

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

Phone (570)386-4507

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**Regular Meeting  
Monday, December 2, 2024 @ 6 PM**

**Present at the Meeting**

Anthony Prudenti – Chair  
Glenn Hummel – Vice Chair  
James Akins – Supervisor

Karen Wittig – Treasurer  
Katie Orlick – Secretary  
Jeremy Frable – Road Master (absent)  
Mike Begis – ARRO Consulting, Inc.  
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** – November 4<sup>th</sup> & 19<sup>th</sup>, 2024.

Chairman called for a motion to accept the meeting minutes from November 4<sup>th</sup> & 19<sup>th</sup>, 2024. Jimmy Akins made the motion to accept the minutes from November 4<sup>th</sup> & 19<sup>th</sup>, 2024. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

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

**E. Approval of Bills – November 2024**

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

**F. Solicitor’s Report**

1. Attorney Paul Datte said the first item on his report is adopting Resolution #28 of 2024. This resolution would repeal Resolution # 27 of 2024. The resolution is authorizing & directing the Township to appropriate \$35K for the next 7 years to Mauch Chunk Trust for the financing of an Emergency Vehicle. This resolution replaced Resolution #27 of 2024. Chairman called for a motion to repeal Resolution #27 of 2024 and adopt Resolution #28 of 2024. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

2. **Zoning Ordinance Status – Charlie Schemhl** – he is supposed to give us a status report. We are still waiting to hear back from Charlie Schmehl.

3. Attorney Datte said he did provide the letter of conditions to Bella Terra Farms as a predicate to recording the deed to Atlas Park. Waiting to hear back for any comments.

**II. Land Use**

**A. Bensinger Subdivision – Woodland Dr.** – the plan proposes the subdivision of existing 77.593 acres into two separate parcels. New Lot 1 (3.598 acres will contain an existing residential structure and is served by on lot sanitary sewage & on lot water supply. The residual Lot 2 will contain 73.995 acres and is proposed to remain agricultural use. Applicant is requesting a modification of section 1019. They

would like to use steel pins instead of the required concrete monument. Chairman called for a motion to approve their request. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried.3-0 Chairman called for a motion to conditionally approve the Bensinger 73 Woodland Dr. Subdivision Plan contingent on comments being satisfied from ARRO Consulting’s comment letter dated November 21, 2024, Bill Brior’s comments & Schuylkill County’s comments and adopt Resolution # 29 of 2024. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried.3-0

**B. Felipe Carl Schock & Emily Schock – 128 Ash Circle Annexation –** The plan proposes the annexation of existing 7.8555 acre to an existing 25.166-acre parcel. New combined lot would be 33.021 acres and will contain an existing residential structure served by existing on lot sewage & on lot water. No new construction proposed. Chairman called for a motion to accept the applicant’s request for modification of section 1019, to use steel pins instead of the required concrete monuments. Jimmy Akins made the motion. Chairman seconded the motion. All in favor. Motion was carried. 3-0 Chairman called for a motion to conditionally approve the Shock 128 Ash Circle Annexation Plan contingent on comments being satisfied on ARRO Consulting’s letter dated November 21, 2024, Bill Brior’s comments and Schuylkill County’s comments and adopt Resolution # 30 of 2024. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**C. Ridge Road Solar – Land Development** Preliminary Plan Review was tabled.

**III. Operations**

**A. Engineer/Zoning Monthly Report – November 2024**

Chairman called for a motion to accept the Engineer’s monthly report. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

**B. Code Enforcement Monthly Report – November 2024**

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

**C. Sewage Enforcement Officer’s Monthly Report – November 2024**

Chairman read the sewage enforcement officer’s report. The report consisted of 2 New Permit App., 6 Test Probes, 14 Interim Inspections, 3 Perc Test, and 3 Site Evaluations. Well Report there were 3 new well permit, 3 Design Review and 3 Site Evaluation. 1 Malfunctions was reported. Chairman called for a motion to accept the Sewage Enforcement Officer’s Report. Jimmy Akins made the motion to accept the Sewage Enforcement Report for November 2024. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

**D. Road Department’s Monthly Report –November 2024**

Chairman read the Road Department’s Monthly report. The report consisted of General Maintenance to the Township Building & Equipment, Fixed Street Signs along Township Roads, Cleaned out leaves in Ditch Line, Cut Brush around Street Signs, installed 2A Mod. on Arrow Rd. (Dirt & Gravel Project), Removed trees at Morgan Park for Parking Lot, Patched Potholes with Cold Patch and Installed Salt Spreaders on all Trucks. Chairman also read the Maintenance Report. Chairman called for a motion to accept the Road Report. Glenn Hummel commented how nice the Morgan Park looks. Chairman asked when is the Township closing Morgan Park for the season. Jimmy Akins said we agreed to lock the gat on December 1, 2024. Chairman said if anyone wants to still use the walking trail feel free, you just would not be able to drive your car into the park. Chairman called for a motion to accept the Road Master’s

report. Glenn Hummel made the motion to accept the Road Dept.'s monthly report. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

#### **E. Police Department Report – November 2024**

Chairman read the Police Report. The Police Dept. had 4,948 miles patrolled 147 total citations & warnings, 15 motor vehicle accidents, 103 Total calls and 4 Criminal Arrests.

Chairman called for a motion to accept the Police Report. Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 3-0

Chairman called for a motion to hire William Cope as a West Penn Township Part-time Police Officer.

Glenn Hummel made the motion. Chairman seconded the motion. All in favor. Motion was carried. 3-0

Chairman announced that as of January 1 of 2025, Jason Lorah would be our new Chief of Police. The new Full-time Officer as of January 1, 2025 will be John Kaczmarczyk. Jimmy Akins said we are promoting within and we are going back to two Full-time officers. Jimmy Akins also noted the great job the department is doing being shorthanded and their communication, coverage and reporting has been top shelf. Jimmy Akins recognized Sgt. John Kaczmarczyk on his efforts of keeping everything running smoothly. Chairman asked the Treasurer if the Sgt. has been compensated up to this point. The Treasurer said, yes.

#### **G. Ambulance Monthly Report – November 2024**

Chairman read the Ambulance Monthly Report. The Ambulance Report consisted of 424 calls year to date. November had 35 total calls. 30 West Penn, 3 Tamaqua, 1 East Brunswick Township and 1 New Ringgold. . The outcomes of the calls were 15 Treated and Transported BLS, 2 Cancelled, 1 Dead at Scene - Resuscitation Attempted, 1 Dead at Scene - Resuscitation Not Attempted – No Transport, 1 Lift Assist, 1 No Patient Found, 1 Refused Treatment, 2 Standby, 2 Stand by- Public Safety, Fire or EMS Operational Support Provided, 1 Treated & Released, 1 treated refused Transport, 1 Treated & transferred to Air Medical and 6 Treated, Transported, with ALS. Receiving Hospitals were 8 St. Luke's Miners, 1 St. Luke's Carbon, 5 Lehigh Valley Carbon, 1 Lehigh Valley – Schuylkill East, 5 St. Luke's Geisinger. The calls consisted of breathing problems, cardiac arrest, chest pain, falls, fire, medical alarm, traffic accidents, sick, laceration, gunshot wound, stroke and fainting. Chairman called for a motion to accept the Ambulance Report. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

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

**A.** We hired William Cope as PT Police officer previously in meeting.

**B.** Budget – Chairman said our budget has a short fall at the moment. We have to figure out how we are going to balance our budget. Chairman said we could raise taxes. If we would raise taxes 1Mil, we would generate about \$130K. We have not raised taxes since 2006, which at that time we raised the taxes 1.5 Mills. In 2022, we decreased our taxes by .25 Mil. Today our Mills is 4.50 Mills.

Glenn Hummel and Jimmy Akins spoke about the increase in the cost of living and an increase in wages and benefit package for our employees to be competitive with the surrounding areas. Jimmy Akins said if we look at a 1 Mil increase on our taxes it would turn out to be \$40 per household and the rest would come out of the reserve to balance the budget. Glenn Hummel said the only other way to take everything for the reserve. Glenn Hummel said the only problem with taking it out of the reserve then we are only putting a band aide on the situation. Chairman feels that if we have it in the reserve use the reserve. He does not think we should raise taxes unless we definitely have too. Tim Houser, a previous supervisor, expressed his feeling about the tax assessment and a tax increase. He asked the board to

take into consideration the elderly and how they will be affected by the tax assessment. Chairman explained the countywide assessment. Chairman said once the reassessment starts the following budget if we choose to we could only raise taxes 10% of what we receive in real estate revenue. Attorney Datte said that with the 1 Mill tax increase the amount raised on an annual basis by real estate taxes would go up to \$716K in 2025 based on the current millage. The way it would work in 2026 is Later next year in 2025, the Township would get a new statement of all the assessed value of the tax base, based on the reassessment. It is a two-step process. You would have to see if the current amount raised by real estate taxes is sufficient to cover the budget for 2026. If we feel we would need more than that coming from real estate taxes then you could increase taxes but you cannot increase revenue more than 10% of what is received in real estate revenue. The county is going with a 100% Fair Market Value to Assessed Value. Currently based on the 1997 Reassessment, it is a 50% valuation. What they are saying is that 1/3 of the people will see taxes go down, 1/3 of the people will remain the same and 1/3 people would see a tax increase. Once we get the assessed value of all the properties in the Township, you then have to establish the millage based on the amount you intend to generate. If you do not raise taxes now and rely on the reserve, you could potentially have a problem in 2026. If the reserves are gone or they are depleted then the 10% that you would only be able to raise may not be enough.

**Brian McQuillen** asked the board what are their reserves currently. He said when he worked he had to contribute to his benefit package. Mr. McQuillen feels the employees should contribute to their benefit package. Chairman said they do contribute. He also said we just signed a 5-year contract with our road crew. Chairman said in the contract there is a clause that we cannot offer the road dept. less than what they had before. Mr. McQuillen did not understand why. Chairman explain the road dept. is part of the Teamsters Union. Mr. McQuillen asked why you let the union run the Township. Attorney Datte said that is not the Supervisors decision. The employees organized the Union.

**Valeria Coombe** asked about the budget and who is losing out with the shortfall of the budget. Chairman said no one loses; we switched some priorities around to make the budget work. The Board of Supervisors disapproved the budget and gave their points of view.

**Don Hoppes** – agrees with the tax increase.

Chairman asked the Board of Supervisors to make a motion of how they would like to handle the budget. Glenn Hummel made a motion to put the proposed budget with the one mill increase and other money out of reserve to balance the budget and advertise for public inspection. Jimmy Akins seconded the motion. All in favor. Chairman opposed. Motion was carried 2-1

Attorney Datte said the Board will need to schedule a special meeting at the end of the month to adopt the proposed budget and we will need to authorized Attorney Datte to prepare and advertise the ordinance for the tax increase of 1 mill to make the millage 5.50 Mills for 2025.

Chairman called for a motion to have Attorney Datte prepare the Ordinance for the tax increase for our budget. Glenn Hummel made the motion.

Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

## **V. New Business**

A. Chairman called for a motion to adopt Resolution # 31 of 2024 establishing a new fee for Tax Certifications or Tax Verification of \$15 per parcel instead of \$7.50. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

## **VI. Correspondence**

A. Chairman read a letter from Senator Argall thanking us for opening our Township Office Parking Lot for the License Plate Exchange. The Board also thanked Sgt. John Kaczmarczyk for his assistance with the event.

## **VII. Business from Anyone on the Board**

A. Chairman said we spoke about the water tanker. He wanted everyone to be aware that we conducted some police interviews and happy to report we have candidates for a new police chief and the full time position.

B. Wreaths Across America – Chairman announced the event. Glenn Hummel explained the event. He said sponsor a wreath today to be placed on a Veteran's grave at Sky View Memorial Park on Dec. 14<sup>th</sup>.

C. Chairman said tomorrow is Election Day! Please Vote!

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

**Tom Ackerman** – asked if we make any money on the solar farms. Chairman said, no.

**Gayle Mateyak** - she wanted everyone to be aware that the drought is still ongoing. She said there is a House Bill 20, in the PA House. A Representative introduces it from Lancaster County, to put a surcharge on extraordinary water users. The Bill proposes to take a chunk out of every gallon that they take out and put somewhere else. Jamie Barton is on that committee. Chairman asked where does the money go. Ms. Mateyak said she believes it goes to the state for infrastructure. Ms. Mateyak said it is a precious resource and feels it is worth looking into it.

**Tim Houser** – said in regards to the House Bill, we should ask Jamie Barton to make sure it says Extraction not Harvesting. Chairman said the definitions need to change.

Mr. Houser also asked if the Twp. if they are going to build a bridge at the JE Morgan Park to get across from where they were clearing the brush. Chairman said we are looking into it.

**Jodi Mulcahy** – would like to submit a list of issues for answers and or Resolutions in writing. She read, #1. She has been declared from the Delaware River Basin as in the previous watershed area of individuals doing the extraction, which she named David Knoedler, Terri Knoedler and James Land. She read that if there is an impact on neighboring wells, water sources etc. they are obligated to replace that for you. She asked the Twp. at the last two meetings about this. She feel there was no response. Ms.

Mulcahy wanted to know the difference between harvesting and extraction. Why West Penn Township not supporting / enforcing it. Attorney Datte asked if you emailed us something. She said yes. Ms.

Mulcahy said she would like to have her questions submitted into the meeting minutes. #2. The permit for this #Z15-004 states "harvesting" water not extracting, what is the difference?

#3. How many operational wells are in West Penn Twp. Jimmy Akins asked her if she was referring to the entire WPT wells including residential? Ms. Mulcahy said no just water extraction. She would like to know are they all permitted. She would also like to know the location & the permit.

#4. How much water is being extracted from them daily and who is monitoring them?

#5. What steps has WPT taken to protect the water resources? Attorney Datte said the email she sent please see attached figures and links below and nothing was attached. Jodi Mulcahy said she would send

it over again. Attorney Datte said the Township did indicate at the last meeting, they would send a letter after we looked at all the information. Attorney Datte asked if she got her well permit. She said yes, she is waiting on the driller. According to what she was told by Delaware River Basin, Land, and the Knoedlers were supposed to be sending reports to the Township on how much water is being extracted daily from each well. Jodi Mulcahy expressed what she has been going through since October 26<sup>th</sup>, living without water. Attorney Datte stated that there are limitations on what the Township could do under these circumstances. The Township does not have jurisdiction over this.

Chairman asked what she would like the Township to do. Jodi Mulcahy would like some type of correspondence and she would like her questions/issues stated in the minutes. Chairman asked Attorney Datte to respond to her. Attorney Datte asked her to forward the email with the attachments so he could review the information. Attorney Datte said we do not want to mislead you. Your request at the last meeting was for us to expedite the issuance of the well permit, which we did. That was something the Township could do and we did it. Glenn Hummel suggested to her to have her driller drill a little deeper of the recommendation of DRBC, to ensure the water to replenish quicker. Jimmy Akins asked her how deep her well is now. She said 100ft. Jimmy Akins asked how old was her well. She said 1952. Jodi Mulcahy does not know how we could allow someone to extract so much water. She said it states in their permit if they are effecting individual wells that they are responsible for fixing it. Jimmy Akins asked if she spoke with Jay Land. Jodi Mulcahy said yes, she was told his partners would not pay for the well because they would be paying for too many people's wells.

Chairman said to have ARRO Consulting, Inc. look at those permits and try to come up with a solution. Jodi Mulcahy expressed that she does not understand why we cannot protect our natural resource. Chairman said this started a long time ago and most of this board was not in office. Attorney Datte said There was a lot of litigation back then and we tried but they successfully sued us. There really is very little that Municipalities could do on this situation. However, what we did since then, we amended our Township's Zoning Ordinance to include regulations for water. There are significant regulations in the Zoning Ordinance for anybody who wants to do water extraction/ harvesting whichever you want to call it. Chairman said since then we did not have any other companies come into the Township to do that. Reminder Breakfast at the Firehouse on Sunday.

**IX. Executive Session** – None

**X. Adjournment**

Chairman called for a motion to adjourn at 7:54PM. Jimmy 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