**West Penn Township Board of Supervisors**

**27 Municipal Road**

**New Ringgold, PA 17960**

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

**Regular 9AM Monthly Meeting**

**Monday, August 19, 2019**

**Present at the Meeting**

**Tony Prudenti – Chairman Herb Woodring – Asst. Secretary**

**Tim Houser – Vice-Chairman (absent) Paul Datte – Solicitor**

**Ted Bogosh III – Supervisor Jan Miller – Engineer**

**Karen Wittig – Treasurer**

**I. General**

**A.** Anthony Prudenti called the meeting to order with the Pledge of Allegiance & Introductions at 9:05AM.

Chairman changed the Agenda a little and asked the Chief of Police if he had anything to discuss with the BOS. The Chief did not have anything to discuss but wanted to inform the BOS that the Impound Lot is up & running. Chairman asked if anyone else had anything they wanted to discuss with the Chief before he had to leave the meeting. Ted Bogosh III asked about code enforcement while the police chief was present. The BOS maybe considering having the police dept. handle the code enforcement within the Twp. Chairman explained to the Township’s solicitor Paul Datte that the Twp. was considering having our police department takeover code enforcement instead of Lehigh Engineering, LLC. Chairman said the Township will address written complaints. The Police Department already patrols the Township & if there is a complaint they can check it out. Chairman said it would save us money & give us a much better response time. Paul Datte asked the Chief if he would be handling building code as well. Chief Johnson said no, basically property maintenance complaints. Chief Johnson said with their new CODY system they will be able to give a notice of violation right away. Chief Johnson said if the person does not comply with their NOV the Police Dept. will file an e-citation directly to the magistrate. Chairman asked the Chief if he would be using the sweep tickets. Chief said the CODY system will generate forms like the sweep tickets and they will be able to print them right from the car. Paul Datte suggested we may want to take action to indicate code enforcement non-zoning; non-building is going to be handled by the police dept. Chairman said there would be a transition period between the Police Dept. & Lehigh Engineering, LLC. Chief said CODY system will not go Live until December. Chairman asked Supervisor Bogosh III if he feels we should start this right away. Supervisor Bogosh III asked the Chief when he feels he would want to move forward with code enforcement. The chief said he is going to talk to Lehigh Engineering, LLC to see what they have in the works. Chairman suggested we hold off on making any decisions until the chief talks with Lehigh Engineering, LLC & Supervisor Houser is back to help make this decision. Chairman told asst. secretary to put on the next meeting’s agenda.

Chairman reminded Chief Johnson to start preparing his budget for 2020, budget meetings start September 16, 2019.

**B.** Approval of Monthly Bills for July/August

Chairman called for a motion to accept & pay the monthly bills. Ted Bogosh III made the motion to pay the monthly bills. Chairman seconded the motion. Motion was carried. 2-0

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

**III. Land Use** – None

**IV. Old Business – None**

**V. New Business**

**A.** Motion to adopt Resolution No. 19 of 2019 – Destruction of Township Records.

The Chairman said the Township would like to destroy some old Township records. The Township will have to follow a procedure in order to destroy the records. The Township has to be in accordance with Act 428 of 1968, each individual act of disposition shall be approved by Resolution. West Penn Township declared its intent to follow the schedule & procedures for the disposition of records set forth in the Municipal Records Manual approved December 16, 2008. Chairman asked the BOS to adopt Resolution 19 of 2019 & approve the destruction of the follow public records:

Office: Administration & Legal Records

Dates, Record Title

Election Records

1945-2017 Certificates of Election

1975-2013 Ethics Commission Statements of Financial Interest

1975-2012 Insurance Claims & Policies

1975-2011 Liquid Fuel Tax Records

1960-2012 Oaths of Municipal Officials

1970-2008 Public Notice/Hearing Notices & Proof of Publication

1970-2011 Treasurers’ Bond Certifications

2008-2016 Right to Know Requests

Office: Payroll Records

Dates, Record Title

1970-2014 Quarterly Returns of Withholding of Federal Income Tax

1970-2014 Quarterly Statements of State & Local Taxes Withheld

1970-2014 Social Security Reports

1970-2015 Time Cards & Attendance Records

1970-2014 Unemployment Compensation Records

1970-2014 Wages & Tax Statements (W-2 Forms)

