**West Penn Township Board of Supervisors**

**27 Municipal Road**

**New Ringgold, PA 17960**

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

**Regular Meeting**

**Monday, August 3, 2020**

**Present at the Meeting**

Anthony Prudenti Karen Wittig – Treasurer

Timothy Houser Katie Orlick – Secretary

Glenn Hummel Rodd White – Lehigh Eng.

 Paul Datte – Solicitor

**I. General**

**A.** Tony Prudenti called the meeting to order at 6:33PM with the Pledge of Allegiance & Introduction.

**B**. Chairman announced the BOS met for an executive session on Tuesday, 7/28/2020 to discuss possible litigation.

**C**. **Certificates of Appreciation**

Chairman & the BOS recognized Randy Clemson, Willy Bernheisel and David Tyson for volunteering their time to fix a leak at the West Penn Park West – Zion Stone. David Tyson allowed the volunteers to use his equipment free of charge. Their hard work, time & patience were truly appreciated.

Chairman introduced Jack Tharp, resident of West Penn Township that is heading toward being an Eagle Ranked Scout. In order to become an Eagle Scout, he is required to do an Eagle Scout Service Project. The Eagle Scout Service Project is a project that will give back to the community. Jack Tharp would like to add a GaGa ball pit to the West Penn Park West – Zion Stone. GaGa Ball is a game played in an octagon structure. It is like a form of Dodge Ball. Jack Tharp will be seeking donations from local businesses, to complete his project. Jack Tharp anticipates his project being done by the end of the summer. Jack Tharp said the Park Commission approved it. Chairman thanked Jack Tharp for doing his project in West Penn Township & also thanked him for being a Scout advancing to get his rank as an Eagle Scout. Chairman called for a motion to accept Jack Tharp’s proposal for his Eagle Scout Service Project. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

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

**E.** **Review of the Minutes** – July 6, 2020 & July 20, 2020.

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

**F. Treasurer’s Report – July 2020**

Chairman called for a motion to accept the Treasurer’s Report. Tim Houser said he spoke with the Treasurer about EIT money. Mr. Houser’s concern is the EIT money coming in during COVID because a lot of people are out of work. Tim Houser said the Treasurer said we are good with our EIT money. Tim Houser made the motion. Glenn Hummel seconded the motion. made the motion. All in favor. Motion was carried. 3-0

**G. Approval of Bills – July 2020**

Chairman questioned Rodd White from Lehigh Engineering, LLC about the most recent bill. Secretary before the meeting sent over the invoice in question to Rodd White for him to review. Rodd White made an adjustment on the invoice from $1700 to $1100. Chairman questioned a 3hr. charge for watching feral cats. Chairman asked Rodd White to check the actions of the Code Enforcement Officer & check with the BOS if a complaint requires staking out properties. Chairman also asked if he can put addresses down on the invoice, so we know what property the charge is for. Chairman called for a motion to approve & pay the bills. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

**H. Solicitor’s Report**

 **1.** Donation Agreement – Attorney Datte discussed with the BOS the Real Property Charitable Donation Agreement he prepared for Dennis D’Angelo, the owner of Bella Terra Farms, LLC land donation. Bella Terra Farms, LLC owns a parcel of land in West Penn Twp. and would like to donate approximately 26.41 acres for use of public park and potentially someday a campground. Attorney Datte feels the Township can move forward with the Land Donation Agreement with Bella Terra Farms, LLC & West Penn Township. There were final provisions made that would allow other organizations, like the ESRC to use the property for recreation purposes. The land owner agreed as long as it is for recreation purposes. Chairman called for a motion to accept the Agreement with Bella Terra Farms, LLC & West Penn Township for the Land Donation. Tim Houser made the motion to accept the Agreement with Bella Terra Farm, LLC & West Penn Township for the donation of the property. Glenn Hummel seconded the motion. All in Favor. Motion was carried. 3-0

Chairman stated that at a previous meeting we approved a wetland delineation to be done on this property. Chairman said out of the 26 acres there is approximately 3 – 3 ½ acres that would be wetlands. The BOS discussed access to this property and they feel that they would like to move forward with this donation. We will have a survey done & walk the property with the owner. The Township will have an appraisal done. Attorney Datte stated the appraisal is for the benefit of the property owner for tax purposes.

Attorney Datte also said in his report that he amended the Police Pension Ordinance, it will be advertised this week and we will adopt it at our next meeting.

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

**II. Land Use**

**A. Hamm/ Hollenbach Lot Consolidation Plan –** Planning Commission recommended conditional approval to the BOS for the Hamm/Hollenbach Lot Consolidation Plan.

Tim Houser questioned why additional acreage wasn’t added to include their septic so it would be on the same property. Scot Dietrich said that is another project. Someone else owns that parcel & the Hamm/ Hollenbach’s are trying to work something with the property owner. Chairman called for a motion adopt Resolution #14 Conditional Approval of the Hamm/Hollenbach Lot Consolidation contingent upon satisfying any comments from ARRO Consulting, Inc., Schuylkill County Planning & Bill Brior, SEO.

Tim Houser said based on the Planning Commission’s recommendations he will make the motion. Glenn Hummel seconded the motion. All in Favor. Motion was carried. 3-0

**III. Operations**

**A. Engineer’s Monthly Report – July 2020**

**Comprehensive Plan –** Rodd White said he would like to propose the Comprehensive Plan to the Planning Commission at their September meeting. Chairman & Attorney Datte verified that the Planning Commission will review the Comprehensive Plan on Tuesday, September 22, 2020 @ 7PM. Chairman asked for it to be advertised. Attorney Datte said he will coordinate it with Rodd White & Secretary. Chairman called for a motion to accept the engineer’s report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in Favor. Motion was carried. 3-0

**B. Code Enforcement Monthly Report – July 2020**

**1.** Chairman asked Rodd White for an update on the property on Mush Dahl Rd. & SR443. Rodd White stated that in regards to the Sword Property. Rodd White said they had a Zoning Hearing and the Sword’s have to apply for a sign & driveway permit. Rodd White said they have to move the piles of dirt as well. Chairman asked Rodd White to follow up on the Sword Property.

**2**. Chairman also asked the status of the concern about the property on SR309, across the street from Fegley Oil Company. Rodd White said that Ralph Hummel contacted the business owner, and was told that he would come in for the applications. Chairman asked if they applied for their permits for operating a rental business, their sign & driveway yet? Rodd White said he did not and a certified NOV was sent to the property owner last week. The BOS asked Rodd White if they would have to apply for a Zoning Permit for Change of Use because it is a business? Lehigh Engineering, LLC is waiting for a response. Tim Houser said as far as their driveway permit, would they be required to put up some kind of curbing or barriers for only one entrance in & one exit out of the property? Rodd White said he believes that would be PennDOT’s decision. The BOS asked Rodd White to contact PennDOT, District 5 and ask if the business owner would be required to do something about entering & exiting that property.

**3**. Glenn Hummel asked Rodd White about what time frame should NOVs be satisfied? Glenn Hummel feels the whole process of contacting the property owner then a few months later issuing a NOV seem too long of a period to get something satisfied.

**4.** BOS thanked Rodd White from Lehigh Engineering for finally getting the Maggie’s Kitchen situation squared up with their permits.

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 – July 2020**

Chairman read the SEO’s activity report and said there were three test probes, five site evaluation, one new permit issued, two new designs & ten Interim inspections. The well activities report consisted of three new permit applications, three site evaluations, three design reviews & three new permits issued. Chairman said there were no malfunctions reported in June.

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

**D. Road Department’s Monthly Report – July 2020**

Chairman read the Road Department Report. The Road Department Report consisted of general maintenance to the Twp. building & equipment, patching pot holes, cleaned dirt out of pipes, cleaned trees & garbage off various twp. roads, graded shoulders, installed signs & replaced faded signs, Ash Circle Project completed, Sycamore Road’s pipe is being installed, mowed and installed playground equipment, planted trees & dug trench for electric lines @ Morgan Park.

Peter’s Painting will start in the middle of August to paint the Municipal building & Annex building. Road Dept. also completed general maintenance on equipment. Chairman asked Clint Schock if he had anything to add to his report. Clint Schock stated that we were contacted about our new Backhoe. Treasurer said we signed off on it and it will be ordered. Tim Houser said he was contacted by a resident about Golf Rd. The resident requested for the Twp. to cut the shoulders. Glenn Hummel discussed 155 Mush Dahl, in regards of a drainage pipe. Glenn Hummel said he looked at it and said it looks like a private drainage pipe of the property owner. Clint Schock said he will look at it. Mr. Schock said if it is a private pipe it is not usually our responsibility. Chairman called for a motion to accept the Road Department’s Monthly Report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**E. Police Department Report – July 2020**

Chairman read the police report. The police report consisted of 7,164 miles patrolled, 267 citations issued, 84 written warnings, 351 total traffic and 333 total calls. Fine money received was $6,766.24 plus total impound $8,280.00 which equals to $15,046.24. The Chief is working on the 2021 budget & restructuring of the Police Dept. The BOS discussed the restructuring of the Police Dept. The BOS said we are changing the Pension Plan from 12 years vested to 10 years vested. The BOS discussed having one full-time officer & the rest part-time. The BOS said there are a lot of steps that will be addressed in the process but at no means will the Twp. go without coverage. The Chief discussed a Watch Guard Video System he would like to get for his department @ a cost of $ 44,478.00 with a five year no fault warranty. Chairman asked if there is a monthly cost with this system. Chief said yes there is a yearly licensing fee. Glenn Hummel stated we have to follow the State Police recommendations before we would even decide to use it. Chief said yes we go to the State Police and show them what we have & our policy & procedure and then they would certify us to use it. Glenn Hummel said the State Police is in the process of decommissioning the cameras the department currently has which means that we will not be able to use them, that is why he feels we need to move forward with this new system. Chairman wanted to know if we can trade our old system in. Tim Houser asked if we can sell it to another police dept. Tim Houser would like to hear a little more about this system. Mr. Houser asked if they are CoStars approved & asked about potential grant opportunities to purchase this system. Chairman asked the Chief if he has it in his budget to purchase this system. Chief stated he already has it in his 2021 budget. The BOS discussed cost & budget. The BOS said they are not sure about the budget for this coming year because of the COVID situation. Tim Houser asked the Chief if he is prepared to cut his budget if need be. Chief said yes as long as every dept. has budget cuts. Glenn Hummel said there are two associations that the dept. needs to become part of. The one is the Commission of Accreditation for Law Enforcement Agencies & PA Chief’s Association Accreditation Program. Chairman asked the BOS for a vote on the Watch Guard Video System. Glenn Hummel made the motion to buy the camera system. Chairman seconded the motion. All in favor. Tim Houser opposed. Motion carried. 2-1 Chairman called for a motion to hire Marcus Duarte as a part-time police officer. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Chairman abstained form vote. Motion was carried. 2-1 Chairman called for a motion to accept the Police Department’s Monthly Report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

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

Chairman read the Fire Company’s report. 27 Total calls for the month of July.

Emergency Responses included 3 Motor vehicle accidents, 14 Trees/wires down, 1 Automatic Alarms, 1 Search, 3 Fire Police calls, 4 Medical Assists & 1 Vehicle Fire. They did not any hall rentals due to COVID. Fundraisers included a Breakfast pick up only. The Fire Dept. also filled pools & did birthday parades. Chairman thanked the Fire Dept. for trying new things for fundraisers during this time. Upcoming events will include a monthly breakfast and a Festival Fundraiser. Chairman asked the Fire Chief, Jeff Bradford what is a Festival Fundraiser. Chief Bradford said we will have food trucks, vendors & kiddie rides. Its free to come to it. The Festival is from 12Noon to 6PM on August 22nd. Glenn Hummel asked the Fire Chief about their audit. Chief Bradford is hoping to have the audit by the September BOS meeting. 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 – July 2020**

Chairman read the Ambulance Report. The Ambulance Report consisted of 17 total calls this month & 254 calls year to date. The types of calls were abdominal pain, assault, back pain, breathing problems, falls, and sick people. The Ambulance assisted Tamaqua Ambulance, twice. Glenn Hummel asked if we got the Ambulance’s audit. Treasurer stated we did not receive it yet. 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** - NONE

