

**Benner Township Supervisors
September 1, 2016**

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 member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Chris Anderson, Dennis O’Leary, Don Franson, G.F. Clair, Sue Clair, Shirley Gryczuk, Edward Galus, Renee Swancer, John Strouse, Florence Strouse, John Kostas, and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Florence and John Strouse: Mrs. Strouse noted that she has received a letter from the Township indicating that they must connect their home to the public sewer once the property is sold and believes that there is a misunderstanding because their home is located beyond one hundred and fifty feet of the line. Mrs. Royer gave the Board a background summary on this matter as it has been explained and known to her. It was noted that Ordinance 67 that was adopted on June 3, 1996 amended Ordinance 25. It was at that time that the wording of within 150 feet was **replaced** with adjoining and adjacent to. It was noted further that the Board of Supervisors decided on July 16, 2001, that the Strouse’s located at 528 Seibert Road could waive connection until a septic system failure or the sale of the property occurs. Mrs. Strouse noted that she has a letter dated August 18, 2000 from Kathy Evey, who was then the Office Manager of SBWJA stating that she had to pay for the lateral connections but didn’t have to connect. Mrs. Royer noted, that as it was explained to her is, that it was Benner Township’s connection Ordinance and not the Authority’s therefore, Mrs. Evey had no jurisdiction to make such a decision and that is why in 2001 Mr. Miller approached the Board with the list of those who did not connect and asked them to make the decisions on the connections. The Board noted that the decision that they made at the July 7, 2016 meeting would remain. When the property sells, the property must connect to the public sewer within 6 months of the closing date. Mrs. Strouse questions what will happen if the property doesn’t sell. It was noted that it could remain on the on lot system unless the on lot system fails and then at that time it would also be required to connect.

MINUTES

The minutes of August 1, 2016 and August 15, 2016, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Capriani seconded the motion.

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

BILLS

The bills of September 1, 2016, were presented to the Board for their review and approval. Mr. Capriani moved to approve the bills as presented. Mr. Wise seconded the motion.

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

ENGINEER’S REPORT

Mr. Franson reported on the following:

*Spring Creek Canyon Trail Grant: It was noted that the bid package and specifications have been sent to DCNR for their final review prior to the project going out to bid. It was noted that we are still awaiting the approval letter on the required DEP permits and the agreement with the Fish Commission.

*New Municipal Building: It was noted a meeting was held with Norris, Chilton, Lehr and himself to go over the most recent drawings and specifications. It was noted that the building will be bid two ways. One working around the existing building and the second would be to demolish the building upfront which would require the office to find other accommodations for a few months. It is hoped that the bids will go out in October with openings in November.

*MS-4: Mr. Franson gave the board an update on the MS-4 program. It was noted that a group of municipalities in the Spring Creek area are planning to join together to tackle these requirements and believes that this would be the most economical approach to handle these mandated regulations. Mr. Franson noted that it may be possible to request a waiver once again. The request for the waiver will need to be filed by December 31st. Mr. Franson noted that it is a \$5,000 permit application fee and could be as high as \$25,000 in engineering costs to complete the required paperwork for its submittal. It was noted that these fees will need to be incorporated into the 2017 budget.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted that three of the four road projects for this year have been completed. The remaining fiber mat project is scheduled to begin next week.

Mr. O'Leary noted that quotes were received from Walker Excavating and John Claar Excavating to remove the wall along the back parking lot that is failing with the lowest bid being John Claar. Mr. Wise moved to award the work of removing the existing retaining wall to John Claar Excavating. Mr. Capriani seconded the motion.

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

ZONING OFFICER'S REPORT

Mr. Anderson reported on the following:

*Three Zoning Hearing Board Variances were granted.

 Kayla Fisher – daycare – variance from minimum lot size requirement

 Tom Songer – storage shed placed in the Spring Creek Overlay District

 Jack & Barbara Thorpe – replacement of living quarters (old mobile home was removed/razed)

*Sullivan Mini Storage was given their commencement with construction letter.

*Crosswinds Parking Lot review continues

*Planning Commission has begun their review on the use charts for the new zoning ordinance

*APA Conference is going to be held in Allentown this year and would like to know if the Board would pay for the conference if he paid for his motel and meals. The cost would be \$385. The Board agreed acknowledging that there is funding in the budget for continuing education.

COMMITTEE REPORTS

Environmental Committee: Renee Swancer noted that the committee has been meeting every Wednesday in preparation of the Public Forum meeting being held on the 19th. The Committee has representatives from the Water Authority, Planning Commission, residents and Supervisors. It was noted that the group will be finalizing the letter to those that they wish to personally invite. Dr. Clair recapped on the hearing that Representative Hanna held and thought that it was positive.

It was noted that the mediation hearing was held between the Benner Township Water Authority, DEP and Bellefonte Borough. Detailed information is unavailable until the finalized agreement is reached but those that participated believes that the results seem positive.

OLD BUSINESS

Municipal Building: Hope to go out to bid in October.

Verizon Wireless: No new information has been received.

Bio-Solid Ordinance: The Board noted that they wish to have this item removed from the agenda.

Sidewalk in Grove Park: It was noted that this information has been forwarded to the Township Solicitor.

NEW BUSINESS

GM McCrossin: GM McCrossin has provided a surety bond that has been reviewed and approved by Mr. Franson in the amount of \$227,948.66 for the remaining items to be completed for their project. The agreement has been reviewed and approved by the County Planning Office. Mr. Wise moved to approve the surety agreement as well as the land development plans. Mr. Capriani seconded the motion.

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

Surety Packages:

The Board was in receipt of the following surety renewals, reductions:

 Glenn at Paradise Hills South: \$20,735.00 one year extension

 Glenn at Paradise Hills West: reduction from \$50,041.00 to \$20,508.00 and year extension

 Grove Park Phase III: \$89,150.66 one year extension

Mr. Wise moved to approve the surety renewals and reduction. Mr. Capriani seconded the motion.

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

Nittany Valley Running Club Race: The Board is in receipt of a written request from the Nittany Valley Running Club to hold their annual race which will utilize part of Rock Road. The race is being planning for Sunday, December 4, 2016. They have provided the proof of insurance and

will have road marshals manning the intersections. Mr. Wise moved to approve this request. Mr. Capriani seconded the motion.

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

Walnut Trees at Buffalo Run Park: It was noted that a logging company came to the building to see if the Township would be interested in selling some walnut trees that are located at the park. They noted that it would be a 60/40 split for whatever funds they received for the trees. Mr. Wise noted that he would meet with Dennis and they would look at the trees but that the answer would probably be no.

Banking: Mrs. Royer noted that M & T Bank have now started to implement fees on our accounts. First National Bank has come in and made a proposal. A copy of the proposal was passed out to the Board members for their review. Mr. Wise noted that he wouldn't mind having a few other banks to compare to prior to a decision being made.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. NPDES Approval letter for Columpia Gas @ PSU Airport
2. Letter to UAJA from SBWJA RE: Shiloh Road sewer
3. Conservation District Report – Shawley
4. County Commencement with Construction letter Sullivan Mini Storage Phase VI
5. SBWJA Minutes – July 25, 2016, August 8, 2016
6. Information RE: Organic Recycling Proposal
7. County Commencement with Construction letter Rockview Barracks
8. Bellefonte Borough response letter to DEP Re: 537 Plan Special Study

Shirley Gryczuk questioned what the correspondence was about regarding the organic recycling. Mrs. Royer noted that at the next garbage contract, it is being considered to offer organics recycling. State College Borough has received overwhelming positive response on their program. It was noted that Pam Adams will be attending an upcoming meeting to discuss further.

Questions were also raised about #8. It was noted that this was Bellefonte Borough's response to DEP over them returning their 537 plan amendment.

Mr. Wise noted that the Township will be working on an agreement with COG to have their staff assist in any Emergency Management Activities concerning the Airport and PSU properties.

ADJOURNMENT

The meeting was adjourned the time being 8:20 p.m.

Sharon Royer, Secretary