

Ordinance 127  
Public Hearing  
November 2, 2015

The public hearing on Ordinance 127 was called to order at 7:00 pm. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Chris Anderson, Dennis O'Leary, George Powell, John Kostas, Shirley Gryczuk, Doug Laremore, Frank Savino, Linda Jabco, Juanita Lysle, John Marchek, Michele Nicolas, Tom Moyer, Jeff Lucas, Stefanie Lucas, Deb Coraelius, Jeff Coraelius, and Sharon Royer.

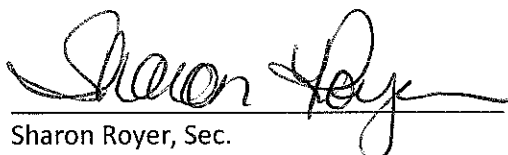
Mr. Wise noted that Ordinance 127 establishes the local limits of pollutants that are permitted to be discharged into the waste water and treatment system of the Borough of Bellefonte. It was noted that these limits have been established by State and Federal Regulators. This Ordinance must be adopted by Bellefonte Borough, Spring Township, Walker Township, and Benner Township as well as by Spring, Benner Walker Joint Authority. No questions were raised. Mr. Wise moved to adopt Ordinance 127 as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

The hearing was adjourned the time being 7:08 p.m.



Sharon Royer, Sec.

Ordinance 128  
Public Hearing  
November 2, 2015

The public hearing on Ordinance 128 was called to order at 7:10 pm. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Chris Anderson, Dennis O'Leary, George Powell, John Kostas, Shirley Gryczuk, Doug Laremore, Frank Savino, Linda Jabco, Juanita Lysle, John Marchek, Michele Nicolas, Tom Moyer, Jeff Lucas, Stefanie Lucas, Deb Coraelius, Jeff Coraelius, and Sharon Royer.

Mr. Wise noted that Ordinance 128 deals with the establishing the construction standards and maintenance responsibilities for existing and proposed public sidewalks located along public roadways within Benner Township. Mr. Wise noted that this has been in the works for a while now and is modeled after other ordinances from surrounding townships. The purpose of the ordinance is to keep the sidewalks in good condition with new sidewalks needing to meet the new construction standards.

John Kostas questioned the width of the sidewalks requirements as proposed in the ordinance, noting that the sidewalks in Grove Park do not meet the ordinance specifications and questioned how that would be handled. It was noted that those sidewalks widths would be grandfathered in this development. Any new constructed sidewalks in new developments would be required to meet the ordinance requirements.

Mr. Kostas questioned why handicapped ramps were not installed in Grove Park when Township Ordinance 60 states that ramps were required. Mr. Kostas questioned when would the ramps be installed and at whose expense. Mr. O'Leary noted that when the streets are repaved that the ramps will be installed at that time as part of the Township's project.

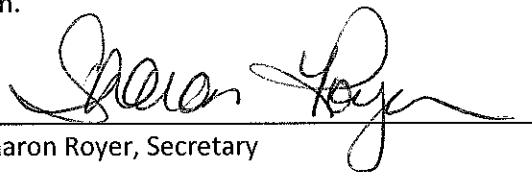
Doug Laremore noted the problem that he has with the ordinance is that the owner didn't have any control over how and what was installed as far as the sidewalks and now they will be required to deal with problems and will be expected to fix them. He noted further that the property owners will now be saddled with something not located on their property as the sidewalks are located entirely in the Township's right of way.

Mr. Kostas also mentioned he feels that the condition of the concrete curbs in the development as well as the catch basins and the sidewalks are awful and never should have been approved and accepted in the condition that they were in. He stated that he feels that all of them should be fixed and/or replaced.

Mr. Wise noted that there needs to be balance with regulations. If the standards are put in place are too commercialized it could make it that the lots won't be affordable.

The Board agreed to table action on this Ordinance until some of questions and concerns can be addressed with the Township Engineer.

The hearing was adjourned the time being 7:34 p.m.

