**West Penn Township Board of Supervisors**

**27 Municipal Rd.**

**New Ringgold, PA 17960**

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

**Regular 7PM Monthly Meeting**

**Monday, November 4, 2019**

**Present at the Meeting**

Anthony Prudenti – Chairman Katie Orlick – Secretary

Timothy Houser – Vice Chairman Paul Datte – Solicitor

Theodore Bogosh III – Supervisor Rodd White – Lehigh Engineering, LLC

Karen Wittig – Treasurer

**I. General**

**A**. Open Meeting/Pledge/Introductions

Chairman opened the meeting with the Pledge of Allegiance & Introductions at 7:04PM.

**B**. Public Comments on Agenda Items Only – None

**C**. Review of Minutes – October 21, 2019

Chairman called a motion to accept the minutes from October 21, 2019. Tim Houser made the Motion. Ted Bogosh III seconded the motion. The motion was carried. 3-0

**D**. Treasurer’s Report – October 2019

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

**E**. Approval of the Bills – October 2019

Chairman called for a motion to pay & approve the bills for October 2019. Tim Houser made the motion. Ted Bogosh III seconded the motion. The motion was carried. 3-0

**F**. Solicitor’s Report

Paul Datte along with Lehigh Engineering’s input prepared a deed for the portion of Dorothy & Curtis Bailey’s property that will be donated to permit the widening & expansion project of Blue Mountain Drive. Attorney Datte suggested we handle this with two motions.

Chairman called for a motion to accept the deed of dedication from Dorothy Bailey.

Tim Houser made the motion to accept the deed of dedication. Theodore Bogosh III seconded the motion. The motion was carried. 3-0

Chairman called for a motion to waive the subdivision approval for the Dorothy K. Bailey property that would be dedicated to the Township. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried 3-0

Attorney Datte said he will get the deed recorded.

Chairman thanked Mr. Bailey on behalf of the Board for dedicating the piece of property.

Paul Datte also discussed the lease for the 2019 F550 truck for the Road Department.

Attorney Datte stated the Treasurer was instructed to get lease financing for the truck through Mauch Chunk Trust. The lease would require the Township to make monthly payments to Mauch Chunk Trust with the conveyance at the end for $1. Attorney Datte suggested we approve the finance lease with Mauch Chunk Trust & authorize the chairman to sign all associated documents.

Chairman called for a motion to enter into a lease agreement with Mauch Chunk Trust for the purchase of a 2019 F550 dump truck at a price of $71,419 that includes the $11,000 trade in of the 2006 Ford Dump Truck & to authorize the Chairman to sign all associated documents. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**II. Land Use**

**A**. Oliver Subdivision/Lot Consolidation

Rodd White said the Planning Commission met on October 22, 2019 to review the Oliver Subdivision/Lot Consolidation Plan. The Planning Commission tabled the plan because of the inconsistencies of the legal description/deed & plan.

**III. Operations**

**A**. Engineer’s Monthly Report for October 2019

Rodd White reviewed his engineering report with the BOS.

**Task 3 – Miscellaneous Consultations**

Rodd White said the BOS requested a price from Lehigh to stake out the property of the old rail bed the Township had donated to them from the Cramer’s. Lehigh will mark limits of tree clearing based on distance off rail bed as determined by the Supervisors for an estimated price of $500-$750. Chairman suggested we cut it like East Penn cut their trail. This way the trail will match up. Clint Schock said he will ask East Penn’s Road Master how wide they are cutting their trail. Chairman recommends we table until we find out what East Penn is doing.

**Task 4 – Road/Bridge Assistance**

Water Wheel Bridge: Rodd White stated Lehigh Engineering started to prepare a grant to repair Water Wheel Bridge, however at the October 21 BOS meeting Supervisor Bogosh III presented to the Board a proposal for bridge repairs using an alternate method. The method that Supervisor Bogosh III proposed cost significantly less than the other proposals we received and it was even less than what the Twp. would have matched for the grant. Lehigh Engineering prepared a sketch & a scope of the work based on the alternate proposal for submission to PennDOT. PennDOT accepted the alternate method the Twp. proposed to repair Water Wheel Bridge. The Twp. received three quotes for the repairs of Water Wheel Bridge. Bill Anskis Company, Inc. construction amount was $79,778, JMB’s quote was $47,500 and Mark Boyle’s quote was $15,500. Chairman thanked Supervisor Bogosh III for getting the quote from Mark Boyle he helped us save over $30K. Attorney Datte will draw up a contract for the bridge to be repaired stating the Twp. will pay for the project upon PennDOT's inspection & approval of the bridge. Chairman called for a motion to enter into a contract with Mark Boyle’s Welding to repair Water Wheel Bridge. Tim Houser made the motion to award the bid to Mark Boyle for $15,500 for the repairing the bridge on Water Wheel. Ted Bogosh III seconded the motion. Motion was carried. 3-0

SR 309 & Blue Mountain Rd. – Lehigh Engineering submitted a plan exhibit & legal description of the right-of-way to the Township Solicitor for the preparation of legal documents on Oct. 23, 2019.

**Task 6 – Ordinance Coordination**

Lehigh Engineering attended the Zoning Update Committee Meeting on October 14, 2019. Modifications to the Zoning Ordinance were discussed in order to ensure continuity with the updated Comprehensive Plan. The Zoning Consultant from URDC requested Lehigh’s input on the following items: Traffic Impact Fees, Road Maintenance Agreements, Road Bonding Agreements, Storm Water Management Ordinance revisions, Signs, Environmental Protection, and Timbering Ordinance into the overall Zoning Ordinance. Rodd White asked the BOS if they are interested in Lehigh looking into the above items for the Zoning Ordinance. Rodd White did recommend the Supervisors to consider the adoption of a stand-alone Stormwater Management Ordinance. Chairman asked if it was more restrictive of what we have in place right now. Rodd White said he wouldn’t say that it is more restrictive but easier to interrupt. Chairman said we will look at what Lehigh is proposing to do.

**Task 8 – Plan Review**

Rodd White said there was one plan reviewed which was the Oliver Subdivision & Lot Consolidation. Lehigh prepared a review letter dated October 21, 2019 for the Planning Commission. Due to the discrepancies between the existing deeds & the proposed plan; Lehigh recommended to the Planning Commission to defer action until the discrepancies are resolved. The plan was tabled.

**B**. Code Enforcement Monthly Report

Rodd White continued with Code & Zoning Reports. Mr. White gave an update on the status of the old Maggie’s Kitchen acquiring their permit. Mr. White said after the last meeting he met with the new owner and told him what he needed for the permit process. The new owner sent Lehigh an updated application. Mr. White said he is still waiting on the applicant’s engineer to give an updated stamped plan.

Rodd White said they inspected the John & Christine Bockorick property and Lehigh approves the Township to release their fire escrow minus the amount for Lehigh to inspect the property. Chairman called for a motion to release the fire escrow to John & Christine Bockorick in the amount of $1293.47. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0 Chairman called for a motion to accept the Engineer & Code Enforcement Monthly Reports. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**C**. Sewage Enforcement Officer’s Monthly Report

Chairman reviewed the Monthly sewage report dated 9/29/19-10/31/19 with the BOS. The SEO report consisted of 5 Test Probes, 1 Percolation Test, 1 Site Evaluation, 6 Interim Inspections, 1 Final Inspection, 1 General Field Inspection and 1 Subdivision Plan Review. SEO reported no malfunctions were reported or investigated during this period. Chairman called for a motion to accept the SEO’s Monthly Report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**D**. Road Department’s Monthly Report

Chairman reviewed the Road Department’s Report with the BOS. The Road Report consisted of General Maintenance to the Twp. Building & Equipment, Mowing of Shoulders, Opened Pipes & Grates, Fort Franklin Dirt & Gravel Project, and Tree Trimming. The Road Master also attended a Salt & Snow Management Class. The Road Master met with the Workers’ Compensation Representative to inspect the building. The BOS also reviewed the Maintenance Report of the Vehicles/Equipment. Chairman asked the Road Master Clint Schock if he had anything else to discuss with the BOS. Clint Schock informed the BOS about the Bucket Truck. There was a recall on the truck and the Road Master got it taken care of. Chairman said Truck 15 has a part on it that cracked and needs to be replaced. The repairs will cost up to $6500. Chairman called for a motion to accept the Road Report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**E**. Police Report

Chairman reviewed the Police Report with the BOS. The Police Dept. patrolled 7,110 miles. The Police Dept. had 290 total traffic citations, and 359 total calls. The Fine money received is $4,789.22 & total Impound was $1,320. The Chief ordered his two 2020 Chevy, Silverado delivery date in February of 2020. The Dept. assisted with traffic at the Andreas parade. They patrolled the West Penn School and attended a Tamaqua Safety Committee Meeting. CODY system is projected to go live mid-December.

