

**Benner Township Supervisors
Meeting Minutes
October 7, 2024
7:00pm
1224 Buffalo Run Road
Bellefonte, PA 16823**

CALL TO ORDER

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order on October 7, 2024 at 7:00 p.m. by the Chairman, Randy Moyer with members Larry Lingle and Kathy Evey present.

Also in attendance were: Sharon Royer, Township Secretary and Rod Beard, Township Solicitor.

A guest list is attached with names of public attendees.

PERSONS TO ADDRESS THE BOARD/PUBLIC COMMENT

1. Penn Terra Engineering -Tony Fruchtl - Re: WaWa Land Development Plan
 - Traffic impact study comments
 - Asking for approval of the TIS (Traffic Impact Study) with revisions/revised location as shown
 - The board requested a work session with the supervisors and the project engineers and organizers to discuss the project further.

Moyer motioned to approve the Traffic Impact Study with revisions and revised location and no impact fees to be contributed at this time. Lingle seconded. Motion to approve carried unanimously.

2. Buchart Horn - Zeb Smoyer - Preliminary Plan Approval Cascade Land Development Plan

Mr. Smoyer noted that all of the comments have been worked through. All comments have been addressed. Moyer motioned and Lingle seconded to approve the Preliminary Cascade Land Development Plan. Motion to approve carried unanimously.

3. R. Thomas Berner (Meadow Fox Circle) – Comments regarding Benner Township joining CNET.

- Mr. Berner presented a proposal regarding joining with CNet. He presented a check to the board for \$10,029, which will cover the annual dues for CNet for 1 year.

4. Robert Kuhlman (Kuhlman Lane), a resident, spoke regarding several issues he had with recent meetings. Many of his comments were unintelligible due to poor sound quality of the

Benner Township Supervisor Minutes
October 7, 2024

recording. He suggested recording the meetings and he also suggested that speakers announce their names to better clarify who is speaking in the meetings.

5. James Lanning, a resident, spoke regarding the lawsuit filed against the supervisors.
6. Karen Hoover, a resident, spoke to request a copy of the audio file from the Special Meeting held on Friday October 4th, 2024. She also asked where the meeting announcement was published. The supervisors noted that the meeting announcement was posted on the website, at the township office and in the Centre Daily Times.
7. Gayle Wallace, a resident, spoke regarding stormwater runoff and water drainage at her driveway. The berm on the roadway across from her driveway is causing water to flood/pool at her driveway. She asked the township to consider the issue.
8. Rod Romig, a resident, spoke regarding the issues in the township. He encouraged the township to use the township funds/money responsibly.

MINUTES

1. The minutes from September 3, 2024, were presented to the Board for their review, comments and approval.

Lingle moved to approve the minutes of September 3, 2024 as presented. Moyer seconded the motion. No discussion. The motion to approve carried with 2 yes votes and 1 no vote.

Supervisor Name	Vote
Randy Moyer	Yes
Larry Lingle	Yes
Kathy Evey	No

TREASURER REPORT

The expenditure/bill list (accounts payable) for the General Fund was presented to the Board in the amount of \$474,903.35.

The General Fund Receivables in the amount of \$451,313.58 were presented.

Moyer moved to approve the above listed reports. Lingle seconded the motion. Motion to approve carried unanimously.

OLD BUSINESS

1. Rezoning Request Fox Lane Homes (Part of Tomco Property) – **TABLED** after discussion
 - It was recommended to the Planning Commission to rezone the area to Rural Residential (1/4 acre plots). All members of the Planning Commission present voted against that rezoning request.

Benner Township Supervisor Minutes
 October 7, 2024

- It was noted that the supervisors still need to take action on the application, and in order to do that, they need to hold a public hearing. The County Planning Commission has to have at least 30 days notice. The Nittany Valley Regional Planning Commission also needs to have the opportunity to comment as well. It was recommended to schedule the public hearing for the December meeting.

2. Logan Greene Development Traffic Impact Improvement Agreement

- This agreement is on hold as the Township is waiting to hear back from the Developer.

3. Village of Nittany Glen Phase VI Surety Reduction from \$1,325,687.06 to \$173,812.10

- This Reduction was approved by the Township engineer.

