

**Benner Township Supervisors
Sheetz Conditional Use Hearing
November 16, 2009**

The Conditional Use Hearing for Sheetz was called to order at 7:30 p.m. by the Chairman, John Elnitski, Jr. with member Dave Breon present. Mr. Swartzell was absent. Also in attendance were Mark Torretti, Allen Neely, Bob Franks, Steve Augustine, Clair Stem, Dennis O'Leary, Amber Ickes, Doug Weikel and Tim Schnoover.

Sheetz, Inc. is proposing to construct a 5,000 sq. foot convenience store with 7 fueling stations (14 fuel pumps) and a car wash on tax parcel 12-3-124D. Forty-six parking spaces including 2 handicap spaces are to be constructed. Access to the facility will be from both Rolling Ridge Drive and Benner Pike.

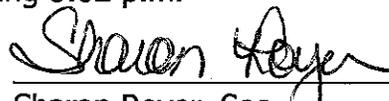
Mr. Torretti went over with the Board Sections 409, 416 and 427 of the zoning ordinance and showed how this proposal will meet all of the ordinance's requirements.

Mrs. Swancer reported that the Planning Commission reviewed this request at their October 22, 2009, meeting and had no comments.

Mr. Elnitski moved to close the conditional use hearing for Sheetz and have Mr. Schnoover prepare a decision for action at their meeting to be held on December 7, 2009. Mr. Breon seconded the motion.

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

The hearing was adjourned the time being 8:02 p.m.



Sharon Royer, Sec.

**Benner Township Supervisors
November 16, 2009**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 8:05 p.m. by the Chairman, John Elnitski, Jr. with member Dave Breon present. Mr. Swartzell was absent. Also in attendance were Clair Stem, Dennis O'Leary, Amber Ickes, Doug Weikel and Tim Schnoover.

PERSONS TO ADDRESS THE BOARD

Clair Stem: Mr. Schnoover provided an update on the discussions that he has had with Centre Communication's attorney on the tower antennas. He noted that Centre Communication's attorney is stating that only two antennas have been added since 1997 and that both of them have received conditional use

approvals. The Board noted that they would keep Mr. Stem informed of any new information that we receive. Mr. Stem noted that he has taken pictures of the antennas over the years and will provide the Township with copies.

MINUTES

The minutes of November 2, 2009, 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. Breon – yes Mr. Swartzell – absent Mr. Elnitski – yes

BILLS

The bills of November 16, 2009, were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Elnitski seconded the motion.

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

ENGINEER'S REPORT

Mr. Weikel went over with the Board the plans that he is currently reviewing on the Board's behalf.

ROAD SUPERINTENDENT'S REPORT

- *Brush mowing is complete. No complaints were received.
- *Crack sealing was done using State College Borough's machine. It is hoped that more can be done in the Spring.
- *Pick up spreader. Mr. O'Leary noted that he would like to purchase a salt spreader to be placed inside the pick up that could be used to salt intersections or spots where the larger trucks really wouldn't be required to be dispatched. The cost of the spreader is \$5,995.
- *New truck. Mr. O'Leary noted that he would like to have a new truck purchased to replace the 1995 Ford truck. Mr. O'Leary noted that if a new truck isn't purchased soon there will be a cost increase of approximately \$7,000 for the newly required installed emissions. The Ford truck would be moved to the spare and the 1984 GMC could be sold. The estimated cost for the new truck would be \$127,000 off of a state contract.

Mr. Elnitski moved to order the new truck to save on the increased cost for the new emissions and to approve the purchase of a truck spreader for the pick up. Mr. Breon seconded the motion.

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

ZONING OFFICER'S REPORT

Mrs. Swancer noted that EPD has almost finalized the Spring Creek Canyon overlay ordinance. The Board noted that they would like to have an overview

presented to them by EPD. Mrs. Swancer noted that she would contact EPD and see which meeting in December that they could attend.

COMMITTEE REPORTS

None.

OLD BUSINESS

Spring Creek Canyon: The Board noted that they have heard that Senator Corman is considering having a public meeting in December on the land transfer.

Bellefonte Borough Fire Protection Agreement: It was noted that the Joint Shared Service meeting for November was cancelled. Mr. Elnitski noted that Pleasant Gap doesn't believe that they will be able to run a satellite station in Benner. Mr. Elnitski noted that he has a meeting scheduled with Penn State to discuss ways for recruiting fireman. The Board noted that they agree with Spring Township's letter and the need for a Regional Fire Board. Mr. Breon stressed that he feels that the funding formula needs to be reevaluated.

YMCA: It was noted that nothing new has been done with this project so for the time being it may be removed from the agenda.

Township Wide Trash Collection: It was noted that the Public information meeting on the garbage will be held on December 7th at 6:30. Veolia and Pam Adams will be present to aid in answering questions. The Recycling and Garbage Ordinance will be advertised for adoption during the Board's regular meeting at 7:30.

NEW BUSINESS

Eagle Point Phase 2A Surety Reduction: It was noted that Eagle Point Phase 2A is requesting that the amount of their surety for their project be reduced to \$13,750. Mrs. Swancer noted that this figure has been reviewed by the Township Engineer who approved the reduction amount. Mr. Elnitski moved to approve Eagle Point Phase 2A surety in the amount of \$13,750. Mr. Breon seconded the motion.

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

2010 Budget: Mr. Elnitski moved to tentatively approve the 2010 Township Budget and advertise it for public inspection and comments. Mr. Breon seconded the motion. The Budget will be officially adopted at the Board's December 21st meeting.

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

Amberleigh Surety: It was noted that the necessary paperwork has not yet been received, therefore this item is tabled.

Hartle Subdivision MOU: Mr. Elnitski moved to approve the Memorandum of Understanding for the proposed Hartle Subdivision. Mr. Breon seconded the motion.

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

Water Service: Mr. Elnitski questioned how Bellefonte Borough can serve customers with water in Benner Township without township approval. The Secretary was asked to send Attorney Schnoover a copy of the PUC letter for his review.

Employee Liaison: Mr. Breon moved to appoint John Elnitski as the employee liaison between Board members and employees. All matters that need to be addressed with the employees should be channeled through the liaison. Any discrepancies, issues or directives that a board member has with or for an employee must also be channeled through the liaison. Mr. Elnitski seconded the motion.

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

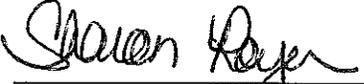
CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes – October 26, 2009
2. PSU In-Lieu of payment notice
3. Spring Township letter to Bellefonte Borough Re: Fire Agreement

ADJOURNMENT

The meeting was adjourned the time being 9:13 p.m.



Sharon Royer, Sec