

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
JANUARY 15, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, January 15, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Manager Ledley, Police Lieutenant Merwede, Township Engineer Bortner, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced there was an executive session held on January 2, 2024, following the Health and Sanitation Committee meeting to discuss personnel matters. He also announced that following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor to discuss personnel and other legal matters involving attorney/client privilege.

APPROVAL OF THE MINUTES:

The minutes of the December 18, 2023, and January 2, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland had nothing to report.

Personnel – Commissioner Heiland:

Commissioners Heiland/Brown moved to adopt Resolution No. 1025 appointing Donna M. Leone to the Zoning Hearing Board, said term to expire January 2029. Motion carried.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 am to 3:30 pm to answer any questions.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to set bond amount for Paramount Realty Proposed Wawa Food Market and Fueling Station in the amount of \$801,333.23. Motion carried.

Commissioners Baile/Heiland moved to accept final inspection for Self-Storage Plus – 1049 Baltimore Street, thus releasing the bond. Motion carried.

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

The following Subdivision and Land Development Plan was submitted for formal filing:

SL24-01 40/60 Bowman Road

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plans:

SL22-12 Holland Construction – 100 Blettner Avenue

SL23-05 Maitland Investment Corporation – 630 Westminster Avenue

Motion carried.

There were no Subdivision and Land Development Plans to be extended.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,165,020.96. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo had nothing to report.

MANAGER’S REPORT:

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

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Heiland/Brown moved to authorize the sale of the 2008 Street Sweeper to Brian Klinger for the bid price of \$12,000. Motion carried.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 7:11 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
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ANNOUNCEMENTS:

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APPROVAL OF THE MINUTES:

The minutes of the December 18, 2023, and January 2, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland had nothing to report.

Personnel – Commissioner Heiland:

Commissioners Heiland/Brown moved to adopt Resolution No. 1025 appointing Donna M. Leone to the Zoning Hearing Board, said term to expire January 2029. Motion carried.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 am to 3:30 pm to answer any questions.

Planning – Commissioner Baile:

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Commissioners Baile/Heiland moved to accept final inspection for Self-Storage Plus – 1049 Baltimore Street, thus releasing the bond. Motion carried.

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

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SL24-01 40/60 Bowman Road

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SL22-12 Holland Construction – 100 Blettner Avenue

SL23-05 Maitland Investment Corporation – 630 Westminster Avenue

Motion carried.

There were no Subdivision and Land Development Plans to be extended.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,165,020.96. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo had nothing to report.

MANAGER’S REPORT:

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

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Heiland/Brown moved to authorize the sale of the 2008 Street Sweeper to Brian Klinger for the bid price of \$12,000. Motion carried.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 7:11 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
FEBRUARY 19, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, February 19, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Manager Ledley, Police Chief Hettinger, Township Engineer Bortner, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced there was an executive session held on February 6, 2024, following the Health and Sanitation Committee meeting to discuss personnel matters. Additionally, he announced that the Annual Easter Egg Hunt will be held on Saturday, March 23, 2024, beginning at 10 a.m., at the Community Park, 4601 Grandview Road. The Police Department will be conducting car seat inspections, and Hanover Area Fire and Rescue will have fire trucks on display beginning at 9 a.m.

APPROVAL OF THE MINUTES:

The minutes of the January 15, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: Mr. Anthony Gerecht, residing at 1075 Beaver Creek Road, requested to address the Board about his financial obligations for the Oak Hill/Hershey Heights Sewer Installation. Commissioner Elksnis advised Mr. Gerecht to coordinate with Manager Ledley to schedule a meeting.

Attorney Christopher Naylor, representing J.A. Myers Building Development Inc., inquired if the current moment presented an opportunity to discuss matters concerning Mustang Pointe. Commissioner Elksnis stated that the Board would be voting on the items this evening and did not have any further questions. Solicitor Hovis advised that if Attorney Naylor intended to address the matter, the current moment was suitable for doing so.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Brown moved to approve a request dated January 5, 2024, from the Hanover Allied Veterans Council to conduct the Annual Memorial Day Parade on Monday, May 27, 2024. Motion carried.

Personnel – Commissioner Heiland:

Commissioner Heiland had nothing to report.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Commissioners Baile/Heiland moved to approve an agreement with Wyatt J. Adams for the permanent right-of-way for the Oil Creek Stream Bank Stabilization Project. Motion carried.

Commissioners Baile/Heiland moved to approve an agreement with Ronda A. Ruhlman for the temporary construction easement for the Barnhart Drive Culvert project. Motion carried.

Commissioners Baile/Heiland moved to approve an agreement with Treehouse Private Brands, Inc. for the permanent right-of-way for road improvements along Blettner Avenue. Motion carried.

Commissioners Baile/Heiland moved to approve an agreement with J.A. Myers Building and Development, Inc. for the Mustang Pointe Subdivision Land Development Plan. Motion carried.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to approve a request dated October 5, 2023, from James R. Holley & Associates, Inc. for waivers to the following for the Mustang Pointe Subdivision and Land Development Plan:

Ordinance 815 – The International Fire Code

Section 503.2.1 Dimensions

Section 503.2.4 Turning Radius

Subdivision and Land Development Ordinance

Section 506.e Minimum Distance between the Centerlines of Intersections

Section 508 Blocks

Section 509.a Lots and Lot Sizes

Motion carried.

Commissioners Baile/Brown moved to approve a request dated December 18, 2023, from Hanover Land Services, Inc. for a waiver to Section 509(a) Lots and Lot Sizes for Jason L. & Diana E. Shoe – Preliminary/Final Subdivision and Land Development Plan. Motion carried.

Commissioner Baile/Brown moved to approve a request dated January 8, 2024, from D.C. Gohn Associates, Inc., for a waiver to Section 405 Plan Scale for Yazoo Mills Preliminary Land Development Plan. Motion carried.

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

The following Subdivision and Land Development Plan was submitted for formal filing:

SL24-02 37 Industrial Drive – Yazoo Mills
SL24-03 Holland Construction – 100 Blettner Avenue

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plans:

SL23-06 50 Baugher Drive-Rita Martin
SL23-07 WAWA Food Market and Fueling Station
SL23-08 1750 Youngs Road – Jason L. & Diana E. Shoe
Motion carried.

Commissioners Baile/Brown moved to approve the following extension requests to expire on May 20, 2024:

SL17-10 Mustang Pointe
SL21-05 Elsner Engineer Works, Inc.
SL22-01 Water Street Four, LLC
Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$2,678,260.59. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated January 23, 2024, from the Exchange Club of Hanover for waivers of sign permit fees for their annual Builders Home and Garden Show to be held March 8 & 9, 2024. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated January 23, 2024, from the Exchange Club of Hanover for waivers of sign permit fees for their annual Evening of Comedy and Magic to be held April 26, 2024. Motion carried.

Health & Sanitation – Commissioner Berlingo:

On Monday, January 15, 2024, the following bids for refuse bags were opened and publicly read aloud by Manager Ledley:

<u>Bidder</u>	<u>Amount</u>
Central Poly Corporation 2400 Bedle Place Linden, NJ 07036	\$20.40 per 100 bags
Interboro Packaging Corporation 114 Bracken Road Montgomery, NY 12549	\$29.72 per 100 bags
XL Plastics 220 Clifton Boulevard Clifton, NJ 0711	\$19.71 per 100 bags

Commissioners Berlingo/Brown moved to award the 2024 Refuse Bag bid, to X-L Plastics, 220 Clifton Blvd, Clifton, NJ, for a bid price of \$19.71 per one hundred bags with an order of four hundred fifty thousand bags, for a total bid price of \$88,695. Motion carried.

MANAGER’S REPORT:

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

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Elksnis/Heiland moved to adopt Resolution No. 1026, establishing a policy for the intended use and destruction of the audio and/or video recordings of public meetings of Penn Township. Motion carried.

Commissioner Heiland announced that following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor to discuss personnel and other legal matters involving attorney/client privilege.

PERSONS TO BE HEARD/CITIZEN’S COMMENTS: There were none.

