

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
JANUARY 7, 2008**

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

The Penn Township Board of Commissioners met for the purpose of reorganization on January 7, 2008 at the Penn Township Municipal Building. District Justice James Miner called the meeting to order at 7:00 P.M. Present at the meeting were Commissioners Johnson and Heilman; Commissioners elect Prieber, Goldsmith, and Rewa. Also present were Manager Garvick, Police Chief Gilbert, Fire Chief Cromer, Engineer Bortner, Highway Foreman Mahan, Waste Water Treatment Plant Superintendent Mahone 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.

**ADMINISTRATION OF OATHS OF OFFICE TO COMMISSIONERS:**

District Justice Miner administered the oaths of office to Commissioners elect Prieber, Goldsmith, and Rewa.

**ELECTION OF OFFICERS:**

District Justice Miner called for nominations for the office of President. It was moved by Commissioners Prieber/Goldsmith to nominate Michael L. Johnson, Jr. to the office of President of the Penn Township Board of Commissioners. District Justice Miner, seeing no other nominations for President, closed the nominations. The motion that Michael L. Johnson, Jr. be elected President of the Board was approved by voice vote.

District Justice Miner then turned the meeting over to President Michael L. Johnson, Jr. The President called for nominations for the Office of Vice-President. It was moved by Commissioners Rewa/Goldsmith to nominate Craig Prieber to the Office of Vice-President. There were no other nominations for Vice-president so nominations were closed. Motion was approved by voice vote.

**APPOINTMENT OF TOWNSHIP OFFICIALS**

Commissioners Johnson/Heilman moved for the appointment of Jeffrey R. Garvick as Township Manager for a two-year term effective January 1, 2008. Motion carried.

Commissioners Johnson/Heilman moved for the appointment of Walter A. Tilley, III as Township Solicitor for a two-year term effective January 1, 2008. Motion carried.

Commissioners Johnson/Heilman moved for the appointment of Eric J. Bortner as Township Engineer for a two-year term effective January 1, 2008. Motion carried.

Commissioners Johnson/Heilman moved for the appointment of Edward J. O'Donnell, III as Township Broker of Record for a two-year term effective January 1, 2008. Motion carried.

Commissioners Johnson/Goldsmith moved to adopt Resolution No. 672 appointing the Secretary, Kristina J. Rodgers and Assistant Township Secretary, Phillip Heilman. Motion carried.

### **TOWNSHIP REPORTS - STANDING COMMITTEES:**

#### Finance Committee – Commissioner Heilman

Commissioners Heilman/Prieber moved that the 2008 budget be reopened, evaluated and corrective action taken at the meeting on January 21, 2008. Motion carried

#### Public Works Committee – Commissioner Goldsmith

Commissioners Goldsmith/Rewa moved to approve the storm water basin maintenance agreement with Bon Ton Builders. Motion carried.

#### Planning & Recreation – Commissioner Prieber

Commissioner Prieber had nothing to report.

#### Health & Sanitation – Commissioner Rewa

Commissioner Rewa had nothing to report.

#### Personnel Committee – Commissioner Johnson

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

Commissioners Johnson/Heilman moved to appoint Daniel Goldsmith and Craig Prieber to the Penn Township Planning Commission. Said terms to expire December 31, 2009. Motion carried.

Commissioners Johnson/Goldsmith moved to appoint Wendell Felix to the Penn Township Zoning Hearing Board. Said term to expire January, 2013, and appointment effective immediately. Motion carried.

Public Safety – Commissioner Johnson

Commissioner Johnson/Prieber moved to award the police cruiser bid to Gene Latta Ford, Hanover PA for a bid price of \$41,811 for two police cruisers.

**OLD BUSINESS:** None

**NEW BUSINESS:** None

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

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

Questions from the press were received and answered.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Heilman/Goldsmith entertained a motion for adjournment at approximately 7:06 P.M. Motion carried.

Respectively submitted,  
  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
JANUARY 21, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, January 21, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Heilman, Prieber, Goldsmith and Rewa. 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Roberta Green, Director of the Guthrie Memorial Library, discussed funding for public libraries in Pennsylvania. She also provided the operating costs for the library and the breakdown of the donations from the Borough of Hanover and Township of Penn along with the membership and utilization statistics regarding Penn Township residents.

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

The minutes of the December 17, 2007, December 27, 2007 and January 7, 2008 meetings of the Board of Commissioners were approved as presented.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Johnson:**

Commissioners Johnson/Goldsmith moved to adopt Ordinance No. 680 amending Section 127-11 Turns at Intersections of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Johnson/Goldsmith moved to adopt Resolution No. 673 for the

upgrade of streetlights at Blooming Grove Road and Marietta Avenue. Motion carried.

Personnel Committee - Commissioner Johnson:

Commissioner Johnson had nothing to report.

Planning & Recreation Committee – Commissioner Johnson

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

Commissioners Prieber/Heilman moved to deny final plan P07-07, 150 Brookside Avenue for failure to comply with the requirements of the Township's Subdivision and Land Development Ordinance as indicated on the memo dated April 4, 2007 from the Township Engineer. The specific sections of non-compliance are failure to: (S. 402) supply contour elevation data; (S. 405) provide the seal of a Registered Engineer or Surveyor; (S. 405) note any variances/special exceptions; (S. 405) provide notarized statement from land owner; (S. 405) provide Plan Revision Module for DEP; (S. 405 & 611) provide certification regarding public improvements; (S. 402 & 405)) provide correct contours, cross sections and street profiles; (S. 505) provide for installation of curbs and sidewalks; (S. 606) provide for residential street lighting; (S. 607) provide for installation of sanitary sewer, and address York County Planning Commission comments.

Commissioners Prieber/Heilman moved to approve a request dated December 10, 2007 from GHI, Inc. for a temporary waiver of the sidewalk requirements for the Elizabeth Hostetter subdivision. Motion carried.

Commissioners Prieber/Goldsmith moved to approve a request dated December 6, 2007 from SKF USA, Inc. for a waiver of Sections 402, 403, 404, 405 of the Township's Subdivision and Land Development ordinance. I further move to deny a request dated December 6, 2007 from SKF for a waiver of Section 603, street curbing, of the Township's Subdivision and Land Development Ordinance.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township Warrants in the amount of \$592,885.97. Motion carried.

Commissioners Heilman/Prieber moved to authorize the Manager to advertise the adoption of the amended 2008 budget at a special meeting of the Board of Commissioners on February 5, 2008. Motion carried.

Commissioners Heilman/Prieber moved to adopt Ordinance No. 681 guaranteeing the Penn Township Volunteer Emergency Services revolving demand note series of 2008. Motion carried 5-0 on a roll call vote.

Public Works Committee -Commissioner Goldsmith

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

The following subdivision plan was formally filed:

P08-01 – Robert T Hemler, Sr.

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

P07-29 – NHM Construction LLC.  
Motion carried.

Commissioners Goldsmith/Prieber moved to approve the following extension requests that will expire on April 21, 2008:

P03 – 03 – Bowman Tract Apartments  
P03 – 15 – Pine Brook Development  
P03 – 23 – John & Martha Halter  
P04 – 25 – South Heights  
P04 – 26 – Stonewicke  
P06 – 23 – Brookside Avenue Townhouses  
P07 – 10 – 735 Frederick Street Land Development Plan  
P07 – 25 – Harold H. & Darthea L. Dusman  
P07 – 26 – Hostetter Subdivision  
P07 – 27 – Sterling Brown  
Motion carried.

Health & Sanitation – Commissioner Rewa

Commissioner Rewa reported that the Township would be holding electronics recycling in conjunction with the York County Solid Waste Authority on April 5, 2008 at 976 Wilson Avenue from 9 a.m. to 2 p.m. The Township will not pick up electronics equipment curbside until after April 5, 2008. In addition Manager Garvick stated that it would reduce the Township's tipping fees if the items are recycled.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

James Poggie, 6 Heights Avenue, requested clarification on Ordinance No. 680. Manager Garvick stated that the Ordinance restricts northbound left hand turns on to

Hillside Road from Baltimore Street.

David Forry, 828 Hartman Avenue, expressed concern about individuals driving over the twenty-five mile speed limit on Hartman Avenue. He stated there are no sidewalks along the street and even when there was a police officer in the front of his house the traffic did not slow down. Traffic is using Hartman Avenue as a shortcut around Frederick Street. He would like to see the traffic slowed down. He stated that Cintas drivers were using the street as a short cut but when Cintas was contacted they stopped. Commissioner Johnson suggested that Mr. Forry contact Police Chief Gilbert to discuss

**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 Heilman/Goldsmith moved for adjournment at approximately 7:27 P.M. Motion carried.

Respectively submitted,

  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
FEBRUARY 5, 2008**

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

The Penn Township Board of Commissioners met in a special session on Tuesday, February 5, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Heilman, Prieber, Goldsmith and Rewa. Also present were Manager Garvick, Engineer Bortner, Highway Foreman Mahan, and Waste Water Treatment Superintendent Mahone.

**ANNOUNCEMENTS:**

President Johnson announced that, following the finance meeting last evening, the Board of Commissioners convened in an executive session for the purpose of discussing personnel issues.

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

**CONSIDER ADOPTING ORDINANCE NO. 682, THE AMENDED 2008 BUDGET**

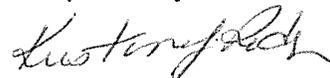
Commissioner Heilman noted that even though the 2008 budget was reopened there is no change in the millage rate. Several projects have been but on hold and the extra funds have been budgeted for the contingency fund. Commissioner Johnson stated that some of the items that were put on hold maybe revisited latter in the year by the Finance Committee.

Commissioners Heilman/Goldsmith moved to adopt Ordinance No. 682, the amended 2008 budget. Motion carried 5-0 on a roll call vote.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Prieber/Goldsmith moved for adjournment at approximately 7:03 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
FEBRUARY 18, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, February 18, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Heilman, Prieber, Goldsmith and Rewa. 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

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

**RESOLUTIONS OF APPRECIATION:**

Commissioner Johnson presented a Resolution of Appreciation to Donna Scott for her many years of service on the Penn Township Planning Commission and Zoning Hearing Board. Commissioner Johnson presented a Resolution of Appreciation to Leroy W. Snyder for his many years on the Penn Township Civil Service Commission.

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

The minutes of the January 21, 2008 and February 5, 2008 meetings of the Board of Commissioners were approved as presented. The Board did make corrections to the Finance and Public Safety Committee minutes.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Public Safety Committee - Commissioner Prieber:

Commissioners Prieber/Heilman moved to adopt Ordinance No. 684 amending Section 127-14 Stop Intersections of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Prieber/Heilman moved to approve a request dated January 14, 2008 from the Hanover Allied Veterans Council to conduct the Memorial Day Parade on Monday, May 26, 2008. They further moved that all street closings and public safety considerations be coordinated through the Chief of Police. Motion carried.

Personnel Committee - Commissioner Johnson:

Commissioner Johnson had nothing to report.

Planning & Recreation Committee – Commissioner Prieber:

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

Commissioners Prieber/Goldsmith moved to deny a request dated January 28, 2008 from George Neiderer Pools Inc. for a waiver of a land development plan to pave an additional parking lot at 1016 York Street. Motion carried.

Commissioners Prieber/Goldsmith moved to approve a request dated January 11, 2008 from Group Hanover, Inc. for a waiver of a land development plan to replace an existing flagstone patio with a two-story addition at the corporate office of Hanover Foods Corporation. Motion carried.

Commissioners Prieber/Goldsmith moved to adopt the Subdivision and Land Development Waiver Policy. Motion carried.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Goldsmith moved to approve Township Warrants in the amount of \$607,551.91. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 677 fixing the rates of pay and various benefits for calendar year 2008. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated January 21, 2008 from the Exchange Club of Hanover for a waiver of the sign permit fee to advertise the annual Builders Show on March 5 thru March 8, 2008. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated January 8, 2008 from the Hanover Area Chamber of Commerce for a waiver of the sign permit fee to advertise the shuttle service for the annual Dutch Festival on July 26, 2008. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 676, authorizing the advertisement for and the public sale of real estate at 30 Spring Garden Street. Motion carried.

Commissioner Heilman noted that he would not be at the next Finance Committee meeting on March 3, 2008 and the annual voting wage tax meeting is scheduled for Tuesday, February 26, 2008 at 7:00 p.m. at the South Western School District Administration Building.

Public Works Committee -Commissioner Goldsmith

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

Commissioners Goldsmith/Heilman moved to adopt Resolution No. 675 redesignating portions of Breezewood Drive in Penn Township. Motion carried.

The following subdivision plans were formally filed:

- P08-03 – ESAB Welding and Cutting Products
- P08-04 – Donald B. Smith, Inc.

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

- P07-10 – 735 Frederick Street Land Development Plan
  - P07-26 – Hostetter Subdivision
  - P07-30 – M & T Bank – 1275 Baltimore Street
  - P07-31 – SKF USA, Inc.
  - P08-01 – Robert T. Hemler, Sr.
- Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on May 19, 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
- Motion carried.

Health & Sanitation – Commissioner Rewa

Commissioners Rewa/Goldsmith moved to approve participation in the Capital Region Council of Governments with regards to the Chesapeake Bay Tributary Strategy. Motion carried.

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 674, revising the official sewage facilities plan by including the Thornbury Hunt subdivision plan. Motion carried.

Commissioners Rewa/Goldsmith moved to adopt Ordinance No. 683, the Sewer Use Ordinance. Motion carried 5-0 on a roll call vote.

Commissioners Rewa/Goldsmith moved to adopt the enforcement response plan providing guidance to Township Personnel in enforcing violations of the Township's Pretreatment Program. Motion carried.

Commissioners Rewa/Goldsmith moved to adopt Ordinance No. 685, approving the plan of construction of sanitary collection sewers within and to that portion of the Township of Penn consisting of lands of Whispering Run, High Pointe North, Maitland Investment and Martin's Ridge. Motion carried 5-0 on a roll call vote.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:**

Commissioner Johnson reviewed the annual police report and commended Chief Gilbert on the reduction in crime and accidents in the Township.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Mike Rishel, 62 Laurel Drive, informed the Commissioners that he is a candidate for the State House of Representatives and if he is elected, he will be very honored to represent the residents of Penn Township in Harrisburg. He will be a direct link for any needs the Commissioners have in Harrisburg.

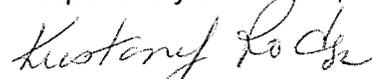
**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

Questions from the press were received and answered.

**ADJOURNMENT:**

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

Respectively submitted,



Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
MARCH 4, 2008**

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

The Penn Township Board of Commissioners met in a special session on Tuesday, March 4, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Heilman, Prieber, Goldsmith and Rewa. Also present were Manager Garvick, Engineer Bortner, Highway Foreman Mahan, Waste Water Treatment Superintendent Mahone and Environmental Director Hejmanowski.

**ANNOUNCEMENTS:** None.

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

**CONSIDER ADOPTING ORDINANCE NO. 686:**

Manager Garvick reported to the Commissioners that Attorney Steve Hovis, representing the Penn Township Volunteer Emergency Services, has informed the Township that the Ordinance that was previously adopted co-signing for the PTVES loan will need be readopted. According to Atty. Hovis, PA DCED has reinterpreted the Local Government Unit Debt Act and now requires the debt to be shown as general obligation debt as opposed to lease rental debt. The note will be for three years and there is ample room in the Township's debt ceiling to accommodate such an amendment.

Commissioners Prieber/Heilman moved to approve Ordinance No. 686, authorizing the incurrence of non-electoral debt by the issuance of Penn Township Volunteer Emergency Services, Inc. general obligation note, series of 2008, in the aggregate principal amount of \$1,800,000 for the purpose of providing funds for the planning, design, renovation, and improvement of Penn Township Volunteer Emergency Services, Inc., facilities. Motion carried on 5-0 roll call vote.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Goldsmith/Rewa moved for adjournment at approximately 7:03 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
MARCH 17, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, March 17, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Goldsmith and Rewa. Commissioner Heilman was absent with notice. Also present were Solicitor Tilley, 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Mike Swartz, 5167 Grandview Road, expressed concern about the closing of Grandview Road from Beck Mill Road to Baltimore Street for extended periods of time. Commissioner Johnson referred Mr. Swartz to the April 1, 2008 Public Works Committee meeting for further discussion on this issue.

Ron Bulson, 37 Arbor Lane, who purchased his home about two years ago. He is concerned about a seven and half-foot retaining wall that was built to the rear of his property that is falling over. Apparently, the wall was constructed without a building permit. He also has other problems with the way the property was constructed including the depth of the water line, which has erupted. He is claiming that the water line is only fourteen inches deep and it is required to be thirty-six inches deep. He stated that he contacted the building inspector and he could not do anything since the wall is already installed. He stated that several days prior to this incident he contacted the Township and was told that as the homeowner he would be responsible if he did work without a permit, which could include removing a structure and rebuilding it once the permit is secured. He is concerned because the builder constructed the wall without a permit and was told by the building inspector that he had the option of filing charges against the builder. Mr. Boulson wanted to know what the guidelines are for enforcing violations. He will have to incur the cost of having the wall removed and rebuilt plus the costs of permits. In addition he had to have his deck reattached to his house twice. He

will also have to have the water line rerun. The current water line penetrated the siding on his house. He wanted to know at what point the Township steps up and takes responsibility for the inspector not doing his job. He was instructed to attend the Public Works Committee meeting on April 1, 2008.

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

The minutes of the February 18, 2008 and March 4, 2008 meetings of the Board of Commissioners were approved as presented.

**RECOGNITION OF RETIRED POLICE OFFICER – SCOTT A. LOBACH:**

Mr. Johnson gave a brief synopsis of Mr. Lobach's career, which included him becoming the Township's first D.A.R.E. Officer. Commissioner Johnson presented retired Officer Lobach with a plaque that stated:

"Scott A. Lobach, February 25, 1980 – March 3, 2008, In appreciation and recognition of twenty eight years of dedicated service to the Township of Penn, York County. May you have a healthy and successful retirement. Presented by the Board of Commissioners, March 17, 2008."

**ADMINISTRATION OF OATH FOR POLICE OFFICER ERIC ZUMBRUM:**

District Justice Miner administered the oath of office to Police Officer Eric Zumbrum.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Rewa moved to approve a request dated February 20, 2008 from South Western School District to close Bowman Road on May 31, 2008 from 7:30 a.m. to noon in order to conduct a tri-athlon event for the district's elementary school. Motion carried.

Commissioners Prieber/Rewa moved to approve a request dated February 22, 2008 from Make A Wish, Truck Convoy for Wishes, to conduct a fundraising event on May 4, 2008. Motion carried.

Commissioners Prieber/Rewa moved to authorize the Penn Township Civil Service Board to prepare an eligibility hiring list for patrolmen. Motion carried.

**Personnel Committee - Commissioner Johnson:**

Commissioner Johnson had nothing to report.

Planning & Recreation Committee – Commissioner Prieber:

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

Commissioners Prieber/Goldsmith moved to approve a request dated January 31, 2008 from C.S. Davidson for a waiver of the curb and sidewalk requirements in conjunction with a land development plan for ESAB Welding. Motion carried.

The following subdivision plans were formally filed:

P08-05 – Hanover Foods Corporation  
P08-06 – SWSD School Bus Depot

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

P08-03 – ESAB Welding and Cutting Products  
Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on June 16, 2008:

P03-05 – Breezewood Drive Project  
P03-11 – Thornbury Hunt  
P07-24 – R & R Fitness Real Estate, LLC  
Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension request that will expire on May 19, 2008:

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

Finance Committee - Commissioner Prieber

Commissioners Prieber/Goldsmith moved to approve Township Warrants in the amount of \$1,066,835.53. Motion carried.

Commissioners Prieber/Goldsmith moved to approve Ordinance No. 687, providing for a cost of living adjustment and a monthly service increment for each complete year of service for the Police Pension Plan. Motion carried on a 4-0 roll call vote.

Commissioners Prieber/Goldsmith moved to adopt Resolution No. 678, condemning a tract of land situate in Penn Township, York County, owned by William L. and Dana M. Heston. Motion carried.

