

Benner Township Supervisors
October 3, 2005

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, John Elnitski, Jr. with members James Swartzell and David Breon present. Also in attendance were Tom Kulakowski, Mike Shamalla and Renee Swancer.

PERSONS TO ADDRESS THE BOARD

Tom Kulakowski: Mr. Kulakowski was present to request a waiver from the Township's Street Standards Ordinance No. 60 as amended, Section 5.14b. Mr. Kulakowski noted that he would like to install mountable extruded curb in the Grove Park Subdivision. He noted further that he discussed this with Mr. Bernhard and that Mr. Bernhard indicated to him that he would prefer this type of curbing over the ordinance requirement. Mr. Kulakowski noted that he also discussed this proposal with Mr. Weikel who indicated that Benner Township is the only township in the area that doesn't offer this alternative curb in their ordinance. Mr. Elnitski moved to grant the waiver for the mountable extruded curb with the conditions being that there will be no curb cuts, curb bonding will need to take place for each site (lot), and there is to be no deviation from the depressed driveway areas. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Mike Shamalla: Mr. Shamalla gave the board an overview on the Fall Festival. He noted that he spent approximately \$300 more than the amount that was raised. The Board indicated that they would like a more detailed report on the events of the festival as to who attended, what did they sell and are they repeat attendees, etc.

Mr. Shamalla asked if the Board would be willing to reimburse him \$210 for the registration fee of the Landscape Architecture Conference that he plans to attend in Fort Lauderdale, Florida. The Board noted that they would first like to see the classes that he plans on attending to see if they relate to his position at the Township.

MINUTES

The minutes of September 19, 2005, were presented to the Board for their review and comments. Mr. Swartzell moved to approve the minutes as presented. Mr. Elnitski seconded the motion.

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

BILLS

The bills of October 3, 2005, were presented to the Board for their review and approval. Mr. Elnitski moved to approve the bills as presented. Mr. Swartzell seconded the motion.

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

ZONING OFFICER'S REPORT

Ordinance 46: It was noted that the proposed amendment to ordinance 46 which will prohibit parking along Fox Hill Road was sent to the solicitor for advertising.

Zoning Hearing Board: It was noted that the Zoning Hearing Board granted a variance to Ed Ranio of Valley View Road.

Penn State Driveway: Mrs. Swancer noted that she is waiting to hear back from Allen Neeley regarding the driveway that they put in off of Seibert Road.

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.

Adelphia Franchise Fee Agreement Renewal: Tabled.

Nittany Valley Joint Planning Commission: Nothing new to report.

NEW BUSINESS

Nittany Glen Surety Reduction: Mr. Elnitski moved to reduce the surety for Nittany Glen Phase I from \$1,063,087.49 to \$836,679.47 and Phase II from \$653,957.14 to \$576,998.31. Mr. Breon seconded the motion.

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

Cingular Wireless Conditional Use: A Conditional use application was received from Cingular Wireless to co-locate on a tower located on the Clair and Shirley Stem property. Mr. Breon moved to pass this request on to the Planning Commission for their review and comments. Mr. Swartzell seconded the motion.

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

Centre County Internet Mapping: It was noted that the County's GIS department is requesting a letter of support for a DCED grant that they are seeking to maintain several county programs. Mr. Breon moved to draft a letter of support. Mr. Swartzell seconded the motion.

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

Air Jack: It was noted that the township's air jack broke and that parts are no longer available to fix it. The Road Superintendent is requesting to purchase a new one at the cost of \$459. Mr. Elnitski moved to approve the purchase. Mr. Swartzell seconded the motion.

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

Health Insurance Reimbursement: Discussion was held regarding Section 606 Article 7. c. 1 of the Second Class Township Code that deals with eligibility for hospitalization insurance for Township Supervisors and their dependents. Attorney French has researched the matter and has found that if a Supervisor currently has a policy that costs less than if the Board member was included in the township's policy that the township could reimburse the Supervisor for his or her actual cost. Mr. Elnitski moved that the Township of Benner authorize reimbursement to the current board members for any out of pocket health insurance premiums that they must pay and actually do pay, to carry health insurance on themselves in lieu of having said board members received their health insurance through the township's group plan. Said reimbursement to each board member shall never exceed the costs of the actual health insurance which would have been

provided by the township had the supervisor been in the township's group health plan. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - No Mr. Swartzell - yes Mr. Elnitski - yes

Glenn O. Hawbaker/Road Bond Release: It was noted that Hawbaker is ready to be released from the road bond for Fox Hill Road. Letters have been received from HRG recommending a release. Mr. Elnitski moved to release the Fox Hill Road Bond from Hawbaker. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Budget Meetings: Tentative budget meeting dates have been scheduled for October 20, November 3 and November 17th at 6:30.

Airport Park Rezoning Request: The Board was in receipt of a request from Richard Tressler to rezone 88.77 acres (Tax Parcel 12-4-35) from the Campus Industrial District to R-3. Mr. Elnitski moved to forward this request on to the Planning Commission for their review and recommendations. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Resolution 05-6: Mr. Shamalla presented this resolution for approval. It was noted that this resolution needs to be included with the grant application for the Shiloh Road/Fish Commission bridge project. Mr. Elnitski moved to approve Resolution 05-6. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Amberleigh Memorandum of Understanding: Mr. Swartzell moved to approve the standard memo of understanding for the Amberleigh Subdivision. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Airport Authority: Discussion was held and an update was given concerning the research for the amount of funds that the township would be loosing when the Centre County Airport Authority acquires additional property in Airport Park.

Penn Dot/Benner Pike Project: The Board noted the correspondence that they received from Penn Dot explaining the work that will be let for bid for the widening project for the Benner Pike. It was noted that this information could be placed in the next township newsletter.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA minutes of September 12, 2005
2. Penn Dot letter Re: Benner Pike Improvements
3. HRG Comment Letters
 - a. Well - Grove Park
 - b. Final Plan Polymics
4. County Planning Commission Comment Letters
 - a. Avail Building Addition Land Development
 - b. Minor Land Development Polymics
 - c. Lot Consolidation Proposal Airport Park (Lots 8R and 9R into Lot 9RR
 - d. Building addition Land Development Plan Polymics
 - e. Lot addition & replot Proper to Fugate
5. Conservation District Earth Disturbance Inspection Centre Co. Prison Project

ADJOURNMENT

The meeting was adjourned the time being 8:52 p.m.

Sharon Royer, Sec.