

Benner Township Supervisors

August 4, 2008

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 with members James Swartzell and Dave Breon present. Also in attendance were Gary Sweeney, Chad Stafford, Ann Stacey, Trudy Mitchell and Renee Swancer.

PERSONS TO ADDRESS THE BOARD

CBICC - Ann Stacey and Trudy Mitchell: Ms. Stacey and Ms. Mitchell were present to address outstanding issues on the Rights Of Way for the Benner Commerce Park. Ms. Stacey noted that the site plan has been revised and provided to the Board to see if the changes address the Township's concerns.

Ms. Stacey noted that the Chamber has recently drafted a RFP that will be going out to firms that specialize in marketing research. The Chamber is in hope that the selected firm will help them pin point desired tenets, develop marketing materials and demographic profiles of who and how to target them. Ms. Stacey noted that the Chamber is continuing with this work while the technical issues of the development are being worked out.

Mrs. Swancer noted that Mr. Weikel has not yet had the opportunity to review the revised drawing. As the plan currently shows, the Chamber is only showing one access to the Shuey property and one to the Krout property. Questions were raised as to the drawing and the spite strip. Ms. Stacey noted that it is her understanding that the spite strip has been removed. Mrs. Swancer noted that Mr. Weikel has previously expressed concerns about the secondary traffic access on to Krout's Road should the Krout property be developed.

Mr. Elnitski noted that he would like to contact the Krouts and Shueys to inform them that access to their properties is being discussed to see if they have any input into this matter.

Village of Nittany Glen Conditional Use Hearing
August 4, 2008

The Conditional Use Hearing for the Village of Nittany Glen was called to order at 7:55 p.m. by the Chairman, John Elnitski with members James Swartzell and Dave Breon present. Also in attendance were Gary Sweeney, Chad Stafford and Renee Swancer.

Mr. Stafford noted that Nittany Glen is seeking permission to continue to utilize lots 52, 53, 54, 55, 56, 57, and 58 of their development as a sales office and model home displays. In addition, Nittany Glen is seeking to utilize lot 412 for parking for the sales office and display units. It was noted that initially permission was granted for three years.

Mrs. Swancer noted that the Planning Commission is recommending a 7 year extension of time.

Mr. Breon moved to close the hearing the time being 8:07 p.m. Mr. Swartzell seconded the motion.

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

Sharon Royer, Sec.

The regular meeting was called back to order at 8:10 p.m.

ZONING OFFICER'S REPORT

Mrs. Swancer reported that the Farmer Group still does not like the regulations that have been drafted. The Group thought that they wanted the regulations that Patton Township has for their Ag Preservation District, but they do not want the residue tracts to have permanent easements on them which doesn't allow them to be further developed. Density still remains their issue.

Mrs. Swancer noted that she still hasn't heard from College Township on any dates for the follow up meeting on the Shiloh Road area zoning.

Areas of the zoning ordinance that continue to be worked on include Article 5 and the Ag Districts. Max Gill has forward information on wellhead protection.

MINUTES

The minutes of July 21, 2008, 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 August 4, 2008, 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

OLD BUSINESS

Comcast Franchise Fee Agreement: It was noted that the ordinance documents are completed and have been forwarded to the attorney for advertising.

Zoning Ordinance Updates: This topic has been previously discussed.

Canyon Property Transfer: Mr. Elnitski reported on the first meetings of the Public and Technical Committee meetings. He also reported on the meeting that the Canyon Alliance held.

Boy Scouts/Bat boxes: Mr. Elnitski noted that he hasn't heard anything more from the leader so this item may be removed from the agenda.

Stonecrest Drive: It was noted that the Engineer is now recommending that the Township accept this roadway. We are also now in receipt of the executed deed of dedication. Mr. Elnitski moved to approve acceptance of Stonecrest Drive (Resolution 08-) Mr. Swartzell seconded the motion.

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

Nittany Glen Stipulation of Agreement: This item remains tabled.

Gerald Clair: Mr. Swartzell noted that Dr. Clair has provided him with copies of documentation of his recent court case against Panko regarding the additional driveway right of way issues. Mr. Panko has appealed the judge's decision. The Board asked that these documents be forward to Mr. French to see if the Township needs to take any action at this time concerning a waiver.

Joint Shared Service Meeting: Discussion was held concerning recent Joint Shared Service meetings and the possibility of locating a satellite station in the township.

NEW BUSINESS

Fox Hill/Rock Road - HRI, Inc. Road Bonding: It was noted that HRI, Inc. wishes to bond sections of Fox Hill Road and Rock Road for a project that they are doing for the University Park Airport. The bond amount is for \$32,500. Mr. Elnitski moved to approve the bond. Mr. Breon seconded the motion.

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

Nittany Valley Running Club: It was noted that the Nittany Valley Running Club is once again requesting to permission to use Rock Road as part of their race. The race this year will be held on Sunday, November 2nd from 10 a.m. to Noon. Mr. Elnitski moved to approve this request with the same conditions as last year. Mr. Swartzell seconded the motion.

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

Mike Hanna/Rockview Expansion: The Board was in receipt of a letter from Mike Hanna asking the Board what their position would be if the Rockview site is selected for prison expansion. The Board asked that a letter be drafted to Mr. Hanna noted that they would like to have a full presentation on the matter.

CORRESPONDENCE

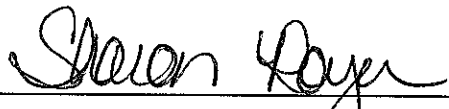
The Board acknowledged receipt of the following correspondence:

1. Letter from Senator Corman Re: Chesapeake Bay requirement
2. Bellefonte Area High School Dedication Ceremony invitation
3. NIMS Workshop Notice
4. Notice from Assessment Office CentrePeace has been granted exemption status.
5. SCBWA well field water level measurements

6. CCMPO News letter
7. PSATS Township Newsletter
8. Comcast invitation Re: Digital TV Transitions
9. SBWJA Minutes of July 14, 2008

ADJOURNMENT

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



Sharon Royer, Sec.