

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

Phone (570)386-4507

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**Regular Meeting
Monday, March 7, 2022**

Present at the Meeting

Anthony Prudenti
Timothy Houser
Glenn Hummel

Karen Wittig – Treasurer
Katie Orlick – Secretary
Mike Begis – ARRO
Paul Datte – Solicitor

I. General

A. Tony Prudenti called the meeting to order at 6:00PM with the Pledge of Allegiance & Introduction.

B. Public Comments on Agenda Items Only - None

C. Review of the Minutes – February 7th & 21st, 2022.

Chairman called for a motion to accept the meeting minutes from February 7th & 21st, 2022. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

D. Treasurer’s Report – February 2022

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

E. Approval of Bills – February 2022

Chairman called for a motion to pay the bills. Chairman said we have one bill in question from a previous Engineering Firm. Tim Houser made the motion to approve the bills with the exception of Lehigh Engineering, LLC. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

F. Solicitor’s Report – Attorney Datte said he spoke with Charlie Schmehl from Urban Research & Development. Mr. Schmehl pledged to get us the revised mapping for the Zoning by our next meeting. Mr. Schmehl is incorporating the Water Extraction Provisions, which the BOS approved in the Ordinance. Charlie Schmehl indicated that conforming the mapping to the current version of the Comprehensive Plan to the Zoning Mapping, which was reviewed, by the BOS, & Planning Commission and so forth, would not be a major undertaking. Mr. Schmehl can do that so the mapping in the Comprehensive Plan is consistent with the Zoning Mapping. Mr. Schmehl feels we can do the Comprehensive Plan & the Zoning Ordinance and schedule a public hearing on both the same night. Charlie Schmehl also mentioned he would have a draft of the suggested new SALDOs Ordinance available to us shortly. 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 –

A. Galen & Sarah Troxell Subdivision

Mike Begis from ARRO Consulting, Inc. said we reviewed Galen & Sarah Troxell’s Subdivision Plan. The Plan proposed to subdivide parcel #37-09-0016.000 into three separate parcels. Lot 1 & 2 was proposed to be for single-family residential use. The third lot would be residual land and remain as agricultural use. The property is in the Agricultural Zoning District. The Planning Commission recommends

conditional approval contingent on comments being satisfied from the Arro Consulting, Inc.'s letter dated February 7, 2022, Bill Brior, SEO & Schuylkill Planning Commission. Chairman called for a motion to adopt Resolution # 14 of 2022 Conditional Approving the Galen & Sarah Troxell Subdivision. 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 – February 2022

Chairman asked Mike Begis from ARRO Consulting, Inc. if he had anything to report for the month of February. Mike Begis said he provided the BOS a report and he would be happy to address any questions the BOS may have. Mike Begis said we tabled the bid last meeting for Morgan Park; he would like some direction on what we are going to do with that. Mr. Begis said the bid package came back like \$49K over budget. Mr. Begis ran some numbers to see if we could reduce what the bidder proposed by doing some of the work ourselves or we can eliminate some of the items from the project. Glenn Hummel questioned Mike Begis about CoStars. Mike Begis said you can get the materials through CoStars but you would still have to bid out to install it. Attorney Datte asked when the expiration date is on the bid proposal. Glenn Hummel asked if we can remove items from the bid or do we have to deny the whole bid. Mike Begis said we could remove items as long as the contractor agrees. Mike Begis said we could do a change order to the contract. Attorney Datte said he believes we have to award the contract for the full amount and approve the change order at the same time. Chairman suggests we have a meeting to discuss what we can change or do ourselves from the bid. Chairman asked the secretary to set up a meeting to discuss the bid packet. Chairman called for a motion to accept the Engineer's Monthly Report. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

B. Code Enforcement Monthly Report – February 2022

Mike Begis asked the BOS if they had any questions on the Code Enforcement Report or about permits issued. Mike Begis said the only concern Shannon Darker pointed out to him was the West Penn Pike Property. Ms. Darker was asked to hold off in processing the NOV until the tax sale. The tax sale was continued until April 20, 2022. Tim Houser asked about Chestnut Circle. Tim Houser asked if it is time to secure that property because it is now uninhabitable. Chairman would like to consider it an emergency and hire someone to plywood the first floor, doors & windows so no one could get in, we need to cap the sewage pipe, clean up sewage and backfill the hole. Attorney Datte suggested we talk about this situation in executive session. Chairman called for a motion to accept the Code Enforcement Officer's monthly report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

