

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
FEBRUARY 21, 2005**

**CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:**

The Penn Township Board of Commissioners met in a regular session on Monday, February 21, 2005 at the Penn Township Municipal Building. President Rishel called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Rishel, Stauffer, Klunk, Johnson and Felix. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, 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 Rishel 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:**

James D. Brandt, Horst Property Management, was concerned about the availability of EDU's to construct the assisted living facility known as Columbia Cottage on the Ness property along Grandview Road. The Horst Group started the project in 2003. Mr. Brandt indicated that the project will have little impact on the surrounding area because there are minimal vehicle trips and most of the residents are about eighty-five years of age. The Manager informed Mr. Brandt that the Township had been in negotiations with developers to eliminate the sewer conveyance problem by constructing a parallel interceptor but there has been no positive conclusion to those discussions. Manager Garvick explained the Township's current position with the PADEP sewer moratorium, which includes a limited number of connections, possibly within the next 60 days. This will be dependent on DEP's review and approval of the Township's Corrective Action Plan. How these connections are to be distributed will be determined by the Board of Commissioners. Manger Garvick stated that connections would first be given to those approved plans where construction had to be halted when the moratorium was enacted. One example would be the remaining building lots at Melbourne Manor. In addition some of the connections should be reserved for commercial and industrial uses. Mr. Brandt was informed to stay in contact with Manager Garvick for updates to the situation.

Franklin Williams, Supervisor for West Manheim Township, Andy Richardson, Manager West Manheim Township, and Terry Myers, C & S Davidson, West Manheim

Township engineer, also requested information about the sewer moratorium. They wanted to make sure that Penn Township was doing everything possible to resolve the problem, including submitting West Manheim's needed connections on Penn's request to DEP. Mr. Myers stated that West Manheim has floated a bond to help comply with their Act 537 plan. Payments for the bond are to begin in the fall of 2005 and West Manheim Township needs to start connecting customers in order to make the bond payments. Manager Garvick suggested that West Manheim contact DEP directly and make their case, but the Township would include the future West Manheim proposed connections in the CAP to DEP, if we were provided them by West Manheim.

**APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:**

Commissioner Stauffer noted the Board of Commissioners January 17, 2005 minutes should be corrected to read on page 3, "Commissioners Felix/Johnson moved to approve the following extension requests" for both extension requests. Minutes were approved as corrected.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve Township Warrants in the amount of \$1,308,115.23. Commissioner Klunk abstained for all warrants for vendor #60. Motion carried.

Commissioners Klunk/Stauffer moved to deny a request dated January 10, 2005 for a waiver of the Per Capita tax for Timothy and Amanda Wellman for 2004. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated January 26, 2005 from the Jefferson Volunteer Fire Company for a wavier of sign permit fees to advertise the carnival held the week of July 18-23, 2005. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated February 1, 2005 from the Exchange Club of Hanover for a waiver of sign permit fees to advertise the Builders Home and Garden Show. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated February 6, 2005 from the Builders Association of Adams County for a wavier of the sign permit fees to advertise the Adams County Home Show. Motion carried.

Public Works Committee - Commissioner Klunk

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

Commissioners Klunk/Felix moved to award the 2005 truck bid to Phillips Ford,

Manheim, PA for a bid price of \$80,489.00 for two 2005 four wheel drive chassis cab trucks with service bodies and snow plows with trade-ins. Motion carried.

Commissioners Klunk/Felix moved to authorize the Manager to execute a 3-year lease purchase agreement with Plasterer Equipment Co., for a John Deere 710 G wheel loader backhoe. Motion carried.

Planning & Recreation Committee – Commissioner Felix

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

The following subdivision and land development plan was formally filed:

P05-01 –Adams County National Bank

Commissioners Felix/Johnson moved to approve the following subdivision and land development plan:

P04-22 – Hickory Falls Family Entertainment Center  
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on May 16, 2005:

P01-28 – High Pointe @ Rojen Farms  
P02-18 – Martin’s Ridge  
P02-23 – Anita M. Stein  
P02-28 – Carlisle Crossing  
P03-06 – Brookside Heights  
P03-07 – Miriam M. Runkle  
P03-20 – Baxter Investment/Wallen Tract  
P03-30 – Mustang Pointe  
P04-06 – Pine Creek Structures  
P04-08 – Woodland Development, Inc.  
P04-24 – Ronald A. & Kathleen A. Foreman  
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension request that will expire on March 21, 2005:

P03-21 – Columbia Cottage  
Motion carried.

Commissioners Felix/Johnson moved to approve a request dated January 27, 2005 from RGS Associates for waivers of distance between intersections for the Thornbury Hunt subdivision and land development plan. Motion carried.

Commissioners Felix/Johnson moved to approve a request dated September 29, 2004 from C & E Design Group for modifications to the South Western High School Ball Fields subdivision plan. Motion carried.

Commissioners Felix/Johnson moved to approve an agreement with C.D. Investors and Regional Homes for proposed housing restrictions for Moulstown Village. Motion carried.

Commissioner Felix/Johnson moved to adopt Ordinance No. 628, amending the Township's zoning map by reclassifying a portion of parcel 44-ED-34 from shopping/commercial, industrial, and R-22, suburban residential to R-8, urban residential. Motion carried on a 3-2 roll call vote with Commissioners Stauffer and Johnson casting the dissenting votes.

#### Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved to appoint Rick Fisher to the Penn Township Fire Police. Motion carried.

Commissioners Felix/Johnson nominated Michael Johnson for the position of Vice President of the Board of Commissioners.

Commissioners Stauffer/Klunk nominated Joseph Klunk for the position of Vice President of the Board of Commissioners.

Commissioners Felix/Johnson moved that nominations be closed. Motion carried.

On a vote of 3-2 Commissioner Michael Johnson was elected as Vice-President of the Board of Commissioners through December 31, 2005.

#### Health & Sanitation – Commissioner Johnson

Commissioner Johnson had nothing to report.

#### Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to approve a request dated January 15, 2005 from the Allied Veterans Council of Hanover to hold the annual Memorial Day parade on May 30, 2005. Motion carried.

Commissioners Stauffer/Johnson moved to approve a request dated January 24, 2005 from the Truck Convoy for Wishes to conduct a Make a Wish event at the L & H Terminal on May 1, 2005. Motion carried.

Commissioners Stauffer/Johnson moved to authorize the President and Township Manger to execute contract #C000009820 with the PA Department of Community and Economic Development in the amount of \$25,000 for radio equipment for the Penn Township Fire Service. Motion carried.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:** None

**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

Questions from the press were received and answered.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Felix/Johnson moved for adjournment at approximately 7:35 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary