

**Benner Township Supervisors
Hearing for Proposed Ordinance 86
December 15, 2003**

The hearing for Proposed Ordinance 86 was called to order at 7:30 p.m. by the Chairman, Dave Breon with members John Elnitski, Jr. and Richard Lahr present. Also in attendance were Thomas Shade, John Bair, Dennis Weaver, Mike Haluga, John Sepp, Jim Swartzell, Marge Rimer, Ralph Houck, Mark Miller, Doug Weikel, and Renee Swancer.

Mr. Breon noted that this proposed Traffic Impact Ordinance has been advertised for public comments and could be adopted at tonight's meeting. Mr. Breon asked those in attendance if anyone had any comments on the proposed ordinance. No comments were received. Mr. Lahr moved for adoption of Ordinance 86. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr – yes Mr. Elnitski – yes Mr. Breon – yes

The hearing was closed the time being 7:37 p.m.

Sharon Royer, Sec.

**BENNER TOWNSHIP SUPERVISORS
December 15, 2003**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order by the Chairman, Dave Breon with members John Elnitski, Jr. and Richard Lahr present. Also in attendance were Thomas Shade, John Bair, Dennis Weaver, Mike Haluga, John Sepp, Jim Swartzell, Marge Rimer, Ralph Houck, Mark Miller, Doug Weikel, and Renee Swancer.

PERSONS TO ADDRESS THE BOARD

John Sepp: Mr. Sepp was present to discuss with the Board the Pleasant Gap Fire Company's plans on building a new fire station near their current carnival grounds. Mr. Sepp noted that specifically the fire company would like to know if the Board is willing to discuss the possibility of working with them to make roadway improvements to Robinson Lane. It was noted that it could be a year or more before actual work would begin. Discussion was held.

The Board noted that they are willing to meet with the company to discuss possible roadway improvements but they cannot commit to anything at this point and time. The Board noted that SEDA COG should be included in the meeting to see if they are willing to allow anything to be done near the track area. Mr. Sepp noted that he will try to find a mutually suitable date and time for the meeting.

Ralph Houck: Mr. Houck was present to bring the Board up to date on the Alexander home malfunction situation. Mr. Houck noted that he has been checking on the system a couple times per month and that so far nothing has come to the surface again. The realtor has indicated to Mr. Houck that the house will be vacated by February 2004.

Mr. Houck also indicated that he hasn't heard anything more from the private Christian school that wanted to purchase a tract of ground from Mr. Gummo and relocate their school there. Mr. Houck noted that when the initial contact was made by the school, they indicated that they were under extreme deadlines.

Marge Rimer: Mrs. Rimer was present to inform the Board that she and several of her neighbors have found that their wells are contaminated with coliform. The staff indicated that they called Mr. Miller from SBWJA to see if the possibility exists that a crack or some other method of infiltration could be taking place and polluting these wells. It was indicated that because this line is a gravity line that the chances of this happening is almost non-existent. Mrs. Rimer asked if there was a way that the Township could encourage the residents of Crestview to have their water tested and report their results to the Township. The Board noted that perhaps we could ask the Scouts or the Water Authority if they would be interested in having a community wide testing program again as we have done in the past.

Jim Swartzell: Mr. Swartzell presented the Board the award that was given by the Board of Governors of the Centre County Historical Society for the Township's History Book. The Board accepted this award and asked that it be mounted on the meeting room wall.

Executive Session: It was noted that an executive session was held on December 12, 2003 from Noon to 1:00 p.m. at the Township Building. Mr. Elnitski and Mr. Breon were present. Pending litigation was discussed.

Richard Kalin: Mr. Kalin and the Board discussed the settlement agreement regarding the Fillmore Farms Plan. Both parties agreed that the phasing schedule set forth on the revised plan is to be reworded that the infrastructure supporting at least 50% of the proposed units set forth on the revised plan must be completed by December 31, 2010. If the construction is not completed by 12/31/10 then the protection provided by section 508 of the MPC shall be forfeited.

MINUTES

The minutes of December 1, 2003, were presented to the Board for their review and comments. Mr. Lahr moved to approve the minutes as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr – yes Mr. Elnitski – yes Mr. Breon – yes

BILLS

The bills of December 15, 2003, were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr – yes Mr. Elnitski – yes Mr. Breon – yes

ENGINEER'S REPORT

Mr. Weikel brought the Board up to date on the plans that he has been reviewing on the Township's behalf.

ZONING OFFICER'S REPORT

Mrs. Swancer noted that in addition to her written report she has the following to add:

Hampton Hills – It was noted that the surety agreement will need to be renewed as it is expiring. The amount will remain the same.

Burn's Junkyard – It was noted that a meeting is scheduled with Mr. Burns on Wednesday.

Building Code – It was noted that the codes are to be advertised in the PA Bulletin in mid January. Ninety days from the date of publication, the act takes effect and from that point the Township has an additional 90 days to opt in or out. Information was given to the Board on Rick Hampton.

It was noted that Mr. Hampton is currently certified and would be able to do all of the inspections for the township both residential and commercial construction. It was indicated that the Board would like to set up a meeting with Mr. Hampton after the first of the year.

OLD BUSINESS

Spring Township Agreement/Boundary Change: This item continues to be tabled.

Patton Township/Benner Township Boundary: This item continues to be tabled.

Beezer Hill Road Closure: This item continues to be tabled.

Zoning Amendment Request from Barbush Family Partnership: This item has been sent on to the Township Solicitor for review and advertisement.

2004 Budget: The 2004 budget has been prepared and was advertised for public inspection. No public comments have been received. Mr. Lahr moved to approve the 2004 budget as prepared. Mr. Elnitski seconded the motion.
Vote: Mr. Lahr – yes Mr. Elnitski – yes Mr. Breon – yes

Centre County Airport Authority Rentals: Mr. Elnitski noted that he has requested from Virginia Eisenstein a copy of the rental agreements that the Authority has with the car rental agencies at the airport.

Regional Police: Mr. Elnitski reported that he attended the meeting with DCED regarding the creation of a regional police department. It was noted that DCED is going to do a study for those that are interested to see what the benefits and drawbacks would be at no cost to the townships and borough.

NEW BUSINESS

Hawbaker Road Bond: It was noted that Hawbaker has completed using Fox Hill Road and made the repairs that were asked to be made therefore their bond may now be released. Mr. Lahr moved to release Hawbaker from their bond. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr – yes Mr. Elnitski – yes Mr. Breon – yes

Principal Financial Group Agent Form: It was noted that Principal Financial needs the Board to re-approve the Township's pension plan group agent form. Mr. Breon moved to reappoint Felix Broak as the township's broker of record. Mr. Elnitski seconded the motion.

Vote: Mr. Lahr – yes Mr. Elnitski – yes Mr. Breon – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. State College Borough Water Authority Steering Committee Minutes
2. County Time Extensions
 - a. Centre Co. Prison
 - b. Preliminary Plan for Graymont, Inc.
 - c. Paradise Hills Subdivision
 - d. Centre Co. Mutual Fire Insurance Co. Land Development Plan
 - e. Benner Chiropractic Land Development
 - f. Fillmore Farms, Phase I
3. PSATS News Bulletin
4. SBWJA Minutes of November 10, 2003
5. Adelphia New Rate Plans notification
6. Thank you Note from Pleasant Gap Fire Company for funds

NOTES

Mr. Breon noted that the next chapter of the Comprehensive Plan is complete and ready for review.

Mr. Lahr gave the Board a list of recommendations that he has for the upcoming year.

ADJOURNMENT

The meeting was adjourned the time being 9:40 p.m.

Sharon Royer, Sec.