

**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**

**Monday, September 18, 2023**

**Present at the Meeting**

**Tony Prudenti – Chairman**

**Katie Orlick - Secretary**

**Tim Houser – Supervisor**

**Paul Datte – Solicitor**

**Glenn Hummel – Vice Chairman**

**Mike Begis – ARRO Consulting**

**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 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**

**A.** Stonehedge, LLC Hearing Decision – Attorney Datte said after the hearing was conducted in August and discussions in Executive Session he believes the Board will be willing to entertain a motion to issue the following decision with the respect of the application from Stonehedge, LLC for a Conditional Use pursuant to Section 407.C.3 of the West Penn Township Zoning Ordinance.

The Application of the Applicant for a conditional use pursuant to Section 407.C.3 of the WPT Zoning Ordinance to alter/expand a nonconforming use to operate a café is DENIED; provided however that the applicant may utilize no more than two food trucks or comparable temporary food sales during multiday events contingent upon Applicant obtaining all necessary permits and approvals from the Township & any other applicable governmental authority.

The application of the applicant for a conditional use to pursuant to Section 407.C.3 of the WPT Zoning Ordinance to alter/expand a nonconforming use to define the parameters of and to permit and regulate multiday programs & festivals and overnight guest stays on the Property is hereby GRANTED, subject to the testimony & exhibits introduced at the hearing & the following conditions:

- 1.** All lawfully pre-existing non-conforming activities shall be permitted to continue on the Property, including without limitation, single-day events, programs, classes, workshops, tours, concerts, festivals, and receptions, provided, however, that all of Applicant’s operations shall be conducted in accordance with these conditions to the extent applicable.
- 2.** Applicant shall be permitted to host overnight stays in connection with educational programming. These programs shall not include more than 40 attendees & shall comply with all applicable conditions for multiday events.
- 3.** All multiday events shall be subject to the following conditions, in addition to the other conditions set forth herein:
  - a.** No event shall have a duration of more than 4 days and 3 nights. No attendee shall be permitted to stay on the property for more than 3 nights.

**b.** All multiday events shall be scheduled to occur over a weekend or a “long weekend” (e.g. Thursday evening – Sunday morning)

**c.** Multiday events shall only be held between the months of May & October.

**d.** All guests shall sleep exclusively in the “camping areas” identified on the site plan that was submitted into evidence & made part of the record.

**e.** No drugs or alcohol shall be permitted.

**f.** Applicant shall ensure that the Property’s rear parking lot is full prior to permitting any parking in the area fronting Dairy Rd.

**g.** Applicant shall engage security personnel sufficient in number and adequately trained to maintain public safety during the multiday event.

**4.** Applicant shall make reasonable, good faith efforts to provide current contact information in the Township, all adjoining property owners, and all parties to the conditional use hearing. The contact information shall include a telephone number for Applicant’s designated representative. Applicant shall ensure that the applicable telephone is turned to “ON” and is capable of receiving incoming calls during the multiday events.

**5.** Parking shall be on-site in the locations identified on the Site Plan. No parking will be permitted along a public roadway. Applicant shall install adequate signage to direct guests to parking facilities. Signage shall be of a site appropriate design and aesthetic in Applicant’s reasonable direction.

**6.** Applicant shall utilize a parking flagger for all advertised events. The parking flagger shall ensure that all vehicles are quickly and efficiently directed to off-street parking areas.

**7.** Applicant shall make public safety a priority.

**8.** Campfires shall be permitted only in designated fire pits maintained & designated by Applicant. Guest shall be strictly prohibited from starting provide campfires.

**9.** Applicant shall inform guests that they are not to trespass onto neighboring or surrounding properties. Applicant shall post the Property to ensure that its boundaries are adequately identified, particularly in areas where the Property’s lot line is not readily identifiable. Any guest that trespasses onto neighboring or surrounding properties shall be subject to removal from the event.

**10.** All outdoor music & noise for any event shall begin winding down at 9:00PM and shall stop completely by 9:30PM. Applicant shall comply with Township & other applicable regulating noise ordinances regulating noise levels.

**11.** Applicant shall hold the Township harmless from & against any claims, suits, liabilities, actions or damages arising from Applicant’s operations at the property. Applicant shall name the Township as an additional insured on its general liability policy for the duration of any festival-type events.

**12.** If an event utilizes Port-a-Pots, applicant shall ensure that same are emptied regularly as needed to eliminate nuisance and health hazards.

**13.** The Property shall be kept free and clear of litter & debris and in compliance with all applicable property maintenance statues & ordinances.

**14.** Applicant shall be permitted to host a maximum total of 2 multiday festival type events per calendar year with a maximum of 100 attendees at each event. These events shall comply with all conditions for multiday events set forth in Condition No. 3 and shall be subject to the following additional conditions:

**a.** Applicant shall provide West Penn Twp. Police Dept. With a minimum of 2 days’ advance notice of the event, including contact information for the applicable point of contact. The West Penn Police Dept. shall be permitted on the Property during the event.

**b.** Applicant shall designate 3 individuals to ensure compliance with the conditions set forth hereunder. These individuals shall be clearly identifiable by clothing or uniform.

Notwithstanding the above, in the event there is any gross violation of the conditions of approval or of the Zoning Ordinance during any of the first four multiday festival-type events following this decision, the Township may issue a notice to applicant revoking Applicant's right to host multiday festival-type events in the future.

Tim Houser asked if the Township should put a decibel level for music. So if we do get complaints, we have a level to go by. Attorney Datte said it goes by our Ordinance that does have a decibel level to go by. Chairman said Tom Moroz from Stonehedge has purchase a decibel reader to help insure the music will be in that level.

Chairman called for a motion to adopt the hearing decision on Stonehedge, LLC. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**B.** Chairman called for a to adopt Ordinance #2 of 2023 adopting the proposed Zoning Ordinance & Zoning Map. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **IV. Old Business**

**A. Trick-or-Treat** - the Board confirmed that it will be held on Tuesday, October 31, 2023 from 5PM-8PM. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **V. New Business**

Chairman called for a motion to hire Justin Frable as a fulltime road employee. Tim Houser made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **VI. Business from anyone on the Board**

**Impound Lot** – The Board discussed the Impound Lot. They plan to close it. Glenn Hummel said we are not getting rid of it in case the department needs it for evidence or chain of custody for evidence. Glenn Hummel wanted to clarify to the public that it does not mean the department is not going to Impound cars. It just means we are not going to store them unless it has to do with evidence of a case or having a search warrant for the vehicle. Tim Houser asked if we can require the towers to have a fenced in area and a secure area to obstruct the view of the Impounded cars. Attorney Datte said he believes so and there will be an approved list of towing companies to impound the vehicles. Attorney Datte said we would have to establish reasonable conditions. Glenn Hummel said the two towers are aware of that and will have secure areas. Glenn Hummel made a motion to close the Impound lot except for Chain of custody issues for evidentiary for the police department for court. Tim Houser seconded the motion. All in favor. Motion was carried. 3-0 Chief Bonner asked the Board when this will take effect. Board agreed October 1, 2023.

#### **VII. Correspondence**

**A.** Chairman announced the Andreas Halloween parade is scheduled for Wednesday, October 18, 2023 @ 7PM with a rain date of October 19<sup>th</sup>. They did receive their Special Events Permit from PennDOT and they are ready to go. Chief Bonner asked for approval for extra officers to work that day. Tim Houser made a motion to allow extra officers to be on for the parade and approve the Lions Club request. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

#### **VIII. Public Comment on General Items**

**Mark Boyle Sr.** expressed his concerns about the Police Officers and the First Responders and how important they are to the community. Chairman said there has been a lot of rumors about us shutting down the Police Department. Those rumors are not true. We are not shutting the police department down. We are not giving up on the D.A.R.E Program or the CSI camp. Glenn Hummel said it is a bad rumor that we cannot get rid of. Mr. Boyle never realized how important those services are since the

tragedy of his son six weeks ago. He thanked the first responders and the police department for the help with his son. He feels that no matter what the Township needs 24 hr. coverage. Chairman said we do have that right now. Chairman gave his condolences again to Mark Boyle Sr. and Mark Boyle's wife Liz. We are sorry for their loss and if they need anything from West Penn Township, let us know.

**Tom Moroz** from Stonehedge, LLC asked the Board for a copy of their decision on the Conditional Use Hearing. Attorney Datte said he will have it to him by Wednesday.

**Deroy Haas** asked for the Board to keep voices up or get a microphone system.

Chairman again thanked all First responders for what they do.

#### **IX. Executive Session**

The Board had an executive session before the meeting to speak about potential lawsuits.

#### **X. Anything Else from the Board**

#### **XI. Adjournment**

**A.** Chairman called for a motion to Adjourn at 10:35AM. 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

#### **Budget Workshop followed the meeting.**

Supervisors began budget discussions. Chairman asked the secretary to reach out to our engineers, code enforcement, attorney and our SEO to ask their rates for 2024. Jeremy Frable gave the Supervisors his anticipated budget. Chairman spoke about establishing a Capital Reserve for Equipment. Chief Bonner proposed some of what he anticipates for next year. He would like to see an increase of his budget for PT. wage increase and an increase in Heating Oil & Equipment Repair. The Ambulance & Fire Company at this point will remain to what the Township provided in 2023. The office may need an increase in equipment and services for the Township. There will be no tax increase. Budget discussions will continue on October 16<sup>th</sup>, following the regular morning meeting.