

West Penn Township Board of Supervisors

27 Municipal Road

New Ringgold, PA 17960

Phone (570)386-4507

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Regular Meeting

Monday, March 4, 2024

Present at the Meeting

Anthony Prudenti – Chair

Glenn Hummel – Vice Chair (phone)

James Akins – Supervisor

Jim Bonner – Chief of Police

Karen Wittig – Treasurer

Katie Orlick – Secretary

Jeremy Frable – Road Master

Mike Begis – ARRO

Paul Datte – Solicitor

I. General

A. Tony Prudenti called the meeting to order at 6:03PM with the Pledge of Allegiance & Introduction.

B. Public Comments on Agenda Items Only

Brian McQuillen – Penn Dr. – asked if in the future we could identify where the properties are located when there is a subdivision or a land development on the Agenda.

C. Review of the Minutes – February 5th & 20th, 2024.

Chairman called for a motion to accept the meeting minutes from February 5th & 20th, 2024. Jim Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

D. Treasurer’s Report – February 2024

Chairman called for a motion to accept the Treasurer’s Report. Glenn Hummel made the motion. Jim Akins seconded the motion to accept the Treasurer’s Report for February. All in favor. Motion was carried. 3-0

E. Approval of Bills – February 2024

Chairman called for a motion to pay the bills. Jim Akins made the motion to approve the bills for February. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

F. Solicitor’s Report

Attorney Datte said the acquisition for 2056 West Penn Pike; it is being pushed off until March 20th.

Attorney Datte said he has an extension for the Chairman to sign. Wells Fargo is paying the inheritance tax that is owed from the estate on the property. They need this time to file a simple return and along with the inheritance tax payment. Part of the deal was we get a title insurance policy that shows we own the property & showing the property is free & clear of all liens & indifferences. We will have to extend the closing for about three weeks. Chairman made a motion approving the extension of the donation agreement to March 20th, 2024. Jim Akins made the motion to extend the proposal and the contract. All in favor. Motion was carried. 3-0

Paul Datte also let the Board know he is working on Atlas Park.

II. Land Use

A. Valeria Seroka 3-Lot Subdivision

Mike Begis said the plan proposes the subdivision of existing 8.79 acre into three separate parcels. The property is located on Forsythia Lane off Archery Club Rd in the AG Zoning District.

1. Chairman called for a motion to approve the Planning Commission's recommendation to accept their request for the modification to waive Section 902 of the requirement to provide a Mylar copy of the plan. Jim Akins asked the Chairman why we are waiving that. Chairman said we are going away from Mylars. Everything these days are becoming electronic. Glenn Hummel made the motion. Jim Akins seconded the motion. All in favor. Motion was carried, 3-0

Jim Akins wants to make a recommendation to the Planning Commission and ask for the Mylar requirement to be removed from the SALDOs. Attorney Datte said the Board could make a motion tonight. Jim Akins made a motion that the Board recommends to the Planning Commission for the next revision of the SALDOs to remove Section 902 the requirements for a Mylar and approve any requests for waiving Section 902 for the Mylar Copy. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

2. WP Planning Commission recommends the Board of Supervisors conditionally approve the Valeria Seroka 3- Lot Subdivision contingent on ARRO's Comment Letter dated February 21, 2024, Bill Brior's Comments and Schuylkill County Planning comments being satisfied, along with the fee-in-lieu of the requirement for open space/recreation. Chairman called for a motion to conditionally approve the 3-lot subdivision based on comments being satisfied and adopt Resolution# 10, 2024. Glenn Hummel made the motion. Chairman seconded the motion. All in favor Motion carried. 3-0 (Rescinded at the end of the meeting)

