

Benner Township Supervisors
October 6, 2014

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were R. B. Powell, George Powell, Sue Rockey, Dennis O'Leary, Don Franson, Tim Miller, Ed Galus, Lindsay Schoch, Jessica Bradley, and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

R.B. Powell: Mr. Powell introduced himself as the owner of Nittany Mt. Trail Rides. Mr. Powell gave the board a brief history of his past work/business/education experience. Mr. Powell indicated that he and his son have purchased the Mace and Jodon properties and have relocated their hayride/bonfire business to this location. He indicated several previous locations where this business was run. Mr. Powell indicated that this year they plan run the hayride aspect of the business for a 7 week season. During the hayride activity event, live or recorded music may be played, bonfires are held and s'mores are cooked. There is also a concession stand where hot dogs, hamburgers, and drinks can be purchased. Groups such as scouts, youth and adult church organizations, foreign exchange students, conference groups, etc. are the typical crowd that books these events. Mrs. Schoch noted that she has received several complaints from the neighbors about the bus traffic and the level of noise coming from the band instruments. Mr. Powell indicated that his son is very experienced with sound levels and that they believe they are conducting their business well within the township's noise ordinance. It was further explained that it is blue grass music that is played (banjos, guitars and fiddles) with only one speaker and one microphone. Mrs. Schoch noted that after consulting with the township solicitor, that because Mr. Powell's use is neither permitted nor prohibited from the Ordinance, that Section 107 states that the conditional use process must be gone through. Mr. Powell indicated that it is also their intention to make the pond on their property open to the public for fishing as well as an area for public access to Buffalo Run for fishing. At their pond, bass will be catch and release and sunnies will be allowed to be kept.

Sue Rockey: Mrs. Rockey noted that she represents the Township on the Nittany Valley Recreation Authority and is attending tonight to see if the Board members has any questions for her. She wanted to stress that the Authority first needs the funding backing from the Municipalities before they can go out and seek outside funding and donations to ultimately lower the costs of the pool loan.

Tim Miller: Mr. Miller was present to see if the Board has any questions/comments regarding the response letter concerning the Clair and Rogers sewer service. The Board indicated that they did not and that they would be sending the property owners a copy of the letter. Mr. Miller expressed his willingness to attend any future meetings when the Board or Dr. Clair or Mr. Rogers has questions.

MINUTES

The minutes of September 4, 2014, 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. Moyer – yes

Mr. Wise – yes

BILLS

The bills of October 6, 2014, 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. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

ENGINEER'S REPORT

Mr. Franson noted that he didn't have anything to report that wasn't already on the agenda.

ROAD SUPERINTENDENT'S REPORT

*Mr. O'Leary noted that the Dirt and Gravel Road drainage project on Shiloh Road has been completed and turned out well.

*A leaf box was provided for use by Ferguson Township for the upcoming leaf collection season.

*Opequon Hill – met with a property owner and Justin Harford regarding a drainage issue in the development. Mr. Harford indicated that he would have the problem taken care of in 2 to 3 weeks.

*Ordinance update: It was noted that Mr. O'Leary and Mr. Franson have been working on an amendment to the Ordinance to update the streets where no parking will be enforced as well as sidewalks, speed limits and weight limits.

*Brush Drop Off: It was noted that the drop off pile at the rear of the property is becoming an issue. People are dropping off more and more stuff that can't be chipped and it is becoming a problem with burning it off as the housing development next door continues to be built up. It was suggested to check with UAJA.

ZONING OFFICER'S REPORT

Mrs. Schoch reported on the following:

*The Planning Commission met two times this past month and continues to work on the zoning revisions.

*She noted that several of the questions that were on the survey that was sent out came from the one that was sent out for the 1989 Comprehensive Plan. The Planning Commission was interested in how the answers would compare from then until now.

*An outline of the time frame for the zoning changes was given to the Board.

*ZHB – two hearings will be held for Tom Songer and his properties located along Spring Creek Road.

*NVJPC held their last meeting on September 18 at the Walker Township Building.

*Day of Caring – was held on October 2nd. It was noted that around 30 kids assisted on cleaning up trash and trimming/weeding the proposed trail area.

*It was noted that a complaint was received from Jason McMurtrie along Barns Lane about evening gun shots and feels that someone should be investigating.

COMMITTEE REPORTS

MPO: It was noted that the MPO is finalizing its 2015 budget. And that the Potter's Mills Bridge specifications are nearing completion. It was also noted that the MPO's bylaws are being considered to be amended to include a three year commitment for new members. It was noted further that this wouldn't apply to current members.

Dirt and Gravel Roads: Mr. Wise reported that he attended the evening dinner that was held during the Dirt and Gravel Road Conference. Officials noted that they were pleased with the cooperation that the township's road crew gave them on the Shiloh Road project.

Fire Executive Board: Mrs. Royer noted that she attended the meeting however there were not enough in attendance for a quorum.

OLD BUSINESS

Amberleigh Streets: Mrs. Royer reported that we have received the maintenance bond from Glenn O. Hawbaker for the streets, but that we still have not received the signed deeds or the remainder invoice that is due us from Dana Glass Properties.

Mammoth Construction: We are still awaiting a bond from Mammoth Construction for the sidewalk damage that was done during their site work on their lot in the Benner Commerce Park. They indicated their willingness to fix the damage but that it won't be until spring.

NEW BUSINESS

False Alarm Ordinance: Mrs. Royer noted that at the last Fire Executive Board meeting, Bellefonte Borough staff asked if Benner Township would consider adopting a "False Alarm Ordinance". A copy of the borough's ordinance was included in the Board's meeting packet. They noted that by having this it seems to cut down on needless trips by the fire company – that homeowners and business owners are more apt to insure that their alarm systems are working properly.

Spring Creek Canyon Grant Account: Mr. Wise moved to approve opening a new checking account with M & T Bank for the Spring Creek Canyon Grant Funds. Mr. Moyer seconded the motion.

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

R.B. Powell Conditional Use Request: Mr. Moyer moved to accept the Conditional Use application and pass it on to the Planning Commission for their review and comments. Mr. Capriani seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

- 1. SBWJA Minutes 8/25/14 & 9/8/14
- 2. GM McCrossin time extension
- 3. SBWJA letter RE: Shiloh Road Sewage

NOTES

Mr. Moyer indicated that he would like to see the changes to the Zoning Ordinance expedited. He noted that the review process has been taking too long and would like to see the new ordinance implemented no later than April.

Budget meeting was scheduled for Monday, October 13th at 4:30 p.m.

ADJOURNMENT

The meeting was adjourned the time being 8:23 p.m.

Sharon Royer, Secretary