QUESTIONS FROM THE PRESS: Mr. Harrison Jones requested to review the Plans for the proposed WAWA food market and fueling station. Commissioner Heiland instructed him to see Engineer Bortner following the meeting.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 7:17 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
MARCH 18, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, March 18, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Manager Ledley, Police Chief Hettinger, Township Engineer Bortner, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced there was an executive session held on March 5, 2024, following the Health and Sanitation Committee meeting to discuss personnel matters.

APPROVAL OF THE MINUTES:

The minutes of the February 19, 2024, Board of Commissioners meeting were approved as submitted.

PROCLAMATION – RECOGNIZING APRIL 2024, AS PENNSYLVANIA SAFE DIGGING MONTH

Board President Elksnis read a proclamation recognizing April 2024 as, Pennsylvania Safe Digging Month. The proclamation will be submitted to the Pennsylvania 811 one-call organization.

PERSONS TO BE HEARD/CITIZEN’S COMMENTS: There were none.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Brown moved to adopt the revised Civil Service Rules and regulations for the Firefighters. Motion carried.

Personnel – Commissioner Heiland:

Commissioner Heiland had nothing to report.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Commissioners Baile/Heiland moved to authorize a letter of support to York County Planning Commission for JMT’s recommendation of Alternative 1B for the Eisenhower Drive (SR 3072) and Broadway Street (SR 194) Intersection Improvement Analysis report. Motion carried.

Commissioners Baile/Heiland moved to adopt Resolution No. 1027, accepting the Deed of Dedication for a portion of Clover Lane. Motion carried.

Commissioners Baile/Heiland moved to approve the 2024-2028 York County Local Bridge Inspection Program agreement. Motion carried.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to set the bond amount for 100 Blettner Avenue Industrial Building in the amount of \$801,333.23. Motion carried.

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

The following Subdivision and Land development Plan was submitted for formal filing:

SL24-04 South Heights Manor, LP – 116 Onyx Drive

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plan.

SL24-01 40/60 Bowman Road
Motion carried

Commissioners Baile/Brown moved to approve the following extension requests to expire on June 17, 2024:

SL22-10 934 Baltimore Street – Cody Bentzel
SL22-11 Liberty Restoration & Construction, LLC
Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$2,098,818.66. Motion carried.

Commissioners Brown/Heiland moved to approve a request received February 14, 2024, from the Hanover Area Jaycees for waivers of sign permit fees for their annual Rock the Hill event to be held on May 11, 2024. Motion carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1028, amending Resolution No. 1020, regarding medical insurance coverage for management employees. Motion carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1029, authorizing the disposition of municipal records in accordance with the Historical and Museum Commission Act 428 of 1968. Motion carried.

Commissioners Brown/Heiland moved to award the contract for Pre-Mixed Bituminous Concrete for the period of April 1, 2024, to March 31, 2025, to York Materials Group LLC, 950 Smile Way, York PA 17404 at the following bid price as quoted:

FOB Plant

Pre-mixed Bituminous Stock Pile Material	\$116.00 per ton
9.5 mm Superpave Surface Course	\$ 70.15 per ton
19 mm Superpave Surface Course	\$ 63.75 per ton
25 mm Superpave Base Course	\$ 60.85 per ton

FOB JOB

9.5 mm Superpave Surface Course	\$ 77.05 per ton
25 mm Superpave Base Course	\$ 67.75 per ton

Motion carried.

Commissioners Brown/Heiland moved to award the contract for Crushed Stone for the period of April 1, 2024, to March 31, 2025, to Vulcan Construction Materials, LP, 875 Oxford Avenue, Hanover, PA 17331 at the following bid price as quoted:

Delivery only in full truck load quantities to job locations as specified at time of delivery in Penn Township \$ 4.25 per ton

Screenings (AASHTO #10)	\$ 17.50 per ton
PA 2A Stone & RC Stone	\$ 10.80 per ton
Sand & Crushed Stone Anti-Skid Type 2	\$ 15.30 per ton
1B Stone (AASHTO #8) & HE6 Stone (AASHTO #9)	\$ 19.00 per ton
2B Stone (AASHTO #57)	\$ 15.00 per ton
All Other Stone Including 4" Ballast (AASHTO #1)	\$ 15.00 per ton
Rip-Rap	\$ 20.25 per ton

Motion carried.

Commissioners Brown/Berlingo moved to award the contract for Petroleum Products for the period of April 1, 2024, to March 31, 2025, at the following price as quoted:

Mid-Atlantic Cooperative Solutions d/b/a Aero Energy, 230 Lincoln Way East, New Oxford, PA 17350

Regular Lead-Free Minimum 87 Octane Gasoline, Exclusive of Tax \$ 2.3618 per gallon
Diesel Oil No. 2, Straight Run \$ 3.2177 per gallon

PPC Lubricants Inc., 305 Micro Drive, Jonestown, PA 17038

#5-20 Motor Oil Universal, Multi-grade in 55-gallon drums \$ 8.95 per gallon
#15-40 Motor Oil Universal, Multi-grade in 55-gallon drums \$12.07 per gallon
#10-20 Hydraulic Oil/Low Foaming Action in 55-gallon drums \$10.34 per gallon
Motion carried.

Commissioners Brown/Berlingo moved to award the contract for Traffic Line Painting for the period of April 1, 2024, to March 31, 2025, to D.E. Gemmill, Inc., 10174 Chapel Church Road, Red Lion, PA 17356, at the following bid price as quoted:

Center Traffic Line Painting –
Two four-inch Yellow Lines \$ 0.139 per linear foot
Lane Line & Edge Line Painting –
One four-inch White Line Solid or Dashed \$ 0.071 per linear foot
Motion carried.

Commissioners Brown/Heiland moved to award the contract for Snow and Ice Rock Salt for the period of May 31, 2024, to May 31, 2025, to Eastern Salt Co., Inc., 134 Middle Street – Suite 210, Lowell, MA 01852, in bulk at the following bid price as quoted:

Delivery before July 01, 2024 \$79.90 per ton
Delivery before October 01, 2024 \$79.90 per ton
Delivery after October 01, 2024 \$80.80 per ton
Motion carried.

Commissioners Brown/Heiland moved to award the contract for Street Milling for the period of April 1, 2024, to March 31, 2025, to Miller Soil Solutions, LLC, 20 W. Hanover Street, Dillsburg, PA 17019, for the bid price of \$2.10 per square yard. Motion carried.

Commissioners Brown/Berlingo moved to award the contract for Sodium Hypochlorite 12% in drums for the period of April 1, 2024, to March 31, 2025, to Univar Solutions USA, Inc., 200 Dean Sievers Place, Morrisville, PA 19067, for \$0.3900 per pound. Motion carried.

Commissioners Brown/Heiland moved to award the contract for Liquid Polyaluminum Chloride for the period of April 1, 2024, to March 31, 2025, to USALCO Baltimore Plant, LLC., 2601 Cannery Avenue, Baltimore, MD 21226, 36,000 gallons for the bid price of \$2.6357 per gallon. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioner Berlingo had nothing to report.

MANAGER’S REPORT:

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

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioner Heiland announced that following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor to discuss personnel and other legal matters involving attorney/client privilege. Additionally, he announced that the Annual Easter Egg Hunt will be held on Saturday, March 23, 2024, beginning at 10 a.m., at the Community Park, 4601 Grandview Road. The Police Department will be conducting car seat inspections, and Hanover Area Fire and Rescue will have fire trucks on display beginning at 9 a.m.

PERSONS TO BE HEARD/CITIZEN’S COMMENTS: Mrs. Cynthia Bischoff of 3 Pond Ridge Lane addressed the Board, highlighting her attendance at the Zoning Hearing Board meeting held on March 12, 2024, concerning Homewood. She voiced her opposition regarding the approval of the various waivers. Attorney Hovis acknowledged her rights as a citizen to appeal the decision, emphasizing that at the forthcoming Zoning Hearing Board session, the formal decision would be ratified, after which Mrs. Bischoff would have the opportunity to file an appeal. He advised her on the necessity of retaining legal representation for this process. Furthermore, he suggested that Mrs. Bischoff, along with her neighbors who share her opposition, have the right to file a land use appeal with the York County Board of Common Pleas.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 7:21 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
APRIL 15, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

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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 Elksnis announced there was an executive session held on March 5, 2024, following the Health and Sanitation Committee meeting to discuss personnel matters.

APPROVAL OF THE MINUTES:

The minutes of the March 18, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

PUBLIC HEARING TO CONSIDER DIVINO PIZZERIA LLC LIQUOR LICENSE TRANSFER:

Commissioner Elksnis stated that the purpose of this public hearing is to give the residents along with the commissioners the opportunity to comment on the inter-municipal transfer of liquor license No. R-52764, trade name Divino Pizzeria LLC, from Hanover Borough, York County, into Penn Township, York County.

Presentation by Petitioners: Attorney Katelyn Rohrbaugh from Barley-Snyder represented Divino's and explained their intention to transfer liquor license R-52764 from Hanover Borough to Penn Township for their new restaurant. Ms. Rohrbaugh stated that the Pennsylvania Liquor Control Board (PLCB) application had been submitted, and approval from the Township was the final step.

Public Officials Comments: The Board of Commissioners asked questions about the impact on the community and any changes to the establishment. Mr. Jason Eckenrode, of Divino's expressed a focus on becoming more family-friendly and ensuring security measures.

Township Staff Review and Comments: There were none.

General Public Comments: There were none.

There being no further comments Commission Elksnis called for the closing of the Public Hearing.

Commissioners Elksnis/Heiland moved to adopt resolution no. 1030 – Approving the transfer of Liquor License No. R-52764 into Penn Township from 304 Poplar Street, Hanover Borough, York County, Pennsylvania to 1418 Baltimore Street, Penn Township York County, Pennsylvania. Motion carried.

PROCLAMATION – MOTORCYCLE SAFETY AND AWARENESS MONTH:

Commissioner Elksnis announced now, therefore, be it further resolved that we, the Board of Commissioners, York County, Pennsylvania, hereby designate May 2024 as Motorcycle Safety Awareness Month throughout Penn Township and encourage all residents of the county to learn more about efforts to promote safety and motorcycle awareness to all drivers that share the roadways. Commissioner Elksnis presented Dale Bradt, Chapter Coordinator for Mason Dixon Chapter of ABATE.

Mr. Bradt, reported The Alliance of Bikers Aimed Towards Education (ABATE) is committed to safeguarding motorcyclists' rights through political advocacy, charitable initiatives, and public education. In Pennsylvania, where there are nearly 850,000 licensed motorcyclists, promoting safety through awareness is paramount. Education plays a key role, with the PA Motorcycle Safety Program teaching riders of all levels since 1984. Additionally, ABATE's Operation Save A Life Program focuses on raising awareness among new drivers, reaching over 1,500 students in York and Adams County in 2023. By declaring May as Motorcycle Safety Awareness Month, the Mason Dixon chapter of ABATE aims to educate residents of Penn Township and passing motorists, with gratitude to the Township Board of Commissioners for their support.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Brown moved to approve amending the Firefighters Post Employment Health Plan Memorandum of Understanding. Motion carried.

Personnel – Commissioner Heiland:

Commissioner Heiland had nothing to report.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

On Wednesday, April 10, 2024, the following bids for the 2024 Guide Rail project were opened electronically by C.S. Davidson:

<u>Bidder:</u>	<u>Base Bid Price:</u>
Wm. Orr & Sons, Inc. 2845 State Route 72 Jonestown, PA 17038	\$67,555.00
Kruger Construction 7 Oakwood Drive Scranton, PA 18504	\$73,912.50
Road Safety Systems, LLC 12 Park Drive Shamong, NJ 08088	\$81,638.00
Collinson, Inc. PO Box 397 Uwchland, PA 19480	\$89,762.50

Commissioners Baile/Brown moved to award the 2024 Guide Rail Program to WM Orr & Sons, Inc., 2845 State Route 72, Jonestown, PA 17038, for a bid price of \$67,555.00. Motion carried.

Commissioners Baile/Brown moved to approve an agreement with Kinsley Construction, Inc., for the Concrete Barrier Project for Park Heights Blvd in the amount of \$14,240.00. Motion carried.

Planning – Commissioner Baile:

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

The following Subdivision and Land development Plans were submitted for formal filing:

- SL24-05 LCBC Hanover – 1504 Broadway
- SL24-06 Snyders-Lance - 1401 York Street & York Street (Un-addressed)

There were no Subdivision and Land Development Plans to be approved.

There were no Subdivision and Land Development Plans to be extended.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,420,721.50. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated March 12, 2024, from Hanover Lions Club for waivers of permit fees for their Annual Chicken Barbeque to be held May 11, 2024. Motion carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1031, amending Ordinance No. 861, the 2024 Budget to re-allocate funds from the Sewer Capital Reserve Unassigned Fund balance to the Sewer Revenue Fund Expenditures Capital Outlay in the amount of \$168,000.00. Motion carried.

Commissioners Brown/Heiland moved to approve an agreement with Dallas Data Systems Inc., for Caselle Software and Services. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioner Berlingo had nothing to report.

MANAGER’S REPORT:

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

OLD BUSINESS: Police Chief Hettinger updated the Commissioners on the completion of the women’s locker room in the Police Department.

NEW BUSINESS: Commissioner Heiland reminded those in attendance that the Shredding and Food Drive event will be held this coming Saturday, April 20, 2024, from 8 am to 1 pm at the Recycling Center at 1020 Wilson Avenue.

PERSONS TO BE HEARD/CITIZEN’S COMMENTS: There were none.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 7:17 p.m. Motion carried.

Respectfully submitted,
Donna M. Sweeney, Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
MAY 20, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, May 20, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Manager Ledley, Police Chief Hettinger, Township Engineer Bortner, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced that an executive session was held on May 7, 2024, following the Health and Sanitation Committee meeting to discuss personnel matters. Additionally, another executive session will be held this evening following the public meeting to consult with the solicitor on personnel and other legal matters.

He also announced that the public meeting previously scheduled for June 4, 2024, at 7 p.m. will now begin at 6 p.m. This meeting will start with the Health and Sanitation Committee meeting, followed by the Finance Committee meeting.

Furthermore, he announced the passing of Charles Stauffer, who served as a Penn Township Commissioner from 1992 through 2007.

APPROVAL OF THE MINUTES:

The minutes of the April 15, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Mr. Lenoard Rice, 125 Hirtland Avenue, asked the Board if the Township provides funding for the Guthrie Memorial Library and the Gitt Memorial Library. The Board informed him the Township budgeted \$50,000 for the Guthrie Memorial Library to be expended around August. No funding is provided for the Gitt Memorial Library.

Ms. Julie Shadle, 36 Northview Drive, expressed her concerns regarding the damaged to her driveway and sinkholes on her property due to stormwater surface runoff and the deterioration of storm drains. She explained that for the past five years, she has contacted Township, and feels her concerns have not been adequately addressed. Ms. Shadle provided

photos and videos of the running water during rainstorms. She mentioned that runoff from Grandview to Northview is causing significant issues, including sinkholes on her property. Mr. Larry Wilson, Glenville, stated that he suspects a broken or deteriorated underground pipe is likely the cause. He reported that water runoff from Albright Drive and Grandview is affecting Shadle's driveway.

The Board acknowledged Ms. Shadle's concerns and suggested that she attend the next public works meeting on June 3rd. The Board requested that Ms. Shadle leave a copy of an email from Campbell's contractor that she received and assured her that they would investigate the matter and provide an update at the next meeting.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Brown moved to adopt the Penn Township Video System Policy. Motion carried.

Personnel – Commissioner Heiland:

Commissioner Heiland had nothing to report.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to set the bond amount for South Heights Manor, LP Land Development Plan at \$34,870.00. Motion carried.

Commissioners Baile/Brown moved to set the maintenance bond amount for Stonewicke Phase I at \$264,544.63 and Stonewicke Phase II at \$111,958.05. Motion carried.

Commissioners Baile/Brown moved to approve a request dated March 15, 2024, from RGS Associates on behalf of LCBC Church for waivers to Section 405-Final Plan Scale, Sections 505.C and 505.K.(1)-Existing Road Frontage and Sidewalk, and Section 505.K-Curbs. They denied a waiver request for Section 605-Bufferyard along Arterial Street of the Subdivision and Land Development Ordinance. They further moved to approve a waiver request to Section 268-12-Volume Controls and Section 268-15.B(3)-Side Slopes and denied a waiver to Section 268-15.B(4)(a)-Fences of the Stormwater Management Ordinance. Motion carried.

Commissioners Baile/Brown moved to approve a request dated March 29, 2024, from Hanover Land Services, Inc. for a waiver to Section 509(a)-Lots and Lot Sizes for the South Heights Manor, LP Final Subdivision Plan. Motion carried.

Commissioners Baile/Brown moved to approve a request dated April 8, 2024, from DC Gohn Associates for a waiver to Section 306.B.3-Side Slopes of the Stormwater Management Ordinance for the Yazoo Mills Land Development Plan. Motion carried.

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

The following Subdivision and Land development Plan was submitted for formal filing:

SL24-07 450 Fame Avenue, LLC

Commissioners Baile/Heiland moved to approve the following Subdivision and Land Development Plan:

SL24-04 South Heights Manor, LP
Motion carried.

Commissioners Baile/Brown moved to approve the following extension requests due to expire August 18, 2024:

SL17-10 Mustang Pointe
SL21-05 Elsner Engineer Works, Inc.
SL22-01 Water Street Four, LLC
SL24-02 37 Industrial Drive
SL24-03 Holland Construction-10 Blettner Ave
Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,432,436.90. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated April 11, 2024, from the Friends of Codorus State Park requesting a waiver of sign permit fees for the Experience Codorus Outdoors event to be held June 8 & 9, 2024. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioner Berlingo had nothing to report.

MANAGER'S REPORT:

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

OLD BUSINESS: There was none.

NEW BUSINESS: There was none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:28 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
JUNE 17, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, June 17, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Police Chief Hettinger, Township Engineer Bortner, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced that an executive session was held on June 4, 2024, following the Health and Sanitation Committee meeting to discuss personnel matters. Additionally, another executive session will be held this evening following the public meeting to consult with the solicitor on personnel and other legal matters.

APPROVAL OF THE MINUTES:

The minutes of the May 20, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Donna Boone, a resident of 204 Jasmine Drive, raised concerns about ongoing issues with the retention pond on Jasmine Drive. She mentioned discussing the matter with Zoning Officer Smith and Hanover Land Services, Inc., which provided her with information. She requested updates from the Committee.

Carl Maynard of 134 Moore Drive also addressed similar issues, noting that the property had been sold multiple times without proper listings and expressed frustration over the lack of consequences for unpaid fines related to stormwater management. He stated his intention to seek legal recourse due to ongoing expenses. The Committee acknowledged the issues and noted that this matter would be better addressed at a Public Works meeting. They promised to investigate further and provide updates. It was clarified that the Township issues citations rather than fines, with the Magistrate is responsible for determining guilt and imposing penalties. Zoning Officer Smith stated he will notify them of any court hearings related to these issues if requested.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to approve the agreement with TC Energy for a temporary easement at 204 Clover Lane. Motion carried.

Personnel – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to formally accept the resignation of Tammi Ledley from her position as Township Manager effective June 5, 2024. Motion carried.

Commissioners Heiland/Berlingo moved for the appointment of Donna Sweeney as Township Treasurer. Motion carried.

Commissioners Heiland/Berlingo moved for the appointment of Clayton Black to a one-year term on the Penn Township Vacancy Board. Motion carried.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Commissioners Baile/Brown moved to adopt Resolution No. 1032, accepting the dedication of certain streets and sanitary sewers throughout Stonewicke. Motion carried.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to reduce the bond amount for the Markets of Hanover Land Development Plan from \$728,805.00 to \$65,450.00. Motion carried.

Commissioners Baile/Brown moved to approve a request dated April 15, 2024, from DC Gohn Associates on behalf of Sheridan Press for a waiver to Section 405 (Plan Scale), Section 306.B.2 (Embankment Top Width) and Section 306.B.3 (Side Slopes) of the Penn Township Subdivision and Land Development Ordinance and Stormwater Management Ordinance. Motion carried.

Commissioners Baile/Brown moved to approve a request dated May 21, 2024, from Hanover Land Services, Inc., on behalf of Snyder’s-Lance for a waiver to Section 505.k (Curbs) and 603 (Curbs, Gutters and Sidewalks) of the Penn Township Subdivision and Land Development Ordinance. Motion carried.

Commissioners Baile/Heiland moved to approve a request dated June 6, from RGS Associates on behalf of LCBC Church, Hanover for a waiver to Section 605 (Bufferyard Along Arterial Street) (request amended) and Section 268-15.B(4)(a) (Additional Stormwater Management Design Standards) (request amended) of the Penn Township Subdivision and Land Development Ordinance and Stormwater Management Ordinance. Motion carried.

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

There were no Subdivision and Land Development Plans submitted for formal filing.

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plan:

SL24-06 Snyder's-Lance, Inc.
Motion carried.

Commissioners Baile/Brown moved to approve the following extension requests due to expire September 16, 2024:

SL22-10 934 Baltimore Street – Cody Bentzel
SL22-11 Liberty Restoration & Construction LLC
Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,184,954.26. Motion carried.

The Board reviewed a letter from HLS Engineering on behalf of Snyder Lance, requesting a refund of \$21,403.75 from the \$23,250 fee paid for land development submission.

Attorney Charlie from Stevens and Lee presented their case, stating that the fee should reflect the actual work done, which was minimal, and primarily involved a simple lot subdivision with no development plans. Discussion ensued regarding the standard fee schedule based on total acreage. Township Engineer Bortner and Zoning Officer Smith confirmed that fees are uniformly applied per acre, regardless of development status.

Commissioners Brown/Berlingo moved to deny a request dated March 25, 2024, from Hanover Land Services Inc., on behalf of Snyder's-Lance, Inc., requesting a reduction of the Subdivision and Land Development Plan fee submission requirement. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioner Berlingo had nothing to report.

OLD BUSINESS: There was none.

NEW BUSINESS: There was none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:24 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
JULY 15, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, July 15, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Police Chief Hettinger, Fire Captain Boyce, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced the August Committee meetings for Public Safety, Public Works, Finance and Health & Sanitation will be held on Monday, August 5, 2024, beginning at 6 p.m.

National Night Out will be held on Tuesday, August 6, 2024, from 6 p.m. to 8 p.m. at Emory H. Markel Middle School.

An executive session will be held this evening following the Board of Commissioners meeting to consult with the solicitor on personnel and other legal matters.

APPROVAL OF THE MINUTES:

The minutes of the June 17, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: There were none.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to approve the settlement agreement with the Penn Township Police Department Patrolmen's Association concerning a cost-of-living wage increase the Association maintains should be awarded to retired members of the Association. Motion carried.

Commissioners Heiland/Berlingo moved to adopt Ordinance No. 867, amending and adopting the 2018 Edition of the International Fire Code. Motion carried 5-0 on a roll call vote.

Commissioners Heiland/Berlingo moved to approve the Hanover Public School District Homecoming Parade to be held Friday, October 4, 2024. Motion carried.

Personnel – Commissioner Heiland:

Commissioners Heiland had nothing to report.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Commissioners Baile/Heiland moved to authorize the purchase of a Petro Ved PV200 with a new pedestal from PWI in the amount of \$10,968.69. Motion carried.

Commissioners Baile/Heiland moved to adopt Ordinance No. 864, adopting as public roads portions of Fieldstone Drive, Kaitlyn Drive, Lark Avenue, Meadow Lane, Cantera Way, Maple Lane, Red Rock Run, Ripple Drive, Alabaster Run, and Granbury Crossing located in Penn Township, York County, Pennsylvania. Motion carried 5-0 on a roll call vote.

Commissioners Baile/Heiland moved to adopt Resolution No. 1033, authorizing the sale of excess public works equipment.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to set the bond amount for LCBC – Hanover Land Development Plan in the amount of \$504,038.96. Motion carried.

Commissioners Baile/Brown moved to reduce the bond amount for Stonewicke Phase I from \$1,867,512.21 to \$77,495.00, and Stonewicke Phase II from \$732,560.90 to \$30,800.00. Motion carried.

Commissioners Baile/Brown moved to authorize the Township’s solicitor, Steven M. Hovis to execute a stipulation agreement for Penn Township v. Penn Township Zoning Hearing Board in connection with a land use appeal regarding Homewood at Hanover. Motion carried.

Commissioners Baile/Heiland moved to approve a request dated May 31, 2024, from Hanover Land Services, Inc., on behalf of Devener Landing for a waiver to Section 505.a & 505.k (Curbs), 505.a & 505.k.1 (Sidewalks), 506.e (Minimum Distance Between Centerlines) and 508

(Blocks) of the Penn Township Subdivision and Land Development Ordinance in regards to their Preliminary / Final Land Development Plan. Motion carried.

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

The following Subdivision and Land Development Plan was submitted for formal filing:
SL24-08 Carroll County Christian Center, Inc. – 899 Baltimore Street

There were no Subdivision and Land Development Plans for approval.

Commissioners Baile/Brown moved to approve the following extension requests due to expire October 21, 2024:

SL24-05 LCBC Hanover – 1054 Broadway
Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,767,525.69. Motion carried.

Commissioners Brown/Heiland moved to authorize the purchase of website design services with Why Not Advertising in the amount of \$16,697.00 for the initial setup. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated June 14, 2024, from the Hanover Area Chamber of Commerce for a waiver of sign permit fees for the Snack Town Street Fair that was held on Saturday, July 13, 2024. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo/Heiland moved to adopt Ordinance No. 865, adopting certain sewer facilities as public sanitary sewer easements, manholes and laterals appurtenant thereto situate in the streets located in Stonewicke Phases I and II, situate, lying and being in Penn Township, York County, Pennsylvania. Motion carried 5-0 on a roll call vote.

Commissioners Berlingo/Heiland moved to adopt Ordinance No. 866, amending Ordinance No. 434 Regarding the Frequency of Recycling Drop Off for Apartment Complexes, Condominium Complexes, Mobile Home Parks, Commercial and Institutional Users. Motion carried 5-0 on a roll call vote.

OLD BUSINESS: There was none.

NEW BUSINESS: Commissioners Berlingo and Elksnis reported the Fire Commission is developing job descriptions for two positions that they may be seeking to fill in the near future; an EMS Coordinator and an Assistant Fire Chief.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: Mr. Lenny Rice of 125 Hirtland Avenue requested an update on the search for a new Township Manager. The Board responded that the search is actively ongoing and that a decision is expected to be made soon.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:13 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
AUGUST 19, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, August 19, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Hovis, Police Chief Hettinger, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced there was an executive session held Monday, August 5, 2024, following the Health and Sanitation Committee to discuss personal matters. The September Public Safety, Public Works, Finance and Health and Sanitation Committee meetings will be held Tuesday, September 3, beginning at 6 p.m. due to the Labor Day holiday. And there will be an executive session this evening following the Board of Commissioners meeting to consult with our solicitor on legal and personnel matters.

APPROVAL OF THE MINUTES:

The minutes of the July 15, 2024, Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: Bob Pretz of 26 Alabaster Run expressed concerns about against a recent request to install a communication tower in Penn Plaza. Commissioner Elksnis stated the plan was presented before the Planning Commission last month. Despite opposition, Verizon's attorney referencing the Telecommunications Act of 1996, which allows communication companies significant freedom in tower placement, leaving little room for denial. The Planning Committee approved the recommendation, which was forwarded to the Zoning Hearing Board. The Zoning Board, a separate legal entity from the planning board, approved the request as well.

Barbara Hitchen, a resident of 609 Norwood Avenue, spoke on behalf of her neighbor, Jean Brady, who resides at 4 Daugherty Drive. She reported the vacant property across the street has become a dumping ground for grass, leaves, brush and shrubbery. Commissioner Elksnis stated that property maintenance will look into the situation and get back to her.

PUBLIC HEARING – REQUEST TO REZONE A PORTION OF A PARCEL ON RIPPLE DRIVE

Township Staff Review and Comments:

Zoning Officer Smith reported the Planning Commission gave a unanimous favorable recommendation for the rezoning. He added that the York County Planning Commission considered the property in question to be an example of spot zoning, as the surrounding area is designated as a shopping commercial zone, despite the property currently being residential. The County recommended denying the request, citing the inconsistency with the surrounding zoning.

Applicant Comments:

Mr. Kris Raubenstine of Hanover Land Services, Inc., presented his request for the rezoning of a parcel owned by Stonewicke LP along Ripple Drive, Lot 1 in Stonewicke Phase four of the subdivision plan. He explained when the development was submitted in 2004-2005, the property was zoned R15 for residential use. However, the township later changed the zoning to shopping and commercial. Despite this, the residential homes in the Stonewicke development were grandfathered into the R15 zoning. The request now is to rezone Lot 1 from shopping and commercial back to R15, aligning it with the residential nature of the surrounding area. The developer argues that leaving Lot 1 as shopping and commercial would not be in the township's best interest, as it would invite increased traffic and commercial vehicles on Ripple Drive, which is the only access to the property. Additionally, larger road networks needed for commercial use are not available. Rezoning to R15 would maintain consistency with the residential homes nearby and prevent commercial development that could disrupt the community. He argued this counters the county's concern about spot zoning, as the surrounding areas are either already residential or are expected to be rezoned as R15.

Board of Commissioners:

Attorney Hovis explained that under Pennsylvania law, spot zoning is illegal and can be challenged if it occurs during rezoning. The Commonwealth prefers development and zoning to follow a planned, consistent approach, where zoning districts transition logically, such as from R1 to R2 to R3, with commercial and industrial areas buffering each other based on the intensity of use. The goal is to avoid isolated spots of inconsistent zoning, such as placing a residential area within an industrial zone. However, determining spot zoning is not black and white in Pennsylvania, and all relevant factors, including property size and location, are considered when assessing if spot zoning has occurred. He noted he was surprised that York County did not suggest including additional surrounding properties to support a larger rezoning purpose, which could help avoid the issue of spot zoning. Commissioner Heiland expressed concern that while approving the rezoning request may not set a legal precedent, it could lead to an influx of similar requests in the future. As Penn Township becomes more developed, there is a concern that others might seek to rezone areas, such as requesting to build houses in non-residential zones like RC (Residential-Commercial), potentially complicating future zoning decisions. Commissioner Berlingo stated that the Zoning Map is currently under review and certain changes are needed, however, currently spot zoning should be avoided.

Public Comments:

There were several residents in attendance, those that commented were: Barbara Rowlett, 9 Cantera Way, Jay Garvin, 305 Ripple Drive, Shirl and Bob Prietz, 26 Alabaster Run, Polly and Bill Stanley, 23 Alabaster Run, Anthony Fisher, 5 Alabaster Run, Tim Carroll, 3 Alabaster Run, Jeff Christman, 13 Alabaster Run, Brian Bowman, 1 Alabaster Run, Matthew Murphy, 117 Grandbury Crossing, Tirana Rawlings, 10 Cantera Way. Concern was expressed with their homes being located within the SC Shopping/Commercial zone, as well as regarding the future of Lot 1 if it is not rezoned to residential. Residents are worried about the potential for increased truck traffic and commercial activity, given that Lot 1 is situated in a predominantly residential area.

Commissioner Elksnis closed the public hearing at 8:24 p.m.

Commissioners Elksnis/Heiland moved to deny the request to rezone a portion of the property owned by Stonewicke, LP and known as Parcel 44-000-36-0001.00-0000 (Ripple Drive), Penn Township from Shopping Commercial (SC) to Suburban Residential (R-15). Motion carried 5-0 on a roll call vote.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to set the date for trick-or-treat for Tuesday, October 22, 2024, from 6 pm to 8 pm. Motion carried.

Personnel – Commissioner Heiland:

Commissioners Heiland/Brown moved to appoint George Zimmerman to the Civil Service Commission, said term to expire August 2030. Motion carried.

Commissioners Heiland/Berlingo moved to appoint Donna Sweeney the Right to Know Officer for the Township. Motion carried.

Commissioners Heiland/Berlingo moved to accept the resignation of Robert Smith as Township Zoning Officer effective September 4, 2024. Motion carried.

Public Works & Recreation – Commissioner Baile:

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

Commissioners Baile/Brown moved to approve C.S. Davidson, Inc., 2024 Guide Rail Contract Change Order No. 1, in the amount of a credit of \$3,701.25. Motion carried.

Commissioners Baile/Brown moved to approve an agreement with Hanover Land Services, Inc., for Stormwater Services, with the contract amount not to exceed \$42,500.00 for 2025. Motion carried.

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to set the maintenance bond amounts for High Pointe at ROJEN Farms-Penn South Phase S1 in the amount of \$249,421.40; Phase S2 in the amount of \$250,300.15; Phase S3 in the amount of \$113,321.60. Motion carried.

Zoning Officer Smith reported an addition to his report. On August 15th, an email was received concerning Lot 1 of Stonewicke, where a building originally approved for demolition is now being proposed to remain by the developer. The building is nonconforming and would require approval from the zoning hearing board to stay. There is uncertainty about the procedure moving forward—whether the board would allow the developer to retain the building, or if the matter should be directed to the zoning hearing board for a formal decision. Attorney Hovis stated he must submit an amendment to the original land development plan, demonstrating how the building will be utilized in a way consistent with ordinances. Since the current plan on record with York County shows the building slated for demolition, the amendment would need to be reviewed and approved by the township, then filed with the York County Recorder of Deeds to reflect the change.

The following Subdivision and Land Development Plan was submitted for formal filing:
SL24-09 Keel, LP - Spring Garden St.
SL24-10 1085 Fairview Drive – John M. & Lisa A. Diehl

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plans:
SL24-02 Yazoo Mills – 37 Industrial Drive
SL24-08 Carroll County Christian Center, Inc.
Motion carried.

Commissioners Baile/Brown moved to approve the following extension requests due to expire November 18, 2024:
SL17-10 Mustang Pointe
SL21-05 Elsner Engineer Works, Inc.
SL22-01 Water Street Four, LLC
SL24-03 Holland Construction – 100 Blettner Avenue
SL24-07 Sheridan Press – 450 Fame Avenue
Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,685,501.20. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated July 11, 2024, from Saint Joseph Parish for a waiver of permit fees for their Annual Summer Yard Sale that was held July 20, 2024. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated July 26, 2024, from the Exchange Club of Hanover for a waiver of permit fees for their Annual Chili Cook Off to be held on Sunday, September 1, 2024. Motion carried.

Commissioners Brown/Heiland moved to award the 2006 Ford F-250 Super Duty Pickup with Western Snowplow bid to Donald Althoff, 400 Arbor Blvd Na, Perkasio, PA 18944 for the winning bid amount of \$6,300.00. Motion carried.

Commissioners Brown/Heiland moved to award the Kohler Power Systems Model 125 RZG Natural Gas Emergency Generator bid to Elvin Sensenig, 1563 Union Grove Road, East Earl, PA 17519, for the winning bid amount of \$7,000.00. Motion carried.

Commissioners Brown/Heiland moved to award the 2013 Ford Taurus bid to Carmen Yannuzzi, 833 Broadway, Newark, NJ 07104, for the winning bid amount of \$2,370.00. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo had nothing to report.

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Berlingo/Heiland moved to adopt Resolution No. 1034, adopting a Right to Know policy for the Township. Motion carried.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: Mr. Lenny Rice of 125 Hirtland Avenue requested an update on the search for a new Township Manager. The Board responded that the search is actively ongoing and that a decision is expected to be made soon.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 8:37 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
SEPTEMBER 16, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, September 16, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Sabol, Police Chief Hettinger, WWTP Superintendent Lank, Zoning Officer Smith, and Township Secretary Sweeney.

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 Elksnis announced there was an executive session held Tuesday, September 3, 2024, following the Health and Sanitation Committee to discuss personal matters. October 1, 2024, the Health and Sanitation Committee Meeting will begin at 6:00 p.m. followed by the Finance Committee Meeting. Additionally, there will be an executive session this evening following the Board of Commissioners' meeting to consult with our solicitor on legal and personnel matters.

APPROVAL OF THE MINUTES:

The minutes of August 19, 2024, the Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: None.

RETIREMENT OF THE CHIEF OF POLICE:

Commissioner Elksnis presented a proclamation of gratitude in recognition of Chief Guy W. Hettinger's 31 years of dedicated service as he retires. He stated the township deeply appreciates all that he has done throughout his career.

Commissioner Elksnis invited Chief Hettinger to come forward to receive a few tokens of appreciation. He was presented with his service firearm and his Chief badge, acknowledging his long-standing service.

Finally, Commissioner Elksnis presented a proclamation issued by the Penn Township Board of Commissioners, honoring Chief Hettinger for his three decades of commitment to the

community. He concluded by wishing the Chief good luck in his future endeavors and thanking him once again for his outstanding contributions.

Commissioners Heiland/Brown moved to accept the resignation of Guy Hettinger as Penn Township Police Chief effective September 15, 2024. Motion carried.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to approve a request dated August 14, 2024, from the Hanover Area Jaycees to conduct the annual Halloween Parade on Thursday, October 24, 2024, beginning at 7:30 p.m. Motion carried.

Personnel – Commissioner Heiland:

Commissioners Heiland/Brown moved to adopt Resolution No. 1035, appointing Donna Sweeney as the Penn Township Manager, effective September 9, 2024. Motion carried.

Commissioners Heiland/Brown moved to adopt Resolution No. 1036, appointing Laura Klinefelter as the Penn Township Assistant Manager/Township Secretary, effective October 13, 2024. Motion carried.

Commissioners Heiland/Brown moved to adopt Resolution No. 1037, appointing Corey Merwede as the Penn Township Chief of Police, effective September 16, 2024. Motion carried.

Commissioners Heiland/Brown moved to adopt Resolution No. 1038, appointing Beth LeFevre as the Penn Township Zoning Officer, effective September 4, 2024. Motion carried.

Commissioners Heiland/Brown moved to appoint Christopher Raylock, to the Penn Township Planning Commission, for an unexpired term said to expire May 2026. Motion carried.

Commissioners Heiland/Brown moved to appoint Lenny Rice, to the Penn Township Planning Commission, for an unexpired term said to expire May 2028. Motion carried.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Planning – Commissioner Baile:

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

There were no Subdivision and Land Development Plan was submitted for formal filing.

Commissioners Baile/Heiland moved to approve the following Subdivision and Land Development Plans:

SL24-05 LCBC Hanover

SL24-07 Sheridan Press-450 Fame Avenue & 15 Industrial Drive.

Motion carried.

Commissioners Baile/Berlingo moved to approve the following extension requests due to expire December 16, 2024:

SL22-10 934 Baltimore Street-Cody Bentzel

SL22-11 Liberty Restoration & Construction, LLC.

Motion carried.

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,598,048.27. Motion carried.

Commissioners Brown/Heiland moved to adopt the 2025 Minimum Municipal Obligations for the Penn Township's Non-Uniform Pension Plan in the amount of \$224,999.70, the Township's Firefighter's Pension Plan in the amount of \$195,345.78, and the Penn Township's Police Pension Plan in the amount \$258,785.14. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo had nothing to report.

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Berlingo/Heiland moved to adopt Resolution No. 1034, adopting a Right to Know policy for the Township. Motion carried.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: Mr. Lenny Rice of 125 Hirtland Avenue requested an update on the search for a new Township Manager. The Board responded that the search is actively ongoing and that a decision is expected to be made soon.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:12 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
October 21, 2024

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, October 21, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present were Solicitor Sabol, Police Chief Merwede, WWTP Superintendent Lank, Manager Sweeney, Zoning Officer LeFevre, and Township Secretary Klinefelter.

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 Elksnis announced there was an executive session held Monday, October 7, 2024, following the Public Safety/Public Works meeting to discuss personal matters. Additionally, there will be an executive session this evening following the Board of Commissioners' meeting to discuss legal and personnel matters.

APPROVAL OF THE MINUTES:

The minutes of September 16, 2024, the Board of Commissioners meeting were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: None.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to approve the 2025 Klugh Animal Control Agreement. Motion carried.

Personnel – Commissioner Heiland:

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Planning – Commissioner Baile:

Commissioners Baile/Berlingo moved to deny a request dated September 9, 2024 from William Proctor for a waiver to section 513a (Easements, Width and Location) of the Subdivision and Land Development Ordinance for an installed fence and accessory building. Motion Carried.

Commissioners Baile/Brown moved to approve a request for a modification to an approved Subdivision and Land Development plan for Stonewicke V, SL21-000001, landscaping plan for lot 9. Motion Carried.

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

The following Subdivision and Land Development Plan was submitted for formal filing:
SL27-11 630 Westminster Ave-Maitland Investment Corp
SL24-12 450 Fame Avenue-Sheridan Press

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plans:

SL24-09 KEEL,LP
SL24-10 John M. G Lisa A. Deihl
Motion Carried

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$2,475,336.03. Motion carried.

Commissioners Brown/Heiland moved to adopt the amended 2025 Minimum Municipal Obligations for the Penn Township's Firefighter's Pension Plan in the amount of \$196,046.79. Motion carried.

Commissioners Brown/Heiland moved to adopt the amended 2025 Minimum Municipal Obligations for the Penn Township's Firefighter's Pension Plan in the amount of \$221,385.74. Motion carried.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo/Brown moved to adopt Resolution No. 1039, adopting Local Pretreatment Discharge Limits for Penn Township dischargers to the Hanover Regional Wastewater Treatment Facility. Motion carried.

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Heiland/Brown moved to accept the resignation of Commissioner Berlingo effective October 31, 2024. Motion carried.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:09 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
November 18, 2024

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, November 18, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Brown, Fanelli, Heiland, and Elksnis. Also present were Solicitor Sabol, Police Chief Merwede, WWTP Superintendent Lank, Manager Sweeney, Zoning Officer LeFevre, and Township Secretary Klinefelter.

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 Elksnis announced there was an executive session held Wednesday, November 13, 2024, following the Finance Budget meeting to discuss personnel matters. Additionally, there will be an executive session this evening following the meeting to discuss personnel matters.

APPROVAL OF THE MINUTES:

The minutes of October 21, 2024, and November 4, 2024, the Board of Commissioners meetings were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: None.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Brown moved to adopt Ordinance number 868- Amending Section 300-200 Closing of Certain Highways to Certain Vehicles, Youngs Road. Roll Call Vote. Motion Carried.

Commissioners Heiland/Brown moved to approve the 2025 York County SPCA Agreement. Motion carried.

Commissioners Heiland/Brown moved to approve the Hanover Area Fire and Rescue Commission Budget for 2025 with a contribution from Penn Township not to exceed \$91,646 for the budget and \$5,000 for the EMA contribution. Motion Carried.

Personnel – Commissioner Heiland:

Commissioners Heiland/Brown moved to appoint Thomas Wheeler as alternate to the Civil Service Commission, said term to expire December 2030. Motion Carried

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Planning – Commissioner Baile:

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

The following Subdivision and Land Development Plan was submitted for formal filing:

SL24-33 1160 Carlisle Street – 7 Brew Coffee

SL24-13 37 Industrial Drive – Yazoo Mills

Commissioners Baile/Brown moved to approve the following Subdivision and Land Development Plans:

SL24-11 630 Westminster Ave – Maitland Investment Corporation

SL24-12 450 Fame Ave and 15 Industrial Drive – Sheridan Press

Motion Carried

Commissioners Baile/Brown moved to approve the following extension requests due to expire February 17, 2025:

SL17-10 – Mustang Pointe

SL21-05 – Elsner Engineering Works

SL22-01 – Water Street Four, LLC

SL24-03 – Holland Construction – 100 Blettner Ave

Motion Carried

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$1,260,861.18. Motion carried.

Commissioner Brown presented the first reading of the 2025 budget. He reported that the General Fund is balanced, with \$18,123,077 in both revenue and expenditures. The Highway Aid Fund also maintains balance, with \$1,267,000 in revenue and expenditures. Similarly, the Sewer Fund is balanced, showing \$8,472,000 in both revenue and expenditures. The budget is scheduled for public display on December 2, 2024

Commissioners Brown/Heiland moved to approve a request received on September 30, 2024, from Saint Joseph Parish seeking a waiver of permit fees for their annual holiday bazaar that was held on November 9, 2024. Motion Carried.

Commissioners Brown/Heiland moved to approve a request received on October 3, 2024, from Anthony's Way Foundation for a waiver of 2023 and 2024 Penn Township Taxes. Motion Carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1040- Authorizing the advertisement for the public sale of excess public works equipment. Motion Carried.

Health & Sanitation – Commissioner Fanelli:

OLD BUSINESS: There was none.

NEW BUSINESS: There was none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:10 p.m. Motion carried.

Respectfully submitted,

Laura Klinefelter,
Township Secretary

MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
December 16, 2024

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, December 16, 2024. President Elksnis called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Baile, Brown, Fanelli, Heiland, and Elksnis. Also present were Solicitor Sabol, Police Chief Merwede, Township Engineer Bortner, WWTP Superintendent Lank, Manager Sweeney, Zoning Officer LeFevre, and Township Secretary Klinefelter.

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 Elksnis announced there was an executive session held Tuesday December 3, 2024, following the Health & Sanitation Committee Meeting to discuss personnel matters. Commissioner Elksnis also announced there will be an executive session this evening following the meeting to discuss personnel matters.

APPROVAL OF THE MINUTES:

The minutes of November 18, 2024, the Board of Commissioners meetings were approved as submitted.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: None.

PUBLIC HEARING – 2025 BUDGET:

- A. Board of Commissioners – Commissioner Heiland stated that the budget is balanced. Commissioner Brown announced that there will be no tax increase for the seventh consecutive year.
- B. Public Comments – There were none.
- C. With no further comment's forthcoming, Commissioner Elksnis concluded the Public Hearing.

Commissioners Brown/Heiland moved to adopt Ordinance No. 869, the 2025 Budget. Motion Carried 5-0 on a roll call vote.

SET REAL ESTATE TAX RATE FOR 2025:

Commissioners Brown/Heiland moved to adopt Ordinance No. 870, setting the real estate tax rate for 2025 at 4.40 mils. Motion carried 5-0 on a roll call vote.

BALANCE OF 2024 FUNDS:

Commissioners Brown/Heiland moved to authorize the Township Manager to balance all 2024 funds by transferring surplus funds to those accounts showing deficits. Motion carried.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Heiland:

Commissioners Heiland/Brown moved to approve Resolution No. 1041, 2024 York County Hazmat Mitigation Plan. Motion carried.

Commissioners Heiland/Brown moved to approve the creation of the Penn Township Safety Committee. Motion carried.

Personnel – Commissioner Heiland:

Commissioners Heiland/Brown moved for the appointment of Police Officer Tessa Engles from probationary patrol officer to regular status. Motion carried.

Commissioners Heiland/Brown moved for the appointment of Police Officer Joe O’Brien from Patrolman to Sergeant. Motion carried.

Commissioners Heiland/Brown moved to adopt Resolution No. 1042, appointing Dennis Penn to the Zoning Hearing Board for a term expiring January 2030.

Commissioners Heiland/Brown moved to ratify the collective bargaining agreement between Penn Township and AFSCME for the period of January 1, 2025, through December 31, 2029. Motion carried.

Public Works & Recreation – Commissioner Baile:

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

The MS4/Stormwater Inspector is available Monday through Friday from 7:00 a.m. to 3:30 p.m. to answer any questions.

Planning – Commissioner Baile:

Commissioners Baile/Brown moved to release the performance bond for Cambell's Snacks in the amount of \$19,946.30. Motion carried.

Commissioners Baile/Heiland moved to approve the settlement request from Barley Snyder on behalf of Homewood at Hanover, PA, Inc. Motion carried 4-0, with Commissioner Fanelli abstaining.

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

Commissioners Baile/Brown moved to approve the following extension requests due to expire March 17, 2025:

SL22-10 – 934 Baltimore Street – Condy Bentzel

SL22-11 – Liberty Restoration and Construction LLC

Motion Carried

Finance – Commissioner Brown:

Commissioners Brown/Heiland moved to approve Township warrants in the amount of \$2,137,303.04. Motion carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1043, setting the rates of pay and various benefits for management and non-uniformed employees of Penn Township for 2025. Motion carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1044, setting fees for permits and provided services for 2025. Motion carried.

Commissioners Brown/Heiland moved to adopt Resolution No. 1045, reducing the Fireman's pension contribution for 2025. Motion carried.

Commissioners Brown/Heiland moved to award the 2014 Ford Explorer bid to Judd Bednar, 102 North New Street, Nazareth, PA 18064, for the winning bid amount of \$4,000.00. Motion carried.

Commissioners Brown/Heiland moved to approve a request dated October 16, 2024, from the Knights of Columbus for a waiver of permit fees for an annual holiday banner to be displayed at 1454 Baltimore St. Motion carried.

Health & Sanitation – Commissioner Fanelli:

Commissioner Fanelli had nothing to report.

OLD BUSINESS: There was none.

NEW BUSINESS:

Commissioners Elksnis/Heiland moved to adopt Ordinance No. 870, establishing the time and place of the regular meeting of the Board of Commissioners. Motion carried 5-0 on a roll-call vote.

Commissioners Elksnis/Heiland moved to accept the resignation of Commissioner Michael Brown that will take effect December 31, 2024. Motion carried, with Commissioner Brown abstaining.

Commissioner Elksnis announced, Commissioner Michael G. Brown has faithfully served the residents of Penn Township with dedication and distinction for many years, demonstrating an unwavering commitment to the community's well-being and development.

Commissioner Elksnis presented Commissioner Brown proclamations for his years of service from State Representative Kate Klunk, and the Penn Township Board of Commissioners.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Donald Horneff, 8 Pond Ridge Lane – Mr. Horneff discussed his concern with the Stormwater Management Plan for Homewood. He asked if there were any updates to the plan that was originally submitted. Commissioner Elksnis said the Township will look into it and let him know.

Bill Tarbell, 425 Westminster Ave – Mr. Tarbell wanted to thank the Commissioners regarding Homewood. He said Homewood is a nice place and he likes it very much.

QUESTIONS FROM THE PRESS: There were none.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:18 p.m. Motion carried.

Respectfully submitted,

Laura Klinefelter,
Township Secretary

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
APRIL 8, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a special session on Monday, April 8, 2024. President Elksnis called the meeting to order at 6:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present was Township Manager Ledley.

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: There were none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Attorney Paul Minnich, of Barley Snyder, representing Homewood, requested his associate Attorney Chris Naylor to present a fact sheet regarding the Homewood at Plum Creek Zoning Application. Mr. Minnich noted that the Zoning Hearing Board's decision was thoughtful but did not encompass all the zoning relief sought. They did not receive the entire height variance requested, nor lot coverage. If the project proceeds, they will construct 403 new units, along with additional residential community space, exceeding green space minimums, and implementing robust stormwater management planning, which is very meaningful to residents. Residents ranging from 70 to their 90s are in attendance to support the proposed plan. He reported that the community supports over 500 constituents. He described the plan as beautiful and expansive. There is an existing barn structure with a height of 42 feet, and the variance relief received allows them to expand three feet higher. He further reported that the project has a significant positive economic impact, with private streets and roads generating tax revenue and limited demands on public services. He respectfully requested the Board refrain from filing an appeal.

Mr. Michael Hoover of Hershey Heights Road expressed his support for an appeal of the Zoning Hearing Board's decision. He noted that in the Township's history, no one has ever exceeded the 35-foot height ordinance. The proposed development would surpass this limit by a staggering 420 times. Mr. Hoover highlighted that when questioning Homewood's attorney about the necessity for six special exceptions, eight variances, and six interpretations of the Zoning Ordinance, the response was that concessions from Penn Township were needed to make the plan financially viable, as Conewago Township had rejected any such considerations within their jurisdiction.

Mr. Hoover raised concerns about the origin of the 45-foot height limit set by the Zoning Hearing Board. Penn Township's height ordinance stipulates 35 feet, yet Homewood requested

heights of 70, 60, and 50 feet. Notably, 45 feet was never mentioned in the testimony or established record.

Mr. David Baker, Valley Run Circle, Chair of the Zoning Hearing Board. Mr. Baker stated that the Zoning Hearing Board reviewed the plans, noting there was a 20-foot space on the top of the buildings that was completely empty space, just for design. In order for them to get the full amount of expansion the Board decided the closest decision they could come to was the 45 foot height.

CONSIDER AN APPEAL OF THE HOMEWOOD AT HANOVER, PA INC. ZONING HEARING BOARD DECISION:

Commissioners Elksnis/Heiland moved to authorize our solicitor to proceed with filing an appeal regarding the decision of the Zoning Hearing Board in case ZHB23-21-Homewood at Hanover, PA Inc. Motion carried 5-0 on a roll call vote.

OTHER BUSINESS: There was none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Mr. Bill Tarbell, a resident of Westminster Avenue in Homewood, is an advocate for the expansion of Homewood, a Christian-based community. He stated that residents have substantial input, and the expansion of the community is seen as advantageous for both Homewood and Penn Township. It's noteworthy that Homewood residents do not rely on township public services but contribute to the tax system.

Mr. Patrick Gartrell, Homewood resident, stated that at Homewood attorney made an excellent point that Homewood bought the property, not some land developer who may choose to use it for anything else. It is a good facility. Regarding the height restrictions, the statement was made that the current restriction was put into place over 50 years ago. He noted that this restriction was most likely due to the fire apparatus of that time, He stated over the past 50 years there have been many changes. He stated that the fire chief went to great lengths to explain his equipment and mobility throughout the campus. Mr. Gartrell stated that this should not be an issue, the architect has been building retirement communities for more than thirty years, he stated that he believes that the cottage style until is the most efficient and desirable for a continuing care facility. He stated that Homewood is a self-sustaining not for profit organization and must be as efficient as possible.

Mr. Don Horneff, residing at 8 Pond Ridge Lane, noted that he lives adjacent to the southern boundary of the Homewood property. There is a significant hill on the edge of the Homewood premises, from which they experience a substantial amount of water runoff, particularly from the facility's streets, he has concerns about drainage. Additionally, Mr. Horneff emphasized the importance of adhering to the Zoning Ordinance's 35-foot height limit. Deviating from this regulation would significantly alter the overall outline of the facility, especially considering its positioning on a hill.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 6:21 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary

MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
November 4, 2024

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a special session on Monday, November 4, 2024. President Elksnis called the meeting to order at 6:00 p.m. with a roll call of members. Present were Commissioners Baile, Brown, Heiland, and Elksnis. Also present were Township Manager Sweeney, Assistant Township Manager Klinefelter, Police Chief Merwede, and Fire Chief Clouser.

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 Elksnis announced there was an executive session held on Tuesday, October 29, 2024, following the finance budget meeting regarding personnel matters. There will be an executive session this evening following the Public Works committee meeting to discuss personnel matters.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: None

CONSIDER RESIGNATION OF ZONING HEARING BOARD:

Commissioners Heiland/Brown moved to accept the resignation of Ronald Fanelli from the Zoning Hearing Board effective 10/28/2024. Motion carried 4-0 on a roll call vote.

CONSIDER NOMINATION TO THE BOARD OF COMMISSIONERS:

Commissioners Heiland/Brown moved to nominate Ronald Fanelli to the Board of Commissioners effective immediately. Motion carried 4-0 on a roll call vote. Assistant Township Manager Klinefelter gave the Oath of Office to Commissioner Fanelli.

CONSIDER APPOINTMENT OF THE BOARD VICE-PRESIDENT:

Commissioners Elksnis/Brown move to appoint Commissioner Justin Heiland as Vice-President of the Board of Commissioners. Motion Carried 4-0 with Commissioner Heiland abstaining on a roll call vote.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS: None

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Elksnis/Heiland moved for adjournment at approximately 7:05 p.m. Motion carried.

Respectfully submitted,

Laura Klinefelter,
Township Secretary