

Benner Township Supervisors

November 5, 2007

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:30 p.m. by the Chairman, David Breon with members James Swartzell and John Elnitski, Jr. present. Also in attendance were Ed Galus, Dave Palmer, John Sepp, Brad Karch and Renee Swancer.

Executive Session: It was noted that the Board held an executive session on October 19, 2007 from 1:30 to 2:00 dealing with personnel issues. All three Board members were present.

PERSONS TO ADDRESS THE BOARD

Penn Terra/S & A Homes: John Sepp was present to ask the Board if they would be willing to consider shifting the Highway Commercial Zoning District on the Eagle Point Subdivision Site. It was noted that the developers are considering making the entire parcel commercial instead of having the rear portion being residential. Discussion was held. The Board noted that they would be in favor of this but that careful consideration would be given as to ensure that the buffer for the Conservation District is large enough. Mr. Elnitski noted that he would like to see if the driveway from the bowling alley could be combined making all of the driveways exit to the signaled light. The Board asked for this request to be passed on to the Planning Commission for their review and consideration.

MINUTES

The minutes of October 15, 2007, were presented to the Board for their review and comments. Mr. Swartzell moved to approve the minutes as presented. Mr. Breon seconded the motion. Mr. Elnitski noted that because he did not review the minutes he will abstain from the vote.

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

BILLS

The bills of November 5, 2007, were presented to the Board for their review and approval. Mr. Swartzell moved to approve the bills as presented. Mr. Breon seconded the motion. Mr. Elnitski noted that because he didn't review the bills he will abstain from the vote.

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

ZONING OFFICER'S REPORT

Bed & Breakfasts: Mrs. Swancer noted that she has received a complaint letter from that Hampton Hills Homeowner's Association that four families in the development are operating bed and breakfast establishments. Discussion was held. It was noted that Mrs. Swancer is waiting to hear back from the Associations' attorney as to whether or not this is allowed under the associations restrictive covenants/bylaws. It was noted that violation notices will need to be sent as none of them have applied for a permit to operate a bed and breakfast. There are separation distances required in the ordinance which will not permit all four establishments from operating. The Board noted that they should be treated on a first come/first serve basis.

Restek - Non-substantive Changes: It was noted that Mr. Weikel has reviewed the non-substantive changes requested by Restek and have found them acceptable. Mr. Swartzell moved to approve the Non-Substantive change request. Mr. Elnitski seconded the motion.

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

OLD BUSINESS

Comcast Franchise Fee Agreement Renewal: Mr. Swartzell reported that he attended a CACC meeting on October 29th. The negotiation team reported that things aren't going as well as expected. Comcast is not willing to support CNet as was hoped for. Therefore, the team is now considering a five year contract instead of 10 to 15 years and is suggesting each municipality to seek other providers such as D & E Communications.

Zoning Ordinance: Mrs. Swancer noted that additional working sessions have been scheduled to continue the review.

Nittany Valley Regional Recreation Authority: It was noted that it looks as though the primary option being considered by the group is the one that will be run by volunteers. This option is seeking a commitment of \$2,400 for the 2008 budget year.

Spring Creek Canyon: Mr. Swartzell noted that no one is present to discuss the canyon issues with the Board once again. Mr. Elnitski reported that the proposed legislation is being revised. Mr. Breon reported that he is finishing up with the RFP.

Buffalo Run Community Park - Field work: Mr. Elnitski noted that the field work that was discussed a couple of months ago will probably begin this week. Bellefonte Little League representatives will be lining the field so that the edging and removal of sod and installation of drainage stone and diamond tech can be installed by township employees.

NEW BUSINESS

Penn State Federal Credit Union MOU: The memorandum of understanding for the Penn State Federal Credit Union Land Development plan was presented to the Board for their review and approval. Mr. Elnitski moved to approve the MOU. Mr. Swartzell seconded the motion.

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

Fox Ridge Planning Module: It was noted that Fox Ridge Planning Module has been reviewed and is ready for the Board's approval. Mr. Swartzell moved to approve Resolution 07-6. Mr. Elnitski seconded the motion.

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

2008 Budget: The Board decided that they will hold a work session to work on the upcoming budget on November 14, 2007 at 7 p.m.

Executive Session Notice: The Board called an executive session the time being 9:15 p.m. to discuss personnel matters. The meeting was called back to order at 9:17 p.m. Mr. Swartzell moved to compensate Harold Meyer the difference between his pay and that of the old Road Superintendent during the time that the Superintendent was placed on leave without pay and November 2, 2007 when the new Superintendent was hired. Mr. Elnitski seconded the motion.

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

CORRESPONDENCE

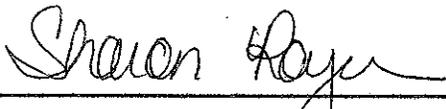
The Board acknowledged receipt of the following correspondence:

1. County Planning Office Correspondence
 - a. Non-Substantive Change Eagle Point Phase 1 & 2
 - b. Minor Land Development Grazzini - temporary greenhouse
 - c. University Park Airport Terminal Building expansion Minor Land Development
 - d. Fox Ridge Subdivision Preliminary Plan
 - e. Non Substantive Change request Restek
2. Centre County Conservation Correspondence
 - a. Remodeler's Workshop

- b. Grove Park
 - c. Pleasant Gap Fish Hatchery
 - d. Eagle Point Fill Site
 - e. Centre County Industrial Park
 - f. E & S Plan Review/Eagle Point
 - g. Lyn Lee Farms Fill Site
 - h. Restek
3. Letter from ELA Group RE: 2008 Municipal Engineer
 4. Letter from Penn Dot Re: Benner Pike rolling Ridge Road Traffic Signal
 5. Letters Re: Spring Creek Interceptor
 6. SBWJA Minutes - October 8, 2007
 7. Notice of PA Turnpike Commission Public Meetings (I-80) Toll Conversion Project

ADJOURNMENT

The meeting was adjourned the time being 9:18 p.m.



Sharon Royer, Sec.