

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

Phone (570)386-4507

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**Regular Meeting
Monday, August 5, 2024**

Present at the Meeting

Anthony Prudenti – Chair
Glenn Hummel – Vice Chair
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 - NONE

C. Review of the Minutes – July 1st & 16th, 2024.

Chairman called for a motion to accept the meeting minutes from July 1st & 16th, 2024. Jimmy Akins made the motion to accept the minutes from July 1st & 16th, 2024. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

D. Treasurer’s Report – July 2024 – Chairman called for a motion to accept the Treasurer’s Report Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

E. Approval of Bills – July 2024

Chairman called for a motion to approve and pay the bills for July. Glenn Hummel made the motion to approve the bills and accept the Treasurer’s report for July 2024. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

F. Solicitor’s Report

Attorney Datte said he forwarded the Board an email from Charlie Schmehl at URDC. He said Charlie Schmehl provided some amendments to the Zoning Ordinance for review. The amendments included Tiny Homes, Data Centers, Glamping and Food Trucks. Charlie Schmehl suggested that we have sufficient information already in the Zoning Ordinance for Food Trucks unless the Board has something else they would like to add. The Board was good with URDC suggestion.

The Board agreed with a minimum size of the Tiny Homes requirement in the Ordinance is sufficient. The next item the Board discussed was Data Centers. Attorney Datte said we would define Data Centers in our Ordinance and added to the Extractive Industrial District by Special Exception with increased setbacks. The biggest concern is noise, and URDC suggested noise studies. Charlie Schmehl suggested the Board should include Cyber Currency Mining in the definition of Data Centers. Attorney Datte suggested he gets with Charlie Schmehl to develop a definition for Data Centers and any specific requirements for Data Centers and we limit those to the Extractive Industrial District.

One other topic to amend in our Zoning Ordinance is Glamping. Charlie Schmehl feels like it is covered by our Camping Regulations in our Ordinance. Essentially we permit Camping anywhere in the Township. Attorney Datte said he feels it is a use permitted by right in the Industrial District, and campgrounds are allowed with Zoning Hearing Board approval in other districts. The Zoning Hearing

Board can place reasonable conditions upon a campground to address local issues. There currently is a 3-acre minimum lot size currently in the commercial and industrial districts and a 5-acre lot size in all other districts. At least 20% of the land area currently must be maintained in woods or recreation areas. Attorney Datte said these regulations are for campgrounds and Glamping should be included. Attorney Datte said he would speak with Charlie Schmehl get the definition of Glamping and included with Camping. Glenn Hummel said if I understand this right, the Zoning Hearing Board could put a Conditional Use on Glamping Use or Camp Site use. Attorney Datte said it would be either Conditional Use or Special Exception. Attorney Datte asked the Board if he could proceed to have the revisions of the Zoning Ordinance. Chairman called for a motion to accept the Solicitor's Report. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0 Chairman discussed Atlas Park. Attorney Datte said he spoke to someone about the potential environmental restrictions associated with the ICI Americas Property near Atlas Park. Chairman said we are getting 26 acres of property donated to us. We did not want to take over the property unless we could use it for recreation. This area was never the part of the potential environmental restrictions to begin with. DEP is comfortable saying that we are good to go in developing our park. Attorney Datte said he revised the deed to exclude the references of any environmental provision. Attorney Datte will be arranging a meeting with the property owner to sign the deed. Mike Begis asked that Attorney Datte send him a copy of the deed to get DCNR's approval before the Township signs off on it.

II. Land Use – NONE

III. Operations

A. Engineer/Zoning Monthly Report – July 2024

Chairman asked Mike Begis from ARRO Consulting, Inc. if he had anything to report for the month of July. Mike Begis said he provided the BOS a report and he would be happy to address any questions the BOS may have. Glenn Hummel asked if the J.E. Morgan Park was closed out. Mike Begis said not yet. Karen Wittig gave him invoices and payments that he will need to upload and we will be closing it out shortly. Glenn Hummel asked if we filled out all the requirements for the grant to be closed out. Mike Begis said, yes. Chairman called for a motion to approve the Engineer's monthly report. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

B. Code Enforcement Monthly Report – July 2024

Chairman called for a motion to accept the Code Enforcement Officer's monthly report for July 2024. Jimmy Akins made the motion to accept the code report. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

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

Chairman read the sewage enforcement officer's report. The report consisted of 1 New Permit App., 1 Test Probes, 1 Perc Test, 3 Design Reviews, 9 Interim Inspections, 1 Site Evaluation, and 3 Subdivision Plan Reviews. 2 new Well Permits. No Malfunctions were reported. Chairman called for a motion to accept the Sewage Enforcement Officer's Report. Jim Akins made the motion to accept the Sewage Enforcement Report for July 2024. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

D. Road Department's Monthly Report – July 2024

Chairman read the Road Department's Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, Patched holes with cold patch, Grading shoulders on Kepners Rd., Blue Mt. Dr., Retreat Rd., Archery Club Rd., and Dorset Rd., Cleaned up trees and limbs along Township

roads, Installed Shale on Arrow Rd. (Low Volume Grant Project), Patching Holes on Dirt rds., with 2A Modified, Mowed grass along Township Roads and Added two new handicapped picnic tables at the J.E. Morgan Park. Chairman also read the Maintenance Report. Glenn Hummel commend Jeremy Frable and the Road Crew for doing a great job at the Morgan Park with the Walking Trail. Jimmy Akins also wanted to remind folks about when the Township is grading shoulders and the edge of the roads that they are only doing to the Township's Right of Way. If anything in the Right of Way is damaged, then it really should not be in the Right of Way. Chairman called for a motion to accept the Road Department's Monthly Report. Jimmy Akins made the motion to accept the Road Department's monthly report for July. Glenn Hummel seconded the motion. All in Favor. Motion was carried. 3-0

Chairman said Jeremy Frable would like to discuss Vacating a portion of Rabbit Run Rd. Jeremy Frable explained stating he feels the portion of Rabbit Run Rd. between Walnut Lane and SR895 has a lot of problems and work over the years, that the costs of maintaining it verses keeping it , it does not make a lot of sense. Jeremy Frable said in the Winer people travel that road and are stuck or slide through the cattle fence and the farmers that live on the road has to pull them out with their tractors at 2AM in the morning. Jeremy spoke to the residents on that road and they are in favor of it. Chairman asked if there was a tree farm on that road. Jeremy Frable said he believes just because you vacate a portion of the road that does not mean the tree farm would not be allowed to use it. Attorney Datte said when you vacate a portion of the road, everybody that uses the road currently for access, has a private Right of Easement over the portion that is vacated. Jimmy Akins said he knows there is traffic on that road. He questioned how much locally would that affect the residents. Chairman said that this time of the year Jeremy Frable starts looking into grants and figures out which roads need to be fixed. Chairman said that road needs a lot of work. Jeremy Frable would have to figure out the costs and see if he would be able to get a grant for that amount of work on that road or we vacate the road. Jimmy Akins would like to inform residents about the consideration of vacating that road. Glenn Hummel said it is a mess, he feels it need to be done. Chairman said if we use grant money to fix the road now we would not be able to vacate it for at least 5 more years. Chairman called for a motion. Glenn Hummel made the motion to have Attorney Datte move forward on vacating a portion of Rabbit Run Rd. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

E. Police Department Report – July 2024

Jim Akins read the Police Report. The Police Dept. had 6,757 miles patrolled 197 total citations & warnings, 9 motor vehicle accidents and 120 Total calls. Jimmy Akins said total dispatches were 260 with 10 Criminal arrests. Jimmy Akins said include in the packet the Chief wanted to make the Board aware that Unit 199 has 103555 miles on it. The Chief spoke to someone at the dealership and got a quote for a 2024 Silverado PPV. The Chief got a CoStars quote of \$53,456.00. It would be another \$13K to uplift bringing the total to around \$66,456. Jimmy Akins said it is in the Boards packet for consideration. Glenn Hummel said we got four brand new vehicles in the past four years. Glenn Hummel said we started a capital fund to ensure we could replace a vehicle every two to three years. Glenn Hummel said we used the \$20K capital reserve this year to purchase the vehicle last year. Glenn Hummel said he is strongly against floating debt. That is why we have the capital fund so we could pay cash for the new vehicles. Chairman would like to hold off because it was not budgeted for this year. Glenn Hummel said he was told there were grants for vehicles. Glenn Hummel asked why we are not applying for them. Jim Bonner said to be honest he does not have the time. He said he has to cover the road along with doing all the administrative stuff. He said he is already maxed out at 50 some hours a

week. Jimmy Akins said he applauds the Board for purchasing four trucks in four years. He said at his last term they did 2 vehicles in 6 years. Jimmy Akins said he feels we could squeeze more mileage out of the vehicle we have. Glenn Hummel made the motion to accept the Police Report. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

F. Fire Company Monthly Report – July 2024

Chairman read the fire report for July. July consisted of 18 Total Calls answered. 4 Motor Vehicle Accidents, 5 Wires/Trees Down, 1 Medical Assist, 1 Fire Police Call, 1 Structure Fire, 1 Vehicle Fire and 3 Chief requests. . They had their Monthly Business Meeting, Breakfast and Cash Bingo in the month of July. Their Training for this month consisted of Driver’s Training, and Ladder & Hose Line training, Pool Fills and Equipment Maintenance. Chairman called for a motion to accept the Fire Dept. monthly report. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

G. Ambulance Monthly Report – July 2024

Chairman read the Ambulance Monthly Report. The Ambulance Report consisted of 262 calls year to date. July had 39 total calls. 32 West Penn, 7 Tamaqua. The outcomes of the calls were 14 Treated and Transported BLS, 6 Cancelled, 3 Lift Assists, 1 Refused Treatment, 1 Standby, 3 Treated but not Transported, 1 Treated and Refused Transport, 10 Treated, Transported, with ALS. Receiving Hospitals were 10 St. Luke’s Miners, 2 St. Luke’s Carbon, 9 Lehigh Valley Carbon, 1 LVHN Schuylkill-East, 1 LVHN-Cedar Crest & 1 St. Luke’s Geisinger. The calls consisted of assault, back pain, breathing problems, chest pain, falls, fire, traffic accidents, stroke, lift assists, stroke, sick, heart problem, laceration, traumatic injury, fainting and psychiatric problems. Chairman said Karen Crostley prepared the report and left a note for the Chairman. The note said I can explain the “no patient found” a person called for their neighbor and when we arrived the neighbor was not there. Chairman called for a motion to accept the Ambulance Report. Glenn Hummel made the motion to accept the Ambulance Report for July 2024. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

IV. Old Business - NONE

V. New Business

A. Chairman called for a motion to adopt Resolution #23 of 2024 – The America 250PA Resolution. Chairman asked the secretary what is this Resolution. She explained that it was formed to celebrate the 250th Birthday of the United States in 2026. PSATs encouraged all municipalities to adopt this resolution and show our support. Jimmy Akins added that the America250PA would have numerous officially recognized programs, projects, and events over the next five years to inspire future leaders and celebrate all Pennsylvanians’ contributions to the U.S. over the past 205 years. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

B. Salvage Quotes

Chairman said we have some more cars to salvage. We contacted three Salvors to give us a quote on the vehicles. The vehicles included a 2005 Ford Taurus and 2012 Ford Fusion.

Zaprazny’s - \$1,233.00

Harry’s U Pull It - \$1,200.00

Warner’s Hazleton Scrap – Did not want to bid.

Jimmy Akins made a motion to accept the \$1233 bid from Zaprazny’s. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

C. Chairman called for a motion to approve the West Penn Township Fire Police to help with traffic control & parking at the 8th Annual Fall Bash in New Tripoli, on September 21, 2024. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

VI. Correspondence

A. Chairman said for the signs on Dairy Rd. we received \$550 in donations. We received \$150 from PVC, \$150 Ron Wehr and \$250 Bill Varano. The Board of Supervisors thanked them for their generosity and help deferring the costs of the speed limit signs on Dairy Rd. Jimmy Akins asked what the total costs of the speed limit signs were. Chairman said \$935.

Chairman also thanked Matt Hope for loaning us a bucket truck to fix some wires and his employee's time that operated the truck.

Chairman announced that Rush Township would be hosting their 1st Annual Disc Golf Tournament on August 31st at 9AM. Presented by the ESRC

VII. Business from Anyone on the Board

A. Glenn Hummel asked about the National Night Out. He said we participated in it last year he was wondering why he did not hear anything about it this year. Chief Jim Bonner said he does not have the time to put it together. No time or manpower. Glenn Hummel said he thought it was really great to see our Officers, Ambulance and the Fire Company host that event and meet the public. Glenn Hummel said he was surprised when it fell through because back in April when he thought it was a go. He was wondering why. Valerie Coombe, pres. Of the Ambulance Association thought, the Fire Company ran it last year. Chief Bonner said Officer Kai Apel who is no longer with the Department put it together. Karen Crossley from the Ambulance said they do not have any problems in assisting with putting the event together. Glenn Hummel asked if this event encompasses all the emergency services. Chief Bonner said no, National Night Out is a Police function. They decided to involve the Fire & EMS. Karen Crossley from the Ambulance said we would be willing to help get an event together for next year. Chief Bonner said we would see. Hopefully, he said things would be back together and on track for next year. Chief Bonner said he has to pick and choose right now.

VIII. Public Comments on General Items

A. Matt Davis – Mush Dahl Rd., he applied for a permit to put up a Pole Building on his property. He submitted a sketch. He did not realize how much of his property was in a flood zone. He was denied the permit based on his drawing and being in the Flood Zone. He feels about 75% was out of the Flood Zone. He is looking to put the building up for storage. He owns 4.3 acres. He is looking to put it next to his existing garage. His neighbor next door also wrote a letter stating he is ok if he would have to infringe on the 20ft setback. He feels he could get completely out of the flood zone if he does that. Mr. Davis is looking for any recommendations from the Board In order for him to get the building done. Matt Davis said he spoke with Mrs. Darker, they would be willing to put up Flood Vents or Build up the ground, whatever they would need to do. She did not budge. Attorney Datte asked if he could move it out of the Flood Plain and if he could abide by the Flood Plain Ordinance. Mr. Davis is looking to out up a 30x40 Pole Building. Chairman said his suggestion would be to appeal to the Zoning Hearing Board. Attorney Datte said she is citing the Flood Plain Ordinance not the Zoning Ordinance. Mr. Davis said, yes. Attorney Datte said you might want an Engineer to take a look at your plan. Attorney Datte said if you would get an Engineer to certify that the building would not be in the Flood Plain you might be ok. Attorney Datte said he would like to take a look at the Flood Plain Ordinance.

B. Brian McQuillen – Penn Dr. – Thanked the Board on behalf of himself and his wife for the Walking Path at the J.E. Morgan Memorial Park. Mr. McQuillen also asked if there were any plans for a pickle ball court. Chairman said he has a few people that would donate money for a pickle ball court. Chairman said our question is where we would put it, Morgan Park, Atlas Park or Zion’s Park. Chairman said he feels that in the future there would be a pickle ball court in West Penn Township.

C. Dean Arner – inquired about the Bernard Hosier property at 3070 Summer Valley Rd. The property currently had a junkyard permitted there for many years. He was wondering if that would be granted when that property would sell to a new owner. Chairman said he looked at the Ordinance. The Junk Yard Ordinance is from 1964. Chairman said the Junk Yard permit does not go with the land but it goes to the person. Chairman said with that property the person died and now there is an estate. Chairman asked if it could be transferred from person to estate. Dean Arner said and then transferred to the new owner. Jimmy Akins said we need to check with Paul Datte. Glenn Hummel said the issue is that the person died. The new owners may have to come in and re-apply and go through the Zoning aspect of things. The Board said they would get back to him with an answer. Dean Arner complimented the Board for all they do and how they run the Township.

D. Howard Pryda – All Kings Dr. – he said he is a professional pyro technician for the past twelve years and would like the Board to consider allowing him to give a fourth of July show for at least the next two years free. He said whenever the Board would like the display; it does not have to be on or around the Fourth of July. He would need a landowner’s permission and 150 ft. of clearance from people or buildings. He said he would need the Fire Company’s support and Liability would fall on the property owner or the Township, wherever the display takes place. Chairman said we could look into insurance for a day for that event. The Board of Supervisors thanked Mr. Pryda for coming in and for his offer of the Firework Show.

E. Dan Skripnek – asked about the Junk Yard Permit. Attorney Datte said Mr. Arner would like to grandfather the Junk Yard property under the old Ordinance. Attorney Datte would like to look at the old ordinances and look at the specifics to determine what we can and cannot do.

IX. Executive Session –Chairman called for a motion to go into executive session at 7:15PM for civil litigation and personnel matters. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

Chairman brought the meeting back in order. He said we discussed Overtime for the Police Dept. and Jimmy Akins would give the PD a letter explaining their decision.

X. Adjournment

Chairman called for a motion to adjourn at 7:42PM. Jimmy Akins made the motion to adjourn. Chairman seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By:

Katie Orlick - West Penn Township Secretary