**West Penn Township Board of Supervisors**

**27 Municipal Road**

**New Ringgold, PA 17960**

**Phone (570)386-4507 Fax (570)386-5851**

**Regular 7PM Monthly Meeting**

**Monday, July 1, 2019**

**Present at the Meeting**

**Anthony Prudenti – Chairman Katie Orlick - Secretary**

**Timothy Houser – Vice-Chairman Paul Datte – Solicitor**

**Theodore Bogosh III – Supervisor Jan Miller – Lehigh Engineering, LLC**

**Karen Wittig – Treasurer Bill Brior - SEO**

**I. General**

**A. Call to Order**

Chairman opened the Regular Monthly meeting @ 7:10PM with Pledge of Allegiance & Introductions.

**B. Certificate of Appreciations – American Legion Post 173 & Sing**

Chairman announced the American Legion Post 173 donated 6 pop up shield to the police department. Each shield cost $1000. Chairman asked the Chief of Police to demonstrate how to use the shields. The Chief stated that one of the Department’s most important tasks are to keep everyone safe including the officer. The shields will help keep everyone safe. On behalf of West Penn Township the BOS thanked the American Legion Post 173 for their generous donation.

Chairman also recognized Sing Harvey with a certificate of appreciation for all his hard work as Road Master. Mr. Harvey just retired as the Road Master and Clint Schock will be taking over as West Penn Township’s Road Master.

**C. Public Comment on Agenda Items** - None

**D. Review of Meeting Minutes** - June 3rd & 17th, 2019

Chairman called for a motion to accept the June 3rd meeting minutes. Tim Houser made the motion to accept the meeting minutes for June 3, 2019. Ted Bogosh III seconded the motion. Chairman abstained from vote because he did not attend the June 3, 2019 meeting. Motion was carried. 2-0 Chairman called for a motion to accept the meeting minutes from June 17, 2019. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**E. Treasurer‘s Report** – June 2019

Chairman called for a motion to accept the Treasurer’s Report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**F. Approval of Bills** for June 2019

Chairman called for a motion to pay the bills. Chairman did want to talk to the engineer about some charges on his bill. Tim Houser made a motion to approve the bills for June of 2019. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**G. Solicitor’s Report**

Paul Datte said he is still working on the Water Extraction Ordinance.

Ted Bogosh III asked Paul Datte if we would be able to hold the contractor liable for a bathroom door that wasn’t installed properly. The contractor put the door in about 2 years ago. The project was funded by a grant the Township had acquired from CDBG. Attorney Datte said he would need to look into that. Chairman said the Road Master took a look at the door and the Road Master said he can fix it. Chairman asked the BOS instead of getting everyone involved, can the road master just fix the issue. Paul Datte said if it is a quick fix it would be cheaper to have the Township fix it instead of getting him involved. Ted Bogosh III would just like to express his disappointment with the contractor & the person who did the inspection. Chairman asked Clint Schock to fix the door and report back to us at the next meeting.

Chairman called for a motion to accept the Solicitor’s Monthly Report.

Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**II. Land Use**

**A.**  Danielle Billetz – Reppert‘s Annexation Plan – Resolution No. 15 of 2019

Chairman asked Jan Miller from Lehigh Engineering, to review with the BOS the Danielle Billetz-Reppert’s Annexation Plan. Jan Miller advised the BOS that the Planning Commission recommends we approve the Danielle Billetz-Reppert Annexation Plan. Jan Miller said as long as Lehigh Engineering, Inc, Schuylkill County Planning & Bill Brior comments/ recommendations are met she feels that the recommendation of the Planning Commission is applicable. Tim Houser stated it was a basic Annexation.

Paul Datte reviewed it & gave some suggested language for the deed. Jan Miller reviewed the County letter & our SALDO and had no comments other than the applicant will have to propose a legal description of the annexed property & annexation/consolidation deed to WPT for review & approval. Chairman introduced Bill Brior our SEO & asked him about his comments on the Annexation. Chairman asked the SEO if the applicant would have to do a wavier for the Sewage Module. Bill Brior responded, no because they are actually taking three lots and combining them to make one. They are not creating a new lot. Chairman called for a motion to conditionally approve the Danielle Billetz- Reppert Annexation & adopt Resolution No. 15 of 2019. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**III. Operations**

**A. Engineer’s Monthly Report – June** 2019

Jan Miller reviewed the Engineer’s monthly report with the BOS. Jan Miller referred to Task # 8 Plan Review of Graver Landscape Design, LLC – The Planning Commission voted to table the plan based on non-conformance with the Zoning Ordinance; specifically, Article 5: § 505.B the requirement of open space within 100’ of a major stream. Applicant will need to apply for a Zoning Permit & will request a Zoning Hearing for a Variance.

**B. Code Enforcement Officers Monthly Report – June** 2019

Chairman asked Jan Miller from Lehigh Engineering, LLC if she had any comments about the Code Enforcement Monthly Report. Ms. Miller had no additional comments. The BOS had no additional questions or concerns. Chairman called for a motion to accept the Engineer’s monthly report & the Code Enforcement Officer’s monthly report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**C. Sewage Enforcement Officer’s Report** – **June** 2019

Chairman reviewed the Sewage Enforcement Report with the BOS. The activities consisted of 3 design reviews, and 3 permits issued, 1 test probes, 3 percolation tests, 2 site evaluations, 7 interim inspections and 1 malfunction inspections. Chairman called for a motion to accept to Sewage Enforcement Officer’s monthly report. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**D. Road Department’s Monthly Report** – **June** 2019

Chairman reviewed the Road Department’s monthly report with the BOS. The Road Report for June 2019 consisted of:

1. General maintenance to the Township’s building & equipment.

2. Mowing shoulders along Township Roads.

3. Repaired hole in pipes on Dogwood Ln. & Orchard Rd.

4. Working on Bolich Rd. (dirt & gravel project)

5. Opened pipes & grates along Township Roads.

6. Patching pot holes on dirt roads w/ 2A Limestone

7. Patched holes w/ cold patch.

8. Cleaned branches & limbs along Township Roads.

Pipes were delivered for road project. Bolich Road Dirt & Gravel Project is Complete.

Tim Houser said that road looks good & the road department did a good job. Chairman received a phone call from Jeff Frantz of Andreas Quarry. There is a problem with Jeff Frantz getting stone for AMS. AMS was awarded the Tar & Chip bid. Chairman said Andreas Quarry has a contract with PennDOT for a big road project going towards McAdoo. The Andreas Quarry does not have enough stone to supply our project right now. Jeff Frantz asked if we can get a time extension for our project so he can supply the stone. The Township contacted John Davis of PennDOT & asked if we were allowed to have a time extension. Mr. Davis said you can allow AMS to have a time extension but should not exceed August 16, 2019. Jeff Frantz said he would have the materials by the end of July. Chairman asked the BOS if they want to give them a time extension. Chairman called for a motion to give a time extension until August 16, 2019. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

Chairman asked Sing Harvey about line painting. Mr. Harvey stated we asked for 3 quotes, we received 2 quotes for the project. Midlantic Marking, Inc. bid price was $11,666.70 & DBI was $12,366.83 with a note on that quote stating work will be billed according to quantities applied in the field. Tim Houser asked how many miles are we getting painted. Clint Schock said double yellow is 13.26 miles & single yellow 6.94 miles. Township budgeted $20K we are within budget. Chairman called for a motion to hire Midlantic Marking, Inc. for $11,666.70 to do the Township’s Line Painting. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0Chairman called for a motion to accept the monthly road department’s report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**E. Police Department’s Monthly Report – June 2019**

Tim Houser read the police report for June. The report states that the police patrolled 6,512 miles, 213 total traffic citations, 288 total traffic, 295 total calls and $5,860.60 fine money received. The Police Report consists of animal complaints, civil complaints, traffic complaints, theft, and search warrants. The Chief said hopefully by the end of August the Impound lot will be up & running. Chief thanked the Tamaqua Area School District for allowing them to use their building for CSI camp & also thanked the American Legion Post 173 again for their $6000 pop up shields donation. Chief said the Northeastern Cops (CSI camp) donated 2 G-tech S4210 lap tops to the police dept. Chairman called for a motion to accept the police dept. June Reports. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**F. Fire Company’s Monthly Report** –**June 2019**

Chairman reviewed the Fire Department’s monthly report with the BOS. The Fire Department responded 11 times in the month of June. Calls consisted of trees down, accidents, automatic alarms and wires down. The Fire Department continues to do their weekly drills, have their monthly breakfast and their hall rental. Tim Houser reminded everyone to be careful during the Fourth of July Holiday to help prevent fires & injuries. Ted Bogosh III stated the Fire Company is looking to get another building to house the fire trucks & equipment. Once the Fire Company decides how big they want the other garage then they will be able to determine how much money they will need for this project. The Fire Company will be looking for grants & donations to fund their new building. Chairman called for a motion to accept the Fire Company’s June Report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**G. Ambulance Monthly Report** – **June 2019**

BOS reviewed the Monthly Ambulance Report. The Ambulance had 31 calls and 194 calls year to date. The calls consist of breathing problems, abdominal pain, heart problems, traffic accidents and being sick. Tim Houser would like to know if the Ambulance provided the Township with any audits in the past few years. Chairman said yes they handed it in last week. Chairman stated that any department that the Township gives grants/money, we are requiring those departments to hand in a yearly audit before we release funds. Chairman called for a motion to accept the Ambulance monthly report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**IV. Old Business**

**A. Bill Brior – Sewage Malfunctions**

Chairman asked Bill Brior to discuss the malfunctions on Andreas Rd. Bill Brior stated there is a serious malfunction on Andreas Road & the owner temporarily corrected the issue by installing temporary holding tanks. Bill Brior said the owner wanted to correct it long term basis by installing a new on-lot septic system but there was an issue with well isolation distance. Mr. Brior explained the lots on Andreas Rd. are very small & he could not even begin the testing process for the on-lot septic system because of a neighboring well. DEP may make an exception if the isolation distance was near his own well but No exceptions with a neighboring well. Chairman asked the SEO, Bill Brior what we can do about it. Bill Brior said there is a recommendation about installing a community well; another option would be a community on-lot septic system. Chairman asked Mr. Brior how many residents does he estimates are affected in the area which will solve the problem of the small lots. Mr. Brior estimates about 15 property owners are affected. Paul Datte asked if the malfunctioning property owner went to the conjoining property owner and get permission or an easement in come on to the property. Bill Brior stated that DEP will not give any kind of leniency on isolation distance on neighboring wells. Paul Datte said if he got an easement for the conjoining property owner can he configure his septic system to have that 100’ isolation distance. Mr. Brior said no the lots are too small. Chairman asked if the property owners can share wells or septic system like they did with families in the olden days. Bill Brior said he believe that is what happened her because the drain field is on the neighboring property.

Chairman asked Mr. Brior if we did a community well, where the Township would come up with the property to do the community well. Would we have to condemn some of the properties? Bill Brior said we may have to approach one of the neighboring property owners to sell us a piece of property.

Ted Bogosh III wanted to know if it would be conceivable if the gun club or the quarry to provide a public water system for that community. Bill Brior said yes.

Chairman said the cost would be out of the roof just by running the main. Ted Bogosh III said it is not that expensive directional drilling and it would be cheaper than other methods. Ted Bogosh III asked Bill Brior does the neighbor’s well have an alternate location of where he may be able to move it so it will be in compliance with the isolation distance? Bill Brior stated the lot sizes are very small. The malfunctioning property is a two family dwelling unit which the system will have to be bigger than a single family dwelling so that will need more room. Ted Bogosh III asked if any of the neighbors are willing to share a system. Bill Brior did not know. Bill Brior did say if they shared a system it would be considered a community system & it would have to be brought up to today’s standards and we will run into the same issue where underground systems would not be allowed in that area, it would have to be an elevated system and there is not enough room. Tim Houser said we are either faced with a community water system or a community sewage system. Bill Brior said, yes. Chairman suggested we have another public meeting with the sewage committee that helped develop the Act 537 plan, BOS and Bill Brior, SEO to come up with some ideas that we can use for that project. . Bill Varano said the 537 Plan selected by Rettew a site for a community on-lot sewage disposal system on the Andreas side of the river. Bill Varano said it was an approved site for this kind of facility. Chairman asked if we owned that land. Bill Varano said we do not own it we would have to acquire it. Tim Houser asked Bill Varano if it was a sewage plant or a packaging plant. Bill Varano said it was a packaging plant, a COLDS system.

The COLDS system is expandable. Chairman asked secretary to get the draft copy of the Act 537 plan for him to reference some information. Tim Houser said in Mantzville there is an apartment that has 13 units and they have an elevated sand mound. Mr. Houser asked Bill Brior if that would work in Andreas because that may be not as expensive. Bill Varano stated it is our choice on how we fix the problem. Mr. Houser said we would still need to acquire the land to do it & DEP will have to approve it. Tim Houser said there is not a lot of property to put additional homes down in that area so a community sand mound may work. If someone was to build a home in that area they would have to have an acre & a half to do it and that would be enough room to install your own system. Mr. Houser asked Bill Brior how long would DEP allow holding tanks providing we have maintenance contracts stating they need to clean the tank out & have it pumped regularly. Mr. Houser asked how often do they needs to have it pumped out? Bill Brior said there is an alarm system when it is at 75% and then the property owner needs to call & have it pumped out. Chairman said for Andreas it is 1.4 million to do a Packaged Wastewater Treatment Facility. Tim Houser asked if you put an on-lot sand mound system, do the same rules apply that anybody within so many feet of the main would have to hook onto it or just the malfunctioning ones? Bill Brior said it would be up to the Township. Paul Datte stated you would almost have to have mandatory connection otherwise it would not be affordable. Ted Bogosh III asked if a public water system was installed can they repair their sewage on-lot. Bill Brior said he would have to do testing before anything would be installed. Chairman & the BOS agreed to set up another meeting on a Friday to discuss options to solve this issue.

**V. New Business – Appoint Clint Schock as Road Master @ Compensation comparable to the current Road Master’s Rate.**

Chairman stated we have a 3 year contract for Clint Schock. Chairman asked the BOS if they have any questions or changes, which they had none. Chairman called for a motion to approve & accept the 3yr contract for Clint Schock to be hired as the Road Master of West Penn Township. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0 Chairman congratulated Clint Schock & thanked him for taking on all the responsibilities.

**VI. Business from Anyone on the Board**

**A. Tar & Chip** – BOS talked about under the Road Dept.’s Report.

**B. Heliport – Ted**

Chairman read a response from PIRMA the Township’s Liability Carrier. PIRMA would agree to cover a heliport up to $3 million liability limit only. The Township’s current liability limit is $10 million. The cost per heliport is $1000 in premium. The Township would have to maintain the site & we would have to check with the FAA if they had any additional regulations for the heliport. Chairman said he does not think that a heliport would work for us. We would have to maintain the sites plus it is $1000 per heliport premium for each site. Chairman believes why pay for a site when the helicopter pilot will want to land closest to the accident site as possible. Chairman’s vote is no on the heliport.

Ted Bogosh III stated what he would like to do is establish emergency heliports that are not a regular FAA heliport. Mr. Bogosh III stated it is basically a landing zone that is suitable for the helicopter to land at. Ted Bogosh III said if we designate a site then the helicopter pilot will know what the site looks like instead of flying out to the landing zone & talking on the radio with the ground crew. When we designate the heliport the pilot already knows what to expect at the site. Mr. Bogosh III said having a known heliport will speed up the process for the pilot because he will know the surroundings & obstacles in the area. Ted Bogosh III stated that will not increase our liabilities. Tim Houser disagrees. Tim Houser said if we designate a “safe spot” for the helicopter to land we will be liable. Ted Bogosh III stated we do not designate the safe spot the pilot will designate the spot. Clint Schock said as an ex fire chief he can assure us that there are designated landing zone throughout the Township. Scott Soley said designated spots for the helicopter to land are already in place. Ted Bogosh III said that can we let them know we have a flat spot behind the police station & designate that spot. Paul Datte said now you are imposing liability in the Township. Paul Datte said now the area your designating is owned by the Township & they will have to maintain it. Paul Datte asked Mr. Bogosh III if someone approached him asking the Township to designate areas. Paul Datte asked Clint Schock as an e Fire Chief if he feels it is necessary to designate areas. Clint Schock said the pilot will land to the closest possible spot of an accident scene. Mr. Schock does not feel that we need to designate areas.

**VII. Correspondence**

Chairman wanted to discuss electricity options. The Township is looking into Solar Panels. Chairman said we are talking with two different companies to see if it would be beneficial for our Township to invest in solar panels. The Township has the option to join up with Tamaqua School District with their plan for Solar Panels, have our own agreement or sign up with Schuylkill Chamber about energy renewal. Chairman said it all comes down to how much we pay for kilowatt for the Township. Chairman said because we are nonprofit we do not qualify for the 30% payout from the government. If we would have our own agreement it would be like 29 years before we owned it and got a payout. If we signed up with the Chamber for a year we would pay 6.67 cents/kilowatt. If we signed up with the Tamaqua School District it would be for 20 year @ 3.5 cents/kilowatt at no cost to the Township. Chairman likes the fact that it is clean energy but the 20 year commitment he is unsure of.

**VIII. Public Comment on General Items**

**Art Sterling** – Acknowledged the non-passing zone on SR895. Mr. Sterling was happy to see that a request for a non-passing zone was accepted & the lines were painted.

**Matt Bailey** – Bolich Road – Mr. Bailey thanked the Road Dept. for doing a nice job on the road work for Bolich Rd. Mr. Bailey does have a concern about drainage & the location of pipes. The drop offs are very large. Chairman stated that Penn State work with us on different projects & we have to do things to their specs. Whether it is the size of the roads, materials or how to pack the dirt & gravel, we have to follow their guidelines. We have to submit the project & they will come out & inspect it so we can get the grant money. Chairman asked Mr. Bailey to go out with the new road master & show him his concerns.

**Jay Poust** – asked the BOS about the upcoming sewage meeting for the Andreas Area. Chairman instructed the secretary to advertise the meeting & send out letter to the residents in the area of sewage concern. Chairman also asked the secretary to notify Jay Poust.

**Scott Soley** – questioned the BOS about a new business on SR895 called DAT Emergency Service. Mr. Soley asked if you can just pop a sign & start a business. Chairman said it is a temporary sign and you can file a complaint for our code enforcement officer to look at.

**Delroy Haas** – commended the person who maintains the Zion Stone Park.

**IX. Executive Session**

**X. Adjournment**

Chairman called for motion to adjourn the meeting. Tim Houser made the motion to adjourn the meeting @ 8:35PM. Ted Bogosh III seconded the motion. Motion was carried. 3-0

Transcribed By:

Katie Orlick

West Penn Township Secretary