

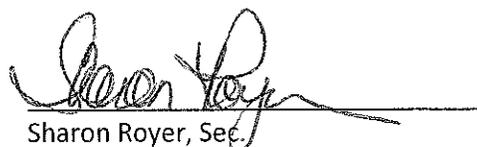
**Public Hearing
Ordinance 116
April 7, 2014**

The public hearing for Ordinance 116 was called to order at 7:00 p.m. by the Chairman, David Wise with Vice Chairman, Randy Moyer present. Mr. Capriani was absent. Also in attendance were Joseph Pistone, Mike Misselwitz, Pam Winter, Rita Herr, Chuck Herr, Michael Pratt, Ed Galus, Kevin Abbey, Lindsay Schoch and Sharon Royer.

It was noted that Ordinance 116 proposes to amend the Zoning Ordinance to add assisted living residential use as an accessory use to age qualified housing and to add the definition of assisted living residence to the Zoning Ordinance.

It was noted that no comments on the proposed ordinance have been received. Mr. Wise asked if anyone attending this evening had any comments on the ordinance. No one did.

The hearing was adjourned the time being 7:07 p.m.



Sharon Royer, Sec.

**Conditional Use Hearing
Sullivan Storage
April 7, 2014**

The conditional use hearing for Sullivan Storage was called to order at 7:08 p.m. by the Chairman, David Wise with Vice Chairman, Randy Moyer present. Mr. Capriani was absent. Also in attendance were Joseph Pistone, Mike Misselwitz, Pam Winter, Rita Herr, Chuck Herr, Michael Pratt, Ed Galus, Kevin Abbey, Lindsay Schoch, Daniel Mattern and Sharon Royer.

It was noted that the applicant wishes to construct an additional 300' X 40' storage building at their existing location of 301 Rolling Ridge Drive.

It was noted that the regulations in the current zoning ordinance for fence height are different from when the previous buildings were constructed and that it didn't make sense for the new building to have a higher fence than the older buildings, so it is being suggested that the height of the fence receive a waiver of this requirement and shall only need to install a matching 6 foot high fence.

No one present had any questions or comments. The proposed decision was read aloud. Mr. Moyer moved to grant approval of the application as read. Mr. Wise seconded the motion.

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

The conditional use hearing was adjourned the time being 7:16 p.m.



Sharon Royer, Sec.

Benner Township Board of Supervisors

April 7, 2014

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:18 p.m. by the Chairman, David Wise with Vice Chairman, Randy Moyer present. Mr. Capriani was absent. Also in attendance were Joseph Pistone, Mike Misselwitz, Pam Winter, Rita Herr, Chuck Herr, Michael Pratt, Ed Galus, Kevin Abbey, Lindsay Schoch, Daniel Mattern and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Chuck Herr: Mr. Herr presented the Board with revision #3 of the proposed Septic Management Plan Ordinance. He informed the Board that this version reflects the latest set of changes made by DEP.

Mr. Herr stated that the Board will need to establish an administration fee to run the program to be paid by the residents in the program. The Board noted that based on the costs that have been discussed they feel that the administration fee should be set at \$100.00.

Mr. Herr noted that as required by the DEP Component 2M, a combined workshop with the Board of Supervisors and the Planning Commission has been scheduled during the Planning Commission's regular meeting to be held on April 10th. A public education meeting on the program has been scheduled for April 24th at 7 p.m. at the Benner Elementary School.

Mr. Herr noted that a map of the township showing the Township's Sewage Service Area is required to be submitted with the DEP Component 2M. He further indicated that he is having difficulty getting a copy of such a map and that SBWJA is indicating that they have no such map. The Board noted that if one is not located that the Board will create one.

Joe Pistone was present to discuss his septic system along Rock Road on Tax Parcel 37-005-015E. He indicated that he feels that after speaking to Mr. Herr about a recent malfunction of his system that he was misled by the Township's previous Sewage Enforcement Officer, Ralph Houck, regarding the type of system that was needed to be installed which cost him substantially more money. Mr. Pistone presented the Board with copies of various violation notices, a copy of his permit and system design. Mr. Pistone noted that he was unaware, until last week after reviewing his permit, that he should have been having annual maintenance done to his system. Mr. Herr stated that it appears that the most recent malfunction was caused when the heating unit stopped working causing the effluent to freeze which lead to pipes breaking. The Board noted that they would review the material provided by Mr. Pistone and review the matter with the township's solicitor.

