

**Benner Township Supervisors  
September 8, 2011**

The regularly scheduled meeting of the Benner Township Supervisors was called to order at 7:30 p.m. by the Chairman, John Elnitski, Jr. with members Dave Breon and Randy Moyer present. Also in attendance were Pam Adams, Nate Campbell, Ben Pelipesky, Renee Swancer and Sharon Royer.

**PERSONS TO ADDRESS THE BOARD**

Pam Adams: Mrs. Adams noted that the garbage contract is currently being reviewed. It was noted that Veolia would probably be given a two year extension. She noted that a customer survey will be sent to see how satisfied residents are with Veolia. It was noted that discussions will be held to see if a fuel adjustment is in order for the upcoming year. She noted that the residential program is going well with very little problems.

Mrs. Adams noted that since her position is part time and most of her time is being spent dealing with residential garbage that it is being suggested that the recycling rebates that have accumulated be used to pay for a part time person to deal with the commercial recycling program. The Board noted that they didn't have any problems with this.

Ben Pelipesky: Mr. Pelipesky was present to ask the Board if they object to him having soil testing done on his lot to see what type of septic system he can get approved. It was noted that when his subdivision plan was prepared it was planned for public sewer. The Board noted that they didn't care which sewage avenue he pursued.

**MINUTES**

The minutes of August 15, 2011, 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. Moyer – yes                      Mr. Breon – yes                      Mr. Elnitski - yes

**BILLS**

The bills of September 8, 2011, were presented to the Board for their review and approval. Mr. Elnitski moved to approve the bills as presented. Mr. Breon seconded the motion.

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

**ZONING OFFICER'S REPORT**

Mrs. Swancer noted that she didn't have anything to add.

**COMMITTEE REPORTS**

Fire Executive Committee: Mrs. Royer noted that she attended the meeting but that there wasn't enough committee members present to have a quorum. They did note that they were having some issues with the one Logan truck not running correctly and that they were going to have it looked at and perhaps

moved up on the replacement schedule. A special meeting of the budget committee was scheduled so that the municipalities would have their tentative figures by the end of September.

**OLD BUISNESS**

Spring Creek Canyon: Mr. Elnitski reported that the dedication ceremony will be held on September 30<sup>th</sup> at 2:00 p.m. He has asked that the road crew be available to help and that the Township would be renting the portable toilets for the event.

ROW Regulatory Ordinance: This item continues to be tabled.

University Park Airport Liquor License: The Board was in receipt of the legal opinion from Attorney Schnoonover suggesting that this change is substantial enough that the Authority should apply for a conditional use. The Board asked that Mr. Schnoonover be directed to send the Authority a letter.

McKee Group Court Case: It was noted that Mr. Mix would like to have an executive session with the Board prior to the court hearing at the end of the month. The Board suggested that the executive session be held prior to the next regular meeting.

**EXECUTIVE SESSION NOTICES**

It was noted that the board held executive session on August 24, 2011, from Noon until 12:15 with all three members participating to discuss potential litigation.

The Board also held an executive session on September 8, 2011 from 7:20 until 7:30 p.m. with all three members in attendance to discuss legal strategy on potential litigation.

Park Electrical quote: The Board was in receipt of a quote from Frank Riglin to put power and lights in the pavilion across the stream as well as extend the power down the trail a distance of 330 feet with two locations where different GFCI receptacles will be installed using 10 THNN wire. The cost estimate is \$3,433.00. It was noted that if at some point power is going to be extended further down the trail then 8 THNN wire should be used. The Board asked that a price difference be gotten using the 8TNN verses the 10. Mr. Elnitski moved to approve the quote with the 8THNN wire if the cost comes in under \$4,000. Mr. Breon seconded the motion.

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

Lemont Village Foundation: Mr. Elnitski moved to forward a \$100 donation for the Halloween items that were received from the Lemont Village Foundation. Mr. Breon seconded the motion.

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

Kepler Pool: Mr. Elnitski noted that the YMCA is recommending that the Nittany Valley municipalities take ownership of the pool with 5 acres and create the Recreation Authority to manage it.

### **NEW BUSINESS**

Fox Ridge Street Dedications: Mr. Elnitski moved to adopt Resolution 11-10 for taking Fox Ridge Boulevard & Far Hills Avenue and Resolution 11-11 additional right of way Fillmore Road. Mr. Moyer seconded the motion.

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

Opequon Hill Surety: Surety renewal for Phase II and III of Opequon Hill Subdivision/Land Development plan was presented in the amount of \$71,026.00. Mr. Elnitski moved to approve the surety renewal. Mr. Moyer seconded the motion.

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

New Beginnings Conditional Use Application: Mr. Elnitski moved to pass this application on to the Planning Commission for their review and comments. Mr. Breon seconded the motion.

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

Purdue Mountain Road Bonding: The Board was in receipt of all of the necessary paperwork from Penn Recycling, Inc. to bond Purdue Mt. Road. It was noted that they will be hauling cars from Tressler's Junkyard. Mr. Elnitski moved to approve the road bond. 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. 2010 State of the Water Resources Report
2. County Planning Office
  - a. Copper Beech - time extension
  - b. Lions Gate Self Storage - conditions letter
  - c. GM McCrossin - conditions letter
3. Benner Township Water Authority - May 17, 2011 minutes
4. YMCA - Kepler Pool July report
5. Conservation District - Sheetz inspection
6. PSATS News Bulletin

### **ADJOURNMENT**

The meeting was adjourned the time being 8:32 p.m.

---

Sharon Royer, Sec.