

Benner Township Supervisors
December 4, 2017

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Travis Henry, Heather Henry, Connie Dornan, Dennis O'Leary, Nate Campbell, Michael Manni, Kathleen Manni, Tom Moyer and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Travis Henry: Mr. Henry was present to discuss the possibility of building a mother in law suite on to his home that is being built in the Fox Ridge Development. Mrs. Royer noted that she spoke with both Robert Rayman (township attorney) and Chuck Herr (sewage enforcement officer) and both of them said that by adding a second kitchen it would be creating a duplex. Mr. Rayman said that as long as the kitchen is omitted and the septic system is sized for the proper number of bedrooms it would be ok. Mr. Moyer noted that he did not understand this explanation as the septic systems are sized based on bedrooms, nowhere is one asked how many kitchens there will be in the house, further noting that many people have two kitchens in their homes. Mr. Henry noted that it would be family living in this addition and would not be rented out as an apartment. Mrs. Henry noted that she knows of other homes located in the township that are doing this very same thing. Mrs. Royer noted that Mr. Herr has caught several of these places during the septic management program inspection and has made them convert back to single family dwellings. Examples were a bi-level owned by PSU on Barns Lane, the properties out in Peru owned by Mr. Bjalme and the property on Purdue Mt. owned by Ms. Moyer. Mr. Moyer noted that he would look into this matter further and get back in touch with the Henrys.

Michael & Kathleen Manni: The Mannis were present to ask for an update on Purdue Mt. Road. It was noted that the road was close to reopening until a weekend rain event of over 3" occurred causing two additional locations of the road to fail several weeks ago.

Mr. Wise made a motion that based upon the professional recommendations of PennDOT, DCNR geologist, Hillis Carnes (structural engineer), Donald Franson (Municipal Engineer), that the township seeks approval from FEMA and PEMA to amend the original project worksheet 00038A2 of Purdue Mt. to include additional pavement, two additional cross pipes, increase in the length of the bearing plates and lagging on Piles 11, 12, 13, and 14 due to the steep slope angle; as well as engineering, testing and design needed for the installation of two additional pile and lagging walls at locations 4 and 7. Mr. Moyer seconded the motion.

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

MINUTES

The minutes of November 6, 2017, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.

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

BILLS

The General Fund bills of December 4, 2017, in the amount of \$393,670.24 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 – yes

Mr. Moyer –yes

Mr. Wise – yes

The bills of the building fund in the amount of \$23,784.84, 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 – yes

Mr. Moyer –yes

Mr. Wise – yes

ROAD SUPERINTENDENT’S REPORT

Mr. O’Leary reported on the following:

*Grove Park – still some concrete work to complete.

*Tree work – meeting with several contractors to find a new contractor for tree work that is out of the capability of the Township Road Crew.

*Work is continuing to set up the shop and putting stuff away.

*Purdue Mt. – continuing to work with PEMA and FEMA on the roadwork.

*Backhoe: It was noted that backhoes were demoed from CAT, JCB, Case and John Deere. All four models are on the Co-Stars program through the state. It was the consensus of the road crew employees to stay with the CAT. The machine that was quoted was a new 2016 420F IT at the cost of \$103,650.00 – a trade of \$35,000.00 for the Township’s 2009 CAT backhoe with a net cost of \$68,650.00. Mr. Capriani moved to purchase the CAT 2016 420F IT backhoe. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer –yes

Mr. Wise – yes

ZONING OFFICER’S REPORT

Mrs. Royer reported on the following:

*Barking Dog complaints are continuing to be received. The certified letter has been sent, next step will be the magistrate.

*Letter was received from Ameron Construction inquiring about the new zoning regulations in the proposed zoning ordinance for Benner Commerce Park and the uses for the I-2/I-3 Zoning districts. The Board noted that those two zoning districts have already been mostly combined in the draft ordinance.

*Letter from McKee Group: The Board is in receipt of a letter from the McKee Group asking that in Phase III that permits would be issued for manufactured, modular or site-built homes with attached garages. Discussion was held. Mr. Wise noted that he would review the letter further and draft a reply.

*Nittany Express: It was noted that Nittany Express (Omar Ahmed) will be asking for a zoning amendment to allow him to build a taxi service and parking facility on his property in Airport Park. It was noted that due to minor wording in the ordinance that he is currently prohibited from doing this even though Handy Delivery is doing the exact same thing across the street.

