# Benner Township Supervisors Ordinance 131 Hearing February 5, 2018

The public hearing for proposed Ordinance 131 was called to order at 7:00 p.m. by the Vice Chairman, David Wise with member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Tony Fruchtl, Tom Dilella, Don Franson, Dennis O'Leary, Susan Rockey, Nickel Bierly, Linda Whitlock, George Lyons, Tim Miller, Shirley Gryczuk, Nate Campbell, Thomas Eby, H. Park Lane, Dave Bierly, Mike Soble, Karen Soble and Sharon Royer.

It was noted that this Ordinance would amend Ordinance 104 by removing the word "arterial" from Section 453.4 and delete the word "fuels" from Section 453.9. Mr. Wise explained that this change is being proposed to allow for a Taxi Cab Terminal to be constructed along High Tech Road. It was noted that currently a taxi cab facility exists right across the street. Mr. Wise asked if anyone present had any questions or objections to the proposed ordinance. No one present had any comments and no comments were received in writing. Mr. Wise moved to close the hearing the time being 7:07 p.m. Mr. Capriani seconded the motion.

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

# Benner Township Supervisors February 5, 2018

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:08 p.m. by the Vice Chairman, David Wise with member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Tony Fruchtl, Tom Dilella, Don Franson, Dennis O'Leary, Susan Rockey, Nickel Bierly, Linda Whitlock, George Lyons, Tim Miller, Shirley Gryczuk, Nate Campbell, Thomas Eby, H. Park Lane, Dave Bierly, Mike Soble, Karen Soble and Sharon Royer.

# PERSONS TO ADDRESS THE BOARD

<u>All Storage Solutions:</u> Tom Dilella was present to ask the Board if they would approve his MOU for the Final Land Development Plan of All Storage Solutions. Mrs. Royer noted that the outstanding items on his preliminary plan should be resolved in the next day or two and that they would like to get the Final Plan submitted to the county before the submission deadline this week. Mr. Wise moved to approve the All Storage Solutions MOU for the final plan. Mr. Capriani seconded the motion.

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

Purdue Mountain Residents: A number of residents that live along Purdue Mountain Road were present seeking a status update on the road repairs. Mr. Wise noted that this process is complex and that the Township is moving as quickly as possible. It was explained that when the initial repairs were done and the road was almost ready to open that other areas failed during a rain event. From that point experts were called upon, additional approvals were needed from FEMA and PEMA. From there drilling had to take place, data had to be analyzed, new wall designs based on the data received needed to be completed. It was noted that the completed wall design was just received by the Township today. From here, the new designs will be forwarded to HRI, Inc. for cost estimates. Once the cost estimates are received back, everything (drilling results, engineer's design and cost estimates) must be sent back to FEMA and PEMA for review and approval prior to any additional work taking place. Mr. Wise continued that if it wasn't for the Federal/State Disaster Proclamation reaching the thresholds to qualify for repair funding the road would have been closed and remained that way. The Board acknowledged the timeframe for the repairs is frustrating for residents but is necessary to acquire the funding. Residents

questioned if the road could be opened in it's current state. Mr. O'Leary noted that several ideas were floated to PennDot and the engineers but in the end all options discussed were determined to be too unsafe. Residents asked if the road could be a one way road. It was noted that this was one of the options discussed but was decided against. The Board noted that this will ultimately end up being around a 2 million dollar project. Mrs. Royer noted that the last 25% of the reimbursable funds will not be reimbursed to the Township until the project is completed and closed out. It was explained by FEMA/PEMA that this is, at a minimum, a 4 month approval process. With the Township being required to spend these funds and wait for reimbursement that very little, if any, road work will be able to take place on the Township's remaining roads as our roadwork funds will be tied up on this project.

#### **MINUTES**

The minutes of January 2, 2018, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Capriani seconded the motion.

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

#### **BILLS**

The bills of February 5, 2018 were presented to the Board for their review and approval. Mr. Capriani moved to approve the bills as presented. Mr. Wise seconded the motion.

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

#### **ENGINEER'S REPORT**

Mr. Franson noted that the only thing he has been involved with that isn't on the agenda is the Keystone Payroll Land Development Plan. It was noted that Keystone Payroll plans to construct a building along High Tech Road to operate their payroll company from. The land development plan will be submitted to the County and Township soon.

#### **ROAD SUPERINTENDENT'S REPORT**

Mr. O'Leary noted that normal equipment maintenance and snow removal have been taking place.

#### **ZONING OFFICER'S REPORT**

It was noted that no report has been received this month due to Penns Valley Code just getting started.