Tim Houser asked the Chief if the State Police contacted about the Plane Crash in Walker Twp. Chief said his officer was returning from court when they got a call asking if they had an officer in the area. Tim Houser asked the Chief if he heard anything from Walker Twp. about West Penn Twp. taking over their police dept. Chief said, no. Chairman called for a motion to accept the police report. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

**F**. Fire Company Report

Chairman reviewed with the BOS the Fire Dept.’s Monthly Report. The Fire Dept. had 22 calls for October. The calls consisted of down trees, accidents, structure fire and automatic alarms. The Fire Dept. had their weekly drills. The Dept. also participates in monthly events to raise money for their dept.

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

**G**. Ambulance Report

Chairman reviewed the Ambulance Report with the BOS. The report consisted of 59 total calls in the month of October. The types of calls were breathing problems, abdominal pain, back pain, falls, sick, traffic accident, fainting and unknown problems. 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** – NONE

**V. New Business** – NONE

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

**A.** Chairman asked Ted Bogosh III to give an update of the Zoning Ordinance. Supervisor Bogosh III said at the next Zoning Update Committee Meeting there will be a final review of the proposed Zoning Ordinance. The BOS invited Planning Commission Members, Zoning Hearing Board Members, Paul Datte and the general public to the meeting. Chairman asked Supervisor Bogosh III if a draft copy of the ordinance was shared with anyone that was invited to attend. Secretary said she gave a copy to planning and requested an electronic copy from URDC to distribute to the remaining members that are interested.

B. River Road –John Davis from PennDOT said Ordinance #10 of 1998 & the plans prepared by Alfred Benesch & Company say the entire road was vacated in 1998. Mr. Davis asked if Ordinance #10 ever been rescinded. Chairman said only part of the road should have been vacated. Attorney Datte said the Ordinance states there is a portion of River Road that was vacated not the whole road. Attorney Datte said Mr. Davis may be misinterpreting it. Chairman asked the BOS if Paul Datte can contact John Davis to clear this situation up. The BOS agreed to have the Solicitor follow up with John Davis.

**C.** Chairman gave a reminder that on Monday, November 11, 2019 @ 7PM there will be a Zoning Update Meeting that everyone is welcome to attend

**VII. Correspondence**

Chairman read an email from PennDOT about putting up a school bus sign on the Clamtown Hill, SR443.

PennDOT gave the Township permission to erect school bus sign on SR443 as long as the signs are purchased from an approved manufacturer. Chairman called for a motion to allow the Road Master Clint Schock to buy the School Bus Ahead Signs & erect them. Tim Houser made the motion to have the Road Master buy the signs & install them on SR 443. Ted Bogosh III seconded the motion. Motion was carried. 3-0

Clint Schock, Road Master asked the BOS for some clarification of Eagle View Drive. Chairman asked Mr. Bailey, who developed the land about where East Hyland ends and where Eagle View starts. Chairman said a resident called the Twp. and said they are having issues with deliveries to their home. Mr. Bailey said the original subdivision ended at the Coldesac which ended East Hyland Drive. Glenn Hummel said the address is driven by the utilities. Attorney Datte said he feels the Twp. should put an Eagle View Street sign after the old Coldesac.

**VIII. Public Comment on General Items**

Darryl Nothstein wanted to know the status of properties 3488 Summer Valley Rd. & 3494 Summer Valley Rd. Mr. Nothstein wanted to know how it became a business at 3494 which is a rental property.

Attorney Datte said the definition in the Ordinance talks about “Family Member” of the Owner not just the Owner. Paul Datte said it is legal under the Zoning Ordinance because there is a “Family Member” lives at the rental property.

**IX. Executive Session** – NONE

**X. Adjournment**

Chairman called for a motion to adjourn at 8:15PM. Tim Houser made the motion. Ted Bogosh III seconded the motion. Motion was carried. 3-0

Transcribed by:

Katie Orlick

West Penn Township Secretary