

**MINUTES  
BOARD OF COMMISSIONERS PUBLIC MEETING  
OCTOBER 17, 2016**

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

The Penn Township Board of Commissioners met in a regular session on Monday, October 17, 2016 at the Penn Township Municipal Building. President Heilman called the meeting to order at 7:00 P.M. with a roll call of members. Present were Commissioners Brown, Felix, Heilman, and Klunk. Commissioner Van de Castle was absent with notice. Also present were Solicitor Tilley, Township Manager Rodgers, Police Chief Laughlin, Township Engineer Bortner, and Zoning Officer Swanner.

**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 Heilman announced that after the public meeting this evening the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal, personnel and other matters involving attorney/client privilege.

**APPROVAL OF THE MINUTES:**

The minutes of the September 19, 2016 Board of Commissioners meeting were approved as submitted.

**PERSONS TO BE HEARD – CITIZEN’S COMMENTS:**           None.

**TOWNSHIP REPORTS – STANDING COMMITTEES:**

**Health & Sanitation – Commissioner Felix:**

Commissioners Felix/Klunk moved to approve change order No. 1, for the Mullertown Pump Station project from 4-M Construction changing the substantial completion date from October 22, 2016 to December 21, 2016. They further authorized the Township Manager to execute all documents for the change order. Motion carried unanimously.

**Public Safety – Commissioner Felix:**

Commissioners Felix/Klunk moved to approve the Klugh Animal Control Services contract for 2017. Motion carried unanimously.

Commissioners Felix/Klunk moved to approve the York County SPCA Animal Care and Housing Agreement for 2017. After discussion, motion carried unanimously.

Commissioners Felix/Klunk moved to adopt Resolution No. 879, installing an adaptive traffic signal at Carlisle Street and Radio Road, Resolution No. 880, installing an adaptive traffic signal at Carlisle Street and Eisenhower Drive, Resolution No. 881, installing an adaptive traffic signal at Carlisle Street and Wilson Avenue, Resolution No. 882, battery upgrade for a traffic signal at Wilson Avenue and Gateway West Drive, and Resolution No. 883, battery upgrade for a traffic signal at Wilson Avenue and Gateway Center Drive. Motion carried unanimously.

Public Works – Commissioner Klunk:

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

Commissioners Klunk/Brown moved to deny a request dated September 22, 2016 from Victory Baptist Church for a modification of the sign permit requirements. Motion carried unanimously.

Commissioners Klunk/Brown moved to approve a request dated September 27, 2016 from DGI Creative for a modification of the sign permit requirements for Aquaphoenix Scientific with the following stipulations:

1. The lettering be located on the face of the building below the logo and the total of the logo and lettering cannot exceed 100 square feet.
  2. There be no sign placed on the South side of the building and the one on the North side cannot exceed 24 square feet.
  3. The monument sign cannot exceed 14 square feet.
  4. The overall total of signage cannot exceed 138 square feet.
- Motion carried unanimously.

Commissioners Klunk/Brown moved to adopt Ordinance No. 792, amending Ordinances No. 390 and No. 495, the Residential Street Lighting Ordinance. Motion carried unanimously on a roll call vote.

Commissioners Klunk/Brown moved to approve an agreement with MetEd for the installation of LED street lights. After discussion, motion carried unanimously.

Planning & Recreation – Commissioner Klunk:

Commissioners Klunk/Brown moved to approve a request dated September 27, 2016 from GHI for a waiver of the land development plan review requirements for Glade Village. Motion carried unanimously.

Commissioners Klunk/Brown moved to set the bond amount for Robert T. Jr. & Cheryl M. Hemler for \$3,509. Motion carried unanimously.

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

Commissioners Klunk/Brown moved to approve the following Subdivision and Land Development plans:

P15-13 – Hanover Wesleyan Church  
P16-08 – Robert T. Jr & Cheryl M. Hemler  
P16-10 – Michael S. & Christine L. Cooper for South Hanover Automotive.  
Motion carried unanimously.

Commissioners Klunk/Brown moved to deny plan P06-23 – Brookside Avenue Townhouses a preliminary land development plan submitted to construct seventeen single family attached townhouse units because Burkentine & Sons Builders, as general agent on behalf of Meadow Springs, LLC did not give authorization to the developer who filed the plan to proceed with it. In addition the plan does not meet the requirements of the Penn Township Subdivision and Land Development Ordinance for the following reasons:

1. The plan has not been reviewed by the Penn Township Planning Commission. (S.103.b)
2. The plan does not contain the name, seal, and signature of the registered engineer or registered surveyor that is responsible for the plan. (S. 402.e)
3. The proof of any variance or special exceptions which may have been granted are not shown on the plan. (S.402.k)
4. The existing property lines, easements, and rights-of-way are not shown accurately and the purposes of easements or rights-of-way are not listed. The location of Wayne Avenue on the deed drawing differs from the location shown on the site plan on the coversheet. The tax map shows a street in the location shown on the deed drawing. If the street was vacated or quit claimed it has not been noted on the plan. (S.402.t)
5. The plan does not show the approximate dimension for the proposed lot lines. (S.402.w)
6. The plan does not have a notarized statement to the effect that the applicant is the owner of the land proposed to be developed and that the land development shown on the Preliminary Plan is made with his or their free consent. (S.402.y)
7. A feasibility study on sewer and water facilities for the tract according to S.403 has not been submitted. A Plan Revision Module for the land development along

with recommendations from the local office of the Pennsylvania Department of Environmental Protection has not been submitted. (S.402.2<sup>nd</sup>.a)

8. A drawing of all present and proposed grades and facilities for stormwater drainage and supporting calculations has not been submitted. (S.402.2<sup>nd</sup>.e)
9. Easements with a minimum width of twenty (20) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains and/or other utility lines intended to service the abutting lots and the drainage basin is not shown on the plan. (S.513.a)
10. Recreation land dedication for multi-family or attached housing shall be a minimum of twenty percent (20%) for the total tract area has not been shown on the plan.
11. The plan does not show a recreation area that complies with S.514.b. (S.514.b)
12. The plan does not show monuments set at the intersection of lines forming angles in the boundaries of the development and at the intersection of the street line. (S.601.C)
13. The plan does not show markers set at the beginning and ending of curves along street property lines. (S.601.d)
14. The plan does not show landscaping in accordance with S.605. In residential subdivisions of six (6) or more lots, or units and in all commercial and industrial subdivisions and land developments, the developer shall provide buffer yards and landscaping in accordance with S.605. No planting plan is provided that is prepared by a landscape architect and registered by the State of Pennsylvania to engage in the practice of landscape architecture.
15. The Township Engineer and the Pennsylvania Department of Environmental Protection have not approved the plan for the installation of a sanitary sewer system. There appears to be a conflict between the proposed sanitary sewer and the existing water system (S.607)
16. The plan does not show the proposed and existing manholes by their assigned Township manhole number. (S.607)
17. The plan does not include Penn Township's standard detail drawings needed for the sanitary sewer system. (S.607)
18. The plan does not include a storm drainage system that has been approved by the Township Engineer. (S. 609)

The plan does not meet the Penn Township Stormwater Management Ordinance, Ordinance No. 375 for the following reasons:

1. There was no stormwater management plan submitted with the preliminary plan. (Article VII.A.2).
2. There was not a stormwater management plan containing the supporting computations, drains, and sufficient information describing the manner, location, and type of measures in which stormwater run-off will be managed for the entire development in accordance with Article VII.B and C. (Article VII. B and C)

3. The stormwater management design is not in accordance with criteria in Article IX. (Article IX.)

The plan does not meet the Penn Township Zoning Ordinance for the following reasons:

1. The plan does not provide a fifty foot right of way. Section 311 provides that the lot of any dwelling hereafter erected shall abut a public street unless otherwise authorized by special exception, said street shall have minimum right-of-way of fifty (50) feet.
2. The plan does not contain the special exception approval from the Zoning Hearing Board. Single family attached dwellings are allowed by special exception in the R-8 zone. (Section 202.2)
3. The plan does not contain the building height requirements. (Section 202.2)
4. The plan does not provide the clear sight triangle in conformance with the subdivision and land development ordinance. (S. 306.2.d)
5. The tax map and parcel identification number does not reflect the actual property.

For each of these reasons, and because of all these defects in the plan as submitted they moved that P06-23 Brookside Avenue Townhouses be denied. After discussion, motion carried unanimously.

Commissioners Klunk/Brown moved to approve the withdrawal of the following Subdivision and Land Development plan:

P16-09 – TrueNorth Wellness Services – 1161 Westminster Avenue  
Motion carried unanimously.

Commissioners Klunk/Brown moved to approve the following extension request, to expire January 16, 2017:

P04-25 – South Heights  
Motion carried unanimously.

The following plans were formally filed:

P16-12 – Meadow Springs, LLC  
P16-13 – TrueNorth Wellness Services

Finance – Commissioner Brown:

Commissioners Brown/Klunk moved to approve Township warrants in the amount of \$1,768,297.35. Motion carried unanimously.

Commissioners Brown/Klunk moved to approve a request dated September 12, 2016 from Saint Joseph Parrish for a waiver of permit fees to advertise their Christmas Bazaar to be held Saturday, November 12, 2016. Motion carried unanimously.

Commissioners Brown/Klunk moved to approve a request dated September 27, 2016 from Mason Dixon Credo for a waiver of permit fees to advertise their retreat. Motion carried unanimously.

Manager Rodgers gave the first reading of the 2017 budget. She stated the projected General Fund revenue is \$10,728,124 with projected expenses being \$11,523,396. Manger Rodgers reported that the Highway Aid Fund is balanced with \$1,175,401 in revenue and expenditures and the Sewer Revenue fund is balanced with \$7,187,382 in revenue and expenditures. The budget will be presented for public display in December, 2016. Commissioner Brown stated there is a Finance Committee meeting scheduled for October 31, 2016 at 7:00 P.M. to discuss the budget. Commissioner Heilman said the meeting is scheduled at the same time as the rain date for the Halloween Parade. In the event of rain, the Finance Committee meeting will still take place.

Personnel – Commissioner Brown

Commissioner Brown had nothing to report.

**MANAGER’S REPORT:**

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**PERSONS TO BE HEARD/CITIZEN’S COMMENTS:** None.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Heilman/Brown moved for adjournment at approximately 7:18 P.M. Motion carried unanimously.

Respectfully submitted,

Kristina J. Rodgers  
Township Manager