B. Gregory & Jodi Duschak Solar Collection Land Development – The plan proposes the development of an existing 34.9742 acre with two solar panel arrays. The property is located along Ash Circle and Ridge Rd. in the AG Zoning District. The Planning Commission recommended the wavier requested from Section 501 – to waive the requirements to provide a Preliminary Plan submission. The Plan was tabled due to the number of outstanding comments needing to be addressed. Chairman has a lot of questions about the Solar Project. One main concern is the decommissioning of the Solar Farm after it is not in use. Chairman asked Tom Ackerman, Vice Chair of the Planning Commission, about the Project. Mike Begis said one of his comments he had was a recommendation for a decommissioning agreement. Attorney Datte asked if Mike Begis recommended Security Bond for the Decommissioning. Attorney Datte said the Decommissioning Agreement would be recorded and they should post some kind of financial security. Chairman asked how long do solar panels last. Attorney Datte said 20-25 years. Mike Begis said the solar company is leasing the land for 25 years with the option of another 10 years after that. Chairman said he is not sure how they are coming up with their impervious calculations. Mike Begis said DEP came out with some guidelines to calculate the impervious calculations. Jim Akins recommends we do not change the Township's process of the land development and have them go through the Preliminary process. Glenn Hummel agreed. Chairman said at this time we are not entertaining the requirement of the Preliminary Final plan. Chairman called for a motion to denied the applicant's request to waive the Preliminary Plan. Jim Akins made a motion to deny the Preliminary/Final Plan submission from Section 501. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

III. Operations

A. Engineer/Zoning Monthly Report – February 2024

Chairman asked Mike Begis from ARRO Consulting, Inc. if he had anything to report for the month of February. Mike Begis said he provided the BOS a report and he would be happy to address any questions the BOS may have. Chairman called for a motion to accept the Engineer's Monthly Report. Jim Akins

made the motion to accept the February 2024 Report. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

B. Code Enforcement Monthly Report – February 2024

Chairman asked the BOS if they had any questions about the Code Enforcement Report.

Chairman called for a motion to accept the Code Enforcement Officer's Monthly Report. Jim Akins made the motion to accept the Code Enforcement Officer's report for February 2024. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

C. Sewage Enforcement Officer's Monthly Report – February 2024

Chairman read the sewage enforcement officer's report. The report consisted of 1 New Permit Applications, 1 Permit Repair, 3 Site Evaluation, and 3 Design Reviews. No Well Activities. No Malfunctions Reported. Chairman called for a motion to accept the Sewage Enforcement Officer's Report. Glenn Hummel made the motion. Jim Akins seconded the motion. All in favor. Motion was carried. 3-0

D. Road Department's Monthly Report – February 2024

Chairman read the Road Department's Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, Hauled in Millings, Plowing & Cindering Township Roads, Installed Septic Tank at the Township Building, Patched Holes with Cold Patch, Repaired Soft Spot on Fort Franklin Road with #3 Stone, Cleaned Trees and Limbs off Township Roads, Repaired Street Signs on various Township Roads and Hauled in Sand & 2B Stone for Drainage Field. Jeremy Frable said Karl Paisley, Justin Frable and Jeremy Frable attended Flaggers Training in Orwigsburg. Chairman also read the Maintenance Report. Chairman called for a motion to accept the Road Department's Monthly Report. Jim Akins made the motion to accept the Road Department's monthly report for February. Glenn Hummel seconded the motion. All in Favor. Motion was carried. 3-0

Chairman called for a motion to advertise for the 2024 Pipe Bids. Jim Akins made a motion that we advertise for the 2024 Pipe Bids. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

E. Police Department Report – February 2024

Jim Akins read the Police Report. The Police Dept. had 5,874 miles patrolled, 83 total citations & warnings, 8 motor vehicle accidents and 159 Total calls. Jim Akins said the Chief provided the Board with a frequency type report showing some different data. Glenn Hummel said this report shows the true number of calls for criminality. Jim Akins thanked the Police Dept., Road Crew, Fire Dept. and Ambulance for their extra efforts with the last storm/blizzard. They came together for the State of Emergency. Jim Akins said that they had a plan set and everything ready to go. He felt it was a great job for the entire team. Jim Akins said we got some assistance from Dave Argall, John Blickley and the County along with Christine Verdier. Great job everyone. Chairman also thanked all the first responders for helping with the oil leak on SR895. Chairman called for a motion to accept the Police Report. Jim Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0.

F. Fire Company Monthly Report – February 2024 – NONE

G. Ambulance Monthly Report – February 2024

Chairman read the Ambulance Monthly Report. The Ambulance Report consisted of 76 calls year to date. February had 34 total calls. 27 West Penn, 4 Tamaqua, and 2 in East Brunswick Twp. and 1 in Tamaqua. The outcomes of the calls were 17 Treated, Transported BLS, 1 Cancelled, 2 Lift Assists, 4 Refused treatment, 1 Standby and 9 Treated, Transported, with ALS. Receiving Hospitals were 11 St. Luke's Miners, 4 St. Luke's Carbon, 8 Lehigh Valley Carbon, 1 Cedar Cres LVHN & 2 Schuylkill East LVHN. The calls consisted of abdominal pain, breathing problems, cardiac arrest, choking, seizure, falls, traffic accidents, stroke, psychiatric problems, heat/cold exposure & lift assists. Unit 937 is back and in Service. Chairman called for a motion to accept the Ambulance Report. Jim Akins made the motion to accept the Ambulance Report for February 2024. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Jim Akins said fundraising is key for the Ambulance. Mr. Akins said follow up and make your donations, subscribe to what they are offering. The personal care and the one on one care they provide is exceptional. Please support them. Valerie Coombe said they have clothing drop off boxes at their station as a fundraiser. She asked to please use them if you have unwanted clothes to get rid of. This is a fundraiser they thought they would try. Chairman added that the Ambulance is working on some issues and that every bit counts. Their pipes burst and they are in the process of clean up.

IV. Old Business

James Akins requested an Executive Session. He said there is an HR Matter that he would like to discuss and review and he would like some clarity on a recently legal decision related to the Township that he would like to discuss with our Solicitor.

V. New Business - NONE

VI. Correspondence

A. Eagle Scout – Chairman introduced Amy (Conover) Buchman and her son Tyler. They approached the Board of Supervisors about an Eagle Scout Project they would like to propose to the Township. Amy Buchman explained some projects they were thinking about doing for his Eagle Scout Badge. The two ideas they had in mind was a parking area at the trail head on Dairy Rd. or installing two benches at the mile marker along the trail. However, she spoke to Glenn Hummel and he recommended benches for the Morgan Park. She asked if the Board has any other suggestions. They are just in the planning process and looking for the best interests of the needs in the community. Jim Akins likes the idea. He said there is a plan on the roadside to cut in some additional parking. He said benches in that area would be nice. Chairman said it would be nice for the elderly as well when they come to watch their grandchild play soccer or baseball. Amy Buchman asked how many benches would they recommend. Jim Akins said maybe 8 or 10 or even a half dozen. Chairman said we actually could place the benches throughout the park. Jim Akins recommends and said he would volunteer some time one evening to go down to the park and we could see the best spots to put the benches. Mike Begis gave Tyler a plan of the park. Chairman said we are getting ready to install a walking trail at the park. Amy Buchman asked if the Board has any recommendations for fundraisers to help defer the costs. Olive Oil Company in Jim Thorpe has a fundraiser available. Chairman said maybe the Fire Company would be able to set something up at their monthly breakfast. Valerie Coombe said tasykake years ago had a really good fundraiser that you may be able to look into. Jim Akins recommended to Amy Buchman to contact Glenn Hummel in the next two-three weeks to schedule a meeting at the park. The Board thanked Amy & Tyler for coming to the meeting.

B. Chairman announced that West Penn Park Zion Stone will be having Spring Clean-Up on April 6th at 8AM. Rain date April 20th. Chairman said they are looking for Volunteers. Jim Akins said they need something done with the weeds on the infields and asked the Chairman what we could do. Chairman said we do not spray for weeds but we do sub it out. Chairman asked Jeremy Frable, Road Master to look into what it would cost to have that done. Glenn Hummel said Bill Aungst, TABA is licensed to do it. Jim Akins said he could talk to him but he does have like thirteen other fields to do. Jim Akins asked for Jeremy Frable to get some prices for spraying services for the Baseball Fields.

C. Chairman read a letter from Senator Argall. The letter read that it came to his attention that your organization, meaning the West Penn Fire Company No. 1, did not apply for the 2023-2024 Fire Company and Emergency Medical Services grant program, which is administered by the PA State Fire Commissioner. The annual program provides funds to volunteer companies, emergency medical services and rescue squads. Chairman said that our Ambulance Company did apply and it worked out for them. However, our Fire Company did not. Jim Akins asked if anyone followed up with the Fire Dept.

D. Chris Johnson from Tuscarora Grain Co. – Chairman read an email from him. He explained that he has been working on burning a stump for the past two months, which may have triggered the burning oats comment. He stated that he did not roast any soybeans since July of 2022. Mr. Johnson also clarified that they use a tarp when hauling and wanted to make a note that they are not the only farming operation in the Township.

VII. Business from Anyone on the Board

Glenn Hummel asked if the Board could move the March 19th meeting to Monday, March 18th because he is going for surgery on the 19th. The Board agreed to change it. Chairman called for a motion to change the meeting to Monday, March 18th at 10 AM and have the secretary advertise for the meeting. Jim Akins made the motion to move the Tuesday, March 19th meeting to Monday, March 18th at 10AM. Glenn Hummel seconded the motion.

Chairman said he would like to look into the fee schedule. Chairman said right now our Ordinance says fee for Solar is \$200/panel. Chairman said we cannot make money on our fees. Attorney Datte said we will need to look the fees. Chairman asked the Board if we could instruct Paul Datte to look at our fee schedule. Board agreed to do so.

VIII. Public Comments on General Items

Brian McQuillen – Thanked the Board for the Walking Trail at the Morgan Park. He asked if would be paved or stoned. Mike Begis said paved.

Jane McQuillen – also thanked the Board for the Walking Trail. She asked if the Board could resurface one of the tennis courts at the Zion Stone Park for Pickleball. Chairman said it has been discussed and they are looking into that.

Ilisa Sacknoff Hoppes – Thanked whoever found her phone last meeting. She thanked Glenn Hummel for coordinating with the road crew so her husband could pick it up before work.

752 Penn Dr. – She said there is garbage piling up behind a big green thing. She is having mice issues in her house. She said she never had that before until this. Jim Dean said if you fill out a concern form he could investigate it. She said she will come in to fill another concern form out about the garbage.

Daniel Skripnek – said he was concerned with the Valeria Seroka Subdivision. He said that goes to a dead-end at the end of that road. Are they going to have to make that a regular Township Road? It is a private road. Chairman thought every lot that is created in the Township must be on a Township Road.

Mike Begis said or private road. Chairman asked how many are you aloud to do on a private road. Mike Begis said it does not specify.

Brian McQuillen believes that our Ordinance states that all lots must front on a public road. Attorney Datte asked the secretary to get a copy of the SALDOs and Zoning Ordinance for he to look at. Jim Akins feels that the lots needed to be on a public road. Jim Akins said the Board will look into his concern. Brian McQuillen asked about what the Board is going to do about the Conditional approval of the Seroka Subdivision. Attorney Datte said what the Ordinance says is all proposed subdivisions and land developments shall have adequate access to the public highway system. Section 1004.A. Attorney Datte also said the Zoning Ordinance states each approved new lot shall have adequate vehicle access that is suitable for use of an Emergency Vehicle to reach a Public Street. Access could be provided by a driveway or private street.

Attorney Datte advised the Board to rescind and table the motion until our next meeting in two weeks.

Glenn Hummel rescinded the motion of Conditionally approving the Valeria Seroka 3- Lot Subdivision and adopting Resolution #10 of 2024. Chairman seconded the motion All in favor.

Motion was carried. 3-0

Valerie Coombe thanked the West Penn Township Police Dept. for their service.

IX. Executive Session

Chairman called for a motion to go into executive session. Jim Akins called for a motion at 7:16PM, to discuss a HR matter and a legal matter for the Township. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Chairman called the meeting back to order at 7:35PM and said we spoke about personnel issues and possible litigation.

X. Adjournment

Chairman called for a motion to adjourn at 7:36PM. Jim Akins made the motion to adjourn. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By:

Katie Orlick - West Penn Township Secretary