The Board held an executive session from 7:45 p.m. to 7:50 p.m. to discuss potential legal matters. The meeting re-convened the time being 7:51 p.m.

Michael Pratt – Centre County Airport Authority: The Board is in receipt of the 2nd review letter from Don Franson, Franson Engineering regarding the Centre County Long-Term Parking Lot. Mr. Franson noted that the Airport Authority is requesting a waiver due to poor infiltration rates of on site soils. The Authority is seeking permission to treat the stormwater through an underground system with will store and slowly release the first inch of runoff from the proposed impervious. Mr. Franson noted that he does not object to the waiver request. Mr. Moyer moved to grant the waiver based upon Mr. Franson's recommendations. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent

Mr. Moyer – yes

Mr. Wise – yes

Kevin Abbey: Mr. Abbey was present and updated the board on the conversations that he has had with the Fish Commission and others regarding the ownership of Shiloh Road and the ownership/shared maintenance of the road. Mr. Abbey noted that he feels very strongly that money could be available to assist in repairing Shiloh Road through the Dirt and Gravel Road Program. A new area of eligibility in this new round of funding can be used for Low Volume Roads. He further noted that if the Fish Commission, Game Commission and Township wrote an application together the chances of receiving funds are even greater. Mrs. Royer noted that Dennis O'Leary is attending the mandatory 2 day class that is required in order to apply.

MINUTES

The minutes of March 3, 2014, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

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

BILLS

The bills of April 7, 2014, 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. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

ZONING OFFICER'S REPORT

Mrs. Schoch reported that the Planning Commission has completed their review on Articles I and II. Article III will start to be reviewed at the Planning Commission's next meeting pending time after the presentation by Mr. Herr.

Mrs. Schoch noted that she and Mrs. Royer met with Trish Meek from the MPO about additional potential funding through various programs using TIP funds. Ms. Meek noted that none of the potential projects that we discussed with her would be eligible for this type of funding.

Mrs. Schoch also noted that she and Mrs. Royer attended the Stormwater Workshop that was put on by Clearwater Conservancy which was informative and interesting.

OLD BUSINESS

Amberleigh Development: Nothing new to report.

Spring Creek Canyon Conservation Easement: Tabled.

Septic Management Plan Ordinance: The board noted that they didn't have any further questions with the proposed ordinance. Mr. Wise moved to prepare the Ordinance for advertising at the upcoming meeting. Mr. Moyer seconded the motion.

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

Opequon Hill Street Dedication: This item will be tabled until the final walk through is completed and items corrected as well as the corrected deeds presented.

NEW BUSINESS

Ordinance 116: It was noted that the public hearing for Ordinance 116 was held earlier this evening and amends the Zoning Ordinance to allow for the addition of assisted living residential use as an

accessory use to age qualified housing and also adds the definition of assisted living residence to the Zoning Ordinance. Mr. Wise moved to adopt Ordinance 116. Mr. Moyer seconded the motion.
 Vote: Mr. Capriani – absent Mr. Moyer – yes Mr. Wise – yes

Paving Bids: Sealed bids for the Township’s 2014 paving project were opened. Bid results were as follows:

Item #	New Enterprise	Glenn O. Hawbaker	HRI
1	30.65	27.00	34.00
2	3.85	2.50	3.00
3	59.65	54.90	52.00
4	75.65	245.00	270.00
Total	\$88,386.65	\$86,975.40	\$85,942.00

Mr. Wise moved to award the paving project to the low bidder, HRI, Inc. in the amount of \$85,942.00. Mr. Moyer seconded the motion.

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

Road Material Bids: Sealed bids for stone, sand and other road related materials were opened and the bid results were as follows:

	Glenn O. Hawbaker		Hanson		HRI, Inc.	Midland Asphalt
	Plant	Delivered	Plant	Delivered	Plant	Delivered
3,000 tons of 2A stone	7.00	10.92	<u>6.95</u>	<u>10.45</u>		
1,000 tons of 2RC stone	<u>5.25</u>	<u>9.17</u>	5.75	9.25		
500 tons #4 stone	9.00	12.92	<u>8.90</u>	<u>12.40</u>		
400 tons of 2Bs	9.00	12.92	<u>8.95</u>	<u>12.45</u>		
5,000 tons Washed 1Bs	<u>10.00</u>	<u>13.92</u>	10.50	14.00		
300 tons 1Bs stone	<u>10.00</u>	<u>13.92</u>	10.50	14.00		
400 tons Surge Stone	9.00	12.92	<u>8.90</u>	<u>12.40</u>		
300 tons Limestone Sand	9.00	12.92	<u>8.85</u>	<u>12.45</u>		
100 tons Cold patch	100.00				<u>88.00</u>	
900 tons 9.5 mil binder	70.00				<u>67.00</u>	
600 tons 19 mil binder	60.00				<u>57.00</u>	
500 tons 12 mil wearing					<u>63.50</u>	
500 tons #3 stone	9.00	12.92	<u>8.90</u>	<u>12.40</u>		
500 tons 25 mil binder	54.00				<u>53.00</u>	
2,000 tons DSA	<u>10.00</u>	13.92	10.25	<u>13.75</u>		
100 Tons UPM Cold patch	<u>120.00</u>					
500 tons 19 mil wearing	60.00				<u>57.00</u>	
5,000 gallons E5						<u>2.43</u>

Mr. Wise moved to award the bids to various Companies who held the low bid. Mr. Moyer seconded the motion.

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

Kapcala Zoning Permit: Mrs. Royer noted that the Kapcalas applied for Zoning and Building permits to construct a new home in Fox Ridge, but found out after they made application that Mr. Kapcala has been diagnosed with a serious health condition and therefore they have put their building plans on hold indefinitely. It was noted further that their fee for the Zoning permit was deposited prior to this discovery and notification. Mr. Wise moved to reimburse the Kapcalas the zoning permit fee under these set of circumstances. Mr. Moyer seconded the motion.

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

Garbage Contract: Mrs. Royer noted that Pam Adams has provided the Board with a list of changes that have been made to the pending garbage contract. The main change is that this contract will designate that the Centre County Solid Waste Authority will be the recycling contractor. The Board noted that they were indifferent to the changes.

Grove Park Phase II Surety: The Grove Park Phase II surety renewal package in the amount of \$49,973.00 was presented to the Board for their approval. Mr. Wise moved to approve the Grove Park Phase II surety package. Mr. Moyer seconded the motion.

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

Eagle Point Phase IIa Surety: The Eagle Point Phase IIa surety renewal package in the amount of \$22,146.30 was presented to the Board for their approval. Mr. Wise moved to approve the Eagle Point Phase IIa Surety package. Mr. Moyer seconded the motion.

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

2014 Truck Loan: Mrs. Royer noted that we have received two proposals for the financing the new truck. The amount to be financed is \$128,175.00.

Real Lease terms are 3.89% with a \$175.00 closing cost fee and a \$1.00 buy out at the end.

Jersey Shore State Bank terms are 4.29% with \$640 closing cost fee plus all other fees pertinent to the loan. Mr. Wise moved to finance the truck with Real Lease. Mr. Moyer seconded the motion.

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

Excessive Maintenance Agreement – Arthur Walk: The Board is in receipt of an excess maintenance bond from Arthur Walk Jr. in the amount of \$19,100.00 for using sections of Seibert and Rock Road for the hauling of timber. Mr. Wise moved to approve this excess bond. Mr. Moyer seconded the motion.

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

Bellefonte Little League Request: The Board was in receipt of a letter from Bellefonte Little League seeking assistance in having some field mix hauled for them as the Township has done in the past. The Board noted that they will agree to go and pick up a load of dirt for them but they must pay for the dirt as they have done in the past.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre County Conservation District
 - a. Centre Co. Airport Authority – NPDES permit application
 - b. B. Graystone Court Inspection Report
2. Franson Comments RE: Graystone Court basin revision

3. SBWJA Minutes
 - a. February 24, 2014
 - b. March 10, 2014
4. Centre County Planning Commission Letters
 - a. Sewage Facilities Planning Module Act 537 Revision
 - b. Lot Addition and Replot Douglas & Linda Mace
 - c. Benner Chiropractic Land Development Plan Withdrawal
 - d. GM McCrossin – time extension
5. PSATS Proposed Resolutions

ADJOURNMENT

The meeting was adjourned the time being 8:35 p.m.



Sharon Royer, Secretary