  
Sharon Royer, Secretary

Conditional Use Hearing  
JOLVI  
November 2, 2015

The conditional use hearing for JOLVI Ventures, LLC was called to order at 7:35 pm. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Chris Anderson, Dennis O'Leary, George Powell, John Kostas, Shirley Gryczuk, Doug Laremore, Frank Savino, Linda Jabco, Juanita Lysle, John Marchek, Michele Nicolas, Tom Moyer, Jeff Lucas, Stefanie Lucas, Deb Coraelius, Jeff Coraelius, Sharon Royer and Sargent Clark.

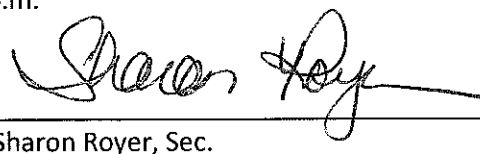
Frank Savino noted that he was present to represent the current property owners of the building located at 770 W. College Ave., Pleasant Gap, PA 16823. It was noted that "Big John Corp." had previously occupied the building and that they recently constructed a new facility in Penn Eagle Industrial Park. Mrs. Jabco noted that she and her husband want to purchase the property to relocated and expand their automotive dealership and detailing facility "Jabco Motors" currently located across from the Bald Eagle High School. Mrs. Jabco noted that once the facility is moved they intend to increase the number of employees that they have. Mr. Moyer moved to approve the Conditional Use request of JOLVI for a car dealership/detailing facility without any additional conditions. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise - yes

The hearing was adjourned the time being 7:43 p.m.

  
Sharon Royer, Sec.

Benner Township Board of Supervisors

November 2, 2015

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:45 pm. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Chris Anderson, Dennis O'Leary, George Powell, John Kostes, Shirley Gryczuk, Doug Laremore, Frank Savino, Linda Jabco, Juanita Lysle, John Marchek, Michele Nicolas, Tom Moyer, Jeff Lucas, Stefanie Lucas, Deb Coraelius, Jeff Coraelius, Sharon Royer and Sargent Clark.

**PERSONS TO ADDRESS THE BOARD**

Powell Conditional Use Request: George Powell was present and submitted the Board a letter stating that they will be withdrawing their conditional use application and will reapply at a later date once they have the additional information required to be presented for approval.

John Marchek noted that at a minimum the conditions in Ordinance 125 must be met and that he would expect the Board to apply additional conditions to protect the surrounding residents/property owners sighting Section 905.2 b. and c. of the Benner Township Zoning Ordinance.

Sargent Clark – Rockview State Police Barracks: Sargent Clark was present for his annual township meeting visit. He noted that he pulled the reports for the township in the last three months and found that there were 378 documented incidents in the Township. Of these, there were 30 traffic accidents, 3 DUIs, 13 drug arrests, 10 thefts, 3 domestics and 32 assaults – five of these being in the Centre County Jail. He noted that the bid has been awarded for the new barracks that will be built in the Benner Commerce Park with a completion anticipated in Fall of 2017. Sargent Clark stressed how bad the drug problem is in Centre County with drugs being brought in from Williamsport. He also noted that there is an increase in the amount of calls that they are receiving relative to various types of scams.

**MINUTES**

The minutes of October 5, 2015, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Moyer seconded the motion.

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

**BILLS**

The bills of November 2, 2015 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. Moyer – yes                      Mr. Wise – yes

**ZONING OFFICER'S REPORT**

Mr. Anderson noted that he issued 10 permits this past month with one being for a new home. He also noted that he has been reviewing the land development plans for Mammoth Construction, the Centre County Airport Authority and Centre Peace. He commented that he has a formatted version of the new zoning ordinance that he intends to give the Planning Commission to begin reviewing on November 12<sup>th</sup>. It was noted that certain sections of the ordinance are still a little rough and will require additional work.

**ROAD SUPERINTENDENT'S REPORT**

Mr. O'Leary noted the following:

\*The road crew will complete fall brush pick up this week.

\*More crack sealing will be completed.

\*Leaf collection will begin shortly.

\*New Township building - It was noted that estimates have been received for various stages of the new building (blasting, demolition, construction of new facility) and that the estimates look good that this is a very doable project for the upcoming year. The preliminary indications are that the County will treat our building as a replacement in kind and therefore, may not require any kind of land development submission. It was also noted that staff checked with PMEI to see if this would be another contractor to consider. PMEI indicated that they can't compete with a Morton building and that they deal with larger span buildings than what we are considering. The Board noted that they would like to go and tour a few buildings in the area.

### COMMITTEE REPORTS

Fire Executive Board: Mrs. Royer noted that the Fire Executive Board meeting to be held on October 22<sup>nd</sup> was cancelled due to a lack of a quorum.

TCC: Mrs. Royer attended the TCC meeting that was held on October 28<sup>th</sup>. The tax collectors reported that we will probably see a difference in our Earned Income Tax and Local Service Tax amounts this year due to Penn State submitting their taxes quarterly instead of monthly as they had in the past. They noted that after this first year that things will level out again. It was noted that it won't be that we will be receiving less money it will just be when the money is received will be the difference.

FEMA-CRS: Mrs. Royer noted that she attended a meeting on October 29<sup>th</sup> at the County in which FEMA did a presentation on their CRS program. It was noted that this is strictly a voluntary program at the township may elect to participate in. The purpose of this program is to do various activities which are turned into points. The higher amount of points the township has the larger discount that residents can receive when purchasing flood insurance. Mrs. Royer noted that the discounts are not large and the work involved to acquire points appears to be very cumbersome. It was also noted that should the township decide to participate it could take two years before they are approved. The Board asked that more investigation into this program to see what the actual cost benefit to the residents would be.

### NEW BUSINESS

2016 Budget: The draft 2016 budget was presented to the Board. Mrs. Royer noted that the only outstanding issue is whether or not the Board wishes to continue being a participating member in the MPO. Discussion was held. Mr. Moyer noted that he would like to opt out. Mr. Wise noted that he feels that there is merit in staying a member. Mr. Capriani noted that he is unsure but is leaning towards opting out. Mr. Capriani noted that he would like to discuss this with Mr. Franson before making his final decision. It was noted that the draft budget includes the line item for the MPO. Mr. Wise moved to tentatively adopt the 2016 budget as presented with the MPO line item to be acted upon at the next meeting. Should it be decided to opt out of the MPO, those funds would be added to the highway construction line item. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

Bids for Dirt and Gravel Road Projects: Sealed bids were opened for the Dirt and Gravel Road Projects to be completed on Lower Gyp Road and Upper Gyp Road. The bids were as follows:

GLENN O. HAWBAKER	68,120.00
HRI, Inc.	66,090.00
FOX HOLLOW CONSTRUCTION	29,828.23 – no bid bond
JOHN CLAAR EXCAVATING, INC.	38,994.00
JOHN NASTASE CONSTRUCTION	57,607.52
HR Excavating	45,834.75

It was noted that without a bid bond being submitted with the Fox Hollow Construction Bid, it must be disqualified. Mr. Wise moved to approve the bid of John Claar Excavating, Inc. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

#### **CORRESPONDENCE**

The Board acknowledged receipt of the following correspondence:

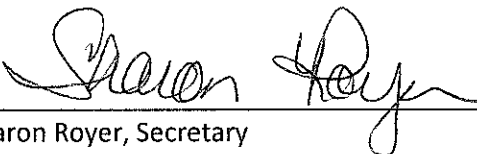
1. SBWJA
  - a. September 28, 2015 Minutes
  - b. October 12, 2015 Minutes
  - c. Letters sent RE: Benner Pike Sewer Expansion
  - d. Letter SBWJA sent to Bellefonte Borough RE: Special Study
2. Benner Township Water Authority Minutes – August 18, 2015
3. Nittany Valley Recreation Authority
  - a. July 8, 2015 minutes
  - b. August 12, 2015 minutes
  - c. September 9, 2015 minutes
  - d. 2014 Audit
4. Letter from SEDA-COG Re: Letter from R & N
5. Letter Re: Graymont DEP permit renewal
6. Letter from Centre Co. Conservation District RE: Earth Disturbance permits

#### **EXECUTIVE SESSION NOTICE**

Mr. Wise noted that the Board will be having an executive session at the conclusion of tonight's meeting to discuss personnel matters and that the regular meeting will not reconvene.

#### **ADJOURNMENT**

The meeting was adjourned the time being 8:29 p.m.

  
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Sharon Royer, Secretary