

**Benner Township Supervisors
February 6, 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 Lyle Beal, Dave Breon, Terri Breon, David Cassatt, Nate Campbell, Alan Leonori, Helen Alters, Keri O'Shea, Boyd Corl, Wade Robbins, Jacob Stem, Clair Stem, Edward Galus and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Clair Stem: Mr. Stem was present to discuss various survey plans that have been done on his property over the years. He sited discrepancies in the distance of the lot line shared between him and the Sobles. Also discussed was information regarding a concrete building that is shown on some of the drawings as being located over the property line. Documentation was given to the Board that had been recorded in the Recorder of Deeds Record Book 782, Page 508 which stipulates that the Stems agreed to remove the concrete building upon the vacancy of Center Oil & Gas using the building for their electronic and maintenance equipment for a radio dispatch tower. Mr. Stem questioned what the Board could do for him relative to this matter. The Board noted that this issue seems to be one of a civil matter between the Stems and the Sobles and therefore there isn't anything the Township can do.

David Cassatt: Mr. Cassatt noted that he was present to update the Board on the Youth Football League's quest to build football fields on the State College Borough Water Authority's property off of Fillmore Road. He noted that a meeting will be held on February 8th at 7:30 p.m. at the Union Hall to discuss the project. He asked, if possible, the Board members attend. Mr. Cassatt asked what would the Township be willing to do for the group. Mr. Cassatt explained that the arrangement that has been discussed with the Water Authority would be that the Township would lease the property from the Water Authority and then the Township would have an agreement with the League. Mr. Elnitski noted that the Township needs something in writing from the Water Authority outlining what they are agreeing to do. Mr. Elnitski noted further that the Board of Supervisors needs to see a scope of the project and what the group has in mind before further action can be taken.

Keri O'Shea: Ms. O'Shea noted that she is approaching the Board to see if they would be willing to allow Relay for Life to use the Buffalo Run Community Park on May 12th for a community event on Cancer awareness and prevention. She noted that they envisioned several activity/information stations being set up through out the park with area schools being invited to participate in the day's event. Ms. O'Shea noted that the group feels that this area would provide a central location for the schools to attend. She noted that the group has

insurance and could provide a certificate to the Township. The Board noted that they were fine with this idea and asked Ms. O'Shea to put in writing how they would like the Township to participate in the event.

MINUTES

The minutes of January 3, January 9 and January 16, 2012, were presented to the Board for their review and comments. Mr. Moyer moved to approve these minutes as presented. Mr. Wise seconded the motion.

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

BILLS

The bills of February 6, 2012, 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. Elnitski – yes Mr. Moyer – yes Mr. Wise – yes

COMMITTEE REPORTS

MPO: Mr. Wise noted that at the MPO meeting the group discussed developing the project list the next round of funding. Discussion was also held concerning the retroactive bridge funds should the Township wish to go in that direction.

Bellefonte Fire Company Executive Board: Mrs. Royer noted that topics discussed included the status on physicals, the operating procedures for the Fire Police and bids were open to sell the fire truck that was recently replaced. The truck was tentatively sold for \$35,000.

Fire Task Force: Mr. Elnitski reported on the Fire Task Force meeting in which ISO was present and went over with the group the different facts that go into assigning an ISO rating. Mr. Elnitski also noted that discussions are taking place about both Benner and Spring Townships having voting memberships on the Bellefonte Fire Company Executive Board.

OLD BUSINESS

Spring Creek Canyon: Mr. Elnitski noted that ClearWater Conservancy has been in touch with him regarding the conservation easements on the Canyon property. Mr. Elnitski noted that for the first time since discussion of the easements has taken place, Clearwater has mentioned that they are expecting to receive payment for monitoring the easements. It was noted that Penn State and the Township are the only properties that are to have the conservation easements on them.

Right of Way Regulatory Ordinance: This item remains tabled.

Krout Road Bridge: The Board discussed the draft letter that Mr. Wise prepared to PennDot regarding the scouring on the Krout Road bridge. Mr. Elnitski moved to send the letter. Mr. Wise seconded the motion.

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

Walker Zoning Change: Mr. Moyer reported that he has spoken with the Walkers and that they are working to obtain the necessary paperwork from DEP to operate as a recycling facility. Copies of suggested wording changes to the ordinance were given to the Board. The question was asked if the Walkers have changed their minds as to what they are requesting the Township to consider for them as it was clarified at last months' meeting that they were only asking for a different zoning district classification not changing any wording or allowable uses in the district. The Board noted that until they receive a written request asking for something different, that they will only be pursuing the zoning district change.

Vacancies:

Zoning Officer: Mr. Wise reported that the Township has received a letter from Spring Township which states that reimbursement to them for any work performed by Mr. Zimmerman will be at the rate of \$25.51 per hour plus mileage. Mr. Moyer moved to accept Spring Township's proposal for Zoning Services as outlined. Mr. Wise seconded the motion.

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

Mr. Wise read aloud the draft advertisement that he prepared for the Zoning Officer position. It was suggested that a note be added that evening meeting attendance would be required. The Board noted that they would like this position to be for approximately 16 hours per week with additional hours should the economy change and more building takes place.

Engineering: Mr. Wise read aloud a draft advertisement he prepared to advertise for engineering services. Mr. Wise moved to proceed with placing this ad. Mr. Moyer seconded the motion.

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

Beezer Hill: Mr. Wise reported that he has spoken with Bill MacMath from Spring Township regarding coordinating efforts in having the developer of Amberliegh in to discuss finalizing and completing the Beezer Hill Road project.

Kepler Pool/Recreation Authority: Mr. Wise noted that he attended a recent meeting in which discussion into the formation of an independent recreational authority would be created to take over ownership and operation of the Kepler swimming pool.

It was noted that there are several issues with the 41 year old pool. The pool will no longer pass updated requirements such as ADA compliance and certain water circulation and filtration requirements.

It is hoped that by upgrading and modernizing the pool that it would become a more vibrant attraction and could increase usage and then pay for its own improvements. Mr. Wise noted that the figures for the improvements mentioned at the meeting were between 1.5 and 1.9 million dollars.

The group wishes to explore the creation of a Recreation Authority that would be compromised of Bellefonte Borough and Benner, Spring and Walker Townships and possibly Marion Township. The Authority would then own the pool and borrow the funds to refurbish and upgrade the pool. The Authority would also decide who would operate the pool and how the funding would work.

Mr. Wise noted that he felt that the idea was a good one. Mr. Moyer noted that he wants to make sure that all of the townships are involved. Mr. Elnitski noted that he thinks that other areas could also be included in the Authority such as the Spring Creek Canyon.

Mr. Wise noted that the next steps are to develop costs, develop the process to form an Authority which would include voting structure, membership structure, cost sharing, expense sharing, etc. The question was asked if anyone in attendance at this evening's meeting felt that proceeding with looking into the creation of an Authority to handle the pool was a bad idea. No one present indicated that they thought that is was.

NEW BUSINESS

Spring Creek Watershed Cleanup: It was noted that Mrs. Robine, Benner Township' coordinator for clean up during the Spring Creek Watershed Clean up event, is asking if the Township would commit to picking up the trash that is collected and taking it to the transfer station as they have done in years past. The Board noted that they again will provide this service.

1991 Chevy 3500 Surplus Bucket Truck: The Board opened sealed bids for selling the Township's old bucket truck. Bids were received as follows:

R & C Excavating -	\$1,851.00
Sulli Motors -	\$869.00
Mike Veneziano	\$1,801.00
Lohr's Auto Sales	\$1,061.51
Pleasant Valley Aviation	\$600.00
Jeff Stringer	\$952.00
James Kellerman	\$1,002.00

The Board decided to sell the bucket truck to the highest bidder, R & C Excavating, at the cost of \$1,851.00.

Memorandum of Understanding for Graystone Courts at Eagle Point: Mr. Moyer moved to approve the memorandum of understanding for Graystone Courts. Mr. Wise seconded the motion.

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

Rob Fugate - Planning Commission Resignation: The Board was in receipt of a letter from Rob Fugate indicating that he is resigning from the Benner Township Planning Commission after 21 years of service. Mr. Elnitski noted that for several years one member of the Board of Supervisors held a position on that Board. Mr. Wise indicated that a member of Board of Supervisors would attend the upcoming Planning Commission meeting.

Zoning Changes: Mr. Moyer indicated that he would like to see some changes made to the Zoning Ordinance. He noted further that he feels that language needs added to clarify sections of the ordinance.

Dave Cassatt – noted that he would to know why he cannot have his business equipment parked at his residence. He questioned further why he was not allowed to replace the ConLime sign along SR550. He stated that the wood of the sign is rotting and needs replaced but that Renee wouldn't allow him to replace it. He was only permitted to put boards up over what was there. He stated that the sign is so rotten that the new boards he put up won't hold. The secretary noted that she would forward these questions on to Mr. Zimmerman. Mr. Wise suggested that Mr. Cassatt sketch a drawing of what he feels needs to be done to the sign so that it can be further investigated.

GM McCrossin: It was noted that GM McCrossin's engineer contacted the office at the end of the day to see if the Board would sign off on the stormwater facility agreement for their new building. Mrs. Royer noted that she told the engineer that without the Solicitor and the Township Engineer reviewing and approving the agreement that she felt confident that the agreement would not be approved. McCrossin's Engineer then asked if the Board would allow for the trees to be cut down on the property as this must happen before the end of March due to a certain habitat of bat in the area. The Board noted that if the Zoning Officer and Township Engineer are ok with the trees being cut that they are fine with it.

CORRESPONDENCE

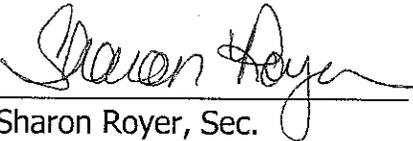
The Board acknowledged receipt of the following correspondence:

1. PSATS News Bulletin
2. Centre County Conservation District Letters

- a. Village of Peru Water System Extension
3. State College Borough Water Authority's water level survey
4. Benner Township Water Authority Minutes of December 20, 2011
5. Centre County Planning Office Letters
 - a. Final Plan Paul & Ellen Hartle – Time Extension
 - b. Lion's Gate Self Storage Comment Letter
6. Nittany Engineering Proposal for professional engineering services
7. SBWJA minutes of January 9, 2012
8. Engineering Comment Letters
 - a. Final Plan Lions Gate Self Storage
 - b. G. M. McCrossin, Inc.
9. 1/27/12 Letter from the Benner Township Planning Commission

ADJOURNMENT

The regular meeting was adjourned the time being 9:12 p.m.


Sharon Royer, Sec.

EXECUTIVE SESSION NOTICE

The Board went into executive session to discuss personnel matters from 9:12 p.m. to 9:18 p.m. All three board members were present.