

West Penn Township Board of Supervisors

27 Municipal Road

New Ringgold, PA 17960

Phone (570)386-4507

Fax (570)386-5851

Regular 10AM Monthly Meeting

ANNEX Building

Monday, May 16, 2022

Present at the Meeting

Tony Prudenti – Chairman

Katie Orlick - Secretary

Tim Houser – Supervisor

Paul Datte – Solicitor

Glenn Hummel – Vice Chairman

Mike Begis – ARRO Consulting, Inc.

Karen Wittig – Treasurer

I. General

A. Anthony Prudenti called the meeting to order with the Pledge of Allegiance & Introductions at 10:00AM.

B. Approval of Monthly Bills

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

C. CDBG Hearing – Tina Roseberry & Cheryl Fuss

Chairman introduced Tina Roseberry & Cheryl Fuss of the CDBG Program. They presented the annual CDBG Hearing. Tina Roseberry works with municipalities in Schuylkill County. Ms. Roseberry said the purpose of the Hearing today was to discuss the Community Development Block Grant. West Penn Township applies annually to receive funds from this grant. Annually, West Penn Twp. gets around \$90K. The eligible activities for those funds can range from water & sewer line replacement, housing rehabilitation, certain construction projects, roads, ADA accessibilities, acquisition of properties, demolition. The County applies on behalf of the Township. The next step in the process is to update the Township's Three Year Plan.

Ms. Roseberry opened it up to Public Comment. Tim Houser asked about Demolition. Mr. Houser asked if the Twp. would have to own the Property before demolishing it. Ms. Roseberry said you have to have access & have control of the property.

Cheryl Fuss said you could take the property by conservatorship. Attorney Datte said there was never an estate raised for the person that died who owned the property. Attorney Datte said although the bank has control of it, the bank never went through formal closure at this point.

Chairman asked a question about parks and if we can only use funds for existing projects to make them ADA accessible. Ms. Roseberry said yes, it could be ADA accessible, adding new equipment but not adding maintenance or maintenance equipment. Chairman asked would redoing a soccer field be an eligible expense. Ms. Roseberry would have to look into that question.

Chairman asked if Tina Roseberry and Cheryl Fuss if they could arrange a meeting with the Board to discuss eligible activities to use the CDBG funds.

D. Ambulance Report – March & April

Chairman called for a motion to add the Ambulance Report to the Agenda. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Chairman read the Ambulance Report. The March Ambulance Report consisted of 28 calls and YTD 92 for the month. Dispatches included 1 hemorrhage, 2 traumatic injury, 1 sick, 3 traffic accident, 4 breathing problems,

etc. Hospital Destinations included Lehigh Valley Cedar Crest, St. Luke's Carbon & Miners and Geisinger St. Luke's. The April Report consisted of 23 calls and YTD 115. Dispatches included 3 hemorrhage, 3 sick people, 3 traffic accidents, 2 breathing problems, 2 fall victims, 2 strokes, etc. Hospital Destinations included Lehigh Valley Cedar Crest, St. Luke's Minors and Geisinger St. Luke's. Ambulance reports submitted by Samantha Parker of the Ambulance Association. Glenn Hummel asked Don Hoppes from the Ambulance Association, if he could have the origination of the calls added back on the report. Chairman called for a motion to accept the Ambulance reports from March & April. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Glenn Hummel made a motion to rescind the previous motion from last month about not paying any bills until we got the ambulance reports. Tim Houser seconded the motion. All in favor. Motion was called. 3-0

II. Public Comment on Agenda Items – NONE

III. Land Use – NONE

IV. Old Business

A. Draft Zoning Ordinance – Attorney Datte said he provided the draft zoning map & ordinance to the Board. He wanted to make sure the BOS are good with it before he would advertise & send it to the WPT Planning Commission & County Planning Commission for review. Attorney Datte said he anticipates having the Zoning Ordinance on the Agenda for adoption on July 5, 2022. Attorney Datte asked the Secretary to send the Zoning Ordinance over to the Planning Commission once she receives the updated version. Chairman asked to have the hearing for the Zoning Ordinance 5:30PM, July 5, 2022 before the regular public Board meeting. The Board agreed for that date. Secretary will send Attorney Datte the questions the Board has on the draft. Attorney Datte said we need a motion to schedule the Zoning Ordinance Public Hearing on July 5, 2022 at 5:30PM at the Township Building and allow Attorney Datte to do the necessary advertising for the Hearing on the Zoning Ordinance. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

B. Speed Limit on Zion Stone Church Rd.

The Board of Supervisors asked Attorney Datte, what the Township would have to do in order to change the speed limit on Zion Stone Church Rd. Attorney Datte reviewed the Carbon Engineering Traffic Study from 2001. He has the following thought of what we can do:

The State Vehicle Code defines a residence district as “the territory contiguous to and including a highway not comprising a business district when the property on the highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.” The Vehicle Code then permits the establishment of a 25 mph speed limit in a residence district if the highway is not a numbered traffic route (Zion's Stone Church Road is not a numbered traffic route) and is functionally classified by Penn DOT as a local highway, which is the case with Zion's Stone Church Rd. We have always liberally construed that provision. Attorney Datte's review of the aerial photography for the entire length of Zion's Stone Church Rd. suggests that the Road can be classified as a residence district and a 25mph speed limit can be established for its entire length. Based on the Township's residence district speed limit ordinance, the BOS can establish this residence district by Resolution.

