

**MINUTES  
BOARD OF COMMISSIONERS PUBLIC MEETING  
NOVEMBER 18, 2019**

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

The Penn Township Board of Commissioners met in a regular session on Monday, November 18, 2019 at the Penn Township Municipal Building. President Van de Castle called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Brown, Cromer, Felix, Heiland, and Van de Castle. Also present were Solicitor Hovis, Township Manager Rodgers, Police Chief Hettinger, Fire Chief Clouser, Township Engineer Bortner, Zoning Officer Smith, and 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 Van de Castle announced that after the public meeting this evening the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal, personnel, and other issues involving attorney/client privilege.

**APPROVAL OF THE MINUTES:**

The minutes of the October 21, 2019 Board of Commissioners meeting were approved as submitted.

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

Fire Chief Anthony Clouser introduced Firefighter Kory Weaver who recently graduated from the Fire Academy and is currently serving his first day on duty. The Commissioners welcomed him onboard.

**PUBLIC HEARING – CONSIDER BILL BATEMAN'S EXPRESS LIQUOR LICENSE TRANSFER:**

Commissioner Van de Castle 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-18355, trade name Bill Bateman's Express, from New Freedom, York County, into Penn Township, York County.

Dustin and Michelle Auffarth were in attendance to represent this case. Mr. Auffarth stated he managed the Bill Bateman's location in Penn Township from 2002 through 2007, he then left to open a restaurant in Shrewsbury. He would like to move his business back into Penn Township to the Burkentine building in the Grandview Shopping Plaza. He would like to open an American Grille type restaurant offering indoor and outdoor seating for 100 to 116 people, employ approximately 20 to 25 people and be open for business 7 days a week. Mr. Auffarth stated the restaurant would not be a Bill Bateman's, he would be operating under an independent name he is not ready to disclose. Zoning Officer Smith questioned the amount of available parking. Mr. Auffarth stated that there are 36 parking spaces at the Burkentine building. The other occupants of the building operate during business hours and would most likely vacate the spaces after 4-5pm, leaving them available during prime restaurant hours. He said there are plans to build steps down to an additional parking lot within the Shopping Plaza. Zoning Officer Smith stated that MDIA is currently reviewing the plans.

Commissioners Felix/Brown moved to adopt Resolution No. 948, approving a transfer of restaurant liquor license No. R-18355 into the Township of Penn from New Freedom Borough. Motion carried unanimously.

#### **TOWNSHIP REPORTS – STANDING COMMITTEES:**

##### Public Safety – Commissioner Brown:

Commissioners Brown/Heiland moved to adopt Ordinance 827, to amend sections 300-20, closing of certain highways to certain vehicles of the Penn Township Code. Motion carried on a 5-0 roll call vote.

Commissioners Brown/Heiland moved to approve the Hanover Area Fire and Rescue Commission budget for 2020 with a contribution from Penn Township not to exceed \$639,709 for the budget and \$5,000 for the EMA contribution. Motion carried unanimously.

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

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

The MS4 Coordinator is available Monday through Friday from 8:00 a.m. to 4:30 p.m. to answer any questions.

##### Planning – Commissioner Heiland:

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

There were no plans submitted for formal filing.

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

Commissioners Heiland/Felix moved to approve the following extension requests that will expire on February 17, 2020:

SL17-10-Mustang Pointe  
SL19-07-Markets at Hanover  
Motion Carried Unanimously.

Commissioners Heiland/Felix moved to approve the following extension request that will expire on May 18, 2020:

SL19-13-Brookside Heights-Phase IV  
Motion Carried Unanimously.

Finance – Commissioner Felix:

Commissioners Felix/Brown moved to approve Township warrants in the amount of \$1,110,534.32. Motion carried unanimously.

Commissioners Felix/Brown moved to adopt Resolution No. 947, appointing Smith Elliott Kearns & Company, LLC as the township auditor and setting compensation for services rendered. Motion carried unanimously.

Commissioner Felix presented the first reading of the 2020 budget. He reported the General Fund is balanced with \$14,629,069 in revenue and expenditures. Commissioner Felix reported the Highway Aid Fund is balanced with \$1,375,009 in revenue and expenditures. Commissioner Felix reported the Sewer Revenue Fund is balanced with \$10,081,131 in revenue and expenditures. The budget will be presented for the public display on November 22, 2019.

Personnel – Commissioner Felix:

Commissioner Felix/Brown moved for the appointment of Police Officer Zachery Puller from probationary patrol officer to regular status.

Health & Sanitation – Commissioner Heiland:

Commissioner Heiland/Brown moved to ratify professional engineer services for Grandview Road sewer project. Motion carried unanimously.

Commissioner Heiland/Brown moved to approve the agreement between Penn Township and Lancaster Area Sewer Authority for 3,782 nitrogen nutrient credits for a total price of \$18,910. Motion Carried unanimously.

**MANAGER'S REPORT:**

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

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

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

**QUESTIONS FROM THE PRESS:** None.

**ADJOURNMENT:**

There being no further business to come before the Board, Commissioners Heiland/Brown moved for adjournment at approximately 7:39 p.m. Motion carried unanimously.

Respectfully submitted,

Donna M. Sweeney  
Township Secretary