

**Benner Township Supervisors
February 4, 2021**

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 Thomas Moyer present. Also in attendance were John Elnitski, Jim Lanning, Ed Galus, Thomas Eby, Sue Rockey, John Kostas, Rod Beard and Sharon Royer.

Executive Session

Mr. Moyer noted that the Board of Supervisors held an executive session at the conclusion of the January 4, 2021 meeting to discuss personnel matters. The session lasted from 7:45 p.m. to 8:10 p.m. and all three board members were present.

PERSONS TO ADDRESS THE BOARD

Sue Rockey – Nittany Valley Joint Recreation Authority: Mrs. Rockey presented the Board with the 2019 annual financial report for the Authority. She noted that the grant for the pool improvements was accepted and work on the bids for the pool improvements are in process. Mrs. Rockey noted that she has served on this committee since its inception and would like it if the Board could find a replacement for her. She noted that the Committee meets once a month on the 2nd Thursday of each month at 6:30 p.m. The Board noted that they would work on finding a replacement and thanked Mrs. Rockey for her service on this committee.

Jim Lanning: Mr. Lanning noted that he would like to thank Township Employee, Dennis O’Leary for taking time out of his schedule to show him around the Township. He found it to be very helpful. Mr. Lanning also gave the Board an update on the Water Authority and a brief overview of his conversation with PSU on the PFAS finding. Mr. Lanning asked that he be provided with a link or a copy of the decision that was rendered dealing with the Water Authority and the BioSolid application case so that he can be more educated on this matter. Mr. Lanning also brought up the topic of Wikipedia and that the Township should make sure that the entry for the Township is correct.

MINUTES

The minutes of January 4, 2021 were presented to the Board for their review and comments. Mr. Randy Moyer moved to approve the minutes as presented. Mr. Lingle seconded the motion.

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

BILLS

The general fund bills of February 4, 2021, were 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. Lingle – yes Mr. T. Moyer – yes Mr. R. Moyer – yes

The state fund bills of February 4, 2021, were 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. Lingle – yes Mr. T. Moyer – yes Mr. R. Moyer – yes

OLD BUSINESS

Zoning Ordinance: Mr. Beard noted that he is still working on the revisions. It was noted that work sessions will be scheduled in early March to go over the document one last time before being sent out once again.

NEW BUSINESS

MOU for Fishing Creek Valley Associates, LP: It was noted that this MOU is for the Logan Green Subdivision that is located in both Spring and Benner Townships. It was noted that it is uncertain if the developer is going to continue to seek as waiver from the County review of the portion that is located in Benner Township or not so they are going ahead with the paperwork incase the waiver is denied. Mr. R. Moyer move to approve the MOU for Fishing Creek Valley Associates, LP. Mr. Lingle seconded the motion.

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

Planning Module Exemption – Logan Greene, Phase 1B: The Planning Module Exemption paperwork for phase 1B of Logan Greene was presented to the Board for their review and approval. Mr. R. Moyer moved to approve the planning module exemption. Mr. Lingle seconded the motion.

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

Electric Company Contract: Mr. Lingle noted that he has been in communication with two different brokers for the Township’s energy supplier. Mr. Lingle noted that after reviewing the Township’s energy bills and the proposals that were received, he believes that the proposal from Dynegy Energy Services at the rate of .0451 for a fixed term of 48 months is the best option. The Township’s rate is currently .056. It was noted that there is a fee to get out of the contract but that based on trends over the last several years, he noted that he doesn’t believe that the rates will ever come down to warrant doing that. Based on this new rate a savings of at least \$1,000 could be realized. Mr. Lingle moved to approve the contract with Dynegy Energy Services for 48 months at a fixed rate of .0451. Mr. R. Moyer seconded the motion.

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

Code Enforcement Officer Retainer: It was noted that since the Township has finally been able to find someone who will accept the position of Code Enforcement Officer, the Board feels as though they should offer a monthly retainer to him of \$250/month. If he is called to work then the first 10 hours of work will come off of this monthly retainer. Mr. R. Moyer moved to amend the contract with Gilbert Stull to include a \$250 per month retainer fee. Mr. T. Moyer seconded the motion.

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

Hartle Subdivision: The board is in receipt of the planning module for the Hartle Subdivision. It was noted that Larron Horner has completed the testing and that the module is ready for approval and submission to DEP. Mr. R. Moyer moved to approve the Sewage Planning Module for the Hartle Subdivision. Mr. Lingle seconded the motion.

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

Commerce Street – Lot for Sale: It was noted that JRS Landscaping is looking at purchasing a vacant lot along Commerce Street. It was noted that since this street is a private street and the lot was created prior to the County’s Subdivision and Land Development Ordinance, the county is requesting a letter from the Township that the Board doesn’t object to this lot being developed commercially and not meeting our street standards. Mr. Lingle moved to approve the letter that was drafted with the Board having no objections. Mr. R. Moyer seconded the motion.

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

VacAll: It was noted that the Township received a 1997 used VacAll truck from Ferguson Township in 2019. Once received, several major issues were discovered with the vehicle. The road crew employees removed any of the parts that were compatible with the other VacAll truck that we own. Since this

vehicle was originally purchased through a grant, the only way to dispose of the truck is to give it to another municipality or sale it for no more than \$200. It was noted that John Reese is interested in the vehicle for \$200 to use it for parts. Mr. R. Moyer moved to sell the vehicle to John Reese for the \$200. Mr. T. Moyer seconded the motion.

Vote: Mr. Lingle – yes

Mr. T. Moyer – yes

Mr. R. Moyer – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes of December 14, 2020 and January 11, 2021
2. Benner Township Water Authority
 - a. Minutes of December 15, 2020
 - b. Key Points January 19, 2021
 - c. Letter Re: rate increases
3. County Planning Commission Comment Letters
 - a. Time Extension University Park Airport Aircraft Rescue and Fire Fighting Building
4. Conservation District Letters
 - a. Centre County Airport Authority – NPDES Stormwater Construction Permit Expiration
 - b. Sullivan Mini Storage- Phase VII – NPDES Stormwater Construction Permit Expiration
5. Notice from PennDot Re: Traffic counting to be done between 1/21 and 4/21
6. DEP Approval of Pump Station #18 – Village of Nittany Glen
7. 2019 Annual Report - Resilience in Spring Creek Watershed
8. PSATS Legal Defense Partnership newsletter
9. Municipal Notification of Planned Land Development of Land of Paradise, LLC
10. PSATS News Bulletin
11. Resignation letter of Susanne Heckman of elected auditor position
12. DEP letter Re: LSCR, LLC Duplexes rejection of Sewage Planning Exemption request

NOTES

John Kostas questioned if there would be an open house for the fire fighting building that the airport is building. Mr. Lingle noted that he is not aware of one, but thought that one could probably be scheduled if asked. Mr. Kostas then questioned if anyone knew when the airport tests the fire fighting foam? Is there a notice that is published when this is to take place? It was noted that this is unknown but that annual exercises are performed by the fire departments at the airport.

Act 537 Special Study- It was noted that the Township received a letter from Christine Line, Gene Stocker's attorney, requesting to come and look at the township's copy of the plan that was submitted to DEP. Mr. Beard noted that he will respond to Ms. Line's letter.

ADJOURNMENT

The meeting was adjourned the time being 8:00 p.m.

Sharon Royer, Secretary