

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

Phone (570)386-4507

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**Regular Meeting
Monday, July 3, 2023**

Present at the Meeting

Anthony Prudenti

Timothy Houser(absent)

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

Brian McQuillen asked the Chairman to explain the Land Use modifications when he gets to them on the Agenda about the Mylar.

Jamie Shelton – wanted to discuss the Subdivision of Susan Schenck. He questioned how it could be approved without a HOP for a driveway. He feels there are no stakes laid out for the property. Chairman asked some questions of where his property is located. Mr. Shelton said he does not own the driveway he has been using. Susan Schenck owns the driveway. Now she is selling it to another person. Mr. Shelton feels that he would not be able to put his own driveway because of the steep bank. Attorney Datte said he actually looked at the plan by the request from the engineering firm. Attorney Datte said the actual subdivision, the lots are laid out are actually different from the tax map. The area that comprises the lot that is to be subdivided from the larger piece actually included the driveway. Attorney Datte could not find anything on record that gave you or the other party the right to use the driveway. Attorney Datte said that does not mean you cannot use it or you did not acquired certain rights to use it. The lot that will be subdivided is a flag lot. It includes the area between the boundary line that runs north & south and Mr. Shelton's property. There is about a 50 ft. gap in between. Attorney Datte said he is not saying Mr. Shelton does not have a legal right to use the driveway. There is nothing of record. Attorney Datte said that from a subdivision perspective the plan meets the subdivision requirements. It is a flag lot, regardless if there is a driveway in that area because it is wide enough that they could put a driveway even if it did not exist. Attorney Datte said you might be able to have prescriptive rights to the driveway if you used it long enough. The Township does not get involved in that. Attorney Datte said as far as the plan goes it appears to fit the criteria of the Subdivision Ordinance.

Mr. Shelton's main concern is that there is no HOP. Attorney Datte refer to note #15 on the Susan Schenck Subdivision Plan.

C. Review of the Minutes – June 5th & 19th, 2023.

Chairman called for a motion to accept the meeting minutes from June 5th & 19th, 2023. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

D. Treasurer’s Report – June 2023

Chairman called for a motion to accept the Treasurer’s Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

E. Approval of Bills – June 2023

Chairman called for a motion to pay the bills. Glenn Hummel made a motion to approve the bills. Chairman seconded the motion. All in favor. Motion was carried. 2-

F. Solicitor’s Report

Attorney Datte said he is working on a number of things. Attorney Datte said he believes we received the last comments for the Draft Zoning Ordinance. Attorney Datte said when we get the updated version of the Draft back from URDC, Charlie Schmehl we will be in the position to advertise. Attorney Datte said we would send it back to the Schuylkill County Planning Commission & the West Penn Township Planning Commission. They have a 30-day comment period. We can schedule a hearing. Then we could adopt it or not, any time after that hearing. We need to get the final version form Charlie Schmehl with the final revisions at this time.

We are shooting for September 5, 2023 @ 5PM, which will be determined when URDC gets us the final draft. Attorney Datte said the BOS should make a motion to that effect. The motion will be to authorize Attorney Datte to advertise & provide copies to the respective Planning Commissions with a public hearing on September 5th at 5PM. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

On another note, Attorney Datte said we did receive the Conditional Use Application from Stonehedge, LLC. We need to schedule a hearing. Chairman said the Planning Commission reviewed it and gave the BOS a list of comments to consider. Chairman has 8-10 things he is questioning about the Conditional Use Hearing. Attorney Datte said the comments would be considered at the hearing. Attorney Datte recommended we schedule the Conditional Use Hearing at 5PM at our first meeting in August. Chairman called for a motion. Glenn Hummel made the motion to schedule a Conditional Use Hearing submitted by Stonehedge, LLC in front of the Board of Supervisors on Monday, August 7th at 5PM. Chairman seconded the motion. All in favor. Motion was carried. 2-0 Attorney Datte said he will advertise and we will post it on the information on the door.

Attorney Datte also gave the secretary a driveway indemnification agreement for Clark to be executed. Chairman called for a motion to accept the Solicitor’s report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

II. Land Use

Mike Begis said the Planning Commission review a few plans in June.

A. Susan Schenck Plan, we spoke about earlier in the meeting. Mike Begis said the applicant is requesting a waiver from section 902 of the SALDOs requirement for the Mylar. Attorney Datte asked Brian McQuillen if this is what he was referring to at the beginning of the meeting. Mr. McQuillen said, yes.

Mike Begis explained that the applicant is requesting a wavier (meaning so they do not have to provide one) from the SALDOs requirement for the Mylar. The requirement in our SALDOs in Section 902

requires the applicant to provide a recorded Mylar. Chairman said we are getting away from Mylars because of new technology and being able to upload them for a computer. Chairman called for a motion to accept the Planning Commission's recommendation and approve the modification to Section 902 of the SALDOs requirement for a Mylar for the Susan Schenck Minor Subdivision Plan. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

Mike Begis said we would need a motion to conditionally approve the Susan Schenck Minor Subdivision Plan. Chairman feels that the approval should be tabled because of the driveway easement. Mike Begis said the applicant requested a ninety-day time extension. Attorney Datte said we could table it as long as the 90 days does not expire. Attorney Datte said that the plan does meet the requirements of our SALDOs otherwise. Glenn Hummel made a motion to table the plan. Chairman seconded the motion. All in favor. The motion was carried. 2-0

B. Metters & Dunn Subdivision Plan – Chairman called for a motion to accept the Planning Commission's recommendation to approve the modification to Section 902 of the SALDOs and not require a recorded Mylar. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0 Chairman called for a motion to accept the Planning Commission's recommendation and approve modification to Section 1019 requirement to have concrete monuments. They would like to replace the concrete monuments with steel pins. Glenn Hummel made the motion. Chairman seconded the motion. All in motion. Motion was carried. 2-0 Chairman called for a motion to accept the Planning Commission's recommendation, approve the Metters & Dunn Subdivision Plan, and adopt Resolution # 12 of 2023, contingent on all comments being satisfied from Bill Brior and Schuykill Planning Commission. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

C. Mateyak & Hunt Subdivision Plan – Chairman called for a motion to accept the Planning Commission's recommendation, approve the modification to Section 902, and not require the Recorded Mylar. Glenn Hummel made the motion. Chairman seconded the motion. All in favor Motion was carried. 2-0 Chairman called for a motion to accept the Planning Commission's recommendation, approve the Mateyak & Hunt Subdivision Plan, and adopt Resolution # 13 of 2023, contingent on all comments being satisfied from Bill Brior & Schuykill Planning Commission. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

D. Stonehedge, LLC Conditional Use Hearing – Comments from the Planning Commission, which they felt should be addressed with conditions included: Noise, Camping, Flaggers for Parking, Limit Number of Fire Pits, and Security for Large Events, Insurance & Hold Harmless Agreement. Attorney Datte asked for their comments be in letterform for the hearing.

III. Operations

A. Engineer/Zoning's Monthly Report – June 2023

Chairman asked Mike Begis from ARRO Consulting, Inc. if he had anything to report for the month of June. Mike Begis said other than the plans that we just discussed he has nothing else. Chairman called for a motion to accept the Engineer/Zoning Monthly Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

B. Code Enforcement Monthly Report – June 2023

Glenn Hummel asked if there was anything done to the property on SR309. Attorney Datte said not yet. Chairman called for a motion to accept the Code Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

C. Sewage Enforcement Officer's Monthly Report – June 2023

Chairman read the sewage enforcement officer's report. The report consisted of 3 New Permit Applications, 5 Test Probes, 2 Perc Tests, 2 Design Reviews, 6 Site Evaluation, 2 Malfunction Concerns and 2 Subdivision Plans. Bill Brior said to On-site inspections were done and both properties revealed no signs of sewage violations. Chairman called for a motion to accept the Sewage Enforcement Officer's Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

D. Road Department's Monthly Report – June 2023

Chairman read the Road Department's Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, installed shale & 2A Modified on Rabbit Run Road (Dirt & Gravel Road Project), Trimming grass around bridges & guiderails, Cleaned trees & debris off Township Roads, Fixed pot holes with cold patch, Mowed shoulders along Township roads, Grading shoulders on Walnut Lane & installed millings on Walnut Lane, Fort Franklin Rd., and Timber Lane. Chairman also read the Maintenance Report. Chairman called for a motion to accept the Road Department's Monthly Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

E. Police Department Report – June 2023

Chairman read the Police Report. The Police Dept. had 5,363 miles patrolled 179 total citations & warnings as of 6/28, & 4 motor vehicle accidents as of 6/28. Chairman called for a motion to accept the Police Report. Glenn Hummel made the motion to accept the Police Report. Chairman seconded the motion. All in favor. Motion was carried. 3-0 Chairman continued with a Resolution about Towing Fees, However, it was tabled. Glenn Hummel made the motion. Chairman seconded. All in favor. Motion was carried. 2-0

F. Fire Company Monthly Report – June 2023

Chairman read the Fire Company's report. 21 Total calls for the month of June. The report consisted of 3 Motor Vehicle accidents, 10 Wire/Trees Down, 1 Automatic Fire Alarms, 3 Smoke Investigation, 1 Fire Police Call, 1 Transformer Fire, 1 Structure Fires, 1 Carbon Monoxide and 1 Chief Request. The department had their monthly meeting. They had their monthly fundraisers such as the monthly Breakfast (300 people) & Fire Company Cash Bingo. They did Pump Operations & Driver Training. Filled Pools & did Truck maintenance. Chairman called for a motion to accept the Fire Department's Monthly Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

G. Ambulance Monthly Report – June 2023

Chairman read the June Ambulance Monthly Report. The June monthly report is as follows: 34 Total Calls for the month of June. 173 Total Calls Year to Date. Municipalities included 1 New Ringgold, 2 in Schuylkill Twp., 4 Tamaqua and 27 West Penn Township. The receiving Hospitals included 4 Geisinger-St. Luke's, 5 LVHN Carbon, 5 LVHN Cedar Crest, 1 LVHN Schuylkill East, and 9 St. Luke's Miners. The calls consisted of Abdominal Pain, Breathing Problems, Chest Pains, Fall Victims, Fire, Hemorrhage/Laceration, Lift Assist, Poison/ Overdose, Psychiatric Problems, Sick Person, Stroke, traffic accident, fainting, and patient evaluation. Chairman called for a motion to accept the June Ambulance Monthly Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 2-0

IV. Old Business

A. Recycling – Chairman said the Township hired Mark Boyle Welding to make a new recycling bin. The Township decided to get another recycling bin to avoid closing the recycling center when the current bin was full or being emptied. Tamaqua Transfer empties our bin as a courtesy. Chairman was told it would be complete by the end of the month, which did not happen. A resident, Carl Greves approached the Chairman and asked the status of the new recycling bin. Chairman said he feels in two weeks we should be done.

B. Ambulance – Chairman said we have been going back and forth with the Ambulance, we requested some information, and at this time, we did not receive any the information we requested. Val Coombe said she has the information but they want to set up a workshop with everyone when Tim Houser comes back. Val Coombe said they hired additional staff. They have been doing 24hrs. Tim Houser wanted the information that was requested on July 1st. That did not happen. It is our responsibility to take care of our citizens and provide them with 24 hr. service. Glenn Hummel and Val Coombe discussed number of calls, where they are dispatched and who is dispatched. Glenn Hummel feels the problem is Penn Mahoning is looking to us for financial sustainability. We should not do that as the taxpaying body. Chairman feels that they do not. We give them like a stipend. Val Coombe said she hired more people. Glenn Hummel stated he asked as one of the officials of the Township he is requesting that they provide financial transparency to ensure the taxpayers' money be being spent correctly. Glenn Hummel feels Penn Mahoning needs either to merge or do something to have financial sustainability. You cannot do it on 229 calls a year and have 24hrs/day/365 days a year. The Township should not be funding Penn Mahoning to ensure financial sustainability; we should be the outside source helping you. Val Coombe asked what we would suggest the Penn Mahoning Ambulance should do. Glenn Hummel said his suggestion would be #1. We reduce it from \$45K to \$30K. #2. We make Penn Mahoning primary when they are in service & when they are out of service Tamaqua becomes primary and we start funding Tamaqua to help them with their bills the same way we help Penn Mahoning. Val Coombe asked why you would designate Tamaqua instead of going with the closest Ambulance with mutual aid. Glenn Hummel said because not every call that Tamaqua responded was for mutual aid but because you were out of service. Chairman said Tim Houser communicated to the board his thoughts about the Ambulance Associations. Val Coombe said as of today from the calls that were ran last year Penn Mahoning is owed over \$7K for calls that were billed that haven't been paid for. This year they are \$2 shy from \$5500 that was billed but not paid from Tamaqua. Val Coombe feels the Township should not give money to Tamaqua because they make great money coming down to West Penn for the calls they do. Chairman said the bottom line is we need 24 hr. coverage right away. Chairman said we want to keep Penn Mahoning primary as long as you are working. We did talk about reducing funding then splitting it; however, we did not decide that yet. Chairman feels that the Ambulance that is coming into the Township that saves lives should be compensate somehow. Gerald Coombe said what about New Ringgold, are you going to give them compensation. Chairman's view is that whichever Association provides the service. That is not Glenn Hummel's view. He feels that is mutual aid. Glenn Hummel & Val Coombe went back and forth discussing BLS & ALS, billing, coverage and who is being paid. Chairman said Penn Mahoning would be primary as long as you take the call you do not have

anything to worry about anything. However, if you are out we asked that Tamaqua be called because time is of the essence.

Val Coombe asked if the bills they dropped off would be paid. Glenn Hummel asked Val Coombe what she agreed to do with bills. Glenn Hummel said the agreement was that they would be given to us quarterly and you would give us the paid bill and the canceled check.

Glenn Hummel said we approved bills up to a certain dollar amount of \$15K until we figure out what we are doing. Don Hoppes asked if they could schedule a workshop. The Board is willing to do it and listen to it and maybe things will change in the future but it should have been done two years ago. Don Hoppes said July 1st was a Saturday. Monday is the next working day. Glenn Hummel said Tim Houser said July 1st. Tim Houser said if they do not get the information that was requested then we have to do something to fix it. Stacy Harig from the Ambulance Association said the Chairman said that the Township budgeted \$45K to the Ambulance and now they are taking that back from them. Chairman said you are still the primary care provider. Our only deal is the times that you are not there we need someone else to cover. Moreover, for the other Association to come in to cover when you are not there they should be compensated. Chairman said he did say we budgeted \$45K however, that is when everything is perfect and we get all the money that is due to the Township from taxes. Chairman said we need 24/7 coverage and as quick as we can get to people. The money aspect goes is something that can be worked out. Nothing is etched in stone.

Val Coombe asked if another Fire Dept. comes into the Township, are we going to split that money. Glenn Hummel said we have to provide Fire Service. We do not have to provide EMS service. Attorney Datte said what is frustrating to him is that other Municipalities do not give their Ambulance any compensation.

David Tyson – Penn Mahoning has pride and respect for the people. Mr. Tyson then expressed his feelings about the Township roads. Chairman said when Mr. Tyson brought all this up before he was asked to come in and speak to our road master or make a list of all his concerns

Val Coombe asked if she could schedule a workshop. Chairman said yes. Chairman said if she wants all three supervisors to be there on is on vacation right now. Val asked if everyone would be there at the next meeting. Chairman said, yes. Val Coombe said she would be there. Glenn Hummel made a motion to make Penn Mahoning primary as per the guidelines of what we talked with the 911 center and make Tamaqua secondary. When Penn Mahoning is out of service Tamaqua will become the primary.

Chairman said he has no problem with that the only thing he has a problem with is the compensation. Glenn Hummel said mutual aid would always be in effect. However, if Penn Mahoning is out of service the first call will be to Tamaqua. If Tamaqua is busy then mutual aid kicks in. Chairman seconded the motion about the Penn Mahoning is the primary and Tamaqua secondary and when Penn Mahoning is out of service, Tamaqua will be the Primary. Chairman seconded. All in favor. Motion was carried. 2-0

V. New Business - NONE

VI. Correspondence

Chairman said he has a letter from West Penn Township Lions. The letter was to the Board of Supervisors and Jeremy Frable the Road Master. The letter was to request attendance at their Basketball Dedication/ Community Hero Check Presentation, which will be held on August 16, 2023 @ 6PM at the Large Pavilion #1.

VII. Business from Anyone on the Board

VIII. Public Comment on General Items

Brian McQuillen – asked the BOS if the public could have the detailed code enforcement violation reports. Chairman said the problem releasing the Code Enforcement reports is bringing people's names up & addresses. Brian McQuillen asked if the Code Enforcement Officer can create a report stating, how many violations were handed out.

George Triano – expressed his concerns about the Police Department and their Impounds. He is frustrated about the lack of communication with the Police Department. He spoke on behalf on his girlfriend's vehicle being impounded. George Triano said they had to pay \$1300 to get the vehicle back. George Triano said six months later, she was pulled over again and her car was impounded again. Then George Triano's car was impounded as well. He feels targeted. George explained his girlfriend's hardship and that is losing her home. They needed to find out what they needed to do and they could not get a straight answer to rectify the issue. George Triano is asking for some kind of relief of having to pay all these fees. Chairman said the only fees that we may be able to waive are the storage fees. Chairman said we have to talk to the Chief and figure it out what we can do. Chairman said we would be in contact. George Triano and his girlfriend thanked the Board of Supervisors for their understanding.

Ilisa Sackhoff Hoppes – said she reached out to the secretary about getting everyone's email address. The secretary reached out to let her know she did look into a company that send out one mass email so personal emails are kept private however it wasn't cost effective.

She asked if we could do anything else. She said that maybe we could create a newsletter for our residents to keep them informed.

She expressed her concerns about burning especially in a drought.

Connor Evans Assistant Fire Chief said the Township does have burning ordinances. He also stated that if the Township is in a burn ban they put up red signs stating that throughout the Township.

Carl Greves – spoke about air quality and fires.

Chairman said we should come up with a list for the fire department of our concerns about burning & fires.

Jason Oswald – asked about the Zoning of his property.

David Tyson – expressed his concerns about the Road Dept. doing work on Mush Dahl. Chairman asked Jeremy Frable for an explanation.

Connor Evans – made an announcement about Crime Watch, meeting will be July 20th place to be determined. Connor Evans said they are also running the National Night Out, Tuesday August 1st at the West Penn Fire Company. 5PM-8PM

Small game of chance license for Crime watch to have some fundraisers. Glenn Hummel suggested that the fire company might let them operate under their license to save money and liability.

IX. Executive Session – None

X. Adjournment

Chairman called for a motion at 8:15PM. Glenn Hummel made the motion. Tony Prudenti seconded the motion. All in favor. Motion was carried. 2-0

Transcribed By: Katie Orlick

West Penn Township Secretary