

**Benner Township Supervisors  
October 4, 2010**

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 Randy Moyer present. Mr. Breon was absent. Also in attendance were Tom Eby, Todd Smith, Alan Neeley, Renee Swancer and Sharon Royer.

**PERSONS TO ADDRESS THE BOARD**

Tom Eby: Mr. Eby noted that he was in attendance to give the Board an update on the Benner Township Water Authority. He noted that the Board has signed a letter of intent to purchase the Grove Park water system. It was noted that a report on the well system is being prepared by Matt Milliron and Warren Miller. The purchase agreement tentatively reached includes a \$2,000 down payment with a \$1,000 per lot payment for the next 40 lots sold.

Todd Smith: Mr. Smith noted that he was present to have the Grove Park Phase III plan signed. It was noted that the surety package was presented and approved by the Board at their last meeting. The plan will then be recorded so that lots in Phase III may be offered for sale. Mr. Elnitski moved to approve the Grove Park Phase III plan. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

\*\*It was noted that Boyd Smith is now present so that the Conditional Use hearing for the Centre County Airport Authority may now begin. The regular meeting was recessed until the Conditional Use Hearing concludes. The time is 7:41 p.m.

**Centre County Airport Authority  
Conditional Use Hearing – Installation of Solar Panels  
October 4, 2010**

The Conditional Use Hearing for the Centre County Airport Authority was called to order at 7:42 p.m. by the Chairman, John Elnitski, Jr. with member Randy Moyer present. Mr. Breon was absent. Also in attendance were Tom Eby, Todd Smith, Alan Neeley, Renee Swancer and Sharon Royer.

Mr. Boyd Smith was present to go over the proposed project which includes installing photovoltaic solar panels to be ballast mounted on the airport terminal building rooftop and photovoltaic panels to be installed on a canopy structure covering airport parking lots located on the north and west sides of the terminal building.

Mr. Smith noted that all of the panels will be south facing. None will be facing north.

It was noted that the geological report prepared by CMT has not yet been received. The Board noted that prior to a decision being rendered they want Mr. Weikel, the township's engineer, to review the report.

Mr. Smith noted that the company has determined that they will be able to cast in place the support structures for the panels in the parking lots.

Mr. Elnitski questioned how many of these installations his company has done. Mr. Smith noted that this would be the first project of this kind that his company has overseen. However, the actual installation company has installed many.

The hearing was adjourned the time being 7:46 p.m.

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Sharon Royer, Sec.

\*\*The regular meeting has now been reconvened the time being 7:47 p.m.

### **MINUTES**

The minutes of September 20, 2010, were submitted to the Board for their review and comments. Mr. Elnitski moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

### **BILLS**

The bills of October 4, 2010, were submitted to the Board for their review and approval. Mr. Elnitski moved to approve the bills as presented. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

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

Mrs. Swancer noted that she didn't have anything to report for this meeting.

### **COMMITTEE REPORTS**

Fire Task Force: Mr. Elnitski noted that the first Fire Task Force meeting has been held. It was noted that Larry Horner, a Benner Township appointment, has been made the Chairman of the Task Force. He noted that Mr. Bjiami and Mr. Stocker didn't attend so he will be contacting them to confirm that they still wish to serve. Meetings will be held once per month.

MPO: Mr. Elnitski reported that Marion Township is seeking to become a voting member of the MPO.

### **NEW BUSINESS**

Schaeffer Planning Module: It was noted that the Schaeffer's intend to subdivide off a 2 acre parcel for one of their children along Seibert Road. It was noted

that all of the required paperwork has been received. Mr. Moyer moved to approve the Schaeffer Planning Module as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

Benner Commence Park Non-Substantive Change: It was noted that Benner Commerce Park Subdivision, Phase I is requesting the following non-substantive changes:

1. The previously proposed temporary cul-de-sac on Penntech Drive was eliminated and will be replaced with a barrier and a "Road Closed" sign.

2. A note was added to Sheet 1, Layout Plan, as Note #44, "Lots 1, 6 and 8 require grinder pumps to provide service to the public sewer system." It was noted that the use of grinder pumps for these lots was previously approved by SBWJA.

Mr. Elnitski moved to approve the non-substantive change. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

Fox Hill Road - Road Bonding: It was noted that Zartman Construction is ready to be released from their bond of Fox Hill and Rock Roads. It was noted that an inspection was performed by HRG and Mr. O'Leary which determined that no excess damage occurred. Mr. Elnitski moved to release Zartman Construction from their bond. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

It was noted that Stone Valley Construction, Inc. is seeking to bond Fox Hill Road and Rock Road. The amount calculated at \$12,500/mile @ 2.6 miles = \$32,500. It was noted that all of the necessary bond paperwork has been received and is ready to accept. Mr. Elnitski moved to approve the Road Bond for Stone Valley Construction, Inc. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes                      Mr. Breon – absent                      Mr. Elnitski – yes

\*It was noted that Mr. Breon is now present the time being 8:07 p.m.

DCNR/Grants: Mr. Elnitski noted that he called DCNR to schedule a meeting regarding grant applications for the parking lots for the canyon property. It was noted that the applications for next round of funding are due in April.

Eicher/Garbage Collection Hearing: Mr. Elnitski noted that Magistrate Hoffman notified the Township to declare that he is a customer of Veolia and that he personally knows Mr. Eicher. Mr. Elnitski moved to allow Mr. Hoffman to continue to hear this case. Mr. Breon seconded the motion.

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

Budget Work Sessions: Work sessions were scheduled for October 21<sup>st</sup> and November 1<sup>st</sup> both beginning at 6:00 p.m.

**OLD BUSINESS**

Canyon Overlay Ordinance: It was noted that it is recommended by the Township Attorney that the Spring Creek Canyon Ordinance be re-advertised, several postings be erected around the area and letters sent to properties within the overlay.

Mr. Neeley noted that Penn State will put together their comments.

Mr. Moyer questioned why the Airport couldn't be left out of this overlay since they are already subject to the airport overlay. It was noted that the consultant included this area due to them being located in the Spring Creek Watershed drainage area.

Mr. Elnitski moved to follow the attorney's advise and re-advertise, post and send letters out for the Spring Creek Canyon Overlay Ordinance. Mr. Breon seconded the motion.

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

**NOTES**

Mr. Elnitski noted that he received a letter from a Barn's Lane resident who has concerns and is questioning the 3 year cycle of septic tanks being pumped.

Mr. Elnitski questioned if the Township has a need for a new recording device. It was noted that the Fire Task Force is in need of a dictation recorder for taping meetings.

**CORRESPONDENCE**

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Commission Letters
  - a. Final Plan former Wolf's Furniture Store - Tabled action
  - b. 24/7 Time extension
  - c. Village of Nittany Glen Land Development - Time Extension
  - d. Benner Commerce Park Phase 1 - time extension
2. SBWJA Minutes of September 13, 2010
3. Benner Township Water Authority - minutes of August 17, 2010
4. NPDES Permit Plan Revision for SCI Benner Township
5. Notice of Tax Assessment Appeals

**ADJOURNMENT**

The meeting was adjourned the time being 8:37 p.m.

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Sharon Royer, Sec.