Attorney Datte is not aware of any time period applicable to traffic studies, he does not believe we can blindly rely on the Carbon Engineering Traffic Study since it is over 21 Years old & some circumstances may have changed. If it is desired to establish a 35 mph speed limit for the portion of Zion's Stone Church Rd. West of the existing 25mph residence district. A stand-alone speed limit Ordinance would be required assuming the updated Traffic Study supports the 35mph speed limit.

If no changes were made, then the speed limit on Zion's Stone Church Rd. West of the existing 25mph residence district would remain at 55mph.

Tim Houser asked if this would have a conflict on the current zoning district along Zion Stone Church Rd. Attorney Datte said no. Tim Houser also asked who would purchase the speed reduction signs. Attorney Datte recommends the Township change the speed limit overall Zion Stone Church Rd. Chairman suggests Attorney Datte should make the Resolution to reduce the speed limit of that road. Jeremy Frable can get a quotes for the signs needed to post the speed on Zion Stone Church Rd. Chairman also recommends we look at painting lines on certain roads.

V. New Business

A. Appointment of Herb Woodring to the Planning Commission

Herb Woodring wrote a letter expressing his interest in becoming a member of the Planning Commission. Chairman called for a motion to appoint Herb Woodring to the Planning Commission. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Herb Woodring will serve the remaining term of the late Dave Frederick.

B. Appointment of Earl Pratt as an Alternate on the Zoning Hearing Board

Earl Pratt wrote a letter of interest to be on the Zoning Hearing Board. Chairman called for a motion to appoint Earl Pratt as an Alternate on the Zoning Hearing Board. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

C. Approve Impound Salvage Quotes

Chief said they reached out to four different companies this time for quotes on salvage & only heard back from Zaprazny.

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

VI. Business from Anyone on the Board

Tim Houser asked if we heard from Bill Brior about when the testing the cesspool & hydraulic test would be done on the Chestnut Circle property. Chairman said the test would be performed within the next two weeks. Chairman stated that the house will be boarded up and the ditch will be filled in with dirt. Chairman requested police presence when boarding up to make sure everyone is out and no trouble occurs. Tim Houser asked Paul Datte if the Township should pull the main electricity. Attorney Datte said whatever Shannon Darker from ARRO Consulting, Inc. suggests is necessary. Chairman & Attorney Datte asked the Secretary to reach out to the contractor and coordinate turning off the electric at the Chestnut Property.

Glenn Hummel had a question for Attorney Datte about the Hometown Hero flags. Mr. Hummel asked if we decided to allow memorial flags displayed at our building can we limited to just Veterans. Attorney Datte said he does not see why you could not limit it to just Veterans because it is the Township's Building.

VII. Correspondence - NONE

VIII. Public Comment on General Items

Gary Steigerwalt – Road Dept. called him three times but Mr. Steigerwalt's voicemail was full. Jeremy Frable, Road Master will get in touch with Mr. Steigerwalt and they would discuss his concerns on what he feels needs to be fixed.

Delroy Haas – thanked the Glenn Hummel, Supervisor in charge of the Police Department for the Police Department doing property checks while he is away.

Chairman - thanked the Road Department for the job they did on Rabbit Run Rd. & Glenn Hummel said they are doing a great job on the soccer field at the J.E. Morgan Memorial Park.

Connor Evans, Assistant Fire Chief – said he was asked to come to the meeting today and ask if the Township would be willing to mow the grass at the Fire Station. Tim Houser asked Connor Evans for

favor on behalf of the Township as well. Mr. Houser asked if the Fire Company would approve expansion of the Recycling Bin Pad.

Connor Evans is all for it but he was involved in the meeting, he feels that there are things at the recycling area that has not been completed yet. Mr. Evans said lighting for nighttime and cameras at the location to monitor what is going on at the site would be appreciated. Mr. Houser said that was proposed. Chairman questioned the lighting because the Township does not want it opened at night. Scott Soley suggested solar powered lights. The Township does not want the liability for residents going there at night. Tim Houser said although recycling is, "free" thanks to Tamaqua Transfer, but it still costs the Township money. Chairman would like to request someone from the Fire Department come to every meeting. Chairman called for a motion to put up cameras & lights not to exceed \$1000. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Connor Evan was asked to price cameras for the existing system.

IX. Executive Session – Chairman called for a motion to go into Executive Session to discuss Personnel Issues at 10:58AM. 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 11:44AM. The Board discussed Personnel Issues & Potential Lawsuits.

Glenn Hummel stated we had a couple issues with Towing in the Township that the BOS needs to address. Glenn Hummel made the motion to suspend DAT Towing for 60 days from the Towing list from the Township. Attorney Datte said the decision was based on reports received by Chief Jim Bonner. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

X. Anything Else from the Board

Tim Houser reminded everyone to get out and vote on Tuesday.

XI. Adjournment

A. Chairman called for a motion to Adjourn at 11:48AM. 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