

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

Phone (570)386-4507

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Regular Meeting
Monday, May 2, 2022

Present at the Meeting

Anthony Prudenti
Timothy Houser
Glenn Hummel

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

I. General

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

B. Moment of Silence for Dave Frederick

West Penn Board of Supervisors took a moment of silence before the public meeting. The Township put their flag at half-staff in honor of Dave Frederick. He was a member of the Planning Commission and an asset to our community. Dave Frederick was involved in the Zoning Committee and the Comprehensive Advisory Committee. He also played a role in getting the display Train Engine by the Police Station and he wanted to bring another Train Engine to display at our Atlas Park. The Atlas Park Train Engine was one that transported dynamite for Atlas Power Company.

C. Public Comments on Agenda Items Only - None

D. Review of the Minutes – April 4th & 18th, 2022.

Chairman called for a motion to accept the meeting minutes from April 4th & 18th, 2022. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

E. Treasurer’s Report – April 2022

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 – April 2022

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

G. Solicitor’s Report – April 2022

Paul Datte was unable to make the meeting. However, the Chairman reported that we finally received our final zoning draft & map back. Chairman said Paul Datte would instruct us for what we need to do next.

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

II. Land Use – None

III. Operations

A. Engineer’s Monthly Report – April 2022

Chairman asked Mike Begis from ARRO Consulting, Inc. if he had anything to report for the month of April. Mike Begis updated the Board about the parks. Mike Begis said he spoke to the contractor for the J.E. Morgan Park and he would like to schedule a site meeting. Mike Begis said the Board approved the Engineer to move forward with the Subdivision for the Atlas Park. Brinkash will be doing the survey/subdivision for \$2900. Upon authorization to proceed to work will be started within 4 weeks and completed within 6 additional weeks from date of authorization to proceed, barring inclement weather and/or unforeseen problems. This cost proposal does not include filing fees or costs associated with DEP Component Nos. 1 or 2 planning modules in the event that an on-lot would be needed. Chairman called for a motion to spend \$2900 to Brinkash to bring the Atlas Park Subdivision through the process of the Subdivision. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Chairman called for a motion to accept the Engineer's monthly report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

B. Code Enforcement Monthly Report – April 2022

Mike Begis asked the BOS if they had any questions on the Code Enforcement Report or about permits issued. Tim Houser questioned a property that was on West Penn Pike and received a NOV for Sanitation, Rubbish and Vehicles. The Twp. held off to pursue because it was scheduled for tax sale 4/20/22. We were informed that the sale was pushed to June 2022.

Chairman discussed Chestnut Circle. There is a property on Chestnut Circle that has been posted as uninhabitable because of Sanitation, Rubbish, Garbage and a Malfunctioning Sewage issue. The NOV was issued on 1/28/2022. The property was also placard "Uninhabitable". No one notified the Township of any work. The Board approved the sewage be capped, the trench filled in and the house boarded up. The Solicitor at a previous meeting said before the property is boarded up the police should go through the homes to make sure no one is inside. Then the houses can be secured and boarded. Septic Solutions was contacted by the occupant to connect new pipes. The occupant did not apply for any permits and because of the situation, Chief Bonner had to cease & desist the company from doing any work on this system. Secretary said she spoke to Bill Brior the Sewage Enforcement Officer, he said he spoke to the occupant and told her what needs to be done. She said she had the cesspool inspected. Bill Brior called to verify with Strauss Brothers and they said it was over 3 ½ years ago. Bill Brior said, he called her back and told her what he found out and told her again what she needed to be done again. Bill Brior called Septic Solutions and asked if she scheduled a cesspool inspection and they said we would not do anything unless she pays up front because of her history of payment. Bill Brior called Septic Solutions on 5/2/22 and asked if she paid and they said no. Septic Solutions also said that if and once she does, we would be notified. Rachel Keer the neighbor expressed her concerns with the property. She has three small children that she cannot let outside to play because she is afraid they will fall in the deep trench. Chairman called Bill Brior during the meeting. Chairman said as long as we get the ok from Paul Datte, Bill Brior and the Zoning Officer we can cap and board the house. Tim Houser made the motion. Glenn Hummel seconded as long as it is done this week. All in favor. Motion was carried. 3-0 Chairman called for a motion to accept the Code Enforcement Officer's 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 – April 2022

