

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

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

The Penn Township Board of Commissioners met in a regular session on Monday, November 21, 2022. President Brown called the meeting to order at 7:00 p.m. with a roll call of members. Present were Commissioners Berlingo, Elksnis, Brown, Commissioner Heiland was present via cellphone. Also present were Solicitor Hovis, Township Manager Rodgers, Police Chief Hettinger, Fire Chief Clouser, Engineer Bortner, Zoning Officer Smith, and Township Secretary Sweeney. Commissioner Allison was absent with notice.

**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 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 17, 2022, Board of Commissioners meeting were approved as submitted.

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

Ms. Sharon Foster, 868 McAllister Street, and Ms. Joyce Thompson, 873 McAllister Street were in attendance to request a streetlight be placed in the vicinity of the cul-de-sac on McAllister Street due to the lack of lighting in the area. Commissioner Brown requested Engineer Bortner to look into the matter.

**TOWNSHIP REPORTS – STANDING COMMITTEES:**

**Public Safety – Commissioner Elksnis:**

Commissioners Elksnis/Berlingo moved to approve the 2023 Klugh Animal Control Agreement. Motion carried.

Commissioners Elksnis/Berlingo moved to approve the South Western School District Video Memorandum of Understanding. Motion carried.

Commissioners Elksnis/Brown moved to approve the Hanover Area Fire and Rescue Commission Budget for 2023 with a contribution from Penn Township not to exceed \$835,000.00 for the budget and \$5,000 for the EMA contribution. Motion carried.

Public Works & Recreation – Commissioner Elksnis:

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

Commissioners Elksnis/Berlingo moved to approve an agreement with C.S. Davidson for design and permitting services for Ridge Avenue and Blettner Avenue Bridges. Motion carried.

Commissioners Elksnis/Berlingo moved to approve an agreement with C.S. Davidson for design and permitting services for the Barnhart Drive Culvert. Motion carried.

Commissioners Elksnis/Berlingo moved to approve the 2022 Paving Contract Change Order No. 1 with Kinsley Construction reducing the total contract price by \$8,536.28. Motion carried.

Commissioners Elksnis/Berlingo moved to deny a request dated October 19, 2022, from JR D'Angelo for a waiver to build a fence on a utility easement. Motion carried 3-1 with Commissioner Brown casting the dissenting vote.

Commissioners Elksnis/Berlingo moved to deny a request dated October 17, 2022, from Bonnie Davis for a waiver for storage pods. Motion carried.

Commissioners Elksnis/Berlingo moved to approve an agreement with L.J. Hofine, Inc., owner of property located at 37 Blettner Avenue, for the permanent right-of-way for roadway improvements. Motion carried.

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

Planning – Commissioner Berlingo:

Commissioners Berlingo/Brown moved to set the bond amount for Stonewicke – Phase IV in the amount of \$247,398.80. Motion carried.

Commissioners Berlingo/Elksnis moved to deny a request dated October 11, 2022, from Site Design Concepts on behalf of Blettner Avenue, LLC., for a waiver to Section 605, Landscaping and Buffer Yards. Motion carried 3-1, with Commissioner Brown casting the dissenting vote.

Commissioners Berlingo/Elksnis moved to deny a request dated October 6, 2022, from Barley Snyder Attorneys at Law for a Preliminary Land Development and Subdivision Plan Approval for Ridge Avenue for the following outstanding items:

- ~ A notarized statement to the effect that the applicant is the owner of the land proposed to be developed and that the land development shown on the Preliminary Plan is made with his or their free consent. (S.402.y)
  - ~The approved PCSWMP shall be submitted to the Township. (S.401.E.1)
  - ~The approved Erosion & Settlement Plan shall be submitted to the Township. (S.401.E.5)
  - ~Prior to final approval of the SWM Site Plan, the property owner shall sign and record an Operation and Maintenance (O&M) Agreement covering all stormwater control facilities, which are to be privately owned. (S.502.A)
- 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:

SL22-14      High Pointe @ Rojen Farms, Penn South S4

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

Commissioners Berlingo/Elksnis moved to approve the following extension request set to expire February 20, 2023:

- SL17-10      Mustang Pointe
  - SL21-05      Elsner Engineer Works, Inc.
  - SL22-01      Water Street Four, LLC.
  - SL22-03      Panther Cat, LLC.
  - SL22-09      York Road Investments, LLC.
- Motion carried.

Personnel – Commissioner Brown:

Commissioners Brown had nothing to report.

Finance – Commissioner Brown:

Commissioners Brown/Berlingo moved to approve Township warrants in the amount of \$2,224,440.25. Motion carried.

Commissioners Brown/Berlingo moved to approve a request dated October 8, 2022, from the Knights of Columbus requesting a waiver of the sign permit fee. Motion carried.

Commissioners Brown/Berlingo moved to adopt Resolution 993, appointing the Township Auditor and Setting Rate of Compensation for 2022. Motion carried.

Manager Rodgers presented the first reading of the 2023 budget. She reported the General Fund is balanced with \$17,513,421 in revenue and expenditures. The Highway Aid Fund is balanced with \$1,104,088 in revenue and expenditures, and the Sewer Fund is balanced with \$8,548,100 in revenue and expenditures. The budget will be presented for public display on December 8, 2022. Manager Rodgers reported that the budget does not contain any revenue or expenses for the American Rescue Funds.

Health & Sanitation – Commissioner Elksnis:

Commissioners Berlingo/Elksnis moved to approve the Joao and Bradley Construction Co. Inc. Change Order No. 2 in the amount of \$33,142.38. Motion carried.

**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/Berlingo moved for adjournment at approximately 7:24 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,  
Township Secretary