

**Benner Township Supervisors
February 7, 2022**

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 member Tom Moyer present. Mr. Lingle was absent. Also in attendance were Ed Dunkelberger, John Elnitski, Thomas Eby, Allen Strouse Treva Deibler, Deb Smeal, Jim Lanning, John Kostas, Rod Beard and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Ed Dunkelberger: Mr. Dunkelberger noted that he has purchased the Hartle Farm along Buffalo Run Road. He noted that he would like to see the power poles that are set back into his fields approximately 150' moved out into the road right of way. He indicated that he has called West Penn Power and doesn't feel as though he is getting anywhere. He was quoted \$10,000 per pole to move them. Mr. Dunkelberger asked the Board if they would provide him with a letter of support to be forwarded on to West Penn Power. He noted that he also plans to go to Corman's, Benninghoff's and the Department of Agriculture to see if they would also offer support of his efforts. He noted that he doesn't think that West Penn is seeing the benefit/advantages it would be to them by moving them. John Elnitski noted that he knows someone who works there and offered to talk to him for Mr. Dunkelberger.

John Kostas: Mr. Kostas noted that some of the water samples were received back today from DEP and several wells including Gene Stocker's well has PFAS in it. Mr. Kostas asked the Board if they would write a letter to Bellefonte Borough making them aware that PFAS is being found in the area. He noted that he feels that Bellefonte should be testing the affluent coming into the plant, the affluent going out and the biosolids. Mr. Kostas expressed concerns that PFAS is in the bio solids which are being brought back to the Township and being spread on the Spicer and Schaeffer farms. Mrs. Royer noted that DEP reported that out of the 8 samples taken, 4 of them had detected PFAS. One at a level of 3, two others under the current standard of 70 ppt, and one over the current standard. Arrangements are being made for additional testing by DEP as well as the soil samples. DEP noted that they were surprised by the findings as they didn't believe that it would be detected in that area.

MINUTES

The minutes of January 3, 2022, were presented to the Board for their review and comments. Mr. Randy Moyer moved to approve the minutes as presented. Mr. Tom Moyer seconded the motion.
Vote: Mr. T. Moyer – yes Mr. Lingle – absent Mr. R. Moyer – yes

BILLS

The bills of February 7, 2022, were presented to the Board for their review and approval. Mr. R. Moyer moved to approve the general fund bills in the amount of \$169,495.70 and the state fund bills of \$16,832.25. Mr. T. Moyer seconded the motion.
Vote: Mr. T. Moyer – yes Mr. Lingle – absent Mr. R. Moyer – yes

OLD BUSINESS

Septic Management Program Area 1: It was noted that Area 1 of the Township's Septic Management Plan was to be pumped and inspected in 2020. The Board had expected that the public sewer was going to be installed close to that time so notices weren't sent out as property owners would once again have to pump their tanks when their on lot systems were decommissioned. Due to the fact that litigation is continuing on the installation of the public sewer with no real indication of when it will be resolved it is felt that the inspections and pumping should be scheduled. Mr. R. Moyer moved to have the Septic

Management Coordinator send notices to Area 1 and schedule the inspection and pumping in 2022. Mr. T. Moyer seconded the motion.

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

SBWJA Connection Notices – Capperella & Locklin: It was noted that on several instances it was discussed that the Capperella property on the Benner Pike and the Locklin property along Fishburn Hill Road have yet to connect to the sewer line. It was thought that both were going to voluntarily connect a few years ago but haven't. Mr. Miller from SBWJA is asking that the Board send a letter to SBWJA authorizing them to send out the mandatory connection notice. Mr. R. Moyer moved to send the letter to SBWJA regarding these two properties. Mr. T. Moyer seconded the motion.

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

Debrasky Property-Valley View Road: It was noted that the Debrasky property along Valley View Road is being sold. After a listing inspection, it was found that the septic system isn't working properly. There was a question if mandatory connection would be required since the system is failing. It was noted that this afternoon, it was relayed that the owner has decided that they will connect to the public sewer.

NEW BUSINESS

CCMPO Coordinating Committee Appointment: It was noted that the Nittany Valley Region needs to appoint a member to represent them on the CCMPO Coordinating Committee. It was noted that Mr. Johnson is currently in this position and is willing to be reappointed. Mr. R. Moyer moved to reappoint Mr. Johnson to be the representative on the CCMPO for the Nittany Valley Region. Mr. T. Moyer seconded the motion.

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

Bellefonte Borough Pretreatment Limit Ordinance: The Township is in receipt from a notice from Bellefonte Borough that it is time to update the pretreatment limits for the sewage treatment plant. This is required every 5 years. The Board asked that Mr. Beard update the Township's ordinance and have it advertised for adoption.

All Storage Solutions, Phase III: It was noted that Phase III of All Storage Solutions has been completed. The Board is in receipt of Mr. Franson's review that the plan requirements have been met and the plan made be signed and recorded. Mr. R. Moyer moved to approve the Phase III of the All Storage Solution Land Development Plan. Mr. T. Moyer seconded the motion.

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

Bellefonte Campground: It was noted that Bellefonte Campground has appealed the Board's Conditional Use denial decision to Commonwealth Court. Mr. Beard noted that the record will be forwarded to the court.

Building Usage Requests: Mrs. Royer noted that we have two requests for usage of the Township meeting room. The first is from the Buffalo Run Valley Church. They would like to hold an egg hunt and perhaps a puppet show on the building grounds. If inclement weather the meeting room would be used for the puppet show. This would be a few hour event on April 9th. The Board agreed that this request would be granted. The second request is from a PSU Extension Exercise Class. The class would be held for an hour two times a week. The Board noted that if we had more of a community center they wouldn't have an issue, but didn't feel that this would be appropriate to use the meeting room this often for this use.

Quote for Cyber and Multimedia Liability Insurance: Mrs. Royer noted that the insurance carrier quoted the Township for an additional policy that covers Cyber and Multimedia Liability. The cost of the policy is \$3,852.00. The Board decided to forgo this coverage.

2021 Year End Audit: Mrs. Royer noted that she has heard back from the CPA Firm of MaherDuessel and they have indicated that they can perform our audit. It was noted that this firm does several other municipalities in the area. Mr. R. Moyer moved to contract with the firm of MaherDuessel to do the Township's 2021. Mr. T. Moyer seconded the motion.

Vote: Mr. T. Moyer – yes

Mr. Lingle – absent

Mr. R. Moyer – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes December 13, 2021 & January 10, 2022
2. Benner Township Water Authority Minutes of December 21, 2021
3. BTWA Key Points January 18, 2022
4. Centre County Planning Commission Letters
 - a. Time Extension UP Airport ARFF building
 - b. Lot Consolidation Plan AAA State College Storage & Warehousing, Inc.
5. Centre County Conservation District
 - a. Eagle Point – Stuckey Parking Lot
 - b. Happy Valley Blended
6. DEP Comment Letters
 - a. Harvest Meadows Technical Deficiency Letter
 - b. Village of Nittany Glen Phase VI and VII Technical Deficiency Letter
7. Franson Review – Phase 1 Land Development Plan for Benner Pike Shopping Center
8. McCormick Taylor – SunCap Properties Group TIS Review
9. Downstream notification from JJ Powell, Inc.
10. Letter from Bellefonte EMS Re: ARF contribution consideration

EXECUTIVE SESSION

The Board noted that they were going to adjourn the meeting and go into executive session to discuss pending litigation. The meeting will not be reconvened after the executive session.

ADJOURNMENT

The meeting was adjourned the time being 7:55 p.m.

Sharon Royer, Sec.