Chairman read the sewage enforcement officer's report. The report consisted of 5 new permit application, 9 Test Probes, 10 site evaluations, 5 new permits issued, and 1 malfunction inspection. The SEO did an on-site inspection on 4/6/22. No sewage odor or sewage violation exists at this time. The

building is serviced by a holding tank and it appears to be operating properly. Tim Houser asked the Secretary, does a property owner notify us when the tank is pumped. Secretary said, no. Bill Brior called in during the meeting. Chairman explained the situation at Chestnut Circle, which Bill Brior is very familiar with the situation. Chairman asked Bill Brior if we can cover up the trench hole. Bill Brior said he was told Septic Solutions was contacted to inspect the cesspool, to see if it is even a viable cesspool. After the inspection, they will conduct a hydraulic load test, to see if it is actually functioning properly. If it is viable and satisfactory then Bill Brior will issue permits to complete the work and hook up the pipes. If the system is unsatisfactory, they would have to put a completely whole new system in. Bill Brior's educated guess is that the inspection will be unsatisfactory. Chairman asked what we could do in the meantime. Tim Houser asked if we can have the contractor put steel plating over the hole or fencing around it because of the children living next door. Chairman asked Bill Brior if the Township would fill in the trench & cap the pipes would this do anything more to the system. Bill Brior said no because we would not be covering up the cesspool. Tim Houser asked about if the Hydraulic Load test would blow the bed out. Bill Brior said a cesspool does not have a bed. What they do because it is a double home, they would dump 800 gallons of water into that cesspool to see can handle that flow. Bill Brior said if this cesspool fails inspection, they would have to replace the whole system. Chairman thanked Bill Brior for taking our call. Tim Houser made the motion to rescind the previous motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Glenn Hummel made the motion to move immediately to close/cap the trench and board the house. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Chairman called for a motion to accept the Sewage Enforcement Officer's 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 – April 2022

Chairman read the Road Department's Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, Fixed potholes along various Township roads with cold patch, Re-Profiled Ridge Road & Redhill Rd. with 2A Modified, Cleaned Cinders off Bridge Deck throughout the Twp., Graded shoulders on Lime Kiln Drive , Forest Drive & Redhill Rd., Cleaned up Trees & Limbs, Mowed Brush back on Twp. Roads, cleaned up leaves at Zion's Stone Park, Cut roads for pipe replacement on Locust Lane, Troxell Valley Rd. & St. Peters Rd., did road inspections with supervisors & attended the PSATs Conference in Hershey. Chairman read the Maintenance Report. Jeremy Frable, Road Master, recommends we adopt a Right-of-Way Obstruction Ordinance. Glenn Hummel & Tim Houser would like to look into the Ordinance further. Chairman does not agree. Chairman asked the secretary to reach out to PSATs to see if we can get a sample ordinance and ask our Solicitor for his input. Tim Houser said Township roads should not be used as a playground. Chairman asked Jeremy Frable who changes the oil in the Police cars. Jeremy Frable said the road department and it would depend who is assigned to do that job for the day. Chairman called for a motion to approve the Road Report. Tim Houser made a motion to approve the Road Master's report. Glenn Hummel seconded the Motion. All in favor. Motion was carried. 3-0

Chairman opened the bid for the 2022 Multi-Municipal Bituminous Seal Coat.
 The Township received one bid packet from Asphalt Maintenance Solutions, LLC.
 The Results are below:

SCHEDULE OF PRICES					
1.Item No.	2. Approximate Quantities	3. Units	4.*Description	5. Unit Price	6. Total
1.	15,196	SY	T-814 Ash Circle from T-980 Ridge Road to SR-895 Single Bituminous Seal a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$28,416.52
2.	8,478	SY	T-926 Water Wheel Road from T-905 Zion Stone Church Road south for 4,224' to dirt portion Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$15,853.86
3.	15,639	SY	T-767 Sycamore Lane from T-905 Zion Stone Church Road to T-994 Archery Club Road Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$29,244.93
4.	3,804	SY	T-901 Laurel Lane from the Township Line to T-994 Archery Club Road Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$3.74	\$14,226.96

Subtotal \$87,742.27

WEST PENN TOWNSHIP					
5.	4,330	SY	T-904 Oak Terrace Road SR-443 north for 2,270' to dirt portion Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$8,097.10
6.	5,821	SY	T-941 Wash Creek Road from T-783 Golf Road to T-785 Dairy Road Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$3.74	\$21,770.54
7.	10,069	SY	T-781 Cold Spring Road from SR-443 to the Township Line Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$18,829.03
8.	2,686	SY	T-932 Spring Road from T-951 Dogwood Lane to T-781 Cold Spring Road Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$5,022.82

Subtotal \$53,719.49

9.	1,912	SY	T-956 Winter Mountain Road from T-995 Pinehill Road to T-781 Cold Spring Road Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "D", ADT <100	\$3.74	\$7,150.88
10.	2,133	SY	T-956 Winter Mountain Road from T-781 Cold Spring Road to the Township Line Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$3.74	\$7,977.42
*DESCRIPTION Must include ADT on Wearing surfaces. USE OF CUTBACK ASPHALT IS PROHIBITED BETWEEN MAY 1 st and OCTOBER 31 st EXCEPT AS NOTED IN BULLETIN NO. 25.				SUBTOTAL	\$15,128.30
				Total Bid	\$156,590.06

