

**Benner Township Supervisors
September 5, 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 Dennis O’Leary, Jennifer Bonislawski, John Bonislawski, Larry Lingle, John Middlesworth, Rebecca Middlesworth, Michael MacNamara, Gene Stocker, Ed Fenton, Jane Koppen, Czapla, George Witheright and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Homeland Manufacutring: Mr. Bonislawski noted that they will let the others go ahead of them in waiting to see if Mr. Capriani attends.

Village of Nittany Glen – Phase VA1 and VA2 Surety: Chad Stafford from PennTerra Engineering was present to review the Village of Nittany Glen Phase VA1 & VA2. It was noted that the revised surety agreement needs to be signed by Berks along with the receipt of the actual bond in the amount of \$628,988.27, which has been reviewed and approved by Mr. Franson. It was noted that the actual approval letter from DEP on the NPDES permit also hasn’t been received, however an email from DEP has indicated that it will be mailed out before the week’s end. Walt Schneider has also indicated that he will be releasing his approval letter concerning matters of fire protection/hydrants/water flow.

Ms. Koppen questioned if the NPDES permit was for the entire development or just this phase. Mr. Stafford noted that each phase needs to have NPDES approval. Ms. Koppen noted that the renderings for the next phase shows duplex units being proposed. She noted further that residents have a conflict with their declarations and the building of duplexes in the development. She noted that a letter was sent from the resident’s attorney to Berks regarding this issue. Mr. Stafford noted that he was unaware of this. It was noted that formal submission of the plans for the next phase with duplexes hasn’t been made.

Mr. Moyer moved to approve the Village of Nittany Glen Plan Phase VA1 and VA2 contingent upon receipt of the outstanding documents. Mr. Wise seconded the motion.

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

Silcotek Land Development Plan: Michael MacNamara was present to present the final plan for Silcotek. It was noted that there were a few non-substantial changes with the plan that includes the addition of 38 parking stalls and moving the location of the storage area. It was noted that the only remaining items needed to be completed was the installation of the trees and the seeding and mulching of the disturbed areas. Mr. MacNamara noted that for those remaining items surety in the amount of \$12,100.00 is being submitted to the Township. Mr. Wise moved to approve the non-substantive changes and the surety package along with the plan. Mr. Moyer seconded the motion.

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

ACT 537 Plan: Mr. Wise noted that we have been told that the 537 Plan modification could possibly be done in time for the October meeting. It was noted that he believes that the PNDI information is needed to complete the study. Mr. Stocker noted that it is up to the discretion of the Board to change the 537 Plan and that it can be done at any time with any amount of frequency. Mr. Wise noted that statement is true in theory it isn’t an easy process to complete

and wouldn't be welcomed by DEP. Mr. Stocker noted that with his area being included in the last plan version in the 5 to 10 year range and now 15+ years later there still isn't any issues; leaves him to ponder as to why it was included in the last plan to begin with. Mr. Stocker questioned what Forest Zoning means? It was noted that most areas are difficult to develop in that district, larger lots are required. If properties are served by public sewer the minimum lot sizes will be allowed to be smaller. It was noted that a public hearing will be required prior to adopting the 537 Plan. Mr. Stocker questioned if the drawing on the wall is still correct. It was noted that until the final engineering is completed the final location of lines won't be known.

MINUTES

The minutes of August 5, 2019, 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 – absent Mr. Wise – yes Mr. Moyer – yes

BILLS

The bills of September 5, 2019, were presented to the Board for their review and approval. Mr. Moyer moved to approve the bills as presented. Mr. Wise seconded the motion.

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

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary noted that all of the project road work that has been let to date has been completed.