1970-2014 Withholding Allowance Certificates (W-4 Forms)

1970-2014 1099 Forms (Employer’s Copy of U.S. Information Return for Calendar Year)

Office: Administration/Treasurer:

Dates, Record Title

1975-2011 Annual Budget Workshop Work Papers

1975-2011 Bank Statements, Reconciliations

1975-2011 Cancelled Checks, Check Registers & Deposit Slips

1975-2015 Daily Cash Records

1975-2011 Purchase Invoices

1975-2014 Payroll Registers

Office: Personnel Records

Dates, Record Title

1970-2010 Job Descriptions & Announcements

Office: Planning & Building/Zoning Code Enforcement Records

1987-2013 Building & Housing Construction Records

1987-2013 Building Permits & Applications

1970-2013 Flood Plain Management Records (Variances Retain Permanently)

1970-2013 Maps & Plans (Keep One Copy Permanently of those Superseded)

1987-2013 Reports of Buildings or Zoning Permits Issued & Local Public Construction

(Submitted to U.S. Dept. of Commerce, Bureau of Census)

Office: Tax Collection & Assessment of Records

Dates, Record Title

1975-2015 Tax “Duplicates” (Real Estate & Non-Real Estate)

The Treasurer & Asst. Secretary noticed some duplicate entries and typos during the meeting and the above records are the correct records to be destroyed. Chairman called for a motion to correct typo s & adopt Resolution No. 19 of 2019 Destruction of Township Records. Ted Bogosh III made the motion to adopt Resolution No. 19 of 2019 & make corrections. Chairman seconded the motion. Motion was carried. 2-0

**B. Motion to adopt Resolution No. 20 of 2019 Fair Housing**.

Every year the Township has to adopt a Fair Housing Resolution.

Chairman called for a motion to adopt the Fair Housing Resolution No. 20 of 2019. Ted Bogosh III made the motion. Chairman seconded the motion. Motion was carried. 2-0

**C. Motion to adopt Resolution No. 21 of 2019 Approving the Budget for the CDBG Program for 2019.**

Chairman said the Township will enter into a cooperation agreement with the county for the application & administration of the CDBG Program. The program is authorized to extend financial assistance to communities for activities which will benefit low & moderate income families or prevention of slums or blight or other urgent community development needs. Chairman said the budget for the Community Block Grant Program is approved for submission to Schuylkill County for inclusion in the FY 2018 application to DCED. Total amount of Grant is $94,717, Housing Rehabilitation $77,668 & Administration $17,049. Chairman called for a motion to adopt Resolution No. 21 Approving the Budget for CDBG Program for FY 2019. Ted Bogosh III made the motion. Chairman seconded the motion. Motion was carried. 2-0

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

1. Chairman said at the last sewage meeting the BOS asked if anyone had any suggestions/ideas that they think would help solve the sewage issue in Andreas. Jay Poust suggested the BOS speak to Mr. Schwicker. Mr. Schwicker has an operating treatment plant capable of handling 100,000 gallons per day & is only utilizing 30,000 gallons per day. The Plant is located approximately 1 ½ miles from Andreas in East Penn Township. The BOS asked our SEO to contact Mr. Schwicker to see if he would be interested in helping us with our sewage issue. Our sewage enforcement officer said it sounds like it can be a very good option to solve the problems in Andreas that the BOS may want to consider. The Chairman had some questions that he wanted to ask the solicitor. Chairman wanted to know who will pay for the main? Would the Township be responsible for billing? Would the Township have to put together a sewer authority? Attorney Datte said it could probably be done either way. Attorney Datte said if the owner of the treatment plant is going to handle it then in theory someone else would be responsible for the cost of running the main. Chairman asked if the Township would still be able to get grants to help with this sewage issue. Attorney Datte said he is not sure. Attorney Datte said it would depend what grants we would be going for & if we would have some type of shared agreement with the private owner. Chairman suggested to Ted Bogosh III that we allow our solicitor to get in touch with Mr. Schwicker and see what he would like to do. Mr. Bogosh III agreed to have the solicitor speak to Mr. Schwicker.
2. FEMA Floodplain Maps

Chairman stated the Township got a notice that the State has issued preliminary revised Flood Plain Maps. Chairman said it was advertised that anyone can review the maps and if someone disagrees with the maps they have 90 days to appeal. Chairman said we got an appeal request from Christine Troxell. Chairman suggested that our solicitor reviews the FEMA information & appeals the section in Andreas. Paul Datte suggested he takes a look at the information & he will let the BOS know what we would have to do in order to appeal. Paul Datte feels there is a little more involved than the Township just filing an appeal with some photographs. Ted Bogosh III asked with the new FEMA floodplain would it be a smaller area as it was previously because they did it more accurately. Chairman said some area did get smaller & there are some areas that got larger. Bill Varano commented that he attended FEMA meetings. FEMA made a point that they want to hear from the Township. Mr. Varano said there is a chance that FEMA’s GPS got slurred or changed or maybe just misguided. Mr. Varano said the map can be changed in a minute if FEMA knows a spot they need to recheck. Mr. Varano feels that we should notify FEMA about the area Ms. Troxell is questioning so they are aware of the area. This way they will check to make sure the area has the right coordinates. Mr. Varano said FEMA expects the Township to notify the people that are under flood insurance provisions. Chairman asked Mr. Varano how would the Township know that someone is required to have flood insurance. Attorney Datte said FEMA did have a public notice twice in the Pottsville Republican about the flood plain maps. The information published on August 8 & 15, 2019, the proposed flood hazard determinations, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program. Attorney Datte is not aware that the Township is responsible to notify individual properties. Chairman agrees with Mr. Varano to notify the people about the FEMA Floodplain changes and suggested that we have the Times News put in a public notice that says if you’re located in the floodplain and would like to review the new FEMA maps to go on the FEMA website. If you were required to have flood insurance & FEMA changed your area, you may no longer need that insurance which can save you money. If someone needs the Township to write a letter to their insurance company stating, they no longer need flood insurance they should notify the Township. The Township will have our engineer confirm with FEMA that the property is no longer in the floodplain. Then our engineer can write a letter to their institution notifying that the floodplain changed & the property is no longer in the floodplain zone.

Attorney Datte said the notice that they published applies to all properties in Schuylkill Co.

it did alert the public that these maps have changed. Ted Bogosh III asked the BOS if our engineer can look at Mr. Varano’s property to see if it is in the floodplain & if he is not issue him a letter stating he is not in the floodplain. Chairman said at Mr. Varano’s request we can. Paul Datte said just make sure that is what is going to satisfy FEMA otherwise we will be spending a lot of time & effort on something for nothing. Chairman said it should go on our website & in paper. Jan Miller said there is a process that you have to follow with FEMA for properties in questioned about the floodplain.

1. Chairman wanted to address letter “C” under business from anyone on the board at the next meeting when all Supervisors will be present. Letter “C” Sign In Sheet & Inquiries must go to through the Department Supervisor first.
2. Code Enforcement – Was discussed in the beginning of the meeting.

**E**. Line of Sight – Trees/Shrubs

Ted Bogosh III wanted to discuss the corner of Penn & Mill Drive. This property has trees and shrubs restricting a driver’s view from pulling out onto a highway safely. Mr. Bogosh III showed pictures of the over grown brush at the corner. Mr. Bogosh III asked the Zoning Update Committee if there is anything we could do to eliminate such hazards. The only thing we could do is to advise the citizens to take care of their property. If they see a potential hazard on their property and don’t take care of the situation they may be held liable if an accident occurs because of the property owner’s negligence. Chairman said in the second class township code the Township is allowed to clear our right of ways. Attorney Datte believes that we can clear up to our right of ways but the property in question is half the Townships & half Penn DOT. Attorney Datte suggests we coordinate with Penn DOT to determine the rights of way. Chairman suggested to Ted Bogosh III to speak to Supervisor Houser because he is in charge of the Road Dept. Chairman suggested we talk to PennDOT about this intersection. Chairman said we can ask Penn DOT at the upcoming meeting that is scheduled for August 29th @ 10am. Chairman said we will add it to that Agenda. Ted Bogosh III said instructed the Asst. Secretary to advise Katie to add to Agenda with Penn DOT. Jan Miller said she was taking care of the Agenda with Penn DOT & she will add it.

**F**. Electronic Tax Payments – Supervisor Bogosh III had the secretary ask the tax collector if she can take electronic payments to pay their taxes. Helene Zeigler the tax collector response was the tax system does not allow electronic payments. Taxpayer can do bill pay, and their parcel; # would be their account number. Taxpayer should still mail their tax bill in with a note that the check will be thru their bill pay so the tax bill accompanies the tax payment.

**G**. Chairman question Attorney Datte about how he feels about the Township getting involved with solar panels. Attorney Datte recommends against getting involved because the Township will potentially lose money if the SREC does not go above $35. Chairman said we have a recommendation by our solicitor that we should not go solar. Ted Bogosh III said solar is a great idea but it is not profitable. Ted Bogosh III agrees with the solicitor. Chairman agrees and with the Solicitor & BOS. The Chairman asked the secretary to write a thank you letter and let them know the Township will not be interested in moving forward with solar panels.

**VII. Correspondence**

**A**. Reminder: Chairman said the West Penn Township Board of Supervisors September meeting will be on Monday September 9, 2019 @ 7PM. Ted Bogosh III said there is a Zoning Update Meeting scheduled for that same day he would like to try to change that meeting so he could attend.

**B**. Chairman would like to remind all Department heads that the 1st budget meeting will follow the 9AM meeting on September 16, 2019.

**C**. Blythe Twp. Landfill

Chairman said anyone that needs to get rid of demolition material can contact Blythe Twp.

**D.** Line painting for School Rd.

Chairman spoke to the Road Master about painting lines on School Rd. Road Master said we normally do not paint lines right after we tar & chip a road but with this road is the access to the school we should probably paint them for safety reasons. Road Master suggests we do a double line. Chairman called for a motion to paint a double yellow line on School Rd. Ted Bogosh III made the motion. Chairman seconded the motion. Motion was carried. 2-0 Attorney Datte said check with the Chief in regards of a single line vs. double line.

**VIII. Public Comment on General Items**

Chairman spoke about a complaint on Berry Rd. There is a resident that has deliveries to his home by a truck. The Township put signs up “no truck traffic” on that road because goggle maps were sending tractor trails that way. This resident cannot get his deliveries now because of those signs. Mr. Bogosh III suggested that we add “local deliveries only” to the truck signs. Attorney Datte asked Mr. Bogosh III if we had an ordinance for the no truck signs. Attorney Datte said it was a good idea to put “local deliveries only” on those signs. Ted Bogosh III made a motion to buy those signs. Chairman seconded the motion. Motion was carried. 2-0

**Larry Stival** said relining Blue Mountain Drive will take a while. Mr. Stival said there is a ditch that fills with water that a vehicle could bottom out because they did not know the ditch was there. Mr. Stival asked the Township to fill it with stone or cones before something happens. Mr. Stival just wanted to state his concern. Chairman instructed the Road Master to put cones there.

**Larry Moyer** is concerned with speeders on Andreas Rd. Chairman asked Ted Bogosh III if he could talk to the chief to put up the electronic speed reader or do more speed detail in that area to address the concern.

**Carl Greve** showed the BOS a Latern Fly.

**IX. Executive Session** - None

**X. Adjournment**

Chairman called for a motion to adjourn the 10:27 AM meeting. Ted Bogosh III made the motion. Chairman seconded the motion. Motion was carried. 2-0

Transcribed By:

Katie Orlick

West Penn Township Secretary