMENT

The meeting was adjourned the time being 9:35 p.m.

Sharon Royer, Sec.