

**MINUTES  
BOARD OF COMMISSIONERS PUBLIC MEETING  
FEBRUARY 21, 2022**

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

The Penn Township Board of Commissioners met in a regular session on Monday, February 21, 2022. President Brown called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Berlingo, Cromer, Elksnis, Heiland and Brown. Also present were Solicitor Doyle, Township Manager Rodgers, Police Chief Hettinger, Fire Chief Clouser, Township Engineer Bortner, 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 Brown announced that there was an executive session held on Tuesday, February 7, 2022, after the Public Work Committee meeting to discuss personnel matters. He also announced that after 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 January 17, 2022 Board of Commissioners meeting were approved as submitted.

**PERSONS TO BE HEARD – CITIZEN'S COMMENTS:**

Mr. Kyle Lindsey, 138 Center Street, was present to express his dissatisfaction of the Boards action to appeal the Zoning Hearing Board's decision regarding the garage that he would like to construct on his property. He stated when he inherited the property years ago, he looked into selling the smallest of the two parcels, and was told by several builders that it was too small to build a home on. He said that he does not intend to sell the parcel and does not understand why he can not build a garage on his property, in his back yard, for the reason that it was deeded as two separate parcels many years ago. Solicitor Doyle stated the problem the Township has, is that the variance request does not meet the criteria for a waiver because the lot is two parcels, and if the small parcel would be sold with a garage in place, it is a property without a principal building. She added that he has the option to go through the process of reverse subdivision to eliminate the property line and combine the two parcels. He

would need to check with Zoning Officer Smith, but then, most likely he would qualify to build the garage. Commissioner Brown stated that there are rules and laws that we all have to abide by and he was offered an alternative. Mr. Lindsey stated that he will be contact with his lawyer.

**TOWNSHIP REPORTS – STANDING COMMITTEES:**

**Public Safety – Commissioner Cromer:**

Commissioner Cromer had nothing to report.

**Public Works & Recreation – Commissioner Heiland:**

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.

Commissioners Heiland/Elksnis moved to adopt Ordinance No. 847, amending Section 300-20, closing of certain highways to certain vehicles of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Heiland/Elksnis moved to adopt Resolution No. 984, In support of Plan 5C of the Eisenhower Drive Extension Project. Motion carried unanimously.

**Planning – Commissioner Heiland:**

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

The following Subdivision and Land Development plans were submitted for formal filing:

- SL22-01 Water Street Four, LLC.
- SL22-02 Arcland Self Storage
- SL22-03 Panther Cat, LLC.

There were no Subdivision and Land Development plans submitted for final approval.

Commissioners Heiland/Elksnis moved to approve the following extension requests to expire on May 16, 2022:

- SL17-10 Mustang Pointe
  - SL21-01 Clover Lane Development (Stonewicke V)
  - SL21-05 Elsner Engineering Works
  - SL21-12 Above & Beyond Child Care Center
- Motion carried unanimously.

Personnel – Commissioner Heiland:

Commissioner Heiland had nothing to report.

Finance – Commissioner Berlingo:

Commissioners Berlingo/Heiland moved to approve Township warrants in the amount of \$934,924.18. Motion carried unanimously.

Commissioners Berlingo/Heiland moved to approve a request received on January 12, 2022, from South Western High School Music Department for waivers to all permit fees for their Spring Market Place Community Yard Sale to be held Saturday, April 16, 2022. Motion carried unanimously.

Commissioners Berlingo/Heiland moved to adopt Resolution No. 983, authorizing the disposition of municipal records in accordance with the Historical and Museum Commission Act 428 of 1968. Motion carried unanimously.

Commissioners Berlingo/Heiland moved to authorize the opening of a PNC bank account for the purpose to deposit and expend funds for the Department of Conservation and Natural Resources Grant for the Creative Playground Project. Motion carried unanimously.

Commissioners Berlingo/Heiland moved to award the contract for Pre-Mixed Bituminous Concrete for the period of April 1, 2022 to March 31, 2023 to low bidder, 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	\$108.00 per ton
9.5 mm Superpave Surface Course	\$ 67.05 per ton
19 mm Superpave Surface Course	\$ 60.25 per ton
25 mm Superpave Surface Course	\$ 57.40 per ton

FOB JOB

9.5 mm Superpave Surface Course	\$ 73.45 per ton
25 mm Superpave Surface Course	\$ 63.80 per ton

Motion carried unanimously.

Commissioners Berlingo/Heiland moved to award the contract for Crushed Stone for the period of April 1, 2022 to March 31, 2023 to low bidder, Vulcan Construction Materials, LP, 875 Oxford Avenue, Hanover, PA 17331, at the following bid price as quoted:

Delivery in full truck load quantities to Penn Township	\$ 3.80 per ton
Screenings (AASHTO #10)	\$ 17.00 per ton
PA 2A Stone & RC Stone	\$ 9.55 per ton
Sand & Crushed Stone Anti-Skid Type 2	\$ 14.30 per ton
1B Stone (AASHTO #8) & HE6 Stone (AASHTO #9)	\$ 18.00 per ton
2B Stone (AASHTO #57)	\$ 14.00 per ton
All Other Stone Including 4" Ballast (AASHTO #1&#3)	\$ 14.00 per ton
Rip-Rap	\$ 18.75 per ton

Motion carried unanimously.

Commissioners Berlingo/Heiland moved to award the contract for Petroleum Products for the period of April 1, 2022 to March 31, 2023 at the following low bid 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	\$ 2.6899 per gallon
Diesel Oil No. 2, Straight Run	\$ 3.1445 per gallon

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

#5-20 Motor Oil Universal, Multi-grade in 55-gallon drums	\$ 9.16 per gallon
#15-40 Motor Oil Universal, Multi-grade in 55-gallon drums	\$10.83 per gallon
#10-20 Hydraulic Oil/Low Foaming Action, in 55-gallon drums	\$ 9.11 per gallon

Motion carried unanimously.

Commissioners Berlingo/Heiland moved to award the contract for Traffic Line Painting for the period of April 1, 2022 to March 31, 2023 to the low bidder, Alpha Space Control Co., Inc, 1580 Gabler Road, Chambersburg, PA 17201 at the following bid price as quoted:

Center Traffic Line Painting – Two four-inch Yellow Lines	\$ 0.0719 per linear foot
Lane Line & Edge Line Painting – One four-inch White Line Solid or Dashed	\$ 0.1435 per linear foot

Motion carried unanimously.

Commissioners Berlingo/Heiland moved to award the contract for Street Milling for the period of April 1, 2022 to March 31, 2023 to the low bidder, Donegal Construction Corporation, 700 Excel Drive, Hunker, PA 15639, for the bid price of \$3.09 per square yard. Motion carried unanimously.

Commissioners Berlingo/Heiland moved to award the contract for Chemical Products for the period of April 1, 2022 to March 31, 2023 to the low bidder, Kemira Water Solutions, Inc., 4321 West 6<sup>th</sup> Street, Lawrence, KS 66049, for Liquid Polyaluminum Chloride, 36,000 gallons for the bid price of \$74,880.00. Motion carried unanimously.

Health & Sanitation – Commissioner Elksnis:

Commissioner Elksnis had nothing to report.

**MANAGER’S REPORT:**

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

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

**QUESTIONS FROM THE PRESS:** None.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Elksnis/Heiland moved for adjournment at approximately 7:23 p.m. Motion carried unanimously.

Respectfully submitted,

Donna M. Sweeney,  
Township Secretary