

**Benner Township Supervisors  
May 2, 2011**

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 with members Dave Breon and Randy Moyer present. Also in attendance were Joe Hart, Ken Hart, Eric Bernier, Renee Swancer and Sharon Royer.

**PERSONS TO ADDRESS THE BOARD**

Eric Bernier: Mr. Bernier was present to go over with the Board the upcoming proposed CATA budget and the changes that will be made to the routes in the Township due to lack of funding. Mr. Bernier noted that trips to the airport have been cut back and by August the service to the airport will be discontinued. Mr. Bernier noted that after the public comment period, CATA will asked the Board to formally adopt the budget.

The regular meeting was recessed to conduct the Lions Gate Storage Facility Conditional Use Hearing. The time was 7:46 p.m.

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Sharon Royer, Sec.

**Lions Gate Storage Facility  
Beginning Properties, LLC  
Conditional Use Hearing  
May 2, 2011**

The conditional use hearing for Lions Gate Storage Facility was called to order at 7:47 p.m. by the Chairman, John Elnitski, Jr., with members Dave Breon and Randy Moyer present. Also in attendance were Eric Kann, Joe Hart, Ken Hart, Eric Bernier, Renee Swancer and Sharon Royer.

Beginning Properties, LLC is seeking conditional use approval for the Lions Gate Storage facility. Beginning Properties, LLC is seeking approval to construct indoor and outdoor storage units and a truck rental business.

The hearing was recessed until the Board's next meeting of May 16<sup>th</sup>.

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Sharon Royer, Sec.

The regularly scheduled meeting of the Benner Township Board of Supervisors was re-convened the time being 8:20 p.m.

**MINUTES**

The minutes of April 4, 2011, were presented to the Board for their review and comments. Mr. Breon moved to approve the minutes as presented. Mr. Elnitski

seconded the motion.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski – yes

## **BILLS**

The bills of May 2, 2011, were presented 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 – yes

Mr. Elnitski – yes

## **COMMITTEE REPORTS**

PSATS Convention: Mr. Breon noted that he and Dennis met with Soil Nail Launcher regarding repairs to Purdue Mountain. He noted that the repair costs amounts to about \$1,000/ft. It was noted that the repairs can be done in sections and wouldn't have to be done all at one time. The company warrants its work for five years but believes that the fix will last for 75 years. Mr. Moyer noted that he thinks that another alternative to repair the road would be to lower it. Mr. Moyer noted that he would be glad to meet and discuss this with the Township Engineer.

Mr. Breon noted that he attended a class "Is it the Right Time to Build?". The class basically said that yes now is the time. Interest rates are low, builders need work, etc.

Mr. Breon noted that other classes he attended dealt with Marcellus shale, fees and MS-4 compliance.

State College Water Shed Commission: Mr. Breon noted that discussion was held concerning creating Source Water Protection Zones and Source Water Protection Plans.

## **OLD BUSINESS**

Spring Creek Canyon Grant: Mr. Elnitski noted that in the end a construction grant was applied for instead of a planning grant. The Construction grant will be a 80/20 and DCNR has allowed the Township to submit waivers to consider allowing the Game Commission's contribution as a match.

Spring Creek Canyon Overlay Ordinance: Mrs. Swancer questioned if the Board was finished reviewing the Ordinance. Mr. Elnitski moved to advertise the Ordinance at the same time as the age qualified housing and the lot size definition change is made. Mr. Breon seconded the motion.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski – yes

Right Of Way Regulatory Ordinance: A draft copy of the ordinance was provided to the Board in their packet.

Keeping of Chickens Ordinance: Mrs. Swancer noted that the Planning Commission has completed their review and a copy of the ordinance was provided to the Board. Mr. Breon noted that he thought that a word was missing in two paragraphs of the one section of the ordinance. The change was made. Mr. Breon asked that a copy of the draft ordinance is placed on the Township's website. Mr. Elnitski moved to advertise the ordinance. Mr. Moyer seconded the motion.

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

**NEW BUSINESS**

Paving Bids: Sealed bids for the Township's 2011 paving projects were opened with the results being as follows:

	HRI, Inc.	New Enterprise	GOH, Inc
1. Roadway Base Repairs	51.00	65.70	45.00
2. Milling of bituminous paving notch	3.00	4.00	2.00
3. HMA Binder Course 19.0 mm Mix	67.00	80.45	66.00
4. HMA Wearing Course (scratch & leveling) 9.5 mr	69.00	79.50	76.25
5. HMA Wearing Course 9.5 mm mix level I 50 gyra	68.00	74.80	76.25
6. 15" corrugated plastic pipe, Type "S"	54.00	87.25	158.00
7. 18" corrugated plastic pipe, Type "S"	60.00	104.00	168.00
8. Used 2-S guide rail	13.00	18.50	19.00
9. Terminal Section	85.00	60.00	55.00
<b>Bid Total</b>	<b>167,886.00</b>	<b>198,959.10</b>	<b>204,841.25</b>

Mr. Elnitski moved to award the 2011 paving contract to HRI, Inc. at the cost of \$167,886.00. Mr. Moyer seconded the motion.

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

Eagle Point Phase II: Mr. Elnitski moved to approve the Eagle Point Phase II surety extension. Mr. Moyer seconded the motion.

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

Davann Gordon Planning Module: It was noted that the Planning Module is complete and ready for the Board's approval. Mr. Breon moved to approve the planning module. Mr. Elnitski seconded the motion.

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

Rockview Subdivision Non-Building Waivers: Mrs. Swancer noted that five non-building waivers have been provided to the Board for their approval. It was noted that these waivers are due to the fact that no sewage planning is being done for any of the lots. Mr. Elnitski moved to approve the waivers. Mr. Moyer seconded the motion.

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

Rockview Subdivision - Street Standard Waiver: It was noted that the Commonwealth of Pennsylvania is requesting a waiver from Section 5.10.a(2) – of the Township's Street Standards Ordinance to allow a private driveway

easement to serve three properties instead of a maximum of two as allowed by the ordinance. The developer's basis for the request is so that the existing access can be utilized, including a bridge crossing Spring Creek, to maintain the existing conditions as well as prevent the construction of a new access drive through conservation zoned lands.

Mr. Weikel is recommending approval of the Request for Waiver to allow three properties to use the existing access since the proposed access use will stay the same and will be limited to the identified property owners. In addition, the topography of the surrounding parcel and close proximity to I-99, the construction of a new access would require excessive disturbance and would not be feasible. Mr. Elnitski moved to approve the Street Standard Waiver due to the uniqueness of the abnormal lot configurations. Mr. Breon seconded the motion.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski – yes

### **CORRESPONDENCE**

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Office
  - a. Time Extension Paul Hartle Subdivision/Lot Addition
  - b. Time Extension Fox Ridge Subdivision
  - c. Beginning Properties – Lot Consolidation Plan
  - d. Davann Gordon Subdivision
2. Centre County Conservation District
  - a. L.S. Fiore Fill site Rishel Hill Road
3. SBWJA Minutes
  - a. March 28, 2011
  - b. April 11, 2011
4. Benner Township Water Authority Minutes of February 15, 2011
5. Geisinger Health Plan – Renewal Rates
6. Letter from Catherine Cutter Re: Fillmore Road
7. Principal Financial Group Quarterly Reports
8. Letter from Centre County Farm Bureau
9. Letter from CATA Re: CATA Ride program meeting

### **ADJOURNMENT**

The meeting was adjourned the time being 9:26 p.m.

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Sharon Royer, Sec.