

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
FEBRUARY 6, 2012**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a special session on Monday, February 6, 2012 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, Heilman, Goldsmith and Klunk. Also present were Manager Garvick, Police Chief Rhodes and Fire Chief Cromer.

ANNOUNCEMENTS:

President Felix read the announcement of the executive session held following the Board of Commissioners meeting on January 16, 2012.

PERSONS TO BE HEARD CITIZENS COMMENTS:

Sandy Reindollar, 118 Paul Street, expressed concern over the rising taxes and the inability of some residents to be able to pay because they are on fixed incomes. The Commissioners explained the budget process and the reason why they decided to raise taxes this year. They also explained the difference between the three different property taxes that are paid by residents and the mandates imposed by federal government and state government on the municipality.

Pam Shellman, 535 South High Street, expressed frustration over what she perceives as harassment by her neighbors and a police department unresponsive to her complaints and calls. She cited several incidents where she felt her neighbor was harassing her and several incidents she felt that the police department was also harassing her and not responding to her complaints in an adequate manner. She stated she has obtained the services of an attorney to address the problems with her neighbor. She was advised to go through her attorney for any formal complaints that need to be filed.

FINANCE COMMITTEE: COMMISSIONER HEILMAN:

Commissioners Heilman/Klunk moved to adopt Ordinance No. 736, the amended 2012 budget. Motion carried 4-1 on a roll call vote with Commissioner Prieber casting the dissenting vote.

Commissioners Heilman/Klunk moved to adopt Ordinance No. 737, the property tax rate for 2012. Motion carried 4-1 on a roll call vote with Commissioner Prieber casting the dissenting vote.

Commissioners Heilman/Klunk moved to adopt Resolution No. 781, the issuance of a \$500,000 Tax and Revenue Anticipation Note series 2012. Motion carried unanimously.

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 Klunk/Goldsmith moved for adjournment at approximately 7:04 P.M. Motion unanimously carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
FEBRUARY 20, 2012**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, February 20, 2012 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, Heilman, and Klunk. Commissioner Goldsmith was absent with notice. Also present were Solicitor Tilley, Manager Garvick, Police Chief Rhodes and Township Engineer Bortner.

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 January 16, 2012 and February 6, 2012 meetings of the Board of Commissioners were approved as submitted.

PERSONS TO BE HEARD CITIZENS COMMENTS:

Michael Rishel, 62 Laurel Drive, expressed concern about his neighbor who gets a dumpster for trash disposal every couple of months. She has the dumpster delivered and fills it up with trash and then has it removed from the site after several weeks. She then brings in another dumpster several months later and repeats the process. Mr. Rishel feels that something should be done about the situation since she is circumventing the Township's trash and recycling program. Mr. Rishel provided a picture showing the full dumpster prior to its removal. He stated that it sat on her property just shy of four weeks. He was informed that the Township does not have any regulations barring this type of activity but the neighbor would have to comply with the Township's recycling requirements. The Board recommended that the issue be discussed at the Health and Sanitation Committee meeting on March 6, 2012. Mr. Rishel is welcome to attend.

PUBLIC HEARING:

Commissioner Felix stated the purpose of this hearing is to seek public comment on the future needs of cable in Penn Township, as well as provide comment on the performance of

Comcast, the Township's current cable provider. Following the hearing at a point further into the meeting, the Commissioners will consider the adoption of a Cable Franchise Ordinance and the renewal of Comcast's Cable Franchise License. At this time Commissioner Felix turned the hearing over to Solicitor Tilley for comments.

Solicitor Tilley explained there is a change in the procedure for granting cable franchises but not a change in the substance of the Ordinance. He explained that that the Ordinance contains the same information that was previously included in the agreements between the township and the cable company. The Ordinance provides a set of rules that all cable companies must abide by to operate in Penn Township. This will prevent one cable company from getting a different or better contract than another. The cable company will abide by the federal standards and those provisions placed on it by the Township. Any cable company that wants to have cable service in Penn Township must have a resolution passed to be able to provide service. There is a five percent franchise fee on all cable television services. Federal regulations do not, however, provide for taxation of Internet services. The Township is ready for cable competition when it comes to the area. The first thing the Township will need to do is adopt the Ordinance. Following the adoption of the Ordinance, the Township will pass a Resolution awarding Comcast a franchise in the Township. Comcast will need to approve the Resolution and they have stated that they will accept the Township's requirements. Solicitor Tilley stated that the award of a franchise is not an exclusive award and the Ordinance will allow for additional cable providers to enter the Township. Any additional provider will have to be approved by Resolution and accept the requirements of the Ordinance.

There was no comment from the Commissioners or the general public. Commissioner Felix adjourned the hearing.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Public Safety Committee - Commissioner Prieber:

Commissioners Prieber/Klunk moved to approve a request dated January 16, 2012 from the Hanover Allied Veterans Council to conduct the Memorial Day parade on Monday, May 28, 2012. Motion carried unanimously.

Commissioners Prieber/Klunk moved to adopt Ordinance No. 739 amending Section 127-25 of the Penn Township Code, parking prohibited at all times. Motion carried 4-0 on a roll call vote.

Personnel Committee - Commissioner Heilman had nothing to report.

Finance Committee – Commissioner Heilman:

Commissioners Heilman/Klunk moved to approve Township warrants in the amount of \$1,599,753.18. Motion carried unanimously.

Commissioners Heilman/Klunk moved to approve a request dated January 16, 2012 from the Hanover Exchange Club for a waiver of the sign permit fees to advertise the Home Builder's and Garden show being held March 7 through March 10. Motion carried unanimously.

Commissioners Heilman/Klunk moved to approve a request dated January 19, 2012 from the South Western High School Bands for waivers of permit fees to conduct a community yard sale on April 21, 2012. Motion carried unanimously.

Commissioners Heilman/Klunk moved to adopt Ordinance No. 738, the Cable Franchise Agreement. Motion carried 4-0 on a roll call vote.

Commissioners Heilman/Klunk moved to adopt Resolution No. 782 awarding a Penn Township Cable Franchise to Comcast of Southeast Pennsylvania, LLC. Motion carried unanimously.

Commissioners Heilman/Klunk moved to adopt Resolution No. 783 authorizing the execution of the grant agreement signature page in conjunction with the Penn Township Community Park Pavilion Renovation Project. Motion carried unanimously.

Public Works Committee – Commissioner Prieber:

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

Planning & Recreation Committee – Commissioner Klunk:

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

The following subdivision and land development plans were formally filed:

- P12-03 - Kenneth A. and Cindy L. Shurock
- P12-04 - Buffalo Wild Wings (Gateway Hanover, Lot 5)
- P12-05 - Hanover Bible Baptist

Commissioners Klunk/Prieber moved to approve the following subdivision and land development plans:

- P12-02 - North Point Plaza - Amended Land Development Plan
- Motion carried.

Commissioners Klunk/Prieber moved to approve the following extension requests that will expire on May 21, 2012:

- P01-28 - High Point @ Rojen Farms
 - P03-30 - Mustang Pointe
- Motion carried.

Health & Sanitation – Commissioner Klunk had nothing to report.

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 Klunk/Prieber moved for adjournment at approximately 7:25 P.M. Motion unanimously carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary