

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JANUARY 15, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, January 15, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Johnson, Felix and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the December 18, 2006 and December 28, 2006 meetings of the Board of Commissioners were approved as presented.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants for the general fund, highway aid, and the sewer fund expenses encumbered since the meeting of December 18, 2006. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated December 11, 2006 from the Exchange Club of Hanover for a waiver of the building permit fee to pave a 10' x 22' foot area, at the former Ames Store at the South Hanover Shopping Center. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to accept Gary Stambaugh into the Nonuniformed pension plan effective January 9, 2007. Motion carried.

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

Public Works Committee - Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

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

Commissioners Johnson/Felix moved to approve a request dated December 11, 2006 from the Exchange Club of Hanover for exoneration of a land development plan to pave a 10' x 22' foot area, at the former Ames Store at the South Hanover Shopping Center. Motion carried.

The following subdivision and land development plans were formally filed:

- P07 – 01 – McClarin Plastics
- P07 – 02 – Hanover Cold Storage
- P07 – 03 – Penn Township Fire Department

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

- P07 – 01 – McClarin Plastics
 - P07 – 02 – Hanover Cold Storage
- Motion Carried.

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

- P06 - 01 – Burkentine South
- Motion Carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on April 16, 2007:

- P02 – 28 – Carlisle Crossing
- P03 – 03 – Bowman Tract Apartments
- P03 – 15 – PineBrook Development
- P03 – 23 – John & Martha Halter

P03 – 29 – Bon Ton Builders
P04 – 04 – Dave Humbert and Jack Cool
P04 – 25 – South Heights
P04 – 26 – Stonewicke
P05 – 04 – 21 Industrial Drive
P05 – 21 – Hillside Medical Center
P06 – 23 – Brookside Avenue Townhouses
Motion carried.

Health & Sanitation – Commissioner Felix

Commissioners Felix/Stauffer moved to authorize the Township Manager to execute a connection agreement for the Plum Creek Interceptor Project. Motion carried.

Commissioners Felix/Stauffer moved that the Township of Penn retain Patrick H. Zaepful, Esquire as environmental counsel for the Chesapeake Bay initiatives, and issues relating to DEP permitting of the Townships wastewater treatment plant at an hourly rate of \$230.00. Motion carried.

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:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Johnson/Stauffer moved for adjournment at approximately 7:08 P.M. Motion carried.

Respectively submitted,


Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
FEBRUARY 19, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, February 19, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Johnson, Felix and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

VOLUNTEER RECOGNITION AWARD:

President Klunk presented a volunteer recognition award to Donald J. Brady. Mr. Klunk stated "the Penn Township Board of Commissioners wish to recognize an individual whose volunteer spirit is an inspiration to all. Don Brady has been a volunteer at Parkville Fire Company for over 50 years, serving as President and Chaplain, along with numerous other committee appointments and projects. Lately, he has been volunteering his time to assist the Township with such projects as the bulk-item cleanups, household hazardous waste disposal, textile, electronics, Christmas wrap recycling and any other project where the Township needed his help. In recognition of his many years of volunteer service (and hopefully many more to come) the Commissioners present Mr. Brady with this token of appreciation." Mr. Brady humbly accepted the plaque and thanked the Commissioners.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of January 15, 2007 meeting of the Board of Commissioners were approved as presented.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the

amount of \$1,205,708.60. Commissioner Klunk abstained from warrants for vendor #60. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated January 26, 2007 from the Exchange Club of Hanover for a waiver of the sign permit fee to advertise the annual Builders Home and Garden Show. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated January 3, 2007 from the Hanover Chamber of Commerce for a waiver of the sign permit fee to advertise the annual Hanover Dutch Festival. Motion carried.

Commissioners Heilman/Johnson moved to adopt Ordinance No. 654, repealing the previous firefighters pension plan documents and adopting a new document. Motion carried on a roll call vote.

Commissioners Heilman/Johnson moved to adopt Resolution No. 652, amending the sewer tapping fee to include the addition of a reimbursement component for future connections to the Homewood Interceptor. Motion carried.

Commissioners Heilman/Johnson moved to adopt Resolution No. 653, amending the Act 13 Uniform Construction Code Education and Training fee. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioner Heilman congratulated Mr. Brady for his years of volunteer service to the Township.

Public Works Committee - Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

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

The following subdivision and land development plans were formally filed:

- P07-04 – SLW, LTD. Partnership Parking Expansion
- P07-05 – Wolverine Holdings, LLC
- P07-06 – Clyde E. & Anna Mae J. Martin
- P07-07 – 150 Brookside Avenue Final Subdivision
- P07-08 – Sheridan Press

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

- P07-04 – SLW LTD. Partnership Parking Expansion
- Motion Carried.

Commissioners Johnson/Felix moved to approve the following extension

requests that will expire on May 21, 2007:

P01-28 – High Pointe @ Rojen Farms
P03-06 – Brookside Heights
P03-20 – Wallen Tract Apartment/South West Crossing
P03-30 – Mustang Pointe
P05-15 – Avion
P06-10 – High Pointe @ Rojen Farms - North
P06-15 – Whispering Run
P06-25 – Peter and Penny Filus
P06-26 – Martins Ridge Subdivision
Motion carried.

Commissioners Johnson/Felix moved to approve a request dated January 16, 2007 from Sharrah Design Group, Inc. for a waiver of the requirements of the Penn Township Subdivision and Land Development Ordinance Article IV with regards to contours, existing features, etc for the Wolverine Holdings, LLC and Clyde and Anna Mae Martin plans. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated January 4, 2007 from Hanover Land Services, Inc. for a waiver of the Penn Township Subdivision and Land Development Ordinance, Section 507 b access drives, for the proposed Penn Township Fire Department building. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated December 16, 2006 from Bon Ton Builders for a waiver of the land development requirements to add a second floor over a portion of Bentley's at the Barn. Motion carried.

Health & Sanitation – Commissioner Felix

Commissioners Felix/Stauffer moved to adopt Resolution No. 654 revising the official sewage facilities plan by including the Avion subdivision plan. Motion carried.

Commissioners Felix/Stauffer moved to adopt Ordinance No. 655, approving the plan of construction of sanitary collection sewers within and to that portion of the Township consisting of lands of Craig Albright, Devan Farms Partnership, and Homewood at Hanover, PA Inc., with designated rights-of-way. Motion carried on a roll call vote.

Commissioners Felix/Stauffer moved to ratify the decision that the Township of Penn retain Randy Hurst, Esquire as environmental counsel for the Chesapeake Bay initiatives, and issues relating to DEP permitting of the Townships wastewater treatment plant at an hourly rate of \$170.00. Motion carried.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to approve a request dated January 20, 2007 from Make A Wish, Convoy for Wishes, to hold a fundraising event on May 6, 2007. Motion carried.

Commissioners Stauffer/Heilman moved to approve a request dated January 15, 2007 from the Hanover Allied Veterans Council to conduct the Memorial Day parade on Monday, May 28, 2007. Motion carried.

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

OLD BUSINESS: None.

At this point the Commissioners recessed the meeting for fifteen minutes to hold an executive session with the Solicitor for the purpose of discussing a legal matter that they would like to address under new business.

At 7:25 p.m., the meeting reconvened with Solicitor Tilley stating that an executive session was held for the purpose of discussing a proposed settlement to a lawsuit, Joseph A. Myers versus Penn Township, 2001SU01318-08.

NEW BUSINESS:

Solicitor Tilley recommended that the Board consider adopting a motion to resolve the litigation with Joseph A. Myers and the issues surrounding the storm water ponds in Hall Estates and Little Knoll Estates developments with the following terms:

1. The Township will accept for dedication the three lots, 20A, 35A, Hall Estates I and 125, Little Knoll Estates.
2. Joseph Myers will dedicate and the Township will accept deeds to the access right-of-way to Lots 20A and 35A as shown on the 1989 Hall Estates I re-subdivision plan.
3. The Township will agree to pay for the installation of the access road and will clear the access. It will also do the repairs and maintenance to the storm water ponds on Lots 20A, 35A and 125.
4. The Township and Joseph Myers will agree that proceedings in the case will be stayed for 1 month, till March 19, 2007, to permit him time to prepare and submit signed and notarized deeds of dedication for the three ponds, 20A, 35A and 125, and for the rights-of-way for the access roads to Lots 20A and 35A in Hall Estates I, and for the Township to pass an ordinance accepting the deeds of dedication. This will require that Joseph Myers submit the executed and notarized deeds of dedication to the Township at least 15 days prior to the next Board of Commissioners meeting, which will be by March 4, 2007, so that the Township can review the deeds and prepare and advertise the ordinance necessary to adopt the ponds.
5. Upon acceptance of the deeds of dedication for lots 20A, 35A, and 125, and the rights-of-way for lots 20A and 35A, Joseph Myers will mark the litigation settled discontinued and ended with prejudice.
6. The parties will sign mutual releases providing as follows:

- a. Township will release Joseph Myers from any further claims for the three storm water ponds, including but not limited to maintenance, repair, construction or design of the ponds.
- b. The Township will release Joseph Myers from any obligation to construct and maintain the access easements to lots 20A and 35A.
- c. Joseph Myers will release the Township from any further obligations (except those in the settlement agreement) arising from any plans approved to date with respect to the Hall Estates I, Hall Estates II and Little Knoll Estates.

