

**Benner Township Supervisors
June 3, 2019**

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 David Wise present. Mr. Capriani was absent. Also in attendance were Bob Poole, Heidi Nicholas, Rich Davis, Gene Stocker, Peggy McCabe, John McCable, Larry Ermol, Thomas Eby, Dave Kline, Sandy Kline, Jane Kopp, Larry Lingle, Tom Moyer, Helen Alters, Pam Adams, Terry Cable, and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Pam Adams – Centre Region Refuse and Recycling Program: Mrs. Adams went over bid results from the 2020-2024 bids for residential refuse and recycling contract. It was noted that 8 contractors requested bid packets, three contractors attended the prebid meeting however only 1 bid was received. It was noted that the base bid for standard service from 2019 to the 2020 contract has increased 21% from \$16.12 per month to \$19.53 per month. She commented further that half of this increase was refuse costs and the other increase was in recycling. Discussion was held on the cart option. It was noted that originally it was thought that by switching to carts would lessen the cost from the garbage hauler, but the bid results showed otherwise. It was noted that adding the carts would also further increase the garbage bills so she believed that the cart option would be eliminated this contract. Mrs. Adams also announced that she has accepted another position at COG and will no longer be handling the Refuse department.

MARK CAPRIANI ENTERED THE MEETING AT 7:11.

Bob Poole and Heidi Nicholas (Benner Commerce Park): Mr. Poole noted that he and Ms. Nicholas were present representing the owners of the unsold lots of Benner Commerce Park. He noted that their other partner, Paul Silvis is out of town on business and couldn't attend this evening's meeting. He noted that they are having difficulties in getting the remainder lots sold. He noted that they believed that the KOZ status would help, but has not. He noted that they are asking that the Township consider changing the zoning designation of the entire park to Commercial. Mr. Poole noted that most of the uses in the Commercial designation are also permitted in the Industrial Zone and feels that the property could more easily be sold and developed if it was Commercial. Discussion was held on the KOZ status. It was noted that the KOZ designation will soon be expiring and that they are ok with allowing that to expire and not seeking renewal. Discussion was held. Mr. Wise noted that he doesn't have a problem with some of the now Industrial lots becoming Commercial but he doesn't feel that the entire park should be converted to Commercial. Mr. Moyer noted that he just wants to see the property sold and developed and if they feel that by rezoning it all Commercial then he is ok with it. Mr. Moyer moved to zone all of Benner Commerce Park to Commercial in the new zoning ordinance. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – no Mr. Moyer – yes

John Elnitski: Was not in attendance.

Gene Stocker: Mr. Stocker noted that he wants to once again discuss the proposed sewer extension to Walnut Grove and Big Hollow Road. He noted that he feels that someone hasn't or isn't being forth coming about what is really going on. Mr. Stocker noted that he has had conversations with Mr. Poole and Mr. Poole was assured that his project wouldn't have an effect on anyone else. He noted that it appears now that it is clearly going to drag the residents of Walnut Grove and Big Hollow into it. Mr. Wise noted that at a January Township meeting when a number of residents as well as Warren Miller being present; that Mr. W. Miller noted that the project could be completed as a stand alone project

without any further connections. Mr. Stocker noted that he feels that someone is lying to him. Mr. Moyer noted that there had been discussions early on that the project could stand alone and now it can't. Mr. Stocker questioned if some type of deal has been struck? The Board indicated that there has not. Mr. Stocker noted that he had a conversation with Bob Poole on February 6th and that he told him then that no one else would be required to connect to the line that was for his project. Mr. Stocker noted that he is only aware of 3 residents that want this sewer project to happen and feels that the Board should be listening to their constituents. He also questioned the statements that Mr. W. Miller made here at a Township meeting stating that if the residents did not connect now that it would cost them 4 to 5 times more later. He stated that he questioned Mr. W. Miller at a sewer authority board meeting regarding the increased costs and he changed his tune and said that it would probably be \$5,000 to \$6,000 more. Mr. Wise noted that the Township is studying and listening. Mr. Wise noted that the study needs to be done first before a final decision can be made. Mr. Moyer noted that this area was in the Township's Act 537 Plan since 2003. Mr. Stocker noted that he feels that they should have been advised of this long before when they were. Mr. Moyer questioned what would happen if a septic problem was found and public sewer wasn't available? Mr. Stocker noted that there has been problems and that they have been fixed. Mr. Stocker noted that he has had discussions with Cory Miller of UAJA and that nutrient management credit fees do not apply to residential connections. Mr. Wise noted that that is correct, they do not apply to pick up a septic system however, what would be required for UAJA to service Walnut Grove would be an amendment and Special Study to the Centre Region's 537 Plan (approvals by College, Halfmoon, Ferguson, Patton, and Harris Townships as well as State College Borough). It would also require Walnut Grove to be added to the Centre Region's growth boundary map. Both of these obstacles would be very expensive and very time extensive if it was approved at all. Mr. Wise noted that he believes that what Cory Miller stated was as technical as connecting a pipe not all of the other issues that must be overcome first. Mr. Stocker noted that the residents are going to be forced to dish out a lot of money when none of it is necessary. It was noted that the 537 Plan study should be completed in the next several months. More discussion was held. Mr. Moyer noted that the two Authorities could create an inter-authority agreement between them that the flow would be metered and SBWJA would pay UAJA for the flow that they would send to their plant but they won't do it.

Mr. Cable questioned how these sewer project expenses are handled. Discussion was held. Mr. Wise noted that they are taken on by the Authority on long term bonds and other funding sources and paid back by all of the customers of the Authority.

Mr. Wise noted that by preliminary estimates it will cost the Authority around \$45,000 to \$50,000. It was also noted that the Authority has also initiated a \$300,000 design study to be done which is usually not the case and will be a bonus to come up with more exact distances that residents can seek estimates for work to be done.

MINUTES

The minutes of May 6, 2019, were presented to the Board for their review and comments. Mr. Moyer moved to approve the minutes as presented. Mr. Capriani seconded the motion.

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

BILLS

The bills of June 3, 2019 were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Capriani seconded the motion.

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

COMMITTEE REPORTS

Mr. Wise noted that he attended the NVJPC meeting. The draft of the Comprehensive Plan refresh document was given to the Board members for their review. Any comments should be submitted by the next meeting. A joint public hearing and adoption meeting by all Townships is planned for October.

Mr. Wise so noted that he also attended the MPO meeting. The Long Range Plan was discussed and PennDot gave updates on their projects.

OLD BUSINESS

Zoning Ordinance: The Board noted that they are satisfied with the reworked Environmental Section that Mr. Franson prepared as well as the revised Primary Zone only of the Spring Creek Canyon Overlay and are ready for these to be moved into the draft zoning ordinance.

Executive Summary One Water: This item remains tabled.

Rutters HOP: It was noted that the fully approved HOP design for the Rutters Store is complete and ready for the Board’s signatures. Mr. Moyer moved to approve the HOP for Rutters. Mr. Wise seconded the motion.

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

NEW BUSINESS

Comcast Settlement Agreement: It was noted that a franchise audit was done with Comcast and was found that they owed the Township a small amount of money. A settlement agreement was drafted for this amount. Mr. Moyer moved to approve the settlement agreement. Mr. Capriani seconded the motion.

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

Nate Campbell: It was noted that Mr. Campbell indicated that he attended his last Planning Commission meeting and has resigned. Mr. Moyer moved to appoint Jud Mantz to fulfill Mr. Campbell’s term. Mr. Capriani seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes – April 22 and May 13, 2019
2. Benner Township Water Authority Minutes – April 16, 2019
3. Penns Valley Code Zoning Permit Report for May
4. Centre County Conservation District Letters
 - a. SilcoTek Manufacturing Facility Expansion NPDES permit
 - b. ARL Test Site Building 3 NPDES Permit
 - c. Terry Rogers – NPDES permit to expire
 - d. ARL Test Site Building #3 NPDES inspection report
 - e. All Storage Solutions NPDES inspection report
 - f. ARL Test Site Building 3 – Permit transfer
 - g. Sullivan Mini Storage – NPDES Permit to expire
5. Notice from PENNDOT Re: Bank Rehab GP-3 North Fillmore Road
6. Notice from PennDot RE: Rutters HOP approved
7. PennDot State Route 322/144/45 Data Refresh Project

8. Letter from NVEC Re: Harris Twp. proposed zoning ordinance
9. PSATS News Bulletin
10. Centre County Planning & Community Development 2018 Annual Report
11. Letter from Benner Township Water Authority RE: Benner Township Authority's Source Water Protection Plan
12. Benner Township Water Authority – Key Points Notes from May 21, 2019 meeting
13. Notice that Water Resource Monitoring Program will become its own entity as a non-profit organization

ADJOURNMENT

The meeting was adjourned the time being 8:32 p.m.

Sharon Royer, Sec.