

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
NOVEMBER 20, 2023**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, November 20, 2023. President Brown called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Berlingo, Black, Elksnis, Heiland, and Brown. Also present were Solicitor Doyle, Manager Ledley, Police Chief Hettinger, Township Engineer Bortner, and Zoning Officer Smith.

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 there was an executive session held on November 15, 2023, following the Finance 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.

Commissioner Elksnis and Police Chief Hettinger introduced William Waltersdorff, recently hired to join the police department. Mr. Waltersdorff is scheduled to attend the Police Academy starting on Monday, January 8, 2024. His official swearing-in ceremony is set for Wednesday, January 3rd at 9 a.m. Chief Hettinger extended an invitation for the board to attend this ceremony.

APPROVAL OF THE MINUTES:

The minutes of the October 16, 2023, Board of Commissioners meeting were approved as submitted.

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

PUBLIC HEARING – REQUEST TO REZONE A PORTION OF A PARCEL ON MOULSTOWN ROAD:

- A. Applicant Comments – Mr. Kris Raubenstine of Hanover Land Services, Inc., along with Mr. Tim Mummert of Water Street Four, LLC, were present addressed the Board. Currently, there is a Subdivision Land Development Plan under review for a 55 and older community on the approximately seventy-acre property. A small portion, around one acre in size, is zoned differently than the rest of the property, making it non-usable and incompatible with the plan.

- B. Board of Commissioners – Commissioner Black inquired about the size to be rezoned and the total area of the entire plan. Mr. Rubenstein responded, indicating it's approximately one acre, while Mr. Mummert added that the entire plan encompasses around seventy acres.

Solicitor Doyle sought clarification, emphasizing that it is a single parcel. Rezoning the one-acre section from shopping/commercial to the R-8 zone would ensure consistency across the entire property.

Mr. Raubenstine explained the parcel's shape, describing it as rectangular along Moulstown Road with a small "bump-out" portion closest to Eisenhower Boulevard, intersected by the zoning line.

Commissioner Black inquired about the deed and whether it includes the entire 71 acres. Mr. Raubenstine clarified that the deed stipulates the property's use for a fifty-five and older community. Mr. Mummert mentioned that the property was previously zoned industrial, and an agreement was reached with Penn Township to rezone it, contingent upon its dedicated use as a 55 and older community.

Commissioner Heiland offered no new comments but confirmed that the York County Planning Commission recommended approval of the request. Zoning Officer Smith verified the accuracy of that statement.

- C. Public Comments – Mr. Craig Dubs, 59 Test Road, expressed his concern regarding the potential placement of 120-125 homes, emphasizing that Moulstown Road is already challenged to accommodate an additional 250 people. Mr. Dubs voiced apprehensions about increased traffic, pointing out the existing congestion on Moulstown Road and Broadway. He sought clarification on whether the proposed development would have accessibility through the Hickory Falls development.

Engineer Bortner responded, explaining that, as it stands in the current plan, the entrance/exit to the development is situated near the intersection of Gitts Run Road and Moulstown Road, with a connection to Beech Lane through the Hickory Falls development.

Commissioner Heiland acknowledged that the plan is still under development and suggested that Mr. Dubs participate in the planning meetings for further information.

- D. With no further comments forthcoming, Commissioner Brown concluded the Public Hearing.

Commissioners Heiland/Berlingo moved to adopt Ordinance No. 859, Amending the Penn Township Ordinance, by rezoning an area from SC Shopping/Commercial to R-8 Urban Residential. Motion carried 5-0 on a roll call vote.

TOWNSHIP REPORTS – STANDING COMMITTEES:

Public Safety – Commissioner Elksnis:

Commissioners Elksnis/Berlingo moved to approve the 2024 Klugh Animal Control Agreement. Motion carried.

Commissioners Elksnis/Berlingo moved to approve the National Insurance Crime Bureau Memorandum of Understanding. Motion carried.

Commissioners Elksnis/Heiland moved to approve the Hanover Area Fire and Rescue Commission Budget for 2024 with a contribution from Penn Township not to exceed \$868,400 for the budget and \$5,000 for the EMA contribution. Motion carried.

Personnel – Commissioner Elksnis:

Commissioners Elksnis/Heiland moved to authorize the Civil Service Commission to develop a joint eligibility list for fire fighters. Motion carried.