C. Sewage Enforcement Officer's Monthly Report – February 2022

Chairman read the sewage enforcement officer's report. The report consisted of 1 new permit application, 1 permit repair, 2 site evaluations, 1 malfunction inspection, 12 final inspections and 2 subdivision plan reviews. Chairman explained the situation with a malfunction on a property. Chairman said the original property owners said they sold the property to a woman but the woman never got the deed recorded so technically the original owners still own the property in question. Chairman read a letter from Bill Brior, SEO, about the malfunction on Chestnut Circle. Rachel Keer commented and said there has been garbage pick-up at the house, but no one has been living there as far as she knows. Ms. Keer also stated that she has been told that the Sewage issue is going to be fixed. Chairman called for a

motion to accept the Sewage Enforcement Officer's 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 – February 2022

Chairman read the Road Department's Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, Fixed potholes on dirt roads with millings, Plowing & Cindering Township Roads, Fixed Street Signs, Fixed potholes along Twp. rds. With Cold Patch, Trimmed Brush around Street Signs, Fixed shoulders on Clearview Crossing with millings, & Poles, Cleaned up Trees & Limbs, Got Salt and Mowed Brush back on Twp. Roads. Jeremy Fable, Road Master asked the BOS if we could sell the 1979 Owens Equipment Trailer & the Kuhn Flail Mower TB 181 on Municibid. Tim Houser would like the Road Master to make sure these are the only items he would like to sell because he would like to advertise everything one time. Chairman read the Maintenance Report. Chairman advised the Board that the Twp. Bucket Truck is in need of repairs and he said we may want to list that on Municibid as well. Chairman got Jeremy Fable on the phone to discuss our options with the Bucket Truck. Jeremy Fable recommends we get the Bucket Truck back to the Township and have someone else look at it to see if it could be fixed any cheaper than the price, we were quoted from PVC. 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 – February 2022

Chairman read the Police Report. The Police Dept. had 10,279 miles patrolled 196 total citations & warnings, 8 motor vehicle accidents, & 123 total calls. The total fine money \$3,912.46 + Incident Reports \$60 + total impound \$8,320 - Towing Fees = total money received \$10,127.46. Chairman discussed Police Department Topics with the Board. Jim Bonner stated he got three bids for a vehicle that was in the impound lot and Zaprazny was the highest bidder. Glenn Hummel asked what Zaprazny's price was. Jim Bonner said \$710. Chairman called for a motion to accept Zaprazny's bid. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0. Police Department is requesting to add "Snow Drift" signs on Pine Hill Road & Archery Club Rd. Board approved the Road Department to purchase 4 "Snow Drift" signs, 2 for each road. Police Chief Jim Bonner received a complaint about the speed limit on Zion Stone Rd. Chief said one there were trucks speeding on the road and generally cars speed on that road most of the time. Jim Bonner said he did some research on the road. Chief said the road is Zion Stone and it runs from SR309 to Archery Club Rd. Chief said he traveled from SR309 to Archery Club Rd. and the speed limit signs read 35mph then there is a sign that says end 35mph. Then you travel another mile and it says 25mph. If you travel from Archery Club to SR 309 you come up on 25mph then a little down the road it says end 35mph. Chief Bonner feels it is an Urban Road Way & it's not considered a state highway. State Highways are considered and assumed as 55mph even when the road is not posted. Chief Bonner said any urban roadway such as Zion Stone Church Rd. is 35mph. Chairman asked who makes that determination that it is an urban rd. Chief said it falls under the guidelines. Jim Bonner said there are two things we are governed by which is 3362 in the Vehicle Code Book that says 35mph in an Urban District. Jim Bonner said his understanding was Zion Stone Church Rd. use to be a State Highway. Mr. Bonner also said that Township took it over & since it changed to urban roadway, rural roadway it should be 35mph. Chief said that roadway should be 35mph the entire length. Jim Bonner said we have the authority to change it but he is looking for approval from Paul Datte, our Solicitor. Chief Bonner said we could do Zones to address speed. Attorney Datte asked if the area where it is 25mph is resident district that was

established by the board. Chairman said no. Tim Houser asked what gives us the authority to qualify the road as an Urban Rd. & lowering the speed limit without doing an Engineering study. Tim Houser said Zion Stone, Mush Dahl and Pine Hill use to be State Rd. Chief said PA Code Chapter 212.108 Speed Limits give the authority. Chairman recommends we get in touch with John Davis from Penn DOT, to tell us what these roads are designated as. Jim Bonner said he could do that. Chairman agreed with the Chief to take the End 35mph sign down that is on Zion Stone Church Rd. to avoid confusion. Attorney Datte asked if we could research to see if that stretch of Zion Stone Church Rd. was made into a residency district. Attorney Datte recommends we get a motion to establish the 25mph speed limit on Zion Stone and then beyond that to qualify a 35mph, urban vs. rural if it qualifies for that. Chairman said the game plan would be to get rid of the End 35mph speed limit sign, get in touch with John Davis and find out what they determine the road to be and we will see what we can do about the residential district and how far we can go with that. Chairman called for a motion to accept the Police Report.

