

**Benner Township Supervisors
February 3, 2020**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Vice-Chairman Randy Moyer with member Larry Lingle present. Mr. Wise was absent. Also in attendance were Dennis O’Leary, Gary McEwen, Gene Stocker, Rich Davis, Geneviene Robine, John Kostas, Thomas Eby, Sel Edor, John Elnitski, Jane Koppen, Dennis McDowell, Andy Johnson, Warren Miller, Willis Houser, Tom Moyer, Greg Bartram, Shirley Gryczuk, Betsy Boyer, Al Jones, Rod Beard and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Geneviene Robine: Ms. Robine was present to asked the Supervisors if they would be willing to allow township staff to help clean up the garbage that is collected during the annual Spring Creek Watershed Clean Up day to be held on May 2nd this year. The Board noted that they are more than happy to assist in this endeavor. Ms. Robine noted that volunteer numbers keep going down over the years so only the worst roads will be concentrated on. If any areas come to mind that need attention, please contact her before the event.

Centre Care: Betsy Boyer and Al Jones were present to give those present an overview of Centre Care which is the new Non-profit skilled Nursing care Community being constructed in College Township along the Benner Pike. It was noted that since 2013 Centre Crest is no longer being run by Centre County but has become a Non profit 501 3C organization. The Centre Care, Inc. Board has acquired land to build a new 240 bed skilled nursing facility. The new facility will be state of the art and will offer traditional long-term care as well as three specialty units that include high-acuity, memory care and short-term rehabilitation. It was noted that Centre Care is only one of three facilities in Centre County that will accept Medicaid to pay for patient care. It was further noted that on average 75% of those who live at Centre Crest are on Medicaid. The new facility is costing 45 million to build. Centre Care has received a low interest loan from the USDA but an additional \$6 million in community support is needed to secure the loan. They noted that by the Fall of 2020 the facility is expected to be complete with patients being moved to the facility by February 2021. Mr. Jones noted that an exciting opportunity is going on right now for Centre Care. The Hamer Foundation will match donations to Centre Care dollar to dollar up to \$300,000. They noted that all donations large and small are much appreciated towards this much needed community facility.

John Elnitski/Sel Edor: Solar: John Elnitski noted that he asked Sel Edor to come and give the Board a little information on solar. Mr. Elnitski noted that he doesn’t understand why the Township wouldn’t allow solar in the Ag districts instead of zoning them to be allowed to build a bunch of houses. He noted that solar is for a fixed term and then can be removed easily and the land can be farmed once again if needed. He noted that he has heard concerns from Board member on the aesthetics of solar farms but he noted that he himself finds a field of homes just as unappealing. He noted that he feels that this should be allowed in Ag also even if it is by conditional use.

Mr. Edor noted that he lives locally and is employed by BAI Group in State College. He noted that just recently Pennsylvania have become more favorable to large scale solar developments. He noted that it is becoming increasingly difficult for farmers to keep farming. Farmers are looking for ways to diversify their incomes and keep their properties that have been in the families for centuries. He noted that with solar projects, the farmers continue to own the farms, the solar projects lease the farms for a fixed term and at the end of that term the panels are removed and can go back to farming. Mr. Edor noted that not all farms would be a candidate for a solar project as there are many factors that need to be

considered when considering suitability. Such factors include: the land needs to be relatively flat, it has to have the correct size utility lines in the vicinity, the property can't be located in or closely to wetlands, etc. He noted that the size of project his firm would be interested in would need between 87 and 100 acres to construct a 25 mega watt project. A project of this size would cost about 35 million to construct. The term of the contract would be 30 years. He noted that based on his calculations of a 35 million project he would expect around a million dollars in taxes to come back to the area. He also noted that if enough of these sized projects were constructed in an area that it does have the ability to lower electric bills as the distribution part of the bill would lower.

John Kostas questioned, "Where the closest project in size that he is speaking about is located?" Mr. Edor noted that it would probably be in Franklin County. He referenced the size of project that he is talking about would be about 10 times the size of the array in front of the hospital. He noted that a project this size would be about 8,000 panels. Mr. Kostas questioned how does the power go from the panels to the lines. It was noted that it is handled in much the same way as a home. A line would connect from the panels directly to the power lines. He noted that in certain circumstances small substations would need to be constructed but nothing like the one that is located down the road on SR550.

Tom Eby questioned how the tax dollars would be calculated. Mr. Edor noted that he would need to consult with the Tax Assessment to be certain how it would be calculated. Mr. Eby noted that he would be in favor of a project like this utilizing property like that is in the quarry district where the land is pretty much useless stating that the township is already about 50% tax exempt.

Gene Stocker questioned if a proposal was made to a farmer would he really see a financial benefit to lease his land for solar farming over conventional farming? Mr. Edor noted that usually yes, but not always. He noted that most leases for solar are around \$800 to in certain circumstances \$1250 per acre. He noted that there are a lot of farms that are not netting \$800 per acre for their land, especially those that are leasing their land to other farmers for crop farming.

John Elnitski noted that he feels that this should at least be an option for farmers even if it is by a conditional use.

Mr. Lingle questioned how many years does it take until the project breaks even. Mr. Edor noted that there is a number of factors that are considered, some projects make sense to pursue and others do not.

John Elnitski – Airport Zoning: Mr. Beard noted that after looking at the current airport zoning ordinance he does feel that it does make sense to revise the current airport ordinance. He noted that we can make adjustments that address public safety, that is fair to all parties and keeps the Township out of the middle of things.

Mr. Elnitski noted that his major concern is the 75' height limits and the growth of trees. Mr. Beard noted that he will work on the revised language and hopes to have it ready to go over at the zoning work session.

Warren Miller/Andy Johnson: Mr. Miller presented the Board with a complete Act 537 Special Study. It was noted that this copy contains all of the public comments that were received and GWF's responses to the comments received. Mr. Miller noted that the next step is to forward a copy of this plan on to the Centre County Planning Commission for their review and comments. Once this is complete, the Board

will need to decide if they are approving the study and adopting it. If that is done, then the plan gets forwarded on to DEP for a final review and approval. Mr. Miller noted when speaking with DEP they noted that according to the Sewage Facilities Act that the responses to the comment letters were to come from the Township. All agreed that this seems like a strange requirement when normally the Board of Supervisors would have little expertise to be able to respond to technical and detailed questions on such a study. Mr. Miller noted that this has been discussed with the Sewer Authority's Solicitor, Robert Mix and he feels that as long as the Board of Supervisors includes a letter to DEP stating that they have received all of the comment letters and reviewed the responses made by GDF and agree with a their response, that this stipulation of the Act will have been met. Mr. Miller noted that all the comments that were received and the responses that were given are located on SBWJA's website.

Mr. Miller noted that there has been recent discussions concerning the Benner Township Board of Supervisors granting waivers from hooking on to public sewer in the past. It was noted that back in 2001 the Board did grant a few waivers from having to connect. It was noted that those waivers were done contrary to what the Township's connection ordinance states. After some research, it was found that two properties that were given waivers still have not connected. One of these properties has been participating in the septic management program and the other has not. Discussion was held. Board members noted that they feel that these two properties should be made to connect. It was noted that a conversation was held with the one property owner making them aware that this was going to happen. Mr. Miller noted that he would reach out to the other property owner for a conversation. Mr. Moyer moved to converse with these two property owners and see if they can produce any documentation as to why they shouldn't hook on. If not, then connection should be required. Mr. Lingle seconded the motion.

Vote: Mr. Lingle – yes

Mr. Moyer – yes

Mr. Wise – absent

Gary McEwen – Village of Nittany Glen: Mr. McEwen noted that Berks Homes purchased the remaining Village of Nittany Glen Development in 2017. At the end of 2018, township officials met with the owners of Berks and existing residents of the Village of Nittany Glen to discuss plans for the future of the development. At that time Berks was considering constructing Townhomes in part of the development. This idea was met with resistance of the existing homeowners of the development. Homeowners were not opposed to duplexes as much as townhomes so Berks made concessions and decided that they would forgo their plans and rework them to exclude townhomes and include limited duplex units. Mr. McEwen noted that in order to make the duplex units work they requested changes to the setbacks and lot requirements for them in the R-3 zoning district. These changes have still not been made and they cannot proceed with their development until they are. A new preliminary plan needs to be adopted by the county before the next phase can be submitted. None of this can be completed until the changes are made. Mr. Beard noted that it is planned that the revised zoning ordinance will be completed by the Board of Supervisors' March meeting. Mr. McEwen asked that if it is not ready, that amendments to the existing ordinance are ready to proceed with so that no further delays are experienced. Mr. Beard noted that this is possible.

