

**West Penn Township Board of Supervisors  
27 Municipal Road  
New Ringgold, PA 17960**

**Phone (570)386-4507**

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**Regular Meeting  
Monday, February 3, 2020**

**Present at the Meeting**

Anthony Prudenti  
Timothy Houser  
Glenn Hummel

Karen Wittig – Treasurer  
Katie Orlick – Secretary  
Rodd White – Lehigh Engineering, LLC  
Paul Datte - Solicitor

**I. General**

**A.** Tony Prudenti called the meeting to order at 7:00PM with the Pledge of Allegiance & Introduction.

**B.** Madison Schock – Chairman introduced Madison Schock, member of Girl Scout Troup # 30148. Madison Schock wrote a letter to the BOS requesting a spot on the BOS’s Agenda where she can talk about their Bronze Award Project. Madison & some members of her Girl Scout Troop #30148 attended the meeting. Ms. Schock explained that her & her Troop will be collecting gently used books for Tamaqua Library & Personal Hygiene Items for the Tamaqua Nursing Home until April 5, 2020. This is a way for them to help the community. They also requested use of the Township Building for a drop off location for their project. Chairman called for a motion to allow Madison Schock & Troop #30148 & designate West Penn Township Municipal Building as a drop off site for their project. Tim Houser made the motion to allow Troop #30148 to use the building as a drop off point. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Chairman asked Secretary to put the Book Drive & the Collection for the Nursing Home Information on the Township’s website.

**C. Public Comments on Agenda Items Only - None**

**D. Review of the Minutes – January 6<sup>th</sup> & 20<sup>th</sup>, 2020**

Chairman called for a motion to accept the meeting minutes for January 6<sup>th</sup> & 20<sup>th</sup>, 2020. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**E. Treasurer’s Report – January 2020**

Chairman called for a motion to accept the Treasurer’s Report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

**F. Approval of Bills – January 2020**

Chairman called for a motion to pay the bills. Tim Houser asked the Road Master Clint Schock about Salt Contract. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**G. Solicitor's Report** – Attorney Datte said he is working on the Water Provisions and should have a draft for review by the Planning Commission Meeting on February 25<sup>th</sup>. Then it could be reviewed by the BOS at their March 2<sup>nd</sup> Meeting. Attorney Datte will then send it to Attorney Yeager for their review. Chairman called for a motion to accept the Solicitor's report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

**II. Land Use** – Chairman called on Rodd White from Lehigh Engineering, LLC to discuss Land Use to the BOS.

Rodd White said there were two plans to review, Faust Minor Subdivision & Arner's Change of Use. The Planning Commission recommended Conditional Final Approval based on satisfactory resolution of comments in Lehigh Engineering's review letter. The primary conditions of concern being the addition of plan notes indicating that any future subdivisions would be considered a Major subdivision & any residential improvements proposed on the newly created agricultural lot will invoke the Open Space/Recreation area requirements of Article 10 Section 1007 of the SALDOS.

Chairman called for a motion to adopt Resolution No. 5 of 2020 Conditional Approval of the Faust Minor Subdivision contingent upon satisfying comments from Lehigh Engineering, LLC, Brior Environmental, Inc. and Schuylkill Planning Commission. Tim Houser made the Motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Dean & Andrea Arner requested modification to the Land Development process. Planning Commission recommends granting Dean & Andrea Arner approval with the conditions they show on a site plan grading for the new parking area & storm water control. Chairman asked Rodd White, if the applicant would have to hire an engineer to redo their site plan to include the grading of the parking spaces & storm water management on their plans. Rodd White said no they can modify their existing site plan & they would not need the plans stamped. Dean & Andrea Arner will also have to confirm from the SEO that the existing septic system is adequate for the proposed use. Chairman asked Andrea Arner if she was ok doing the modifications suggested. Andrea Arner said nothing has really changed on the outside. She doesn't understand why Lehigh is requesting her to take other steps but she will conform. Tim Houser's concern is that the applicant is changing from residential to a business. It is not a problem for her to do that but we need to make sure we have some regulations established for anyone that wants to change from a resident to a business. We require all businesses to address grading & storm water management; we have to treat everyone equally. Rodd White said she can continue finishing the inside. Attorney Datte said Lehigh Engineering, LLC would hold her occupancy permit until the grading, storm water management & SEO comments were satisfied. Chairman called for a motion to give approval for Dean & Andrea Arner's request for modification to the SALDOS process of the Land Development Plan contingent upon satisfying comments from Lehigh Engineering, LLC. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

### **III. Operations**

#### **A. Engineer's Monthly Report – January 2020**

Chairman asked Rodd White the status of the Old Maggie's Kitchen. The Engineer that was working on the Plan for Maggie's Kitchen emailed Lehigh Engineering, LLC about the Appeals Process for certain requirements that were on their plan.

Ralph Hummel asked what did they want to Appeal? Maggie's Kitchen wanted to Appeal the requirements for certain equipment that wasn't being changed. Ralph Hummel told the applicant if it

wasn't being changed then it wouldn't need to be addressed. Rodd White said as far as he knows there were no other issues.

Rodd White continued with his Engineer's Report. Mr. White said he is going to resubmit the DCNR Grant for the J.E. Morgan Memorial Park. The grant application process opened January 15, 2020 and will close April 22, 2020. Rodd White said he would like to get it started and submit it way ahead of time before the grant closes.

Rodd White gave an update on the Comprehensive Plan. Mr. White stated that at the Advisory's last meeting there were citizens that claimed they were not informed about the meetings and didn't have the opportunity to participate. Jan Miller from Lehigh Engineering, LLC agreed to have another meeting on Monday, February 17, 2020 @ 7 PM. Meeting will be at the Annex Building.

Chairman called for a motion to approve the Engineer's monthly report for January. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **B. Code Enforcement Monthly Report – January 2020**

Rodd White gave an update on the Park Drive - Pallet Complaint. A Notice of Violation was issued on January 28, 2020. Mr. White stated for the month of January there were 7 UCC permits, 4 Zoning permits & 1 driveway permit issued. Chairman called for a motion to accept the Code Enforcement Officer's Monthly Report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **C. Sewage Enforcement Officer's Monthly Report – January 2020**

Chairman read the activity report and said there were one permit application, one design review, one new well permit issued & one subdivision plan review. Chairman said there were no malfunctions reported in January.

Chairman called for a motion to accept the Sewage Enforcement Officer's monthly report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **D. Road Department's Monthly Report – January 2020**

Chairman read the Road Department Report. The Road Department Report consisted of general maintenance to the Twp. building & equipment, salt & cinder for ice & snow event, hauled anti-skid material from quarry to stock shed, opened pipes & grates, cleaned up & organized twp. building & storage trailer, cold patched potholes, trim & chip trees. The Road Department also did maintenance on the trucks, equipment & police cars. Chairman called for a motion to accept the road department report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

#### **E. Police Department Report – January 2020**

Chairman read the police report. The police report consisted of 7,087 miles patrolled, 164 citations issued, 74 written warnings, 238 total traffic and 278 total calls. Fine money received was \$4,786.92 plus total impound \$1,685.00 which equals to \$6,471.92. Police Department ordered 2- 2020 Chevy Silverado Trucks, projection delivery date February/March, patrolled West Penn Elementary, and submitted grant paperwork for \$32K. Chairman read a resignation letter from Frank Lorah. Chairman called for a motion to accept Officer Frank Lorah's resignation. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Chairman called for a motion to accept the Police Report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

**F. Fire Company Monthly Report – January 2020**

Chairman read the Fire Company’s report. 21 Total calls for the month of January. The report consisted of emergency responses for 2 accidents, 3 fire police calls, 1 chimney fire & 10 trees down. The department had monthly drills & had their monthly fundraisers such as the monthly Breakfast & Wing Sale, Forestry Training & Boy Scout Fudge Sale. Chairman called for a motion to accept the Fire Department’s Monthly Report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**G. Ambulance Monthly Report – January 2020**

Chairman read the Ambulance Report. The Ambulance Report consisted of 60 calls this month & 476 calls year to date. The types of calls were abdominal pain, assault, back pain, breathing problems, falls, and sick people. The Ambulance assisted Tamaqua & Rush. Chairman called for a motion to accept the Ambulance Report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

**IV. Old Business**

**A. Fee Schedule – SEO Site Visitation & Property Maintenance Appeal Board Fees.**

Chairman said the BOS would like to make some changes to the current fee schedule. Chairman said if our SEO does a site visit for someone the Township gets charged \$50/hr. which can cost the Township money. The BOS suggested if a person asks for the SEO to do a site visit that person should be responsible to pay those fees, unless the Twp. sends the SEO out for a suspected malfunction. The BOS would also like to establish fees for Property Maintenance Appeals Board. Chairman said we should direct our Attorney & our Code Enforcement Officer to update our fee schedule. BOS agreed, Attorney Datte said they will figure it out and get back to the BOS with a recommendation.

**V. New Business - NONE**

**VI. Correspondence**

**A.** Chairman reminded the public there will be a Comprehensive Plan Advisory Meeting on Monday, February 17, 2020 @7PM. The meeting will be held in the Annex Building.

**B. Dissolving Committees**

Chairman asked Attorney Datte if the BOS can dissolve committees that are no longer needed. Attorney Datte said the Committees are created at the pleasure of the BOS and should be terminated at the pleasure of the BOS as well. Attorney Datte suggested we motion to dissolve the committees that no longer serve a purpose and their job as a committee member is complete. Chairman asked the Secretary to list the Committees that the Twp. would like to dissolve for next meeting.

**C.** Letter of Dept. of Transportation about Dollar General. Security Reduction for Highway Occupancy Permit No. 05055943 – Snyders DG LLC. Department of Transportation authorizes the reduction to the amount of \$11,809.35 which is 20% of the original value amount.

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

Tim Houser wanted to know if we planned to paint the back side of the Twp. Building this year. Chairman suggested we take a look at the Annex Building too. Chairman said there was a leak up at the Annex that we should also look at. There is \$10K budgeted for building maintenance. Chairman suggested we look at these improvements in the Spring.

### **VIII. Public Comments on General Items**

**Ted Rosen** – Dogwood Lane – wanted to know when the provisions for water extraction would be released for public review. The BOS is anticipating the release for the March Meeting.

**Gary Steigerwalt** – Ridge Cup Rd. – Dissolving Committees – Mr. Steigerwalt wanted to know if the Crime Watch is still active. Chairman said the person that was in charge of Crime Watch actually moved out of the Township. Chairman asked the Secretary to get in touch with the members to see what their future holds. Chairman also believes that there may be money in an account and if this group dissolves, the Chairman suggested we donate that money to the West Penn Township Police Department.

**Karen Moyer** - Pine Hill Rd. – What is the next step on the Sewage Issue in Andreas. Karen Moyer suggested we contact Skelly & Loy Engineering to look at the situation in Andreas or do some kind well or water system. Karen Moyer said if you put in a water system it can eliminate the Sulfur Water in Andreas. Glenn Hummel said he has a Sulfur problem where he lives and as a homeowner he feels that he is responsible for taking care of that issue. Chairman agreed. Chairman said if his well or his septic goes bad it is his responsibility to fix it. Chairman asked the BOS how they would like to handle this situation. Tim Houser said any community sewage system has to be approved by the DEP. Karen Moyer questioned, in 2010; her father’s property was drilled for sewage. Tim Houser was not aware of that situation. Ted Bogosh III said he was the Chairman of the Act 537 Sewage Committee and said the testing was to see what sites were available to establish sewage. Karen Moyer spoke about her property in Andreas & her situation. Attorney Datte said the BOS will not be able to come up with an answer for her at this meeting. Attorney Datte said the problem with having some type of community water system is that it doesn’t necessarily address the sewage issue. Ted Bogosh III asked if a private company or individuals form a group & wanted to put in a public Water system, what they would have to do & what would they be allowed to do. Attorney Datte said it is a lot more complex than just forming a committee. One thing you would have to do a study of how every house would be affected by a community facility.

**Delroy Haas** asked how will the BOS determine which committees will be dissolved. Chairman said the Secretary will get a list of Committees together and we will discuss it at the next meeting which ones get dissolved.

**Ken Jones** – South Red Oak Terrace – Mr. Jones spoke about the dissolution of the Water Committee. Mr. Jones expressed that it would be beneficial for the Water Committee to be a part of the review of the draft Zoning Ordinance, especially for the water withdrawal provisions. Chairman said he encourages everyone that played an active role in the water withdrawal provisions of the Ordinance, come to this meeting and give their input on this matter. Whether, you are on the water committee or not, everyone is welcome to come and give their input. Attorney Datte said the Water Committee will be encouraged to come and participate in the Draft Zoning Ordinance discussion, especially with the water provisions.

**Jay Land** – Thanked the BOS – Mr. Land read a letter he prepared for the BOS. Mr. Land gave comments about his DRBC application in the letter. He also, said he opened an email [jayland@comcast.net](mailto:jayland@comcast.net), to allow people with questions about his business and his DRBC Application to contact him.

**IX. Executive Session** – Chairman called for a motion for an executive session at 8:45PM. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried.3-0

Chairman called the meeting back to order at 9:05PM. Chairman the executive session was for a legal matter & labor issue.

**X. Adjournment**

Chairman called for a motion to adjourn at 9:08PM. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By:

Katie Orlick

West Penn Township Secretary