

Benner Township Supervisors
September 19, 2005

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, John Elnitski, Jr. with members James Swartzell and Dave Breon present. Also in attendance were Richard Mulfinger, Warren Miller, Doug Weikel, Brian Book, Mike Shamalla, Ed Gallas, Jeff Haas and Renee Swancer.

PERSONS TO ADDRESS THE BOARD

Warren Miller: Mr. Miller was present to discuss with the Board the fact that the Centre Region has voted to expand their growth boundary in the Shiloh Road area. Mr. Miller also noted that the Centre Region is in the process of updating their 537 Plan which includes the Shiloh Road area. Mr. Miller noted that SBWJA's position has not changed as far as how the sewage should be handled in this area - they still intend to handle the sewage in the area. Mr. Miller noted that this could be achieved in one of two ways. 1) sewage is pumped over to the University Park Airport lines and on to Bellefonte for treatment or 2) the sewage lines are owned by SBWJA and sewage is treated at a cost though the UAJA plant. It was noted that in order for the latter to happen, all participating UAJA municipalities would need to agree to accept the flows from Benner Township.

Mr. Miller noted that currently the Bellefonte treatment plant is treating 2.5 million gallons per day. The plant has the maximum capacity of 3.2 millions per day. 1.32 million gallons of the flow are reserved for SBWJA.

Richard Mulfinger/PA Fish Commission: Mr. Mulfinger was present to ask the Board of Supervisors if they would be willing to apply for a DCNR grant with the Fish Commission in order to replace the bridge at Shiloh Road. Mr. Mulfinger noted that this bridge is used by the general public in order to access Spring Creek for fishing. The current bridge has become in a state of disrepair and has been closed to vehicular traffic. Mr. Mulfinger noted that the Township would need to apply for the grant and administrate it. The Fish Commission would handle all additional work. It was noted that the bridge is estimated to cost \$23,000. Discussions were also held as to who would hold the lease to the section of ground where the bridge is located. Mr. Mulfinger noted that he is under the understanding that DGS/Rockview and the Fish Commission have come to an agreement regarding a lease for the area where the bridge is to be located.

Mr. Elnitski moved to authorize Mike Shamalla to work with Dave Bauman of the Fish Commission to apply for a DCNR grant for the Shiloh Road Fishing bridge replacement after he has an opportunity to review the lease language. Mr. Swartzell seconded the motion.

Vote: Mr. Breon – yes Mr. Swartzell – yes Mr. Elnitski - yes

Brian Book: Mr. Book was present on behalf of HRG, Inc. to discuss the Opequon Hill water system. Mr. Book noted that it is HRG's general position that the Opequon Hill/Hampton Hills water system would be good for the Water Authority to take the system over for the good of the public. In the process of the review HRG did question if things could be done to make the system better ie. larger storage tank, can we make the wells pump more, etc. But it is the overall recommendation that the Water Authority take the system over. The DEP permit is solid, the well has capacity, the well has capacity beyond the number of customers that it has been designed to serve. Does it have the capacity to serve the entire township? No, it doesn't. The legal portion of the take over needs to be completed after the board makes their final decision if they want to or not. Mr. Elnitski noted that after Mr. Eby returns from Japan he will have him contact Mr. Book to go over what was discussed this evening.

Mike Shamalla/Park & Rec. Update:

Fish Commission/Shiloh Bridge Replacement: Mr. Weikel questioned what permits would need to be acquired for the removal and replacement of the bridge.

Mr. Shamalla noted that the Fall Festival is coming along. Two bands have been scheduled. There are approximately 40 different vendors.

It was noted that he is waiting for Mr. Milanese to complete the year-end report for the Summer Recreation Program. Once it is received, a copy will be forwarded on to each Board member.

Mr. Shamalla asked if the Board would grant him permission to the Township's website for updating the recreation area of the site. Discussion was held. Mr. Breon noted that he would check with C-Net.

Mr. Shamalla noted that he would like to purchase some small trees to plant at the park. The Board noted that they are fine with this request as long as there is money in his budget to do so and that he coordinates the area where the trees will be planted with Mr. Bernhard.

Mr. Shamalla noted that he would like to construct a new sign for the Buffalo Run Park. The Board noted that they are also ok with this as long as there is money in his budget to do so and the design is reviewed by the Board prior to construction.