Walker Township's part of the Contract is as follows:

SCHEDULE OF PRICES					
1. Item No.	2. Approximate Quantities	3. Units	4.*Description	5. Unit Price	6. Total
WALKER TOWNSHIP					
1.	17,098	SY	<p>T-508 Mountain Road from T-858 Valley Road west for 7,715'</p> <p>Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100</p>	\$1.87	\$31,973.26
2.	12,455	SY	<p>T-854 Kettle Road from T-858 Valley Road north for 6,000'</p> <p>Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100</p>	\$1.87	\$23,290.85
3.	4,139	SY	<p>T-852 Swamp Road from T-858 Valley Road southeast for 1,955'</p> <p>Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100</p>	\$1.87	\$7,739.93
4.	17,528	SY	<p>T-850 Reynolds Road from T-517 River Road to T-509 Wildcat Road</p> <p>Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100</p>	\$1.87	\$32,777.36
Subtotal					\$95,781.40

WALKER TOWNSHIP					
5.	5,993	SY	T-523 (Lower) Shady Lane from T-857 Catawissa Road west for 2,640' Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Conditions "C", ADT <100	\$1.87	\$11,206.91
6.	6,688	SY	T-523 (Upper) Shady Lane from T-852 Swamp Road south then west for 3,600' Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$12,506.56
7.	1,478	SY	T-523 (Upper) Shady Lane from 3,600' west of T-852 Swamp Road west for 760' Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Conditions "C", ADT <100	\$3.74	\$5,527.72
8.	2,998	SY	T-523 (Upper) Shady Lane from 4,360' west of T-852 Swamp Road to T-858 Valley Road Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$5,606.26
Subtotal					\$34,847.45

WALKER TOWNSHIP ADDITIONAL BID ROAD(S)					
9.	5.770	SY	T-517 River Road from a Dead End to the west bridge approach of the County Owned Bridge over the Little Schuylkill River Single Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "C", ADT <100	\$1.87	\$10,789.90
*DESCRIPTION Must include ADT on Wearing surfaces. USE OF CUTBACK ASPHALT IS PROHIBITED BETWEEN MAY 1 st and OCTOBER 31 st EXCEPT AS NOTED IN BULLETIN NO. 25.				SUBTOTAL	\$10,789.90
				Total Bid	\$141,418.75

Chairman called for a motion to accept the West Penn Township’s portion of the 2022 Multi-Municipal Bituminous Seal Coat Bid for \$156,590.06. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

E. Police Department Report – April 2022

Chairman read the Police Report. The Police Dept. had 7,452 miles patrolled 290 total citations & warnings, 6 motor vehicle accidents & 137 total calls. Chairman discussed Traffic Study prepared by Carbon Engineering Inc. dated November 2, 2000. Chief said he had a few concerns from residents about the speed on Zion Stone Church Rd. Chief said the traffic study was from SR 309 to a little pass Horses and Horizons. Chief said the speed study suggests that the speed be 35mph by the park and 25mph by Horses and Horizons. Chief suggested we make the entire length of Zion Stone Church Rd. 35mph. Chairman said his only concern is liability. The traffic study is 22 years old. Would this study still hold up? Chairman recommends we speak to our Solicitor.

Chairman asked Road Master Jeremy Fable about changing the speed limit on Zion Stone Church Rd. Chairman asked the secretary to follow up with our solicitor to see what we can do about changing the speed limit on Zion Stone Church Rd. Chief asked the BOS to review the updated SOPs and let him know if they accept the changes so we can proceed to adopt them. 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 – April 2022

Chairman read the Fire Company's report. 20 Total calls for the month of April. The report consisted of 3 motor vehicle accidents, 2 brush fire, 4 wire/tree down, 3 automatic fire alarm, 2 medical assist, 2 Chief Requests & 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 – April 2022 – NONE

The BOS discussed what should be done about the Ambulance not submitting their report. The talked about not reimbursing them until the report is submitted. Chairman recommends we reach out to the Ambulance to see what is going on with their reports.

