

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JANUARY 17, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, January 17, 2005 at the Penn Township Municipal Building. President Rishel called the meeting to order at 7:30 P.M., following a public hearing, with a roll call of members. Present were Commissioners Rishel, Klunk, Johnson and Felix. Commissioner Stauffer was absent with notice. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, and 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 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:

Dennis Bidwa, Little People Day Care, questioned if the emergency municipal services tax was going to be approved for the \$52. He is concerned because of his fifty-five employees last year, forty of them made less than the \$12,000. They will have to wait an entire year for a their refund and it puts an undue hardship on those individuals. The Board informed Mr. Bidwa that the Pennsylvania State legislature is looking at ways to collect the tax across the entire year but there is nothing that can be done this year.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

Commissioner Klunk noted that the December 29, 2004 minutes should be corrected to read that Commissioner Klunk had nothing to report under Health and Sanitation. The Board of Commissioners minutes from December 20, 2004 and the public hearing for December 29, 2004 were approved as submitted. The minutes from the December 29, 2004 were approved as corrected.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Johnson moved to approve Township warrants in the amount of \$436,654.03. Commissioner Klunk abstained for all warrants for vendor #60. Motion carried.

Commissioners Klunk/Felix moved to approve Ordinance No. 625 amending Chapter 121, Occupation Privilege Tax, Article IX, of the Penn Township Code of Ordinances, Ordinance No. 246, to adopt the Emergency and Municipal Services tax, and to conform to the requirements of Act 222 of 2004. Motion carried on a 3-1 roll call vote with Commissioner Johnson casting the dissenting vote.

Commissioners Klunk/Johnson moved to approve Ordinance No. 626 amending Ordinance No. 548, the Pension Fund for Non-Uniformed Township Employees. Motion carried on 4-0 roll call vote.

Commissioners Klunk/Felix moved to approve Ordinance No. 627 amending the compensation to be paid to the Treasurer of Penn Township for services performed in the collection of Township taxes as well as duties as Treasurer. Motion carried on a 4-0 roll call vote.

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.

There were no subdivision and land development plans submitted for formal filing.

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

P03-19 Baxter Investment/Goehrig & Laird Subdivision
Motion carried.

There was a motion made to deny the P04-20 South Western School District plan but it was withdrawn.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on April 18, 2005:

P03-03 Bowman Tract Apartments
P03-15 Pine Brook Development
P03-23 John & Martha Halter
P03-29 Bon Ton Builders

P04-01 – Ginger Tree
P04-04 – Dave Humbert & Jack Cook
P04-18 – Pigeon Hill Park
P04-21 – Isaacs Restaurant
P04-23 – Mary E. Oaster
Motion carried.

Commissioners Dubbs/Johnson moved to approve the following extension request that will expire on February 21, 2005:

P03-21 – Columbia Cottage
Motion carried.

Commissioners Dubbs/Johnson moved to approve the following extension request that will expire on March 21, 2005:

P04-20 – South Western School District
P04-22 – Hickory Falls Family Entertainment Center
Motion carried.

Commissioners Felix/Johnson moved to approve a request dated December 7, 2004 from New Horizons Partnership, LLC for a waiver of a land development plan to install a parking area and a new walkway. Motion carried.

Commissioners Felix/Johnson moved to approve a request from Frederick and Joy Fowler and Carl and Ruth Hankey for a waiver of the grass strip required for sidewalk at 900 and 902 Baer Avenue. Motion carried.

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved to accept Randy L. Angel into the Penn Township Firefighters Pension Plan effective January 10, 2005. Motion carried.

Commissioners Felix/Johnson moved to reappoint Timothy Dunn to the Penn Township Zoning Hearing Board, said term to expire January, 2010. Motion carried.

Commissioners Felix/Johnson moved for the reappointment of Albert Sterner to a one-year term on the Penn Township Vacancy Board. Motion carried.

Commissioner Felix announced that the Township is accepting applications for a vacancy on the Zoning Hearing Board.

Health & Sanitation – Commissioner Johnson

Commissioner Johnson had nothing to report.

Public Safety Committee - Commissioner Johnson

Commissioners Johnson/Klunk moved to award the bid for three (3) police cruisers to Warnock Automotive, East Hanover, New Jersey for a price of \$18,711 per vehicle including trade-in. Motion carried.

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

OLD BUSINESS: None.

NEW BUSINESS:

Commissioner Klunk stated that at the next Public Works meeting there will be a plan for review on the proposed improvements to Grandview and Black Rock Road intersection. The meeting is February 1, 2005 at 7:00 p.m.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

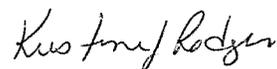
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

Questions from the press were received and answered.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Klunk/Felix moved for adjournment at approximately 7:47 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

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

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, February 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, Stauffer, Klunk, Johnson and Felix. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, and 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 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:

James D. Brandt, Horst Property Management, was concerned about the availability of EDU's to construct the assisted living facility known as Columbia Cottage on the Ness property along Grandview Road. The Horst Group started the project in 2003. Mr. Brandt indicated that the project will have little impact on the surrounding area because there are minimal vehicle trips and most of the residents are about eighty-five years of age. The Manager informed Mr. Brandt that the Township had been in negotiations with developers to eliminate the sewer conveyance problem by constructing a parallel interceptor but there has been no positive conclusion to those discussions. Manager Garvick explained the Township's current position with the PADEP sewer moratorium, which includes a limited number of connections, possibly within the next 60 days. This will be dependent on DEP's review and approval of the Township's Corrective Action Plan. How these connections are to be distributed will be determined by the Board of Commissioners. Manger Garvick stated that connections would first be given to those approved plans where construction had to be halted when the moratorium was enacted. One example would be the remaining building lots at Melbourne Manor. In addition some of the connections should be reserved for commercial and industrial uses. Mr. Brandt was informed to stay in contact with Manager Garvick for updates to the situation.

Franklin Williams, Supervisor for West Manheim Township, Andy Richardson, Manager West Manheim Township, and Terry Myers, C & S Davidson, West Manheim

Township engineer, also requested information about the sewer moratorium. They wanted to make sure that Penn Township was doing everything possible to resolve the problem, including submitting West Manheim's needed connections on Penn's request to DEP. Mr. Myers stated that West Manheim has floated a bond to help comply with their Act 537 plan. Payments for the bond are to begin in the fall of 2005 and West Manheim Township needs to start connecting customers in order to make the bond payments. Manager Garvick suggested that West Manheim contact DEP directly and make their case, but the Township would include the future West Manheim proposed connections in the CAP to DEP, if we were provided them by West Manheim.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

Commissioner Stauffer noted the Board of Commissioners January 17, 2005 minutes should be corrected to read on page 3, "Commissioners Felix/Johnson moved to approve the following extension requests" for both extension requests. Minutes were approved as corrected.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve Township Warrants in the amount of \$1,308,115.23. Commissioner Klunk abstained for all warrants for vendor #60. Motion carried.

Commissioners Klunk/Stauffer moved to deny a request dated January 10, 2005 for a waiver of the Per Capita tax for Timothy and Amanda Wellman for 2004. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated January 26, 2005 from the Jefferson Volunteer Fire Company for a wavier of sign permit fees to advertise the carnival held the week of July 18-23, 2005. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated February 1, 2005 from the Exchange Club of Hanover for a waiver of sign permit fees to advertise the Builders Home and Garden Show. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated February 6, 2005 from the Builders Association of Adams County for a wavier of the sign permit fees to advertise the Adams County Home Show. Motion carried.

Public Works Committee - Commissioner Klunk

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

Commissioners Klunk/Felix moved to award the 2005 truck bid to Phillips Ford,

Manheim, PA for a bid price of \$80,489.00 for two 2005 four wheel drive chassis cab trucks with service bodies and snow plows with trade-ins. Motion carried.

Commissioners Klunk/Felix moved to authorize the Manager to execute a 3-year lease purchase agreement with Plasterer Equipment Co., for a John Deere 710 G wheel loader backhoe. Motion carried.

Planning & Recreation Committee – Commissioner Felix

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

The following subdivision and land development plan was formally filed:

P05-01 –Adams County National Bank

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

P04-22 – Hickory Falls Family Entertainment Center
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on May 16, 2005:

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
P04-06 – Pine Creek Structures
P04-08 – Woodland Development, Inc.
P04-24 – Ronald A. & Kathleen A. Foreman
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension request that will expire on March 21, 2005:

P03-21 – Columbia Cottage
Motion carried.

Commissioners Felix/Johnson moved to approve a request dated January 27, 2005 from RGS Associates for waivers of distance between intersections for the Thornbury Hunt subdivision and land development plan. Motion carried.

Commissioners Felix/Johnson moved to approve a request dated September 29, 2004 from C & E Design Group for modifications to the South Western High School Ball Fields subdivision plan. Motion carried.

Commissioners Felix/Johnson moved to approve an agreement with C.D. Investors and Regional Homes for proposed housing restrictions for Moulstown Village. Motion carried.

Commissioner Felix/Johnson moved to adopt Ordinance No. 628, amending the Township's zoning map by reclassifying a portion of parcel 44-ED-34 from shopping/commercial, industrial, and R-22, suburban residential to R-8, urban residential. Motion carried on a 3-2 roll call vote with Commissioners Stauffer and Johnson casting the dissenting votes.

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved to appoint Rick Fisher to the Penn Township Fire Police. Motion carried.

Commissioners Felix/Johnson nominated Michael Johnson for the position of Vice President of the Board of Commissioners.

Commissioners Stauffer/Klunk nominated Joseph Klunk for the position of Vice President of the Board of Commissioners.

Commissioners Felix/Johnson moved that nominations be closed. Motion carried.

On a vote of 3-2 Commissioner Michael Johnson was elected as Vice-President of the Board of Commissioners through December 31, 2005.

Health & Sanitation – Commissioner Johnson

Commissioner Johnson had nothing to report.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to approve a request dated January 15, 2005 from the Allied Veterans Council of Hanover to hold the annual Memorial Day parade on May 30, 2005. Motion carried.

Commissioners Stauffer/Johnson moved to approve a request dated January 24, 2005 from the Truck Convoy for Wishes to conduct a Make a Wish event at the L & H Terminal on May 1, 2005. Motion carried.

Commissioners Stauffer/Johnson moved to authorize the President and Township Manger to execute contract #C000009820 with the PA Department of Community and Economic Development in the amount of \$25,000 for radio equipment for the Penn Township Fire Service. 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:

Questions from the press were received and answered.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Felix/Johnson moved for adjournment at approximately 7:35 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

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

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, March 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, Stauffer, Klunk, Johnson and Felix. 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 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: None

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETINGS:

The minutes of the January 17, 2005 Public Hearing and the February 21, 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 \$771,826.77. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated February 17, 2005 from the Hanover Chamber of Commerce for a waiver of the building permit fee to advertise the shuttle service for Dutch Days on July 30, 2005. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated February 23, 2005 from the Parkville Fire Company for a wavier of the building permit fees to renovate for additional workspace. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated March 4, 2005 from Freedom Valley Hanover for a waiver of the sign permit fee to advertise their grand opening on March 5 and 6, 2005. Motion carried.

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:

P05-02 – Joseph T. & Angela R. Martz
P05-03 – Bon Ton Builders
P05-04 – Group Hanover, 21 Industrial Drive

There were no subdivision and land development plans to be approved.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on April 18, 2005:

P03-21 –Columbia Cottage
P04-25 – South Heights
P04-26 – Stonewicke
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on June 20, 2005:

P02-22 – Whispering Run
P03-11 – Thornbury Hunt
P04-13 – Bon Ton Builders
P04-20 – South Western School District
Motion carried.

Commissioners Felix/Johnson moved to approve a request dated February 2, 2005 from Rohrbaugh & Co. Inc., for a waiver of the land development requirements to install a 2400 square foot concrete pad. Motion carried.

Commissioner Felix thanked the Recreation Board, the Penn Township Police Department, Penn Township Fire Department, the Fire Companies of Pennville and Parkville, the Penn Township Ambulance Club, Penn Township EMS, and the many businesses that made donations to the annual Easter egg hunt that was held on Saturday, March 19, 2005 at the Penn Township Community Park.

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved to accept the resignation of Donna Scott from the Planning Commission effective immediately. Motion carried.

Commissioners Felix/Johnson moved to accept the resignation of Bill Russell from the Recreation Board effective immediately. Motion carried.

Commissioners Felix/Johnson moved to appoint Donna Scott to fill an unexpired term on the Zoning Hearing Board, said term to expire January, 2008. Motion carried.

Commissioners Felix/Johnson moved to appoint James Butt to fill an unexpired term on the Planning Commission, said term to expire May, 2005. Motion carried.

Commissioners Felix/Johnson moved to appoint Geoffrey Hess to an alternate position on the Civil Service Commission, said term to expire March, 2011. Motion carried.

Commissioner Felix stated that the Township would be taking applications for the vacancy on the Recreation Board.

Health & Sanitation – Commissioner Johnson

On Monday, February 21, 2005 the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for one (1) solid bowl decanter centrifuge and accessories:

<u>Bidder</u>	<u>Bid Amount</u>
Centrisys Corporation 9586 58 th Place Kenosha, WI 53144	\$225,000.00
Andritz-Ruthner, Inc. 1010 Commercial Blvd., South Arlington, TX 76001	\$249,200.00

Commissioners Johnson/Klunk moved to reject the solid bowl decanter centrifuge bid submitted by Centrisys Corporation in that the bid is not responsible since the pilot test results failed to achieve the required 24% guaranteed cake solids. Motion carried.

Commissioners Johnson/Klunk moved to find that the remaining solid bowl decanter centrifuge that is the subject of the Township's bid was not made with steel manufactured in the United States. Motion carried.

Commissioners Johnson/Klunk moved to award the solid bowl decanter centrifuge bid to Andritz-Ruthner, Inc., Arlington, Texas, for a bid price of \$249,200.00. Motion carried.

Commissioner Johnson announced that electronics recycling would be held at the waste water treatment Plant on April 2, 2005 from 8:00 a.m. to 2:00 p.m.

Commissioner Johnson stated that on April 1, 2005 the Township would be accepting cell phones and ink jet cartridges from computers for recycling at its facility on Heights Avenue.

Public Safety Committee - Commissioner Stauffer

Commissioner Stauffer announced that the Police Department will be hosting an open house on April 2, 2005 from 10:00 a.m. to 3:00 p.m. Officers will be on station to answer questions and provide tours. The following special services and programs are also planned for the event: crime prevention, drug and alcohol awareness, KID CARD registration, bicycle registration, Alzheimer's registration, free gun locks, child safety seat inspection, and window tint inspection. All Penn Township residents are cordially welcome to attend. Light refreshments will be provided.

Commissioner Stauffer also announced that the traffic signal at Baltimore and Wirt would be fixed this week.

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

OLD BUSINESS:

Commissioners Klunk/Felix moved to approve an agreement releasing an improvement bond for Conewago Contractors for Moulstown Road. Motion carried.

NEW BUSINESS:

Commissioners Klunk/Felix moved to approve Student Government Day for May 18, 2005. Motion carried.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Dwight Resh, 957 McAllister Street, wanted to know if there were any specific zoning regulations that Staub's Auto Repair had to follow with regards to hours of operation, the procedure for maintaining certain equipment and the parking of their vehicles and harassment by the owners. Mr. Resh was informed that the business can operate at anytime but if it is disturbing the peace than the police can be called. If the owners are performing operations that can be harmful to the environment than Mr. Resh should

notify the Township and document the incident by video taping the situation. The tape can then be submitted to the Department of Environmental Protection. If there is a problem with parking of vehicles and harassment Mr. Resh should contact the Township Police Department.

