Penn Township
Board of Supervisors
Meeting of May 4, 2026

The Penn Township Board of Supervisors met on May 4, 2026, in the Township meeting room at 6:30 P.M. In attendance and voting were Supervisors: Chairman Kyle Loder, Vice Chairman Nick Duchan and Supervisor Brian Etchberger.

Also, present was Christy Flaherty, Township Secretary/Treasurer, Michelle Mayfield, Township Solicitor and Norman Ulrich, Township Engineer.

CALL TO ORDER

Chairman Loder called the meeting to order at 6:30 P.M.

The meeting continued with the Pledge of Allegiance.

PUBLIC COMMENT

None.

DISCUSSION

Solicitor Mayfield will give an update with regards to Township email accounts, cell phones and data centers

Solicitor Mayfield recommended that the Township have Township email addresses for the Supervisors and Township Secretary. She also recommended that the Township Roadmaster and Secretary have Township cell phones. She discussed right to know request; noting that both computers and cell phones could become part of a request. The Board discussed the suggestions. It was agreed that Township email accounts would be setup for the Supervisors. It was suggested to use the initial of their first name, full last name, PennTownship@comcast.net. Solicitor Mayfield discussed the need to establish a policy and suggested adding that matter to the May agenda. The Board discussed the use of their cell phones; all present agreed they were not in favor of having two (2) cell phones. Solicitor Mayfield advised on the worse case scenarios with regards to the RTK request. She also discussed the Office of Open Records and their decisions. The Board directed Secretary Flaherty to reach out to SmrtGuys to set up the email accounts.

Solicitor Mayfield updated the Board with regards to data centers. There was discussion with regards to possible locations in the Township for a data center. Solicitor Mayfield reported on classes she has attended with regards to data centers; noting that there are data centers located in the City of Philadelphia. Vice Chairman Duchan expressed concerns with possible locations including the Stork and marina properties located along Rt. 183. Engineer Ulrich commented with regards to the Township's Comprehensive Plan and inquired as to when it was last update. Solicitor Mayfield noted that data centers would be permitted in the Special Use Zoning District.

There was discussion with regards to the amount of water and electricity used by data centers. Solicitor Mayfield suggested being proactive; noting that she could forward sample ordinances for the Boards review. She also advised that she would review the Joint Comprehensive Plan to confirm which municipality provides the zoning needed for data centers. Engineer Ulrich commented on items that may not be addressed in the Joint Comprehensive Plan. Vice Chairman Duchan expressed concerns with regards to money being no object when it comes to developing a data center. Solicitor Mayfield advised on the regulations in the Special Use Zoning District; noting that the matter would not go before the ZHB, it would come before the BOS as a Conditional Use. The Board discussed the Township's options and agreed no action is needed at this time. Solicitor Mayfield advised that there is legislation, but nothing has been approved. Engineer Ulrich commented with regards to other municipalities adopting ordinances; noting that by waiting the Township could just piggy back. The Board thanked Solicitor Mayfield for the information.

Permitting Fee Structure

Engineer Ulrich reported that he did have conversations with the Zoning Office and Engineer Tabekelis and that they've come up with an idea regarding applications needing review to determine if a stormwater permit application needs to be completed. It was suggested to have an Initial Determination Fee in the amount of $50. Applications would be reviewed by the Zoning Officer, if needed the applications would be forward to Engineer Tabekelis to determine if a stormwater permit is required; the $50 review fee would cover his review time. The applicant would be invoiced once the permit is issued. If it is determined that a stormwater permit is required Engineer Tabekelis would email Secretary Flaherty; she will advise the applicant. Once the application/fee are received Secretary Flaherty will email the submitted application to Engineer Tabekelis for review. There was discussion with regards to residents getting free services; it was noted to limit to fifteen (15) minutes. Solicitor Mayfield noted that the Township does have a Consultation Fee/Escrow under the Zoning section in the Fee Schedule and suggested adding that information under the Stormwater Management section. Secretary Flaherty will update the Fee Schedule to include the $50 Initial Determination Fee for adoption at the May 18th meeting. Solicitor Mayfield noted that there should be something added under the Zoning section advising that there could be additional fees. Secretary Flaherty will email the Solicitor for that information.

The Board discussed the agenda for the May 18th meeting; items needing to be addressed included the following:

- Brian Weaver Poultry Operation – the Board needs to act on the plan by June 2, 2026; if no extension is granted the Board will need to determine if they will deny the plan based on the Township Engineer's review letter dated March 6, 2026
- Adopt the new Omnibus Fee Schedule Resolution
- Update regarding Township email addresses

Solicitor Mayfield inquired if there has been any contact with regards to the Weaver plan. Secretary Flaherty advised that she has not heard from the applicant or his consultant.

Solicitor Mayfield suggested that LTL advise residents that they have fifteen (15) minutes free and then a $500 escrow would need to be posted.

Fire Marshall/Supervisor Etchberger commented with regards to burning complaints he receives; noting that he tells the complainants that they should first call 911 to report their concern. He inquired as to what authority does he have as the Fire Marshall. Solicitor Mayfield advised and referenced the Township Burning Ordinance. She believes that he has no authority to enter the property unless the Fire Department is called. Solicitor Mayfield noted that 911 doesn't release calls like that and that the name of the complainant would not be released unless the complainant is called as a witness. The Board discussed the types of calls being received. Secretary Flaherty advised that she would also setup an email for the Fire Marshall and inquired as to what telephone number he would like to use as she will be posting his contact information on the website. He advised to use his cell phone.

BUSINESS FROM THE FLOOR

None.

OTHER BUSINESS

None.

EXECUTIVE SESSION

None.

ADJOURNMENT OF THE MEETING

Chairman Loder made a motion to adjourn the meeting at 8:06 P.M. The motion was seconded by Supervisor Etchberger and passed unanimously (3-0).

The next scheduled meeting is to be held on Monday, May 18, 2026, at 6:30 P.M.

Respectfully Submitted,
Christy Flaherty
Secretary, Penn Township