Moyer moved to approve the reduction. Lingle seconded. Motion to approve carried unanimously.

4. Harvest Meadows Traffic Impact Improvement Agreement

- PennDot Form 950AA – Authorization for ELA to submit a HOP permit application for Fillmore Road

Moyer moved to approve the above listed agreement. Evey seconded. Motion to approve carried unanimously.

5. Transcriptionist for Minute Taking

Moyer moved to approve hiring a transcriptionist for minute taking. Lingle seconded. Motion to approve carried.

Supervisor Name	Vote
Randy Moyer	Yes
Larry Lingle	Yes
Kathy Evey	Abstain

NEW BUSINESS

1. Resignation letters (no action required)

- Alex Moyer – Planning Commission
- Jim Leigey - Planning Commission
- Randy Moyer - Planning Commission

2. Application from Gerald Hanscom for vacancy on the Centre County Airport Authority

Lingle motioned and Moyer seconded to appoint Gerald Hanscom to the vacancy on the Centre County Airport Authority. Discussion included questions regarding resignations and appointments. It was clarified there is no existing policy regarding appointments and resignations. There was a question regarding notices of vacancies on boards. Motion carried unanimously.

3. Right To Know Resolution – Resolution clarifies that requests made by anonymous requesters will not be acknowledged 24-8
 - This Resolution is in regards to AI generated Right to Know Requests. It is in the Townships best interest to adopt a policy to address this issue to avoid wasting time and money responding to AI generated requests. The Right to Know law allows requests made by a person who is a legal resident of the United States. This policy would clarify that the Open Records Officer would be allowed to make a determination of who or what is making the request. If the Open Records Officer cannot determine if the requestor is a human and a legal resident, the officer does not have to respond to non-human requests.

Evey motioned and Lingle seconded to approve the Right to Know Resolution 24-8. Motion carried unanimously.

4. Memorandum of Understanding for RRC Development (agreement to reimburse Twp. for engineering fees)
 - Development plan for a mini-storage warehouse facility similar to the one on Rolling Ridge Drive. Will be located in the Benner Commerce Park Development.

Moyer moved and Evey seconded to approve the Memorandum listed above. Motion to approve carried unanimously.

5. Schedule Budget Meeting(s)
 - It was noted that the meeting should be scheduled before the November meeting as the budget needs to have a 20 day review period before it is adopted at the December meeting.
 - The meeting was set for ~~November~~ ^{October} 21, 2024 at 9 am.

6. Real Estate Tax Billing Software Company Change to GSS
 - If the Township does not go with GSS for billing, the Township will be financially responsible for all postage and printing costs for the tax bills. As it stands now, the county splits the bill for postage and printing 50/50 with the Township.
 - It was noted that the GSS system is more user friendly
 - It was also noted that not switching to the new system would mean taxpayers receiving an extra bill which could be confusing.

Lingle moved and Moyer seconded to change to GSS as the new tax billing software. Motion carried unanimously.

7. Request of a garbage waiver from Nebroski's – **TABLED (pending further review)**
 - A letter is included in tonight's packet from the homeowners detailing reasons for the request, including having to transport the garbage container over a half mile to the collection site and already having a contract with a dumpster service.
 - The township may have to consider an amendment to the ordinance to allow a waiver procedure.

- There was an extensive discussion regarding trash removal in the township.
- 8. PennDot Traffic signal camera agreement Rishel Hill Road. (This is the 3rd time the township has been asked to sign this agreement. PennDot's legal department keeps making changes to the document that they have provided.) Resolution 24-9

Moyer motioned and Lingle seconded to approve Resolution 24-9. Motion carried unanimously.