Mr. Resh was also concerned with a fuel tank that used to be installed on the property and if it has been removed. Manager Garvick stated that there is a law that if a tank is abandoned it has to be removed. Manager Garvick stated he would provide Mr. Resh with a name to contact to see if the tank is still in the ground.

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 7:18 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
APRIL 18, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, April 18, 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, Stauffer, Klunk, Johnson and Felix. Also present were acting Solicitor Megan Huff, 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 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 Biewla, Herbert Rowland, & Grubic, representing Jim Brandt, Horst Property Management, and Reuben Ness the property owner for the land development plan know as Columbia Cottage, requested an update on the status of the sewer moratorium. Manager Garvick stated that the Township has submitted its Corrective Action Plan (CAP) to the Department of Environmental Protection (DEP). After DEP reviewed the plan they had several questions, which were answered by the Township's engineer, CET, Inc. The Township is still awaiting a formal decision from DEP on the acceptance of the CAP, which should be in about two weeks. After DEP has approved the plan they will be allowing a number of interim connections to the system. The Commissioners will have to decide how to allocate them and it will be based upon recommendations of DEP, which may include some connections going to West Manheim Township, connections going to approved residential lots, and some being allocated for commercial and industrial uses. There was some question about a sewer line that has been recently installed. This was done in response to the upcoming resurfacing that is about to occur on Grandview Road.

Reuben Ness, 180 Brickyard Road, New Oxford, wanted to express his concern about the length of time of the moratorium and the fact the he is not able to sell his property until the land development plan is approved which is contingent on the sewer moratorium being lifted.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the Board of Commissioners March 21, 2005 meeting were approved as submitted.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve Township warrants in the amount of \$819,155.07. Commissioner Rishel abstained for all warrants for vendor number #162. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated March 14, 2005 from the Boy Scouts of America, Troop 110, for a waiver of the permit fees for a sign to advertise their mulch sale on April 30, 2005. Motion carried

Commissioners Klunk/Stauffer moved to approve a request dated April 4, 2005 from the Penn Township Department of Fire and Rescue Services for a waiver of the fees for the Community Park for EMS day on May 21, 2005. Motion carried.

Public Works Committee - Commissioner Klunk

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

On Monday, April 18, 2005, at 11:00 a.m., the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for the 2005 paving bids:

<u>Bidder</u>	<u>Bid Amount</u>
Henson Paving Co., Inc. 525 N. Wilson Avenue Hanover, PA 17331	\$59,826.75
Kinsley Construction, Inc. P. O. Box 2886 York, PA 17405	\$40,945.25

Commissioners Klunk/Felix moved to award the 2005 paving bids to Kinsley Construction, Inc., York, PA for a total bid price of \$40,945.25. Motion carried.

Commissioners Klunk/Felix moved to approve Resolution No. 607, authorizing a reimbursement agreement with the Pennsylvania Department of Transportation for installation of concrete curb, pipe, and inlets, driveway adjustments and related work along Grandview Road. Motion carried.

Commissioners Klunk/Felix moved to authorize the Solicitor to accept service of the Krill Quiet Title Complaint on behalf of the Township. Motion carried.

Commissioners Klunk/Felix moved to authorized the Solicitor to sign a Stipulation by which the Township disclaims any right, title or interest in the property that is the subject of the Krill Complaint. Motion carried.

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:

P05-05 – Donald B. Smith Roofing
P05-06 – The Sheridan Press

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

P05-01 – Adams County National Bank
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on May 16, 2005:

P03-21 – Columbia Cottage
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on July 18, 2005:

P03-03 – Bowman Tract Apartments
P03-15 – Pine Brook Development
P03-23 – John & Martha Halter
P03-29 – Bon Ton Builders
P04-04 – Dave Humbert & Jack Cook
P04-18 – Pigeon Hill Park
P04-21 – Isaacs Restaurant
P04-23 – Mary E. Oaster
P04-25 – South Heights
P04-26 - Stonewicke
Motion carried.

Commissioners Felix/Johnson moved for the withdraw of the subdivision and land development plan P04-01 – Ginger Tree, C.D. Investors. Motion carried.

Commissioners Felix/Johnson moved to deny a request dated March 16, 2005 from Group Hanover, per recommendation of the Penn Township Planning Commission, for a waiver of land development requirements for Sheridan Press. Motion carried

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved for the permanent appointment of William Miller as a Penn Township firefighter effective March 20, 2005. Motion carried.

Commissioner Felix stated that the Township is still taking applications for a vacancy on the Recreation Board.

Health & Sanitation – Commissioner Johnson

On Monday, April 18, 2005, at 11:00 a.m., the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for the 2005 refuse unit bid:

<u>Bidder</u>	<u>Bid Amount</u>
All American Poly Attn.: Zeke Bidding Department 40 Turner Place Piscataway, NJ 08854	\$211.50 per 1000
Resourceful Bag & Tag Attn.: Jim Alderden 6420 West 127 th Street Suite 212 Palos Heights, IL 60463	No bid sent
Interboro Packaging Corporation 114 Bracken Road Montgomery, NY 12549-2600	\$23.98 per case 100 \$239.80 per 1000
Phoenix Recycling 35 Capers Way Pawleys Island, SC 29585	\$264.80 per 1000 interleaved roll \$281.64 per 1000 rolled 5per
Westlake Plastics Company P.O. Box 127 West Lenni Road Lenni, PA 19052	\$308.73 per 1000

Commissioners Johnson/Klunk moved to award the 2005 refuse unit bid to All American Poly, Piscataway, NJ for a bid price for \$211.50 per one thousand units. Motion carried.

Commissioners Johnson/Klunk moved to authorize the Manager to execute the right of way agreements for the Plum Creek Sewer Interceptor project. Motion carried.

Commissioner Johnson announced that a hazardous waste collection would be held on May 7, 2005 at the Township's Wastewater Treatment Plant from 9 a.m. to 1 p.m. in conjunction with the York County Solid Waste Authority.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to adopt Resolution No. 606 for streetlights in the Penn Meadows Subdivision. 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

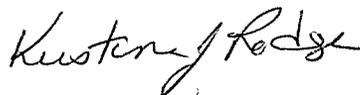
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

Questions from the press were received and answered.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Stauffer/Klunk moved for adjournment at approximately 7:15 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
MAY 16, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, May 16, 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, Stauffer, Klunk, Johnson and Felix. 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 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:

Richard Druck, Sr. expressed concern that he received a motor vehicle citation for failing to use his turning signal and then witnessed several police officers not utilizing their turn signals at various intersections within the Township. He requested that the police officers be required to obey the laws they have sworn to enforce. Mr. Druck stated that he had met with Lieutenant Rhodes about the situation but was not satisfied with his response. Police Chief Gilbert will meet with Mr. Druck at some future time.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the Board of Commissioners April 18, 2005 meeting were approved as submitted.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve Township warrants in the amount of \$804,275.24. Commissioner Klunk abstained for all warrants for vendor number #60 and Commissioner Rishel abstained for all warrants for vendor number

#162. Motion carried.

Commissioners Klunk/Stauffer moved to authorize the Township Manager to execute the Flexible Pension Investment Service and Expense Agreement for the Police Pension Plan. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated April 13, 2005 from the Easter Seals South Central Pennsylvania for a waiver of the sign permit fees to advertise a bake sale at Buckley Chiropractic. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated April 14, 2005 from the Hanover Erie No. 1406 for a waiver of the building permit fees to install a 10' fence at the softball field. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated May 2, 2005 from the Hanover Cyclers for a waiver of the permit fees to construct a temporary canopy and banner at the Rutter's Store on Grandview Road. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated May 6, 2005 from the Hanover Lions Club for a waiver of the sign permit fee to advertise a chicken barbeque on May 21, 2005. Motion carried.

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: None

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

P05-06 – The Sheridan Press
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on August 15, 2005:

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
P04-06 – Pine Creek Structures
P04-08 – Woodland Development, Inc.
P04-24 – Ronald A. & Kathleen A. Foreman
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on June 20, 2005:

P03 – 21 –Columbia Cottage
Motion carried.

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved to reappoint James Butt to the Planning Commission, said term to expire May, 2009. Motion carried.

Commissioners Felix/Johnson moved to accept the resignations for reason of retirement of Officers Donald Lauer, Jr. and Dwight Robison, Jr. effective June 1, 2005. Motion carried.

Commissioners Felix/Johnson moved to approve the appointment of Thomas D. Sampson as a member of the Penn Township Fire Police. Motion carried.

Commissioner Felix announced that officers Guy Hettinger and Andrew Breighner would be promoted to Sergeants effective May 15, 2005 and June 5, 2005 respectively.

Commissioner Felix announced that applications are still being taken for the vacancy on the recreation board.

Health & Sanitation – Commissioner Johnson

Commissioner Johnson had nothing to report.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to adopt Ordinance No. 629, amending the Township Code, Section 127-7 speed limits established. Motion carried 5-0 on a roll call vote.

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 Stauffer/Klunk moved for adjournment at approximately 7:11 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JUNE 20, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, June 20, 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, Stauffer, Klunk, Johnson and Felix. Also present were Acting Solicitor Mandy Lloyd, 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 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.

PRESENTATION:

On behalf of the Penn Township Board of Commissioners, Commissioner Charles Stauffer accepted a \$1,600 donation from Nevin Baumgardner, representing the Hanover Eagles Aerie 1406. The funds are to be used for the Penn Township Child Abuse program.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Ray Millhimes, 555 Locust Street, expressed concern about the tractor-trailer traffic on Locust Street within Penn Township. Mr. Millhimes stated that there has been an increase in tractor-trailer traffic because Locust Street is not posted against trailers. There have been problems with utility lines being taken down accidentally because there is nowhere for a trailer to turn around on Locust or the adjacent streets. Mr. Millhimes stated that he has had to help trailers, along with the police department, back onto York Street. He would like to see Locust Street posted at York Street for no truck traffic. Commissioner Rishel stated that the Public Safety Committee would review this situation at its next meeting.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the Board of Commissioners May 16, 2005 meeting were approved as submitted.

TOWNSHIP REPORTS - STANDING COMMITTEES:**Finance Committee - Commissioner Klunk**

Commissioners Klunk/Stauffer moved to approve Township warrants in the amount of \$1,211,376.35. Commissioner Rishel abstained for all warrants for vendor number #162. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated May 13, 2005 from Julie Geyer for a waiver of the permit fee for a yard sale being held on behalf of American Cancer Relay for life team. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated May 16, 2005 from the Penn Township Lions Club for a waiver of the sign permit fee for their chicken barbeques on June 11 and September 10, 2005. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated June 2, 2005 from the Hanover Area Jaycees for a waiver of the sign permit fees to advertise a car show. Motion carried.

Commissioners Klunk/Stauffer moved to approve Resolution No. 608 amending fee schedule for permits and services provided by Penn Township. Motion carried.

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 – 07 – George H. & Anna M. Smith and Kenneth & Joan Hartlaub
- P05 – 08 – Bob Morris Furniture
- P05 – 09 – Bon Ton Plaza

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

- P04 – 13 – Bon Ton Builders

P04 – 23 – Mary E. Oaster
P05 – 02 – Joseph T. & Angela R. Martz
Motion carried.

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

P02 – 22 – Whispering Run
P03 – 11 – Thornbury Hunt
P04 – 20 – South Western School District
P05 – 04 – 21 Industrial Drive
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on December 31, 2005:

P03 – 05 – Breezewood Drive Project
Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on July 18, 2005:

P03 – 21 – Columbia Cottage
Motion carried.

Commissioners Felix/Johnson moved to deny a request dated May 16, 2005 from McClarin Plastics for a wavier of the land development requirements to pave an additional 1700 square feet. Motion carried.

Commissioners Felix/Johnson moved to deny a request dated May 23, 2005 from George M. Wildasin, C.E. Inc. for a waiver of a land development plan for Snyder's of Hanover to pave an additional 21,525 square feet. Motion carried. Commissioner Stauffer abstained from voting.

Personnel Committee - Commissioner Felix

Commissioner Felix had nothing to report.

Health & Sanitation – Commissioner Johnson

Commissioners Johnson/Klunk moved to approve Resolution No. 609, revising the official sewage facilities plan for the High Pointe at Rojen Farms – North plan. Motion carried.

Commissioners Johnson/Klunk moved to approve Resolution No. 610 revising the official sewage facilities plan for the High Pointe at Rojen Farms – West Manheim

Township Phase I. Motion carried.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to authorize a memorandum of understanding between York County and Penn Township regarding the accessing of the PA Justice Network (JNET) system. 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 Stauffer/Klunk moved for adjournment at approximately 7:12 P.M. Motion carried.

Respectively submitted,



Jeffrey R. Garvick
Township Manager

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JULY 18, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, July 18, 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, Stauffer, Klunk, Johnson and Felix. 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 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:

Charles Bemiller, 56 Little Knoll Drive, requested the Board to provide the procedure that the Township utilizes for eminent domain; if the Township has used eminent domain to take entire properties; and if compensation is given to the property owner. Solicitor Tilley explained the procedure the Township uses and that compensation is based on the appraised value of the land before and after the taking and consideration is given if there are assessments for improvements. If the property owner wants to appeal the amount of compensation offered for the condemnation they can file for a Board of View, which is an appeal before the Court of Common Pleas. Mr. Bemiller would like a complete list of properties that have been taken by eminent domain by the Township in the last ten years. Solicitor Tilley stated that a list can be provided but there are very few properties where the entire property was taken but rather most eminent domains have been for smaller portions of tracts for the construction of streets and other improvements.

Dan Bielawa, Herbert, Rowland, and Grubic, addressed the Board, requesting an update regarding the developer's agreement for the construction of the York Street interceptor. Manager Garvick stated that he sent Mr. Bielawa a letter indicating the status of the negotiations. Manager Garvick reported that he has received a draft agreement from the developers and he will be meeting with the Township's sanitary

engineer on Wednesday. Once the agreement is in place and ratified by the Board, then DEP may be inclined to modify the corrective action plan to allow more connections. According to Manager Garvick the Township received sixty-nine interim connections and the Board has agreed to give them to individuals who have approved building lots. Mr. Biewla also wondered if they could put a note on the plan that sewer is not yet available and still have the plan recorded. Manager Garvick stated that the Columbia Cottages plan is not the only plan being held up because of the sewer problem and that there are other plans waiting for a resolution to the situation for approval.

Mike Ryan, representing B-Street Auto Sales, asked the Commissioners if he would be able to get a temporary solution approved for display parking at the auto sales lot at 916 Baltimore Street, until they can get a land development plan approved. They are requesting a waiver of the LD requirements but if one were needed they would like to be allowed to immediately construct a 20'x 17' area in front of the property to display two cars. This would allow customers to know that there are cars available for purchase. Commissioner Rishel told them they would have to submit a formal request.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the Board of Commissioners June 20, 2005 meeting were approved as submitted.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve Township warrants in the amount of \$926,111.83. Commissioner Klunk abstained for all warrants for vendor number 60 and Commissioner Rishel abstained for all warrants for vendor number 162. Motion carried.

Commissioners Klunk/Stauffer moved to adopt Ordinance No, 630, adopting a new pension plan document for the Penn Township Firefighters. Motion carried 5-0 on a roll call vote.