Commissioners Elksnis/Black moved for the appointment of Firefighter Ryan Robeson from probationary fire fighter to regular status. Motion carried.

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/Berlingo moved to approve an agreement with Met-Ed for the installation of streetlights at the intersection of Grandview Road and Kortney Drive, 110 Kortney Drive Lot 147, 2 Winifred Drive Lot 213, 24 Winifred Drive Lot 202, 52 Cornell Drive Lot 170, and 215 Tyler Drive lot 176. Motion carried.

Commissioners Heiland/Berlingo moved to deny a request dated October 25, 2023, from Daniel Westbrook, 30 Winifred Drive, for a waiver to Section 513a (Other Utilities-Easements, Width and Location) of the Penn Township Subdivision and Land Development Ordinance in order to construct a fence within an easement. Motion carried.

Planning – Commissioner Heiland:

Commissioners Heiland/Berlingo moved to reduce the performance bond for Stonewicke V from \$741,013.90 to \$238,461.30. 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:

SL23-06 Final Subdivision Plan, Lot Consolidation – 50 Baugher Drive

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

SL22-15 Wawa Food Market & Fueling Station
Motion carried.

Commissioners Heiland/Berlingo moved to approve the following extension requests to expire on February 19, 2024:

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

Finance – Commissioner Black:

Commissioners Black/Heiland moved to approve Township warrants in the amount of \$1,981,038.75. Motion carried.

Commissioners Black/Heiland moved to adopt Resolution No. 1018, authorizing the advertisement for and the public sale of excess public works equipment. Motion carried.

Commissioners Heiland/Black moved approved a request dated November 1, 2023, from Connect Holding, LLC known as "Brightspeed", 1120 South Tryon St. Suite 700 Charlotte, NC 28203, for a modification to the permit fee for the Security/Performance bond requirement for the Hanover Wire Center modernization infrastructure project in Penn Township pending final approval of the Penn Township Solicitor. Motion carried.

Commissioners Black/Heiland moved to approve a request dated October 3, 2023, from Saint Joseph Parish for a waiver of permit fees for their annual Holiday Bazaar that was held on Saturday, November 11, 2023. Motion carried.

Commissioners Black/Heiland moved to approve a request dated October 11, 2023, from the Knights of Columbus for a waiver of permit fees for an annual Holiday Banner to be hung at 1454 Baltimore Street. Motion carried.

Manager Ledley presented the first reading of the 2024 budget. She reported that the General Fund is balanced, with \$19,016,435 in both revenue and expenditures. The Highway Aid Fund also maintains balance, with \$1,336,000 in revenue and expenditures. Similarly, the

Sewer Fund is balanced, showing \$8,324,535 in both revenue and expenditures. The budget is scheduled for public display on December 5, 2023. She further reported that the budget does not include any revenue or expenses related to the American Rescue Funds.

Health & Sanitation – Commissioner Berlingo:

Commissioners Berlingo/Heiland move to ratify an agreement with Wyoming Valley Sanitary Authority of Luzerne County for the sale of phosphorus credits. Motion carried.

MANAGER’S REPORT:

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

OLD BUSINESS: There was none.

NEW BUSINESS: Commissioner Elksnis announced that the Hanover Fire and Rescue Commissioner will be taking Santa through the township on the fire truck on December 9th and 10th. They will be escorted by the Penn Township Police Department.

PERSONS TO BE HEARD/CITIZEN’S COMMENTS:

Mr. David Myers, 47 Kaitlyn Drive introduced his son, Prospective Eagle Scout Braden Myers of Troop 107. Braden reported that his Eagle Scout project, involving improvements to Young’s Woods Community Park, has been completed. He mentioned that he has installed the plaque commemorating the project near the small hut within the park. He also confirmed the submission of all necessary paperwork to the Scout Council for approval.

During the meeting, Braden presented a check representing the remaining balance of funds raised for the project, totaling \$200.00. The Board of Commissioners unanimously agreed to graciously donate these funds back to Troop 107. Expressing their gratitude, the Board commended Braden for the outstanding work accomplished by the volunteers. Additionally, the Board expressed interest in sending a representative to attend his Eagle Scout ceremony.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 7:45 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary