

**Benner Township Supervisors
December 3, 2012**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, David Wise with members Randy Moyer and John Elnitski, Jr. present. Also in attendance were Tim Schoonover, Pam Adams, Dennis O'Leary, Don Franson, Michelle Auckerman, Carol Shuey, Rod Beard, Lindsay Schoch and Sharon Royer.

Executive Session Notice

Mr. Wise announced that at the conclusion of this evening's regular meeting that the Supervisors will hold an executive session to discuss legal matters and personnel issues.

PERSONS TO ADDRESS THE BOARD

Pam Adams: Ms. Adams noted that she and her assistant, Mimi Cooper, have created numerous educational pamphlets dealing with recycling and that recycling education will continue to have a priority this upcoming year. She noted that the Centre County Solid Waste Authority has reduced their tipping fee from \$70 down to \$67 per ton. She noted that with the reduction in the tipping fee but increase in the fuel prices and increases in the cost of recycling collection that there will be an increase in garbage collection fees for unlimited of .32/ per month. She noted that it is being proposed by staff that .16 of the increase be covered by the recycling rebate that is received with the additional .16 be added to the customer's bill. Ms. Adams noted that with the increase, the new fee for unlimited trash collection/recycling will be \$15.62 per month. The Board noted that they are pleased with the service that we are receiving and have no objections to using part of the recycling rebate to off set the cost increase.

MINUTES

The minutes of November 5, 2012, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

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

BILLS

The bills of December 3, 2012, were presented to the Board for their review and approval. Mr. Wise moved to approve the bills as presented. Mr. Moyer seconded the motion.

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

ENGINEER'S REPORT

Mr. Franson noted that everything he would have to report on is listed later in the agenda.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

Building Addition: Mr. O'Leary noted that the township employees have removed most of the dirt and rock needed for the storage building addition, but it is now to the point where additional rock breaking equipment is needed. He noted that he has contacted Walker Excavating to remove the remaining rock and to haul and place the concrete waste blocks needed for a retaining wall.

Tractor: It was noted that the new tractor has been delivered and demonstrated.

Harold Meyer: It was noted that Harold Meyer has sustained a non work related back injury and may be off work for as long as six months. Mr. O'Leary noted that he would be checking with surrounding townships to see if there may be any recently retired plow truck drivers that may be interested in working for the Township on an on call, as needed basis for the winter. The board noted that they understand that compensation for a position like this could cost in the twenty dollar range per hour.

Surplus Tractors: Mr. O'Leary noted that he plans to advertise the two tractors that the township plans to get rid of for bids at the Board's meeting in January.

ZONING OFFICER ASSISTANT REPORT

Mrs. Schoch reported the following:

*Planning Commission didn't meet in the month of November.

*She will be attending a workshop at the county to go over the new GIS program.

*She will be participating in a webinar that deals with FEMA

*She will be attending a DCNR workshop dealing with grant applications.

Mrs. Schoch told the Board that she has received another complaint about a particular residence and the amount of vehicles that they are storing on their property. Mrs. Schoch asked the Board for permission to send this property owner a letter making them aware that the township has an ordinance that deals with motor vehicle nuisances. The Board noted that they approve of Mrs. Schoch to send this letter.

COMMITTEE REPORTS

MPO: Mr. Wise noted that he attended this month's MPO meeting. He reported that Senator Corman and Representative Benninghoff both believe that more funds will be available next year for transportation needs. MPO funding formula issues were also discussed.

OLD BUSINESS

Right of Way Ordinance: This item remains tabled.

Krout Road Bridge: Mr. Elnitski noted that he met with John Sepp to discuss the temporary easement on to the CDICC's property for the Krout's to use during the period of bridge construction. A draft of the temporary easement has been circulating. Mr. Beard noted that he (representing the Krouts) feels that the Township should be made a party to this agreement. Mr. Elnitski noted that he feels that this easement should be from the CDICC to the Krouts since it is temporary in nature and will only last for as long as the bridge construction is going on. Mr. Beard explained that the reason for including the Township is due to the fact that others will also be using this access as well. Mr. Beard cited examples such as fuel trucks, delivery trucks, etc. Discussion was held that it was also possible that the Township's contractor may also need to have access to this easement during the construction period when the bridge is out. It was noted that the CDICC wants a formal submission to them and would like the agreement to be a three party agreement. Mr. Beard noted that he was unsure if the terms of this draft agreement are to their (CDICC's) satisfaction. The Board noted that it was not Benner Township's intention for this temporary easement to have 6" of stone on it and be 18' wide as this would not be cost effective. Mr. Beard noted that he was the one who placed these terms in the agreement looking out for the interests of his clients, the Krouts. It was suggested that the wording instead be changed to a mud free access. Mr. Schoonover noted that he would get in touch with CDICC's attorney and review this document with her.

