

Benner Township Supervisors
May 7, 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 member John Elnitski, Jr. present. It was noted that Mr. Moyer is attending the Pennsylvania State Association of Township Supervisor's Annual Convention. Also in attendance were Michele Aukerman, Jerry Bohinski, Tom Kerney, Betsy Lockwood, Mark Saville, Al Pringle, Lyle Beal, Rick Bair, Dick Werner, Rod Beard, Helen Alters, Renee Swancer, Clair Stem, Dick Lahr, Bob Donaldson, Melissa Diamanth, Claire Milner, Mary Sorinsen, Jacqueline Milander, Sharon Royer and Tim Schoonover, Genny Robine, Chris Exarchos, Dr. Cheryl Potteiger, Dennis O'Leary and Don Franson.

PERSONS TO ADDRESS THE BOARD

Rick Bair – Mr. Bair, CPA from the firm of ParenteBeard was present to go over with the Board the 2011 year end Township Audit.

Bob Donaldson: Mr. Donaldson noted that he and other members of the Centre County Historical Society and the Bald Eagle Archaeological Society are present this evening to offer the Board their collective assistance in helping to identify the archeological resources in the Spring Creek Canyon Property. Mr. Donaldson noted that there are both historic and pre-historic resources located on the property.

Mr. Donaldson noted that the Societies are willing to work with the township as well as the other property owners (Penn State, PA Game Commission and PA Fish Commission) to locate areas where these resources are located in order to protect them when a new project such as a parking lot, trail, etc. is planned.

Mr. Elnitski noted that he would set up a TAG meeting so that Mr. Donaldson could do a presentation to all the property owners of the services that they are willing to perform.

Mr. Elnitski noted that he has met with members of ClearWater and now the organization believes that they will need to charge the Township around \$27,000 for the conservation easement. Mr. Elnitski noted that he believes that this is entirely too much money for Benner Township to pay and that he suggested alternative methods to get the costs down such as finding attorneys to volunteer their services, or seek funds from other municipalities outside of Benner to help raise the funds needed, etc.

Al Pringle/Mark Saville/Wolfe Furniture Building: Mr. Pringle and Mr. Saville were present to ask for the Board's approval on the Highway Occupancy Permit for the old Wolfe Furniture Building as well as the indemnity agreement for the stormwater facilities that are located in PennDot's Right of Way. Mr. Franson noted that he has reviewed the documents and that they are ready for the Board's approval. Mr. Wise made a motion to approve the HOP for the old Wolfe Furniture Building as well as the indemnity agreement with Patton Center Associates, LP for the subsurface stormwater facilities. Mr. Elnitski seconded the motion.

Vote: Mr. Elnitski – yes

Mr. Moyer – absent

Mr. Wise – yes

Dick Warner/Officer Phil Program: Mr. Warner was present to seek the Board's continued support for the Officer Phil Program. Mr. Warner noted that Bellefonte Borough and Spring Township Police Departments use the Officer Phil products in teaching children in the area elementary schools about various different topics such as fire, strangers, drugs, etc. Mr. Elnitski moved to continue to support the program with a full page ad at the cost of \$799. Mr. Wise seconded the motion.

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

Jerry Bohinski/SEDA COG: Mr. Bohinski was present to ask the Board if they would consider placing the Benner Commerce Park as well as two additional lots that the Commonwealth intends to sell as surplus property into the Keystone Opportunity Zone. Tom Kearney representing CCIDC was also present to discuss this proposal with the Board. Examples on how this program has worked in other areas were discussed. Mr. Kearney noted that they had hoped for a lot more interest in the Benner Commerce Park by this time and feels that by placing the property into the Keystone Opportunity Zone that new interest may be generated. It was explained that the program, once entered, is for a 10 year time frame and that the clock begins on the day the program is enacted. As an example, Mr. Bohinski noted that a business that locates in the park after the property was in the program for three years would only realize the tax benefit for the remaining 7 years of the program. Mr. Bohinski noted that approvals have been received from both the Bellefonte Area School District and the County Commissioners. The Board expressed their dissatisfaction of being notified at such a late date when a decision needs to be made relatively quickly. Mr. Bohinski noted that they themselves were only told of this potential opportunity in April. Mr. Elnitski noted that he has concerns with additional costs of fire protection and perhaps police protection for this area while not receiving any tax money to support paying for these services. It was agreed that a work session should be scheduled to further discuss this proposal.

Clair Stem: Mr. Stem questioned if permits were issued for the tower work that is being done on the AT & T and Verizon towers. Mrs. Royer noted that she is aware that Mr. Burd has issued a building permit for work on a tower but is uncertain which one. The Board asked that Mr. Burd contact Mr. Stem to discuss this matter further.

MINUTES

The minutes of April 23, 2012, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Elnitski seconded the motion.

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

BILLS

The bills of May, 7, 2012, were presented to the Board for their review and approval. Mr. Elnitski moved to approve the bills as presented. Mr. Wise seconded the motion.

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

ENGINEER'S REPORT

Gerald Clair Subdivision: Mr. Franson noted that he has met with Mr. Panko and Mr. Clair to discuss the driveway issues that still need to be resolved. This topic will be forthcoming at a later Supervisor meeting.

Bellefonte Airport As Built Drawings: Mr. Elnitski noted that he has supplied Mr. Franson with a copy of the as built drawings for the Bellefonte Airport Project. Mr. Elnitski noted that he will check with Vaughn Zimmerman, Acting Zoning Officer, to see if he needs to sign off on the project.

Eagle Point Deed of Dedication: Mr. Franson noted that he has been contacted by Tony Fruchtl regarding the deed of dedication and 18 month maintenance bond on the Eagle Point roadway. He noted that it should be ready for the Board's June meeting.

Amberleigh Development: Mr. Franson noted that he plans on meeting with Matt Harlow next week to review the work that will need to be done prior to the final paving in the Amberleigh Development.

ROAD SUPERINTENDENT'S REPORT

**Opequon Hills Phase II and III:* Mr. O'Leary noted that he and Mr. Franson have inspected the roads and have determined that the rough estimate for the work needed to complete the roads in Phase II and III is around \$81,000. The Board asked Mr. Schoonover to draft a letter to developer regarding the roads and the Board's desire not to renew the surety.

**Crack sealing has been done, more is planned to be done later in the fall.*

**Tree removal along Valentine Hill Road is complete.*

**Employees:* It was noted that Harold Meyer, full-time road employee, is out due to the need of shoulder surgery. It was estimated that he will be out of work for at least 12 weeks. It was further noted that Bill Frantz injured his shoulder while at work and is also out due to having shoulder surgery.

**Equipment/Training Show:* Mr. O'Leary noted that he and the road crew plan to attend the Moshannon Valley COG equipment and training show for a day at the end of the month.

COMMITTEE REPORTS

Spring Creek Canyon: Mr. Elnitski noted that he has prepared a draft letter to be sent to ClearWater Conservancy regarding the \$27,000 that they are requesting for the conservation easements. He asked Mr. Wise to review the draft before it is sent.

OLD BUSINESS

Spring Creek Canyon Agreement of Sale: The agreement of sale between the Commonwealth and Benner Township for four parcels containing a total 25.8463 acres was presented to the Board for their review and approval. Mr. Schoonover noted that he has reviewed the agreement and states that it is ready for the Board's signatures. Mr. Elnitski moved to approve the agreement of sale with the Commonwealth. Mr. Wise seconded the motion.

Vote: Mr. Elnitski – yes

Mr. Moyer – absent

Mr. Wise – yes

ROW Regulatory Ordinance: This item remains tabled.

Krout's Road Bridge: Michele Aukerman was present from Uni-Tec to go over the different options that they have investigated in order to fix the Krout Road Bridge. It

was noted that due to the results of the core boring, that the spread footing is no longer an option with Penn Dot and that they will require the footings to be six feet below stream bed level hence increasing the cost significantly. The Board noted that they will schedule a meeting with the adjoining property owners to discuss the information that has been received prior to proceeding.