Mr. Tilley further recommended that he be authorized and directed to prepare a settlement agreement in accordance with the terms that were outlined in the proposed motion and that Jeffrey R. Garvick, Township Manager, be authorized to execute those documents necessary to complete the settlement that is contemplated.

Commissioners Felix/Johnson moved that the Board of the Commissioners approve the Solicitor's request for settlement. Motion carried.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Daniel Goldsmith, 51 Little Knoll Drive, thanked the Board of Commissioners for accepting the ponds.

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/Johnson moved for adjournment at approximately 7:30 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
MARCH 19, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, March 19, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Johnson, Felix and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

MEMORIAL RESOLUTION:

At this time President Klunk read aloud a memorial resolution for Donald E. Wentz:

"Whereas, the Board of Commissioners of Penn Township, York County, Pennsylvania, sorrowfully notes the passing of Donald E. Wentz on March 17, 2007 and Whereas, Donald E. Wentz, was a faithful and dedicated volunteer with the Township's Civil Service Board for more than thirty-five years, and Whereas, he willingly and enthusiastically, gave tireless volunteer effort to the Hanover Area Red Cross and the PAL Lunch and Meals on Wheels programs, and Whereas, Donald was, for many years, a fixture on election days as a volunteer and judge of elections in the Township's 3rd District; and Whereas, on this occasion the Board of Commissioners deem it highly desirable and befitting to record the Township's appreciation of him. Now therefore, Be It Resolved, that the Penn Township Board of Commissioners express its deepest sympathy to the family of Donald E. Wentz, and Be It Further Resolved, that a copy of this Resolution be attached to and become a part of the minutes of this meeting as a permanent record. Resolved this 19th day of March 2007."

The Board approved the Resolution.

Commissioner Klunk noted that the Township has numerous volunteers on their Committees that are not normally observed by the public. These individuals sacrifice their time for the Township and without them municipalities would not be able to carry out their functions.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

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

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$1,135,413.42. Commissioner Klunk abstained from warrants for vendor #665. Motion carried.

Commissioners Heilman/Johnson moved to adopt Resolution No. 655, providing a schedule of fees for permits and services provided by Penn Township. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated February 28, 2007 from South Western Dollars for Scholars for a waiver of the sign permit fee to advertise Make A Difference Week April 15-21, 2007. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated March 1, 2007 from the Penn Township Lions Club for a waiver of the sign permit fee to advertise their 2007 fundraising events. Motion carried.

Commissioners Heilman/Johnson moved to waive the Township's fees for land development, building, and inspection for the proposed firehouse on Clover Lane. Motion carried.

Commissioners Heilman/Felix moved to approve Resolution No. 660, eliminating contributions by Penn Township to the Police Pension Fund for 2007. Motion carried on a 4-1 vote with Commission Johnson casting the dissenting vote.

Commissioners Heilman/Johnson moved to authorize the Solicitor and Manager to execute all necessary documents relative to a lease agreement for a front-end wheel loader. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioner Heilman had nothing to report.

Public Works Committee - Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

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

Commissioners Johnson/Felix moved to approve a request dated January 12, 2007 from Hanover Land Services for a waiver of the Environmental Impact Study for the proposed fire station on Clover Lane. Motion carried.

Commissioners Johnson/Felix moved to adopt Ordinance No. 656, amending Ordinance No. 611, the Sign Ordinance of Penn Township. Motion carried 5-0 on a roll call vote.

Commissioners Johnson/Felix moved to adopt Ordinance No. 657, regulating the use of portable on demand storage units (PODS), requiring registration of placement, and providing penalties for violations thereof. Motion carried 5-0 on a roll call vote.

Commissioners Johnson/Felix moved to adopt Ordinance No. 659, regulating the clearance of trees above the highways and sidewalks within Penn Township. Motion carried on a 5-0 roll call vote.

Commissioners Johnson/Felix moved to deny a request dated February 20, 2007 from Chad Eckert to utilize the Township's recreation parks for a fitness camp. Motion carried.

The following subdivision and land development plan was formally filed:

P07-09 – L.T. Timber

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

P06-10 – High Pointe @ Rojen Farms – North

P07-05 – Wolverine Holdings LLC

P07-06 – Clyde E. & Annamae J. Martin

Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on June 18, 2007:

P03-05 – Breezewood Drive Project

P03-11 – Thornbury Hunt

P06-01 – Burkentine South

P06-19 – Boyd W. Arnold (Deceased) & Rolda E. Arnold aka Rolda E. Becker

P06-20 – Proposed Rutter's Farm Store #6

Motion carried.

Commissioners Johnson/Felix moved for the acceptance of withdrawal at the request of the developer of P05-05 – Donald B. Smith Roofing.

Health & Sanitation – Commissioner Felix

Commissioners Felix/Stauffer moved to approve Resolution No. 656, revising the official sewage facilities plan by including the Stonewicke Subdivision plan. Motion

carried.

Commissioners Felix/Stauffer moved to approve Resolution No. 657, revising the official sewage facilities plan by including the South Heights Subdivision plan. Motion carried.

Commissioners Felix/Stauffer moved to approve Resolution No. 658, revising the official sewage facilities plan by including the Martin's Ridge Subdivision plan. Motion carried.

Commissioners Felix/Stauffer moved to appoint Doug Stambaugh, Group Hanover, as the Township's Sewage Enforcement Officer. Motion carried.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to authorize the President and the Township Manager to execute the appropriate documents for equipment and program funding grants for the Penn Township Fire and Police Departments. Motion carried.

Commissioners Stauffer/Heilman moved to approve Resolution No. 659, application for permit to install and operate traffic signals. Motion carried.

Commissioners Stauffer/Heilman moved to approve Ordinance No. 658, establishing the minimum regulations governing the conditions and maintenance of all property, buildings, and structures within Penn Township. 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.

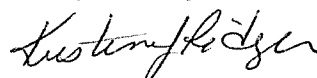
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Stauffer/Johnson moved for adjournment at approximately 7:30 P.M. Motion carried.

Respectively submitted,


Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
APRIL 16, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, April 16, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Johnson, Felix and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Dana Heston, 823 York Street, questioned the Commissioners as to whether or not they are intending to take her property by eminent domain. The Commissioners listened to her comments but offered no response.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

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

PUBLIC HEARING:

Commissioner Klunk announced that the purpose of the public hearing is to consider amending the Penn Township Zoning Ordinance by including animal hospitals as a Use By Special Exception in the Shopping/Commercial and Industrial zones along with additions to the Ordinance of Definitions and changes in the administration of permits. The public hearing was properly advertised in the Hanover Evening Sun.

Zoning Officer John Menges stated that on April 3, 2007 the York County Planning Commission reviewed the proposed amendments to the Township's Zoning Ordinance. The proposed amendments include the addition of "Animal Hospital" as a

Special Exception use in the Shopping/Commercial and Industrial zones and to revise criteria and terminology pertaining to building permits and zoning permits. Zoning Officer Menges stated, "the staff of the York County Planning Commission recommends that the proposed amendment to the Penn Township Zoning Ordinance be adopted as proposed. The proposed addition of "Animal Hospital" as a Special Exception use in the Shopping/Commercial (S/C) and Industrial (I) Zones is consistent with other similar uses (hospital and child care center, for example) permitted in those zones. The existing Special Exception criteria offers buffering, fencing, landscaping, etc. to protect adjoining uses. The remainder of the proposed amendment is being made to provide appropriate terminology and revisions in the zoning regulations in accordance with the Uniform Construction Code."