Commissioners Klunk/Stauffer moved to adopt Resolution No. 611, authorizing the disposition of municipal records in accordance with the Historical and Museum Commission Act 428 of 1968. Motion carried.

Commissioners Klunk/Stauffer moved to deny a request dated June 23, 2005 from Freedom Valley Hanover for a waiver of the sign permit fee. Motion carried.

Public Works Committee - Commissioner Klunk

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

Commissioners Klunk/Felix moved to adopt Resolution No. 612 authorizing an Agility Agreement with the Pennsylvania Department of Transportation. Motion carried.

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 – 11 – Unit 14 Grandview Plaza
- P05 – 12 – Baxter Investment Group, Inc.
- P05 – 13 – La Cucina Restaurant
- P05 – 14 – Hanover Brands, Inc., Slurry Storage Tank Facility

Commissioners Felix/Klunk moved to approve the following land development plan:

- P04 – 06 – Pine Creek Structures
- Motion carried.

Commissioners Felix/Johnson moved to approve the following land development plan:

- P04 – 21 – Isaacs Restaurant
- Motion carried.

Commissioners Felix/Johnson moved to approve the following extension requests that will expire on October 17, 2005:

- P03 – 03 – Bowman Tract Apartments
 - P03 – 15 – Pine Brook Development
 - P03 – 23 – John and Martha Halter
 - P03 – 29 – Bon Ton Builders
 - P04 – 04 – Dave Humbert and Jack Cook
 - P04 – 25 – South Heights
 - P04 – 26 – Stonewicke
- Motion carried.

Commissioners Felix/Johnson moved to approve the following extension request that will expire on August 15, 2005:

- P03 – 21 – Columbia Cottage
- Motion carried.

Commissioners Felix/Klunk moved to approve a request dated June 7, 2005

from Group Hanover, Inc., for waiver of the traffic impact study for 21 Industrial Drive with the stipulation that the impact study be completed prior to the issuance of any Township permits for said location. Motion carried.

Commissioners Felix/Johnson moved to approve a request dated May 16, 2005 from McClarin Plastics for a waiver of the land development requirement for their facility at 15 Industrial Drive. Motion carried.

Commissioners Felix/Klunk moved to deny a request dated July 6, 2005 from B-Street Auto Sales for a waiver of the land development requirement to pave an additional parking area at 916 Baltimore Street. Motion carried.

Personnel Committee - Commissioner Felix

Commissioner Felix stated that the Board is still looking for someone to serve on the Recreation Board and that an application can be picked up at the Township office.

Health & Sanitation – Commissioner Johnson

Commissioners Johnson/Klunk moved to adopt Resolution No. 613 revising the official sewage facilities plan by including the South Western High School Ballfields project. Motion carried.

Commissioners Johnson/Klunk moved to award the centrifuge installation bid to PSI, Pumping Solutions, Inc., York Springs, PA for a bid price of \$28,500.00. Motion carried.

Commissioners Johnson/Klunk moved to award the sludge screw conveyor and sludge/lime mixing screw conveyor bid to Custom Conveyor, Elk River, Minnesota, for a bid price of \$63,375. Motion carried.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to adopt Ordinance No. 631, amending Section 127-17 of the Penn Township Code pertaining to closing of certain highways to certain vehicles of the Penn Township Code. Motion carried 5-0 on a roll call vote.

Commissioner Stauffer stated that this is for Locust Street from York Street to the Hanover Borough line.

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

OLD BUSINESS: None

NEW BUSINESS: None

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

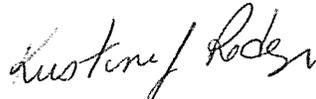
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

Questions from the press were received and answered.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Klunk/Felix moved for adjournment at approximately 7:19 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
AUGUST 15, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, August 15, 2005 at the Penn Township Municipal Building. Vice-President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Stauffer, Klunk and Felix. Commissioner Rishel was absent with notice. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner, Zoning Officer Menges and Highway Foreman Mahan.

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:

Vice-President Johnson 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.

PRESENTATION OF AWARDS:

Commissioner Stauffer presented a plaque to Sergeant Donald Lauer, Jr. in recognition of his years of service to the Penn Township Police Department. The plaque stated "Presented to Donald Lauer, Jr. 08/09/1976 to 05/31/2005, in appreciation and recognition of years of dedicated and devoted service to the Township of Penn, York County, May you have a healthy and successful retirement. Board of Commissioners Penn Township, August 15, 2005."

Commissioner Stauffer has a similar plaque for Patrolmen Dwight Robison, Jr., service years 12/27/1977 to 05/31/2005, who was unable to attend the meeting. The plaque will be presented to him at a later date by Police Chief Gilbert.

Vice-President Johnson presented Kevin Mahan with two recognition certificates for outstanding performance awards he received as a result of his participation in the Dale Carnegie Training Course.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the July 18, 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 \$873,303.60. Commissioner Klunk abstained from all warrants for vendor number 60. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated July 20, 2005 from the Fraternal Order of Eagles 1406 Auxiliary for a wavier of a yard sale permit fee. Motion carried.

Commissioners Klunk/Stauffer moved to adopt Resolution No. 614 fixing rates of pay and various benefits for fire fighters for the calendar years 2005 and 2006. Motion carried.

Public Works Committee - Commissioner Klunk

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

Health & Sanitation – Commissioner Klunk

Commissioners Klunk/Stauffer moved to adopt Resolution No. 615 revising the official sewage facilities plan by including the Cherry Tree Subdivision. Motion carried.

Commissioner Klunk stated that the residents would soon be receiving their recycling newsletter which would include information about the Textile Recycling Program that will be held on September 17, 2005 from 8:00 am to 3:00 pm.

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 – 15 – Avion
- P05 – 16 – Van Buren Subdivision
- P05 – 17 – McClarin Plastics

There were no subdivision plans submitted for approval.

Commissioners Felix/Klunk moved to approve the following extension requests that will expire on November 21, 2005:

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
P04 – 24 – Ronald A. & Kathleen Foreman
Motion carried.

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

P03 – 21 – Columbia Cottage
Motion carried.

Commissioner Felix read the following announcement:

The Penn Township Board of Commissioners will conduct a public hearing on September 19, 2005 at 6:30 P.M, for the purpose of reviewing and receiving public comment for a request to rezone a 3.73 acre parcel from Residential (R-15) to Shopping Commercial (SC). The property is located to the rear of Baltimore Street and Grandview Road in Penn Township. The proposed use is self- storage units. The hearing will be held at the municipal building, 20 Wayne Avenue, Hanover, PA 17331. The public is invited to attend.

Personnel Committee - Commissioner Felix

Commissioner Felix had nothing to report.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Klunk moved to approve the animal control agreement with Hemler Animal Control Service for 2006. Motion carried.

Commissioners Stauffer/Klunk moved to approve a request dated July 15, 2005 from the Hanover Council of Churches to hold the CROP Walk on Sunday, October 16, 2005. Motion carried.

Commissioners Stauffer/Klunk moved to adopt the revised Civil Service Rules and Regulations for the Police officers and adopt the new Civil Service Rules and Regulations for the firefighters. 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 Klunk/Stauffer moved for adjournment at approximately 7:10 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

MINUTES
BOARD OF COMMISSIONERS REZONING HEARING
SEPTEMBER 19, 2005

President Rishel called to order a public hearing on Monday, September 19, 2005, at 6:30 PM to hear a request to rezone a parcel 3.73 acres in size from Residential (R-15) to Shopping Commercial (SC). The property is located to the rear of Baltimore Street and Grandview Road in Penn Township. The proposed use of the property is self-storage units. The public hearing was properly advertised in the Hanover Evening Sun and the property was posted as required by the PA Municipalities Planning Code.

Present were President Rishel and Commissioners Johnson, Klunk, Stauffer and Felix. Also present were Manager Garvick, Solicitor Tilley, Township Engineer Bortner and Zoning Officer Menges.

Township Zoning Officer John Menges presented the staff review of the rezoning request. He provided the Commissioners with a packet of information that included the rezoning application, plot plan, R-15 and Shopping Commercial regulations, and York County Planning Commission Review. He stated that the application for rezoning was filed on May 16, 2005 by Baker's Dozen c/o Donald J. Little, Sr., 216 Panther Drive, Hanover, PA. The owner of the property is Baker's Dozen as of July 2005. The parcel identification number is 44-CD-60C and it is located to the rear of Grandview Road behind Tom's Exxon and Sackett Family Chiropractic. The property is currently undeveloped and relatively open with a scattering of plantings. There are no utilities on the property but public sewer and water are in close proximity. The property does not front any Township or State roadways but access is proposed to Grandview through a 40' Right-of-Way. The property is currently zoned R-15 Single Family Residential and the permitted uses are group home, house of worship, no-impact home base business, residential accessory uses, single-family detached dwelling and timber harvesting.

The rezoning request is for Shopping Commercial (SC) with the intended use being self-storage units. The permitted uses in the Shopping Commercial zone are business services, club room (meeting hall), commercial school, commercial recreation, convenience store, eating establishment, financial institutions, funeral home, home occupations, house of worship, laundry (dry cleaning establishment), medical clinic, parking lot or parking garage, personal services, public uses and buildings, retail business, sale of agricultural products, wholesale establishments in conjunction with retail and timber harvesting. The surrounding property uses are commercial, professional, and residential single family. The surrounding zones are Shopping Commercial (SC) (west), and R-15 Single Family Residential (north, south, and east). The current Comprehensive Plan calls for future land use as medium density residential.

The York County Planning Commission recommended denial of the request on July 5, 2005 and the Penn Township Planning Commission recommended denial on August 4, 2005.

Donald J. Little, Sr. represented Baker's Dozen on this request. He provided a sketch plan showing the layout of the proposed storage units. Mr. Little stated that access to the site

would be from a right-of-way off Grandview Road as well as the alley behind Baltimore Street for emergencies. There will be no site lights activated at night. There will be a fence around the property with hours being dawn to dusk and other times by appointment. The site is going to store mostly boats and campers. He does not expect it to be high traffic. There will be someone there to take care of the property. Mr. Little's son lives adjacent to the property and when and if he moves there will be a caretaker placed in the home.

Commissioner Klunk stated that he is not concerned about land development issues but rather the uses that would be allowed on the property if it were rezoned. The issue is land use and only land use.

The Commissioners received public comments at this time. Donald Little, 3335 Grandview Road, part of Baker's Dozen, who is also the homeowner adjacent to the property, stated that he has concerns about traffic but with regards to land use he would rather see a storage facility than homes on the property. He stated that he currently gets traffic from the craft store on Baltimore St. but it is only one day a week if there are homes built there will be traffic everyday. He is aware there are issues that need to be addressed and is in favor of an agreement that once the site is no longer used for storage then it should return to R-15. He stated that a storage facility is needed because the Township will be growing by another 1400 homes.

Attorney Chris Restak, representing Lisa Bankert who owns property on Grandview Road, wanted to address the right-of-way issues. He was concerned that the plan presented by Mr. Little was laid out in accordance with Section 625 with regards to access and width of access. If there were a zoning change the applicants would still have to request a special exception because this is not a Use By Right in the Shopping Commercial zone. There are other special exceptions that are allowed in the zone. He was concerned that access to an arterial street was required in the Shopping Commercial zone and that all the other shopping commercial zones in the Township are located along arterial streets. Mr. Restack stated that the Little's are trying to spot zone. He stated they have a right to develop the land in accordance with the current zoning. The right-of-way access is still an issue and he would like Ms. Bankert to address it. He noted that both planning agencies recommended denial of the plan. He was concerned with the events that occurred between May and July because the application was submitted in May and they did not purchase the property until July.

Mr. Little stated that if the rezoning request was not approved, the property would be used for residential building lots. Mr. Little stated that he is not a partner of Baker's Dozen. It is comprised of his wife and children.

Dorothy Nickerson, 3265 Grandview Road, opposes the rezoning of the property because it would interfere with the quietness of the neighborhood. She is concerned about what could go on the property if it is sold. Also there is a housing development across the street from this property that has an access onto Grandview and an additional access may require the installation of a traffic signal.

Tina Ruby, 3327 Grandview Road, testified that she purchased her home about eighteen

years ago and was concerned about the alley that is listed on her deed and who owns it. Zoning Officer Menges stated that there is an alley behind the Little's property up to the Paul property and Brodbeck Avenue. The alley is still shown on the sketch that was presented by Mr. Little. Mr. Little stated that land was being sold off for development in the late thirties to the early sixties and Brodbeck Avenue was included as a future road. Mr. Little stated that the alley still belongs to the Mary Ellen Brodbeck estate, and the executors of the estate stated that it could be purchased relatively cheaply. They would incur the expense of having it surveyed and a new deed created.

Charles Paul, 3319 Grandview Road, opposes the rezoning and is concerned because the Township's ordinance only references mini-storage and the applicant is requesting storage facilities for boats and campers. He is also concerned because once it is rezoned it remains shopping commercial and could be spot zoning. He also currently has a problem making right turns onto his property from Grandview Road and is concerned that trailers and campers will have the same problem.

Lisa Bankert, 3301 Grandview Road, stated that the proposed site access is actually her existing driveway and has been since 1959 when her grandparents lived there. Ms. Bankert purchased the property in 1997. She presented pictures showing the current driveway on her property. The deed does not show the right-of-way because the property was sold by a handshake. Ms. Bankert claims ownership because the property has been maintained for over twenty years. She also noted on the pictures all the current accesses onto Grandview Road near her property.

Mr. Paul was concerned that the right-of-way issue should be decided before the rezoning issue is made. The Commissioners stated that the access are part of the land development process and that it would be addressed during the review. Solicitor Tilley reaffirmed that decision. Mr. Tilley stated the legal criteria to be reviewed for the use of the property. Access issues are plan-based rather than use-based and they are land development issues. The Commissioners need to make the decision on the appropriate legal basis.

The Board will take all the information that was provided under advisement and will make a decision at a future date.

Commissioner Rishel adjourned the public hearing at 7:04 P.M.

Respectfully submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
SEPTEMBER 19, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, September 19, 2005 at the Penn Township Municipal Building following a rezoning hearing. President Rishel called the meeting to order at 7:10 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 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 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: None

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the August 15, 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 \$1,130,582.35. Motion carried. Commissioner Rishel abstained from all warrants for vendor number 162.

Commissioners Klunk/Stauffer moved to adopt Resolution No. 616 authorizing the release of the Township as the lead agency for the Communities that Care Initiative. Motion carried.

Commissioners Klunk/Stauffer moved to adopt Resolution No. 617 authorizing the dissolution of the Penn Township Recreation District #3 account with Community Bank. Motion carried.

Commissioners Klunk/Stauffer moved to adopt the Minimum Municipal Obligations for the nonuniformed, uniformed, and firefighters pension plans for 2006. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated September 6, 2005 from the Hanover Jaycees for a wavier of the sign permit fee to place five temporary signs advertising the Halloween parade. Motion carried.

Public Works Committee - Commissioner Klunk

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

Commissioners Klunk/Felix moved to authorize the Township Manager to execute an agreement with LSC Design, Inc. for the design of a public works facility. Motion carried.

Commissioners Klunk/Felix moved to approve a request dated September 1, 2005 from Homewood Retirement Center to change the street name of Honeysuckle Lane to Sweet Pea Lane. Motion carried.

Commissioners Klunk/Felix moved to approve a request dated August 16, 2005 from Loss-Stair Civil Engineering for a waiver of the stormwater management ordinance, Article IX, for the Bob Morris Furniture land development plan. Motion carried.

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 – 18 – Donna Scott
- P05 – 19 – Snyder's of Hanover
- P05 – 20 – Green Glen Produce

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

- P05 – 07 – George H. & Anna M. Smith and Kenneth & Joan Hartlaub
 - P05 – 08 – Bob Morris Furniture
 - P05 – 13 – La Cucina Restaurant
 - P05 – 14 – Hanover Brands, Inc. - Slurry Storage Tank Facility
- Motion carried.

Commissioners Felix/Johnson moved to approve the following extension

requests that will expire on December 19, 2005:

- P02 – 22 – Whispering Run
 - P03 – 11 – Thornbury Hunt
 - P04 – 20 – South Western School District
 - P05 – 04 – 21 Industrial Drive
 - P05 – 09 – Bon Ton Plaza
- Motion carried.

Commissioners Felix/Johnson moved to approve the following extension request that will expire on October 17, 2005:

- P03 – 21 – Columbia Cottage
- Motion carried.

Personnel Committee - Commissioner Felix

Commissioner Felix reported that applications are being accepted for the Recreation Board.

Health & Sanitation – Commissioner Johnson

Commissioner Johnson had nothing to report.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to approve a request dated August 10, 2005 from Holland Properties for a waiver of the fire lane requirement along Lot 14 in the Grandview Plaza. Motion carried.

Commissioners Stauffer/Johnson moved to deny a request dated June 9, 2005 from Robert Hemler Sr. for a waiver of the residential lighting requirement for 124 West Granger Street. Motion carried.

Commissioners Stauffer/Johnson moved to approve a request dated August 30, 2005 from the South Western School District for a change in the start and stop time of the school zone flashing signals. Motion carried.

Commissioners Stauffer/Johnson moved to set Trick or Treat for Tuesday, October 25, 2005 from 6:00 p.m. to 8:00 p.m. Motion carried.

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

OLD BUSINESS:

Commissioners Stauffer/Johnson moved to grant approval to the Hanover Area

Jaycees to hold their 64th annual Halloween Parade on Thursday, October 27, 2005 with a rain date of Monday, October 31, 2005. The parade will begin at 7:30 p.m. and last till about 10:00 p.m. Motion carried.

NEW BUSINESS: None

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Dave Stair, Loss-Stair Civil Engineering, and John Beile, Burkentine and Sons, wanted to know how to proceed with the subdivision know as Avion. Mr. Stair reported that the Miriam Runkle plan might be withdrawn. He would like to proceed with Avion and needs to know where the Township want the connector road located. It was noted that the Township's Planning Commission was hesitant to review the Avion plan since recommendations were already given on the layout and design of the same parcels on the Miriam Runkle plan. After some discussion, the Commissioners recommended that Mr. Stair and Mr. Beile come to the Public Works meeting on October 4, 2005 to discuss the road alignment.

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 7:26 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
OCTOBER 17, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, October 17, 2005 at the Penn Township Municipal Building. Vice -President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Stauffer, Klunk and Felix. Commissioner Rishel was absent with notice. 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:

Vice -President Johnson 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:

Jim Brandt, Horst Senior Care, Lancaster, Pennsylvania, informed the Commissioners that he was just making his quarterly visit for an update on the sewer moratorium issue and had already spoken to Manager Garvick.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETINGS:

The minutes of the Public Hearing and Board of Commissioners meeting held on September 19, 2005 were approved as submitted.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Stauffer moved to approve township warrants in the amount of \$1,137,246.49. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated September 30, 2005 from God's Meal Barrel for a wavier of the sign permit fee to advertise Appreciation Days at Buckley Chiropractic. Motion carried.

Commissioners Klunk/Stauffer moved to adopt Resolution No. 619, authorizing the advertisement for the public sale of real estate situate at the northeast corner of

Barnhart Drive and Industrial Drive. Motion carried.

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:

P05-21 – Hillside Medical Center

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

P05-17 – McClarin Plastics

P05-18 – Donna Scott

Motion carried.

Commissioners Felix/Klunk moved to approve the following subdivision and land development plan:

P05-19 – Snyder's of Hanover

Motion carried with Commissioner Stauffer abstaining.

Commissioners Felix/Klunk moved to approve the following extension requests that will expire on January 16, 2006:

P03-03 – Bowman Tract Apartments

P03-15 – Pine Brook Development

P03-23 – John & Martha Halter

P03-29 – Bon Ton Builders

P04-04 – Dave Humbert & Jack Cook

P04-25 – South Heights

P04-26 – Stonewicke

P05-11 – Unit 14 Grandview Plaza

P05-12 – Baxter Investment Group, Inc.

Motion Carried.

Commissioners Felix/Klunk moved to approve the following extension request that will expire on November 21, 2005:

P03-21 – Columbia Cottage

Motion carried.

Commissioners Felix/Klunk moved to deny the application of Baker's Dozen to rezone the lot shown as Tax Map CD, Parcel 60C at the rear of Grandview Road properties

located near the intersection of Grandview Road and Baltimore Street for the following reasons:

1. The request is to rezone the lot from R-15, medium density residential, to S/C, Shopping Commercial. The proposed rezoning calls for a far less restrictive use of the land, which would allow commercial development on the lot, including uses such as retail businesses, restaurants, banks, and similar commercial uses.
2. Although the applicant proposes to use the land for a self-storage facility, if the land is rezoned, there can be no assurance that the applicant, or any future owner, would not use the land for other commercial uses allowed in the S/C zone.
3. The lot size is 3.73 acres, which is not a large enough lot to constitute an independent or free-standing zoning district.
4. The lot is currently in the R-15 zone and is surrounded on three sides by properties also in the R-15 zone and that are used for residential purposes.
5. Creating a "peninsula" of commercial use in what is a primarily residential area would adversely affect the adjacent residential properties.
6. There is adequate undeveloped land in S/C districts, as well as land that is able to be redeveloped in the S/C district, so that the enlargement of the S/C district is not needed or appropriate at this location.
7. The subject land is designated on the Penn Township Comprehensive Plan as Medium Density Residential. The Comprehensive Plan was adopted by the Township in 2001, and no changes have occurred since then that would warrant developing the subject tract in a manner that is inconsistent with the Comprehensive Plan.
8. Although areas near the subject tract are served by arterial roadways, the subject tract itself is not located along these roads, and access to the tract is limited by the relatively narrow roads and the proximity of the homes located on those roads.
9. Access to the tract itself was proposed by the applicant to be through land that currently serves as a driveway for one of the residences adjacent to the lot. Even assuming that the property ownership issues are resolved in favor of the applicant, this access is not adequate to support a commercial use for the land.

For each of the foregoing reasons, I move that the rezoning request be denied.
Motion carried.

Personnel Committee - Commissioner Felix

Commissioner Felix announced that applications are being received for

vacancies on the Penn Township Planning Commission, Recreation Board, and Civil Service Board.

Health & Sanitation – Commissioner Klunk

Commissioner Klunk had nothing to report.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Klunk moved to adopt Resolution No. 618, an application for a permit to install and operate flashing warning devices in the school zone on West Granger Street. Motion carried.

Commissioners Stauffer/Klunk moved to adopt Ordinance No. 632, amending Section 127-25 "parking prohibited at all times" of the Penn Township Code to include additional no parking in the 500 block of Frederick Street. Motion carried 4-0 on a roll call vote.

Commissioners Stauffer/Klunk moved to approve the 2006 shelter agreement with Susquehanna Stray Animal Shelter. Motion carried.

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

OLD BUSINESS: None

NEW BUSINESS: None

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Charles Paul, 3319 Grandview Road, thanked the Commissioners for denying the rezoning request.

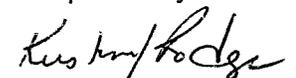
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

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 7:10 P.M. Motion carried.

Respectively submitted,


Kristina J. Rodgers
Township Secretary

**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

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
DECEMBER 19, 2005**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, December 19, 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 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 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:

Jim Brandt, Horst Group, Columbia Cottage, presented the Commissioners with cookies for Christmas and requested an update on the sewer conveyance problem. Solicitor Tilley informed Mr. Brandt that the Township had an extensive conference call today about the subject and they should see progress in 2006.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETINGS:

The minutes of the November 19, 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 \$1,071,189.04. Motion carried.

Commissioners Klunk/Stauffer moved to approve a request dated November 23, 2005 from the West Manheim Township Lions Club for a wavier of the sign permit fee to advertise their Christmas tree sale at Grandview Plaza. Motion carried.

On Friday, November 18, 2005, the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for the sale of the remaining portion of Lot #7 in the Industrial Park:

<u>Bidder</u>	<u>Bid Amount</u>
Hawk Hill, Inc. 4741 Hawk Hill Lane Spruce Creek, PA 16683.	\$15,000

Commissioners Klunk/Stauffer moved to award the bid for Lot #7, an unimproved parcel located at the NE Corner of Barnhart Drive and Industrial Drive, to Hawk Hill, Inc., Spruce Creek, PA for the bid price of \$15,000. They further moved to authorize the Manager and Secretary to execute any necessary documents. Motion carried.

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:

- P05-24 – Grandview Plaza – Unit 9
- P05-25 – El Greco Street Subdivision

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

- P04-08 – Woodland Development, Inc.
- P05-11 – Unit 14 Grandview Plaza

Commissioners Felix/Johnson moved to approve the following extension request that will expire on January 16, 2006:

- P03-21 – Columbia Cottage
- Motion carried.

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

- P02-22 – Whispering Run
- P03-11 – Thornbury Hunt
- P04-20 – South Western School District
- P05-04 – 21 Industrial Drive

P05-09 – Bon Ton Plaza
Motion Carried.

Commissioners Felix/Johnson moved to approve the following extension request that will expire on June 19, 2006:

P03-05 – Breezewood Drive Project
Motion carried.

Commissioners Felix/Johnson moved to adopt Ordinance No. 635 dissolving the Recreation Board. Motion carried on 5-0 roll call vote.

Commissioners Felix/Johnson moved to approve a request dated November 28, 2005 from Paradise Congregation of Jehovah's Witnesses Corporation for a waiver of land development requirements for a church building expansion. Motion carried.

Personnel Committee - Commissioner Felix

Commissioners Felix/Johnson moved to accept the resignation of Michael Brown from the Planning Commission effective December 31, 2005. Motion carried.

Commissioners Felix/Johnson moved to accept the resignation of Leroy Snyder from the Civil Service Commission. Motion carried.

Commissioners Felix/Johnson moved to allow the Penn Township Ambulance Club to participate in the Regional Task Force Group with the stipulation that Fire Chief Cromer review and approve all deployment requests. Motion carried.

Commissioners Felix/Johnson moved for the permanent appointment of Ken Kuhn and Charles Shriver as Penn Township fire fighters effective November 26, 2005. Motion carried.

Health & Sanitation – Commissioner Johnson

Commissioner Johnson stated that Christmas tree pick up would be held on January 14, 2006. Trees over six feet will not be taken. He also announced that Christmas wrap recycling would be held at the Wastewater Treatment Plant on December 27-29 from 8:00 a.m. – 4:30 p.m. The Recycling shed will be closed for the Holidays from December 22, 2005 at 4:30 p.m. to December 27, 2005 at 8:00 a.m. and from December 29, 2005 at 4:30 p.m. to January 3, 2006 at 8:00 a.m.

Public Safety Committee - Commissioner Stauffer

Commissioners Stauffer/Johnson moved to adopt Ordinance No. 634, amending Section 127, Vehicles and Traffic of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Stauffer/Johnson moved to adopt the revised Emergency Response Plan for the Township of Penn. Motion carried.

Commissioner Stauffer thanked Phil Stegos and Fire Chief Cromer for the work they did on the plan.

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

OLD BUSINESS: None

NEW BUSINESS: Commissioner Johnson presented a plaque to Commissioner Rishel for his sixteen years of service on the Board of Commissioners. They also presented him with a cake.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

Questions from the press were received and answered.

FINAL THOUGHTS: Commissioner Rishel offered several observations regarding his tenure on the Board and the projects he was proud to see completed. These included the Township's renowned recycling program; the addition of a paid fire department and the first Township Community Park.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Klunk/Stauffer moved for adjournment at approximately 7:19 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
DECEMBER 29, 2005**

CALL TO ORDER-ROLL CALL-DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Thursday, December 29, 2005, at the Penn Township Municipal Building. Vice-President Michael Johnson called the meeting to order at 7:00 P.M. with a roll call of members. Present were Commissioners Johnson, Klunk and Felix. Commissioner Rishel and Stauffer were absent with notice. Also present were Manager Garvick and Police Chief Gilbert.

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 Johnson read the announcement of the executive session held following the Board of Commissioners meeting on December 19, 2005.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

PUBLIC HEARING 2006 BUDGET:

Commissioner Klunk conducted the public hearing for the 2006 budget. He stated that the 2006 budget is balanced.

There were no Penn Township residents at the meeting who wished to comment on the 2006 Budget.

Commissioners Klunk/Felix moved to adopt Ordinance No. 636, the 2006 Budget. Motion carried on 3-0 roll call vote.

Commissioners Klunk/Felix moved to adopt Resolution No. 621, revising the 2005 property tax millage rate. Motion carried.

Commissioners Klunk/Felix moved to adopt Ordinance No. 637 setting the Real Estate Tax rate for 2006 at 1.99 mills. Motion carried on a 2-1 roll call vote with Commissioner Johnson casting the dissenting vote.

Commissioners Klunk/Felix moved that the Manager be authorized to balance all 2005 funds by transferring surplus funds to those accounts showing deficits. Motion

carried.

Commissioners Klunk/Felix moved to adopt Resolution No. 622 setting the rates of pay and various benefits for Management and compensation for other non-contracted personnel for the calendar year 2006. Motion carried.

Commissioners Klunk/Felix moved to adopt Resolution No. 623 providing a schedule of fees for permits and services provided by Penn Township. Motion carried.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Klunk

Commissioners Klunk/Felix moved to approve Township Warrants in the amount of \$904,814.69. Motion carried.

Commissioners Klunk/Felix moved to adopt Resolution No. 625 appointing Beard Miller Company as Township Auditor and setting compensation for services rendered. Motion carried.

Commissioners Klunk/Felix moved to adopt Resolution No. 624 eliminating contributions by Penn Township to the Penn Township Police Pension Plan for 2006. Motion carried.

Commissioners Klunk/Felix moved to adopt the revised Uniform Pension Plan MMO for 2006. Motion carried.

Public Works Committee - Commissioner Klunk

Commissioner Klunk had nothing to report.

Planning & Recreation Committee - Commissioner Felix

Commissioner Felix had nothing to report.

Personnel Committee - Commissioner Felix

Commissioners Felix/Klunk moved to accept Gary Klingensmith into the Nonuniformed Pension Plan effective October 29, 2005. Motion carried.

Health & Sanitation - Commissioner Johnson

Commissioner Johnson had nothing to report.

Public Safety Committee - Commissioner Johnson

Commissioner Johnson had nothing to report.

OLD BUSINESS: None

NEW BUSINESS:

Commissioners Felix/Klunk moved for the adoption of Ordinance No. 638 Setting the Time and Place of the Regular Meeting of the Penn Township Board of Commissioners for 2006. Motion carried on 3-0 roll call vote.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Commissioner elect Phillip Heilman had concerns about the motion to authorize the Manager to balance the 2005 funds. The Board stated that it is a requirement of the First Class Township Code.

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 Felix/Klunk moved for adjournment at approximately 7:09 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary