

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
NOVEMBER 21, 2016**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, November 21, 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, Klunk, and Van de Castle. Also present were Solicitor Tilley, Township Manager Rodgers, Police Lieutenant Hettinger, Fire Chief Cromer, Township Engineer Bortner, WWTP Superintendent Mahone, Zoning Officer Swanner, and Township Secretary Hallett.

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 October 17, 2016 Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD – CITIZEN'S COMMENTS:

Kris Raubenstine, Hanover Land Services, representing the South Heights subdivision plan on behalf of JA Myers, stated the cost of installing a water line the entire length of Cooper Road is not feasible. They would have to rip up and reinstall one thousand six hundred feet of Cooper Road just to service three lots in the subdivision; therefore, they are requesting a waiver of the water supply requirements.

Attorney Paul Minnich, Barley Snyder Attorneys at Law, representing the TrueNorth Wellness Services plan discussed a letter submitted by Gordon L. Brown & Associates requesting a waiver for the fencing around an existing stormwater basin. Mr. Minnich said he's representing this plan on a pro-bono basis because TrueNorth is a non-profit organization. As a non-profit, they would prefer to invest as much money as possible into the children and the fence will cost \$8,000 to \$10,000. He said the

engineer's report shows very clearly that the basin does not represent a risk. Mr. Minnich said he understands the Township's concerns about liability and is willing to offer an indemnity agreement as a condition of the waiver being approved. Byron Trout, Gordon L. Brown & Associates, explained that the water going into the basin will be less than what is currently going in because one of the buildings is being removed. The only time significant water would be in the basin would be during the one hundred year flood. Mr. Minnich said this is maintenance of a pre-existing basin and there has been no history of problems with the basin.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Health & Sanitation – Commissioner Van de Castle:

Commissioners Van de Castle/Felix moved to approve an agreement of sale with Capital Region Water for nutrient credits. Motion carried unanimously.

Commissioners Van de Castle/Felix moved to approve an agreement of sale with the Borough of Chambersburg for phosphorus credits. Motion carried unanimously.

Public Safety – Commissioner Felix:

Commissioners Felix/Klunk moved to approve a deposit money agreement and a purchase agreement with Penn Township Volunteer Emergency Services. Motion carried unanimously.

Public Works – Commissioner Klunk:

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

Commissioners Klunk/Brown moved to approve a contract with Hanover Land Services for engineering consulting services. They further authorized the Township Manager to execute all documents for the contract. Motion carried unanimously.

Planning & Recreation – Commissioner Klunk:

Commissioners Klunk/Van de Castle moved to approve a request dated October 6, 2016 from Gordon L. Brown & Associates for a temporary waiver of curbs, gutters, and sidewalks for the TrueNorth Wellness Services plan. Motion carried unanimously.

Commissioners Klunk/Brown moved to deny a request dated October 6, 2016 from Gordon L. Brown & Associates for a waiver of stormwater management requirements for the TrueNorth Wellness Services plan. Motion carried unanimously.

Commissioners Klunk/Van de Castle moved to deny a request dated October 12, 2016 from Hanover Land Services for a waiver of the water supply requirements for the South Heights subdivision plan. Motion carried unanimously.

Commissioners Klunk/Van de Castle moved to ratify the MetEd agreement for the installation of eight LED lights that were previously removed. Motion carried unanimously.

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

The following plans were submitted for formal filing:

SL16-04 – Ruby A. Bentzel

Commissioners Klunk/Van de Castle moved to approve the following extension requests to expire February 21, 2017:

P01-28 – High Pointe at Rojen Farms

P03-30 – Mustang Pointe

P16-06 – Brookside Heights – Phase 3

Finance – Commissioner Brown:

Commissioners Brown/Klunk moved to approve Township warrants in the amount of \$2,223,464.64. Motion carried unanimously.

Commissioners Brown/Klunk moved to approve a request dated October 5, 2016 from Hanover West Manheim Lions Club for a waiver of the sign permit fee to advertise their Christmas tree sale. Motion carried unanimously.

Commissioners Brown/Klunk moved to approve a request dated October 28, 2016 from Knights of Columbus for a waiver of the sign permit fee for a temporary Christmas message. Motion carried unanimously.

Commissioners Brown/Klunk moved to approve Change Order No. 1 from Pro Electric, LLC in the amount of \$1,230. Motion carried unanimously.

Commissioners Brown/Klunk moved to approve Change Order No. 2 from Pro Electric, LLC in the amount of \$4,530. Motion carried unanimously.

Personnel – Commissioner Brown:

Commissioners Brown/Klunk moved to appoint Gary Shoemaker to an unexpired term on the Penn Township Civil Service Commission, said term to expire August 2022. Motion carried unanimously.

Commissioners Brown/Klunk moved to appoint George Zimmerman as an alternate on the Penn Township Civil Service Commission, said term to expire November 2022. Motion carried unanimously.

Commissioners Brown/Klunk moved to accept the resignation of Gary LeFevre from the Penn Township Zoning Hearing Board effective January 1, 2017. Motion carried unanimously.

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 Klunk/Brown moved for adjournment at approximately 7:18 P.M. Motion carried unanimously.

Respectfully submitted,

Angela M. Hallett
Township Secretary