

**BENNER TOWNSHIP BOARD OF SUPERVISORS
SEPTEMBER 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, Jr., with members James Swartzell and David Breon present. Also in attendance was Renee Swancer.

MINUTES

The minutes of August 18, 2008, were presented to the Board for their review and comments. Mr. Elnitski moved to approve the minutes as presented. Mr. Swartzell seconded the motion.

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

BILLS

The bills of September 4, 2008, were presented to the Board for their review and approval. Mr. Swartzell moved to approve the bills as presented. Mr. Elnitski seconded the motion.

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

ZONING OFFICER'S REPORT

The Supervisors noted that they receive a call from a resident inquiring if the proposed "Halfway House" would be permitted in the home along Fishburn Hill Road. Much discussion was held. The Board asked that Mrs. Swancer check on the following 1) check to see if this is a permitted use anywhere else in the Nittany Valley Region 2) Check to see which Zoning Districts this type of use is usually permitted it and what regulations go along with it. 3) See how this use is defined elsewhere

Mrs. Swancer noted that the Planning Commission seems happy with the latest regulations that Mr. Roth has put together for the Ag District using the clustering concepts. It was noted further that several of the farmers are still not pleased with this version.

Mrs. Swancer noted that the Planning Commission hopes to have the Zoning Ordinance completed by the end of the month.

Mr. Swartzell noted that he has invited the College Township Council to the Board's meeting on September 15th to discuss the Shiloh Road zoning issues that they still have.

OLD BUSINESS

Cable System Regulatory Ordinance - Ordinance 101: It was noted that proposed Ordinance 101 has been advertised for public comment and hearing for adoption for this evening's meeting. Having no public comment, Mr. Elnitski moved to adopt Ordinance 101 Cable System Regulatory Ordinance. Mr. Breon seconded the motion.

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

Comcast Franchise Agreement: The proposed Cable system franchise agreement between the township and Comcast of Colorado/Pennsylvania /West Virginia, LLC. was presented to the Board for their consideration. Mr. Elnitski moved to approve the Franchise Agreement with Comcast (Resolution 08-6) Mr. Breon seconded the motion.

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

Spring Creek Canyon: Mr. Elnitski gave the Board an update on the last Public Advisory Committee meeting that was held on August 27th at CPI.

Bellefonte Borough Fire Protection Agreement: Mr. Swartzell questioned the figures listed on the last page of the agreement. Questions were also asked as to why if the county was being billed for protection then why weren't they being billed for all of their properties located within the Bellefonte Fire Companies Service area and not just those located within the Borough's boundary limits.

NEW BUSINESS

Surety Agreement Extensions: Surety Agreement Extensions for the Grove Park Phase I and the Opequon Hills Phase II and III were presented to the Board for their approval. Mr. Elnitski moved to approve the extension of both of these surety agreements. Mr. Swartzell seconded the motion.

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

Benner Commerce Park Sewage Planning Module: The Sewage Planning Module for the Benner Commerce Park was presented to the Board for their

approval. Mrs. Swancer noted that all the necessary paperwork has been completed. Mr. Swartzell moved to approve the Benner Commerce Park Sewage Planning Module (Resolution 08-5) Mr. Breon seconded the motion. Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Benner Commerce Park Waiver Request: The Board is in receipt of a waiver request by John Sepp representing Benner Commerce Park from the requirement to provide profiles of the open channels in the development. The Board has a letter from Mr. Weikel stating that he has reviewed this waiver request and recommends approve the this waiver. Mr. Elnitski moved to grant this waiver. Mr. Swartzell seconded the motion. Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Lap Top: Mr. Swartzell noted that now that we have the screen and projector that it would make sense to purchase a lap top to use for presentations. Mr. Elnitski noted that he would investigate the matter.

CORRESPONDENCE

The board acknowledged receipt of the following correspondence:

1. Notice from PennDot Re: Centre Hall Mt. changing back to two lanes - feedback wanted.
2. Centre County Planning Office
 - a. Time Extensions 1) Self Storage for You 2) Fox Ridge Subdivision 3) Eagle Point Phase 2A 4) Fulton Bank 5) Airport Phase 7B 6) Confer TJK Company
 - b. Benner Commerce Park Subdivision Comment Letter
 - c. 2007 Annual Report
3. County Liquid Fuel Application Notice
4. Notice of NPDES application for Paradise Hills Subdivision
5. Copy of letter that ClearWater Conservancy sent to Hanna Re: Canyon
6. SBWJA Minutes of August 11, 2008
7. Letter from Hanna Re: Prison Expansion public meeting

ADJOURNMENT

The meeting was adjourned the time being 8:07 p.m.


Sharon Royer, Sec.