Township History Books: It was noted that Nittany Glen has expressed an interest in purchasing the remainder of the Township History Books to give as a welcoming gift to each home that is built in their development. The Board decided to sell the remainder of the books to Nittany Glen at the cost of \$18 each.

MINUTES

The minutes of September 6, 2005, were presented to the Board for their review and comments. Mr. Swartzell moved to approve the minutes as presented. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

BILLS

The bills of September 19, 2005, were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

ENGINEER'S REPORT

Mr. Weikel went over his monthly report on the plans that he has been reviewing on behalf of the Board.

Fastshoez Conditional Use Request: Mr. Elnitski moved to pass the conditional use request of Fastshoez on to the Planning Commission for their review and comments. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Centre County Airport Authority Land Acquisition: Mr. Swartzell moved to authorized Mr. Elnitski to negotiate with the Centre County Airport

Authority for fees related to the reimbursement for road maintenance and plowing along sections of Alexander Drive where they are acquiring property and making it tax exempt. Mr. Breon seconded the motion.

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

ZONING OFFICER'S REPORT

Mrs. McGowan went over her written report with the Board.

OLD BUSINESS

Spring Township Agreement/Boundary Change: This item continues to be tabled.

Patton Township/Benner Township Boundary: This item continues to be tabled.

Beezer Hill Road Closure: This item continues to be tabled.

Adelphia Franchise Fee Agreement Renewal: The transfer documents from Adelphia to Comcast were presented to the Board for their review. It was noted that the attorney hired by the CCACC prepared the documents. Mr. Elnitski moved to approve Resolution 05-5 for the transfer of the Township's cable franchise. Mr. Breon seconded the motion.

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

Nittany Valley Joint Planning Commission: Mr. Breon noted that the Central Business District was discussed at the Commission's last meeting.

NEW BUSINESS

Purdue Mt. Road Bonding/Penn Recycling: Penn Recycling wishes to bond Purdue Mt. Road while they crush and haul cars out from Tressler's Junk Yard. It was noted that all the proper paperwork and bond has been submitted and is ready for approval. Mr. Elnitski moved to approve the road bond for Penn Recycling. Mr. Breon seconded the motion.

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

Grove Park Memo of Understanding: The memorandum of understanding for Grove Park was presented for approval. Mr. Breon moved to approve the memo of understanding. Mr. Swartzell seconded the motion.

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

Jake Brake Sign postings: It was noted that in order for the township to erect the jake brake signs, Penn Dot will need to review the location for the signs to be placed and perform a traffic study.

Tar Kettle: The Board is in receipt of a note from Mr. Bernhard that Penn State is interested in purchasing the township's old tar kettle. It was noted that the newer materials that the Township uses for sealing cracks cannot be used in this kettle. Mr. Bernhard is recommending that the kettle be sold for \$200. Mr. Swartzell moved to sell the kettle to Penn State at the cost of \$200.00. Mr. Elnitski seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Nittany Valley Joint Planning Commission: Mr. Breon noted that the Nittany Valley Planning Commission has applied for a peer to peer grant in the amount of \$7,500 to study the creation of a Regional Park and Recreational Board for the Nittany Valley Region. The matching portion of this grant is \$1,687 which will be split five ways for the cost of \$337.57 for each municipality. Mr. Swartzell moved to participate in this study, pay the township's grant match of \$337.57 and act as the administrator of the grant. Mr. Elnitski seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Water Authority Appointment: Mr. Elnitski moved to appoint Nancy Swartzell to the Benner Township Water Authority with her term to expire 12/31/2011. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Robinson Lane/County Aid Grant: Mr. Elnitski reported that he has met with Bill MacMath and they would like to file a joint application (Benner Township, Spring Township, Pleasant Gap Fire Company) for repairs to Robinson Lane. The money that the Township received from the State to replace the pipe work would be used as the match for the grant. The Board authorized Mr. Elnitski to continue to work on this application.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes of August 22, 2005
2. Notice of Traffic Signal turn over Rishel Hill/Paradise Hill
3. Principal Financial Pension Plan Report

4. HRG Comment Letters
 - a. Benner Chiropractic Land Development – Final Plan
 - b. Amberleigh Preliminary Plan
5. County Conservation Comment Letters
 - a. NPDES Permit Eagle Point
 - b. Earth Disturbance Inspection Village of Nittany Glen
 - c. Earth Disturbance Inspection University Park Airport
6. PSATS News Bulletin

ADJOURNMENT

The meeting was adjourned the time being 10:18 p.m.

Sharon Royer, Sec.