**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, February 4, 2019**

**Present at the Meeting**

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

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

**Theodore Bogosh III – Supervisor William Anders – Engineer**

**Karen Wittig – Treasurer**

**I. General**

**A. Call to Order**

Anthony Prudenti opened the Regular Monthly meeting @ 7:03PM with Pledge of Allegiance & Introductions.

**B.** **Certificate of Appreciation** to Ron & Hunter Sassaman

The Township would like to show their appreciation and recognize Ron & Hunter Sassaman for their hard work & thoughtfulness for shoveling snow around the municipal building & mailboxes.

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

**D. Review of Meeting Minutes** – January 7th & 21st, 2019

Anthony Prudenti called for a motion to accept the meeting minutes. Tim Houser made the motion to accept the meeting minutes for January 7, 2019. Ted Bogosh III seconded the motion. Motion was carried. 3-0 Chairman made a motion to accept January 21, 2019 meeting minutes. Ted Bogosh III seconded the motion. Tim Houser abstained because he did not attend the meeting. Motion was carried.2-0

**E. Treasurer‘s Report** – January 2019

Chairman called for a motion to accept the Treasurer’s report for January 2019. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

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

Chairman called for a motion to approve the bills for January 2019. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**G. Solicitor’s Report**

Paul Datte discussed with the BOS the next steps Dollar General will need to do. The owner will have to enter into a developmental agreement with the Township & post security for performance of certain improvements to the property which are required under the Subdivision & Land Development Plan. Attorney Datte referenced the Development Agreement & the cost Estimate that he gave the BOS to review. Attorney Datte asked the BOS to approve the Development Agreement conditioned upon if any changes the solicitor may need to do and to approve the chairman to execute all documents. Chairman called for a motion to authorize the chairman to execute a Development Agreement between Snyders DG, LLC & the Township for Dollar General’s Land Development on SR309 substantially in the form presented to the BOS with such changes as may be satisfactorily to the Chairman after consultation with the Township Solicitor. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

Paul Datte also informed the BOS that there is a meeting scheduled with the Planning Commission & the Water Resource & Planning Steering Committee on February 8, 2019 @ 10AM. The meeting was advertised. Tim Houser will go to represent the BOS. Ted Bogosh III can go as a member of the Water Resource & Planning Steering Committee. Ted Bogosh III asked Paull Datte if the Township would get charged for the Hydrogeologist & the Water Extraction Attorneys to attend the meeting. Attorney Datte stated the Township will have to pay for them to attend the meeting. Ted Bogosh III was concerned about how much money we were spending on water extraction. Attorney Datte stated the BOS directed him to get this meeting together so we can finish the water extraction ordinance. If anyone had a question, all the professionals that are involved with the water extraction will be at the meeting so questions will be answered which will help us move forward with the ordinance.

Attorney Datte reported that the deed of dedication for the rail bed property between Andreas Road and the Schuylkill Carbon County Boundary Line was recorded January 28, 2019. The Township now owns the property.

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

**II. Land Use - None**

**III. Operations**

1. **Code Enforcement Officers Monthly Report –** January 2019

Bill Anders reviewed his Code Enforcement Report with the BOS. Properties that had issues in the beginning of 2018 are now in conformance. The properties with outstanding items are still being processed and waiting for a date at the magistrate or the property owners are working towards getting their property in conformance.

The Nelson Galloway property that the BOS questioned before is now waiting for another court date. Mr. Galloway had a stroke and is in the hospital. Bill Anders stated he spoke to our solicitor & Gary Bender from the county to see if there is anything we can do with this blighted property. Bill Anders said we may be able to petition the court and do something with the property. Chairman called for a motion to accept the Code Enforcement Officer’s report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

1. **Engineer’s Monthly Report –** January 2019

Bill Anders referred to Task # 8 - Dollar General Land Development Plan on his engineer’s report. The plan was reviewed by the Planning Commission on December 18, 2018. The Planning Commission recommended to the BOS to Conditionally approve the Final Land Development Plan based on compliance with all the comments listed on Lehigh Engineering, LLC review letter dated 12/14/18, Planning Commission comments & the approved HOP. Bill Anders also spoke about the Dollar General Subdivision. The BOS gave Conditional Approval based on the comments on listed on the Lehigh Engineering, LLC review letter dated 11/13/18. The applicant submitted revised plans in compliance with the comments.

Bill Anders continued with the Gholami Land Development Plan. Planning Commission voted to table the plan based on the number of items to be addressed. As of 1/31/2019 new plans were not resubmitted yet.

Bill Anders discussed Task #9 Which was his review with the Planning Commission on December 18, 2018 about questions & comments about water extraction. After the discussion the Planning Commission recommends to the BOS a meeting to be scheduled to review & dis cuss the proposed ordinance. The meeting should include the Township’s engineer, Township’s solicitor, Hydrogeologist & Attorney Yeager to review the proposed water extraction ordinance & finalize the ordinance. Meeting is scheduled for Friday, February 8, 2019.

Task # 13 – Bill Anders updated the BOS on a Subdivision Improvement Inspection on Lime Kiln II Subdivision. Bruce Rader has $6000 remaining on his Letter of Credit with the Township. Mr. Rader requested the Township to close the Letter of Credit. Bill Anders requested permission form the BOS to inspect the property to verify all the required improvements are in place & in working order. Mr. Anders will then advise the solicitor if all is complete. Chairman asked the BOS if they would allow Mr. Anders to go to the property an inspect. The BOS agreed to allow Mr. Anders to inspect.

Lastly, Bill Anders referred to Task # 17 and stated that the Planning Commission had no other questions or comments for Mr. Anders about the draft water extraction ordinance.

Chairman called for a motion to accept the Engineer’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** - January 2019

Chairman reviewed with the BOS the Sewage Enforcement Report. The activities consisted of design reviews, and permit issued. There was one reported malfunction for the month.

Chairman called for a motion to accept the Sewage Enforcement Officer’s monthly report for December 2018. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

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

Chairman reviewed the monthly report with the BOS. The road department maintenance the Township building, equipment, cindered roads, opened pipes & grates, mowing brush along Township roads, cut trees & low limbs, fixed wash out on Oak Terrace & other washouts in Township, and had propane heater & circulator furnace fixed. Chairman asked the Road Master about salt for Township Roads. Road Master said we will be at our full capacity once the last load of 100 ton get delivered in the next day or two. Chairman said Bryan Miller’s Trucking donated two truckloads of antiskid to the Township. Chairman thanked him for his kind donation. Tim Houser thanked the Road Crew for the good job they did clearing up after the snow storm under the raw conditions they had to work in. Chairman called for a motion to accept the road department’s monthly report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**E. Police Monthly Report** – January 2019

Chairman read the police report for January. The report states that the police patrolled 9,212 miles, 323 total traffic, 328 total calls and $4,278.80 fine money received. Chairman questioned the Chief of Police Brian Johnson if there is anything else he would like to add to his report. Chief of Police Brian Johnson stated they are getting more blocks to finish the impound lot. Sgt. & Cpl. Kaz started DARE program with 1st & 3rd grade @ West Penn Elem. Cpl. Kaz & Chief have been doing daily security checks @ West Penn Elem. Chief is requesting to hire James Bonner as PT. officer. Chief also wanted to let the BOS know that he was filing two grants. Chief stated he filed a grant for $32,000 & he filed a PCCD grant for up to $10,000.

Chairman asked the Chief about a grant for the traffic light at Leiby’s intersection. We looked into the grant a little late. Chairman questioned if we would have to have signal service install cameras at that intersection because we have a service agreement with them. The chief said we don’t have to have them install them. Chairman called for a motion to accept the police report for January. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

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

Fire Company did not submit their report for January 2019.

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

BOS reviewed the Monthly Ambulance Report. The Ambulance had 44 calls and 44 calls year to date. The calls consist of breathing problems, abdominal pain, heart problems, traffic accidents and being sick.

Chairman called for a motion to accept the ambulance report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**IV. Old Business**

1. Chairman asked Bill Anders who he would suggest apply for a park grant we are interested in through DCNR. The Township would like ESRC involved but the new Coordinator does not have the grant writing experience yet. Chairman suggested that we are all involved with the grant. ESRC can be involved with the guidance of Lehigh Engineering, LLC. to apply for the grant. Chairman called for a motion to do that. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0
2. Proposals for Comprehensive Plan

Chairman asked secretary to review and figure out what each one was proposing & compare them. The decision was tabled.

**V. New Business**

**A.** Chairman called for a motion to adopt Resolution # 8 of 2019, appointing Lettich & Zipay, CPA to conduct the audit of the Township Accounts for the Fiscal year 2018. Tim Houser made the motion. Chairman seconded the motion. Motion was carried. 3-0

**B**. Chairman asked the BOS to have the Township’s debit card limit increased from $100 to $1000. The increase will help us shop around for the best prices for the equipment/items we need. Ted Bogosh III stated that another reason for the increase is to help purchase equipment at the best price for our trucks. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried.

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

1. Chairman wanted to thank Bryan Miller for donating the 2 loads of antiskid to the Township.
2. Chairman said that someone got in touch with him & said they may be willing to cut out the walking path on the rail bed that was just donated to us. Before this individual commits to doing the trail he wants to go out and see what the job will entail. The individual would like permission to go out to the site and check things out. Ted Bogosh III & Paul Datte suggested we create a liability release form so everyone is protected. The BOS agreed to allow the individual to go out and scope the work.
3. Ted Bogosh III wanted to discuss the costs of water extraction ordinance to date. Mr. Bogosh III stated this Friday we have a meeting and we almost spent $20,0000 on this and he hopes it will come to an end shortly. Chairman pointed out that the $20,000 was spent over 3 years. Chairman stated when is enough, enough.
4. Ted Bogosh III also discussed the Update Zoning Committee meetings. Mr. Bogosh III wanted to inform everyone that these meetings are open to the public and the more information we can provide urban research the better. Chairman asked if Urban Research was going to do the grant for the Conservatory. Ted Bogosh III stated we did not give him the ok to do the grant. Mr. Bogosh III wanted to know if we should do this grant in house. Mr. Bogosh III asked if that decision can be on hold. Chairman feels we should just get it done by Urban Research. Tim Houser stated we should just wait to get a definite cost from Urban before we make our decision.
5. Ted Bogosh III wanted to discuss concession stand flooding. Mr. Bogosh III wants to investigate further before we should raise the floor of the stand. He feels that there are other alternatives to correct the water issue like fixing the threshold. Chairman asked Ted Bogosh III to take care of it.

**VII. Correspondence**

1. Signal Services gave the Township a letter stating what they feel should be done at the traffic lights to maintain them properly. Signal Service stated we should repaint the crosswalks & fix the loop. Chairman asked the secretary to remind him to ask Tamaqua Borough to help repaint the lines.
2. Chairman received an email from the county asking the Township to help do routine maintenance on their bridges in our Township. They are willing to pay us $50/person. Ted Bogosh III questioned would if we use our equipment. Mr. Bogosh III feels we should get compensated for using our equipment & gas. Tim Houser stated we use to get money from the county but they took that away from us. Mr. Houser stated this may be a way to get some money back now that we are fully staffed. Mr. Houser wanted to know if they would pay for materials that we would need to maintain the bridges. Ted Bogosh III stated we notify them if we have to service the bridges with materials. Tim Houser would like to ask the Treasurer to see how much we pay for our crew per hour including benefits. Paul Datte said he read it as we would be responsible for minor potholes & sealing which we would be supplying the materials.

It did not state the length of the contract. Tim Houser is satisfied to try it for a year. Chairman asked the BOS if he should go back to the county and ask if we can do it for a year and they pay $50/person/hour + materials.

**VIII. Public Comment on General Items**

Helene Land owns property on 895 & Kepners Road. - Ms. Land would like to know if Task # 2 is going to be discussed at the Friday Meeting. Attorney Datte stated no, the meeting is for the water extraction ordinance.

Dave Lapinsky of New Ringgold – asked if the Water Extraction Meeting is opened to the public. Yes, the meeting is public. Mr. Lapinsky also asked when Task # 2 is going to be discussed. Attorney Datte stated when the BOS is ready to inform everyone.

Jay Land & Helene Land wanted to know about Task # 2. Mr. Land said he believes Task # 2 through emails is the intention of this Board to use the professionals hired for this Board to take action against existing permitted resources managed in this Township.

Paul Datte stated Task # 2 is to determine whether there are any violations. Paul Datte said Task #2 is from Yeager’s engagement letter. Yeager’s engagement letter had two parts in his first paragraph. They are not labeled as Tasks in the letter. Someone labeled them like that. Paul Datte stated he believes “Task #1” is assisting the Township with a water extraction ordinance & “Task #2” is assisting the Township in determining the best options for resolutions for current & outstanding water extraction issues before the Township.

Ms. Land stated we are not worried about whether we fall in regulation. Ms. Land said we are worried about the emails that are being passed around. Attorney Datte stated we are not targeting any one. The BOS is going to be fair with the facts that will be determined with all the information gathered.

Chairman asked the BOS if they agreed to have the new truck Rhino Lined. Chairman asked Road Mater how much would it cost. Road Master stated it would be $1600. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**IX. Executive Session** – Chairman called for an executive session that was requested by the Chief for personnel issues. 8:27PM. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0 Chairman called the meeting back to order at 8:45PM.

Chairman made a motion to hire a part time police officer. Tim Houser seconded the motion. Motion was carried. 3-0

**X. Adjournment –** Chairman called for a motion to adjourn the meeting. Timothy Houser made the motion to adjourn at 8:48PM. Ted Bogosh III seconded the motion. Motion was carried. 3-0

Transcribed By:

Katie Orlick

West Penn Township Secretary