Logan Greene Development: Mr. McEwen noted that Berks Homes purchased the Hartle property that lays up against the Amberleigh Development. Most of this property with the exception of a few acres lies in Spring Township. The request is being made that since this is the case, that Benner Township forgo the review process of the plans and allow it to fall under Spring Township's regulations and review process. Mr. Moyer moved that the Supervisors are in favor of Spring Township handling the review of

the Logan Greene Development and authorizes Attorney Rod Beard to research this to ensure that this is done correctly. Mr. Lingle seconded the motion.

Vote: Mr. Lingle – yes Mr. Moyer – yes Mr. Wise - absent

John Kostas: Mr. Kostas questioned if there is any new news on the PFAS finding at the State of the Art well. Mr. Moyer noted that Mr. Wise has been in contact with PSU regarding this matter. PSU is aware of the problem and has established a task force to investigate it. We have been told that additional testing will be done. Penn State noted that they expected to have additional answers to share with Mr. Wise upon his return from vacation.

Willis Houser: Mr. Houser noted the he is present on behalf of the Greater Buffalo Run Valley UMC. He noted that the idea of a festival is being discussed in committee and he was asked to approach the Township to see if they would be supportive of such an event. He noted that that committee envisioned an event similar to those that were held at Hunter’s Park years ago. The event would take place at the church’s new property along SR550. The Board noted that they would be in favor of such an event and would support it where they could.

MINUTES

The minutes of January 6, 2020 Re-organizational meeting were presented to the Board for their review and comments. Mr. Moyer moved to approve the minutes as presented. Mr. Lingle seconded the motion.

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

The minutes of the regular meeting of January 6, 2020, were presented to the Board for their review and comments. Mr. Moyer moved to approve the minutes as presented. Mr. Lingle seconded the motion.

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

BILLS

The bills of February 3, 2020, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Lingle seconded the motion.

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

The State Fund bills in the amount of \$10,468.78 for February 3, 2020, were presented to the Board for their review and approval. Mr. Moyer moved to approve the state bills as presented. Mr. Lingle seconded the motion.

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

ROAD SUPERINTENDENT’S REPORT

Mr. O’Leary noted that with not much snow removal going on that equipment maintenance has been taking place. We were notified that the County Aid funds that were sought for the pipe work at Bel Aire Hills wasn’t funded. The county noted that they had a lot more projects applied for than they had money for. It was reported that the Street Standards Ordinance is being reviewed and minor changes and modifications are being made with the assistance of Mr. Franson. It was hoped that this Ordinance would be ready for the Board’s action in the next couple of months.

OLD BUSINESS

Zoning Ordinance: It was noted that the Board has scheduled a work session to continue to review the draft on Monday, February 17th at 8:00 a.m.

ACT 537 Special Study: This was discussed earlier in the meeting. Nothing further was added.

NEW BUSINESS

Egg Hunt/Skating Event: The Greater Buffalo Run Valley UMC is inquiring if the Township would once again co-sponsor the egg hunt and skating event at Penn Skates. The cost to rent the facility is \$425. The church will provide the crafts, eggs, candy and snacks. Mr. Moyer moved to approve the Township’s participation of \$425.00. Mr. Lingle seconded the motion.

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

University Park Airport Fire Equipment Building MOU: The Board was in receipt of the county’s standard Memorandum of Understanding for the proposed University Park Airport Fire Equipment land development plan. This document formalizes an agreement that the developer will reimburse the Township and County for any costs incurred during the plan review. Mr. Moyer moved to approve the MOU. Mr. Lingle seconded the motion.

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

Bucket Truck Surplus: Mr. Moyer moved to authorize staff to advertise the old 1999 Chevy 3500 bucket truck for sale/surplus. Mr. Lingle seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Letter from Jeff Stover Re: Act 537 Plan
2. Centre County Planning Commission
 - a. Revised Preliminary Land Development Village of Nittany Glenn
3. SBWJA Minutes – December 9, 2019 & January 13, 2020
4. Zoning Officer Report January 2020
5. PSATS News Bulletin
6. Franson Review of ARL Building 3
7. NPDES termination letter for Amberleigh development

ADJOURNMENT

With no further business, the meeting was adjourned at 8:25 p.m.

Sharon Royer, Sec.