The second amendment is to the Ordinance of Definitions. The Township's Ordinance of Definitions includes definitions for all the Township's Ordinances. The amendment includes the additions of definitions for code official, rolloff dumpster and temporary portable storage unit. The Code Official is defined as "also referred to as "Inspector." The Code Official is an individual authorized to enforce the provisions of the Uniform Construction Code (UCC) as well as any other code(s) for which he is duly certified and authorized by the Township to enforce. Also issues appropriate permits." The rolloff dumpster is defined as "a metal storage receptacle used primarily for the temporary storage or deposit of waste materials, including debris, trash, or construction, renovation or demolition waste, and which is transportable such as to be delivered by, rolled off of, and picked up by, a carrying vehicle that allows for the disposal and removal of its contents to a dump site. The term does not include dumpsters which are permanently placed for the collection of normal household trash, such as at commercial locations or apartment complexes." The Temporary Portable Storage Unit is defined as "commonly known as "portable on demand storage" or "PODS". Any mobile container, storage unit, shed like container or other portable structure, other than an accessory building or shed complying with all building codes and land use requirements, that is not permanently affixed to the land; is designed for temporary short term storage; is not intended for human habitation; that can or is used for the storage of personal property of any kind; and which is located for such purposed outside an enclosed building." The definition of temporary portable storage unit definition was amended following review by the Penn Township Planning Commission. Zoning Officer Menges stated, "the staff of the York County Planning Commission recommends that the proposed amendment to the Penn Township Ordinance of Definition to add three (3) new definitions be adopted as proposed, with the exception noted below. The term "Code Official" is utilized by the Uniform Construction Code and is adequately defined. "Rolloff Dumpster" and "Temporary Portable Storage Unit" are new terms recently added to the zoning ordinances of a number of municipalities to address these new uses. The proposed definitions clearly describe the terms, and are also very similar to those recently adopted by those municipalities. Township Officials should consult legal council in regard to the use of the acronym "PODS" within the definition of temporary portable storage unit. It could be viewed as a trademark infringement, since "PODS" is the name of a national company and servicing these units."

Commissioners Heilman/Johnson moved to authorize the Township Manger to prepare and advertise an ordinance for the adoption of the proposed zoning amendment changes along with the Ordinance of Definitions with the exclusion of the term "PODS". The motion was amended to have the Solicitor review the legality of the use of the term of "PODS," in the ordinance. Motion carried.

At this point, President Klunk concluded the Public Hearing.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$760,892.47. Commissioner Klunk abstained from warrants for vendor #60. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated March 13, 2007 from Boy Scout Troop 110 for a waiver of the sign permit fee for a mulch sale on April 28, 2007. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated March 18, 2007 from the Hanover Moose Lodge #227 for a waiver of the permit fees for a car show on July 22, 2007. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated March 26, 2007 from the Hanover Area Jaycees for a waiver of the sign permit fees to advertise a car show on June 9, 2007. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to appoint Richard Bradburn to an unexpired term on the Penn Township Civil Service Commission, said term to expire August 2010. Motion carried.

Commissioners Heilman/Stauffer moved to authorize the Township Solicitor to execute a Memorandum of Agreement on behalf of the Township of Penn with the Pennsylvania Labor Relations Board regarding an election for the purpose of establishing a collective bargaining unit under the auspices of the International Association of Firefighters Local 2045. Motion carried.

Public Works Committee - Commissioner Johnson

Engineer's Bortner stated that the recommended approval of P07-09 L T Timber should be changed to "tabled" on his report.

On Monday, April 16, 2007 the following bids were opened and publicly read aloud by Township Manager Jeffrey Garvick for the 2007 paving projects:

<u>Bidder</u>	<u>Bid Amount</u>
Henson Paving Company 525 N. Wilson Avenue Hanover, PA 17331	\$69,330.50
Stewart & Tate Inc. 950 Smile Way York, PA 17404	\$59,431.00
Kinsley Construction 2700 Water Street P.O. Box 2886 York, PA 17405	\$57,907.10
C.E. Williams, Inc 1141 Highland Avenue Gettysburg, PA 17325	\$64,091.50

Commissioners Johnson/Felix moved to award the 2007 paving bids to Kinsley Construction, Inc., York, PA for a bid price of \$57,907.10. Motion carried.

Commissioners Johnson/Felix moved to adopt Ordinance No. 660, laying out and adopting as public roads Thornhill Drive and Drummond Lane. Motion carried 5-0 on a roll call vote.

Planning & Recreation Committee – Commissioner Johnson

Zoning Officer Menges stated that L T Timber should be withdrawn for approval.

Commissioners Johnson/Felix moved to approve a request dated March 14, 2007 from Crown Cork and Seal for a waiver of the land development requirements for a concrete pad. Motion carried.

Commissioners Johnson/Felix moved to deny a request dated April 5, 2007 from National Barn Company for a waiver of road improvements for the L.T. Timber Land Development plan. They further moved that L.T. Timber be required to install the following improvements: the road widening, driveway access improvements, and curbing and radius where required.

The following subdivision and land development plans were formally filed:

P07-10 – 735 Frederick Street Land Development Plan
P07-11 – South Heights Manor, L.P.
P07-12 – Phase I - Avion

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

P04-04 – Dave Humbert & Jack Cook
P07-08 – Sheridan Press
Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on June 18, 2007:

P02-28 – Carlisle Crossing
Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on July 16, 2007:

P03-03 – Bowman Tract Apartments
P03-15 – Pine Brook Development
P03-23 – John & Martha Halter
P04-25 – South Heights
P04-26 – Stonewicke
P05-04 – 21 Industrial Drive
P05-21 – Hillside Medical Center
P06-23 – Brookside Avenue Townhouses
P07-03 – Penn Township Fire Department
Motion carried.

Commissioners Johnson/Felix moved for the acceptance of withdrawal at the request of the developer of P03-29 – Bon Ton Builders and replaced with P07-10 – 735 Frederick Street Land Development Plan.

Health & Sanitation – Commissioner Felix

On Monday, April 16, 2007 the following bids were opened and publicly read aloud by Township Manager Jeffrey R. Garvick for refuse units:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Dyna Pak Corporation 112 Helton Drive Lawrenceburg, TN 38464	#1 \$189.32/1,000 Units #2 No bid
Central Poly Corporation 18 Donaldson Place Linden, NJ 07036	#1 \$210/1,000 Units #2 No bid
Phoenix Recycling 5180 Horry Drive, Suite B Murrells Inlet, SC 29576	#1 \$210/1,000 Units #2 \$210/1,000 Units

Commissioners Felix/Stauffer moved to award the refuse unit bid to Dyna Pak Corporation, Lawrenceburg, TN for a bid price of \$189.32 per 1,000 units. Motion carried.

Commissioners Felix/Stauffer moved to adopt Ordinance No. 661, approving the plan of construction of sanitary collection sewers for Thornhill Drive and Drummond Lane with designated rights of way. Motion carried on a 5-0 roll call vote.

Commissioners Felix/Stauffer moved to adopt Resolution No. 661, revising the official sewage facilities plan by including the Martin's Ridge Subdivision Plan. Motion carried.

Commissioner Klunk reported that electronics recycling held on April 14, 2007 was a tremendous success. Manager Garvick reported that the Township collected about 140 gaylords worth of equipment.

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:

Commissioners Johnson/Felix moved to approve Student Government Day for May 23, 2007. Motion carried.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

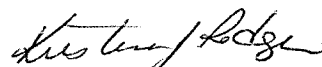
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Stauffer/Johnson moved for adjournment at approximately 7:24 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
MAY 21, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, May 21, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Johnson, Felix and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of April 16, 2007 meeting of the Board of Commissioners were approved as presented.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$737,757.16. Commissioner Klunk abstained from warrants for vendor #60. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated April 30, 2007 from the Hanover Cyclers for a waiver of the sign permit fee to place a canopy and banner in the grassy area by the entrance of the Rutter's Store along Grandview Road from June 17, 2007 through June 23, 2007. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated April 28, 2007 from the Jefferson Volunteer Fire Company for a waiver of the permit fee for a sign at Route 216 and Grandview Road to advertise their carnival. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated May 3, 2007 from the Hanover Lions Club for a waiver of the sign permit fee to advertise their chicken barbeque on May 19, 2007. Motion carried.

Commissioners Heilman/Johnson moved to adopt Resolution No. 662, authorizing the disposition of municipal records in accordance with the Historical and Museum Commission Act 428 of 1968. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated May 1, 2007 from Burkentine and Sons Builders, Inc. for a waiver of the Zoning Hearing Board application fee for Brian Jenkins and Jodi Stolz Jenkins. Motion carried.

Commissioners Heilman/Johnson moved to approve a request from the Penn Township Fire Department for a waiver of the pavilion and ball field fees for their Emergency Services day at the Community Park. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to reappoint Stede Mummert to the Penn Township Planning Commission, said term to expire May 2011. Motion carried.

Public Works Committee - Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

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

Commissioners Johnson/Felix moved to approve a request dated March 22, 2007 from Frederick Seibert, and Associates, Inc. for a waiver of a land development plan for Homewood Retirement Center to construct a 30' x 70' picnic pavilion. Motion carried.

Commissioners Johnson/Felix moved to deny a request dated April 5, 2007 from Abbottstown Stamping Company for a waiver of a land development plan to pave an additional 2,900 square feet. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated April 11, 2007 from Snyder's of Hanover to remove island cutouts on the approved plan. Motion carried. Commissioner Stauffer abstained from voting.

Commissioners Johnson/Felix moved to deny a request dated April 13, 2007 from J.F. Rohrbaugh for a waiver of the land development requirements to pave an additional 26,400 square feet. Motion carried.

Commissioner Johnson/Felix moved to deny a request dated April 19, 2007 from Loss Stair Civil Engineering for a waiver of storm water management requirements for

601 West Chestnut Street. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated April 19, 2007 from K and W Engineers and Consultants for a waiver of the environmental impact study for the South Western School District stadium improvements. Motion carried.

Commissioners Johnson/Felix moved to adopt Ordinance No. 662, regulating the use of public recreation parks maintained and owned/leased by the Township of Penn. Motion carried 5-0 on a roll call vote.

The following subdivision and land development plans were formally filed:

- P07-13 – 601 West Chestnut Street
- P07-14 – South Western School District
- P07-15 – Snyder's of Hanover
- P07-16 – Final Subdivision Plan Romaine Gardner
- P07-17 – Final Subdivision Plan for North Ridge Associates & Shank

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

- P07-14 – South Western School District Stadium Improvements.
- Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on August 20, 2007:

- P01-28 – High Pointe @ Rojen Farms
 - P03-06 – Brookside Heights
 - P03-20 – Wallen Tract Apartments/South West Crossing
 - P03-30 – Mustang Pointe
 - P05-15 – Avion
 - P06-15 – Whispering Run
 - P06-25 – Peter and Penny Filus
 - P06-26 – Martins Ridge Subdivision
 - P07-07 – 150 Brookside Avenue Final Subdivision
- Motion carried.

Health & Sanitation – Commissioner Felix

Commissioners Felix had nothing to report.

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.

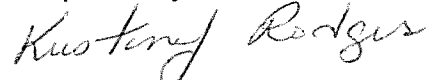
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Stauffer/Johnson moved for adjournment at approximately 7:10 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JUNE 18, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, June 18, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Johnson, Felix and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PRESENTATION:

On behalf of the Penn Township Board of Commissioners, Commissioner Charles Stauffer accepted a \$1,000 donation from Nevin Baumgardner, representing the Hanover Eagles Aerie 1406. The funds are to be used for the Penn Township Child Abuse program. Police Chief Gilbert and the Commissioners thanked Mr. Baumgardner for the donation.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Noah Baublitz, 803 Blooming Grove Road, expressed concern about the barking dogs from the kennel located along Blooming Grove Road. He stated that the problems have increased since the new owner took over facility in December. He feels that the barking is a public nuisance. Robin Shipwash, 789 Blooming Grove Road, also expressed concern about the barking dogs and the problems she has using her property because of the dogs. Carey Baublitz, 803 Blooming Grove Road, also complained about the ongoing noise. Rich Baker, 646 Blooming Grove Road, stated that he could hear the barking at the store (Baker's Four Season, formerly Runkle's) which is a fair distance from the kennel. Commissioner Klunk suggested that the residents attend the Public Safety meeting on July 2, 2007 and prior to that they will review the zoning on the property.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of May 21, 2007 meeting of the Board of Commissioners were approved as presented.

PUBLIC HEARING:

Commissioner Klunk stated that the purpose of the public hearing is to consider amending the Penn Township Zoning Ordinance by including Animal Hospital as a Use By Special Exception in the Shopping/Commercial and Industrial zones along with additions to the Ordinance of Definitions, and changes in the administration of permits. The public hearing was properly advertised in the Hanover Evening Sun.

Zoning Officer Menges stated that copies of June 5, 2007 York County Planning Commission recommendations were provided and the changes that were submitted were recommended for approval. The proposed changes include adding Animal Hospital as a use permitted by special exception in the Shopping Commercial and Industrial zones, changing what is required for a zoning permit; the permit expiration; the permit application process; insurance; use certificates amended to remove the reference to structures; the enforcement by the zoning officer along with appointment and powers; and action on building permits. The Ordinance of Definitions is being amended to add three new terms for code official, roll off dumpster, and temporary portable storage unit. These changes were recommended for approval by the York County Planning Commission.

There were no comments from the Board of Commissioners or the public. The Public Hearing was adjourned at this time.

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

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$784,886.39. Commissioner Klunk abstained from warrants for vendor #A0060. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to appoint Kevin Adams, Geoffrey Miller, and Matthew Boyce as Penn Township Fire Department Captains effective July 1, 2007 with an annual salary of \$45,780. Motion carried.

Public Works Committee - Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

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

Commissioners Johnson/Felix moved to approve a request dated April 25, 2007 from Snyder's of Hanover for a temporary waiver of the construction of curbs, gutters, and sidewalks on their property along York Street. Motion carried with Commissioner Stauffer abstaining.

Commissioners Johnson/Felix moved to approve a request dated May 15, 2007 from Cooper Motors requesting a waiver of a land development plan to pave an additional 10,800 square feet of parking area along Ruel Avenue. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated May 17, 2007 from the South Western School District for a modification to an approved land development plan to increase the width of an access drive from eight feet to fifteen feet. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated May 21, 2007 from Hanover Land Services for a temporary waiver of the sidewalk requirements at the proposed Gold's Gym on Broadway. They further moved to deny a request for a waiver of the curb installation requirements at the same property. Motion carried.

The following subdivision and land development plans were formally filed:

- P07-18 – 877 York Street, LLC.
- P07-19 – Victory Freewill Baptist Church
- P07-20 – High Pointe @ Rojen Farms

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

- P06-19 – Boyd W. Arnold (Deceased) & Rolda E. Arnold aka Rolda E. Becker
 - P06-25 – Peter & Penny Filus
 - P07-03 – Penn Township Fire Department
 - P07-09 – L. T. Timber
 - P07-15 – Snyder's of Hanover
 - P07-17 – Final Subdivision Plan for North Ridge Associates & Shank
 - P07-20 – High Pointe @ Rojen Farms
- Motion carried with Commissioner Stauffer abstaining.

Commissioners Johnson/Felix moved to approve the following extension request that will expire on August 20, 2007:

- P02-28 – Gateway Hanover
- Motion Carried

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on September 17, 2007:

P03-05 – Breezewood Drive Project
P03-11 – Thornbury Hunt
P06-01 – Burkentine South
P06-20 – Proposed Rutter's Farm Store #6
Motion carried.

Health & Sanitation – Commissioner Felix

Commissioners Felix had nothing to report.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to approve a request dated May 18, 2007 from the West Manheim Township Supervisors for assistance of the Penn Township Fire Police at the Pleasant Hill Carnival. Motion carried.

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

OLD BUSINESS:

Commissioners Johnson/Felix moved to adopt Ordinance No. 663, amending Ordinance No. 623, the Zoning Ordinance of the Township of Penn. Motion carried on a 5-0 roll call vote.

Commissioners Johnson/Felix moved to adopt Ordinance No. 664, amending Ordinance No. 624, the Ordinance of Definitions of the Township of Penn. Motion carried on a 5-0 roll call vote.

Commissioners Johnson/Felix moved to authorize the execution of the Settlement Agreement with Joseph A. Myers regarding the stormwater management ponds in Hall Estates and Little Knoll Estates. Motion carried.

Commissioners Johnson/Felix moved to adopt Ordinance No. 665, accepting land as stormwater management land in housing development. Motion carried on a 5-0 roll call vote.

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/Johnson moved for adjournment at approximately 7:21 P.M. Motion carried.

Respectively submitted,

Jeffrey R. Garvick
Township Manager

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JULY 16, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, July 16, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix and Heilman. Commissioner Johnson 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:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Henry Johnson, 210 Oak Hill Circle, would like to know when the Board would be paving Oak Hill Circle to correct the problem with the street being lower than the sidewalk and curb. He presented letters stating that the reason the work had not been completed in the last seventeen years was because they were waiting to install public sewer and water lines. President Klunk referred Mr. Johnson to the Public Works Committee meeting on August 7, 2007.

Doug Gent, attorney for Bon Ton Builders, requested that the Board consider conditional approval of the Martin's Ridge Subdivision plan. He stated that the maintenance of the storm water facility on lot 22 had been resolved even though it was one of the reasons the Penn Township Planning Commission would not make a recommendation on the plan to the Board of Commissioners. There will be a note on the plan for the maintenance of the storm water facility. The television inspections of the sewer line are expected to be completed by the end of the week. Ted Decker will contact the Department of Environmental Protection (DEP) next week for an inspection for the final sewer certification. Mr. Gent wanted conditional approval with the stipulation that no building permits be issued until the sewer certification is issued from DEP. Mr. Gent stated that his client Bon Ton Builders has contracts on several lots that would expire prior to the plan being approved in August.

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

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of June 18, 2007 meeting of the Board of Commissioners were approved as presented.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to approve Township Warrants in the amount of \$648,715.87. Commissioner Klunk abstained from warrants for vendor #A0060. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioner Heilman had nothing to report.

Public Works Committee - Commissioner Felix

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

Commissioners Felix/Stauffer moved to adopt Ordinance No. 666, amending Section 307 of the 2007 International Property Maintenance Code. Motion carried 4-0 on a roll call vote.

Planning & Recreation Committee – Commissioner Felix

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

The following subdivision and land development plans were formally filed: None.

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

P07-16 - Final Subdivision Plan Romaine Gardner
Motion carried.

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

P03-03 – Bowman Tract Apartments
P03-15 – Pine Brook Development
P03-23 – John & Martha Halter
P04-25 – South Heights

- P04-26 – Stonewicke
 - P05-04 – 21 Industrial Drive
 - P05-21 – Hillside Medical Center
 - P06-23 – Brookside Avenue Townhouses
 - P07-10 – 735 Frederick Street Land Development Plan
 - P07-11 – South Heights Manor, L.P.
 - P07-12 -Phase I - Avion
- Motion carried.

Commissioners Felix/Stauffer moved to deny a request dated June 21, 2007 from Bentley’s at the Barn for a waiver of land development requirements for additional parking. Motion carried.

Health & Sanitation – Commissioner Felix

Commissioner Felix had nothing to report.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to deny a request dated May 21, 2007 from Ernest P. Moyer for a waiver of the residential lighting requirements at 404 Meade Avenue. Motion carried.

Commissioners Stauffer/Heilman moved to approve a request dated June 1, 2007 from Allison and Marshall Plumbing Heating and Air Conditioning to close Mt. Royal Avenue on August 25, 2007 from 10:00 a.m. to 2:30 p.m. Motion carried on a 3-1 vote with Commissioner Felix casting the dissenting vote.

Commissioners Stauffer/Heilman moved to approve a request dated June 15, 2007 from the South Western Band Boosters for the use of barricades and fire police at the Cavalcade of Bands competition on Saturday, October 27, 2007. Motion carried.

Commissioners Stauffer/Heilman moved to approve a request dated June 18, 2007 from Fred Graziano for a waiver of the residential lighting requirements at 588 Blooming Grove Road. Motion carried.

On Tuesday, June 26, 2007 the following bids were opened and publicly read aloud by Township Secretary Kristina Rodgers for a custom fire service pumper:

<u>Bidder</u>	<u>Bid Amount</u>
Sutphen Corporation	\$559,734.36
P. O. Box 158	\$1,795.75 optional foam tanks
Amlin, OH 43002-0158	\$561,530.11
	\$5,226.80 extra year extended warranty
	\$4,065.28 5 year warranty

Commissioners Stauffer/Felix moved to award the fire truck bid to Sutphen

Corporation, Amlin Ohio, for a bid price of \$565,595.39, which includes the fire truck, optional foam tanks and five-year warranty. Motion carried after discussion about financing which will be determined at the next Finance Committee meeting.

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

OLD BUSINESS: None.

NEW BUSINESS: None.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

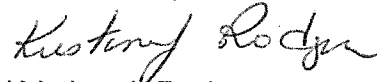
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

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

Respectively submitted,



Kristina J. Rodgers
Township Secretary

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

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, August 20, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues. President Klunk also announced that the public hearing scheduled for this evening to discuss the rezoning of 1403 Baltimore Street had been postponed to next month at the request of the applicant, Burkentine and Son Builders.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

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

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

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

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

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

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

PUBLIC HEARING

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

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

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

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

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

Personnel Committee - Commissioner Heilman

Commissioner Heilman had nothing to report.

Public Works Committee - Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

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

The following subdivision and land development plans were formally filed:

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

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

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

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

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

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

P02 – 28 – Gateway Hanover
Motion carried.

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

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

Health & Sanitation – Commissioner Felix

Commissioner Felix had nothing to report.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to deny a request for a waiver of the residential lighting requirements at 324-326 Manor Street. They further moved to require a residential light that meets the ordinance requirements that will be maintained by the property owner of 326 Manor Street. Motion carried.

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

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

OLD BUSINESS: None.

NEW BUSINESS: None.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None.

QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

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

Respectively submitted,



Kristina J. Rodgers
Township Secretary

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

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, September 17, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that the public hearing scheduled for this evening to discuss the rezoning of 1403 Baltimore Street had been postponed until November at the request of the applicant, Burkentine and Sons Builders. Anyone that is present for the hearing can present their concerns under the public comment portion of the meeting. President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

RECOGNITION OF EAGLE SCOUT PROJECT:

At this time Commissioner Klunk recognized Steven A. Kimmey, II for the work he did in getting fire hydrants painted in the Township. Mr. Klunk presented Mr. Kimmey a certificate as he read the following: "certificate of recognition, this honor is bestowed upon Steven A. Kimmey, II in recognition of his volunteer service to the residents of Penn Township by organizing volunteers for the painting of the fire hydrants in box area 12, and is awarded this certificate by the Penn Township Board of Commissioners this 17th day of September 2007." Mr. Klunk thanked Mr. Kimmey for the work that he did. Mr. Kimmey thanked those that helped him to achieve this accomplishment, which will help him attain the eagle scout award.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

George Strucco, 33 Sara Lane, Hanover, PA requested that the Commissioners consider conditional approval of the Martin's Ridge Subdivision plan so that the developer can begin construction on his home. Mr. Strucco stated that he put a contract on a lot in the development in March 2003 with construction to begin in the fall of 2003.

He rented a house in 2004 with the intention of only being there a short time while his new home was being constructed. That was one week prior to DEP imposing a sewer moratorium on the Township. The project was put on hold because of the moratorium and in the spring of this year a project was undertaken that would help alleviate the moratorium. Bon Ton Builders has completed the preliminary work on the site for the plan. According to Mr. Strucco, the plan has been ready for approval since July but has been continually not approved because of one problem or another with the new sewer line. Mr. Strucco stated he is still in his temporary housing and has been informed he will need to vacate the home sixty days after it is sold. Mr. Strucco would like conditional approval of the project so that he can move into his new house before the house he is renting is sold.

Tom McVey, 1411 Baltimore Street, wanted the Commissioners to consider rezoning the whole block along Baltimore Street to shopping commercial if they were going to consider rezoning 1403 Baltimore Street. He stated that there is a problem with traffic for the residential homes located along this street and the rezoning of the entire block would be fairer to the current property owners.

Tony Thomas, 1413 Baltimore Street, stated that he was in favor of rezoning the whole block to shopping commercial since as soon as you cross into West Manheim Township it is shopping commercial. He also agreed that the traffic is a problem.

Mike Dewald, 3 East Court, would not like to see 1403 Baltimore Street rezoned to shopping commercial because it abuts the rear of his property. He would have no buffer from the commercial area. Currently he is buffered by the existing homes and Baltimore Street from the shopping commercial zone. When he moved in 19 years ago the entire area was zoned residential. He does empathize with the neighbors that front Baltimore Street.

James Sheehan, property owner of 60 Bowman Road, would like the Board to consider not awarding the demolition bid of his property. He stated that he purchased the property a year ago at a tax sale and has had some problems, which have prevented him from repairing the structure. He would like more time to be able to correct the problems. He stated that the building is structurally sound and is willing to have some one inspect the property to make sure that it is sound.

Michael Mummert, owner of 40 Bowman Road, stated that the property at 60 Bowman Road has been in disarray for seven years. He would not mind a little time be given to the property owner to repair the structure but not the years they have already had. He stated that he is not able to sell his property because of the condition of the neighboring structure. He stated that there have been rats coming from the structure, children seen smoking marijuana along with trash littering the property. He stated that part of the house fell down onto his property at 40 Bowman Road and because no one was able to contact Mr. Sheehan, Mr. Mummert had to collect funds from the insurance company to remove the structure. He stated that the property looks horrible.

Lillian Jarvis, 5 Orion Court, expressed concern about the neighbors riding four wheelers (ATV's) at all hours of the day and any day of the week on the property next to hers. She stated that she is a nervous wreck and cannot sit outside and enjoy her deck. Commissioner Klunk asked that she speak with Police Chief Gilbert following the meeting to see if he can help address her concerns.

David Shearer, 4052 Grandview Road, stated he felt that the Township needed a nuisance noise ordinance if the Township did not have one already because other townships and boroughs have them.

Janice Sheehan, 60 Bowman Road, refuted some of the statements made by the neighbors at 40 Bowman Road.

Doris Myers, 5157 Grandview Road, was concerned about the water coming of the St. Joseph's School property on to her property. She stated that water has run into her basement and ruined the carpet. She may not be able to sell her property because of the problem. She stated that Conewago Contractors has told her that there is not a problem.

Michael Swartz, 5167 Grandview Road, explained that he also gets water in his basement from the school property and that he did not when he purchased his property in 1969. He stated there were no water issues when the property was farmed, and, later, when the church was built. He stated that when they built the addition to the school it created a lot of water run off and that is when the water problem started. He stated that the school was built about 1988.

Dan Goldsmith, 51 Little Knoll Drive, thanked the Commissioners for having the excessive growth in the retention pond located behind his house taken care of.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

Commissioner Johnson noted that the August 20, 2007 minutes under the announcements section on page one should read "Burkentine and Sons" and not "Burkentine and Son". The minutes of August 20, 2007 meeting of the Board of Commissioners were approved as corrected.

PUBLIC HEARING

Commissioner Klunk announced that the purpose of the public hearing is to consider guaranteeing the Penn Township Volunteer Emergency Services loan for a new fire station. The public hearing was properly advertised in the Hanover Evening Sun.

Jeremy Sparks, Captain of the Penn Township Volunteer Emergency Services Association, the newly created volunteer association created from the two former fire companies, the ambulance club and the SCUBA team addressed the Commissioners.

The P.T.V.E.S Association opened bids for the construction of a new fire station. Mr. Sparks did bring along a copy of the plan. The lowest bid for the general contract work was \$3,370,370, the plumbing was \$444,500, and the electrical was \$523,000 for a total of \$4.3 million. There are some other items that include security systems and telephones, which will make the total of the project \$4.9 million. The bids have not been awarded but will be within the month. The station will be located along Clover Lane adjacent to Dr. Lunsford's office and to the rear of Ollie's. It is a four-acre lot with a 30,000 square foot building being proposed. There will be a large engine bay with a tower, office space, bunkrooms and a kitchen. There will be a small piece of undeveloped land to the rear of the property. The building will be residential in appearance.

Manager Garvick stated that the land development plan as been approved and the building is under the commercial review by the Township. Mr. Sparks stated that the contractor should be able to begin within the month.

Mr. Sparks, when questioned by the Board, stated that the original project estimate was \$5.5 million to \$6 million.

Commissioner Heilman stated that the reason the Township is guaranteeing the loan is because the Township is ultimately responsible for fire service to the Township and this will help the fire company stay viable. He does not expect that this ambitious group would have problems paying the loan back.

Mr. Sparks stated that there are no contracts on the current properties but they have sold a small piece of land located near the Frederick Street station. Commissioner Felix noted that it is difficult for the fire company to advertise for the sale of properties since they are not sure when they can vacate them. The proceeds of those sales will be applied to the construction of the new facility. Mr. Sparks noted that none of the current facilities could house all the equipment owned by the association and the Township.

Commissioner Klunk thanked Commissioner Felix for serving as a liaison between the Commissioners and the volunteer association on the building committee. Commissioner Felix thanked the building committee of the fire company for their hard work.

Tony Thomas, 1413 Baltimore Street, stated that Penn Township has a first class fire company and he supports the fire company in the construction of the new fire station.

At this time Commissioner Klunk adjourned the hearing.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$833,556.05. Commissioner Klunk abstained from warrants for vendor #A0060. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated August 1, 2007 from the Hanover Area Jaycees for a waiver of the sign permit fee to place five temporary signs advertising the Halloween Parade. Motion carried.

Manager Garvick explained how the Minimum Municipal Obligations are determined for the following year. Commissioners Heilman/Johnson moved to adopt the uniformed and non-uniformed Pension Plan Minimum Municipal Obligations for 2008. Motion carried.

Commissioners Heilman/Johnson moved to adopt Ordinance No. 667, approving an agreement of guaranty, for the Penn Township Volunteer Emergency Services Inc. term note series of 2007. Motion carried 5-0 on a roll call vote.

Personnel Committee - Commissioner Heilman

Commissioner Heilman had nothing to report.

Public Works Committee -Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

Zoning Officer Menges noted that his report had been revised to include P07-12 Phase I – Avion subdivision plan for approval.

Commissioners Johnson/Felix moved to deny a request dated July 31, 2007 from Hanover Land Services for a waiver of the sidewalk requirements on Westminster and Cooper roads. Motion carried.

Commissioners Johnson/Felix moved to deny a request dated August 23, 2007 from Bon Ton Builders for a waiver of the sidewalk requirements at 130 Sherman Street. Motion carried.

The following subdivision and land development plans were formally filed:

- P07-23 – Final Subdivision Plan for Walter J. & Mary Lois Danner
- P07-24 – R & R Fitness Real Estate LLC

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

P07-11 – South Heights Manor, L.P.
P07-12 – Phase I – Avion
P07-19 – Victory Freewill Baptist Church
P07-21 – William Trump Subdivision
P07-22 – J.F. Rohrbaugh & Co.
Motion Carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on December 17, 2007:

P03-05 – Breezewood Drive Project
P03-11 – Thornbury Hunt
P06-01 – Burkentine South
P06-20 – Proposed Rutter's Farm Store #6
Motion carried.

Health & Sanitation – Commissioner Felix

Commissioners Felix/Stauffer moved to adopt Resolution No. 663, revising the official sewage facilities plan by including the Hillside Medical Center plan. Motion carried.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to approve a request dated August 1, 2007 from the Hanover Area Jaycees requesting permission to hold the annual Halloween parade on October 25, 2007 with a rain date of Monday, October 29, 2007. Motion carried.

Commissioners Stauffer/Heilman moved to deny a request dated August 8, 2007 from Robert F. Hemler for a waiver of the residential street lighting requirements at 440 Park Heights Boulevard. Motion carried.

Commissioners Stauffer/Heilman moved to approve a request dated July 12, 2007 from the Nashville Fire Company for the Hanover/Penn Township Rapid Intervention Team (RIT) to be available to respond on 1st alarm into Station 11. Motion carried.

Commissioners Stauffer/Heilman moved to deny a request dated August 15, 2007 from Romaine Troutman for a waiver of the residential street lighting requirements at 537 Meade Avenue. Motion carried.

Commissioners Stauffer/Heilman moved to set Trick or Treat for Tuesday, October 23, 2007 from 6:00 p.m. to 8:00 p.m. rain or shine. Motion carried.

Commissioners Stauffer/Heilman moved to award the 60 Bowman Road demolition bid to Crouse and Crouse, Littlestown, PA for a bid price of \$12,475. Motion

carried.

Commissioner Stauffer/Heilman moved to appoint William Flannery as the Township's interest arbitrator with regard to negotiations with the Police and Fire Unions. After some discussion the motion carried.

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

OLD BUSINESS: None.

NEW BUSINESS:

Commissioners Johnson/Felix moved to adopt a revised open records policy, in conjunction with Act 100 of 2002 to become effective immediately. Motion carried.

Commissioners Johnson/Felix moved that the rezoning hearing for 1403 Baltimore Street be rescheduled for November 19, 2007 as per the request of the applicant Burkentine and Sons Builders. Motion carried.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Tom McVey, 1411 Baltimore Street, questioned where he could research a utility easement. He said he cannot do anything on his property because of this. York County does not have any documentation of this easement. Solicitor Tilley suggested that Mr. McVey contact those individuals that handled his property settlement that they would have a copy of the title search.

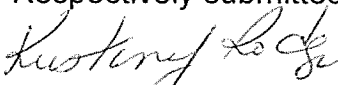
George Strucco, 3 Sara Lane, questioned why the web site no longer contained the minutes from the Board of Commissioners meetings.

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/Johnson moved for adjournment at approximately 7:55 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
OCTOBER 1, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a special session on Monday, October 1, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Manager Garvick, Police Chief Gilbert, and Fire Chief Cromer.

ANNOUNCEMENTS:

President Klunk read the announcement of the executive session held following the Board of Commissioners meeting on September 17, 2007. President Klunk announced that there would be an executive session immediately following the Finance Committee meeting to discuss personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

George Strucco, 33 Sara Lane, Hanover, PA reiterated that he hopes that the Commissioners will give conditional approval to the Martin's Ridge Subdivision plan so that a building permit can be issued for the construction of his home.

Douglas Gent, 1157 Eichelberger Street, attorney for Bon Ton Builders, expressed concern that conditional approval be given to the Martin's Ridge Subdivision plans so that building permits can be issued for those properties under contract. He stated that with the bonding in place there is no risk to the Township.

INTRODUCION OF THE DIRECTOR OF THE GUTHERIE MEMORIAL LIBRARY

Roberta Greene, the new director of the Guthrie Memorial Library, Hanover's Public Library, introduced herself to the Board and stated that the services and facilities provided at the local library are well received. She stated that about forty-one percent of Penn Township residents have library cards and are using the facility. She thanked the Board for their support and asked that they continue to invest in the library. She provided some information regarding library patronage for York County's public libraries along with a study of Pennsylvania libraries. In addition, she stated that she was willing to provided information to the Board in either written form or in person as they so desired. Commissioner Klunk informed her that the Board will be changing at the first of the year and that she should contact them for their preference. Commissioner Heilman, as a returning member of the Board, extended an invitation to her to return in January or February to address the new Commissioners. Ms. Greene also offered a tour of the library for anyone interested.

CONSIDER APPROVAL OF SUBDIVISION PLANS

Commissioners Johnson/Felix moved for the approval of final plan P06-26, Martin's Ridge Subdivision with the condition that construction of the joint sanitary sewer interceptor serving Whispering Run, Martin's Ridge and High Pointe North shall have been completed and the sewer line offered to and accepted by the Township prior to issuing any Use/Occupancy Certificates for residences whose sanitary sewer will flow through the interceptor. Motion carried.

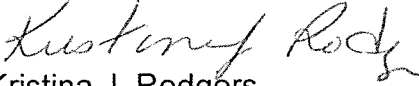
Commissioners Johnson/Felix moved for the approval of final plan P06-15, Whispering Run Phase I, with the following conditions:

- 1) That construction of the joint sanitary sewer interceptor serving Whispering Run, Martin's Ridge and High Pointe North shall have been completed and the sewer line offered to and accepted by the Township prior to issuing any Use/Occupancy Certificates for residences whose sanitary sewer will flow through the interceptor, and
- 2) That all discrepancies in Manholes 8-517, 8-519, 8-521, 8-522, and 8-28, as identified in the Township Inspectors report dated 10/01/07, be corrected prior to execution and recording of the final plan by the Township. Motion carried.

ADJOURNMENT:

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

Respectively submitted,


Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
OCTOBER 15, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, October 15, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS:

Lillian Jarvis, 5 Orion Court, expressed concern about the neighbor's children that ride all terrain vehicles (ATV's) in their yard. She is concerned about the resulting dust and noise that is disrupting the enjoyment of her property. She stated that many of her neighbors have expressed concern about the use of the vehicles and the children's behavior. Commissioner Klunk stated that Township staff is reviewing other municipalities' noise and nuisance ordinances in order to possibly draft regulations to help alleviate similar problems around the Township. Solicitor Tilley stated that noise ordinances are difficult to enact and are hard to regulate and enforce. There are constitutional issues that make the process difficult. Solicitor Tilley also stated that the neighbors should document the problem using a video camera or other recording technology. He stated that the courts have tried to reach a balance on the reasonable use and enjoyment of a person's property versus the neighbor's reasonable use and enjoyment of their property. He felt that they might want to exercise a remedy among themselves to exercise their rights for their property because it may be more successful than the Township pursuing a noise ordinance. He noted that there are neighbor mediation services in York that they may try which could help resolve the issues. Commissioner Klunk stated that it would be difficult for the Board to devise an ordinance but they will review all the options available to them.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of September 17, 2007 and October 1, 2007 meetings of the Board of Commissioners were approved as presented.

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

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$1,093,086.59. Commissioner Klunk abstained from warrants for vendor #A0060. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated September 5, 2007 from the Hanover Area Lions Club for a waiver of a sign permit fee. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to accept Christopher Wolf into the Non Uniformed Pension Plan effective October 9, 2007. Motion carried.

Commissioners Heilman/Johnson moved to accept Joseph Wysocki into the Fire Fighters Pension Plan effective October 8, 2007. Motion carried.

Commissioners Heilman/Johnson moved to accept the immediate resignation of Paul McAndrew from the Civil Service Commission. Motion carried.

Commissioners Heilman/Johnson moved to remove William Bruck as the Township's alternate sewage enforcement officer. They further moved to appoint W. Keith Fralic as the Township's alternate sewage enforcement officer. Motion carried.

Public Works Committee -Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

The following subdivision and land development plans were formally filed:

- P07-25 – Harold H. & Darthea L. Dusman
- P07-26 – Hostetter Subdivision
- P07-27 – Sterling Brown

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

P07-23 – Final Subdivision Plan for Walter J. and Mary Lois Danner
Motion Carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on January 21, 2008:

P03-03 – Bowman Tract Apartments
P03-15 – Pine Brook Development
P03-23 – John & Martha Halter
P04-25 – South Heights
P04-26 – Stonewicke
P05-21 – Hillside Medical Center
P06-23 – Brookside Avenue Townhouses
P07-10 – 735 Frederick Street Land Development Plan.
Motion carried.

Commissioners Johnson/Felix moved to approve a request dated September 4, 2007 from Hanover Land Services for temporary waiver of the curb and sidewalk requirements for Walter and Mary Lois Danner Subdivision. Motion carried.

Commissioners Johnson/Felix moved to deny a request dated September 6, 2007 from Shultz Foods for a waiver of land development requirements to alter their existing unloading area. Motion carried.

Commissioners Johnson/Felix moved to deny a request dated September 14, 2007 from Harold and Darthea Dusman for a waiver of the curb, sidewalk and road widening requirements for their final subdivision. Motion carried.

Commissioners Johnson/Felix moved to approve a request dated September 12, 2007 from Kenneth Martz for a temporary waiver of the curb and sidewalk requirements at 783 Blooming Grove Road. Motion carried.

Commissioners Johnson/Felix moved to deny a request dated September 26, 2007 from Group Hanover, Inc for a waiver of land development requirements for Hawk Creek Labs. Motion carried.

Health & Sanitation – Commissioner Felix

Commissioner Felix had nothing to report.

Public Safety Committee - Commissioner Stauffer:

Commissioners Stauffer/Heilman moved to approve the 2008 Hemler/ACS Animal Control Service Agreement. Motion carried.

Commissioners Stauffer/Heilman moved to approve the 2008 shelter agreement with Susquehanna Stray Animal Shelter. Motion carried.

Commissioners Stauffer/Heilman moved to adopt Ordinance No. 668 amending Section 307 of the International Fire Code. Motion carried on a 5-0 roll call vote.

Commissioners Stauffer/Heilman moved to adopt Ordinance No. 669 amending Section 127-25, Parking Prohibited At All Times, of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Stauffer/Heilman moved to adopt amendments to the Penn Township Civil Service Rules and Regulations. Motion carried.

Commissioners Stauffer/Heilman moved to adopt Resolution No. 664 for streetlights in the Oaks Development. 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/Johnson moved for adjournment at approximately 7:19 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
NOVEMBER 9, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a special session on Friday, November 9, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 1:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, and Johnson. Commissioner Heilman was absent with notice. Also present were Solicitor Hovis, Manager Garvick and Fire Chief Cromer.

PUBLIC HEARING

Attorney Steve Hovis stated that the Township previously approved to guarantee the Penn Township Volunteer Emergency Services tax-exempt loan. Pursuant to the Internal Revenue Code of 1986, as amended, all tax-exempt notes issued by a volunteer fire company pursuant to Section 150(e) of the Internal Code must be approved by the applicable elected representative of the jurisdiction in which the project is located after a public hearing following reasonable public notice. The public hearing is held for the purposes of reviewing and providing a reasonable opportunity for interested individuals to express their views regarding the Penn Township Volunteer Emergency Services, Inc. Project. The project has been identified as to plan, design and construct additions, improvements and renovations to its fire and emergency service buildings and facilities of the Penn Township Volunteer Emergency Services, Inc. The total cost of the project is 4.9 million dollars. The note associated with the guaranty for the Township is 3.5 million dollars. The project is expected to be completed in the summer of 2008, more specifically August. The owner and operator of the project will be the Penn Township Volunteer Emergency Services Inc. The Township is guarantying the note. There was no one present from the public that wished to comment.

BOARD ACTION:

Commissioners Stauffer/Johnson moved to adopt Resolution No. 665, approving the financing by Penn Township Volunteer Emergency Services, Inc. to construct a Fire and Emergency Services Building and Facilities. Motion carried.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Stauffer/Johnson moved for adjournment at approximately 1:03 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
NOVEMBER 19, 2007**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, November 19, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Solicitor Tilley, Manager Garvick, 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 Klunk announced that the Board of Commissioners has again received a letter from Burkentine and Sons requesting that the rezoning hearing for 1403 Baltimore Street be deferred for another month. Any one present for the hearing was given the opportunity to address the Board but they were also advised that they should attend the hearing when it is rescheduled. President Klunk also 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. He also welcomed Commissioners-Elect Daniel Goldsmith and Walt Rewa, who were in attendance.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of October 15, 2007 and November 9, 2007 meetings of the Board of Commissioners were approved as presented.

PUBLIC HEARING

President Klunk convened a public hearing to consider a request to rezone a 1.63 acres parcel from Shopping/Commercial (SC) to Urban Residential (R-8). The public hearing was properly advertised in the Hanover Evening Sun.

Zoning Officer Menges reading from the York County Planning Commission minutes stated that the project involves a proposal to rezone a parcel of land in Penn Township (Tax Map 06, Parcel 43B) containing approximately 1.63 acres from

Shopping/Commercial (S/C) to Urban Residential (R-8). This request is being made by Jeffrey Garber and Todd Grim, realtors for Remax located at 1147 Eichelberger Street.

The subject parcel is located in Penn Township on the north side of Manor Street and the south side of Boundary Avenue and is situated to the east of what was previously South Forney Avenue, which has been vacated and no longer provides access from Manor Street to Boundary Avenue. The parcel is presently zoned S/C Shopping Commercial.

The parcel is bordered by the Children's Discovery Day Care Center, zoned Commercial, to the north. KrillCo LLC owns the property to the west. An industrial use storage/garage building is located on the KrillCo property, which is zoned Commercial. The Park Hills Elementary School, zoned R-15 Suburban Residential, is located to the south and Single Family Semi-Detached dwellings, zoned R-8 Urban Residential, are located to the east of the project parcel.

The proposed revision to the map would expand the R-8 Urban Residential Zone to the west of an unnamed alley and extend farther west along Manor Street. This rezoning would enlarge the R-8 Urban Residential District by 1.63 acres and this parcel would be bordered by S/C Shopping Commercial to the north and west and R-15 Suburban Residential to the south.

The parcel is currently an open field and contains a small stream and trees bordering the northern boundary. There are no existing structures on this parcel. Public water and sewer are available at this site.

The Penn Township Comprehensive Plan Future Land Use Map designates the subject parcel as being in the Commercial Primary Growth Area. The Comprehensive Plan designates the subject parcel as having a Current Land Use of Residential.

According to the York County Comprehensive Plan, the subject parcel lies within an Established Primary Growth Area.

The staff of the York County Planning Commission recommends that the proposed rezoning be conditionally approved provided the recommendation noted in Comment #1 below is addressed. Comment # 2 notes the principal reason for support of the recommendation of conditional approval:

1. If the proposed amendment is to be adopted, in order to ensure consistency between the comprehensive plan and zoning ordinance, Township officials should amend the comprehensive plan to reflect the proposed zoning amendment. Section 603 (j) of the Pennsylvania Municipalities Planning Code requires that when "... a municipality amends its zoning ordinance in a manner not generally consistent with its comprehensive plan, it shall concurrently amend its comprehensive plan...." This requirement regarding zoned amendments applies to

proposed revisions to the zoning map and/or text.

2. The location and accessibility of Parcel 43B make it less feasible to be developed commercially than for residential purposes, as it has no direct access to Boundary Avenue, a through street which provides access to a variety of zones and uses. The only accesses to the subject parcel are residential neighborhood streets.

At the Penn Township Planning Commission on September 6, 2007 Planners Van de Castle/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. The motion carried on a 7-0 vote.

The applicants are requesting the rezoning to construct a multi family unit, which will require special exception approval from the Zoning Hearing Board. They will also have to submit a land development plan to be reviewed by the Penn Township Planning Commission.

D. J. Hart, attorney for Jeffrey Garber and Todd Grim, represented this request. They have a sales agreement to purchase the property from Mr. and Mrs. Fabian. The property is located between the football field at Park Hills Elementary and the commercial uses located along Boundary Avenue. According to Atty. Hart, this parcel has been denied seven separate commercial uses proposed for this site. There is no commercial access to the property, which is located along a paper alley vacated by the Township. The other properties in the area are generally commercial and residential. The current zoning would allow the parcel to be used as eating establishments, clubs, or other industrial uses. These usages would allow more lot coverage than would be allowed on a residentially zoned property. The applicants provided copies of plans that showed an eight-unit multifamily home for the parcel. A variance was approved for a twelve-unit multifamily home but the project was never followed through.

There was no comment from the public with regards to the rezoning request.

Commissioners Felix/Johnson moved to approve a request dated July 18, 2007 from Jeffrey Garber and Todd Grim to rezone parcel 43B, tax map 06, from shopping/commercial to R-8 urban residential. They further moved to authorize the Township Manager to advertise the appropriate ordinance for adoption by the Board of Commissioners on December 17, 2007. Motion carried 5-0.

Commissioner Klunk adjourned the Public Hearing and resumed the Board of Commissioners meeting.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

Commissioners Heilman/Johnson moved to approve Township Warrants in the amount of \$969,483.28. Commissioner Klunk abstained for a warrants for vendor

#A0060. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated October 8, 2007 from God's Meal Barrel for a waiver of the sign permit fee to advertise appreciation days at Buckley Chiropractic Center. Motion carried.

Commissioners Heilman/Johnson moved to approve a request from South Western Lacrosse for a waiver of the sign permit fee to advertise their registration night. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated October 19, 2007 from Exit Realty for a waiver of the sign permit fee to advertise a food drive for charitable organizations. Motion carried.

Commissioners Heilman/Johnson moved to approve a request dated October 22, 2007 from Penn Township Volunteer Emergency Services for a waiver of the sign permit fee to advertise a non-profit event. Motion carried.

Commissioner Heilman presented the first reading of the proposed 2008 budget. He stated that the General Fund projected revenues are \$8,316,260 while the expenditures are projected to be \$8,986,420. The revenues are comprised of a cash carryover of \$1,385,000 and total receipts in 2008 of \$6,931,260. The Highway Aid revenues and expenditures are projected to be \$547,840. The Sewer Account revenues and expenditures are projected to be \$4,525,300. The revenue is comprised of \$2,000,000 in cash carry over and \$2,525,300 in receipts. This is only a preliminary budget and it will be presented for public display on December 4, 2007 during normal business hours at the municipal office. The Commissioners will be holding a budget meeting on November 28, 2007 at 6:30 PM to review and work on the budget. It was noted that a deficit is not unusual at this time in the budget process.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Stauffer moved to adopt Resolution No. 666, setting the rate of pay for the draftsman/inspector for 2007 and 2008. Motion carried.

Commissioners Heilman/Stauffer moved to appoint William Russell to an unexpired term on the Penn Township Civil Service Board, said term to expire August 2012. Motion carried.

Public Works Committee -Commissioner Johnson

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

Planning & Recreation Committee – Commissioner Johnson

The following subdivision and land development plans were formally filed:

P07-29 – NHM Construction LLC
P07-30 – M & T Bank – 1275 Baltimore Street

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

P05-21 – Hillside Medical Center
P07-28 – Hawk Creek Laboratory
Motion carried.

Commissioners Johnson/Felix moved to approve the following extension requests that will expire on February 18, 2008:

P01-28 – High Pointe @ Rojen Farms
P02-28 – Gateway Hanover
P03-06 – Brookside Heights
P03-20 – Wallen Tract Apartments/South West Crossing
P03-30 – Mustang Pointe
P05-15 – Avion
P07-07 – 150 Brookside Avenue Final Subdivision
Motion carried.

Commissioners Johnson/Felix moved to adopt Ordinance No. 670 adopting as public roads Astoria Drive, Lexington Drive, Timber Lane and Breezewood Drive in the Morningstar Development. Motion carried 5-0 on a roll call vote.

Commissioners Johnson/Felix moved to approve a request dated October 9, 2007 from Homewood Retirement Centers for a waiver of a land development plan to install a garage. Motion carried.

Health & Sanitation – Commissioner Felix

Commissioners Felix/Stauffer moved to adopt Ordinance No. 671 approving the plan of construction of sanitary collection sewers within and to that portion of the Township consisting of Astoria Drive, Lexington Drive and Timber Lane with designated rights-of-way. Motion carried on a 5-0 roll call vote.

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:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Stauffer/Johnson moved for adjournment at approximately 7:25 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

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

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, December 17, 2007 at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Klunk, Stauffer, Felix, Johnson and Heilman. Also present were Solicitor Tilley, Manager Garvick, Police Chief Gilbert, Engineer Bortner and Zoning Officer Menges.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Klunk announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

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

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

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

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

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

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

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

Personnel Committee - Commissioner Heilman

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

Public Works Committee -Commissioner Johnson

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

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

Planning & Recreation Committee – Commissioner Johnson

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

The following subdivision and land development plans were formally filed:

P07-31 – SKF USA, Inc.

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

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

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

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

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

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

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

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

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

Health & Sanitation – Commissioner Felix

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

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

Public Safety Committee - Commissioner Stauffer:

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

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

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

OLD BUSINESS: None.

NEW BUSINESS:

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

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

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

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There were no questions from the press.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Felix/Johnson moved for adjournment at approximately 7:25 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers
Township Secretary

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

CALL TO ORDER-ROLL CALL-DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Thursday, December 27, 2007, at the Penn Township Municipal Building. President Klunk called the meeting to order at 7:00 P.M. with a roll call of members. Present were Commissioners Klunk, Felix, Johnson and Heilman. Commissioner Stauffer was absent with notice. Also present was Manager Garvick.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

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

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

PUBLIC HEARING 2008 BUDGET:

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

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

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

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

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

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

contracted personnel for the calendar year 2008. Motion carried.

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

TOWNSHIP REPORTS - STANDING COMMITTEES:

Finance Committee - Commissioner Heilman

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

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

Personnel Committee - Commissioner Heilman

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

Public Works Committee - Commissioner Johnson

Commissioner Johnson had nothing to report.

Planning & Recreation Committee - Commissioner Johnson

Commissioner Johnson had nothing to report.

Health & Sanitation - Commissioner Felix

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

Public Safety Committee – Commissioner Heilman

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

OLD BUSINESS:

At this time, the Board readdressed the 2008 budget. Commissioner Heilman stated that he would be willing to vote in favor of the budget so that the Township can

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

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

NEW BUSINESS:

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

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

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

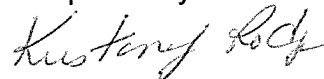
QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:

There was no press present for the meeting.

ADJOURNMENT:

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

Respectively submitted,



Kristina J. Rodgers
Township Secretary