

Benner Township Supervisors

October 1, 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 present. Also in attendance were Andrew Ramish, Tracey Ramish, Helen Alters, Michele Aukerman, Wayne Engle, Dave Breon, Rod Beard, Michael Pratt, Denny Krout, Justin Harford, Nate Campbell, Renee Swancer, Carol Shuey, Lindsay Schoch, Dennis O'Leary, Don Franson and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Paul Silvis/Michael Pratt – SilcoTek: Paul Silvis noted that they had hoped that construction would have started about two months ago but the initial costs of the building had come in about 2 million over budget. The building was then somewhat redesigned and will now be a prefab cement building at the cost of about 5.1 million. Mr. Silvis noted that it is critical to have the footings installed before the weather gets bad. It was noted that the revised final plans will be submitted to the county this week. Mr. Pratt noted that they are attending tonight's meeting seeking approval of two waivers:

\*A waiver that will allow their driveway to intersect with Penntech Drive directly opposite of Progress Drive. He noted that the street standard ordinance states that the driveways are to be located a minimum of 100' from the intersection of another street. Mr. Franson has reviewed the request and has found that the proposed location will not pose any conflicts to motorists.

\*The developer is also requesting a waiver of the requirement for depressed curbs at driveways. Mr. Franson noted that he sees no adverse impacts at the curbless entrances as opposed to depressed curbed entrances. He noted further that Silcotek's driveway grade flows toward PennTech Drive and the curbed wings that will tie into the existing curb will be provided.

Mr. Elnitski questioned if the plus intersection could cause problems in the future when the park is built out. Mr. Franson noted that should problems be created in the future it would fall on the developer that caused the problems with the increased traffic.

Mr. Elnitski moved to approve the two waivers requested this evening. Mr. Moyer seconded the motion.

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

Mr. Wise moved to conditionally approve the Silcotek Plan as long as all conditions of the County Planning Office and Engineer are met and the commencement of construction letter is given by the County. Mr. Moyer seconded the motion.

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

Andrew & Tracey Ramish: Discussion was held concerning the situation with the needed septic system repairs. Tracey noted that they have several elements of the new system purchased and are on site, but they have been purchasing the items as funds are available to them. The Ramishes noted that they are asking for more time to complete the system. Mr. Ramish noted that they had their tank pumped a month ago. The Ramishes noted that they due to Andrew's unemployment status that they are unable to refinance their home or get any other type of loan to finish this work. The Ramishes noted that they realize the seriousness of this situation and will try their best to have the system completed by winter. The Board noted that they will check with the Township's attorney to see what options are available as this matter has been ongoing since 1991.

Justin Harford: Mr. Harford was present to ask the Board for the remainder of his cash surety to be released to him. He noted that the paving has been completed and inspected by the Township Engineer and Road Superintendent. Mr. Franson noted that all of the remaining items that the Township had surety posted for has been completed. Mrs. Royer noted that the legal descriptions have been reviewed by Mr. Franson and were found to be correct, therefore the deeds may now be drafted for dedication. Mr. Wise moved to pay New Enterprise Stone & Lime in the amount of \$84,577.65 for the paving work and \$8,900.35 to TruBuild LLC which represents the remainder of the Opequon Hill Surety Account. Mr. Elnitski seconded the motion.

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

Rod Beard/Denny Krout/Carol Shuey: Mr. Beard noted that he is attending tonight's meeting representing the Krouts and Shueys. It was noted that the parties present do not want to see Krout's Road vacated as it is the only road that access their property. Mr. Elnitski explained that the Township doesn't have the \$650,000 + to replace this bridge that basically only serves two properties. It was also noted that there aren't funds through the state for this construction either, that bridges that serve more properties will be ranked higher on the list for funds. Mr. Elnitski noted that the Township needs a decision from the Krouts on whether the design that has been presented is acceptable to them and that they agree that they will accept the bridge if a suitable maintenance agreement for the road can be drawn up with all parties involved. Mr. Beard noted that they will take a look at all of their options. The Board asked that the Krouts make a decision by the first meeting in November. It was noted that the next inspection will take place in January/February and it is hoped that the Township can show action is taking place so that the bridge isn't closed again.

## **MINUTES**

The minutes of September 6, 2012, were presented to the Board for their review and comments. Mr. Elnitski 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 October 1, 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 a meeting will be held next week with CRMPO and PennDot representatives to discuss the Krout Bridge and the possible options for repairs/funding.

## **ROAD SUPERINTENDENT'S REPORT**

Mr. O'Leary noted that the area needing repairs by Hawbaker on Purdue Mt. have been completed as well as the driveways that needed attention by MidLand due to oil spillage. A proposed equipment budget was given to the Board to review prior to the upcoming budget meeting.