#### **COMMITTEE REPORTS**

Mr. Wise noted that he attended the:

- \*Spring Creek Watershed Commission meeting. Discussion took place on the watershed plan.
- \*Nittany Valley Joint Planning Commission: It was noted that discussion continues on updating the Joint Comprehensive Plan.

Mrs. Royer reported on the following:

\*Centre Area Tax Consortium had their annual organizational meeting on January 31<sup>st</sup>. It was noted that our fees will now be deducted from our taxes collected because several of the smaller municipalities have failed to forward their fees associated with the consortium.

\*Centre County Cable Consortium – will hold their public hearing on Comcast Cable on February 27<sup>th</sup> at 7 p.m. at the College Township Municipal Building.

# **OLD BUSINESS**

Centre Region COG Re: Deputy EM Coordinator: - Continues to be tabled.

<u>FEMA Storm Damage:</u> It was noted that the Board is in receipt of an updated engineering proposal from Hillis-Carnes Engineering to deal with the second set of slides. The estimated cost of the additional engineering work is \$52,625.00. Mr. Wise moved to approve this additional work. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

Zoning Officer Position: The Board is in receipt of a proposal from Penns Valley Code Enforcement Agency to act at the Township's Zoning Officer and third alternative as Building Code Enforcement. It was noted that the rate of compensation for zoning activities is \$25.00 per hour plus mileage. Mr. Wise moved to approve the agreement as presented. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

<u>Debra Burger Re: Renaming Township Park:</u> Mr. Capriani noted that he should have something ready for the next meeting.

<u>ARL Surety:</u> It was noted that the outstanding work on the ARL project has been completed and that they are asking that surety be released. It was noted that we have a letter from Mr. Franson stating that he is in concurrence. Mr. Wise moved to release the ARL surety. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

# **NEW BUSINESS**

<u>Ordinance 131:</u> Proposed Ordinance 131 was presented for final comments/adoption. Mr. Wise moved to adopt Ordinance 131. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – ves

<u>Nittany Express Conditional Use Application:</u> The Board is in receipt of a conditional use application for Nittany Express. Mr. Wise moved to pass this application on to the Planning Commission for review. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

<u>Co-Stars Electrical Contract:</u> Mrs. Royer noted that she has become aware that PA Co Stars is offering municipalities to join in on their electrical contract for electricity. Mr. Wise moved to make application to this program to see what our potential savings could be. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

<u>Nittany Valley MPO Representatives:</u> It was noted that at the last Nittany Valley Planning Commission meeting the group agreed to appoint to the Coordinating Committee – David Wise with Doug Johnson as the alternate and to the Tech Committee Bill MacMath with Rick Dillon as the alternate. It was noted that the bylaws specify that the appointment must take place by each municipality. Mr. Wise moved to agree with the recommended Nittany Valley Joint Planning Commission appointments. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – absent

Mr. Wise – yes

<u>Benner Township Water Authority Grant Opportunity:</u> It was noted that the Benner Township Water Authority plans on applying for a DCED Small Water and Sewer Program grant to modify their pumps on their system and to purchase radio telemetry system. The Authority is asking that the Board write a letter of support to be submitted with their application. A draft letter has been prepared for the Board's review. The Board agreed to approve the letter that was drafted.

<u>Keystone Payroll MOU Agreement:</u> Mr. Capriani moved to approve the MOU for the Keystone Payroll Land Development Plan. Mr. Wise seconded the motion.

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

<u>Berks @ Nittany Glen, LLC MOU Agreement:</u> It was noted that Berks has purchased the Village of Nittany Glen and, therefore, a new MOU Agreement needs to be executed with them for the remainder of the development to take place there. Mr. Capriani moved to approve the MOU for Berks @ Nittany Glen, LLC. Mr. Wise seconded the motion.

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

## **CORRESPONDENCE**

The Board acknowledged receipt of the following correspondence:

- 1. Invitation to Logan Fire Company annual banquet
- 2. Notice from DEP on fuel spill at 189 Cedar Street
- 3. Conservation District Correspondence
  - a. CCIDC NPDES permit to expire
- 4. SBWJA minutes of December 11, 2017 & January 8, 2018
- 5. HJB Code Annual Report
- 6. Benner Township Water Authority Minutes December 19, 2017
- 7. Correspondence RE: All Storage Solutions Plan
- 8. Centre County Planning Commission
  - a. Handy Delivery Time Extension
  - b. Minor Land Development Plan UAJA AWT Feed Pump building
- 9. Pleasant Gap Fireman's Relief Audit 1/1/2014 12/31/2016
- 10. Copy of Resolution from County Commissioners Re: Redistricting

## **ADJOURNMENT**

The meeting was adjourned the time being 7:50 p.m.

Sharon	Royer,	Secreta	ıry	