

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JANUARY 21, 2013**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, January 21, 2013 at the Penn Township Municipal Building. President Felix called the meeting to order at 7:00 P.M. with a roll call of members. Present were Commissioners Felix, Prieber, Goldsmith, Heilman, and Klunk. Also present were Solicitor Tilley, Township Manager Garvick, Police Chief Laughlin, Zoning Officer Menges, Township Engineer Bortner and Assistant to the Engineer Matt Swanner.

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:

Commissioner Felix 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, personnel, and other issues involving attorney/client privilege.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the December 17, 2012 meeting of the Board of Commissioners were approved as submitted.

PERSONS TO BE HEARD CITIZENS COMMENTS:

Jim Kennedy, 17 Art Drive, Hanover, PA, representing the Center Village Condominium Association, stated that the association did not feel the offer of \$10,100 that was made for the right-of-way needed for the center street project was sufficient compensation. He stated that the association is not against the project but felt that the properties located along Center Street should be compensated \$65,000 rather than what was offered. Mr. Kennedy explained that the new road would impact the rear yards of several of the units because the pine trees that now provide buffer would have to be removed. He understood that \$65,000 would not be the final number settled upon. Mr. Kennedy stated that the Association has meet with Interstate Acquisition Services about the concerns of the Association. Manage Garvick stated that the Township contracted with Interstate Acquisition for the securing of the rights-of-way for the Center Street project and IAS would contact the Township once the counterproposal from the condo association was received in writing. If there were problems with settling with the other property owners, appropriate action would be taken at that time.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Public Safety Committee - Commissioner Prieber had nothing to report.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Goldsmith moved for the reappointment of Albert D. Sterner to a one-year term on the Penn Township Vacancy Board. Motion carried unanimously.

Finance Committee – Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to approve Township warrants in the amount of \$2,659,648.79. Motion carried with Commissioner Klunk abstaining from warrants for vendor #60.

Commissioners Heilman/Goldsmith moved to adopt Ordinance No. 748 amending the future compensation to be paid to the tax collector of Penn Township. Motion carried 5-0 on a roll call vote.

Commissioners Heilman/Goldsmith moved to approve an agreement with the York County Economic Alliance for services during the two-year period 2013-2014. The cost of these services is \$24,000 per year. Motion carried unanimously.

Commissioners Heilman/Goldsmith moved to adopt Resolution No. 800 authorizing the development of a regional economic development plan between McSherrystown Borough and Conewago Township in Adams County and Hanover Borough and Penn Township in York County. The cost of the study would be in the range of \$500. Motion carried unanimously.

Public Works Committee – Commissioner Goldsmith:

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

Commissioners Goldsmith/Klunk moved to adopt Ordinance No. 749 accepting as a public road Wilson Avenue, from Carlisle Street to the Hanover Borough line. Motion carried 5-0 on a roll call vote.

Planning & Recreation Committee – Commissioner Klunk:

There were no additions or changes to the Zoning Officers Report.

Commissioners Klunk/Goldsmith moved to appoint Gannett Fleming as the joint municipal comprehensive plan consultant. They further moved to authorize the Township Manager to execute such documents as are necessary and appropriate for this plan. Motion carried unanimously.

Commissioners Klunk/Goldsmith moved to deny final plan P08-14, National Barn Company, for failure to comply with the requirements of the Township's Subdivision and Land Development Ordinance. The specific sections of non-compliance are: (S. 405e) failure to supply the signature and seal of the Registered Professional Engineer or surveyor responsible for the plan; (S. 405u) failure to provide a notarized statement that the applicant is the owner of the land to be developed and that the land development shown on the final plan is made with his or their free consent and that it is desired to record the same; (S. 405 2nd e) Failure to provide other State and County certificates as may be required; (S. 603) failure to indicate curbing along Industrial Drive tying into existing curb on L.T. Timber property; (S. 605) failure to indicate appropriate landscape and bufferyards; (S. 405 2nd d) Failure to post sufficient improvement bond to assure completion of all required improvements; and failure to comply with and address

comments submitted by the York County Planning Commission. Motion carried unanimously.

The following subdivision and land development plans were formally filed:

- P13-01 - Baresville Elementary School Additions & Renovations
- P13-02 - Glade Village
- P13-03 - Brookside Heights - Phase I

Commissioners Klunk/Goldsmith moved to approve the following subdivision and land development plan:

- P12-10 - The Marital Trust for the Benefit of Rita M. Neiderer
- Motion carried unanimously.

Commissioners Klunk/Goldsmith moved to approve the following extension requests that will expire on April 15, 2013:

- P04-25 - South Heights
 - P04-26 - Stonewicke
 - P06-23 - Brookside Avenue Townhouses
 - P07-27 - Sterling Brown
 - P08-20 - Park Hills Manor
 - P10-12 - York Village Apartments, LCL
- Motion carried unanimously.

Health & Sanitation - Commissioner Klunk

Commissioner Klunk noted that Ridge Avenue is now open, following the repair by H & H Contracting.

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

OLD BUSINESS: None.

NEW BUSINESS: None.

CITIZEN'S QUESTIONS TO THE BOARD REGARDING DISCUSSION ITEMS: None.

QUESTIONS FROM PRESS: None.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Goldsmith/Klunk moved for adjournment at approximately 7:18 P.M. Motion carried unanimously.

Respectively submitted,

Kristina J. Rodgers
Township Secretary