

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JANUARY 19, 2009**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, January 19, 2009 at the Penn Township Municipal Building. President Prieber called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Prieber, Heilman, Goldsmith, and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief Rhodes, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Prieber announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Edward Jenkins, 216 Azalea Drive expressed concern about the increase of real estate taxes and sewer rates and the proposed ball field located behind his house. President Prieber politely explained to Mr. Jenkins that the current board was not planning on constructing a ball field in 2009 and he should address his comments to the Public Works Committee.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the December 15, 2008, December 29, 2008 and January 13, 2009 meetings of the Board of Commissioners were approved as submitted.

APPOINTMENT OF NEW COMMISSIONER

Commissioners Rewa/Goldsmith moved to accept the resignation of Wendell Felix from the Zoning Hearing Board. Motion carried.

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 699, appointing Wendell Felix to the Penn Township Board of Commissioners. Motion carried.

At this time Justice James Miner administered the Oath of Office to Wendell Felix officially appointing him as a Commissioner of the Township of Penn. Mr. Felix then assumed his place at the table with the commissioners.

POLICE DEPARTMENT APPOINTMENTS

Commissioners Rewa/Goldsmith moved for the adoption of Resolution No. 702, appointing Russell Rhodes as the Police Chief of Penn Township. Motion carried.

At this time Justice Miner administered the oath to the new probationary police officer, Stephen Gebhart.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Public Safety Committee - Commissioner Heilman:

Commissioners Heilman/Rewa moved to deny a request dated December 23, 2008 from Troy Leipold for waiver of the residential street lighting requirements at 32 Hill Street. Motion carried

Personnel Committee - Commissioner Heilman:

Commissioners Heilman/Rewa moved to accept the resignation of Anthony Clouser as the Assistant Fire Chief. Motion carried.

Commissioners Heilman/Rewa moved to accept the resignation of Ronald Wentz from the Civil Service Commission. Motion carried.

Commissioners Heilman/Rewa moved to relieve Richard Bradburn from the remainder of his term as a member of the Civil Service Commission. Motion carried.

Commissioners Heilman/Rewa moved to appoint Michael Dows to an unexpired term on the Civil Service Commission, said term to expire August 2014. Motion carried.

Commissioners Heilman/Rewa moved to appoint John Ernst to an unexpired term on the Civil Service Commission, said term to expire August 2010. Motion carried.

Commissioners Heilman/Rewa moved to adopt Resolution No. 703, appointing Joseph Klunk to the Zoning Hearing Board, said term to expire January, 2014. Motion carried.

Commissioner Heilman/Rewa moved to ratify the Collective Bargaining Agreement between Penn Township and AFSCME for the period January 1, 2009 through December 31, 2013. Motion carried.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Rewa moved to approve Township warrants in the amount of \$469,959.07. Motion carried.

Commissioners Heilman/Rewa moved to award the police cruiser bid to Gene Latta Ford, Hanover, PA for a bid price of \$46,569.20 including trade-ins. Motion

carried.

Commissioners Heilman/Rewa moved to adopt Ordinance No. 697 amending the future compensation to be paid to the Treasurer/Tax Collector of Penn Township, Motion carried 5-0 on a roll call vote.

Commissioners Heilman/Rewa moved to adopt Resolution No. 698, amending the compensation to be paid to the Deputy Chief of Police and Environmental Director for calendar year 2009. Motion carried.

Planning & Recreation Committee – Commissioner Felix:

There were no additions or changes to the Zoning Officer's Report.

The following subdivision plans were formally filed:

P09-01 – Stone Ridge/Halter/Penn Township/Brookside Heights
P09-02 – Mike Harman

Commissioners Felix/Goldsmith moved to approve the following subdivision and land development plans:

P08 –09 – Redevelopment of South Hanover Shopping Center
P08 –15 – Thomas Matthews
P08 –18 – Dickerson/Klunk
P08 –19 – Aquaphoenix
Motion carried.

Commissioners Felix/Goldsmith moved to approve the following extension requests that will expire on April 20, 2009:

P03–03 – Bowman Tract Apartments
P03–15 – Pinebrook Development
P04–25 – South Heights
P04–26 – Stonewicke
P06–23 – Brookside Avenue Townhouses
P07–27 – Sterling Brown
Motion carried.

Commissioners Felix/Goldsmith moved to approve a request dated December 18, 2008 from Anita Miller for a waiver of the feasibility report on sewer and water facilities and environmental impact studies for a land development plan. Motion carried.

Commissioners Felix/Goldsmith moved to approve a request dated November 17, 2008 from Paradise Congregation of the Jehovah Witnesses for a modification of the storm water pond fencing requirements. Motion carried.

Commissioners Felix/Goldsmith moved to approve a request dated December

23, 2008 from Troy Leipold for a temporary waiver of the residential sidewalk requirements at 32 Hill Street. Motion carried.

Public Works Committee - Commissioner Goldsmith

There were no additions or changes to the Engineer's Report.

Health & Sanitation – Commissioner Rewa

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 700, requesting funds from the H2O PA Water Supply, Sanitary Sewer and Storm Water Projects program to assist in designing and construction improvements to the Penn Township Wastewater Collection and Treatment System. Motion carried.

Commissioners Rewa/Goldsmith moved for the adoption of Resolution No. 701 revising the official sewage facilities plan by including the Park Hills Manor Subdivision. Motion carried.

MANAGERS REPORT: There were no additions/corrections to his report.

OLD BUSINESS: None.

NEW BUSINESS: Commissioner Prieber announced that, despite what was written in a recent article in the local newspaper, the Township did *not* destroy the signs that were removed because a sign permit was not issued prior to their placement.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

David Forry, 828 Hartman Avenue, requested that the Township pass a noise ordinance. Solicitor Tilley explained the process for passing a noise ordinance and the problems with implementing one. It was also suggested that Mr. Forry could attend the Public Safety meeting to address his concerns.

QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Goldsmith/Rewa moved for adjournment at approximately 7:19 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary