

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
FEBRUARY 15, 2010**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, February 15, 2010 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 Preiber, Heilman, Goldsmith, Rewa, and Felix. Also present were Solicitor Tilley, Manager Garvick, Police Chief Rhodes, Zoning Officer Menges and 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:

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:

Dave Rambol, 23 Ivy Circle, thanked the road crew for the job they did on the roads during the snowstorms. Mr. Rambol expressed concern about the \$53 sewer bill that he will be receiving next quarter. Mr. Rambol felt that the minimum gallon charge should be lowered from 7,000 gallons per quarter to 3,000 gallons per quarter, with a fee for each additional 1,000 gallons of water usage over the minimum. He also does not want the Township to accept credit card payments and felt the Commissioners should reconsider the wood burning furnace ordinance because it may present a hardship to some residents.

Dawn Osterling, 244 Joshua Drive, West Manheim Township, expressed concern about her \$193 per quarter sewer bill. She felt that this is unfair that two municipalities using the same sewer system are paying different sewer rates. Manager Garvick explained how West Manheim is charged for using the Township's sewer system and that the current sewer rate agreement was negotiated with the West Manheim Supervisors in 1988. The Township would be willing to discuss amendments to the Agreement but no official request to do so has come from the West Manheim Township Supervisors. Penn is also willing to consider modifying the calculations using actual volumes of water consumed as opposed to the current estimation of 15,000 gallons per residence. Garvick indicated that Penn Township has made numerous requests to West Manheim for the water consumption data that would show how much each individual household contributes but we have received no response. Mr. Osterling then requested clarification as to how West Manheim is billed. Manager Garvick stated that the number of customers is multiplied by the Penn rate for 15,000 gallons, multiplied by a factor of 1.3.

Commissioners Felix and Heilman explained how the charges to West Manheim for its residents are applied. They also mentioned the discussions that have occurred between West Manheim and Penn regarding sewer capacity upgrades and the required capacity

West Manheim will need. They explained to the Osterling's what the Township is charging West Manheim under the agreement and that Penn has no control over any additional charges that may be being applied by West Manheim. Commissioner Heilman stated that he felt the article in the Evening Sun was not sufficient to fully inform the residents of what is going on.

Wayne Frock, 616 Airport Drive, West Manheim Township, asked how the Township pays for its water. Manager Garvick stated that the Township is a customer of the Hanover Borough Water Company just like every other municipality that uses Hanover water. Mr. Frock questioned why there is a graduated scale for sewer and not water. Manager Garvick explained that the PA Public Utility Commission governs water rates but sewer rates are controlled under local authority. Manager Garvick and Solicitor Tilley explained how the sewer rate structure is determined.

Jim Kappes, 17 Bribery Lane, West Manheim Township, questioned the thirty percent difference for West Manheim residents over Penn Township residents. Manager Garvick explained why there is a thirty percent charge over what Penn Township charges its residents.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the January 18, 2010 meeting of the Board of Commissioners were approved as submitted.

RECOGNITION OF SERVICE:

Commissioner Prieber presented Timothy Dunn with a plaque recognizing his fifteen years of service on the Penn Township Zoning Hearing Board. The plaque stated "this award is Presented to Timothy J. Dunn for his outstanding serving as both member and chairman of the Penn Township Zoning Hearing Board, 1995-2009".

Commissioner Prieber presented Michael, Nancy, and Elaine Brown with a proclamation recognizing the 100th birthday of Marie Brown. Commissioner Prieber read the proclamation that stated: "Proclamation, In Recognition of "Mrs. Marie C. Brown on the occasion of her 100th birthday, Whereas, on March 1, 1910 Marie was born in Littlestown, PA then moved to Hanover when she was 11 years old; and Whereas, Marie and her husband Ira lovingly raised six children to adulthood and her family is now blessed with five sons, six daughters-in-law, seventeen grandchildren, and seventeen great grandchildren; and Whereas, at an early age, she joined St. Mark's Lutheran Church where she is still recognized as the oldest living member, and where she still volunteers, makes quilts and visits her many friends; and Whereas, this remarkable lady has maintained a wonderful attitude and outlook throughout her life and is a precious relative and friend to many. Now therefore be it proclaimed, that the Penn Township Board of Commissioners is inspired by her long life and offer her sincere best wishes for continual good health, happiness, and overflowing abundance of love and joy; and be it further proclaimed, that the Board of Commissioners, together with Marie's family and friends and the entire community, hereby joyfully celebrates the March 1, 2010 one-hundredth birthday of Marie Brown. Proclaimed this 15th day of February 2010. Craig M. Prieber, President".

TOWNSHIP REPORTS - STANDING COMMITTEES:

Public Safety Committee - Commissioner Felix:

Commissioners Felix/Goldsmith moved to approve a request dated January 16, 2010 from the Hanover Allied Veterans Council to conduct the Memorial Day parade on Monday 31, 2010. They further moved that all street closings and public safety considerations be coordinated through the Penn Township Chief of Police. Motion carried.

Commissioners Felix/Goldsmith moved to adopt Ordinance No. 711 establishing regulations and guidelines regarding the usage of Outdoor Wood Burning Furnaces. Motion carried a 5-0 roll call vote.

Commissioners Felix/Goldsmith stated that pursuant to the provisions of the Pennsylvania Emergency Management Services Code, it is moved to declare a disaster emergency for February 5-7 and February 9-11, 2010. The Board further authorized the Manager to make application for state and federal reimbursement of all eligible snow removal expenses associated with the snowstorm events occurring on the above referenced dates. Motion carried.

Commissioner Felix thanked those residents that were able to help remove snow from around the Township's fire hydrants during the last two weather events.

Personnel Committee - Commissioner Heilman:

Commissioner Heilman had nothing to report.

Finance Committee – Commissioner Heilman:

Commissioners Heilman/Rewa moved to approve Township warrants in the amount of \$1,458,875.10. Motion carried.

Commissioners Heilman/Rewa moved to approve a request dated February 1, 2010 from the Exchange Club of Hanover for a waiver of the sign permit fee to advertise the annual Home Builders Show March 10-13. Motion carried.

Commissioners Heilman/Rewa moved to adopt Resolution No. 728 approving the issuance of a Tax and Revenue Anticipation Note. It was further moved that the President and Secretary be authorized to execute the appropriate documents. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Commissioner Goldsmith thanked the road crew for the remarkable job they did plowing snow during the last two snow storms.

Planning & Recreation Committee – Commissioner Felix:

Commissioners Felix/Goldsmith moved to approve a request dated January 5, 2010 for a waiver of the storm water management requirements for two residential units at 416 Meade Avenue. Motion carried.

Commissioners Felix/Goldsmith moved to approve a request dated January 8, 2010 from C.S. Davidson, Inc. for a temporary waiver of the sidewalk and curbing requirements at ESAB in conjunction with the construction of a materials storage building. Motion carried.

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

The following subdivision plans were formally filed: None.

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

P09-20 – Block C Lots 24 & 25 –416 Meade Avenue
Motion carried.

Commissioners Felix/Goldsmith moved to approve the following extension requests that will expire on May 17, 2010:

P01-28 – High Point @ Rojen Farms
P02-28 – Gateway Hanover
P03-20 – Wallen Tract Apartments/Southwest Crossing
P03-30 – Mustang Pointe
P08-14 – National Barn
Motion carried.

Health & Sanitation – Commissioner Rewa: Commissioner Rewa 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 COMMISSIONERS REGARDING DISCUSSION ITEMS: None.

QUESTIONS FROM PRESS: Questions from the press were received and answered.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Heilman/Rewa moved for adjournment at approximately 7:37 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary