

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
APRIL 18, 2005**

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

The Penn Township Board of Commissioners met in a regular session on Monday, April 18, 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 acting Solicitor Megan Huff, Manager Garvick, Police Chief Gilbert, 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 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:**

Dan Biewla, Herbert Rowland, & Grubic, representing Jim Brandt, Horst Property Management, and Reuben Ness the property owner for the land development plan know as Columbia Cottage, requested an update on the status of the sewer moratorium. Manager Garvick stated that the Township has submitted its Corrective Action Plan (CAP) to the Department of Environmental Protection (DEP). After DEP reviewed the plan they had several questions, which were answered by the Township's engineer, CET, Inc. The Township is still awaiting a formal decision from DEP on the acceptance of the CAP, which should be in about two weeks. After DEP has approved the plan they will be allowing a number of interim connections to the system. The Commissioners will have to decide how to allocate them and it will be based upon recommendations of DEP, which may include some connections going to West Manheim Township, connections going to approved residential lots, and some being allocated for commercial and industrial uses. There was some question about a sewer line that has been recently installed. This was done in response to the upcoming resurfacing that is about to occur on Grandview Road.

Reuben Ness, 180 Brickyard Road, New Oxford, wanted to express his concern about the length of time of the moratorium and the fact the he is not able to sell his property until the land development plan is approved which is contingent on the sewer moratorium being lifted.

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

The minutes of the Board of Commissioners March 21, 2005 meeting were approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve Township warrants in the amount of \$819,155.07. Commissioner Rishel abstained for all warrants for vendor number #162. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated March 14, 2005 from the Boy Scouts of America, Troop 110, for a waiver of the permit fees for a sign to advertise their mulch sale on April 30, 2005. Motion carried

Commissioners Klunk/Stauffer moved to approve a request dated April 4, 2005 from the Penn Township Department of Fire and Rescue Services for a waiver of the fees for the Community Park for EMS day on May 21, 2005. Motion carried.

Public Works Committee - Commissioner Klunk

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

On Monday, April 18, 2005, at 11:00 a.m., the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for the 2005 paving bids:

<u>Bidder</u>	<u>Bid Amount</u>
Henson Paving Co., Inc. 525 N. Wilson Avenue Hanover, PA 17331	\$59,826.75
Kinsley Construction, Inc. P. O. Box 2886 York, PA 17405	\$40,945.25

Commissioners Klunk/Felix moved to award the 2005 paving bids to Kinsley Construction, Inc., York, PA for a total bid price of \$40,945.25. Motion carried.

Commissioners Klunk/Felix moved to approve Resolution No. 607, authorizing a reimbursement agreement with the Pennsylvania Department of Transportation for installation of concrete curb, pipe, and inlets, driveway adjustments and related work along Grandview Road. Motion carried.

Commissioners Klunk/Felix moved to authorize the Solicitor to accept service of the Krill Quiet Title Complaint on behalf of the Township. Motion carried.

Commissioners Klunk/Felix moved to authorized the Solicitor to sign a Stipulation by which the Township disclaims any right, title or interest in the property that is the subject of the Krill Complaint. Motion carried.

Planning & Recreation Committee – Commissioner Felix

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

The following subdivision and land development plans were formally filed:

P05-05 – Donald B. Smith Roofing  
P05-06 – The Sheridan Press

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

P05-01 – Adams County National Bank  
Motion carried.

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

P03-21 – Columbia Cottage  
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on July 18, 2005:

P03-03 – Bowman Tract Apartments  
P03-15 – Pine Brook Development  
P03-23 – John & Martha Halter  
P03-29 – Bon Ton Builders  
P04-04 – Dave Humbert & Jack Cook  
P04-18 – Pigeon Hill Park  
P04-21 – Isaacs Restaurant  
P04-23 – Mary E. Oaster  
P04-25 – South Heights  
P04-26 - Stonewicke  
Motion carried.

Commissioners Felix/Johnson moved for the withdraw of the subdivision and land development plan P04-01 – Ginger Tree, C.D. Investors. Motion carried.

Commissioners Felix/Johnson moved to deny a request dated March 16, 2005 from Group Hanover, per recommendation of the Penn Township Planning Commission, for a waiver of land development requirements for Sheridan Press. Motion carried

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved for the permanent appointment of William Miller as a Penn Township firefighter effective March 20, 2005. Motion carried.

Commissioner Felix stated that the Township is still taking applications for a vacancy on the Recreation Board.

Health & Sanitation – Commissioner Johnson

On Monday, April 18, 2005, at 11:00 a.m., the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for the 2005 refuse unit bid:

<u>Bidder</u>	<u>Bid Amount</u>
All American Poly Attn.: Zeke Bidding Department 40 Turner Place Piscataway, NJ 08854	\$211.50 per 1000
Resourceful Bag & Tag Attn.: Jim Alderden 6420 West 127 <sup>th</sup> Street Suite 212 Palos Heights, IL 60463	No bid sent
Interboro Packaging Corporation 114 Bracken Road Montgomery, NY 12549-2600	\$23.98 per case 100 \$239.80 per 1000
Phoenix Recycling 35 Capers Way Pawleys Island, SC 29585	\$264.80 per 1000 interleaved roll \$281.64 per 1000 rolled 5per
Westlake Plastics Company P.O. Box 127 West Lenni Road Lenni, PA 19052	\$308.73 per 1000

Commissioners Johnson/Klunk moved to award the 2005 refuse unit bid to All American Poly, Piscataway, NJ for a bid price for \$211.50 per one thousand units. Motion carried.

Commissioners Johnson/Klunk moved to authorize the Manager to execute the right of way agreements for the Plum Creek Sewer Interceptor project. Motion carried.

Commissioner Johnson announced that a hazardous waste collection would be held on May 7, 2005 at the Township's Wastewater Treatment Plant from 9 a.m. to 1 p.m. in conjunction with the York County Solid Waste Authority.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to adopt Resolution No. 606 for streetlights in the Penn Meadows Subdivision. 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 Stauffer/Klunk moved for adjournment at approximately 7:15 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary