

Fastshoez
Conditional Use Hearing
June 19, 2006

The Fastshoez Conditional Use hearing was called to order at 7:30 p.m. by the Chairman, David Breon with member James Swartzell present. Mr. Elnitski was absent. Also in attendance were Renee Swancer, Doug Weikel, Joe Shulman, John Sepp, Vic Kicenis, Mike Glass, Mike Gruendler, and Ian Henderson.

Mr. Breon asked if Mr. Shulman had any questions on the Board's decision. He indicated that he did not. Mr. Breon moved to approve the conditional use decision as it was written. Mr. Swartzell seconded the motion.

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

Hearing was adjourned the time being 7:35 p.m.

Benner Township Supervisors
June 19, 2006

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:36 p.m. by the Chairman, David Breon with member James Swartzell present. Mr. Elnitski was absent. Also in attendance were Renee Swancer, Doug Weikel, John Sepp, Vic Kicenis, Mike Glass, Mike Gruendler, and Ian Henderson.

PERSONS TO ADDRESS THE BOARD

Mike Gruendler/Ian Henderson: Mr. Gruendler and Mr. Henderson were present to express their wishes to connect to the SBWJA public sewer system. When surveyed prior to the Spring Creek sewer extension being started, both had indicated that they wanted the sewer but their request was not fulfilled. Mr. Gruendler noted that he started this procedure last year and requested 5 edus that he must either use or loose in approximately the next six months. It was noted that there are currently four homes located along this stretch of road. Two of the homes are owned by Mr. Henderson, one of them is owned by Mr. Gruendler which will required two edus (additional one for bed and breakfast). The remaining home is owned by someone who they do not feel is in the financial condition to connect to the sewer. Mr. Gruendler and Mr. Henderson indicated that they will pay for the sewer line to be installed per SBWJA's specifications. This line

would then be dedicated to the authority. They will also pay the required tap on fees for the connections and the grinder pumps. Mr. Gruendler noted that he spoke with Warren Miller of the Authority who indicated that he is ok with putting some kind of stipulation on the remaining home that this home must connect when the home changes owners. Discussion was held. The Board indicated that they did not have a problem with this arrangement. However, they would need a letter from Warren Miller stating his concurrence with this arrangement and a letter signed by the other property owner indicating that she would be ok with something being attached to her deed requiring the next property owner to connect.

Gerald Rodgers: Mr. Rodgers was not in attendance.

John Sepp: Mr. Sepp was present to give the Board a copy of the grant of easement for the Rockview farm road that is located in the I-99 ROW on the CCIDC property. Mr. Sepp noted that he is giving this draft to the Board for their review. Discussion was held concerning the line up of the driveways for the County Prison and the CCIDC property.

Ms. Swancer noted that at the meeting that was held at the CCIDC offices. Cleveland Brothers are requesting large bulk storage areas, an equipment sales area, and signs that exceed the current sign ordinances. Discussion was held. Mr. Sepp indicated that he would contact the Chamber (John Coleman) about having the memorandum for the zoning and comprehensive plan amendment expenses limit raised. Roth Plan has indicated that a more realistic number to have all of the amendments completed is \$12,000.

Michael Glass/Amberleigh Development: Mr. Glass asked the Board what their position is on allowing them to build the spec homes without sewer permits in hand. The Board noted that the Township's attorney reviewed the letter that was submitted by Amberleigh's attorney and does not agree with the interpretation. Therefore, no permits will be issued. Mr. Glass noted that he asked for a second interpretation from Attorney Terry Williams and that he also agrees with Amberleigh's position and interpretation. Mr. Glass asked that the building permits be returned so that they can take this matter, regretfully, to court.

Tom Eby/Benner Township Water Authority: Mr. Eby stated that the Authority adopted Rules & Regulations at their last meeting. An electronic copy will be forwarded on to the Supervisors. Mr. Eby also noted that the Authority has contacted Warren Miller regarding SBWJA providing line maintenance and inspection, billing and water testing as Mr. Miller is a licensed operator. Mr. Eby stated that the Authority will be working on the Developer's handbook at their upcoming meetings.

MINUTES

The minutes of June 5, 2006, were presented to the Board for their review and comments. Mr. Swartzell moved to approve the minutes as presented. Mr. Breon seconded the motion.

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

BILLS

The bills of June 19, 2006, were presented to the Board for their review and approval. It was noted that in addition to the checks listed, State Fund Check 258 in the amount of \$48,519.00 to Mack Trucks, Inc. also needs approved. The new township truck will be ready for pick up prior to the Board's next meeting. Mr. Breon moved to approve the bills as amended. Mr. Swartzell seconded the motion.

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

ENGINEER'S REPORT

Mr. Weikel was present to go over the items that he was reviewing on behalf of the Board.

ZONING OFFICER'S REPORT

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

1. The BYOB Ordinance is scheduled for adoption on July 6th.
2. Amberleigh is requesting a surety reduction from \$1,926,437 to \$1,339,475. This request has been reviewed by HRG, Inc. and has been found to be acceptable. Mr. Breon moved to approve the Amberleigh surety reduction. Mr. Swartzell seconded the motion.

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

OLD BUSINESS

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

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

Adelphia Franchise Fee Agreement Renewal: Reviews are continuing with the Master Regulatory Ordinance. It was noted that legislation is pending that would turn cable franchising over to the Federal Government.

NVJPC Zoning: Discussion was held as to the Roth Plan zoning and comprehensive plan amendment fees. The Board noted that they are willing to expend up to a total of \$8,000 for these amendments. We currently have a signed memorandum from CDICC that they will reimburse the Township \$6,000 of this fee. No further work is authorized beyond the \$8,000 until a revised memorandum is received from CDICC.

Emergency Management Coordinator: Discussion was held concerning the three candidates that were interviewed for the Emergency Management Coordinator. The Board noted that all of the candidates were worthy of the position and had excellent credentials. Mr. Swartzell moved to offer the appointment to J. Wencek. Mr. Breon seconded the motion.

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

Tarp & Bedliner for New Truck: The information on the tarp and the bedliner for the new truck were provided to the Board for their review. Mr. Swartzell moved to approve the purchase of these items. Mr. Breon seconded the motion.

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

Opequon Hill Well: It was noted that Opequon has received their operating permit for their well.

NEW BUSINESS

Memo of Understanding PSU Snow Removal Equipment Storage Building: Mr. Breon moved to approve the Memo of Understanding for review fee

reimbursement for the Penn State Snow Removal Equipment Storage Building. Mr. Swartzell seconded the motion.

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

CATA Local Share Agreement: The Board was presented with the local share agreement between CATA and the Township for the 2006/2007 fiscal year. Mr. Swartzell moved to approve the agreement. Mr. Breon seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA - May 22, 2006 minutes
2. Amberleigh - Sinkhole Remediation
3. Centre County Planning Commission Letters
 - a. PA Air National Guard
 - b. Minor Land Development Fish Feed Storage Building
4. Cleveland Brothers Minutes of June 12, 2006
5. PEMA - letter re: NIMS
6. Letter from Graymont Re: minor operating permit modification
7. PSATS Alert
8. Notice that Peer to Peer Grant Awarded

ADJOURNMENT

The meeting was adjourned the time being 9:35 p.m.

Sharon Royer, Sec.