

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JUNE 18, 2012**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, June 18, 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, Goldsmith, Heilman, and Klunk. Commissioner Prieber was absent with notice. Also present were Solicitor Tilley, Township Manager Garvick, Deputy 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 May 21, 2012 meeting of the Board of Commissioners were approved as submitted.

PERSONS TO BE HEARD CITIZENS COMMENTS: None.

PUBLIC HEARING FOR LIQUOR LICENSE TRANSFER:

Commissioner Felix convened a public hearing to solicit input regarding the transfer of a restaurant liquor license owned by Santo Joe, Inc. from York City to Blazin Wings, Inc. d.b.a. Buffalo Wild Wings Grill and Bar in the Township of Penn located at the Gateway Shopping Center.

Manager Garvick stated the Township received a request dated May 23, 2012 from Emily Decker, Vice President, Blazin Wings, Inc. d/b/a Buffalo Wild Wings Grill and Bar. The restaurant is currently under construction at 81 Wilson Avenue in the Gateway Hanover Shopping Center. Completion is scheduled for October of this year. The facility will be located in the Township's Shopping Commercial Zone, which allows the type of use requested by the applicant.

Buffalo Wild Wings is seeking to secure a restaurant liquor license. There are no licenses available at this time within Penn Township.

Licenses are provided to municipalities by the PLCB according to a quota system based upon population. If no licenses are currently available, then a license could be transferred from another municipality within York County. The license being requested for transfer in this case is in the name of Santo Joe, Inc., d/b/a/ Spataro's Restaurant in the City of York. Penn Township currently has a total of 14 liquor licenses: Restaurants (9); Clubs (2); Distributors (2); and Special Interest (1).

Before a license can be transferred from one municipality to another, the PA Liquor Code requires that the receiving municipality seek public input by conducting a hearing and adopting a Resolution approving the transfer. This evening's hearing has been publicly advertised in the Hanover Evening Sun in accordance with the parameters of the PA Liquor Code.

Act 141 requires that the receiving municipality render a decision within 45 days of the request. Upon completion of the public hearing, should the Board of Commissioners decide favorably on the request, we have prepared a Resolution, No. 788, authorizing the transfer.

Attorney Larry Heim, and Regional Manager Peter Helfrich, were present representing Blazin Wings, Inc. They provided menus for the new Buffalo Wild Wings facility. They have close to 1000 restaurants and their employees must successfully complete alcohol training. They are a sports bar and restaurant and there are many televisions within the bar where customers can request a television be set to certain programming. They are a family oriented restaurant and provide interactive video games and trivia for the children at the tables. Each Buffalo Wild Wings restaurant is required to do fundraising and support local charities within the community. They are required to do \$3,500 worth of fundraising each month which results in \$350 a month going back to the community.

Ray Millhimes, 555 Locust Street, stated that his granddaughter worked at a Buffalo Wild Wings in a college town in Montana and they treated her very well. He stated the restaurants are family oriented and the Board should seriously consider approving the request.

Commissioners Klunk/Goldsmith moved adopt Resolution No. 788, approving a transfer of a restaurant liquor license into the Township of Penn from the City of York. Motion carried unanimously.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Public Safety Committee - Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to approve a request dated May 15, 2012 from the West Manheim Township Supervisors for the use of Penn Township's Fire police for the Pleasant Hill Carnival. Motion carried unanimously.

Commissioners Heilman/Goldsmith moved to approve a request dated May 15, 2012 from the Hanover Council of Churches to conduct the annual Crop Walk on October 21, 2012. Motion carried unanimously.

Commissioners Heilman/Goldsmith moved to appoint Jake Hockensmith as a student

intern for the police department for the summer of 2012. Motion carried unanimously.

Commissioners Heilman/Goldsmith moved to approve a request dated May 29, 2012 from the Hanover Fire Department for the use of the Penn Township fire police and ambulance for the Liberty Day festivities. Motion carried unanimously.

Commissioners Heilman/Goldsmith moved to approve a request from the VNA to conduct a memorial walk/run on September 8, 2012. Motion carried unanimously.

Personnel Committee - Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to approve a Memo of Understanding with the York County District Attorney's office and the York County Commissioners regarding the York County Drug Task Force. Motion carried unanimously.

Commissioners Heilman/Goldsmith moved to appoint Wendell Felix to the Penn Township Planning Commission, said term to expire December 31, 2013. They further moved to appoint David Baker to the Penn Township Planning Commission, said term to expire May 2014. Motion carried 3-0 with Commissioner Felix abstaining.

Commissioner Heilman stated they would defer action on Ordinance No. 741 until the Public Safety Chairman is available to further discuss.

Finance Committee – Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to approve Township warrants in the amount of \$913,894.54. Motion carried 3-0 with Commissioner Klunk abstaining for warrants for vendor #60.

Commissioners Heilman/Goldsmith moved to approve Resolution No. 789, authorizing the disposition of municipal records. Motion carried unanimously.

Public Works Committee – Commissioner Goldsmith:

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:

- P12-09 - James D. Strauss, Jr. & Jean M. Strauss
- P12-10 - The Marital Trust for the Benefit of Rita M. Neiderer

There were no plans submitted for approval.

Commissioners Klunk/Goldsmith moved to approve the following extension requests that

will expire on September 17, 2012:

P09-10 - American Home Contractors LLC
Motion carried unanimously.

Health & Sanitation - Commissioner Klunk had nothing to report.

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

OLD BUSINESS: None.

NEW BUSINESS:

Commissioners Klunk/Goldsmith moved to adopt a Resolution of Recognition for Eagle Scout recipient Dale G. Wagner. 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 7:21 P.M. Motion carried unanimously.

Respectively submitted,

Jeffrey R. Garvick
Township Manager



RESOLUTION OF RECOGNITION



WHEREAS, the Board of Commissioners of Penn Township, York County, Pennsylvania, congratulates **Dale G. Wagner** upon the special occasion of receiving the distinguished rank of Eagle Scout, the most prestigious of Scouting honors, on March 20, 2012; and

WHEREAS, because of his diligence and rigorous efforts, **Dale G. Wagner** will be duly recognized at the Eagle Scout Court of Honor on Saturday, June 23, 2012 at the First United Methodist Church in Hanover; and

WHEREAS, **Dale G. Wagner** is a member of Boy Scouts of America Troop 110; and

WHEREAS, The Boy Scouts of America and its members are dedicated to the development of character and leadership in the youth of this nation, and

WHEREAS, The highest achievement of leadership in Scouting, earned by only five percent of all Boy Scouts, is the distinguished rank of Eagle Scout; and

WHEREAS, This outstanding young man has been involved in Scouting since 2001, has lived up to Scouting's ideals and has attained all of the necessary achievements, including completion of his community service project, which was successfully planned, developed and executed; and

WHEREAS, This new Eagle Scout is a credit to his family, his school, his community, his state and his nation, and no doubt his future will be filled with accomplishments of equal importance.

NOW THEREFORE, Be It Resolved, that the Penn Township Board of Commissioners recognize the significance of this meritorious achievement, and congratulates and honors **Dale G. Wagner** on achieving the rank of Eagle Scout; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be attached to and become a part of the minutes of this meeting as a permanent document which will reflect in the history of Penn Township.

RESOLVED, this 18th day of June 2012.

By: 
Wendell S. Felix, President

Attest: 
Kristina J. Rodgers, Secretary