

**Benner Township Supervisors
February 6, 2006**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, Dave Breon with member John Elnitski, Jr. present. Mr. Swartzell was absent. Also in attendance were Matt Harlow, Tom Kulakowski, Todd Smith, Mike Shamalla and Renee Swancer.

PERSONS TO ADDRESS THE BOARD

Todd Smith/Grove Park Final Plan: Mr. Smith noted that Penn Dot is now requesting that the driveway for the Grove Park development be moved 20' towards the east to increase sight distances. The county has been contacted and noted that they will treat this as a non-substantive change. A meeting has been scheduled with Mr. Weikel on Thursday to go over this change. Mr. Elnitski moved to conditionally approve this shift of 20' for the driveway entrance based on the approval and recommendation of Mr. Weikel. Mr. Breon seconded the motion.

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

Grove Park Sidewalk construction: Mr. Kulakowski noted that it is his intention to construct the sidewalks in the Grove Park development after 16 of the lots are sold in Phase I. The builder would be required to post a bond for potential damage to the sidewalks. Mr. Kulakowski noted that by them installing the sidewalks it would insure uniform construction. He also noted that the driveway locations will already be determined therefore he doesn't believe that the contractors will be driving equipment over the sidewalks and causing damage. It was noted that this will be discussed with the Township Engineer to see if there is any problems with this request.

Matt Harlow/Surety Agreement Amberleigh Subdivision Phase I and II: It was noted that the surety agreement has been received and reviewed by Mr. Weikel. All the necessary paperwork is in order and therefore the surety may be accepted. Mr. Elnitski moved to approve the Amberleigh surety package in the amount of \$1,926,437.00. Mr. Breon seconded the motion.

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

Matt Harlow/Amberleigh Subdivision Final Plan - Phase I and II: Mr. Harlow presented the Amberleigh Subdivision plan to the Board for approvals. Mr. Elnitski moved to approve and sign the Amberleigh Plan. Mr. Breon seconded the motion.

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

MINUTES

The minutes of January 16, 2006, were presented to the Board for their review and comments. Mr. Elnitski moved to approve the minutes as presented. Mr. Breon seconded the motion.

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

BILLS

The bills of February 6, 2006, were presented to the Board for their review and approval. Mr. Breon noted that he was unaware and did not encourage the work that was done at Breons, Inc. and that as far as he knows he is not closely related to those who operate this business. Mr. Elnitski moved to approve the bills as presented. Mr. Breon seconded the motion.

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

ZONING OFFICER'S REPORT

New Zoning Ordinance: Mrs. Swancer noted that she intends to start meeting with Vaughn Zimmerman of Spring Township to address concerns in the draft of the new zoning ordinance.

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: Hearing is scheduled for February 20, 2006.

Adelphia Franchise Fee Agreement Renewal: Tabled.

Nittany Valley Joint Planning Commission: Mrs. Swancer reported that Mr. Price is to pass out the charts for all zoning districts at the February 16th meeting as well as the definitions. Mrs. Swancer also noted that the Planning Commission is setting aside their second meeting of the month to review the information that will be given to them.

Police Study: Discussion was held. All agreed that the information in the study was not accurate. The Board noted that while they are not looking for immediate coverage that they would like to be kept informed should at some time in the future it is determined that services are needed.

Shiloh Road: Mr. Breon noted that he met with representative from College Township to discuss the development of the Shiloh Road area. It was concluded that sewer issues must be addressed prior to development proceeding. It was also noted that this area may be selected as a separate zoning district so that regulations would be consistent across the College/Benner line.

Water Quality Testing: Mr. Elnitski noted that Genny Robine contacted him and expressed interest in conducting the water quality testing in the Spring Creek area. Discussion was held.

NEW BUSINESS

Nittany Glenn Phase I Surety: It was noted that the surety agreement is going to expire and that this new agreement will take its place. Mr. Breon moved to approve the new surety agreement for Nittany Glenn Phase I. Mr. Elnitski seconded the motion.

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

BYOB Ordinance: Mrs. Swancer reported that the Planning Commission is recommending that BYOBs should be permitted in the C1 and C2 districts. Mr. Elnitski moved to send this information on to Mr. French for his preparation of this ordinance. Mr. Breon seconded the motion.

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

Charles Guenther Subdivision Plan: It was noted that this plan was reviewed by the Board at their last meeting. Mr. Elnitski moved to approve the plan without comments. Mr. Breon seconded the motion.

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

Appointment of Genny Robine to the Spring Creek Watershed Commission: Mr. Elnitski moved to appoint Genny Robine to represent Benner Township on the Spring Creek Watershed Commission. Mr. Breon seconded the motion.

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

Knoebels Park Picnic: The Board noted that they would like to invite the employees, Planning Commission, and Water Authority to the picnic.

Mike Shamalla: Mr. Shamalla updated the Board on the Easter Egg Hunt, Summer Park & Rec. and the Fall Festival.

3-Lot Subdivision Department of General Services: It was noted that the road alignment can't be changed at this time but it was suggested that a note be added to the plan that states and any subsequent land development or further subdivision plan must address the driveway alignment at that time.

CORRESPONDENCE

1. County Planning Commission Correspondence
 - a. Time Extensions
 1. Avail Building addition
 2. Nittany Express
 3. Opequon Hill Phase 1 & 2
 - b. Village of Nittany Glenn Phase III
 - c. Eagle Point
 - d. Grove Park Phase I
 - e. Polymics Building Addition Land Development
 - f. Sewage Planning Module Victorian Village
 - g. Dr. Gerald Clair
 - h. 3-Lot Subdivision Dept. of General Services
2. HRG Comment Letters
 - a. 3 Lot Dept. of General Services
 - b. University Park Airport Phase 7 final inspection
3. Pleasant Gap Fireman's Relief audit for 2003-2004
4. SBWJA Minutes of January 9, 2006
5. SCBWA well water level measurements
6. Training Session Opportunities
 - a. Getting to TRID
 - b. Regionalizing Municipal Police Services
 - c. The effect of Acre on Township Government
7. Courthouse dedication ceremony invitation
8. Letter sent to DEP Re: Graymont /Opequon Public water supply

ADJOURNMENT

The meeting was adjourned the time being 9:06 p.m.

Sharon Royer, Sec.