Ms. Auckerman noted that a pre-design meeting with PennDot is scheduled for December 20th. It was hoped that the final design would be completed by January 29, 2013. Currently the estimated construction period will be July, August and September 2013.

Ms. Auckerman presented the Board with a contract from Uni-Tec for the engineering work for the Krout Road Bridge. The Board noted that they were uncomfortable signing the document without having ample time to review its contents. Mr. Elnitski moved to tentatively approve the agreement based upon a review of the documents by the Township's attorney. Mr. Moyer seconded the motion.

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

Valentine Hill Road Closing: It was noted that the permit extension has been secured for the road closure.

Amberleigh Surety: Mr. Schoonover noted that the information that was requested from Lexon (holders of the Amberleigh Surety package) has been forwarded on to them. Mr. Schoonover noted that he has emailed Mr. Glass twice to see what the status is on the new surety package and he hasn't responded to either email.

Nittany Valley Joint Recreation Authority: Mrs. Royer stated that Mr. Schrack has finalized the documents for creating the Nittany Valley Recreation Authority. Mr. Wise moved to advertise the ordinance for adoption at the Board's January 7th meeting. Mr. Moyer seconded the motion.

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

NEW BUSINESS

2013 Budget: Mrs. Royer noted that the proposed ordinance has been advertised and that no comments have been received. Mr. Wise moved to approve the 2013 budget as proposed. Mr. Moyer seconded the motion.

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

Fox Ridge Subdivision Plan: It was noted that the developer of Fox Ridge has decided to change a few of the restricted covenants for the development to make the lots more attractive to buyers, therefore, the plan is required to be re-approved and filed with the updated information on the new restrictive covenants on them. Mr. Elnitski moved to re-approve the Fox Ridge Subdivision Plan. Mr. Moyer seconded the motion.

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

CBICC Surety: It was noted that we have received the signed document of surety continuance from the CBICC and First National Bank for the remaining surety for the Benner Commerce Park. Mr. Wise moved to approve the surety continuance in the amount of \$141,460.00. Mr. Moyer seconded the motion.

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

Farmview Lane: The Board is in receipt of a request to approve "Farmview Lane" as the name for the lane to be built in the Grove Subdivision. Mr. Moyer moved to approve the name "Farmview Lane". Mr. Elnitski seconded the motion.

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

Learn to Drive & Live to Learn: The Board is in receipt of a letter from the Bellefonte Area High School asking if the Township would be willing in making a donation towards their "Learn to Drive & Live to Learn" program. This program will be created to teach students the dangers of texting while driving and driving while under the influence. Mr. Elnitski moved to make a \$500.00 donation to the school for this program. Mr. Moyer seconded the motion.

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

Non-Building Waiver Declaration – Rogers Subdivision: It was noted that the Rogers farm located near Shiloh Road is planned to be divided into two parcels to settle the family estate. At this time, no further land development is to take place. Mr. Elnitski moved to approve the non-building waiver for the Rogers Subdivision. Mr. Moyer seconded the motion.

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

Opequon Hills Street Dedication: Mr. Franson noted that he has received cost estimates from Justin Harford regarding costs of the Opequon Hills streets for the maintenance bond. He noted that a further breakdown on the stormwater costs will be need prior to giving him the amount for the maintenance bond. Discussion was held as to whether the Board wished to take these roads over at this time or not as it is too late for them to be added to the Township's Liquid fuels for 2013. The Board decided to offer Mr. Harford two options concerning the street dedications: A. Wait to dedicate the roads at the Board's April meeting with the necessary paperwork and maintenance bond; or B. Turn the roads over at the Board's January meeting with the maintenance bond and payment in the amount equivalent to what the Township would have received for the road's liquid fuel payment in 2013.

Spring Creek Canyon Grant: Mr. Elnitski moved to have a grant application prepared for April for improvements to the Spring Creek Canyon trail. Mr. Wise seconded the motion.

Vote: Mr. Elnitski – yes

Mr. Moyer – yes

Mr. Wise – yes

Appreciation Dinner: It was noted that the ABC dinner has been scheduled for December 19th at the Nittany Country Club.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Phase III Archaeology Report
2. Centre County Planning Correspondence
 - a. Final Plan for Fox Ridge Subdivision
 - b. Commencement with Construction Village of Nittany Glen Phase III-A
 - c. Time extension for Nittany Glen Land Development, Phase III-A
 - d. The Glen at Paradise Hills West Land Development Plan
3. PSATS News Bulletin
4. Notice that Ramish system has been approved and covered.
5. SBWJA Minutes of October 22, 2012, November 12, 2012
6. Benner Township Water Authority minutes of October 16, 2012
7. ELA letter Re: Municipal Engineering Services 2013
8. Larson Design Group Re: Municipal Engineering Services 2013

ADJOURNMENT

The regular meeting was adjourned the time being 9:11 p.m.

Sharon Royer, Sec.