

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
DECEMBER 17, 2007**

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

The Penn Township Board of Commissioners met in a regular session on Monday, December 17, 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.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:** None

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

The minutes of November 19, 2007 meeting of the Board of Commissioners were approved as presented.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$677,450.36. Commissioner Klunk abstained from warrants for vendor #A0060. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated November 7, 2007 from the West Manheim Lions Club for a waiver of the sign permit fees to advertise their Christmas tree sale. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated November 17, 2007 from the Hanover Soccer Club for a waiver of the sign permit fee to advertise their registration night. Motion carried.

Commissioners Heilman/Johnson moved to approve a request from MEM Automotive for a waiver of the sign permit fee to advertise their food collection for local charities. Motion carried.

Commissioners Heilman/Felix moved to adopt Ordinance No. 672 providing for the assessment, liability, collection and payment of a local services tax. After some discussion, the motion carried on a 4-1 roll call vote with Commissioner Johnson casting the dissenting vote.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to accept the resignation of Donna Scott, with regret, from the Penn Township Zoning Hearing Board effective January 1, 2008. Motion carried.

Public Works Committee -Commissioner Johnson

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

Commissioners Johnson/Felix moved to adopt Ordinance No. 674 laying out and adopting as public roads Frock Drive and Sheridan Drive. Motion carried on a 5-0 roll call vote.

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:

P07-31 – SKF USA, Inc.

There were no subdivision and land development plans submitted for approval.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on March 17, 2008:

P03 – 05 – Breezewood Drive Project  
P03 – 11 – Thornbury Hunt  
P06 – 20 – Proposed Rutter's Farm Store #6  
P07 – 24 – R & R Fitness Real Estate LLC  
Motion carried.

Commissioners Johnson/Felix moved for the acceptance of withdrawal at the request of the developer of P06-01 – Burkentine South Hannon Homes. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated November 4,

2007 from Baummer Sawmill for a waiver of a land development plan to install a 12' x 14' dustbin. Motion carried on a 4-1 vote with Commissioner Stauffer casting the dissenting vote.

Commissioners Johnson/Felix moved to deny a request dated November 16, 2007 from ESAB Welding for a waiver of a land development plan to install a cement pad for two new dust collectors. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated November 26, 2007 from NcNees Wallace and Nurick for a waiver of a land development plan to alter the existing gas station at 855 Baltimore Street. Motion carried.

Commissioners Johnson/Felix moved to adopt Ordinance No. 673 amending the Township's zoning map by reclassifying a parcel from SC Shopping/Commercial to R-8 Urban Residential. Motion carried on 5-0 roll call vote.

#### Health & Sanitation – Commissioner Felix

Commissioners Felix/Stauffer moved to adopt Ordinance No. 675 approving the plan of construction of sanitary collection sewers within and to that portion of Frock Drive and Sheridan Drive with designated rights of way. Motion carried on a 5-0 roll call vote.

Commissioners Felix/Stauffer moved to adopt Resolution No. 667 regarding nutrient reduction strategy in conjunction with the Chesapeake Bay initiative. Motion carried.

#### Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to adopt Ordinance No. 676 amending Section 127-14 Stop Intersections of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Stauffer/Heilman moved to deny a request dated September 1, 2007 from Kenneth Martz for a waiver of the residential lighting requirements for 783 Blooming Grove Road. Motion carried.

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

**OLD BUSINESS:** None.

#### **NEW BUSINESS:**

Commissioner Johnson recognized Commissioners Stauffer, Felix and Klunk for their years of service. He presented each with a plaque and a framed picture of the last two Board of Commissioners.

Commissioners Felix, Stauffer, Klunk reviewed their years in office, thanked the Township staff along with all the volunteers within the Township, and extended best wishes to the new Board.

Commissioner Heilman thanked the Commissioners for their service to the Community.

**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 Felix/Johnson moved for adjournment at approximately 7:25 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
DECEMBER 27, 2007**

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

The Penn Township Board of Commissioners met in a regular session on Thursday, December 27, 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, Felix, Johnson and Heilman. Commissioner Stauffer was absent with notice. Also present was Manager Garvick.

