

Benner Township Supervisors
April 4, 2022

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members Larry Lingle and Tom Moyer present. Also in attendance were Matt Harlow, Allen Strouse, Treva Deibler, John Elnitski, Ed Galus, Thomas Eby, Michael Musser, Chris Haak, John Kostas, Rod Beard and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Nittany Valley Joint Recreation Authority: Mr. Haak and Mr. Musser were present from the Nittany Valley Joint Recreation Authority to give the Board an update on the Kepler pool upgrade project. It was noted that the bids for the project came in substantially higher than what was anticipated so the Authority is seeking additional grant funding from DCNR. Mr. R. Moyer moved to provide the Authority a letter of support to be included with their grant application. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

A copy of the Authority's 2020 audit was provided to the Board.

Harvest Meadows Phase I: Matt Harlow from ELA was present to present the Board with the final plan of Phase I of the Harvest Meadows Subdivision. It was noted that Phase I consists of 133 townhomes and one access road onto Fillmore Road. Mr. Harlow noted that the NPDES permit has been received earlier than what was anticipated. The developer has the infrastructure for this phase out for bids. If the numbers that come in are acceptable, work will begin in June. Mr. R. Moyer moved to approve Phase I of the Harvest Meadows Subdivision. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

Tom Eby/Benner Township Water Authority: Mr. Eby noted that the Authority is running a pump test for the well that was drilled on the Szeyller property off of Raymond's Lane. After pumping a sample will be taken to see what the numbers show.

John Kostas: Mr. Kostas noted that it appears that Bellefonte Borough will now be taking their biosolids to UAJA for further processing instead of land application on the Spicer and Schaeffer farms. Mr. Kostas asked the Board if they would reach out to DEP and see if they would extend the land area of the PFAS investigation to include both of these farms and then see if they would take soil samples on these farm lands. The Board noted that they would ask, but that is all they can do and even if it happened the property owners would have to agree that they wanted it done. Mrs. Royer noted that the Township did hear from DEP today. It was noted that DEP received 4 water samples back from the mass testing sampling done a few weeks ago. One of those tests came back over the 70 ppt limit. They anticipated that the remainder of the test results will be coming back soon. The soil sample test results were not back yet. With the positive water test results it was noted that DEP will most likely focus on that first since individuals are drinking the water more so than if it is found in the soil in some capacity. Mrs. Royer also noted that when it was brought up to DEP about testing the bio solids it was indicated that there are currently no regulations concerning limits in that.

John Elnitski: Mr. Elnitski noted that he feels that the Zoning Hearing Board's decision with Wade Robbins has set precedent in the Township. He noted that people have self contained camped at the Bellefonte Airport since the late 80's. He further noted that he feels that his situation falls under the same Township ordinances and fact pattern as the Robbins. Mr. Elnitski stated that he believes that if he wanted to he could have people drive out into the fields and dry camp without new amenities being added. Mr. Beard noted that Robbins went before the ZHB because he appealed the violation notice

that was issued by the Zoning Officer. Mr. Beard noted that he feels that there is a number of differences between the Robbins situation and the Elnitski's situation. Mr. Beard noted that he would need to discuss this further with the Supervisors. A status conference regarding the intervention of Evey's having standing to intervene in the Conditional Use hearing appeal was recently held. That decision is pending.

MINUTES

February 7, 2022:

The minutes of February 7, 2022, were presented to the Board for their review and approval. Mr. R. Moyer moved to approve the minutes as presented. Mr. Tom Moyer seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – abstained Mr. R. Moyer – yes

March 7, 2022:

The minutes of March 7, 2022, were presented to the Board for their review and approval. Mr. R. Moyer moved to approve the minutes as presented. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – abstained Mr. Lingle – yes Mr. R. Moyer – yes

BILLS

The general fund bill list for April 4, 2022, was presented to the Board for their review and approval. Mr. R. Moyer moved to approve the bills as presented. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

The state fund bill list for April 4, 2022, was presented to the Board for their review and approval. Mr. R. Moyer moved to approve the bills as presented. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

NEW BUSINESS

Bids: Sealed bids were opened for the following:

Paving Bids:

| | | | | HRI, Inc. | Glenn O. Hawbaker |
|--------|------|------|------------------------------------|------------|-------------------|
| 1 | 1390 | SY | Roadway widening | 28.9 | 26 |
| 2 | 701 | SY | Roadway base repairs | 32.5 | 27.5 |
| 3 | 700 | LF | Milling of Bituminous Paving notch | 3.75 | 5 |
| 4 | 270 | Tons | WMA Wearing 9.5 mm mix | 90 | 80.5 |
| 5 | 1025 | Tons | WMA wearing Course 19.0 mm MIX | 73.1 | 68 |
| TOTALS | | | | 164,806.00 | 150,352.50 |

Mr. R. Moyer moved to award the road projects to the low bidder Glenn O. Hawbaker, Inc. in the amount of \$150,352.50. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