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

F. Fire Company Monthly Report – February 2022

Chairman read the Fire Company's report. 24 Total calls for the month of February. The report consisted of 6 motor vehicle accidents, 2 vehicle fires, 1 brush fire, 8 wire/tree down, 1 automatic fire alarm, 3 medical assist, 4 Fire Police Call & 1 Structure Fires. The department had their monthly meeting, did equipment inspections & vehicle stabilization. They had their monthly fundraisers such as the monthly Breakfast & Fire Company Cash Bingo. Chairman called for a motion to accept the Fire Department's Monthly Report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor.

Motion was carried. 3-0

G. Ambulance Monthly Report – February 2022 - NONE

IV. Old Business

A. Chairman announces today, March 7, 2022 the 2006 Chevy Colorado is on Municibid for sale and it is now open for bids. We will award the bid to the highest bidder if the Board approves the amount on Monday, March 21, 2022 at our Morning Public Meeting.

V. New Business

A. Chairman called for a motion to advertise for Mowing & Trimming at the West Penn Township Community Parks, Zion Stone (West) & the J.E. Morgan Memorial Park (East) for 2022. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

VI. Correspondence - NONE

VII. Business from Anyone on the Board - NONE

VIII. Public Comments on General Items

A. **Todd Deem** – Questioned the Board about Towing. Mr. Deem said prior to the end of the year he purchased & now qualifies for heavy duty Towing. Mr. Deem would like to know when he could be added to the heavy duty Towing List. Chairman asked the Chief of Police about the Towing Policy. Chief said he spoke to Nothstein and they are out of the Towing Business. Chief said he is going to revise the Towing Policy. Chief said he would be rotating the Towing Companies accordingly. Mr. Deem said when he is going to be added to the big towing schedule. Chief said he is not doing anything with that right now. Mr. Deem said that according to your current policy his business is the only company that meets qualifications. Scott Soley strongly disagrees with Mr. Deem's statement. Chief said he already looked into who qualifies and Soley's Towing is qualified. Chief stated as of not the large towers will remain the same. Chief is not changing anything until his SOPs are complete.

B. Zack Moser – He received an NOV in the mail. Mr. Moser said he had a camper & a small shed on Rabbit Run Rd.

He removed the structures. Mr. Moser said he would just like to stay in compliance but he feels while he is working up there why he cannot have a shed there to hold his tools & his machinery to maintain his property. Mr. Moser also did not understand why he could not camp out on his land sometimes. Chair explained our Zoning Ordinance states that you cannot have an accessory use on a piece of property without a primary use. Shed & Camper are accessory uses. Chairman said we are currently updating our Zoning and changing that. Chairman thanked Mr. Moser for conforming to our Zoning Ordinance at this time. Chairman asked the Board if they had a problem with Mr. Moser camping on his land. They did not have any issues with that. Tim Houser's only concern was about sewage and the disposal of it. Tim Houser's other concern was Mr. Moser did not have a driveway permit. Attorney Datte said there are two issues when it comes to driveways and that is clear site distance & storm water management. Mike Begis said Mr. Moser should apply for a driveway permit.

Deroy Haas asked if the speed limit will change on Zion Stone Church Rd. Attorney Datte said, we are looking into the speed limit for that road.

Terri Kneodler - questioned the Chestnut Circle home that had the sewage problem. Ms. Kneodler wanted to know how she could get a speed limit sign on Fort Franklin. Ms. Kneodler was also concerned with people running the stop sign. Ms. Kneodler said she has camera footage of people running the stop sign. Chief said she could drop it off at the police station if she would like the Chief to review it.

IX. Executive Session

A. Chairman called for a motion to go into Executive Session at 7:17PM for possible litigation. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0
Chairman called back the meeting at 7:43PM and said they had an executive session for possible litigation.

X. Adjournment

Chairman called for a motion to adjourn at 7:46PM. 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