

Benner Township Supervisors

March 5, 2012

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Vice Chairman, Randy Moyer with member John Elnitski, Jr. present. Mr. Wise was absent. Also in attendance were Lyle Beal, Wayne Engle, Howard Grove, Jr., Howard Grove, Brian Grove, Randy Greene, Terri Breon, David Breon, Nate Campbell, Dennis O'Leary, Don Franson, Dick Lahr, Pat Ward, Michele Aukerman, Shehab Bata, Genevieve Robine, Tony Fruchtl and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Wayne Engle:

Howard & Shirley Grove Subdivision – Sewage Disposal: Mr. Engle noted that the Grove's need a determination from the Board if they need to connect to public sewer or if they would be allowed to place an on lot system on the lot that they wish to create. Mrs. Royer noted that she spoke with Warren Miller (SBWJA) regarding this issue. It was Mr. Miller's determination that since the lot being created only has an easement to access the lot then the definition of the sewerline being adjoining and adjacent to isn't met as stated in the ordinance to require connection to public sewer. The Board noted that they will leave the septic disposal method up to the Grove's to decide which way they wish to go.

Howard & Shirley Grove Subdivision – Riparian Buffer: Mr. Engle noted that the according to the Benner Township Natural Features map, there is a section of the proposed driveway area that is showing to cross a stream and riparian buffer hence requiring a conditional use application to be submitted to the Board. He noted further that it is clear by conducting an onsite inspection that there are no "bed and banks" or stream that exists on the property or in the immediate area that would cross the existing low area. Mr. Engle noted that he spoke with James Coslo from the Centre County Conservation District and that he is in agreement with Mr. Engle. The Board is also in receipt of a memo from Vaughn Zimmerman, acting Zoning Officer, who states that he also inspected the property and finds that the Natural Features Map to be inaccurate with no stream or buffer to be found on site. The Board agreed that riparian buffers need not apply in this instance.

DaVann Gordon Subdivision: Mr. Engle noted that this plan has been before the Board previously however the plan had expired because the time extension wasn't asked for. It was noted that this is a one lot subdivision on Purdue Mountain. Mr. Zimmerman, acting zoning officer, has reviewed the plan and found it to meet all zoning requirements. Mr. Moyer moved to accept the plan without comments. Mr. Elnitski seconded the motion.

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

Paradise Hills Subdivision Lots 6 & 7 (quadraplex use): Mr. Engle noted that the Matterns would like to continue to develop/construct quadplexes on Lots 6 & 7 of the Paradise Hills Subdivision. He noted that the definition of quadraplex is in the Zoning Ordinance but the use is not located in any of the zoning districts. Mr. Engle questioned if this may have just been an oversight and was accidentally missed. The Board asked Mr. Engle to seek the opinion of the Planning Commission on their feelings. Mr. Elnitski suggested that Harry Roth be contacted to see what he thinks, that perhaps it was left out for a reason.

Shehab Bata – GM McCrossin Plan: Mr. Bata was present with the signed Subsurface HOP Maintenance agreement. It was noted that the agreement has been reviewed by

the Township Engineer and the Township Solicitor and is ready for signatures. Mr. Bata noted that the permit itself needs to be filed electronically and that he would take care of filing it with PennDot. Mr. Moyer moved to approve the HOP for G.M. McCrossin and approve and sign the Subsurface Maintenance Agreement. Mr. Elnitski seconded the motion.

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

Tony Fruchtl – Fisherman’s Paradise, L.P.:

Fisherman’s Paradise Minor Subdivision Plan: It was noted that the minor land development plan before the board creates the lot that Graystone Court will be constructed upon. Mr. Zimmerman, acting Zoning Officer, has reviewed the plan and states that it meets all zoning requirements. Mr. Moyer moved to approve the plan without comments. Mr. Elnitski seconded the motion.

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

Fisherman’s Paradise Planning Module Exemption Card: It was noted that the Graystone Court Land Development will be serviced with public sewer and therefore a planning module exemption card is required through DEP. Letters from both SBWJA and Bellefonte Borough were attached to the module stating that they had adequate flow capacity. Mr. Moyer moved to approve the planning module exemption card for Fisherman’s Paradise, LP. Mr. Elnitski seconded the motion.

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

MINUTES

The minutes of February 6, 2012, were presented to the Board for their review and comments. Mr. Moyer moved to approve the minutes as presented to the Board. Mr. Elnitski seconded the motion.

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

BILLS

The bills of March 5, 2012, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Elnitski seconded the motion.

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

Road Superintendent: Mr. O’Leary reported on the following:

*Krout Bridge: Mr. O’Leary reported that the driving width on the bridge has been reduced so that the weight of the load going over it is positioned on the center beams instead of the outside ones. It was further noted that the weight limit may still need to be reduced. The final conclusion of that determination is forth coming from PennDot and the bridge engineers.

*PIB Funding: Mr. O’Leary presented to the Board information regarding applying for a PIB loan to do roadway repairs. It was noted that the township’s liquid fuel funds would be the collateral for the loan. The current interest rate on the loan is 1.65%. Examples of loan amounts and repayment structures were given to the Board. Mr. O’Leary noted that he feels that we can maximize the amount of work to get done at today’s prices instead of the constant inflation of road materials in the last few years. He noted that the proposal being presented would be repaid in five years. Discussion was held by the Board. They noted that they would like to discuss it further at the next meeting.

*Fields: Mr. O’Leary noted that the roadcrew will be working on getting the fields at the Buffalo Run Community Park ready for play.

OLD BUSINESS

Spring Creek Canyon Property: Mr. Elnitski noted that he attended a TAG meeting. Highlights of the meeting were as follows: *The Game Commission is proposing to plant a different type of very slow growing grass around the Benner Cemetery so that it won't require as much maintenance. *Fish Commission is planning to open up the ponds at Paradise. *The Fish Commission will be contacting ClearWater to discuss spreading fish manure on certain lands of the Game Commission's property. Penn State doesn't wish to have the fish manure placed on their lands since they are doing other research. *ClearWater is requesting a \$15,000 contribution to manage the Conservation Easements on the property that the Township is to receive. Mr. Elnitski noted that he intends to discuss this matter with Senator Corman and the other Centre County municipalities.

ROW Regulatory Ordinance: This item remains tabled.

Krout's Road Bridge: It was noted that a request for Retroactive Bridge Funds has been made to the CCMPO for the Krout Road Bridge. The proposal will be in front of the Technical Committee next week and the Coordinating Committee on March 27th. Mr. Elnitski noted that he will attend the meetings.

Walker Rezoning Request: This item remains tabled until further information is received.

Vacancies:

Zoning Officer Services: It was noted that the Township has received several applications for the position of Zoning Officer. It was suggested that each Board member pick their top three candidates so that the interviewing process can begin.

Township Engineering Services: Many proposals were received from firms interested in providing the Township with Engineering Services. It was suggested that Board members each choose their top 5 firms so that interviewing could begin.

Beezer Hill Road Closing: It was noted that Spring Township was going to get up a joint meeting with them, Mr. Glass and Benner Township to discuss the status of the roadway paving in the Amberleigh development. We are awaiting for a meeting time and date.

Kepler Pool/Recreation Authority: It was noted that the next meeting to discuss creating a Recreation Authority is tentatively scheduled for March 21st.

SEO Services: It was noted that the Board had asked Warren Miller to check with Spring and Walker Townships to see if they were interested in joining together for Sewage Enforcement services due to the retirement of Ralph Houck and the need to start the septic management program. Mr. Miller got back to the Township and is suggesting that a joint meeting be held at a regularly scheduled SBWJA meeting which is held the 2nd and 4th Mondays at 7:00 p.m.

NEW BUSINESS

Bellefonte Little League/Diamond Tek: It was noted that the Bellefonte Little League is asking if the township will once again haul a load of the diamond mix dirt for them. Bellefonte Little League would reimburse the Township the cost of the mix. Mr. Elnitski

moved to haul one load of the diamond mix for the Bellefonte Little League with the league to reimburse the township for the cost of the mix. Mr. Moyer seconded the motion.

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

Benner Pike Chiropractic Land Development Plan: It was noted that the surety renewal for the Benner Pike Chiropractic Land Development Plan has been completed and ready for the Board's action. Mr. Moyer moved to renew the surety package. Mr. Elnitski seconded the motion.

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

Re-Zoning Request for Witherite Property Management: The Board is in receipt of an application from Alan Witherite to rezone properties that he purchased along Clemen's Lane. Mr. Elnitski moved to accept the application and forward it on to the Planning Commission for their review and recommendations. Mr. Moyer seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

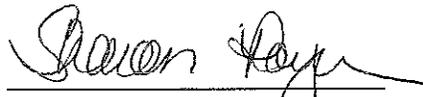
1. Letter from SCBWA Re: playing fields
2. Auditor General 2009/2010 Liquid Fuel Audit
3. Centre County Conservation District
 - a. Fisherman's Paradise, LLC NPDES permit submission
 - b. Amberleigh Residential Community NPDES permit submission
 - c. G.M. McCrossin – NPDES permit inspection report
 - d. Rodger Waste fill area inspection report
4. Centre County Planning Office
 - a. Lions Gate Self Storage – Commencement with Construction Notice
 - b. Clair Subdivision Table action on plan
 - c. Fisherman's Paradise Minor Subdivision Plan
5. SWBJA minutes of January 23, 2012 & February 13, 2012
6. Nittany Oil Company – downstream annual notification
7. GM McCrossin copy of NPDES permit from DEP
8. PSATS News Bulletin

NOTES

Mr. Elnitski noted that it is the Board's intention to hold an executive session within the next week to discuss employment issues.

ADJOURNMENT

The meeting was adjourned the time being 8:22 p.m.


Sharon Royer, Secretary