

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
JULY 18, 2011**

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

The Penn Township Board of Commissioners met in a regular session on Monday, July 18, 2011 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 Prieber, Heilman, Goldsmith, and Felix. Commissioner Rewa was absent with notice. Also present were Solicitor Tilley, Manager Garvick, Police Chief Rhodes, Zoning Officer Menges 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:**

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.

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

The minutes of the June 20, 2011 meeting of the Board of Commissioners were approved as submitted.

**PERSONS TO BE HEARD CITIZENS COMMENTS:**

Linda and Stephen Schatz, 224 Hall Drive, requested a change to Section 305 of the Penn Township Zoning Ordinance regarding satellite dish antennas. The Schatz's applied for and were denied a variance to the Ordinance that prohibits having a satellite dish in the front yard. According to the Schatz's, the installers were unable to locate a spot in the backyard or on the roof that allowed for reception of the satellite dish. They were told that reception was possible from the front yard area. They had the dish installed and were notified by the Township that they could not have the dish in the front yard. They would like the Commissioners to consider a change to the Ordinance that would allow for the satellite dishes to be located in the front yard. The Commissioners asked for the request to be made in writing and would consider it the next time they reviewed the zoning ordinance.

Jeremy Brauning, 31 Meadowview Drive, expressed concern about the eight unlicensed dogs on the neighbor's property. He has called York County and the dogs are not licensed. Mr. Brauning stated that he has talked to the Township's Animal Control Officer, Terry Hemler, about the situation and was informed that it was the Township's responsibility to enforce the number of dogs owned by an individual. Manager Garvick explained that Mr. Hemler should notify the Township once he is aware that there are unlicensed animals being kept by a resident and then the Township will contact the property owner about the violation. Manager Garvick stated that he would contact Mr. Hemler about the situation. Manager Garvick stated that once the violation is confirmed the Township could pursue legal action but he could not

guarantee the Township would win a case in York County court because they have lost previous cases with regards to the number of dogs a resident could own.

Barry Ahmed, A2Z Motors, 966 Baltimore Street, expressed concern about the flags located at South Hanover Automotive and why they were able to secure a sign permit since he believed they had more than a 100 square feet of signage. Zoning Officer Menges stated that the permit application submitted by South Hanover Automotive conformed to the Township requirements and therefore was approved. Mr. Ahmed insisted that South Hanover Automotive had more signage than he was allowed. Zoning Officer Menges will inspect the South Hanover Automotive property.

## **TOWNSHIP REPORTS - STANDING COMMITTEES:**

### **Public Safety Committee - Commissioner Felix:**

Commissioners Felix/Goldsmith moved to approve a request dated May 17, 2011 from the Hanover Council of Churches to conduct the annual CROP Walk on October 16, 2011. Motion unanimously carried.

### **Personnel Committee - Commissioner Heilman:**

Commissioners Heilman/Goldsmith moved to appoint Gary M. Mummert to an unexpired term on the Penn Township Civil Service Commission, said term to expire August 2012. Motion unanimously carried.

### **Finance Committee – Commissioner Heilman:**

Commissioners Heilman/Goldsmith moved to approve Township warrants in the amount of \$2,952,092.23. Motion unanimously carried.

Commissioners Heilman/Goldsmith moved to authorize the advertisement of a public hearing on August 15, 2011 to consider a LERTA request. Motion unanimously carried.

### **Public Works Committee – Commissioner Goldsmith:**

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

### **Planning & Recreation Committee – Commissioner Felix:**

Commissioners Felix/Goldsmith moved to approve a request dated June 2, 2011 from Hanover Land Services for a waiver to Sections 505 (k) curbs, 505(k) (1) sidewalks and 605 landscaping and bufferyards of the Penn Township Subdivision and Land Development Ordinance for the Walter J. and Mary Lois Danner land development plan. Motion unanimously carried.

Commissioners Felix/Goldsmith moved to approve a request dated May 6, 2011 from Group Hanover, Inc., for a waiver of Section 605 Landscaping and Bufferyards and Section 404 Environmental Impact Studies of the Subdivision and Land Development Ordinance for the Snyder's Lance, Inc., land development plan. Motion unanimously carried.

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

The following subdivision and land development plans were formally filed:

P11-10 – South Western School District

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

P11-09 – Aquaphoenix Scientific (9 Barnhart Drive)

P11-10 – South Western School District Breezewood Drive Subdivision

Motion unanimously carried.

Commissioners Felix/Goldsmith moved to approve the following extension requests that will expire on October 17, 2011:

P03-03 – Bowman Tract Apartments

P04-25 – South Heights

P04-26 – Stonewicke

P06-23 – Brookside Avenue Townhouses

P07-27 – Sterling Brown

P08-20 – Park Hills Manor

P10-12 – York Village Apartments

Motion unanimously carried.

Health & Sanitation – Commissioner Goldsmith:

On Monday, June 27, 2011, the following bids were opened and publicly read aloud by Township Manager Jeffrey Garvick for refuse units:

<u>Bidder</u>	<u>Bid Amount</u>
Central Poly Corporation 18 Donaldson Place Linden, NJ 07036	1000 units - \$240
All American Poly 2 Perlman Drive, Suite 306 Spring Valley, NY 10977	1000 units - \$255.51
Interboro Packaging Corporation 114 Bracken Road Montgomery, NY 12549-2600	1a 1000 units - \$279.80 1b 1000 units - \$249.80 1c 1000 units - \$214.80 1d 1000 units - \$174.80 1e 1000 units - \$148.40
Uni Pak P.O. Box 300027 Brooklyn, NY 11230	No Bid

Commissioners Goldsmith/Heilman moved to award the refuse unit bid to Central Poly Corporation, Linden NJ for a bid price of \$240 per 1000 units. Motion unanimously carried.

On Monday, June 27, 2011, the following bids were opened and publicly read aloud by

Township Manager Jeffrey Garvick for refuse and recycling collection:

<u>Bidder</u>	<u>Option</u>	<u>Bid Amount</u>
Penn Waste	2012	\$2.25 per bag
1770 East Market Street	2013	\$2.25 per bag
York, PA 17402	2014	\$2.25 per bag
Republic Services, Inc.	2012	\$2.15 per bag
3730 Sandhurst Drive	2013	\$2.20 per bag
York, PA 17406	2014	\$2.25 per bag

Commissioners Goldsmith/Heilman moved to award the refuse/recycling bid to Republic Services, Inc., York PA 17406, for a bid price of \$2.15 a bag in 2012, \$2.20 per bag in 2013, and \$2.25 per bag in 2014 with the option of two additional years. Motion unanimously carried.

Commissioners Goldsmith/Heilman moved to approve requests from Wickersham Construction dated May 17, 2011 and PSI Pumping Solutions dated May 17, 2011 for a thirty-day contract extension for completion of the improvements to the Waste Water Treatment Plant. They further moved to authorize the Township Manger to execute all appropriate documents. Motion unanimously carried.

**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:**

Page Wingert, Legacy Athletic, asked what he needed to do for the LERTA Public Hearing. Manager Garvick stated that the Mr. Wingert would need to make a presentation to the Board that evening and the Township will notify the other taxing authorities and organizations about the public hearing. The Board could do several things that evening from adopting an ordinance, to authorizing the advertisement of an ordinance, to denying the request.

**QUESTIONS FROM PRESS:** None.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Goldsmith/Felix moved for adjournment at approximately 7:24 P.M. Motion unanimously carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary