

**Benner Township Supervisors
November 4, 2013**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, David Wise, with members Randy Moyer and John Elnitski, Jr. present. Also in attendance were Bob Poole, Paul Silvis, Michele Aukerman, Ed Galus, Pam Adams, Mark Capriani, Don Franson, Dennis O'Leary, Tom Moyer, Lindsay Schoch and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Paul Silvis/Bob Poole – Benner Commerce Park: Mr. Silvis and Mr. Poole were present to discuss the future plans and their involvement in the Benner Commerce Park. Mr. Poole indicated that due to the finances of the IDC, he believes that the new partnership will be paying for the surety for the outstanding items. Mr. Poole also questioned how they could go about having the surety amounts reviewed/reduced. Mr. Silvis indicated that the development has not done as well as was originally projected and that it could be years, if ever, that the traffic light that surety is being posted for would actually be required by PennDot. Mr. Poole questioned if it was possible to make which ever land development project that triggers the light pay for the light at that time and eliminate this item in this current surety package. Other payment options for funding the traffic light were also discussed, such as, each lot contributing a percentage of the light, etc. Mr. Franson noted that he would review the traffic study that required the surety for the light to be created to begin with and report back to the board on his findings. Staff noted that the current surety agreement will expire on December 3, 2013.

Pam Adams – Centre Region COG Garbage Program: Mrs. Adams reported that the garbage program is going well and that there is very few issues with it in Benner Township. Currently, the program is working through the two year contract extension that will run through 2014. She indicated that the 2014 projected rate increase is .26 per month but will be finalized within the next month. The .26 per month rate increase figure reflects a .10 recycling rebate to reduce the customer increases. The Board indicated that they were pleased with the program and intends to work with the COG in the upcoming new contract period. Discussion was held concerning commercial recycling. Mrs. Adams provided a sample letter that she has sent out in other townships to commercial customers regarding recycling. The Board indicated that they approve of this letter being sent out to the Benner Township commercial establishments.

Michele Aukerman - Uni-Tec: Mrs. Aukerman provided the Board an update on the Krout Bridge project. She noted that the final cylinder break is scheduled for November 22nd. Paving of the abutments and the installation of the guiderail is scheduled for later this week. She noted further that the final walk through will

be scheduled for the week of the 11th. She noted that she anticipates the project to be billed in one installment at the Board's December meeting.

MINUTES

The minutes of October 21, 2013, 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. Elnitski – yes Mr. Moyer – yes Mr. Wise – yes

BILLS

The bills of November 4, 2013, were presented to the Board for their review and approval. Mr. Wise moved to approve the bills as presented. Mr. Moyer seconded the motion.

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

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

*Fox Hill Road/Fillmore Road intersection is being looked at to see if there is anyway to improve the site distance. It was noted that this will be dependant upon whether or not a bank around a water main can be lowered.

*MidLand-Masullo Driveway issue: It was noted that MidLand has acknowledged that they will take full responsibility of the judgment.

*Leaf collection has started.

ENGINEER'S REPORT

Mr. Franson asked for staff to located the original transportation study for the Benner Commerce Park for his review.

ZONING OFFICER'S REPORT

Mrs. Schoch reported on the following:

*Gave an update on the conference that she attended in October.

*Planning Commission will meet on November 14th. Topics on the agenda include: Graystone Court Assisted Living request; Buffalo Run United Methodist Church zoning amendment; Robert Jacobs – official map

*The County MPO is seeking a letter of support from the Township for the proposed Rail Trail project from the PSU Aubrietia to Bellefonte. This would be so that the project could be placed on the MPO's TIP. The Board instructed Mrs. Schoch to write a letter stating that while the board doesn't object to the project, they don't feel that the residents that will need to approve the project support it.

*A certificate of non-conforming use was issued for a day care located along Valley View Road.

*It was noted that Mrs. Schoch and Mr. Elnitski attended the COG Executive Committee meeting and discussed the possibility of a monetary contribution towards the Spring Creek Canyon maintenance similar to the one that is

contributed to fund the Spring Creek Watershed which seemed to be well received.

*Uses in the Zoning Ordinance are being reviewed to see what changes should be made. Reviews are also being made on Conditional uses to see which of them should be changed to permitted uses.

COMMITTEE REPORTS

*MPO – Mr. Wise noted that the meeting was cancelled last month.

*Fire Executive Board – The budget for 2014 was gone over. It was noted the Bill MacMath indicated that Spring Township will be billing the Township for workman’s compensation for the Pleasant Gap Fire Company.

OLD BUSINESS

Amberleigh Street Dedication: Nothing new to report.

Spring Creek Canyon Conservation Easement: Mr. Elnitski noted that he is still working on it. There is some concern that the field located along the Benner Pike can’t be considered for passive recreation.

MS-4: It was noted that the waiver has been granted.

NEW BUSINESS

Zoning Amendment Applications: Mr. Elnitski moved to forward the Zoning Amendment Application from Sue & Kristen Tressler to permit churches/daycare in the Airport Industrial Zone and the Zoning Amendment Application for Graystone Court to add cover parking and single floor assisted living in the AQH/HC District on to the Planning Commission to begin their review process. Mr. Wise seconded the motion.

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

CATA 2013/2014 Agreement: Mr. Wise moved to approve the agreement with CATA for the 2013/2014 funding year with a contribution of \$3,584.00 towards local operating and \$537.00 for a capital contribution. Mr. Moyer seconded the motion.

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

Centre County Hazard Mitigation Plan: The Board is in receipt of correspondence from the County noting that it is time for an update to the County’s Hazard Mitigation Plan. It was noted that the County’s staff prepares the document but that it will require representation and participation from the Township at meetings. Mrs. Royer indicated that she attended on behalf of the Township during the last plan preparation. Mr. Elnitski moved to participate in the county’s plan. Mr. Wise seconded the motion.

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

2014 Budget: Mr. Wise moved to tentatively approve the draft 2014 budget for public review to be adopted at the Board's December 2nd meeting. Mr. Moyer seconded the motion.

Vote: Mr. Elnitski – yes

Mr. Moyer – yes

Mr. Wise – yes

Cleveland Brothers/Tax Assessment Appeal: The Board is in receipt of correspondence from Mark Kellerman dealing with the Cleveland Brothers tax appeal. The county is recommending a settlement at \$5,250,000 as suggested by the appellant. The Board noted that they are fine with the suggested settlement.

CORRESPONDENCE

1. SBWJA Minutes of October 14, 2013

Mr. Wise noted that he feels that some of the content that is in the October 14, 2013, Spring Benner Walker Joint Authority minutes needs to be responded to. The Board agreed that Mr. Wise will draft a letter to send to the Board addressing several items mentioned in their minutes.

NOTES

Mrs. Schoch noted that due to her attending the course in Zoning Administration that she will miss the remaining Board meetings of the year.

Appreciation Dinner: The Board noted that they would like arrangements made for an appreciation dinner for the Township's employees and various board members.

ADJOURNMENT

The meeting was adjourned the time being 8:58 p.m.

Sharon Royer, Secretary