

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

Phone (570)386-4507

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**Regular Meeting
Monday, October 3, 2022**

Present at the Meeting

**Anthony Prudenti
Timothy Houser
Glenn Hummel**

**Karen Wittig – Treasurer
Katie Orlick – Secretary
Mike Begis – ARRO Consulting
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

Daniel Poncavage – Resident of Tamaqua, but he has vested interests with the Poncavage Land Trust in the Township. He handed out a statement to the Board of Supervisors, dated October 3, 2022. Which said; I wish to state the following as public testimony for the record that it would be premature for the Supervisors to enact the proposed draft zoning ordinance change into law since its differences from the existing one are so major that it constitutes a new law altogether. Furthermore, the owners of affected properties and the public at large have not been adequately, accurately or statutorily informed enough too meaningfully supply informed public comment. He thanked the Board for redoing the Zoning Ordinance and he was happy that the Twp. hired Urban Research & Development. He thanked the Times News for the articles that involved zoning information.

C. Review of the Minutes – September 6th & 19th, 2022.

Chairman called for a motion to accept the meeting minutes from September 6th & 19th, 2022. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

D. Treasurer’s Report – September 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

Chairman called for a motion to disperse the Fire Relief Money of \$33,047.25 to West Penn Fire Co. No. 1 Relief Association. Glenn Hummel made the motion. Tim Houser seconded the motion. Karen Wittig said they got a \$7193 increase. All in favor. Motion was carried. 3-0

E. Approval of Bills – September 2022

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

F. Solicitor’s Report – September 2022

Attorney Datte said he looked at the issues that were discussed at the hearing on September 6th for proposed zoning amendments.

Attorney Datte also prepared Resolution # 27 of 2022, to establish a residential 25MPH speed limit on a section of Fort Franklin Rd. from Blue Mountain Dr. (T-761) and the Southwest corner of the property

designated by Schuylkill Co. UPI No. 37-21-0048.000. Chairman called for a motion to accept the Solicitor's Monthly Report. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

Chairman called for a motion to adopt Resolution #27 of 2022. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-+0

II. Land Use - NONE

III. Operations

A. Engineer's Monthly Report – September 2022

Mike Begis discussed his report with the Board of Supervisors. He asked the Board if they had any questions. Chairman asked Paul Datte when he thinks we would be able to get the Atlas Park property transferred to the Township. Attorney Datte said he can do the deed. He will contact Dennis DAngelo and get it set up. 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 – September 2022

Mike Begis from ARRO Consulting said he submitted the Code Enforcement Report to the Board for review. He asked the Board if they had any questions. Tim Houser asked the status 547 Penn Dr. Attorney Datte said he believes we can file a civil complaint to the magistrate. Tim Houser said we are getting a lot of complaints about Zoning. Tim Houser feels we are going to have to start pursuing these complaints a little bit more vigorously. Tim Houser also expressed his concerns about Wineries becoming more like Venues. He believes that changing the wineries to venues moves them away from farming. Tim Houser feels they need to go in front of the Zoning Hearing Board to change the Use of the property. Tim Houser also, discussed his concerns about 51 Dairy Rd, which is Stonehedge Gardens. Chairman we will be discussing Stonehedge today at this meeting. Chairman called for a motion to accept the Code Enforcement'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 – September 2022

Chairman read the sewage enforcement officer's report. The report consisted of 4 new permit application, 3 Test Probe, 4 Percolation Test, 4 site evaluations, 4 Design Reviews, and 16 Interim Inspections, 6 Malfunction Inspection, 2 Subdivision reviews. Chairman said we have 4 malfunction reports that are still being investigated. 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 – September 2022

Chairman read the Road Department's Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, Re-painted crosswalks & Turn Lanes at the Leiby's Intersection, Painted stop bars at intersections along SR309, SR895 & SR443. Installed speed limit signs on Zion Stone & Municipal Rd., Replaced pipes on Locust Lane & Troxell Valley Rd., Removed dirt behind the Fire Co. for Recycling Container, Hauled dirt to JE Morgan Park, and mowed shoulders along Twp. Roads. Road Master also attended a Dirt & Gravel Road Workshop in State College. Jeremy Frable was recertified for five more years. Chairman read the Road Maintenance Report.

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

Road Dept. requested to buy a Hydraulic Debris Blower, would go on the Skid Loader. The standard one is \$6610 and the nozzle is \$300. The high speed one is \$8815. Chairman asked how this will help us in the Township. Jeremy Frable said when we clean the leaves out of the drain pipes it will just blow them out. Chairman asked how we are going to pay for it. Jeremy Frable said General Fund. Tim Houser said the Road Dept. has funds from Road Equipment Rentals that they did not use this summer. Chairman called for a motion to amend the Agenda to take action on purchasing the piece of Equipment. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Glenn Hummel made the motion to purchase the Equipment. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0.

E. Police Department Report – September 2022

Chairman read the Police Report. The Police Dept. had 8,318 miles patrolled 270 total citations & warnings, 6 motor vehicle accidents and 229 total calls. Chairman read Cody Searfoss's resignation letter. Glenn Hummel made the motion to accept his resignation. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Chairman called for a motion to amend the Agenda to hire Part Time Police Officer. Glenn Hummel made the motion. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Chairman read a letter from Chief of Police requesting the Board to hire Richard Clink as a 32 Hr. Part Time Officer. Glenn Hummel made the motion to hire the Part-Time Police Officer. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Glenn Hummel made the motion to accept the Police Report. Tim Houser seconded the motion. Motion was carried. 3-0

F. Fire Company Monthly Report – September 2022

Chairman read the Fire Company's report. 22 Total calls for the month of September. The report consisted of 3 motor vehicle accidents, 3 wire/tree down, 3 automatic fire alarm, 4 medical assist, 3 brush fires, 1 vehicle fire, 2 landing zones, 2 Fire Police. The department had their monthly meeting breakfast & bingo. The Department had Pumping Training, Pump Operations, Truck & Building Maintenance, Rural Water Movement Class and Practical Testing. 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

Chairman announced October 9th is the next Fire Company Breakfast and October 13th is Fire Prevention Open House.

G. Ambulance Monthly Report – September 2022

Chairman read the Ambulance Report. The report consisted of 16 Call for the Month of September, and 222 Year to Date. The calls included Breathing Problems, Chest Pains, Falls, Sick, Stroke, Traffic Accident, lift assist, Hemorrhage, poison/laceration and fainting. The calls were from 1 Lynn, 3 Tamaqua and 12 West Penn. There were 6 BLS Transports, 2 Canceled, 2 Treated, Transferred to Air Medical, 1 no patient found, 1 stand-by public/operational support and 6 ALS Transports. Receiving Hospitals were Lehigh Valley Carbon & Cedar Crest, St. Luke's Miners, Geisinger St. Luke's, Lehigh Valley East and St. Luke's Carbon. 16 calls for the month of September. Truck 935 had 12 calls and truck 937 had 4 calls. Chairman called for a motion to accept the Ambulance Report. Glenn Hummel made the motion to accept the signed report. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0.

IV. Old Business

A. Chairman discussed the recent event at Stonehedge Gardens this past weekend. Chairman said he spoke to one of the residents and they said they had to call the police 3 different times for noise. Chairman said the problem is with Zoning on this property. Supervisor Houser mentioned when you don't enforce something and you let it go, it just gets bigger and bigger. We found out Stonehedge is looking for money to grow by advertising in different states. They are looking for people to invest in them. A Stonehedge Representative was at our last meeting and when the chairman questioned him about how many people attended the mushroom festival, he said like 200. Chairman said they had close to 330 people there. This was the second largest mushroom gathering in the country and according to documentation it was over 400 people. They will have to apply for proper permits before they have any more events. Stonehedge has been around, however they may have vested rights. Attorney Datte said that may not be the case. Attorney Datte said you only have those kind of rights based on what you are actually doing. If the nature of the use of the property has changed over the years, that is not necessarily grandfathered. Attorney Datte said you would have to look at it on a case by case basis to make that determination. Attorney Datte said you have to compare what they are doing on site and what they were doing onsite. Attorney Datte said it is up to them to determine if they feel they have a pre-existing non-conforming use. Chairman asked Chief Bonner if he walked the property at any given time. Chief Bonner said Friday night around 8-815. Supervisor Houser said they are changing things from a tree lighting ceremony to a festival. He said that property does not have the proper zoning for that. Glenn Hummel questioned the sewage and the proposed café.