Road materials:

| 2022 BENNER TOWNSHIP ROAD MATERIALS | | | | Hawbaker FOB Plant | Hawbaker Del. | HRI, Inc. PU | Hanson FOB Plant | Hanson Delivered |
|-------------------------------------|------|-----|----------------------------------|--------------------|---------------|--------------|------------------|------------------|
| 1 | 1000 | ton | PA-2A SUBBASE | 9 | 13.78 | | 9.66 | 14.41 |
| 2 | 250 | ton | SELECT GRANULAR MATERIAL-2RC | 9 | 13.78 | | 8.96 | 13.71 |
| 3 | 250 | ton | AASHTO No. 1 | 12 | 16.78 | | 13.8 | 19.05 |
| 4 | 250 | ton | AASHTO No. 57 | 12 | 16.78 | | 14.99 | 19.74 |
| 5 | 250 | ton | AASHTO No. 8 | 15 | 19.78 | | 22.95 | 28.2 |
| 6 | 2500 | ton | Washed AASHTO No. 8 | 17 | 21.78 | | 22.95 | 28.2 |
| 7 | 250 | ton | Washed 1/4" | No Bid | | | 14.55 | 19.3 |
| 8 | 300 | ton | #3 | 12 | 16.78 | | 13.8 | 19.05 |
| 9 | 300 | ton | R4 | 12 | 20.74 | | 17.35 | 22.6 |
| 10 | 300 | ton | R5 | 15 | 22.22 | | 20.35 | 26.6 |
| 11 | 300 | ton | R6 | 16 | 22.22 | | 20.35 | 27.6 |
| 12 | 200 | ton | Surge Stone | 16 | | | 13.6 | 18.35 |
| 13 | 250 | ton | SUPERPAVE WEARING COURSE, 9.5mm | 70 | | 77.26 | | |
| 14 | 250 | ton | SUPERPAVE WEARING COURSE, 19.0mm | 65 | | 70.8 | | |
| 15 | 250 | ton | SUPERPAVE BINDER COURSE, 19.0mm | 65 | | 70.8 | | |
| 16 | 250 | ton | SUPERPAVE BINDER COURSE, 25.0mm | 58 | | 64.84 | | |
| 17 | 1000 | ton | DSA | 14 | 18.78 | | 16 | 21.25 |
| 18 | 250 | ton | Limestone Sand | 12 | 16.78 | | 15.3 | 20.55 |
| 19 | 100 | ton | UPM Cold Patch | 140 | | | | |
| 20 | 100 | ton | Cold Patch | No Bid | | 100 | | |

Mr. R. Moyer moved to award the road materials to the low bidder of each item. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

Tar and Chipping:

It was noted that we have received quotes from Pine Creek Township to do the tar and chipping application for the following roads:

- Fishburn Hill Road: \$9,208.00
- Breon’s Road: \$11,752.00
- Purdue Mt.: \$66,887.00
- Big Hollow Road: \$20,367.00
- Lower Gyp: \$9,950.50

The board noted that they were fine with this quote for the work to be done by Pine Creek Township. It was noted that since it is another municipality that the Township isn’t required to place this work out for bid. Mr. R. Moyer noted that next time this type of work is anticipated that he would like to see what prices we would get from AMI.

MOU – Sun Capp: The Board is in receipt of the standard reimbursement MOU from Sun Capp for warehouse project in the Benner Commerce Park. Mr. R. Moyer moved to approve the MOU. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

MOU – Benner Pike Hotel: The Board is in receipt of the standard reimbursement MOU for a proposed hotel to be built along the Benner Pike and Amberleigh Lane. Mr. R. Moyer moved to approve the MOU. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

CATA Funding Formula: The Board is in receipt of a letter from CATA noting that they are planning on establishing a group of individuals to work on a new funding formula for CATA services in the upcoming year. They are also suggesting that due to the impact of COVID that a flat 5% fee contribution increase across all municipalities. Benner Township’s increase would amount to \$295.00. Mr. R. Moyer moved to approve the increase in fees for 2022. Mr. Lingle seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

2021 Annual Audit: The Township’s annual 2021 audit prepared by the CPA firm of Maher Duessel was presented to the Board for their records. Mrs. Royer noted that the DCED filing of the audit was done on time and that she was pleased with the new firm and their thoroughness.

HRI, Inc. Road Bond: It was noted that the Township is in receipt of an excess road maintenance bond for Fox Hill Road from HRI, Inc. for excess usage for a construction project that they are doing at the University Park Airport. The Board acknowledged receipt of the bond.

Mini Excavator: Mr. T. Moyer noted that he has sought out quotes on a new Mini excavator for the Township to purchase. He noted that all of the machines that were quoted had the minimum specifications of the following:

9,000 lbs., 24 HP, Comfort Cab, a thumb, a 12” toothed bucket, 24” toothed bucket and a 36” grading bucket, and a hydraulic breaker

Case \$72,265.14 + \$9,643.20 for the breaker

CAT \$70,100.00

Bobcat \$65,893.99

It was noted that all three of these machines are part of the PA Co-Stars State Contract. Mr. Moyer indicated that he was told that it could take up to 60 days for the equipment to arrive. Mr. R. Moyer moved to purchase the Bobcat machine utilizing the ARF money to pay for it. Mr. T. Moyer seconded the motion.

Vote: Mr. T. Moyer – yes Mr. Lingle – yes Mr. R. Moyer – yes

Health Insurance: Mrs. Royer noted that we have received the updated health insurance quotes from Geisinger for 2022-2023. The rate increase is 5% across the board. The Board noted that they would remain with the Geisinger policy.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes February 28, 2022 and March 14, 2022
2. Benner Township Water Authority Minutes of February 15, 2022
3. BTWA Key Points March 15, 2022
4. Centre County Planning Commission Letters
 - a. Time Extensions
 - i. LSC RP LLC
 - ii. Centre County Airport Authority Maintenance Building

- iii. Happy Valley Blended
- iv. Village of Nittany Glen Phase VI
- 5. Franson Review – Harvest Meadows, Phase 1 – Second Review
- 6. UAJA DEP permit application notice for pollution control facility
- 7. Thank you note from YMCA – Polar Bear Plunge
- 8. Thank you note from Bellefonte Wrestling

EXECUTIVE SESSION

It was noted that the Board will be holding an executive session on legal matters and that the meeting would not reconvene at its conclusion.

ADJOURNMENT

The meeting was adjourned the time being 8:04 p.m.

Sharon Royer, Secretary