It was noted that a complaint has been received from a resident of Patton Township that lives in the Windtryst Development off of Fillmore Road concerning speed and sight distance problems. It was noted that after looking at the area with Mr. Franson a few ways to improve this area would be to trim bushes from a property located in the Windtryst Development, making the development a no left turn existing the development or raising the roadway. It was noted that while Fillmore Road is a Benner Township road, the development with the issue is located in Patton Township. Mr. O'Leary noted that the resident stated that she has previously approached Patton Township regarding this issue and that they have stated that they would contact Benner to come up with a resolution that both townships could be part of. To date we have never been contacted by Patton Township. Mr. O'Leary noted that he would draft a letter to Patton to see if they would be willing to work with us on a resolution.

OLD BUSINESS

Zoning Ordinance: Mr. Beard noted that he has not yet finished the revisions but hopes to have them for the next meeting.

Act 537 Special Study: The Board is in receipt of a response to the August 5, 2019 letter that was sent to SBWJA concerning information that the Supervisors would like to see as part of the special study. It was noted that it appears that some but not all of the information that requested will be provided.

NEW BUSINESS

Invitation to join SSPAWG: The Board was in receipt of a letter and information to see if the Township had any interest in joining SSPAWG. It was noted that this group consists of the State College School District and other Centre Region Municipalities and Authorities that is

looking into entering a contract for solar power generation to serve them. The Board noted that they were not interested at this time.

Road Bids: It was noted that the bids to be opened this evening was for the paving of a section of Seibert Road and the Township's driveway. Bids received were the following:

Glenn O. Hawbaker, Inc. - \$140,649.25

HRI, Inc. - \$141,535.00

Mr. Moyer moved to award the bid to the low bidder, Glenn O. Hawbaker, Inc. Mr. Wise seconded the motion.

Vote: Mr. Capriani – absent

Mr. Wise – yes

Mr. Moyer – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes of July 22, 2019 and August 12, 2019
2. Centre County Planning Commission
 - a. Time Extension Rutter's Convenience Store #87
3. BTWA
 - a. Minutes of June 18, 2019
 - b. Key Points 8/20/19
4. Notice of PennDot doing traffic counts
5. DEP letter of Technical Deficiency Village of Nittany Glen
6. NPDES Permit approval Rogers/Fiore
7. Conservation District Letters
 - a. ARL Test Building 3
 - b. Permit Transfer Centre County Airport Authority Crosswinds Parking Lot
8. Notice of Sheetz, Inc. obtaining Liquor License
9. PSATS News Bulletin
10. Letter from Uni-Tec Re: Proposed Sewerline Extension to Walnut Grove
11. Letter from Gene Stocker Re: Proposed Sewerline Extension to Walnut Grove

Mr. O'Leary noted that he would like to look into what is taking place on the Rogers property off of Rishel Hill Road. It was noted that when the project first started it was them filling in an area. It was noted that it now appears that it is some type of a processing facility where material is being hauled in but also material is being hauled out as well. To complicate, the property is split into two townships. It was noted that while Fiore has the road bonded, the amount will never come close to being able to fix the road should they damage the recently improved roadway.

Homeland Manufacturing: John and Jennifer Bonislowski, owners of Homeland Manufacturing were present to seek permission from the Board to extend the timeframe of their KOZ status. It was noted that the extension, if given, can only be given now as it will be unavailable once the building is officially occupied. The Bonislowskis presented the Board with a powerpoint presentation on their business and how it has grown as well as examples of the products that they produce and indicating what these products are used for. **(Mr. Capriani is now present – the time being 8:05 p.m.)** Mr. Bonislowski noted that he and his wife own the company without any additional stock holders. He noted that any tax savings that is realized by the KOZ status will be reinvested back into the company. Mr. Bonislowski noted that they want to work with the local school districts to bring Seniors in to work in an internship program

noting that all kids want or can afford to go to college or technical school. Discussion was held. It was noted that the status can be extended by 7 years or 10 years and it was noted that all taxing authorities have to approve it (Township, School and County). Mr. Moyer moved to approve Resolution 19-4 that will extend the KOZ status of Tax Parcel 12-05-500H for a period of 7 years. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes

Mr. Wise – yes

Mr. Moyer – yes

ADJOURNMENT

The meeting was adjourned the time being 8:15 p.m.

Sharon Royer, Secretary/Treasurer