

**Benner Township Supervisors
December 6, 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 with members Dave Breon and Randy Moyer present. Also in attendance were John Sepp, Steve Augustine, Bob Franks, Deb Gaebel, Sam McGinley, Renee Swancer and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Sam McGinley/Deb Gaebel (Centre County Library): Mrs. Gaebel encouraged the Board to stop down to the library to check out the improvements that have been made in the last year. Some of the renovations include a new sign, renovated restrooms and the installation of energy efficient windows. Mrs. Gaebel noted that the library usage is up about 30%. Mr. McGinley noted that a new branch of the library was opened in the old M & T Bank building in Philipsburg and the Aaronsburg library was moved into a different location. It was noted further that the state has cut the library's funding by more than \$100,000 and that due to that, the library has cut staff and adjusted operating hours. Mrs. Gaebel thanked the Board for their past contributions and asked for their continued support.

Sheetz – John Sepp/Steve Augustine/Bob Franks: It was noted that Sheetz is awaiting their final inspection from PennDot on the traffic signal changes. Mr. Franks noted that the inspectors notes on the traffic light have been obtained and that they are hopeful that PennDot will do their final inspection tomorrow.

It was noted that Mr. Weikel has reviewed the surety estimates and that the surety paperwork is in order. Mr. Elnitski moved to approve the surety for Sheetz in the amount of \$7,150.00. Mr. Breon seconded the motion.

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

Sheetz Land Development Plan: Mr. Elnitski moved to conditionally approve the Sheetz Land Development for signatures pending the receipt of a letter from PennDot indicating that they are satisfied with the changes in the traffic signal. Mr. Moyer seconded the motion.

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

MINUTES

The minutes of November 15, 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 6, 2010, were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski – yes

ZONING OFFICER'S REPORT

Mrs. Swancer noted that it has been discovered that the definition in our new zoning ordinance for "Minimum Lot Area" is very different than our previous definition and recommends that it be changed back to the older version. In the new version there is a long list of exclusions of area to be deducted from the gross area such as road right of ways, easements, flood plain areas, etc. which will cause great difficulties for a large area of the township should someone wish to subdivide. Mrs. Swancer noted that previously the lot area was based on gross area. It was noted further that the County's definition also is based on gross area and therefore would make everything uniform and consistent. Mr. Elnitski asked that Harry Roth be contacted to see what his reasoning is for these exclusions in the definition.

COMMITTEE REPORTS

Bellefonte Fire Executive Board: Mr. Moyer noted that he and Mrs. Royer tried to attend the Fire Executive Board meeting but found out that we were given the wrong date, time and location and then was told that the meeting for the month had been cancelled.

MPO: Mr. Elnitski noted that the MPO has been more of less setting up things for the coming year.

Fire Task Force: Mr. Elnitski noted that things seem to be going well. The one Benner Township representative hasn't attended a meeting yet and we will need to start looking for a replacement for him.

OLD BUSINESS

Spring Creek Canyon: Mr. Elnitski noted that the TAG will be meeting on Tuesday at 10 a.m. A meeting will be held with the County Planning Office on Wednesday to discuss the subdivision plan for the properties.

John noted that he will attend the Planning Commission's meeting to discuss the Overlay Ordinance.

EPD Proposal for additional work on the Overlay Ordinance: The Board was in receipt of a proposal from EPD to perform additional work to the overlay ordinance through the December 9th Planning Commission meeting. The total

cost of the proposal is \$3,775. Mr. Elnitski moved to approve the EPD proposal in the amount of \$3,775. Mr. Breon seconded the motion.

Vote: Mr. Moyer – no Mr. Breon – yes Mr. Elnitski – yes

NEW BUSINESS

Copper Beech Conditional Use Hearing: The Board is in receipt of a conditional use application for Copper Beech which plans to build a research lab to study bio-diesel with the other part of the building to be used as a warehouse. Mr. Elnitski moved to forward the application on to the Planning Commission for their review and comments. Mr. Breon seconded the motion.

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

Fox Ridge Non-Substantive Changes: It was noted that some minor non-substantive changes have been made to the Fox Ridge Subdivision Plan. A 15' utility easement has been added to the Plan. Mrs. Swancer noted that Mr. Weikel has reviewed the changes and recommends approval. Mr. Elnitski moved to approve the changes. Mr. Breon seconded the motion.

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

Amberleigh Land Development Plan/Non-Substantive Changes: Mrs. Swancer noted that the plan has been amended so that each condo end unit may install an extra paved parking area. It was noted that both the county and Mr. Weikel have reviewed the changes and have approve them. Mr. Breon moved to approve the Non-substantive changes on the Amberleigh Land Development Plan. Mr. Moyer seconded the motion.

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

EIT 2011 Rules and Regulations: Mrs. Royer noted that the school district has forward the 2011 Earned Income Tax Rules and Regulations asking that the Board approve them. The question was asked as to what changes may have been made over the previous document. Mrs. Royer noted that she would follow up with the school on that question. This item was tabled until the next Supervisors meeting.

Correspondence from the City of Pittsburgh Re: Fracking: After reviewing this information, the Board decided to take no action on this item.

Pension Plan Amendment: It was noted that federal regulations have changed and therefore the Board must amend the employees pension plan to deal with death benefits of employees serving in the military. Mr. Elnitski moved to approve this amendment. 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. Benner Township Water Authority - October 19, 2010 minutes
2. Centre County Planning Office
 - a. University Park Air Traffic Control Tower - Time Extension
 - b. Village of Nittany Glen Land Development Phase III-A
 - c. Village of Nittany Glen Re: Act 46
 - d. Fox Ridge Non-Substantive Change
3. Conservation District Correspondence
 - a. Copper Beech Townhome Communities Nineteen LLC
 - b. Grove Park Subdivision Earth Disturbance Inspection
 - c. Village of Nittany Glen Phase IIIA (Administratively Incomplete)
4. SBWJA - November 8, 2010 minutes
5. PSATS News Bulletin
6. Copy of Order RE: Eicher

ADJOURNMENT

The meeting was adjourned the time being 8:45 p.m.

Sharon Royer, Sec.