Commissioners Prieber/Goldsmith moved to approve the Agreement of Sale for 823 York Street. Motion carried.

Commissioners Prieber/Goldsmith moved to approve the Post Settlement Occupancy Agreement for 823 York Street. Motion carried.

Commissioners Prieber/Goldsmith moved to approve an Agreement between Penn Township and the Principal Life Insurance Company regarding reimbursement of costs in conjunction with the police pension plan. Motion carried.

Commissioners Prieber/Goldsmith moved to approve a request from Nathaniel Smith for a waiver of the building permit fee to construct a circular paver pad and fire pit at St. Joseph's Church with regard to his Eagle Scout Project. Motion carried.

Commissioners Prieber/Goldsmith moved to award the 30 Spring Garden Street property bid to Bruce Jones, Spring Grove, PA for a bid price of \$230,000. They further authorized the Solicitor, Manager, and Secretary to execute any settlement documents. Motion carried.

Commissioners Prieber/Goldsmith moved to approve Resolution No. 679, providing a schedule of fees for permits and services provided by Penn Township. Motion carried.

Commissioners Prieber/Goldsmith moved for the adoption of the restated police pension plan document effective January 1, 2008. Motion carried.

#### Public Works Committee -Commissioner Goldsmith

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

#### Health & Sanitation – Commissioner Rewa

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 680, revising the official sewage facilities plan by including the Gateway Hanover subdivision plan. Motion carried.

Commissioners Rewa/Goldsmith moved to authorize the preparation of an agreement with CET Engineering to begin design on the Waste Water Treatment Plant upgrade. Motion carried.

Commissioners Rewa/Goldsmith moved to authorize the Township to begin the collection of commercial cardboard. Motion carried.

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 681, authorizing the appeal of the final NPDES sewer discharge permit. 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

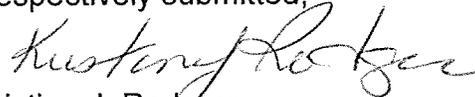
**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

There was no one present from the Press.

**ADJOURNMENT:**

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

Respectively submitted,



Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
APRIL 21, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, April 21, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith and Rewa. 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Reg Baugher, Hanover Land Services, and Scott Rankin, R & R Fitness, requested that the Board of Commissioners make a decision regarding their waiver of the curbs along Broadway for the construction of a Gold's Gym at the intersection of Broadway and Hickory Lane. They are not able to get a PennDOT Highway Occupancy Permit without the Township signing off on the permit to maintain the stormwater system. Commissioner Johnson stated that the Board would be talking to the Solicitor about the situation and will contact them when they have a decision.

Mary Nelson, 5 O'Neill Avenue, requested that the Board consider a noise ordinance because of the loud noise created by the traffic passing by her house because of loud mufflers and stereos. Commissioner Johnson directed her to the Public Safety meeting on May 5, 2008.

Scott Kelly, attorney for Terry Wetzel, was present to provide the dimensions of the expansion being done at 918 York Street as requested by the Penn Township Planning Commission. Mr. Wetzel has requested a waiver of the land development requirements for an expansion at the old Getty gas station. The addition will be 1500 square feet. The existing structure is about 3500 square feet. The canopy that was removed was about 1000 square feet. This will be an increase of thirty-three percent but the construction will be done over an existing impervious area.

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

The minutes of the March 17, 2008 meetings of the Board of Commissioners were approved as presented.

**TOWNSHIP REPORTS - STANDING COMMITTEES:****Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Goldsmith moved to approve a request dated March 13, 2008 from FVC Building and Development for a waiver of the residential lighting requirements at 339 Park Heights Boulevard. Motion carried with Commissioner Johnson abstaining.

Commissioners Prieber/Goldsmith moved to adopt Ordinance No. 688, providing for regulations and inspection of residential rental units. Motion carried on a 5-0 roll call vote.

**Personnel Committee - Commissioner Rewa:**

Commissioners Rewa/Heilman moved to accept the resignation of Gary LeFevre from the Penn Township Planning Commission effective immediately. Motion carried.

Commissioners Rewa/Heilman moved to ratify the contract between Penn Township and the International Association of Firefighters Local #2045. Motion carried.

**Planning & Recreation Committee – Commissioner Prieber:**

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

No subdivision or land development plans were submitted for formal filing.

No subdivision or land development plans were submitted for approval.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on July 21, 2008:

P03-03 – Bowman Tract Apartments  
P03-15 – Pine Brook Development  
P04-25 – South Heights  
P04-26 – Stonewicke  
P06-23 – Brookside Avenue Townhouses  
P07-25 – Harold H. & Darthea L. Dusman  
P07-27 – Sterling Brown  
Motion carried.

Commissioners Prieber/Goldsmith moved for the acceptance of withdrawal at the request of the developer of plan P03-23 – John & Martha Halter. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated February 26, 2008 from Sharrah Design Group for a waiver of dead end streets and lot depths for the Thornbury Hunt Subdivision. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated March 7, 2008 from GHI for a waiver of the land development requirements for the South Western School District transportation facility. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated March 7, 2008 from Bon Ton Builders for a temporary waiver of the sidewalk requirements at Lot 145A, Lot 145B, and Lot 146 Centennial Avenue. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated March 13, 2008 from FVC Building and Development, LLC for a temporary waiver of the curb and sidewalk requirements at 339 Park Heights Boulevard. Motion carried with Commissioner Johnson abstaining.

Commissioners Prieber/Heilman moved to approve a request dated March 13, 2008 from Randy Angel for a waiver of a land development plan to pave an additional two hundred square feet at 868 Baltimore Street. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated April 3, 2008 from T. L. Wetzel and Sons, Inc. for a waiver of land development requirements to construct an addition at 918 York Street. Motion carried

#### Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township Warrants in the amount of \$921,568.22. Motion carried.

Commissioners Heilman/Prieber moved to deny a request dated March 12, 2008 from the York/Adams Two Cylinder Club for a waiver of the sign permit fee to advertise an event on April 17 and April 18. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated March 10, 2008 from the Penn Township Lions Club for a waiver of the building permit fee to pave pavilion #4 at Youngs Woods. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated March 17, 2008 from Boy Scout Troop 110 for a waiver of the sign permit fee to advertise their mulch sale. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated March 25, 2008 from the Leukemia and Lymphoma Society for a waiver of the sign permit fee to

advertise a fundraiser. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated March 24, 2008 from South Western Dollars for Scholars for a waiver of the sign permit fee to advertise their Make A Difference Week. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated April 1, 2008 from the Hanover Lions Club for a waiver of the sign permit fee to advertise a chicken barbeque on May 3, 2008. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated April 7, 2008 from the Loyal Order of Moose, Inc. for a waiver of the sign permit fee to advertise their car show. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 686 amending the fee schedule for permits and services. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 687 amending the sewer tapping fee to include the addition of a reimbursement component for future connections to the Plum Creek interceptor. Motion carried.

Commissioners Heilman/Prieber moved to adopt Ordinance No. 689 providing for a cost of living adjustment and a monthly service increment for each complete year of service for the police pension plan. Motion carried 5-0 on a roll call vote.

#### Public Works Committee -Commissioner Goldsmith

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

#### Health & Sanitation – Commissioner Rewa

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 682, revising the official sewage facilities plan by including the Donald B. Smith Roofing land development plan. Motion carried.

Commissioners Rewa/Goldsmith moved to adopt Ordinance No. 690, establishing regulations for the inspection, pumping, maintenance, operation, and administration of on-lot sewage systems. Motion carried on a 5-0 roll call vote.

Commissioners Rewa/Goldsmith moved to award the truck scale bid to Fairbanks Scales, Emmaus, PA for a bid price of \$102,987. Motion carried.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

## PERSONNEL PROMOTIONS AND RECOGNITIONS

Commissioners Heilman/Rewa moved to adopt Resolution No. 683, establishing the position of Acting Police Chief. Motion carried.

Commissioners Heilman/Rewa moved to adopt Resolution No. 684, establishing the position of Deputy Police Chief. Motion carried.

Commissioners Heilman/Rewa moved to accept the resignation of Detective Diane (Hugo) Gilbert effective May 3, 2008. Motion carried.

Commissioners Heilman/Rewa moved to accept the resignation of Police Chief Samuel Gilbert effective May 2, 2008. Motion carried.

Commissioners Heilman/Rewa moved adopt Resolution No. 685, fixing the rates of pay and various benefits for management and non-uniformed employees. Motion carried.

At this time President Commissioner Johnson announced the promotion of Jedediah Shearer to the position of Sergeant, the promotion of Christopher Raubenstine to the position of Patrol Lieutenant and the promotion of Russell Rhodes to acting Chief upon the retirement of Police Chief Samuel Gilbert. Commissioner Johnson presented Acting Chief Rhodes with his silver leaves.

At this time President Commissioner Johnson read the following:

"The Penn Township Board of Commissioners wishes to honor and recognize Detective Diane Hugo on her retirement after twenty-eight years of dedicated service to the Penn Township Police Department. Her retirement becomes official on May 3, 2008.

Diane Hugo graduated from Mansfield State College with a Bachelor of Science Degree in Criminal Justice. After graduating, she found a temporary job at Harley Davidson in York, Pennsylvania. Responding to an advertisement of a Civil Service examination for patrolmen in Penn Township, she applied, tested and won appointment as probationary patrolman on April 21, 1980. Officer Hugo became the first female police officer in the history of the Penn Township Police Department. Her professional competence, strong work ethic and courage quickly dispelled any prejudices or reservations some may have had about a female officer; she paved the way for all future female officers in the Hanover Area.

Shortly after joining the force it became clear that Officer Hugo had the gift of relating to children and female crime victims. Her inherent empathy aided her ability to make victims comfortable talking with her and to get them to open up to her during interviews; she was able to secure valuable information to assist the Department in

solving many crimes. Officer Hugo became a mainstay of the Department's programs involving domestic violence, sex crime investigations and Kid-Cards.

On May 18, 1986, Officer Hugo became Detective Hugo upon her appointment to the Department's Investigative Unit. She was specifically assigned responsibility for child abuse, domestic abuse and sexual abuse investigations.

In 1992 Detective Hugo became the Department's senior criminal investigator. As senior investigator she was not only responsible for criminal investigations, but was in charge of evidence processing and storage, of preparing and filing the monthly Uniform Crime Reports with the Pennsylvania State Police and preparing and filing the monthly and yearly Department crime reports. These additional duties did not prevent her from consistently leading the Department in criminal investigations and prosecutions. In her capacity as Detective, Diane Hugo participated in all major investigations involving crimes in Penn Township for the past twenty-two years. While participating in the Field Training Program, she served as trainer and mentor to the Department's newly hired officers. Detective Hugo has received numerous commendations for outstanding performance of her duties, many citizens compliments for her help, and unqualified recognition from her peers as a true professional. Detective Hugo never met a child or an animal she didn't strive to protect.

Detective Hugo has served and protected the citizens of Penn Township with distinction and with honor for twenty-eight years. It is now time to say goodbye, to wish her good fortune, health, and happiness and to offer her a sincere and heartfelt 'thank you' for a job well done. It is with all these that we honor Detective Diane Hugo on the occasion of her retirement from the Penn Township Police Department."

At this time she was presented a plaque and her retired officer's badge.

Detective Hugo thanked the Commissioners and the staff for their support over the years.

At this time President Commissioner Johnson read the following:

"The Penn Township Board of Commissioners wishes to honor Chief of Police Samuel G. Gilbert on his retirement after thirty-two years of dedicated service to the Penn Township Police Department. His retirement becomes official on May 3, 2008.

Penn Township was Sam Gilbert's community – where he grew up, where he attended school from grade one through graduation from high school, and where he returned after serving his country in Vietnam. He began his law enforcement career with the Penn Township Police Department on August 9, 1976, having decided to serve and protect his hometown.

Officer Gilbert served with distinction and it was not long until his professionalism and dedication to the community were recognized. He was promoted to Patrol

Sergeant on September 15, 1979 and charged with supervising the first traffic safety unit in the Department's history. Sergeant Gilbert continued to serve with distinction. As the Township grew the Police Department expanded to meet the community's increasing public safety needs. On August 21, 1989, Sergeant Gilbert was promoted to Lieutenant of Police, charged with supervising the patrol division along with the administrative duties of the Department's Executive Officer. Once again, he served with distinction.

Lieutenant Samuel Gilbert was promoted by the Board of Commissioners to the rank of Chief of Police of the Department on November 15, 1999. The new Chief dedicated himself to making the Penn Township Police Department as professional a law enforcement agency as possible. He strengthened the Department's community and crime prevention service programs, the D.A.R.E. partnership with the South Western School District and dedicated himself to ensuring that the Department would become one of the state's newly accredited agencies; this meant a complete review of all the Department's policies and procedures as well as its physical plant. Through the consistent and dedicated efforts of Chief Samuel Gilbert, the Penn Township Police Department became the first law enforcement agency accredited by the Chiefs of Police Association in York County and on of the first five accredited agencies in the State of Pennsylvania.

It was clear to Chief Gilbert that there was a great need for the Department's headquarters to expand to accommodate its uniformed personnel and to help them provide the best service to the community he has lived and worked in almost all his life. Chief Gilbert worked diligently with the architect to help design the current headquarters building; his vision and his attention to the smallest detail were instrumental in accomplishing two important tasks - meeting the current needs of the Department and accommodating for future expansion possibilities.

Chief Gilbert has served the Penn Township community with distinction in every position he has held. His sense of honor and his sense of pride in a job well done serve as an inspiration to the entire department. It is with gratitude that we honor Chief Samuel G. Gilbert on the occasion of his retirement from the Penn Township Police Department."

At this time Chief Gilbert was presented two plaques and his retired officer's badge. Chief Gilbert thanked the Board of Commissioners and Township staff for their support over the years.

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

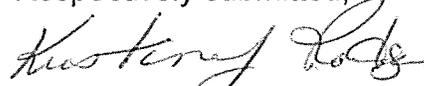
**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

There were no questions from the press.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Heilman/Goldsmith moved for adjournment at approximately 7:36 P.M. Motion carried. The public was invited to stay following the meeting and partake in light refreshments.

Respectively submitted,



Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
MAY 19, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, May 19, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PRESENTATION:**

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

President Johnson also accepted a \$1,000 donation from Kim Griffith, Human Resources Director, Snyder's of Hanover, for the Township's bike safety program.

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

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

Commissioner Johnson noted two minor corrections to the April 21, 2008 minutes.

The minutes of the April 21, 2008 meeting of the Board of Commissioners were then approved as corrected.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Public Safety Committee - Commissioner Prieber:

Commissioners Prieber/Heilman moved to approve a request dated April 21, 2008 from ERA Preferred Properties to approve a 5K Run/Walk for MDA at the Hillside Medical Center on September 20, 2008. Motion carried.

Personnel Committee - Commissioner Prieber:

Commissioners Prieber/Heilman moved to reappoint Fred Marsh to the Penn Township Planning Commission. Said term to expire May 2012. Motion carried.

Commissioners Prieber/Heilman moved to appoint Paul McAndrew to an unexpired term on the Penn Township Planning Commission. Said term to expire May 2010. Motion carried.

Planning & Recreation Committee – Commissioner Prieber:

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

No subdivision or land development plans were submitted for formal filing.

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

P06-20 – Proposed Rutters Farm Store #6  
P08-05 – Hanover Foods Corporation  
Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on August 18, 2008:

P01-28 – High Pointe @ Rojen Farms  
P02-28 – Gateway Hanover  
P03-06 – Brookside Heights  
P03-20 – Wallen Tract Apartments  
P03-30 – Mustang Pointe  
P05-15 – Avion  
P08-04 – Donald B. Smith, Inc.  
Motion carried.

Commissioners Prieber/Goldsmith moved to approve a request date April 19, 2008 from the Fraternal Order of Eagles #1406 for a waiver of land development requirements to expand their current building. Motion carried.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township Warrants in the

amount of \$818,156.37. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated April 11, 2008 from Buckley Chiropractic for a waiver of sign permit fees to advertise the Make A Wish Convoy. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated May 2, 2008 from the Penn Township Lions Club for a waiver of sign permit fees to advertise two chicken barbeques. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated April 28, 2008 from Saint Joseph's Parish for a waiver of building and sign permit fees to replace a roof and add additional signage. Motion carried.

Commissioners Heilman/Prieber moved to adopt Ordinance No. 691 establishing and regulating a firefighter pension fund. Motion carried on a 5-0 roll call vote.

Commissioners Heilman/Prieber moved to approve the revised Agreement of Sale for 823 York Street. They further moved to authorize the Board President and Secretary to execute all documents necessary to complete the purchase. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Health & Sanitation – Commissioner Rewa

Commissioner Rewa had nothing to report.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**PERSONNEL PROMOTIONS AND RECOGNITIONS**

At this time President Commissioner Johnson promoted Patrolman Corey Merewede to Probationary Sergeant.

President Commissioner Johnson then promoted Sergeant James Laughlin to the position of Deputy Chief of Police. Deputy Chief Laughlin thanked the Board for the appointment.

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

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

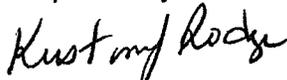
There were no questions from the press.

**ADJOURNMENT:**

Commissioner Heilman thanked William and Dana Heston, who were in attendance, for working with the Board on the purchase of their property and wished them luck as they prepare to relocate.

There being no further business to come before the Board, Commissioners Heilman/Goldsmith moved for adjournment at approximately 7:14 P.M. Motion carried.

Respectively submitted,

  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
JUNE 16, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, June 16, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

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

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

The minutes of the May 19, 2008 meeting of the Board of Commissioners were then approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Goldsmith moved to approve a request dated May 5, 2008 from the West Manheim Township Supervisors for the use of Penn Township's Fire Police for the Pleasant Hill Carnival. Motion carried.

Commissioners Prieber/Goldsmith moved to approve a request dated May 2, 2008 from the Hanover Fire Department for assistance from the Township's Emergency Service Organizations for the Borough's Independence Day activities. Motion carried.

**Personnel Committee - Commissioner Prieber:**

Commissioners Prieber/Rewa moved to adopt Resolution No. 688, reaffirming the appointments to the Penn Township Board Zoning Hearing Board. Motion carried.

Commissioners Prieber/Rewa moved to approve an addendum to the Collective Bargaining Agreement between the Township and the Penn Township Patrolman's Association. Motion carried.

Planning & Recreation Committee – Commissioner Prieber:

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

The following subdivision plans were formally filed:

- P08-07 – Arby's and Tom's Convenience Store (Subdivision)
- P08-08 – Arby's and Tom's Convenience Store (Land Development)
- P08-09 – Redevelopment of South Hanover Shopping Center

Commissioners Prieber/Goldsmith moved to approve the following subdivision and land development plan:

- P03-11 – Thornbury Hunt
- Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on September 15, 2008:

- P03-05 – Breezewood Drive Project
  - P07-24 – R&R Fitness Real Estate LLC
- Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated May 30, 2008 from Hanover Land Services for a temporary waiver of the sidewalk (curbing) requirements for Gold's Gym. Motion carried.

A request from First Capital Engineering for a waiver of a land development plan for 26 Industrial Drive was tabled.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township Warrants in the amount of \$700,649.31. Motion carried.

Commissioners Heilman/Prieber moved to approve a request received May 8, 2008 from Julie Geyer for a waiver of the yard sale permit fee for a sale benefiting the ACS – Relay for Life Team. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated May 8, 2008 from the Jefferson Volunteer Fire Company for a waiver of the sign permit fees to advertise their Carnival July 14 through July 19, 2008. Motion carried.

Commissioners Heilman/Prieber moved to approve a request received May 29, 2008 from the Hanover Soccer Club for a waiver of sign permit fees to advertise their

registration. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 689, amending the fee schedule for permits and services provided by Penn Township. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 690, in order to obtain reimbursement of monies from the State for expenses incurred for police officer training. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Health & Sanitation – Commissioner Rewa

Commissioner Rewa 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:**

Scott Rankin, R & R Fitness doing business as Gold's Gym, wanted clarification that it was curbing not sidewalk they wanted a waiver from for Gold's Gym. Manager Garvick stated that the response would reflect the curbing waiver, as that is what was requested in the May 30, 2008 letter.

**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 Heilman/Prieber moved for adjournment at approximately 7:08 P.M. Motion carried.

Respectively submitted,

Jeffrey R. Garvick  
Township Manager

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
JULY 21, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, July 21, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Andrew Boyer, 1280 Brad Drive, informed the Commissioners that the rental inspection ordinance was a violation of his right to privacy.

Commissioner Johnson explained that the Fire Chief would contact all landlords prior to the inspection of any property regarding compliance inspections. Commissioner Johnson further stated that Mr. Boyer could discuss his concerns with Fire Chief Cromer.

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

The minutes of the June 16, 2008 meeting of the Board of Commissioners were approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Heilman moved to approve a request dated June 27, 2008 from the Hanover Area Council of Churches to conduct their annual Crop Walk on October 19, 2008. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated June 13,

2008 from South Western Band Boosters for the use of barricades and fire police at their Cavalcade of Bands competition on Saturday, October 25, 2008. Motion carried.

Commissioners Prieber/Heilman moved to authorize the Acting Chief of Police to prepare an intermunicipal agreement with the West Manheim Township Police Department for the joint purchase and operation of a polygraph examination system. Motion carried.

Commissioners Prieber/Heilman moved to adopt Ordinance No. 692, providing for residential rental unit inspections. Motion carried 5-0 on a roll call vote.

Personnel Committee - Commissioner Prieber:

Commissioners Prieber/Heilman moved to authorize the Township Manager to prepare an Ordinance for the dissolution of the Penn Township Plumbing Board. Motion carried.

Planning & Recreation Committee – Commissioner Prieber:

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

The following subdivision plans were formally filed:

P08-11 - Stonewicke

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

P07-25 – Harold H. & Darthea L. Dusman

P08-04 – Donald B. Smith, Inc.

Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on October 20, 2008:

P03-03 – Bowman Tract Apartments

P03-15 – Pine Brook Development

P04-25 – South Heights

P04-26 – Stonewicke

P06-23 – Brookside Avenue Townhouses

P07-27 – Sterling Brown

Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated June 12, 2008 from Baummer Sawmill for a waiver of the land development requirements to install a 14' x 30' stamped concrete area. Motion carried.

Commissioners Prieber/Heilman moved to approve a request received June 11,

2008 from J. Michael Brill and Associates for a waiver of Article IX-13 existing impervious surfaces of the stormwater management ordinance and Article IV-402 Preliminary Plan Procedure, Article IV-403 Feasibility Report on Sewer and Water Facilities, Article IV-404 Environmental Impact Studies, and Article IV-405 Final Plan requirements of the Township's Subdivision and Land Development Ordinance. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated June 26, 2008 from Benjamin Seidman for a waiver of the sidewalk requirements at 27 Allen Drive. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated June 26, 2008 from Nutec Design Associates, Inc., for a waiver of the submission of preliminary plans and a modification of the landscaping plans for Arby's and Tom's convenience store at Baltimore Street. Motion carried.

#### Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township Warrants in the amount of \$1,016,210.71. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated June 16, 2008 from the Hanover Cyclers for a waiver of the permit fees to install a canopy and banner at the South Hanover Shopping Center for the Race Across America. Motion carried.

Commissioners Heilman/Prieber moved to enter into a lease agreement with Commerce Bank for the purchase of a new fire engine. They further moved to authorize the Township Manger and Secretary to execute all necessary paperwork. Motion carried.

Commissioners Heilman/Prieber moved to adopt Resolution No. 691 amending the compensation paid to the Environmental Director for the remainder of 2008. Motion carried.

Commissioners Heilman/Prieber moved to approve an agreement with Principal Financial Group for a restatement of the Police Pension Plan effective January 1, 2008 to include provisions included in Ordinance No. 689. Motion carried.

#### Public Works Committee - Commissioner Goldsmith

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

#### Health & Sanitation – Commissioner Rewa

Commissioner Rewa had nothing to report.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

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

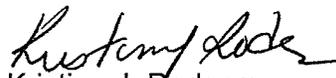
**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

Questions from the press were received and answered.

**ADJOURNMENT:**

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

Respectively submitted,

  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
AUGUST 18, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, August 18, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, and Goldsmith. Commissioner Rewa was absent with notice. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

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

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

The minutes of the July 21, 2008 meeting of the Board of Commissioners were approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Goldsmith moved to adopt Resolution No. 692, for additional streetlights at the intersection of Grandview Road and Black Rock Road. Motion carried.

**Personnel Committee - Commissioner Prieber:**

Commissioners Prieber/Heilman moved for the appointment of Firefighter Captains Miller, Boyce, and Adams from probationary to regular status. Motion carried.

Commissioners Prieber/Heilman moved to adopt Ordinance No. 693, dissolving the plumbing board and absolving the powers and responsibilities granted to that board.

Motion carried on a 4-0 roll call vote.

Commissioners Prieber/Heilman moved to reappoint Ronald Wentz to the Penn Township Civil Service Commission. Said term to expire August 2014. Motion carried.

Commissioners Prieber/Heilman moved to appoint Michael Dows as an alternate member of the Civil Service Commission. Said term to expire August 2014. Motion carried.

Planning & Recreation Committee – Commissioner Prieber:

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

The following subdivision plans were formally filed:

- P08-10 – Stone Ridge Development, Crosswinds Associates Development and Township of Penn
- P08-12 – Aqua Phoenix

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

- P08-11 – Stonewicke
- Motion carried.

Commissioners Prieber/Heilman moved to approve the following extension requests that will expire on November 17, 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
- Motion carried.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township Warrants in the amount of \$942,272.56. Motion carried.

Commissioners Heilman/Prieber moved to deny a request from Jeannette McClintock for a refund of her building permit fee. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated July 13, 2008 from the Hanover Eagles Auxiliary for a waiver of the yard sale permit fee. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Health & Sanitation – Commissioner Goldsmith

On Monday, July 21, 2008, the following bids were opened and publicly read aloud by Township Manager Jeffrey Garvick for refuse units:

<u>Bidder</u>	<u>Bid Amount</u>
Dyna Pak Corporation 112 Helton Drive Lawrenceburg, TN 38464	#1 \$264.69 #2 No bid
Central Poly Corporation 18 Donaldson Place Linden, NJ 07036	#1 \$256.10 #2 No bid
Phoenix Recycling 5180 Horry Drive, Suite B Murrells Inlet, SC 29576	#1 \$278.10 #2 \$278.10
Westlake Plastics 163 W. Lenni Road Lenni, PA 19052	#1 \$311.99 #2 No Bid
All American Poly 2 Perlman Drive, Suite 306 Spring Valley, NY 10977	#1 \$273.82 #2 No bid

Commissioners Goldsmith/Heilman moved to award the refuse unit bid, option 1, to Dyna Pak for a bid price of \$264.69 per thousand. 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

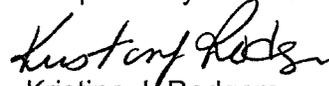
**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

There were no questions from the press.

**ADJOURNMENT:**

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

Respectively submitted,



Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
SEPTEMBER 2, 2008**

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

The Penn Township Board of Commissioners met in a special session on Tuesday, September 2, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Heilman, Prieber, Goldsmith and Rewa. Also present were Manager Garvick, Acting Police Chief Rhodes, Engineer Bortner, Waste Water Treatment Superintendent Mahone and Environmental Director Hejmanowski.

**ANNOUNCEMENTS:** Chairman Johnson read the announcement of the executive session held following the Board of Commissioners meeting on August 18, 2008.

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

**CONSIDER ADOPTING RESOLUTION NO. 693:**

Commissioners Heilman/Prieber moved to adopt Resolution No. 693, authorizing the incurrence of lease obligations in an amount not to exceed \$565,595.39 to be evidenced by a lease purchase agreement with Commerce Commercial Leasing, LLC for the purchase of a 2008 Monarch Fire Engine. Motion carried.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Heilman/Goldsmith moved for adjournment at approximately 7:01 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
SEPTEMBER 15, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, September 15, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith, and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Doug Gossick, J. Michael Brill Associates, and Rich Ozimek, Blackford Development, representing the Redevelopment of the South Hanover Shopping Center Plan, requested the Commissioners to approve their land development plan conditionally pending receipt of an "Adequate" letter from the York County Conservation District. The plans were submitted to the Township in June and the Penn Township Planning Commission made a favorable conditional recommendation at its July meeting. The developer has submitted three separate plans to the Conservation District for approval with the final submission on September 15, 2008. They feel they have addressed all the Township's comments. Mr. Gossick gave an overview of what the plan compromises. There will be several phases of construction. After some discussion, the Commissioners agreed to hold a special Board of Commissioners meeting on October 7, 2008 prior to the Public Works Committee meeting for consideration of approval of the plan. This is contingent upon receiving notification from YCCD that its comments have been favorably addressed.

Edward Jenkins, 216 Azalea Drive, requested that the Board of Commissioners do something about the wildlife that resides in Young's Woods adjacent to his property. Mr. Jenkins reported that the animals are out of control and a skunk damaged his property.

John Reynolds, 45 Northview Drive, requested that the Township reconsider its trash and recycling program because he feels he pays an excessive amount for trash pick up while other residents pay nothing. He stated that he has meet with Environmental Director Hejmanowski about the problem and nothing has changed. Mr. Reynolds was informed by President Johnson that the system works because a person

only has to pay for what they put into the township refuse bag for disposal.

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

The minutes of the August 18, 2008 and September 2, 2008 meetings of the Board of Commissioners were approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Public Safety Committee - Commissioner Prieber:

Commissioners Prieber/Heilman moved to set trick or treat night for Tuesday, October 28, 2008 from 6:00 p.m. to 8:00 p.m. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated August 19, 2008 from the Hanover Area Jaycees requesting permission to hold the annual Halloween parade on October 30, 2008. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated August 7, 2008 from J. A. Myers for a waiver of the residential lighting requirements for Whispering Run subdivision lot 102. Motion carried.

Personnel Committee - Commissioner Prieber:

Commissioner Prieber had nothing to report.

Planning & Recreation Committee – Commissioner Prieber:

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

The following subdivision plans were formally filed: None

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

P08-07 – Arby’s and Tom’s Convenience Store (Subdivision)  
Motion carried.

Commissioners Prieber/Heilman moved to approve the following extension requests that will expire on December 15, 2008:

P03-05 – Breezewood Drive Project  
P07-24 – R & R Fitness Real Estate, LLC  
P08-08 – Arby’s and Tom’s Convenience Store (Land Development)  
P08-09 – Redevelopment of South Hanover Shopping Center  
Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated August 5, 2008 from the Missionary Bible Baptist Church for a waiver of land development requirements to install a parking pad. Motion carried.

Commissioners Prieber/Heilman moved to deny a request dated August 8, 2008 from Conewago Contractors, Inc. for a waiver of the Township's sign ordinance for installation of higher pylon signs at the proposed Gateway Hanover Shopping Center. Motion carried.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township warrants in the amount of \$992,887.54. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated August 19, 2008 from the Hanover Area Jaycees for a waiver of the sign permit fee to place five temporary signs advertising the Halloween Parade. Motion carried.

Commissioners Heilman/Prieber moved to approve the revised 2008 Minimum Municipal Obligation for the Firefighter's pension plan. Motion carried.

Commissioners Heilman/Prieber moved to approve the 2009 Minimum Municipal Obligations for the Firefighter's, Uniformed, and Non Uniformed Pension plans. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Health & Sanitation – Commissioner Rewa

Commissioner Rewa 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 Rewa/Goldsmith moved for adjournment at approximately 7:21 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
OCTOBER 7, 2008**

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

The Penn Township Board of Commissioners met in a special session on Tuesday, October 7, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 PM with a roll call of members. Present were Commissioners Johnson, Heilman, Prieber, Goldsmith and Rewa. Also present were Manager Garvick, Engineer Bortner, Waste Water Superintendent Mahone, Environmental Director Hejmanowski and Highway Foreman Mahan.

**ANNOUNCEMENTS:** The Board of Commissioners met in executive session on October 6, 2008 following the Finance Committee for the purpose of discussing a personnel issue within the police department.

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

**CONSIDER APPROVING LAND DEVELOPMENT PLANS:**

Commissioners Prieber/Goldsmith moved for the approval of plan P08-09 Redevelopment of South Hanover Shopping Center. Motion carried on a 5-0 vote.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Prieber/Rewa moved for adjournment at approximately 7:01 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
OCTOBER 20, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, October 20, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith, and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Edward Jenkins, 216 Azalea Drive, expressed concern about not having reduced sewer rates for individuals on fixed incomes; tax increases for 2009; the proposed ball field for Young's Woods, the "wild" animals in Young's Woods, and the "trash" being dumped in the park.

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

The minutes of the September 15, 2008 and October 7, 2008 meetings of the Board of Commissioners were approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Goldsmith moved to deny a request dated August 14, 2008 from Bon Ton Builders for a waiver of the residential lighting requirements at 735 Frederick Street. Motion carried.

**Personnel Committee - Commissioner Prieber:**

Commissioners Prieber/Heilman moved to accept Christopher Umbarger into the Non Uniformed Pension Plan effective September 11, 2008. Motion carried.

Planning & Recreation Committee – Commissioner Prieber:

Commissioners Prieber/Goldsmith moved to approve a request dated September 17, 2008 from Conewago Contractors for a waiver of the sign ordinance for a pylon sign at Gateway Hanover. Motion carried

Commissioners Prieber/Heilman moved to deny a request dated September 15, 2008 from Deforest Signs for a waiver of the sign ordinance for a Books A Million Store. They further moved that they be allowed to install 42" letters in lieu of the requested 48" letters. Motion carried.

Commissioners Prieber/Heilman moved to approve a request dated September 8, 2008 from ESAB for a waiver of the land development requirements to install a concrete pad. Motion carried.

Commissioners Prieber/Heilman moved to deny a request dated August 7, 2008 from South Hanover Automotive for a waiver of the land development requirements to replace an existing building and increase impervious area. Motion carried.

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

The following subdivision plans were formally filed:

P08-13 – Hanover Orthopedic Associates, Inc.

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

P08-12 – Aquaphoenix

P07-20 – High Pointe @ Rojen Farms – Phase Two -Reapproval

Motion carried.

Commissioners Prieber/Heilman moved to approve the following extension requests that will expire on January 19, 2008:

P03-03 – Bowman Tract Apartments

P03-15 – Pine Brook Development

P04-25 – South Heights

P04-26 – Stonewicke

P06-23 – Brookside Avenue Townhouses

P07-27 – Sterling Brown

Motion carried.

Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township warrants in the amount of \$1,298,755.74. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Township Engineer Bortner announced that brush and limb collection was about complete and that leaf collection would begin next week.

Health & Sanitation – Commissioner Rewa

Commissioner Rewa 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 Heilman/Prieber moved for adjournment at approximately 7:10 P.M. Motion carried.

Respectively submitted,

  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
NOVEMBER 17, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, November 17, 2008 at the Penn Township Municipal Building. President Johnson called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Johnson, Prieber, Heilman, Goldsmith, and Rewa. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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 Johnson announced that, following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Edward Jenkins, 216 Azalea Drive expressed concern about the proposed ball field for "Youngstown Park". Commissioner Johnson politely explained to Mr. Jenkins that there is nothing in the 2009 budget for a ball field at Young's Woods.

Joseph Klunk, 130 Littleton Drive, questioned the appointment of Ronald Wentz to the Penn Township Civil Service Commission at the August 2008 meeting because, according to Mr. Klunk, Mr. Wentz no longer resides in the Township and is a member of the Zoning Hearing Board in West Manheim Township. He asked that the appointment be rescinded and an appointment made that meets the requirements of the First Class Township Code.

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

The minutes of the October 20, 2008 meeting of the Board of Commissioners were approved as submitted.

**PUBLIC HEARING**

President Johnson convened a public hearing for the purpose of considering a request to rezone thirteen properties between 1403 Baltimore Street and 1453 Baltimore Pike from R-15 to Shopping Commercial. The Public Hearing was properly advertised in the Hanover Evening Sun. All properties were posted and notifications provided as required.

The hearing began with Manger Garvick presenting the Township's Staff Review

and comments. Manager Garvick stated the following:

On August 15, 2008, the township received 11 property owners requests to rezone their parcels from R-15 Residential to SC – Shopping Commercial. The applicants represent 11 of the 13 property owners between 1403 and 1453 Baltimore Pike. The applicants are:

- |  |                  |
|--|------------------|
| 1) Clair & Shirley Shorb – 1403 Baltimore Street       | (20,255 sq. ft.) |
| 2) William & Judith Piffner – 1407 Baltimore Street    | (17,250 sq. ft.) |
| 3) Ki B. Song – 1409 Baltimore Street                  | (11,238 sq. ft.) |
| 4) Thomas & Patricia McVey – 1411 Baltimore Street     | (11,238 sq. ft.) |
| 5) Anthony & Michelle Thomas – 1413 Baltimore Street   | (14,985 sq. ft.) |
| 6) Fred & Dixie Brillhart – 1415 Baltimore Street      | (14,985 sq. ft.) |
| 7) Nevin & Phyllis Coppersmith – 1417 Baltimore Street | (14,985 sq. ft.) |
| 8) Jacqueline Wentz – 1429 Baltimore Pike              | (24,000 sq. ft.) |
| 9) Donald & Sandra Berkheimer – 1435 Baltimore Pike    | (14,985 sq. ft.) |
| 10) Robbin Wonder – 1441 Baltimore Pike                | (30,013 sq. ft.) |
| 11) Peter & Sharon Slusser – 1447 Baltimore Pike       | (30,013 sq. ft.) |

There are two property owners that are not part of the request, but whose parcels occupy area between 1403 Baltimore Street and 1453 Baltimore Pike. These properties will also be considered in any deliberations as being part and parcel to the request. They are:

- |   |                  |
|---|------------------|
| 1) Gary & Betty Clouser – 1419 Baltimore Street | (15,464 sq. ft.) |
| 2) Rita Wells – 1453 Baltimore Pike             | (34,980 sq. ft.) |

The area of the 13 properties comprises 5.84 acres with the smallest being .258 acres and the largest being .803 acres.

The properties are located on the west side of Route 94 and extend from within one parcel south of the Grandview/Route 94 intersection all the way to the municipal boundary line with West Manheim Township. The current use of the properties is that of single family residential. All of the parcels are serviced by public water and public sewer. There are no unusual or distinguishing physical characteristics other than a row of single-family homes. Each property has individual driveway access to Route 94.

The area directly to the west of and adjacent to the properties is also zoned R-15 Residential. The area to the east, across Route 94, Baltimore Street/Pike is the Grandview Plaza Shopping Center, which is zoned SC-Shopping Commercial. The small parcel to the north was zoned SC-Shopping Commercial in 2003, resulting in all four corners of the Grandview/Baltimore intersection having the SC classification.

The Future Land Use section of the Township's Comprehensive Plan, adopted on August 20, 2001, recommends that the current zoning remain in effect. Typical examples of allowed uses in the R-15 Residential zone include Group Homes, Houses of Worship, No-Impact Home Base Businesses and Single Family Detached Dwellings. As a Special Exception, examples of allowed uses are: Church Day Care Center, Family & Group Day Care Home, Half-Way Houses, Home Occupations, Medical Clinics, Parks & Recreational Facilities and Retirement Villages.

Typical examples of allowed uses in the SC-Shopping Commercial zone include: Personal & Business Services, Commercial Schools & Recreation, Convenience Stores, Eating Establishments, Parking Lots, Medical Clinics, Financial Institutions and Retail Businesses. As a Special Exception, examples of allowed uses are: Adult Regulated Facilities, Child Care Center, Church & Group Day Care Centers, Hospitals, Mini-Storage Warehouses, Public Utility Buildings, Shopping Centers and Malls and Transportation Terminals.

The York County Planning Commission reviewed the request at its meeting on October 7, 2008. An unfavorable recommendation was given since the rezoning would not be consistent with the Township's Comprehensive Plan. Further, YCPC noted that the minimum lot area for a lot in the SC zone is 20,000 sq. ft. The majority of the lots do not meet this requirement. This would result in creating non-conformities as well as hindering any commercial development since the buildable area is so greatly reduced when setbacks are met. Lastly, the County Planners feel there is an adequate amount of Shopping Commercial land already zoned. They don't recommend rezoning these 13 lots.

The Penn Township Planning Commission reviewed the request at its meeting on November 6, 2008. After considering the facts and taking public comment, the Planners gave an unfavorable recommendation to the Board of Commissioners regarding the rezoning request.

Michael Dows, Dows Commercial Realty, represented the applicants requesting the zoning change. Mr. Dows stated that Fred Brillhart, the spokesperson of homeowners, was not able to be here tonight because of a heart attack. He stated that there was a motion made at the Penn Township Planning Commission for a favorable recommendation on this request but it failed for a lack of a second. He provided a packet of information to the Commissioners to consider during their deliberations. He stated that they would like to dispute that there is adequate commercial space within the Township because there continues to be additional construction of homes that will need to be serviced by commercial areas. The applicants live at the property where they are requesting the zoning changes and have problems accessing their properties from the Baltimore Pike. Most of the property owners purchased their homes prior to the change in zoning that occurred at the Grandview Plaza. They feel that the value of their properties are decreasing to sell them for homes but some of those same issues make them more valuable for commercial uses. There are problems with these properties for commercial use. Only five of the lots meet the 20,000 square feet requirement for commercial use. Two of the lots do not have 100 feet of lot frontage. This will create some problems, which could be resolved by combining lots. The lots are only about a 150 feet deep. Setbacks in the commercial zone are fifty feet in the front and thirty-five feet to the rear. The homeowners to the rear of these properties are concerned about the problems that will be created by changing the zoning which are the same problems currently bothering the applicants. Mr. Dows stated that the applicants are considering selling their homes to individuals who want to open businesses such as dentists, doctors, lawyers, and real estate agents. The zoning change will allow them to sell their property as either a home or to someone looking into opening a business. Mr. Dows stated that Mr. Brillhart did write a letter and one of the applicants has been asked to read it. In response to Mr. Klunk's earlier comment, Mr. Dows noted that the Penn Township Board of Commissioners has recently appointed him to take Mr. Wentz's place on the Civil Service Commission.

The following residents provided comments regarding the request for rezoning:

Bill Biss, 67 Cardinal Drive, is located directly behind the properties requesting the rezoning. He sighted several law references regarding zoning changes to properties. He quoted police statistics with regards to police responses for this block of Grandview Road for the first nine months of 2008. He stated that shopping centers attract undesirable people and have other nuisance issues associated with them. The rezoning would affect the families living on Cardinal Drive, East Court and Orin Court and should be denied.

Jane Biss, 67 Cardinal Drive, stated that in the seven years that she has lived in her home she has completed over \$70,000 worth of improvements. She suggests that the request be denied because she does not want a shopping center in her back yard.

Mary Jo Warnick, 69 Cardinal Drive, has lived at her home for twenty years and has concerns about the depths of the lots and the fact that all commercial space in the Township is not currently being utilized.

Judy Piffner, 1407 Baltimore Street, read the letter from Fred Brillhart who was unable to attend. The letter expressed some concerns about the rezoning of the Smith property at the corner of Grandview Road and Baltimore Street. On her behalf, she stated that they are looking for the opportunity to have the most options available for them when they choose to sell their property.

Lavenda Fischbach, 54 Cardinal Drive, stated they just added an additional \$85,0000 worth of improvements to their home. She has concerns about the traffic getting worse with additional commercial property.

Paula Diethorn, 8 Cardinal Drive, expressed concern about safety with regards to traffic.

Clara Henson, 9 Cardinal Drive, expressed concern about the increase in crime and rats that can result in the change in zoning.

Jane Bamford, 1 Cardinal Drive, has lived in her home about twenty-two years. She does not want the property rezoned because she already has a problem with stormwater runoff and rats from the existing shopping center. She also is concerned because of the type of businesses that can be put in there if it is rezoned.

Jennifer Shirk, 7 Cardinal Drive, expressed concern about the change because she currently lives behind the Wonder's property and has problems with runoff and rats. She stated that properties were not graded properly for water run off and she does not want to see them rezoned.

Mike Dewald, 3 East Court, whose property is adjacent to three of the properties that have requested the rezoning. He has problems from the shopping center at Grandview and does not want additional problems that would be created with having commercial properties in his back yard.

Shirley Shorb, 1403 Baltimore Street, questioned how the Smith property was rezoned. Manager Garvick explained the process that resulted in the corner property

being rezoned in 2003. She also questioned the increase in traffic that will occur with the Tom/Arby's at the current Tom's Exxon. She stated that the properties could be landscaped between the residential and commercial.

Claire Shorb, 1403 Baltimore Street, expressed concern about how the Smith property was rezoned. He stated that he has problems getting out of his driveway.

Nancy Bosely, 15 Cardinal Drive, stated that she has problems accessing the development (Grandview Acres) from Baltimore Street at the traffic signal at Meadow and Baltimore Street. She also stated that she has grandchildren who ride their bicycles on the street and felt that may change with additional traffic. She also has had problems with rats from the Exxon station. She has lived there for twenty years.

Eric Davis, 7 Meadow Lane, sympathizes with his neighbors but it is a too broad of a spectrum of uses to change the properties from residential to shopping commercial.

Tom McVey, 1411 Baltimore Street, expressed concern about tractor-trailers parking in the street doing paperwork. He feels that a buffer can be installed to protect the neighbors. He does not know how some of the neighbors access Baltimore Street from their driveways. He stated that crime has increased and the Township is not like it was twenty years ago.

Louise Geppi, 167 Windsor Court, expressed concern about the increase in traffic and the large amounts of empty commercial space in the Township.

Josh Schwartz, 21 Cardinal Lane, questioned if the residents had been approached about selling their property. Some have had in the past but not recently. He was also concerned about future road improvements that would need to take place, which would further decrease the size of the lots.

Jerry Brodie, 11 Cardinal Drive, stated that the elected officials have to decide what is in the best interest of the Community.

Mike Rudy, 63 Cardinal Drive, agrees with the people opposing the rezoning change. He is concerned about where the rezoning will stop. He has lived at his home for ten years. He stated that since he has lived here both Rutters and Hollywood Video have caused light pollution. He also stated that the businesses that currently are allowed under the current zoning should be encouraged to locate there and not rezone the property.

Beth Rudy, 63 Cardinal Drive, who has lived in her home for ten years, and has been walking her dog for four years and was almost hit again because the traffic has gotten so bad. She stated that her sixteen-year-old daughter works at the McDonalds at Grandview Plaza and it is not safe for her to walk to work and cross the street. Mrs. Rudy also indicated that the crime rate has increased and has had two cars in front of her house broken into in the last two months.

Steve Saal, 26 Garden Lane, stated that he has only lived here for twenty years and watched northern Anne Arundel County deteriorate because of increased commercialism and families moving out. He noted that continuous commercial

development is not progress but deterioration. He just wants to know when you stop.

Commissioner Johnson thanked all the individuals for speaking about their concerns.

Commissioner Heilman stated that he would like to consult with the Township Solicitor about certain issues with regards to rezoning. He thanked all those who offered comment about the situation and for maintaining order.

Commissioner Prieber stated he would like to take the time to consider the request. Commissioner Goldsmith and Rewa both wanted some time to consider both sides of the issue.

The Commissioners will make a decision about the request at their meeting in December.

At this time Commissioner Johnson adjourned the public hearing.

There was a short recess at 8:15 and Commissioner Johnson reconvened the Commissioners meeting at 8:25.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

**Public Safety Committee - Commissioner Prieber:**

Commissioners Prieber/Heilman moved to approve the Hemler/ACS agreement for 2009. Motion carried.

Commissioners Prieber/Heilman moved to approve the York County SPCA municipal contract for 2009. Motion carried.

**Personnel Committee - Commissioner Prieber:**

Commissioners Prieber/Heilman moved to accept the resignation of Christopher Raubenstine from the position of Lieutenant effective November 3, 2008. Motion carried.

Commissioners Prieber/Heilman moved to appoint Kristina J. Rodgers as the Township Records Officer. Motion carried.

**Planning & Recreation Committee – Commissioner Prieber:**

Commissioners Prieber/Goldsmith moved to approve a request dated September 26, 2008 from the Harvest Time Temple for a waiver of the land development requirements to install a pole building. Motion carried.

Commissioners Prieber/Goldsmith moved to approve a request dated November 3, 2008 from the Penn Township Volunteer Emergency Services, Inc. for a waiver of the land development requirements and permit fees to install a utility building. Motion carried.

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

The following subdivision plans were formally filed:

P08-14 – National Barn  
P08-15 – Tom Matthews  
P08-16 – Ramsburg  
P08-17 – J.A. Myers

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

P08-10 – Stone Ridge Development/Crosswinds  
Motion carried.

Commissioners Prieber/Goldsmith moved to approve the following extension requests that will expire on February 16, 2009:

P01-28 – High Point @ Rojen Farms  
P02-28 – Gateway Hanover  
P03-06 – Brookside Heights  
P03-20 – Wallen Tract Apartments/Southwest Crossing  
P03-30 – Mustang Pointe  
P05-15 – Avion  
Motion carried.

#### Finance Committee - Commissioner Heilman

Commissioners Heilman/Prieber moved to approve Township warrants in the amount of \$890,386.54. Motion carried.

Commissioners Heilman/Prieber moved to approve the York County Economic Development Corporation agreement for 2009-2010. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated October 13, 2008 from God's Meal Barrel requesting a waiver of the sign permit fees to advertise Buckley Chiropractic's Appreciation Day. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated October 27, 2008 from the Mason-Dixon Credo for a waiver of the sign permit fees to advertise their events at the Penn Grove Retreat Center. Motion carried.

Commissioners Heilman/Prieber moved to approve a request dated October 31, 2008 from South Western Lacrosse, Inc. for a waiver of the sign permit fee to advertise their registration night. Motion carried.

Commissioner Heilman presented the first reading of the proposed 2009 budget. He stated that the Highway Aid fund is balanced with \$525,334 in revenues and expenditures. The sewer fund is balanced with revenues and expenses being \$4,390,250. He stated that the General Fund projected revenues are \$7,938,810 while the expenditures are projected to be \$9,117,967 leaving an inbalance of \$1,179,157.

There is a budget meeting scheduled for November 18, 2008 at 6:00 p.m. to work on balancing the budget.

Public Works Committee - Commissioner Goldsmith

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

Health & Sanitation – Commissioner Rewa

Commissioner Rewa announced that a newsletter would be sent out the first or second week of December. Document shredding will be held on Saturday, December 13, 2008 from 9:00 a.m. to 2:00 p.m.

Commissioners Rewa/Goldsmith moved to authorize the execution of the PA DEP Consent Order and Agreement. Motion carried.

Commissioners Rewa/Goldsmith moved to authorize the termination of the NPDES Discharge permit appeal. Motion carried.

Commissioners Rewa/Goldsmith moved to authorize the execution of an agreement with Staiman Brothers Inc. for the collection of recyclable materials. 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 Rewa/Goldsmith moved for adjournment at approximately 8:36 P.M. Motion carried.

Respectively submitted,

  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
DECEMBER 15, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, December 15, 2008 at the Penn Township Municipal Building. Vice President Prieber called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Prieber, Heilman, Goldsmith, and Rewa. Commissioner Johnson was absent without notice. Also present were Solicitor Tilley, Manager Garvick, Acting Police Chief 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.

**REORGANIZATION:**

Commissioners Heilman/Goldsmith moved to nominate Craig Prieber to the office of President of the Penn Township Board of Commissioners. Motion carried.

Commissioners Rewa/Goldsmith moved to nominate Phillip Heilman to the office of the Vice President of the Penn Township Board of Commissioners. Motion carried.

**ANNOUNCEMENTS:**

President Prieber 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:**

Edward Jenkins, 216 Azalea Drive expressed concern about the reorganization of the Board, the replacement of Commissioner Johnson, the increase of real estate taxes and sewer rates, and the proposed ball field located behind his house. Solicitor Tilley informed Mr. Jenkins about the procedure for choosing a president of the Board. President Prieber stated that his other concerns could be addressed at the appropriate Committee meetings.

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

The minutes of the November 17, 2008 meeting of the Board of Commissioners were approved as submitted.

**TOWNSHIP REPORTS - STANDING COMMITTEES:**

Public Safety Committee - Commissioner Heilman:

Commissioner Heilman had nothing to report.

Personnel Committee - Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to accept the resignation of David Spector from the Penn Township Zoning Hearing Board effective immediately. Motion carried.

Planning & Recreation Committee – Commissioner Goldsmith:

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

The following subdivision plans were formally filed:

P08-18 – Marie Klunk/Robert and Joann Dickerson  
P08-19 – Aquaphoenix Scientific

Commissioners Goldsmith/Heilman moved to approve the following subdivision and land development plans:

P08 -13 – Hanover Orthopedic  
Motion carried.

Commissioners Goldsmith/Heilman moved to approve the following extension requests that will expire on March 16, 2009:

P03-05 – Breezewood Drive Project  
P07-24 – R & R Fitness Real Estate LLC  
P08-08 – Arby's and Toms Convenience Store  
Motion carried.

Commissioners Goldsmith/Heilman moved to approve a request dated October 16, 2008 from Homewood at Plum Creek for a waiver of the land development requirements for an addition to an existing structure. Motion carried.

Commissioners Goldsmith/Heilman moved to deny the request to rezone thirteen parcels located at 1403 Baltimore Street to 1453 Baltimore Pike from R-15 Residential to S-C Shopping Commercial for the following reasons:

- (1) The properties are designated as Medium Density Residential on the Future Land Use Map in the Township's 2001 Comprehensive Plan. To rezone these parcels now would not be generally consistent with the Comprehensive Plan as

required by Section 603.(j) of the PA Municipalities Planning Code.

- (2) The minimum lot area required in the S-C Zone is 20,000 square feet. The majority of the lots do not comply with this requirement. Consequently, the required minimum building setbacks (50 ft. – Front; 20 ft. – Side; and 35 ft. – Rear), along with the required landscaping, bufferyards, and parking, will hinder the commercial development of an individual lot within this proposed rezoning site. Further, the lots and the dwellings on them would become non-conformities.
- (3) There is an adequate amount of S-C Shopping Commercial land already zoned appropriately. There are two large shopping centers already located on the south side of the township so there is no apparent need to add these thirteen existing residential properties to the S-C Zone.
- (4) Because of the size of the lots and the relative closeness to the adjacent residential properties located behind them, development of these thirteen lots as Commercial could create a proximity conflict regardless of screening and buffering.
- (5) The basis for the rezoning request is not for an alternative land use but rather for economic gain, as the testimony of the applicants indicated, that is, to provide options to sell the land as commercial and not residential.

Motion carried.

#### Finance Committee - Commissioner Heilman

Commissioners Heilman/Rewa moved to approve Township warrants in the amount of \$862,048.85. Motion carried.

Commissioners Heilman/Rewa moved to approve a request dated December 1, 2008 from the West Manheim Lions Club for a waiver of the sign permit fees to advertise their Christmas tree sale. Motion carried.

Commissioners Heilman/Rewa moved to approve a request dated October 31, 2008 from South Western School District for a waiver of the sign permit fees to place banners for a Student Council conference. Motion carried.

Commissioners Heilman/Rewa moved to approve a request dated October 16, 2008 from the Hanover Soccer Club for a waiver of the sign permit fees to advertise their registration night. Motion carried.

Commissioners Heilman/Rewa moved to approve a request dated November 16, 2008 from Exit Realty for a waiver of the sign permit fees to advertise their charitable food drive. Motion carried.

Public Works Committee - Commissioner Goldsmith

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

Health & Sanitation – Commissioner Rewa

Commissioner Rewa announced that Christmas Wrap Recycling would be held on December 26, 27, 29, and 30 at the Waste Water Treatment Plant.

He also announced that Christmas tree pick up would be held the week of January 19.

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

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

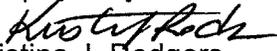
**QUESTIONS FROM THE PRESS FOR THE COMMISSIONERS:**

There were no questions from the press.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Goldsmith/Rewa moved for adjournment at approximately 7:11 P.M. Motion carried.

Respectively submitted,

  
Kristina J. Rodgers  
Township Secretary

**MINUTES  
BOARD OF COMMISSIONERS' PUBLIC MEETING  
DECEMBER 29, 2008**

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

The Penn Township Board of Commissioners met in a regular session on Monday, December 29, 2008, at the Penn Township Municipal Building. President Prieber called the meeting to order at 6:00 P.M. with a roll call of members. Present were Commissioners Prieber, Heilman, Goldsmith and Rewa. 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 Prieber read the announcement of the executive session held following the Board of Commissioners meeting on December 15, 2008.

**PERSONS TO BE HEARD/CITIZENS COMMENTS:**

Zachary Koble, 5217 Calverton Drive, Raleigh, North Carolina, stated that he was attending the meeting in order to satisfy one of the requirements to earn his Cub Scout badge. He is a member of Cub Scout Pack 350.

**PUBLIC HEARING 2009 BUDGET:**

Commissioner Heilman conducted the public hearing for the 2009 budget.

The Commissioners all commented that this was a difficult budget year due to the strained economy. It was indicated that they made budget cuts and sacrifices where they could. They did not want to raise the real estate tax because of the economy but noted that the rate is actually the same as it was three years ago. Manager Garvick reported that the property tax was decreased three years ago from 2.3 mills to 1.99 mills because of anticipated revenue from the Emergency Municipal Services Tax but that revenue has dwindled due to both the economy and regulations from the state amending how the tax is applied and collected.

Commissioner Heilman noted that the Board conducted several meetings with regards to the budget and cut back were appropriate and practical without cutting the current level of service. The Township had a decrease in projected revenue in 2008

because of the economy.

There were no Penn Township residents at the meeting who wished to comment on the 2009 Budget.

Commissioners Heilman/Goldsmith moved to adopt Ordinance No. 694, the 2009 Budget. Motion carried on a roll call vote.

Commissioners Heilman/Goldsmith moved to adopt Ordinance No. 695 setting the Real Estate Tax rate for 2009 at 2.30 mills. Motion carried.

Commissioners Heilman/Goldsmith moved that the Manager be authorized to balance all 2008 funds by transferring surplus funds to those accounts showing deficits. Motion carried.

Commissioners Heilman/Goldsmith moved to adopt Resolution No. 694 setting the rates of pay and various benefits for Management and compensation for other non-contracted personnel for the calendar year 2009. Motion carried.

Commissioners Heilman/Goldsmith moved to adopt Resolution No. 695 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/Goldsmith moved to approve Township Warrants in the amount of \$479,508. Motion carried.

Commissioners Heilman/Goldsmith moved to adopt Resolution No. 696 appointing Beard Miller Company as Township Auditor and setting compensation for services rendered. Motion carried.

Personnel Committee - Commissioner Heilman

Commissioners Heilman/Goldsmith 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 Goldsmith

Commissioner Goldsmith had nothing to report.

Planning & Recreation Committee - Commissioner Goldsmith

Commissioner Goldsmith had nothing to report.

Health & Sanitation - Commissioner Rewa

Commissioners Rewa/Goldsmith moved to adopt Resolution No. 697 approving the York County Hazard Mitigation Plan. Motion carried.

Public Safety Committee – Commissioner Heilman

Commissioner Heilman had nothing to report.

OLD BUSINESS:

None.

NEW BUSINESS:

Commissioners Rewa/Goldsmith moved for the adoption of Ordinance No. 696 Setting the Time and Place of the Regular Meetings of the Penn Township Board of Commissioners for 2009. Motion carried on 4-0 roll call vote.

The Board of Commissioners announced that they would be holding a public meeting for the purpose of conducting interviews for the vacant commissioner position during the week of January 12, 2009 beginning at 6:30 PM.

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 Rewa/Goldsmith moved for adjournment at approximately 6:13 P.M. Motion carried.

Respectively submitted,



Kristina J. Rodgers  
Township Secretary