## **ZONING ASSISTANT REPORT**

Mrs. Schoch noted that she intends to attend a Planning Conference in Erie and is asking the Supervisors if they would consider paying half the registration fee which would amount to \$142.50. She noted that many of the classes that she has signed up for are related to her position at the Township. Mr. Wise moved to reimburse Mrs. Schoch the \$142.50. Mr. Moyer seconded the motion.

Vote: Mr. Elnitski – yes

Mr. Moyer – yes

Mr. Wise – yes

## **COMMITTEE REPORTS**

Fire Executive Committee: It was noted that Bellefonte would like to have the contract for Fire Services extended for an additional year with all items in the contract remaining the same. Mr. Elnitski moved to approve a one year contract extension with Bellefonte Borough for fire protection. Mr. Wise seconded the motion.

Vote: Mr. Elnitski – yes

Mr. Moyer – yes

Mr. Wise – yes

MPO: Mr. Elnitski reported that Ferguson Township has agreed to the upcoming MPO budget formula for one more year.

## **OLD BUSINESS**

Right of Way Regulatory Ordinance: Tabled.

Krout Road Bridge: Previously discussed.

Valentine Hill Road Closing: Penn Dot permit has been renewed.

Nittany Valley Recreation Authority: It was noted that draft documents creating the Authority are being circulated and should be finalized by the end of the month.

**NEW BUSINESS**

Howard Grove One Lot Subdivision:

*Planning Module:* It was noted that the planning module is complete and ready for approval and submission to DEP. Mr. Elnitski moved to approve the planning module as presented. Mr. Moyer seconded the motion.

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

*Minor Subdivision Plan:* The minor Subdivision plan was presented for review and comments. It was noted that the Zoning Officer has reviewed the plan and found everything to be ok. Mr. Wise moved to approve the Grove minor subdivision plan with no comments. Mr. Moyer seconded the motion.

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

Resolution 12-9 Silcotek Financing: It was noted that as a formality of the IRS code, Silcotek is required to have the Supervisors approve of their plan to seek financing to construct their facility by the Blair County Industrial Development Authority. It was noted further that by doing so has no barring on the Township's finances. Mr. Elnitski moved to adopt Resolution 12-9. Mr. Moyer seconded the motion.

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

Gravel Hill Road: The Township is in receipt of a request for them to approve of the new road name of "Gravel Hill Road" that will be constructed in the Village of Glenn development. It was noted that the name has already been approved by the County's 911 addressing specialist. Mr. Wise moved to approve the road name. Mr. Moyer seconded the motion.

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

Amberleigh Surety: Discussion was held concerning the situation with the upcoming surety expiration date for the Amberleigh Development. It was noted that no additional communication has taken place with the Contractor that was supposedly hired to partially pave in the development. Mr. Elnitski moved to have the township solicitor communicate to the bonding company that we intend to call in the bond and that the only other alternative that the Township will settle for is to have a new bond established for the new cost estimate in the amount of \$272,723.00 with a new agreement that all paving in the Township and the Valentine Hill Road Closure will be done by no later than June 1<sup>st</sup>. Mr. Moyer seconded the motion.

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

Budget Work Session: Mr. Wise moved to have "Special Meetings" scheduled for October 18 and November 15 to begin at 7:30 p.m. to discuss the budget and also conduct normal township business. Mr. Elnitski seconded the motion.  
Vote: Mr. Elnitski – yes                      Mr. Moyer – yes                      Mr. Wise – yes

Nittany Valley Running Club: The club is seeking permission to once again use Rock Road for their half marathon race to be held on December 2<sup>nd</sup> from 10 a.m. to Noon. Mr. Elnitski moved to approve the request with the same conditions as last year. Mr. Wise seconded the motion.  
Vote: Mr. Elnitski – yes                      Mr. Moyer – yes                      Mr. Wise – yes

### **CORRESPONDENCE**

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Commission correspondence
  - a. Rogers Farm Subdivision – comments
  - b. Wolf Furniture Building - Time Extension
  - c. GM McCrossin - Time Extension
2. Centre County Conservation District
  - a. Lyn Lee Farms Fill Site
3. Spring Benner Walker Joint Authority Minutes
  - a. August 27, 2012
  - b. September 10, 2012
4. Benner Township Water Authority Minutes of June 19, 2012
5. Notice from Centre Co. Re: 2013 Liquid fuels application
6. PSATS News Bulletin

Halloween Trail: Mr. Elnitski questioned what the Board intends to do about the annual Halloween trail that has been held for the last several years. Mrs. Royer noted that the office has received several calls wanting to know if the Township was having the trail this year and that she has told them that the event won't be held. Mr. Elnitski noted that this event was a huge hit in the past and he is sure that a lot of township families will be disappointed that it is no longer happening. It was noted that this event takes a lot of planning and volunteers and at this time it would be too late to plan the event for this year.

### **ADJOURNMENT**

The meeting was adjourned the time being 8:58 p.m.

---

Sharon Royer, Sec.