**V. New Business**

**A.** Chairman called for a motion to adopt Resolution # 15 of 2020 Revising the Community Development Block Grant Program for Fiscal Year 2016. The Twp. requested some ADA renovations at the Twp. building & in the Police Dept.’s building. The initial cost for those renovations were estimated to be $25K, however the actual amount is $48K. The BOS will have to approve the moving of funds from previous years to cover the project costs. Chairman called for a motion to adopt Resolution # 15 of 2020 Revising the Community Development Block Grant Program for Fiscal Year 2016. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. The motion was carried. 3-0

**B.** Chairman called for a motion to adopt Resolution #16 of 2020 approving the Budget for CDBG CV Program. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. The motion was carried. 3-0

**VI. Correspondence**

**A.** Chairman discussed recycling. The Chairman said that the County is planning to make changes to their recycling program and wanted to let our residents know that we are looking for other options for our residents to recycle. Chairman received a flyer in the mail for a Matt’s Responsible Recycling business that will take electronics & appliances for a price. A resident asked if the Twp. would have an electronic drop off at the Twp. once a year? Chairman asked the secretary to call the County and asked what other options of recycling can we offer our residents and if the County still plans to have the Fall Cleanup Program. David Tyson said Lou Gordon’s daughter works for a recycling business that we may want to reach out to her. Chairman asked Secretary to reach out to her.

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

**A.** Glenn Hummel gave an update of the progress at the J.E. Morgan Memorial Park.

Glenn Hummel said we will power to the concession stand by the end of the week. Tamaqua Youth Soccer Association has been using the field for clinics and games. The Tamaqua Youth Soccer Association would like to hold some fundraiser to raise funds to finish the field. The Soccer Association built shelves in the stand and it is almost ready to be used. Chairman asked about insurance liability. Glenn Hummel stated that their insurance liability goes through Schuylkill County Youth Soccer Association and Glenn Hummel said will get a Certificate of Insurance from them. Glenn Hummel said he approached Tamaqua Youth Soccer & Tamaqua Baseball Association about leasing the park. Glenn Hummel wanted to ask Paul Datte to draw up a lease. Glenn Hummel said the Twp. would own the land but the Associations would have to take maintain the land. Chairman said we need some type of verbiage in there that West Penn Twp. residents would be allowed to still use the field. Tim Houser wants the wording to say Tamaqua Area so everyone feels they can be a part of it not just Tamaqua. Paul Datte asked the BOS if they want a provision in the lease agreement stating both Associations have to coordinate schedules when they overlap. Tim Houser questioned how long the lease agreement would be for. Glenn Hummel’s thought would be no less than five years. Paul Datte said we can have a clause in the lease agreement that would give either party 90 days to terminate the lease agreement. Attorney Datte recommends we establish time periods when each Association is responsible for taking care of the fields. Paul Datte asked Glenn Hummel to send over what time periods we would be looking at for each Association.

**B**. Labor Day Meeting – Chairman called for a motion to move the Monday, September 7, 2020 Meeting to Tuesday, September 8, 2020 @ 6:30PM. Secretary will advertise the change.

**C.** Chairman discussed billing with the BOS. Chairman said we have some type of responsibility to give information. Chairman suggested after a half hour the person looking for information should have to be charged instead of the Twp. Attorney Datte suggested we have that as part of our fee schedule or put something together like a simple pre-application. That would inform them they would be charged after a half hour. Chairman recommends Lehigh Engineering handles that. Attorney Datte recommends a form be made. Chairman calls for a motion to have Attorney Datte create a form stating any time spent over a half hour , the person seeking information would be charged. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**VIII. Public Comments on General Items**

**A**. Todd Deem – Suggested to the BOS that the fees applied should be regulated by the Twp. Chairman stated we approve fees in the beginning of the year.

**B.** Dave Tyson – spoke about Mush Dahl Rd. & a road by South Tamaqua. Mr. Tyson expressed his concerns of how the Road Dept. lays pipe & how they blacktop.

**IX. Executive Session**

**X. Adjournment**

Chairman called for a motion to adjourn @ 8:56PM. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By:

Katie Orlick

West Penn Township Secretary