IV. Old Business

A. Recycling – another bin

The BOS discussed getting another recycling bin. They feel that when one is full, you would start filling the other. Hopefully this would eliminate down time for recycling. Chairman stated that right now Tamaqua Transfer empties the bin for free. The Township calls Tamaqua Transfer when it is filled. Until the recycling bin is emptied, the site is closed. Residents then get frustrated because they cannot recycle at the scheduled times. Glenn Hummel said if the Board is considering another bin then there should be lights installed at the site. Chairman feels lighting up may encourage residents to come after dark. Chairman feels there is a higher risk for someone falling when it is dark. Tim Houser's concern is spending taxpayers' money on recycling. If we get another bin that is at least \$6K. Then we pay someone to be up at the recycling bin during drop off hours. Tim Houser feels recycling is good but it is costing us money. Chairman asked Jeremy Fable to measure the site to see if we can get another recycling bin. Tim Houser would like to do a cost analysis. Glenn Hummel made a motion to get another recycling bin contingent on the Fire Company allowing us to and it fits in there. Chairman seconded the motion. All in favor. Tim Houser said, no. Motion was carried. 2-1

V. New Business

A. Park – Donation for a dog "clean-up" station.

Chairman explained that Fred Gimbi has a friend that is will buy, donate, maintain and set up a clean-up station for dogs. He will maintain it and get rid of dog dirt for the next 5 years at the West Penn Park on Zion Stone Church Rd. Chairman called for motion. Glenn Hummel made a motion to accept the dog poopin clean-up station and allow the anonymous guy do the clean-up. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

VI. Correspondence

A. Chairman said the Township received an email from Mary Linkevich about Hawk Mountain Sanctuary Learning Course. Chairman announced Hawk Mountain Sanctuary created a 10-day immerse course for

teens aged 15 to 17 based on service-learning as an intense residential field course. Chairman said that full & partial scholarships are available.

VII. Business from Anyone on the Board - NONE

VIII. Public Comments on General Items

Bob Doerr – expressed to the BOS, he would like to purchase a Hometown Hero Flag in Honor of Willard Eberts. Mr. Eberts was an Army Veteran of World war II, serving his country on D-day on Utah Beach at Normandy, and the Battle of the Bulge. He was a combat Medic. He got a Bronze Star. Mr. Doerr feels Willard Eberts should not be forgotten. Mr. Doerr asked the Board if he buys a flag to honor Mr. Eberts, would he be able to display it in the Township and where would he be allowed to display it? The Board discussed location. The Board agreed to have the flags on display at the Township. Mr. Doerr was asked to get the information about the flags and the measurements. The Board also requested for him to find out about what types of brackets would be needed to secure the flags. Glenn Hummel stated that we could not attach them to a utility pole legally because of climb hazards. Glenn Hummel said however, PPL and Verizon allows them only if you sign off on a hold harmless release form. The Board also agreed that we allow others to purchase a Hometown Hero Flag for a Veteran they would like honored from our Township and display them as well. Chairman said to Mr. Doerr he would like to pay for half of the Hometown Hero Flag in honor of Mr. Eberts and Larry & Karen Wittig would like to pay for the other half. Glenn Hummel asked Jeremy Frable if the Union would be ok with him donating his time to install the flags. Jim Bonner also said he would donate his time to install the flags. Jeremy Frable said the Union would not have a problem with that. Chairman asked the secretary to reach out to Paul and make sure it would be ok if we restricted it to only Veterans in our Township. The Board agreed to display the flags at or on the Municipal Building.

Tim Foster & Paul Foster – asked the Board if they could be reimburse for their Zoning fees. The Fosters' applied for a zoning application to erect a billboard on a piece of property they own. They feel there was miscommunication about the sign. Their Zoning Permit Application was promptly denied. They feel they paid \$500 to get a question answered. The Fosters' are requesting that the \$500 be reimbursed or have the money applied to the cost of a Zoning Hearing. Chairman asked Mike Begis from ARRO Consulting to look into this issue.

Terri Knoedler – she had a concern about dust on Fort Franklin Rd. Ms. Knoedler asked the Board if she purchased Soybean Oil, can we apply it to the road to reduce the dust. Chairman asked if we could use Soybean Oil on our dirt roads. Road Master Jeremy Frable said Liquid fuels money would not cover that. Mr. Frable also stated that we do not have an applicator to apply the oil to the road. The Board stated that we would have to check to see if we were allowed to apply Soybean Oil to the road and if we were then a Township representative of the road crew would need to be present when it is applied to the road. Ms. Knoedler also has a concern about the speed limit on Fort Franklin Rd. Certain individuals do it everyday speed on Fort Franklin and go through the stop sign. Chairman asked is there a particular time this occurs during the day. Chief of Police will make an attempt to be there at those times. Chief also said he could set up a speed trailer there. Jeremy Frable suggests we put up some watch children signs on Fort Franklin Rd. Chairman called for a motion to put up some "Watch Children" signs on Fort Franklin Rd. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

Lastly, Ms. Knoedler asked if she needs to fill out a concern form for Ted Rosen's tenant running a 3-D printing business of the residential home.

IX. Executive Session – Chairman called for a motion to have an executive session for personnel issues at 7:50PM. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Called the meeting back to order at 8:30PM

X. Adjournment

Chairman called for a motion to adjourn at 8:39PM. 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