CORRESPONDENCE

1. SBWJA Minutes – August 26, 2024 & September 9, 2024
2. Benner Township Water Authority Minutes – July 16, 2024
3. Centre County Planning Commission
 - a. Time Extensions
 1. Bellefonte Warehouse
 2. Etters HVAC
 3. Sullivan's Mini Storage Phase VIII
 - b. Comment Letters
 1. WaWa Non Substantive Change Review
 2. Bellefonte Warehouse Non Substantive Change Review
 3. PA Game Commission Land Development Plan
4. Conservation District
 - a. Chapter 102 Inspection Report of State College Airport – Taxiway A
 - b. SCI Benner K9 Roadway NPDES approval
 - c. ARL Project Field – Notice of Termination NPDES permit Approval Letter
 - d. Notice of expired NPDES Permit Terry Rogers & Michael Fiore
5. Engineering Review Letters
 - a. Franson –
 1. Cascade Preliminary Plan Review letter #5
 2. PA Game Commission North Central Regional Office
 - b. McCormick Taylor – Review Letter for WaWa TIS
6. Keller Engineers' DEP Correspondence Re: Correction Action Plan Crosswinds Parking Lot Expansion
7. Notice of Tax Assessment Appeals (Greater Buffalo Run Valley UMC & Commonwealth Charter Academy Charter School)
8. PA DEP letters
 - a. Cascade Individual NPDES application -Approved/permit issued
 - b. PFAS Summer 2024 Update
9. Bellefonte Fire Executive Board Minutes of July 25, 2024
10. August 2024 Building and Zoning Report
11. Letter from Bellefonte EMS Re: ARPA Funds
12. 2024 TAG Committee meeting notes

NOTES

Benner Township Supervisor Minutes
October 7, 2024

- *ADDED* Deb Smeal resigned from the Watershed Authority due to scheduling and work conflicts. There is now a vacancy for her position.
- The Township received the grant funds in the amount of \$237,573.63 for the leaf vac truck.
- The Township was notified that we were awarded \$168,220.80 in Green Light Go grant funds for traffic signal improvements.
- Mrs. Evey asked about money leftover from the ARPA funds. She requested that any leftover funds be given to the County EMS service. She requested to put this issue on the agenda for next month's meeting.

ADJOURNMENT

Moyer adjourned the meeting at 8:13pm.

Leah Guizar - Transcriptionist

Benner Township Supervisors Meeting

October 7, 2024 - 7:00 p.m.

Sign in Sheet

(Please Print)

Name

Address

John Ehykhi

817 Seibert

James H. Laney

1088 W. Water St

Ken + Kathy Stanton

50 FAR HILLS AVE STATE COLLEGE PA 16803

Beth Witter

1352 Buffalo Run Rd.

Lindy Ostroskie

110 Willow Bend Dr

Mike Spiegel

T. EBH

232 ARMAGAST

Therese Hollon

1954 PURDUE MT. RD

Robert Kuhlman

150 Kuhlman Lane

Cody Whitebread

Rod Rony

405 Army Ave Rd

R. H. Rony

352 MFC

Debra Fleming

84 Far Hills Ave

Nancy Albright

62 Far Hills Ave.

David Albright

Scott Fleming

84 Far Hills Ave

Zeb Smoyer

107 S Ridge Bellfonte

MATT HARLOW

ELA GROUP, INC

Devon Warner

Karen Hoover

160 Cedar St

Klaus Schildhauer

156 Far Hills Ave

Josh Fitz

2234 Bains Ln

Hayle Wallace

162 Songbird Lane

Heather Henns + Travis Henns

110 Far Hills Ave

Benner Township Supervisors Meeting

October 7, 2024 - 7:00 p.m.

Sign in Sheet

(Please Print)

Name

Address

Ariana Tarr	233 Forest Pond
Lindsay Meyer	188 Paradye Rd
Paula Ross	163 Linger Hill Lane
Debra A. Smeed	143 Willow Dr.
Matt + Kristin Dummire	51 Far Hills Ave SC PA
Beck + Sherri Butten	109 Far Hills Ave S.C. PA
Coren + Brandon Swisher	76 Far Hills Ave SC PA
JOHN KOSTES	6200 C PACE
TONY FEUCHER	PTE
KEN SMITH	164 FAR HILLS AVE, SC, PA
Steve + Barbara Barr	1749 Purdie Mtn
DOUG HILL	11 COLUMBUS WAY SUITE 117
ROBERT WATTS	330 INNOV. BLVD, SUITE 201
DARREN + DREW HUBBARD	1151 SEIBERT RD.
Sandra Faulkner	Linger Hill Lane
Susan Shawky	Belle-fair (Richard Dr)