

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
AUGUST 20, 2007**

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

The Penn Township Board of Commissioners met in a regular session on Monday, August 20, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Solicitor Tilley, 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 Klunk 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. President Klunk also announced that the public hearing scheduled for this evening to discuss the rezoning of 1403 Baltimore Street had been postponed to next month at the request of the applicant, Burkentine and Son Builders.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Steve Burns, 1190 Baer Avenue, expressed concern about flooding occurring to the rear of his property. He stated that he previously presented a petition requesting that something be done about the situation. Baer Avenue also floods in certain areas. He feels that the Penn Meadows subdivision is contributing to the flooding problem. He stated that he purchased his house in 1992 and there was no flooding when he purchased it. The 1981 FEMA flood plan does not show this property in the flood plain. Mr. Burns stated that the flooding has been limited to the garage but could eventually reach the house. He said he has spoken with Mr. Menges and will also contact FEMA for some relief from the problem. President Klunk accepted copies of the previously filed petition and pictures showing the problem and stated that the Public Works Committee would address the issue at their next meeting on September 4, 2007.

Douglas Gent, attorney for Bon Ton Builders, requested that the Board consider conditional approval of the Martin's Ridge Subdivision plan. The Penn Township Planning Commission has already made a favorable recommendation on the plan. Mr. Gent indicated that he sent a letter to the Commissioners requesting that the Board consider placing the plan on the agenda since Bon Ton Builders cannot control the

problems with the sewer interceptor, which has not passed the television inspection.

Dan Cullison, Tea Kettle Realty, asked that the Whispering Run Subdivision also be placed on the agenda for approval.

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

Commissioner Johnson noted that the July 16, 2007 minutes under the Persons to be heard/ Citizens comment section on page two the second paragraph should read “placed” and not “place”. The minutes of July 16, 2007 meeting of the Board of Commissioners were approved as corrected.

**PUBLIC HEARING**

There was no one present that wished to comment on the proposed rezoning request.

Commissioners Felix/Johnson moved that the rezoning hearing for 1403 Baltimore Street be rescheduled for September 17, 2007 as per the request of the applicant Burkentine and Sons Builders. Motion carried.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$966,423.48. Commissioner Klunk abstained from warrants for vendor #A0060. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated July 23, 2007 from the Fraternal Order of Eagles No. 1406 Auxiliary for a waiver of the yard sale permit fee. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioner Heilman had nothing to report.

Public Works Committee -Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

There were no additions or changes to the Zoning Officer’s report.

The following subdivision and land development plans were formally filed:

P07-21 – William Trump Subdivision  
P07-22 – J.F. Rohrbaugh & Co.  
P07-05 – Wolverine Holdings LLC  
P07-06 – Clyde E. and Annamae J. Martin

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

P05-04 – 21 Industrial Drive  
P07-18 – 877 York Street, LLC  
P07-05 – Wolverine Holdings LLC  
P07-06 – Clyde E. and Annamae J. Martin  
Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on November 19, 2007:

P01 – 28 – High Pointe @ Rojen Farms  
P03 – 06 – Brookside Heights  
P03 – 20 – Wallen Tract Apartments/ South West Crossing  
P03 – 30 – Mustang Pointe  
P05 – 15 – Avion  
P06 – 15 – Whispering Run  
P06 – 26 – Martins Ridge Subdivision  
P07 – 07 – 150 Brookside Avenue Final Subdivision  
Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on October 15, 2007:

P02 – 28 – Gateway Hanover  
Motion carried.

Commissioners Johnson/Felix moved for the acceptance of withdrawal at the request of the developer of P07-13 – 601 West Chestnut Street. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated July 2, 2007 from Matthews Gibraltar requesting a waiver of a land development plan to install a mausoleum at Rest Haven Cemetery. Motion carried.

#### Health & Sanitation – Commissioner Felix

Commissioner Felix had nothing to report.

#### Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to deny a request for a waiver of the

residential lighting requirements at 324-326 Manor Street. They further moved to require a residential light that meets the ordinance requirements that will be maintained by the property owner of 326 Manor Street. Motion carried.

Commissioners Stauffer/Heilman moved to approve a request dated July 1, 2007 from the Hanover Area Council of Churches to conduct their annual Crop Walk on October 21, 2007. 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:**

There were no questions from the press.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Johnson/Stauffer moved for adjournment at approximately 7:16 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary