

West Penn Township Board of Supervisors

27 Municipal Road

New Ringgold, PA 17960

Phone (570)386-4507

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Regular 10AM Monthly Meeting

Monday, April 17, 2023

Present at the Meeting

Tony Prudenti – Chairman

Katie Orlick - Secretary

Tim Houser – Supervisor

Paul Datte – Solicitor (absent)

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

Chairman called for a moment of Silence for Jeremy Frables’s dad that just passed away. The BOS expressed their condolences to Jeremy and his family. The Board would also like to fly the flag at half-mast in honor of his father.

Chairman did Introductions at 10:05AM.

B. Approval of Monthly Bills

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

II. Public Comment on Agenda Items – NONE

III. Land Use

IV. Old Business

1. Shale Agreement with the Fire Company. Chairman explained that we need Shale for our Dirt & Gravel Projects and we are running out of our current supply. The Fire Company has Shale behind their garage. The Township would like to make an agreement with the Fire Company. The Fire Company will allow the Township to pull out the Shale and in turn for the Shale, the Township will maintain & weed whack their property as long as the agreement is in effect. It Benefits both the Township & the Fire Company. The Township would probably get 200 truckloads at 15 tons a pop of Shale, whereas the Fire Company will get their the back of their property opened up in case they ever want to expand and the Township will mow & weed whack their lawn as long as the agreement is in effect. Tim Houser said the Shale is being used for the Gravel Roads. We get grants to upgrade those roads. Jeremy Frable got South Whitehall to give us millings, which gets placed over top of the Shale. When the millings get packed down it is almost like a new paved road. Chairman acknowledged Jeremy Frable for getting grants for our Township to fix the roads. This year he was able to get close to \$200K.

V. New Business - NONE

VI. Business from anyone on the Board

1. Chairman announced that West Penn Board of Supervisors will be having a Workshop, Mat 1, 2023 @ 3PM, for General Purposes to discuss the draft Zoning Ordinance, IPMC and the Peddling Ordinance.

2. Tim Houser said he would like to look into the property maintenance code a little more because he noticed that one property that was on our list to get cleaned up is getting worse not better. He want to see what we can do about it to get it cleaned up.

VII. Correspondence

1. Chairman read a letter from the new Tamaqua Truck and Trailer. The letter was addressed to the police department, thanking them for their service to the community. Especially, Cpl. John Kaczmarczyk for his swift actions when they had a mid-night fire at the "new" manufacturing plant. The Police Officer and the Fire Department had everything quickly under control with little damage.

2. Chairman read another letter thanking the Board of Supervisors for considering an Ordinance to handle junk properties. The letter expressed how important it is to have something in place to have these kind of properties cleaned up.

VIII. Public Comment on General Items

Carl Greves – expressed his concerns about the "horrible" smelling manure/fertilizer that is stock piled on a nearby farm. He said he can't open his windows or sit on his porch. He said there are thousands of filth flies. He is very concerned about his health and the long term effects of breathing in the ammonia smell. His son will not bring his grandchildren to visit because he is afraid of them being exposed to the ammonia smell the manure leaves off. Mr. Greves understands that the fertilizer is something similar that you can purchase at Lowes however, you don't purchase 500 Tons at a time.

He said it has been piled up since February 2nd, for 75 days, which is over 20% of the year. Mr. Greves would like something done about this situation. He feels they should have to till it in the ground quickly and not be able to stock pile it for days. He feels that they should use a tarp or get another kind of fertilizer. He is also concerned it can leak into a nearby stream. He feels the land owner doesn't care because he doesn't live on that property and it doesn't affect him. Carl Greves provided a handout to the Board of what ammonia does to your body. He pleaded with the Board to take some kind of action. Mr. Greves also noted three junk cars sitting next to the barn. He is concerned if it would be the start of a junkyard. Put limits on it.

Chairman asked the Board if he can reach out to the farmer himself. Chairman asked the secretary to find out the contact information of the farmer. Glenn Hummel asked what we can do to change it. Tim Houser asked the secretary to contact Duane Miller the AG person in Schuylkill. Tim Houser said he know that any type of compost pile needs to be so many feet away from streams. Tim Houser said we can see if we can get them to tarp it. He feels that may not resolve the issue. He feels the main issue to find out is how long they have to spread it on the fields. Do they have a certain amount of time to till it into the ground? They do have to have a manure management plan to say how much they can spread per acre.

Jim Akins asked the Chairman if we looked at Ordinance that may be able to regulate this.

Chairman said yes but are hands are tied on a lot of these issue because of the Right to Farm Act.

Chairman said the hard part with everything is trying to enforce it. Tim Houser said the State Agencies override Township rulings.

Glenn Hummel said he looked up some information and the farmer does need a manure management plan. Glenn Hummel feels he needs to provide that information to the Township and the surrounding neighbors. Tim Houser said that is something we will need to find out, how long it can be stored for until it has to be spread on the field. Chairman said he will call Carl as soon as he speaks to the farmer.

Jim Akins wanted to recognize & compliment the road crew for a great job they did on Rabbit Run Road and he also said they did a great job at the West Penn Park East (J.E.Morgan Memorial Park).

Brian McQuillen – commented on Carle Greves situation. He feels that it is necessary to have updates to the draft zoning ordinance to include definitions about odor, storage and amounts. Mr. McQuillen feels a big issue is the long term industrial storage. He feels the average farms are going away and now becoming the large industrial farm operations. Tim Houser feels we will need Paul Datte to look into it. He will need to look into the manure management plans and if we can limit the amount of time they can store the manure before they spread it on the field. Brian McQuillen asked if we can make limits to when it would become an industrial operation. Tim Houser said it is going to come down to how many acres the farm has and how much they can put down per acre. Tim Houser said it comes down to a time limit of how long you have until you need to put it down. Tim Houser said we don't know if we can regulate that or not. Mr. McQuillen would like the Township to talk with PSATs and see if any other communities have experienced this and have other ways to address it. Chairman feels that can be taken care of quickly by just adding it needs to conform to all State & Federal regulations. Tim Houser also recommends we contact S. Whitehall that deals with large farms and find out how they handle them. Mr. Houser said they may have an Ordinance for spreading and storing the manure. Glenn Hummel looked up more information and Brian McQuillen said we should have that right in our Ordinance. This way it is not a guessing game of what a farmer can and cannot do. This would protect the residents from the big industrial farms. Tim Houser said he understands farming and he will protect the good farmer.

Delroy Haas thanked the Board for the quick action to put an open & closed sign up for the recycling for the good of the residents. Jeremy Frable our Road Master was responsible for the quick service.

Jim Akins – also want to acknowledge and gave his proper respect to the family of Larry Faust. He was a big contributor to the Township. He was a farmer and a resident of the Township. He also worked for the Township at one point. He passed away recently in a farm accident. Mr. Akins said he was a giant of a man but a bigger gentleman. God Bless. Chairman said we will have a moment of silence for him at our next meeting and we will continue to have our flag at half-mast in honor of him as well.

IX. Executive Session

Chairman called for a motion to have an executive session for personnel issues at 10:37AM. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Chairman called the meeting back to order at 11:21AM.

X. Anything Else from the Board

Chairman called for a motion to accept the Agreement for the Shale/Mowing with the Fire Company. Glenn Hummel made the motion to ratify the contract with the Fire Company and the Township for Shale. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0

XI. Adjournment

A. Chairman called for a motion to Adjourn at 11:00AM. 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