

**MINUTES  
BOARD OF COMMISSIONERS PUBLIC MEETING  
DECEMBER 16, 2013**

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

The Penn Township Board of Commissioners met in a regular session on Monday, December 16, 2013 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, Heilman, Klunk, and Prieber. Commissioner Goldsmith was absent with notice. Also present were Solicitor Tilley, Township Manager Garvick, Police Chief Laughlin, Zoning Officer Swanner, 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:**

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 November 18, 2013 meeting of the Board of Commissioners were approved as submitted.

**PERSONS TO BE HEARD CITIZENS COMMENTS:**

Bob Channel, Hanover Exchange Club, was present to request permission to utilize the Amish Markets of Hanover located along Broadway for the annual builders show. He stated that this is their major fundraiser and allows them to provide scholarships to students. He stated this is the only site available in the area for the builders show. Mr. Channel tried to address the concerns that he was made aware of. He stated that he would make sure that there were enough doors and exits and parking for the event would be offsite so the guests would be shuttled in. Manager Garvick reported on the building issues. The rear portion of the building being requested by the Exchange Club is designated as "warehouse" for storage and not for "mercantile" or sales. There are not enough exits for people to leave the building in case of emergency. The owner, Mr. Silbaugh, has submitted a second phase land development plan for the property but the off site improvements would need to be completed prior to the plan being approved. The rear part of the facility has not been inspected for fire code compliance. There are only 165 parking spaces for the Amish Markets and they were all occupied during there soft opening.

The Commissioners expressed concern that there would not be enough parking for the show since the Amish Markets will also be open during the same hours as the builders show. Mr. Channel stated that the Exchange Club has permission from Blue Dog Bookspan to park at their facility and shuttle guests to the builders show. The Commissioners stated that the building was not designed for the use as proposed by the Exchange Club and there are safety concerns with allowing this type of use. The Commissioners would consider other options if they were presented.

Commissioner Felix noted that Kaiden Miller was present to work on a Cub Scout Badge.

**PUBLIC HEARING - 2014 BUDGET**

Commissioner Heilman stated that the 2014 budget has proposed a tax increase with a minimal increase in expenses for the year. The overall budget has increased less than one percent. The revenue has not increased in most areas, which has created the shortfall. The budget shows .15 mill tax increase to offset some of the declines in revenue in 2013.

There were no Penn Township residents at the meeting who wished to comment on the 2014 budget and the public hearing was closed.

Commissioners Heilman/Klunk moved to adopt Ordinance No. 753, the 2014 budget. Motion carried 3-1 on a roll call vote with Commissioner Prieber casting the dissenting vote.

Commissioners Heilman/Klunk moved to adopt Ordinance No. 754, setting the real estate tax rate for 2014 at 3.65 mills. Motion carried 3-1 on a roll call vote with Commissioner Prieber casting the dissenting vote.

Commissioners Heilman/Klunk moved that the Manager be authorized to balance all 2013 funds by transferring surplus funds to those accounts showing deficits. Motion carried unanimously.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Public Safety Committee - Commissioner Prieber:

Commissioners Prieber/Klunk moved to adopt Ordinance No. 756 amending Section 127-7 speed limits established for Gitts Run Road. Motion carried 4-0 on a roll call vote.

Commissioners Prieber/Klunk moved to approve the Klugh Animal Control Service Agreement for 2014. Motion carried unanimously.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Klunk moved to appoint Douglas Stambaugh, GHI Inc., as the Township's Sewage Enforcement Officer. They further moved that Douglas Barmoy and

Reginald Baugher, Hanover Land Services, be appointed as the Township's alternate Sewage Enforcement Officers. Motion carried unanimously.

Commissioners Heilman/Klunk moved to adopt Resolution No. 819 appointing Jeffrey Garvick as the Township Treasurer effective January 1, 2014. Motion carried unanimously.

Finance Committee – Commissioner Heilman:

Commissioners Heilman/Klunk moved to approve Township warrants in the amount of \$1,493,864.79. Motion carried unanimously with Commission Klunk abstaining from warrants for vendor number 60.

Commissioners Heilman/Klunk moved to adopt the revised Minimum Municipal Obligation for the Penn Township Police Pension Plan. Motion carried unanimously.

Public Works Committee – Commissioner Prieber:

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

Commissioners Prieber/Klunk moved to ratify the execution of the CSXT PUC Stipulation Agreement by the Solicitor on behalf of Penn Township. Motion carried unanimously.

Planning & Recreation Committee – Commissioner Klunk:

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

The following land development plans were formally filed:

P13-16 - Whispering Run - Phase 2B - Final Plan

Commissioners Klunk/Prieber moved to approve the following subdivision and land development plans:

P13-03 - Brookside Heights - Phase I

P13-12 - Belco Community Credit Union

P13-13 - Gateway Hanover - Lot 1C

P13-15 - High Point at Rojen Farms North - Amendment to final S/D plan due to NPDES reapplication

Commissioners Klunk/Prieber moved to approve the following extension requests that will expire on March 17, 2014:

P09-10 - American Home Contractors LLC

P12-12 - Breezewood Drive

P13-09 - Amish Markets at Hanover

Motion carried unanimously.

Commissioners Klunk/Heilman moved to approve a request dated November 20, 2013 from Burkentine & Sons for a waiver of the residential lighting requirements for Pinebrook Phase I. Motion carried unanimously.

Commissioners Klunk/Prieber moved to approve a request dated October 30, 2013 for a waiver of the land development requirements for Hanover Borough for the construction of a pump station located at the Parr's Hill Reservoir. Motion carried.

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/Prieber moved to adopt Ordinance No. 755 establishing the time and place of the regular meetings of the Board of Commissioners. Motion carried 4-0 on a roll call vote.

**CITIZEN'S QUESTIONS TO THE BOARD REGARDING DISCUSSION ITEMS:** None.

**QUESTIONS FROM PRESS:** Questions from the press were received and answered.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Klunk/Prieber moved for adjournment at approximately 7:28 P.M. Motion carried unanimously.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary