

Benner Township Supervisors
September 21, 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 members James Swartzell and Dave Breon present. Also in attendance were Marilyn Findley, Craig Findley, Elliott Laughlin, Allen Neely, Mark Torretti, Doug Weikel, Dennis O'Leary and Renee Swancer.

PERSONS TO ADDRESS THE BOARD

Craig Findley: Mr. Findley was present to discuss the driveway issues that he and the others of the Opequon Condo Association are having. He noted that Mr. Kulakowski has agreed to top coat the existing 18 driveways and build all the new driveways to the specifications that are listed on the Land Development Plans. Mr. Weikel noted that while the existing driveway does not meet the specification listed on the plans, what was installed exceeds the Township's specifications. Mr. Weikel noted further that the township can only address the section of driveway that is located in the Township's right of way. Mr. Weikel noted that the Township is not here to advise the residents what to do, we can only say if the driveway in the right of way meets the Township's ordinance or not. In this case, it does. Mr. Findley was told that should the topcoats be installed on the driveways it will require a permit to work within the Township's right of way.

MINUTES

The minutes of September 3, 2009, were presented to the Board for their review and comments. Mr. Elnitski 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 21, 2009, were presented to the Board for their review and approval. Mr. Swartzell moved to approve the bills as presented. Mr. Breon seconded the motion.

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

Sheetz Conditional Use Application: Mr. Elnitski moved to forward the Sheetz Conditional Use application for tax parcel 12-03-124D on to the Planning Commission for their review and comments. Mr. Breon 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 projects that he has been reviewing on the Board's behalf. Mr. Weikel noted that Eagle Point has lost their preliminary plan for the residential section of the development.

ZONING OFFICER'S REPORT

Mrs. Swancer noted that she reviewed the improvements (electrical vault renovation and improvements to the deicing apron) that University Park Airport is making with Mr. Schnoover and has decided that no conditional use application is required. Mr. Weikel reviewed the drawings as well and nothing will be required for him either.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

*Replacement backhoe should arrive in November.

*The street sweeper that the township is purchasing from College Township will arrive in late October. Storage space is now very limited and the oldest truck will now have to be stored outside.

*Guiderail damage - It was noted that someone from the PSU Ag Department hit guiderail with a mower along Fox Hill Road. We are getting a quote for replacement which Penn State says that they will pay for.

*Bridge Inspection Report: It was noted that we received our latest bridge report from Penn Dot on the Krout Lane Bridge. Guiderail is required to be installed on this bridge which will no longer allow farm machinery to be taken to the Krout farm for use. If the guiderail isn't installed, Penn Dot will come in and do and charge us or we could risk having our liquid fuel payment withheld. Mr. Elnitski moved to send a letter to the property owners making them aware of what must be done. Mr. Swartzell seconded the motion.

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

COMMITTEE REPORTS

Mr. Breon brought the Board up to date on the Spring Creek Watershed Commission and Nittany Valley Joint Planning Commission meetings that he attended.

OLD BUSINESS

Spring Creek Canyon: Mr. Elnitski noted that a joint meeting has been discussed between the Game Commission, Penn State and Kerry Benninghoff.

Bellefonte Borough Fire Protection: Tabled.

YMCA Facility: Nothing new to report.

Fullington Bus light request: Mr. Elnitski noted that he is awaiting a return phone call from Fullington. At the time of the last call, Fullington did not contact Patton Township about sharing in the cost of the light.

Draft Trash Ordinances: It was noted that the draft has been received and is being reviewed by all the other townships involved. The draft will be forwarded on to the Board for their review.

Beezer Hill Road Closure Permit: It was note that the Township has received notice that the permit to close Beezer Hill Road will soon expire. Mr. Elnitski moved to file the paperwork to request a 12 month extension. Mr. Breon seconded the motion.

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

NEW BUSINESS

2010 Pension Minimum Municipal Obligation: The formula for the 2010 pension deposit requirement for \$49,370.84 was presented to the Board. Mr. Elnitski moved to approve the 2010 MMO. Mr. Breon seconded the motion.

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

Howard Armagast Estate Sewage Planning Exemption: Mr. Elnitski moved approve the sewage planning exemption for the Howard Armagast Estate based upon the recommendation of the Zoning Officer. Mr. Swartzell seconded the motion.

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

Memo of Understanding for the HH & L Properties, LLC: Mr. Elnitski moved to approve the memorandum of understanding for the HH & L Properties. Mr. Swartzell seconded the motion.

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

Grove Park Phase I Surety reduction/extension: Mr. Breon moved to approve the Grove Park Phase I surety extension. Mr. Elnitski seconded the motion.

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

2010 County Aid Application Notice: The Board asked Mr. O'Leary to think about a project that the Township could apply for funds for.

Cleveland Brothers surety: This is tabled until the next meeting.

Opequon Hills Phase II and III Surety Extension: Mr. Breon moved to approve Opequon Hills Phase II and III surety extension in the amount of \$71,026.00 to expire on September 6, 2010. Mr. Elnitski seconded the motion.

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

Teamsters Surety Release: Mrs. Swancer noted that all of the remaining items have been addressed and therefore the surety may be released. Mr. Elnitski moved to release the surety. Mr. Breon seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes of August 24, 2009
2. Centre County Planning Letters
 - a. Howard Armagast Estate Final Plan
 - b. Lot Consolidation H H & L properties LLC
3. Conservation District Letters
 - a. Benner Spring Fish Hatchery - Wastewater Treatment Upgrade
 - b. Lyn Lee Farms Fill Site
4. Letter to Joseph Pistone RE: sewage system malfunction
5. Letter to Corman/Hanna/Benninghoff from Donald Hamer RE: Rockview transfer
6. 2007 & 2008 Liquid Fuel Audit Report
7. 2008 State of the Water Resources Report in the Spring Creek Watershed

ADJOURNMENT

The meeting was adjourned the time being 9:07 p.m.

Sharon Royer, Sec.