

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

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, November 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, Johnson, Stauffer, Klunk and Felix. Also present were Solicitor Tilley, Manager Garvick, Police Lieutenant Rhodes, 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 Goldsmith, 51 Little Knoll Drive, requested up to date information regarding the detention pond that is to the rear of his property. He stated that he has reviewed all the litigation between Mr. Myers and the Township and noted that the courts require the Township to accept the ponds. He also thanked Commissioner Johnson for coming out and looking at the properties and Manager Garvick for taking his phone calls regarding the problem. Solicitor Tilley stated that the reason the Township has not accepted the ponds for dedication is because Mr. Myers has not presented a deed to the Township indicating that he is the property owner of said land, a requirement of the court order. A portion of the property in question has been sold to an adjacent property owner. Mr. Tilley stated that Mr. Myers needs to comply with the court order and the Township's stormwater management ordinance since the subdivision occurred after the ordinance was enacted.

Mr. Goldsmith stated it has been about three years since Mr. Myers last mowed the property and there are rats, groundhogs and foxes that have been seen coming out of the area. He repeated that the Commissioners should do something about the problems.

Solicitor Tilley stated that, in addition to those problems, the infrastructure of the ponds does not meet the requirements of the Township code. It will take tens of

thousands of dollars to bring the ponds back into compliance. Mr. Tilley stated that the Township's response to the current court litigation was filed on November 21, 2005 and that Mr. Goldsmith would be able to get a copy of it from the court tomorrow.

Mr. Goldsmith was concerned about the tax dollars that were being spent by the Township to continue to appeal the acceptance of the ponds. Mr. Tilley stated that the money being spent on the appeals is smaller in comparison to what is needed to bring the storm water ponds up to Township specifications and codes.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETINGS:

The minutes of the October 17, 2005 meeting of the Board of Commissioners were approved as submitted.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve township warrants in the amount of \$1,098,130.14. Commissioner Klunk abstained from all warrants for vendor number 60 and Commissioner Rishel abstained from all warrants for vendor number 162. Motion carried.

Commissioners Klunk/Stauffer moved to adopt Resolution No. 620, authorizing the establishment of the Penn Township Fire/Rescue Reserve Account with the Bank of Hanover. Motion carried.

Commissioners Klunk/Stauffer moved to approve a new lease agreement with the South Western School District for the alternate education classroom. Motion carried.

Commissioner Klunk presented the first reading of the 2006 budget. He stated that the General Fund Revenue and Expenditures are projected to be \$8,019,930. The Highway Aid Revenue and Expenditures are projected to be \$491,550. The Sewer Revenue and Expenditures are projected to be \$4,158,820. The budget will be presented for public display on December 6, 2005.

Public Works Committee - Commissioner Klunk

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

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:

P05-22 – Abbie R. Bange
P05-23 – Sylvia A. Gower

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

P04-24 – Ronald A. & Kathleen A. Foreman
P05-14 – Hanover Brands, Inc., - Slurry Storage
P05-20 – Green Glen Produce
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension request that will expire on December 19, 2005:

P03-21 – Columbia Cottage
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on February 20, 2006:

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
P04-08 – Woodland Development, Inc.
P05-15 – Avion
P05-16 – Van Buren Subdivision
Motion Carried.

Commissioners Felix/Johnson moved to approve a request received September 12, 2005 from Gregory Bankert for a waiver of storm water management requirements at 937 York Street. Motion carried

Personnel Committee - Commissioner Felix

Commissioner Felix announced that applications are being accepted for a vacancy on the Penn Township Civil Service Board.

Health & Sanitation – Commissioner Johnson

Commissioners Johnson/Klunk moved to adopt Ordinance No. 633 amending sewer rents and charges. Motion carried on a 5-0 roll call vote.

Commissioner Johnson announced that the recycling shed would be closed from November 23 at 4:30 p.m. until November 28 at 8:00 a.m. He also announced that refuse unit prices will be increasing from \$2.40 to \$2.75 beginning on January 1, 2006.

Public Safety Committee - Commissioner Stauffer

Commissioner Stauffer had nothing to report.

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 Klunk/Stauffer moved for adjournment at approximately 7:22 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary