

**Benner Township Supervisors**  
**August 17, 2009**

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 member James Swartzell present. Mr. Breon was absent. Also in attendance were Craig Findley, Elliott McLaughlin, Lonnie Lowry, Elaine Schaeffer, Ralph Locklin, Marilyn Findley, Tom Kulakowski, Doug Weikel, Dennis O'Leary, Ed Gallus and Renee Swancer.

**PERSONS TO ADDRESS THE BOARD**

Opequon Hills Condo Owners: Craig Findley was present on behalf of the Opequon Hills Condo Association and questioned if their permeable pavement driveways could be sealed. He indicated that several of them are scratched up and to patch them every couple of years will be costly. He also questioned if the driveways needed to remain permeable. Mr. Kulakowski indicated that the driveway designs were used as part of the stormwater management plan. Mr. Weikel indicated that permeable pavement cannot be sealed and that he is aware of some that was installed in the early 70's that is still operating effectively. Mr. Weikel noted that he can only suggest that the homeowners consult with an engineer to perhaps come up with some other alternative for him to consider in place of the permeable pavement driveways.

Elaine Schaeffer: Mrs. Scheaffer was present to question if it is possible for the Matterns to be using Fishburn Hill Road as an access point to their development along the Benner Pike. Mr. Weikel indicated that the township can't restrict them from using a township road. Improvements to the roadway will be required but that the Township cannot restrict them from using it.

**MINUTES**

The minutes of August 3, 2009, were presented to the Board for their review and comments. Mr. Elnitski moved to approve the minutes as presented. Mr. Swartzell seconded the motion.

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

## **BILLS**

The bills of August 17, 2009, were presented to the Board for their review and approval. Mr. Swartzell moved to approve the bills as presented. Mr. Elnitski seconded the motion.

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

## **ENGINEER'S REPORT**

Mr. Weikel went over the items that he is currently reviewing on the Board's behalf.

It was noted that University Park Airport - Air Traffic Control Tower is requesting a waiver from Ordinance 60: Street Standards under Article II: 5.10(b)(3) easement width from 50' to 25'. Mr. Weikel noted that after his review and consideration to the uniqueness of the property that he recommends that the waiver be granted. Mr. Elnitski moved to grant the waiver as requested. Mr. Swartzell seconded the motion.

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

## **ROAD SUPERINTENDENT'S REPORT**

*\*Dust Oiling and Tar and Chipping* have been completed without any complaints being received.

*\*Boom Mower:* Mr. O'Leary noted that he would like to rent the boom mower once again to mow along the sides of the roadways.

*\*McClenahen Eagle Scout Project:* It was noted that Tyler McClenahen is proposing to construct a walking trail on the property of the Benner Elementary School. He is asking if the township would be willing to mow the area down where the trail is to go. Mr. O'Leary noted that he didn't believe our regular mower will work that it may require the boom mower to do the job.

*\*Overhead lighting safety study:* Mr. O'Leary noted that the Township has received a letter back from PennDot indicating that they do not do studies for overhead lighting. If it is something that the Township feels is necessary, they may contact the electric company and have the light installed. The cost of the light and monthly fees would then be required to be paid by someone even though the light is on the section of roadway that belongs to PennDot. Mr. O'Leary noted that Allegheny Power has indicated that the light will cost \$1,612.00 and the current monthly electricity cost is

\$12.98 per month. Mr. Elnitski indicated that he would contact Fullington Bus to let them know of the cost and if they wish to proceed.

*\*Backhoe:* Mr. O'Leary indicated that after several attempts by Cleveland Brothers to take care of the water problem in the cab they are now going to give the township a new replacement hoe.

*\*Street Sweeper:* Mr. O'Leary indicated that College Township has received permission from DEP to sell their street sweeper to the Township at the cost of \$17,497.40 which represents 10% of what the sweeper cost new.

Mr. Elnitski moved to approve the purchase of the street sweeper. Mr. Swartzell seconded the motion.

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

### **ZONING OFFICER'S REPORT**

Mrs. Swancer noted that EPD will be coming up to go over the Canyon Area Zoning again on August 20<sup>th</sup>.

### **COMMITTEE REPORTS**

*Centre County Airport Authority* - Mr. Swartzell noted that their next meeting will be on Thursday.

### **OLD BUSINESS**

Spring Creek Canyon Property: Mr. Elnitski noted that he plans to meet with the Game Commission to see if there is a way to structure some kind of review board.

It was noted that the Board received letters from the following people related to the property transfer:

- a. Letter from PA Game Commission District III Commissioner Putnam
- b. Letter from Richard Shreve
- c. Letter from Larry Cramer

Bellefonte Borough Fire Protection Agreement: This item remains tabled.

YMCA Facility: Mr. Elnitski noted that he has a phone call and email into Dittmer and is waiting to hear back from him. He noted that he will contact Mr. Long to try to keep this moving.

Township Wide Trash Collection: It was noted that the final drafts of the mandatory trash and recycling ordinances have yet to be received from the Centre Region.

Surety Extension Paradise Hills North: Mr. Elnitski moved to conditionally approve the surety extension pending completion of the documents being signed by the share holders. Mr. Swartzell seconded the motion.

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

Beezer Hill Road Closure: Mr. Elnitski questioned the status of this road closure. Mr. Weikel commented that the closure isn't to happen until the top coat is applied in the Amberleigh Development and the Township takes over the development's roads.

## **NEW BUSINESS**

Act 32 Tax Collection District Committee: Mr. Swartzell moved to appoint Sharon Royer with the alternate of John Elnitski to serve on this committee. Resolution 09-04. Mr. Elnitski seconded the motion.

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

Purdue Mountain Road Bonding: The Board is in receipt of road bond documentation and certified check in the amount of \$35,000 from Penn Recycling, Inc. who will be hauling out crushed cars from Tressler's Junk Yard. Mr. Elnitski moved to approve this road bond. Mr. Swartzell seconded the motion.

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

Penn Dot dotGrants: It was noted that Penn Dot is now requiring all Penn Dot forms to be submitted electronically and requires a resolution signed by the board authorizing the designated person to submit them. Mr. Elnitski moved to approve Resolution 09-05 appointing Sharon Royer to be the designated person to submit the Penn Dot forms. Mr. Swartzell seconded the motion.

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

Howard Armagast Estate Plan: It was noted that the subdivision plan for the Howard Armagast Estate Plan has been received from the County for comments. Mrs. Swancer noted that she has prepared a list of comments to be submitted on the Plan. Mr. Elnitski moved to approve the plan with Mrs. Swancer's comments. Mr. Swartzell seconded the motion.

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

Memo of Understanding - Tricore Group: A memorandum of understanding was presented by Tricore Group for their proposed land development plan. Mr. Elnitski moved to approve the Memo of Understanding for TriCore. Mr. Swartzell seconded the motion.

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

## **CORRESPONDENCE**

The Board acknowledged receipt of the following correspondence:

1. SCI Rockview Expansion - Traffic Impact Study comments
2. Energy Purchasing Coop information
3. Benner Township Water Authority Minutes - May 19, 2009
4. Letter from SBWJA to Department of General Services re: capacity
5. Centre County Planning Correspondence
  - a. Time Extension - Confer TJK replot
6. Letter to Centre Communications from Timothy Schoonover
7. SBWJA Minutes of July 27, 2009
8. CRMPO - Old Gatesburg Road Extension Project Comment period
9. PSATS News Bulletin
10. Letter from Ken Engel and Chirs Herr Re: Brockerhoff Mill Property

## **EXECUTIVE SESSION**

An executive session regarding personnel issues was called from 9:03 to 9:15 p.m.

## **ADJOURNMENT**

The meeting was adjourned the time being 9:16 p.m.

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Sharon Royer, Sec.