Jean Holmberg spoke about her experiences with Stonehedge. She said in the spring / summer and weekends she looks forward to relaxing and spending time outside & in her pool. But she can't when they are carrying on at Stonehedge. The noise & screaming is horrible. They bang on drums and the music is so loud. They stop cars on Dairy and ask if you are joining the festival. Literally stopping you when you are trying to go home. They put cinder blocks on the shoulders of the roads, which she almost hit. Jean Holmberg said they say they are trying to create a mini Woodstock. She feels like she is going to have a breakdown when they are doing all this.

Chairman feels there should be police presents there.

Glenn Hummel said we need to validate by when the cops get call. Glenn Hummel said the night shift cop drove by a couple of times and nothing has been found. Attorney Datte said there is a lot going on here. We will not be able to solve this today. But there are a lot of provisions we can look at, such as sound, parking and the use itself.

Leroy Romig also gave his experience about how loud the Events are at Stonehedge.

Tim Houser said we have to look to see if it is a permitted use. Chairman called for a motion to look into the Stonehedge Situation, along with our Code/Zoning Officer. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried.3-0

B. Update on Zoning Ordinance

Chairman read the Summary from URDC dated September 30, 2022. The Board will not make any decisions at this meeting in regards to the URDC summary. This is informational at this point.

Chairman read as follows:

This memo summarizes specific requests that were raised at the public hearing on the draft Zoning Ordinance, as well as comments received from the Township Planning Commission.

1. Request to Delete Agricultural Industry In Highway Commercial

Multiple residents requested that Agricultural Industry be removed from the list of proposed allowed uses in the HC Highway Commercial district. This change can be easily made, particularly because the use would still be allowed in other business zoning districts. Another alternative would be to change Agricultural Industrial being a special exception use in the HC district, which would require Zoning Hearing Board approval and allow the establishment of conditions upon a use. There were also comments that the HC district is too permissive in allowing industrial uses. If a decision is made to keep the grain mill property on Mill Drive in the HC district, then it would be advisable to remove certain uses from the HC district, such as Plastics Manufacturing and Bulk Liquid or Gas Fuel Storage.

2. Change from Highway Commercial south of Mill Drive, South of Route 443

There was a request to remove the HC Highway Commercial zoning that currently exists on an area of land south of the Mill Drive/Route 443 intersection. It is occupied by agricultural milling operation. If the zoning map change is made, the land could become part of the adjacent AG Agricultural zoning district, or be changed to VC Village Center as a transitional district.

3. Change from Highway Commercial along Mill Drive, including on Clearview Crossing Road and Medical Crossing Road, south of Route 443 and east of Route 309.

There was a request to change the Highway Commercial zoning that currently exists to AG Agricultural along the north side of Mill Road where there are existing homes, including homes that face onto Clearview Crossing Road and Medical Crossing Road. The intersection of Route 309, Clearview Crossing Road and Mill Drive is awkward, and Mill Drive is not suitable for commercial traffic. This change (as shown on the attached map) would not affect lots that face onto Route 309 or 443.

4. Request to Make Entire Lot West of Franklin Fort Road and South of Blue Mtn. Dr. into Agricultural

A request was made to have an entire lot west of Franklin Fort Road be zoned Agricultural, instead of being divided between the Agricultural and Conservation districts. We looked at the slopes of the property, and suggest that it would be reasonable to make this change.

5. Request to Add Highway Commercial to 1557 West Penn Pike/Route 309

This property is on the east side of Route 309, about 1,000 feet north of Sunny Road. It appears to be occupied by a small quarry/borrow operation. The sight distances in this area are acceptable and the west side of Route 309 is currently Highway Commercial. We suggest it would be reasonable to make this change.

6. Change to Highway Commercial on Route 895 west of Route 309

Most of these lands are currently zoned Agricultural, and includes a mix of open land, a few non-conforming commercial uses and homes. As a result of input received at the Planning Commission public meeting on the Zoning Ordinance, most of this stretch of land was proposed to be changed to VC Village Center. As currently proposed, the north side would be VC from Dorset Road west to Retreat Road and the south side would be VC from Route 309 to Dorset Road. We did not previously propose having commercial zoning on both sides of Route 895 because certain areas are primarily comprised of single family detached houses, and other areas are mainly floodplains and wetlands. The majority of the existing commercial uses are located within the area that is currently proposed to be VC. The Planning Commission and a property-owner have requested Highway Commercial zoning, and the Planning Commission has suggested that the HC zoning be 600 feet deep on both sides of the road west to Retreat Road. The Village Center allows a mix of homes and commercial businesses, but would not allow the most intensive types of businesses, such as vehicle repair, gas stations and vehicle sales. Route 895

would not be able to be easily widened because of the presence of a floodplain, wetlands and steep slopes in many areas, as well as existing buildings that are close to the road. We believe the most intensive types of commercial businesses and Highway Commercial zoning belong along Routes 309 and 443, and not along Route 895. Therefore, we recommend that the Village Center zoning be applied in this area, as shown on the current draft Map.

7. Depth of Highway Commercial Zoning Along Route 309

The draft Zoning Map endeavors to follow lot lines where feasible for zoning district boundaries. Where lots are unusually deep, the draft Zoning Map typically shows a 300 feet depth of Highway Commercial zoning along Route 309. The Planning Commission has recommended a 600 feet depth on each side. In many cases, there are very steep slopes along the Route 309 corridor that would make it extremely difficult to have a 600 feet commercial depth. There are also a couple segments along Route 309 where we have not recommended adding Highway Commercial zoning because there are steep grades along the highway or curves in the highway that could cause safety issues from sight distances. Therefore, we do not recommend changing the Highway Commercial districts from what is shown on the draft Zoning Map. The draft Zoning Map does include a significant increase in total commercial zoning compared to the current zoning map.

8. Medical Marijuana Grower/Processor

This use is proposed to need special exception approval from the Zoning Hearing Board and includes additional setbacks. The Planning Commission has recommended that this use be further limited to the HC and CI districts. We agree with this suggestion. The draft ordinance would require that the use must occur within a completely enclosed building (which is typical) and that the security measures need approval from the Zoning Hearing Board. The Planning Commission has suggested requiring a 6 feet minimum height security fence with barbed wire on top that is tilted outward. That fencing requirement can be included.

Typo - In Article 6, under Crematorium, delete the reference to Article 4.

The Planning Commission asked that the document be searchable as one PDF document. That is the case with the current draft ordinance that we provided and will be the case for the adopted ordinance. Attorney Datte said the purpose of reviewing the summary is to make you aware that there may be more changes. Attorney Datte's recommendation is after they review and direct revisions to the Zoning Ordinance. It will be advertised again for another public hearing, for people to have public comment.

Ilisa Sackhoff Hoppes – thanked the Board for having the road Dept. put up the MPH speed Limit sign on her road. She said she is willing to help inform the residents with emails. She let the Board of Supervisors know her experience. Chairman thanked her. She also expressed her feelings about the Mill Lane Farm. She believes that it is Agricultural Industrial and they want to get bigger.

She said there was manure all over her road again and she has pictures. She said she cannot be in her backyard because of the smells. She gets asthma attacks.

She also expressed her concerns about widening the road. Glenn Hummel stated he made the recommendation about widening the road and said about maybe we should mark the road to show technically what the Township could possibly do. He recommended that because Ilisa Sackhoff Hoppes said the road was unsafe for two cars to drive down that road. So at that point if the Township would have to widening the road they would have to make it 18ft. in order to make it safe.

Attorney Datte said, you do understand if you have a structure in the Township Right of Way, which is your risk. Ilisa Sackhoff-Hoppes would like to see weight limits for her road. Tim Houser said we hear what Ms. Sackhoff-Hoppes is saying, however if we would put weight limits on the road, we would have to do a road engineering study for the entire length of the road and it would be very expensive. The state give us the right to have a 33 ft. right-of-way. We can get more Liquid Fuels money if we would widen it out, however at this time we do not plan to do that. Tim Houser said as far as the manure on the road, he has it in front of his house too. Tim Houser will defend the farmers on the manure issue unless it's excessive and they are spreading manure heavier than what their manure management plan dictates.

Brian McQuillen - asked the Board if he can directly contact Charlie Schmehl from URDC. Chairman said no. Chairman said we can take his questions and the Township can go directly to our Zoning Consultant. Mr. McQuillen spoke about one property and one use. He wants to know why we would be going to multi uses on a property. Chairman said that was not his interpretation of it. He feels that it is one primary use per lot and then you can have other uses on the property. Chairman said in HC district you can have more than one use. In our SALDOS, you can have two homes if you have the area that will meet setbacks for two individual homes.

Attorney Datte said yes if they stand alone with all the bulk requirements.

Delroy Haas – asked when the next meeting will be.

Todd Deem – asked any changes will be after the next meeting? Attorney Datte said after the next meeting the draft maybe revised. Then there will be another public hearing for the proposed zoning ordinance.

V. New Business:

A. Chairman called for a motion to approve the letter dated Sept. 26, 2022, allowing the WPT Lions Club and Andreas Sporting Club to host their Annual Andreas Halloween Parade on Wednesday, October 19, 2022. Rain date Thursday, October 20, 2022 @ 7PM as long as the PennDOT Special Event Permit is acquired. Tim Houser made the motion. Glenn Hummel seconded the motion as long as they get the permit. All in favor. Motion was carried. 3-0

B. Board of Supervisors agreed to have Trick or Treat Monday, October 31, 2022 5PM – 8PM.

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

VI. Correspondence:

VII. Business from Anyone on the Board

A. Chairman reminded everyone that the next Budget Workshop will be Monday, October 17, 2022 following the BOS Morning Meeting. Chairman said ARRO Consulting, Inc. is not handling UCC permits and Inspections after October 31, 2022. Chairman asked Attorney Datte if we can OP Out of the UCC. Glenn Hummel made everyone aware of Wreaths Across America will be coming up and he will give us more information soon. It is at Sky View Cemetery. There are 3800 Veterans buried at Sky View. If you buy a wreath for \$15 and you can get another, you will get one free. You can request where you would like it placed on a Veteran that you know.

VIII. Public Comments on General Items

Brian McQuillen – Penn Dr. – asked what the Township is currently doing about Tuscarora Land Company. Mr. McQuillen has been going back & forth with Shannon Darker of ARRO Consulting, Inc. about what is being done there. He also requested for ARRO Consulting, Inc. to respond to him. Attorney Datte said what was given was retracted and they were cited. Attorney Datte said everything that you were inquiring about those issues should come up at the Zoning Hearing. Tuscarora Land Company applied for a Zoning Hearing. Attorney Datte asked the BOS if they would like him to represent Shannon Darker as the Zoning Officer in that hearing and whether or not we want to take a position in that hearing. Brian McQuillen wants ARRO Consulting, Inc. to respond to him and state what is going on in a letter. Attorney Datte said he will respond. Mr. McQuillen asked if roasting and storing manure will be at that hearing. Attorney said do not quote him he has to review the Application.

Mr. McQuillen said Chester Snyder said they don't store manure they only put it on their fields. He feels that would be a different use. He asked if he needed to write another concern form. Tim Houser said, we are splitting hairs, Red Bird & Plain & Fancy were chicken farms they would have had to store their manure in the pens and now the current owners put it on a concrete pad. Mr. McQuillen feels they are acquiring their manure, and it is not from that farm. He feels they sell it to other farms. Mr. McQuillen feels it is totally different. Mr. McQuillen asked Attorney Datte if he received the email he sent about the Latrobe case. Attorney Datte said if he isn't prepared for this case under Latrobe he is not doing his job for the Township. Attorney Datte said he is evaluating this under Latrobe. Mr. McQuillen asked Attorney Datte to review the email that he sent him. Mr. McQuillen asked Attorney Datte to respond in writing. Attorney Datte said why he always has to respond to him. He appreciates that Mr. McQuillen sent him his information. If we did that with everyone it would be good.

Chairman talked about responses and expense. Attorney Datte stated as a rule that any inquiries need to go through the Secretary. She will decide who they should be directed too and how it would be responded. Attorney Datte said it is not appropriate for Mr. McQuillen or anyone else to go directly to the Township Solicitor, Engineer, or Code Enforcement Officer and expect a response.

Andrew Smyre - Mill Lane – wanted to comment on the discussions throughout this meeting. He said he never sold or commercially bartered manure in this Township ever. His website does list fertilizer because they bring some commodities for fertilizer by rail car, which is certified organic. He is legally not allowed to sell or move any of that stuff without a mass of paperwork trail. They are the end user. They do not or are not allowed to give it or provide it to anywhere else. Mr. Smyre said he didn't move or do anything with manure in the last six months. Mr. Smyre said after the rain this past weekend they did have mud on the road from the driveway. He called for a load of stone brought in to take care of that issue. Mr. Smyre said it is physically impossible for manure to be on the road. Chairman said so that wasn't manure on the road. Andrew Smyre said absolutely not it is mud. Ilisa Sackhoff Hoppes said she don't know she didn't see it. Andrew Smyre said we have not and we are not allowed to sell any fertilizer or manure off the property.

Jean Holmberg – Dairy Rd. – request a speed limit on Dairy Rd. Chairman explain what would have to be done including doing a speed study. He feels it would be hard to because the homes are far apart. Attorney Datte explained resident district. Ms. Holmberg also asked about Jake Brakes. Attorney Datte said there is no way to regulate Jake Brakes.

Chester Snyder – asked about the Zoning Map and his property. Mr. Snyder wants his property to remain Highway Commercial.

Terri Knoedler - Fort Franklin – asked for the amount for the Fort Franklin Speed Limit Signs. Ms. Knoedler also expressed her concerns about misinformation about Mill Lane.

Chairman said there will be a Zoning Hearing for Mill Lane and the quasi-judicial board will determine what they feel are truths and can be permitted. Chairman asked the Board if we want our Solicitor at the Zoning Hearing. Chairman & Glenn Hummel agreed. Brian McQuillen asked what position the Solicitor would represent. Attorney Datte's suggested that he is indicating that the Board authorize him (Attorney Datte) to represent Shannon Darker, Zoning Officer in her position. Chairman called for a motion. Glenn Hummel made the motion. Tim Houser has a problem paying the Engineers and then paying our Solicitor to represent the Engineers on our behalf of the Township. Glenn Hummel withdrew the motion. Chairman tabled it until next meeting.

Todd Deem said he agrees with Supervisor Houser and asked why. Chairman stated that if this would be appealed and have to go to court, he would rather pay \$200 than \$1 million because we weren't prepared.

Delroy Haas – Stonehedge originally did ceramics. Park East play equipment gets too hot in summer.

IX. Executive Session - NONE

X. Adjournment

Chairman called for a motion to adjourn at 8:02PM. 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