

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

**Phone (570)386-4507**

**Fax (570)386-5851**

**Regular Meeting  
Tuesday, September 7, 2021**

**Present at the Meeting**

Anthony Prudenti  
Timothy Houser  
Glenn Hummel

Karen Wittig – Treasurer  
Katie Orlick – Secretary  
Paul Datte – Solicitor  
Dave Walasavage – ARRO Consulting

**I. General**

**A.** Chairman called the meeting to order at 6:30PM with the Pledge of Allegiance & Introduction.

**B. Public Comments on Agenda Items Only (5 Minutes Time Limit)** – Chairman asked if there are any public comments on Agenda Items Only. - None

**C. Review of the Minutes** – August 2<sup>nd</sup> & 16<sup>th</sup>, 2021

Chairman called for a motion to accept the meeting minutes from August 2<sup>nd</sup> & 16<sup>th</sup>, 2021. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**D. Treasurer’s Report – August 2021**

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

**E. Approval of Bills – August 2021**

Chairman called for a motion to approve & pay the bills. Tim Houser wanted to clarify a Lehigh Engineering bill for the Morgan Park. Chairman made a motion/recommendation to approve all the bills except for the Lehigh Engineering until we get clarification on it. Tim Houser seconded the motion. All in favor. The motion was carried. 3-0

**F. Solicitor’s Report**

Chairman asked the Solicitor the status of the Zoning, SALDOS and the Comprehensive Plan. Attorney Datte said he didn’t have any involvement with the Comprehensive Plan. Chairman asked Paul Datte to reach out to Lehigh Engineering, LLC and find out the status of the Comprehensive Plan. The secretary will provide Attorney Datte with the contact information for Lehigh Engineering, LLC.

Attorney Datte continued with his report. He provided the BOS with the revisions for the ground water, spring water zoning provisions. The order for this was to incorporate what the Hydrogeologist had provided to the Township. In the provisions, it was recommended that we should use “shall” instead of “will” in certain places. There were changes to some abbreviations. The items Attorney Datte feels that are significant would be the suggestion of the amount of Ground Water or Spring Water Withdrawals. It was suggested we go back to 1,000 gallons per day shall be added as a use permitted by special exception in all zoning districts. Another item was 31.A The Hydrogeologist is not suggesting we remove the exception for Agricultural Use or Golf Courses within the Township but he did suggest that an application be made and they can be exempted unless the extraction has a measurable negative effect on adjoining properties. Attorney Datte said applications shall be subject to review and approval by the Township and its consultants. The last thing of significance that Attorney Datte wanted to point out was about the Minimum lot area. Minimum lot area – The greater of one hundred acres of five acres for

each 10,000 gallons per day of water withdrawal. It was suggested to use the five acres, however the Board of Supervisors would like for it to remain as it is; greater of one hundred acres or five acres for each 10,000 gallons. The Board agreed with all the changes except they want to keep minimum lot area as it was stated above. Attorney Datte said there will also be a provision that we will have to amend our SALDOs is the Land Development Definition and that definition would have to be changed in our Zoning Ordinance as well. The last part of 1a; in the Land Development definition would be what changes. The concern was if someone lives in the commercial district and they just want to put up a single building non-residential or a garage that they can do so without a Land Development Plan. Attorney Datte said they would still have to go through the permitting process, however, they would not have to do a Land Development Plan. Dave Walasavage from ARRO Consulting, Inc. wanted a little more clarification about any "non-residential use." Attorney Datte said we would be eliminating "or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure." Dave Walasavage feels we should limited a little bit somehow. Tim Houser's concern was size limits of the building. Chairman thought we were going to limit the size. Attorney Datte said we can say a single nonresidential building in excess of a certain amount. Attorney Datte said we can restrict by lot size and/or building size. Attorney Datte asked the Board of Supervisors if the only issue that they were trying to address was the fact that people owning adjoining lots would like to put an accessory structure on the one of those lots. The BOS said, yes. Attorney Datte will take a look at that issue. Attorney Datte said the procedure for the SALDOs and Zoning are basically the same. It will have to go to the County Planning Commission and they have thirty days to review and comment. Then it should go to the Township Planning Commission before we advertise for the public hearing before the BOS. Chairman asked the Secretary to get the changes to the Groundwater Withdrawal provisions to Charlie Schmehl. Attorney Datte said he will talk to Charlie Schmehl from Urban Research and Development about the changes because he will have to talk to him about the Township Zoning Map as well. Chairman said he would like to review the map again to make sure things were changed back. Realistically, we should have them both adopted by the end of this year.

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

## **II. Land Use- ARRO Consulting, Inc.**

Chairman asked Dave Walasavage from ARRO Consulting to discuss Land Use with the BOS. Dave Walasavage said the Planning Commission met on August 24, 2021 to discuss the Deem Estate Subdivision Plan. The Planning Commission recommended to the BOS to accept the applicant's request to modify Section 1019 setting of concrete pins and allowing them to set number 5 rebar. Chairman called for a motion to accept the modification. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Dave Walasavage said the Planning Commission also recommends the Board to conditionally approve the Barbara Deem Subdivision contingent upon all comments being satisfied from Arro Consulting, Inc., Bill Brior SEO and the Schuylkill Planning Commission. Chairman called for a motion to conditionally approve the Barbara Deem Subdivision contingent upon all comments being satisfied from ARRO Consulting, Inc., Bill Brior & Schuylkill Co. Planning Commission and to adopt Resolution # 22 of 2021 conditionally approving the Estate of Barbara Deem

Subdivision. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

### **III. Operations**

#### **A. Engineer's Monthly Report – August 2021**

Dave Walasavage gave a brief report on the status of the J.E. Morgan park progress. Mr. Walasavage said the project drawings have been updated to reflect the existing current conditions of proposed work. Then they will review with the Township and subsequently work to get the project out for bids. Mr. Walasavage showed the changes to the Board of Supervisors on a proposed drawing. Dave Walasavage confirmed that they can bid out for the well first. The BOS discussed what they would like to do at the park yet. Chairman said he would like to get this moving. 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 – August 2021**

Dave Walasavage asked the Board if they had any questions about the Code Enforcement Report. Chairman raised a concern about signs with bad language on them. Chairman said that Shannon Darker our Code Enforcement Officer said the International Property Maintenance Code may be able to help us put something in place for signs like that. Chairman asked the BOS how they felt about maybe adopting the International Property Maintenance Code. Glenn Hummel said what about the Freedom of Speech. Attorney Datte said you cannot regulate content. Attorney Datte said he will still look into that. Chairman called for a motion to accept the Code Enforcement 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 – August 2021**

Chairman read the Sewage Enforcement Officer's Report. The SEO's report consisted of 1 New Permit Applications, 1 Test Probes, 2 Perc Tests, 1 Site Evaluations, & 3 Subdivision Review. There were no Malfunctions for the month of August. 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 – August 2021**

Chairman read the Road Report. The report consisted of general maintenance to the Twp. Building & Equipment, Patching Potholes on Dirt & Paved Roads, Cleaned & Dug out Pipes & Waterways on Twp. roads, Cleaned trees & garbage off roads, built recycling bin walls & put posts in for gate & graded shoulders. The Road Dept. also, started the Cold Spring Rd. project & Replaced pipes on Wash Creek Rd. Chairman read the Maintenance Report for August. Chairman said the speed limit signs are in for Mush Dahl and we will get them installed. Chairman said he would like the Road Dept. look at Mill Dr. for a Low Volume Grant for next year. Chairman also discussed a culvert by Chain Circle that should be looked at.

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

#### **E. Police Department Report – August 2021**

Chairman read the police report. The police report consisted of 6,873 miles patrolled, 86 total traffic & warnings and 96 total calls. Fine money received was \$5,661.69 plus total impound \$610 which equals to \$6,271.69. OIC Jim Bonner submitted a letter of request to hire Marcos Duarte as a Part-Time Police Officer. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was

carried. 3-0 Police Dept. has new cell phone #s for OIC & Officer on duty. Chairman called for a motion to accept the Police 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 – August 2021**

Chairman read the Fire Company's report. 27 Total calls for the month of August.

Emergency Responses included 5 Motor vehicle accidents, 14 Trees/wires down, 3 Automatic Alarms, & 2 Car Fires & a Residential Rescue. The Fire Company conducted their monthly breakfast and business 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

Jeff Bradford Fire Chief thanked the community for being patient during the storms. The Fire Dept. had over 20 cellar pump outs, some road closures and a lot of tree on wire clean ups. Jeff Bradford also, said the Fire Dept.'s yearly fundraiser letter is out in the mail and he would like to thank everyone that has already participated. Fire Chief asked the newspaper guy if he can put in the paper about their monthly breakfast & their yearly fundraiser.

#### **G. Ambulance Report – August 2021**

Chairman announced that the Ambulance has a new president Jeff Bachman which he replaced Val Coombe. Val Coombe resigned for family reasons. Samantha Parker is the Vice President. The Chairman read the Ambulance report. They had 16 total dispatches in the month of August. Dispatches are as follows: 1 Automated Crash Notification, 2 Breathing Problems, 1 Cardiac Arrest, 3 Chest Pain, 1 Diabetic Problem, 1 Fall Victim, 2 Sick Person, 2 Stroke/CVA and 3 Unconscious/Fainting. Receiving Hospitals were Geisinger St. Luke's, Lehigh Valley – Cedar Crest, St. Luke's Lehigh Valley & Miner's Memorial. Jeff Bachman, president of the Ambulance asked the Board of Supervisors if they would be able to meet and discuss some concerns about finances & the ambulance. Samantha Parker asked the writer for the Times News to put in the newspaper a small part about always looking for EMT & EMR to help the Ambulance Association. Chairman called for a motion to accept the Ambulance Report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **IV. Old Business - NONE**

#### **V. New Business**

**A. Emergency Management Coordinator** - Our previous Emergency Management Coordinator was Police Chief Brian Johnson. Brian Johnson retired so we will have to fill this position. Chairman said Connor Evans, who is the Assistant Fire Chief volunteered to be our new Emergency Management Coordinator. Chairman made the motion to appoint Connor Evans the new Emergency Management Coordinator. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Chairman asked the secretary to make the necessary changes.

**B. ARPA Fund** – Chairman discussed hiring ZA (Zelenkofske Axelrod, LLC) accounting firm, to help the Township figure out eligible uses for the ARPA funds that will benefit our community & help with reporting requirements. The total amount to hire them would be \$11K. Chairman asked if they were from PSATs. Secretary said that PSATs recommends them. The fee can be paid from the ARPA money. Attorney Datte suggested we have a contract to move forward and he will review it to see what they are offering. Attorney Datte recommends we defer formal action until he reviews the contract. Tim Houser's concern was if we had to front the full \$11K right away. Chairman said we will table this decision this until we review the contract.

**VI. Correspondence**

A. Chairman announced that Schuylkill County Sets Fall Clean Up for the week of September 13<sup>th</sup> -17<sup>th</sup>, 2021. The closest spot for this clean-up for our Township would be Tamaqua Transfer. The clean-up will not be accepting electronics this year.

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

A. Chairman announced budget meetings will start Monday, September 20, 2021, following the 10AM meeting.

**VIII. Public Comments on General Items**

A. **Todd Deem** – spoke about the grants available for Emergency Management.

B. **Terri Knoedler** wanted to inform the BOS that Bill Brior the SEO will be on her property on September 16<sup>th</sup>, 2021. Bill Brior will be checking out her septic.

C. **Dave Frederick** asked about doing pipe work on Chain Circle.

D. **Todd Deem** feels that the white road department truck should have lettering on it to indicate that it is a West Penn Twp. Truck.

**IX. Executive**

A. Chairman called for a motion to go into Executive Session for Personnel Issues at 8:15PM. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0  
Chairman called meeting back to order @ 8:35PM. Tim Houser said the secretary can arrange interviews for Wednesday or Thursday.

**X. Adjournment**

Chairman called for a motion to adjourn @ 8:25PM. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**Transcribed By:** Katie Orlick, WPT Secretary