COMMITTEE REPORTS

MPO: Mr. Wise noted that the MPO is seeking grant funding to begin on the I-80 / I-99 interchange. Discussion was also taking place about the need to recruit and maintain emergency personnel in the county.

CCAC: Mr. Capriani noted that the CCAC will be holding a public hearing on the Comcast Franchise Agreement in mid to late January.

NVJRA: Mike Bonchack was present to thank the Board for their commitment of \$50,000 over the next several years towards rebuilding the Kepler Pool. Mr. Bonchack noted that they also received confirmation from Spring and Bellefonte that they will participate. Confirmation is still pending from Walker Township.

OLD BUSINESS

New Building: It was noted that we are just waiting for the maintenance bonds for the various contractors and then we should be completed with the job.

Agreement with Centre Region COG Re: Deputy EM Coordinator: This remains tabled.

Zoning Officer Position: Mr. Wise noted that he has spoken with two different firms that offers both Zoning and Code Review Services. Proposals from both should be received for the January meeting.

Renaming Township Park: Table until the January meeting.

2018 Budget: It was noted that the advertisement with public inspection was done and that no comments have been received. Mr. Wise moved to adopt the 2018 budget as proposed. Mr. Moyer seconded the motion.

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

Township Planning Commission Vacancy: Mr. Capriani noted that he was in receipt of a letter from Anthony Gallauci stating his interest in serving on the township’s Planning Commission. Mr. Capriani moved to appoint Mr. Gallauci to the Planning Commission. Mr. Moyer seconded the motion.

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

NEW BUSINESS

2017 Year End Audit: Mr. Capriani moved to appoint ParenteBeard to perform the Township’s 2017 year end audit. Mr. Moyer seconded the motion.

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

Gaming Resolution: Discussion was held as to whether or not the Supervisors wished to adopt a resolution opting out of gaming Category 4 ancillary casinos being located in the township. The Board noted that they did not wish to Opt out.

C-Net Proposal: The Board is in receipt of a proposal from C-Net to become a member for the year 2018 at the cost of \$8,440.00. The Board noted that they were not interested.

LST Tax Collecting Agreement with State College Borough (Centre Tax Agency): Mrs. Royer noted that Centre Tax Agency has been collecting the Township’s LST taxes for several years now. They are now collecting most of the townships that they are also collecting the EIT taxes for and therefore want to have everyone sign the same collection agreement. It was noted that tax revenues have gone up ever since this agency has taken over collection of both. Mr. Wise moved to sign the collection agreement with Centre Tax Agency. Mr. Capriani seconded the motion.

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

Letter from Jim Coslo Re: Trail Maintenance: The Board is in receipt of an email from Jim Coslo who is offering to volunteer to do maintenance work on the Spring Creek Canyon Trail. The Board noted that they welcome the help.

Insurance Quote for 2018: It was noted that the Township is in receipt of two insurance quotes one from our current agent, St. Mary's Insurance in the amount of \$25,518.00 and one from the Matson Insurance Agency in the amount of \$27,878.00. Mr. Capriani moved to renew our policies with St. Mary's Insurance. Mr. Moyer seconded the motion.

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

CORRESPONDENCE

The board acknowledged receipt of the following correspondence:

1. SBWJA Minutes – October 23, 2017 and November 13, 2017
2. BTWA Minutes – October 17, 2017
3. GM McCrossin – Sewage Planning Module
4. PennTerra NPDES Permit Re: Nittany Express
5. Notice that Rockview DOC is applying for a Minor Operating Permit Modification – Operating Permit
6. County Planning Commission Notices
 - a. Time Extension ARL Test Facility Building
 - b. Time Extension All Storage Solutions
 - c. GM McCrossin, Inc. Final comments
 - d. Lot Consolidation Proposal Omar Ahmed
 - e. Minor Land Development Exemption Request Ag Digester Storage Tanks
7. PSATS News Bulletin –
8. Notice from Pat Burns Salvage & Excavating RE: renewal of NPDES

Executive Session: The Board noted that they will recess to executive session for personnel matters and that the meeting will not be reconvened.

ADJOURNMENT

The meeting was adjourned the time being 8:15 p.m.

Sharon Royer, Secretary