

**Benner Township Supervisors
February 1, 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 Renee Swancer and Sharon Royer.

MINUTES

The minutes of January 18, 2010, were presented to the Board for their review and comments. Mr. Breon questioned the wording of the minutes on page one under the section dealing with Steve Morris and Brian Lowery. For clarification purposes the minutes will be reflected to read “. . . up to \$1.00 per resident “minus” (instead of “-”) the Rockview population . . .” Mr. Breon moved to approve the minutes as amended. Mr. Elnitski seconded the motion.

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

BILLS

The bills of February 1, 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

Burnham Farms Surety: Mrs. Swancer noted that Burnham Farms is asking for their surety in the amount of \$65,371.02 to be released. It was noted that their work has been completed for some time and that this release was overlooked as the bank had automatically kept renewing it. It was noted further that the last item on their list was the offer of dedication for the roadway which was taken care of over two years ago. Mr. Elnitski moved to release the surety for Burnham Farms. Mr. Moyer seconded the motion.

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

Tabathia Bennett/Jodon Property along Stanford Drive: Mrs. Swancer noted that she received a letter from Tabathia Bennett (daughter of/executor for Larry Jodon) seeking clarification on her father’s property. Mrs. Bennett noted that a potential buyer, Jim Walker, wishes to live in the residence, construct a 2,400 sq. ft. building to house horses and also wishes to construct a 4,000 sq. ft. building to place his machine shop business in. Mrs. Swancer noted that she has reviewed the wishes of Mr. Walker and that there are several issues with him locating his machine business on the property. Zoning would need to be changed as what he wishes to do doesn’t meet the criteria in the Zoning Ordinance. Another large obstacle is that the road going to the property would have to be upgraded to a public street. It was noted that living in home and having the horses is permitted. Mrs. Swancer noted that she will have Mr. Schnoover review her response letter prior to mailing as it has been implied that this matter may end up before the Zoning Hearing Board.

COMMITTEE REPORTS

Nittany Valley Joint Planning Commission Meeting: Mr. Breon reported that Todd Giddings attending the meeting and gave the Commission an overview on the Well Boring Ordinance.

Spring Creek Watershed Commission: Mr. Breon reported that the Brandywine Conservancy will give the Commission a presentation at their next meeting.

Metropolitan Planning Organization: Mr. Elnitski reported that he is having Mr. Weikel submit the Krout Road bridge and the Purdue Mountain Road reconstruction project as Benner Township's Long Range Transportation Plan projects.

OLD BUSINESS

Spring Creek Canyon: Mr. Elnitski noted that he would follow up with Representative Hanna to see where the project goes from here.

Bellefonte Borough Fire Protection Agreement: It was noted that the next meeting for discussion on this topic is tentatively scheduled for February 24th at 6 p.m. at the Bellefonte Borough Office. It was noted that the committee hopes that Dean Fernsler would be in attendance.

Crestview Phase III Water: Mr. Moyer and Mr. Breon noted that they have been contacted by residents regarding the letters that were distributed to those living in Phase III of Crestview Development about the availability of connecting to the water system. The Board asked that a copy of the letter that was distributed be obtained.

Benner Commerce Park: Mr. Breon distributed brochures for the Board to review. It was noted that this brochure would be similar to the one that would be created for the Benner Commerce Park describing the history of the site.

NEW BUSINESS

Village of Peru Water: The Board was in receipt of a letter from the Benner Township Water Authority regarding water service in the Village of Peru. It was noted that the residents have forwarded a petition to the Water Authority requesting that they complete and fund a feasibility study to replace their water system. Because the original agreement for their water service was between the Township Supervisors and the Commonwealth, the Authority is asking that the Board's Attorney review to documentation and give feedback. The Board asked to have this material forwarded to Mr. Schnoover for review.

YMCA Auction: The Board was in receipt of a letter from the Bellefonte YMCA asking the Board if they would consider being a sponsor for their 2009 Annual Auction by buying an ad in their auction program. Mrs. Royer noted that in the past the Board purchased a ¼ page ad at the cost of \$250.00. Mr. Elnitski moved to purchase ¼ page ad in their program. Mr. Breon seconded the motion.

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

Earth Movers Road Bond for Fillmore Road: It was noted that Earth Movers wishes to bond Fillmore Road at a distance of .2 miles for the purpose of removing the old Alexander farm house. The bond amount is for \$2,500. Mr. Elnitski moved to approve the road bond. Mr. Breon seconded the motion.

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

Surety Extension for Amberleigh Development: It was noted that the letter of credit for Amberleigh needs to be reduced and extended. The amount of the letter of credit has been reduced from \$231,858.00 to \$207,243.00 for Phase I and II of the Amberleigh development. The new agreement will expire on 2/2/2011. Mr. Elnitski moved to approve the letter of credit reduction and extension agreement for Phase I and II of the

Amberleigh Development. Mr. Breon seconded the motion. It was noted that if the Township is not in receipt of the signed acknowledgement of Time Extension, Partial Release and Readjustment of Improvement Guarantee for the Amberleigh Phase I and II Subdivision Plan then the township will move to draw upon the letter of credit.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski – yes

Planning Commission Appointment: Mr. Elnitski asked Mr. Moyer if he has given any more thought of serving on the Planning Commission. He noted that with all the other committees and boards that he and Mr. Breon currently serve on that they would like to see him fill this position. Mr. Moyer noted that he would like to speak with a few of the members of the Planning Commission and learn more about the position before he makes a decision.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Bellefonte EMS Dinner invitation
2. Letter Re: SEDA COG - Utility Bill Analyses program
3. CATA Orientation Breakfast invitation
4. Village of Nittany Glen NPDES Permit extension
5. Centre County Planning Office
 - a. Grove Park Time Extension
 - b. Fox Ridge Time Extension
 - c. Preliminary Plan Glen at Paradise Hill South
 - d. Comment letter Re: Sheetz
6. SBWJA Minutes
 - a. December 14, 2009
 - b. January 11, 2010
7. Thank you from First Night for donation

ADJOURNMENT

The meeting was adjourned the time being 8:20 p.m.

Sharon Royer, Sec.