Zoning Amendments:

Walker's: It was noted that the hearing is tentatively scheduled for July 2nd.

Witherite: It was noted that the hearing is tentatively scheduled for July 2nd.

East End Partnership – Quadplex use: It was noted that the hearing is tentatively scheduled for July 2nd.

Highway Commercial Zone Amendment: It was noted that Mr. Moyer would like to consider making "Machine, tool and die and metal fabrication shops" a use by right in the Highway Commercial Zone. The Board decided to pass this suggestion on to the Planning Commission for their review and comments.

Vacancies:

Zoning Officer Services: It was noted that interviews have been held and that the Supervisors intend to meet with Spring Township about discussing keeping the current arrangement through the end of the year.

Engineering Services: It was noted that the Board will look at the proposals submitted further in the upcoming months.

Beezer Hill Road Closing: It was noted that the Road closing permit has expired and a new one will need to be obtained.

Kepler Pool/Recreation Authority: It was noted that the next meeting concerning the Recreation Authority is scheduled for May 15th.

SEO Services: It was noted that the Supervisors will be attending Spring/Benner/Walker's meeting on May 14th at 7:00 to discuss the septage management plan and SEO services.

Patrick Burns Conditional Use Hearing: It was noted that the hearing is scheduled for the June 4th meeting.

NEW BUSINESS

Opening of Sealed bids for Fibermat and Paving Projects:

Bids were received for fibermat installation from the following companies:

Midland Asphalt Materials, Inc. - \$208,243.95

Hammaker East, LTD. - \$216,579.66

Bids for paving received were as follows:

	GOH	HRI	New Enterprise
1. Roadway widening 262 SY	38.35	48.00	35.35
2. Roadway base repairs 44 SY	45.65	48.00	73.85
3. Milling of bituminous paving notch 375 LF	2.85	2.75	3.40
4. HMA Wearing Course (scratch and leveling 9.5 mr 50 tons	78.75	88.00	80.95
5. HMA Wearing Course 9.5 mm MIX Level 1 50 gyra 140 tons	71.50	64.00	61.35
TOTAL BID	114,097.55	126,839.25	119,244.85

The secretary noted that the bids will need to be tabled until the next meeting so that we can insure that there is no issues with the PIB loan that was applied for.

YMCA Road Race: The Board is in receipt of a request to close Potter Street on June 17th from 9:30 to 11:30 for a 5K Run/Walk to benefit the YMCA of Centre County. Mr. Wise moved to approve the request with the Township's normal road closing conditions. Mr. Elnitski seconded the motion.

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

Memo of Understanding for the Glen at Paradise Hills West: The memo of understanding for the Glen at Paradise Hills West was presented to the Board for their approval. Mr. Elnitski moved to approve and sign the MOU. Mr. Wise seconded the motion.

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

Gerald Clair Planning Module Amendment: It was noted that DEP is asking for a letter to clarify the soil testing results that were done on the property previously. A letter was drafted noting that a back up system site was located and tested to accommodate for the soil conditions. Mr. Elnitski moved to approve and send the follow up letter. Mr. Wise seconded the motion.

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

PSU Manure Storage pad: It was noted that Penn State has contacted Mr. Schoonover regarding the manure storage pad that had been started but was told to cease due to the lack of proper permits several years ago. Mr. Franson noted that he reviewed the documents that was submitted to him and has no problems with it. The Board noted that Mr. Zimmerman should review the file to determine if there is anything further that he needs to do.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Franson Review Letter Re– Manure Stacking Facility
2. PSATS News Bulletin
3. CATA 2012/2013 Draft Budget
4. County Planning Commission – Graystone Court @ Eagle Point Land Development
5. Conservation District – Bellefonte Airport inspection report
6. SBWJA – April 9, 2012 minutes
7. DEP letter Re: 2011 Wasteload Management Report

ADJOURNMENT

The meeting was adjourned the time being 9:45 p.m.

Sharon Royer, Secretary