

**Benner Township Supervisors
December 20, 2010**

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 Dave Breon and Randy Moyer present. Also in attendance were Chad Stafford, Perry DeSiato, John Sepp, Renee Swancer and Sharon Royer.

EXECUTIVE SESSION NOTICE

Mr. Elnitski noted that the Board held an executive session on December 15th at 8:30 p.m. to discuss possible litigation. All three members were in attendance.

PERSONS TO ADDRESS THE BOARD

John Sepp – Benner Commerce Park:

Non-Substantive Change: It was noted that a non-substantive change has been requested to:

- a. Allow the existing 12' wide access road across Lots 1-3 to remain for access to utilities until lot development.
- b. Allow the topsoil stockpile to remain on Lot 3.
- c. Allow the haul road at the cul-de-sac of Penntech Drive to remain as it is used for agricultural access with the roadway to be gated.

It was noted that Mr. Weikel and the county have reviewed this request, and agrees that these are "Non-Substantive" changes. Mr. Elnitski moved to approve the request of Non-substantive changes. Mr. Breon seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

Benner Commerce Park Final Plan – Surety: The Board is in receipt of a surety package in the amount of \$141,460 for the final plan of Benner Commerce Park. It was noted that this amount has been reviewed and approved by Mr. Weikel. Mr. Elnitski moved to approve the surety package in the amount of \$141,460. Mr. Breon seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

Benner Commerce Park Final Plan – Plan signatures: Mr. Breon moved to approve the Benner Commerce Park Final plan for signatures and recording. Mr. Elnitski seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

Village of Nittany Glen: Chad Stafford and Perry DeSiato were present to discuss the stipulation of agreement that is due to expire between the Village of Nittany Glen and the Township. They noted that they are willing to comply with the current township manufactured home park requirements and that that they will reimburse the Board for the fees that are required in reviewing the revised plans.

MINUTES

The minutes of December 6, 2010, were presented to the Board for their review and comments. Mr. Breon moved to approve the minutes as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

BILLS

The bills of December 20, 2010, were presented to the Board. Mrs. Royer noted that there is an addendum to the list of checks to be paid that have come in and are due prior to the January meeting. A list of the additional checks were distributed for review. Mr. Breon moved to approve all checks that have been submitted for payment. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

ENGINEER'S REPORT

Mr. Weikel reviewed the plans that he has been reviewing on behalf of the Board.

ZONING OFFICER'S REPORT

Mrs. Swancer gave the board an update on the Planning Commission's meeting of December 9th when the Canyon Overlay Ordinance was discussed. It was noted that the Planning Commission intends on meeting on January 6th to further discuss the ordinance. Mrs. Swancer indicated that it is the Planning Commission's intention not to accept any further comments at that meeting but rather focus on what has already been presented and the points that Mr. Swartz from EPD made. Discussions were held. Mr. Breon noted that he would like to see each point that was raised in the comment letters addressed by the Planning Commission individually.

OLD BUSINESS

Spring Creek Canyon – Already addressed.

ROW Regulatory Ordinance: Tabled.

Resolution 10-7: A resolution has been prepared which supports PSATS's position that the Townships should not be eliminated and made into county run governments as some legislative proposals are proposing. Mr. Breon moved to approve Resolution 10-7. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon - yes Mr. Elnitski – yes

NEW BUSINESS

Earned Income Tax Rules & Regulations for 2011: Mrs. Royer noted that she spoke with Ken Bean from the School District which noted that the only thing that was done was formatting changes to the document. Mr. Elnitski moved to approve the regulations as presented. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

2011 Budget: The 2011 budget was presented to the Board for their approval. It was noted that no public comments were received. Mr. Elnitski moved to approve the budget as presented. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

2010 Year End Audit: It was noted that the required advertising was done to hire a CPA firm to perform the 2010 year end audit. Mr. Breon moved to approve the CPA firm of ParenteBeard, LLC to do the 2010 year end audit. Mr. Elnitski seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

MOU Copper Beech Airport Park Lot 22: Mr. Elnitski moved to approve the MOU for the Copper Beech Airport Park Lot 22 land development plan. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski – yes

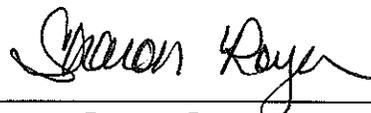
CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Office
 - a. Minor Land Development RE: Avail Manufacturing Facility conversion
 - b. 24/7 Non Substantive Change Requests
2. Centre County Conservation District
 - a. Grove Park Subdivision
 - b. Village of Nittany Glen
 - c. NPDES Permit Transfer SCI Benner
 - d. Earth Disturbance Report SCI Benner
3. Copy of UAJA Spring Creek Composting Facility Solid Waste Permit
4. Notice of a permit for a temporary Portable Crushing Plant at SCI Benner
5. SBWJA minutes of November 22, 2010

ADJOURNMENT

The meeting was adjourned the time being 8:32 p.m.



Sharon Royer, Sec.