**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 Klunk read the announcement of the executive session held following the Board of Commissioners meeting on December 17, 2007. He announced there would be a personnel session held following the Board of Commissioners meeting this evening to discuss the fireman's contract negotiations.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:** None

**PUBLIC HEARING 2008 BUDGET:**

Commissioner Klunk conducted the public hearing for the 2008 budget. Commissioner Johnson suggested that the library donation be reduced.

There were no Penn Township residents at the meeting who wished to comment on the 2008 Budget.

Commissioners Heilman/Felix moved to adopt Ordinance No. 677, the 2008 Budget. Motion failed on a 2-2 vote with Commissioners Heilman and Johnson casting the dissenting votes on two roll call votes. The Board continued with the meeting without adopting a 2008 budget.

Commissioners Heilman/Johnson moved to adopt Ordinance No. 678 setting the Real Estate Tax rate for 2008 at 1.99 mills. Motion carried on a 3-1 roll call vote with Commissioner Heilman casting the dissenting vote.

Commissioners Heilman/Johnson moved that the Manager be authorized to balance all 2007 funds by transferring surplus funds to those accounts showing deficits. Motion carried.

Commissioners Heilman/Johnson moved to adopt Resolution No. 668 setting the rates of pay and various benefits for Management and compensation for other non-

contracted personnel for the calendar year 2008. Motion carried.

Commissioners Heilman/Johnson moved to adopt Resolution No. 669 providing a schedule of fees for permits and services provided by Penn Township. Motion carried.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$696,154.11. Motion carried.

Commissioners Heilman/Johnson moved to adopt Resolution No. 670 appointing Beard Miller Company as Township Auditor and setting compensation for services rendered. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to ratify the Collective Bargaining Agreement between Penn Township and the Penn Township Patrolmen's Association for the period January 1, 2008 thru December 31, 2011. Motion carried.

Public Works Committee - Commissioner Johnson

Commissioner Johnson had nothing to report.

Planning & Recreation Committee - Commissioner Johnson

Commissioner Johnson had nothing to report.

Health & Sanitation - Commissioner Felix

Commissioners Heilman/Johnson moved to adopt Resolution No. 671, revising the official sewage facilities plan by including the Premier Construction (Gold's Gym) subdivision plan. Motion carried.

Public Safety Committee – Commissioner Heilman

Commissioners Heilman/Johnson moved to adopt the 2008 SPCA stray animal housing and disposal agreement. Motion carried.

**OLD BUSINESS:**

At this time, the Board readdressed the 2008 budget. Commissioner Heilman stated that he would be willing to vote in favor of the budget so that the Township can operate at the start of the 2008. He stated that the budget is not a good budget

because it is short on the revenue side and there are problems on the expenditure side. These will need to be reviewed by the new board. Most of the items in the budget should and need to be done but there will be problems when they open the 2009 budget. There are large expenditures in the 2008 budget that have already been committed to that cannot be turned back but all the funds are not available to pay for them. Commissioner Heilman felt that a tenth of a mill tax increase would help offset some of the revenue problems. Commissioner Johnson stated that he has concerns about the fire truck, sewer upgrades and expanding the recreation park. Commissioner Klunk stated that the new Board of Commissioners can reopen the 2008 budget. Manager Garvick explained that the Budget can be reopened as it was in 1992. Manager Garvick stated that on January 6, 1992 they decided to reopen the budget and on January 20<sup>th</sup>, they moved to authorize the advertisement of an ordinance setting a new tax rate and scheduled the adoption of the ordinance at a meeting in February. Manager Garvick stated that the down side is that York County needs the tax rate to prepare the tax bills and they do not know what it is until the municipality tells them.

Commissioners Heilman/Felix moved to reconsider and adopt Ordinance No. 677, the 2008 Budget. Motion carried on a 3-1 vote with Commissioner Johnson casting the dissenting vote.

**NEW BUSINESS:**

Commissioners Heilman/Johnson moved for the adoption of Ordinance No. 679 Setting the Time and Place of the Regular Meetings of the Penn Township Board of Commissioners for 2008. Motion carried on 4-0 roll call vote.

Commissioner Johnson thanked Commissioner Klunk and Felix for their time served.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:** None

**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

There was no press present for the meeting.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Heilman/Johnson moved for adjournment at approximately 7:22 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary