

**MINUTES  
BOARD OF COMMISSIONERS PUBLIC MEETING  
NOVEMBER 15, 2021**

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

The Penn Township Board of Commissioners met in a regular session on Monday, November 15, 2021. President Heiland called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Black, Brown, Cromer, Elksnis, and Heiland. Also present were Solicitor Hovis, 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 Heiland announced 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 October 18, 2021, Board of Commissioners meeting were approved as submitted.

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

**TOWNSHIP REPORTS – STANDING COMMITTEES:**

Public Safety – Commissioner Brown:

Commissioners Brown/Black moved to approve the 2022 Klugh Animal Control Agreement. Motion carried unanimously.

Commissioners Brown/Elksnis moved to approve the York County Safety Collaborative Agreement. Motion carried unanimously.

Commissioners Brown/Cromer moved to approve the Hanover Area Fire and Rescue Commission Budget for 2022 with a contribution from Penn Township not to exceed \$750,388.00 for the budget and \$5,000 for the EMA contribution. Motion carried unanimously.

Public Works & Recreation – Commissioner Black:

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 Black/Brown moved to award a request for proposal for the Creative Playground, dated October 7, 2021, to George Ely Associates, Inc. Motion carried unanimously.

Planning – Commissioner Black:

Commissioners Black/Elksnis moved to set the bond amount for Stonewicke-Phase III at \$1,375,360.75. Motion carried unanimously.

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

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

SL21-12      Above & Beyond Christian Child Care Center

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

Commissioners Black/Brown moved to approve the following extension requests to expire on February 21, 2022:

SL17-10      Mustang Pointe  
SL21-01      Clover Lane Development, LP  
SL21-05      Elsner Engineering Works, Inc.  
Motion carried unanimously.

Finance – Commissioner Cromer:

Commissioners Cromer/Brown moved to approve Township warrants in the amount of \$1,083,207.37. Motion carried unanimously.

Commissioners Cromer/Brown moved to approve a request dated October 11, 2021, from St. Joseph’s Parish for a waiver of the sign permit fees for their Christmas Bazaar. Motion carried unanimously.

Commissioners Cromer/Black moved to approve a request dated October 19, 2021, from the Knights of Columbus for a waiver to the sign permit fees for a Christmas banner. Motion carried unanimously.

Commissioners Cromer/Brown moved to adopt Resolution No. 977, appointing the township auditor and setting the compensation for services rendered. Motion carried unanimously.

Commissioners Cromer/Black moved to authorize writing off a sewer debt in the amount of \$852.70, protected under Chapter 11, for Wendy's. Motion carried unanimously.

Commissioner Cromer and Township Manager Rodgers presented the first reading of the 2022 budget. Manager Rodgers reported the General Fund is balanced with \$15,597,670 in revenue and expenditures. She reported the Highway Aid Fund is balanced with \$1,187,422 in revenue and expenditures, and the Sewer Fund is balanced with \$11,374,235 in revenue and expenditures. The budget will be presented for public display on December 1, 2021.

Personnel – Commissioner Brown:

Commissioner Brown had nothing to report.

Health & Sanitation – Commissioner Elksnis:

Commissioners Elksnis/Black moved to approve the agreement between Penn Township and Hanover Foods Corporation for the sale of fifty-six phosphorus credits for the price of \$168.00, they further moved to authorize the Township Manager and Township Secretary to execute the agreement on behalf of the Township. Motion carried unanimously.

**MANAGER'S REPORT:**

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** Commissioner Black announced he has a meeting with the Hanover Trolley Trail Operating Committee Friday, November 19, at 8:00 a.m.

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

Mr. Karl Maynor, 134 Moore Drive, asked the Board if they are aware the property containing the two retention ponds at 77 Gardenia is listed for sale. Zoning Officer Smith stated that he is aware and has been receiving calls inquiring what can be placed on the non-buildable parcel. He reported that the ponds have not been repaired, and that a citation for violations has been filed against the current owners. He is waiting to hear from the Magistrate.

Mr. Maynor also asked the Board for guidance regarding his shed that is on the Township's property. He was interested in applying for a variance, but was informed he could not request because he does not own the property. He stated the shed cannot be moved, the only other option would be placing it in a flood zone. Mr. Maynor stated he applied for a permit for the shed fifteen years ago, and was told by the inspector the placement was the perfect location. Commissioner Heiland requested Zoning Officer Smith look into the permit and place on the agenda for discussion at the next Public Works Committee meeting.

Ms. Ann Kehr, 173 Bowman Road, stated that she has a water well, and is having an issue with water runoff from the football fields. She has resided at this address for forty plus years, and did not have an issue until Southwestern School District renovated the athletic field with AstroTurf. She stated their engineers had told her they would construct a small swale and run the water towards Bowman Road to avoid any issues. The runoff from the two fields connect down from her front door, and she currently has three feet of water in the well house. She has had a plumber out on several occasions to help pump the water out. Attorney Hovis suggested she may want to seek legal counsel and contact the School District as this is a private cause of action.

Mr. Henry Fendelander, 932 West College Avenue, York, PA, reported he had asked the project representative if a Stormwater Management Survey was completed, he did not receive a reply. Mr. Fendelander asked if a variance would have been issued. Zoning Officer Smith stated that would have been issued by York County Conservation District.

Mr. Fendelander requested to speak with Zoning Officer Smith after the meeting to get the contact information for the York County Conservation District.

**QUESTIONS FROM THE PRESS:** None.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Elksnis/Brown moved for adjournment at approximately 7:27 p.m. Motion carried unanimously.

Respectfully submitted,

Donna M. Sweeney,  
Township Secretary