

**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
Tuesday, December 17, 2024**

Present at the Meeting

Tony Prudenti – Chairman

Katie Orlick - Secretary

James Akins – Supervisor

Paul Datte – Solicitor

Glenn Hummel – Vice Chairman

Mike Begis – ARRO Consulting

Karen Wittig – Treasurer

Jeremy Frable – Road Master

I. General

A. Chairman, opened the meeting with the Pledge of Allegiance and Introductions at 10:03 AM.

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

II. Public Comment on Agenda Items Only – 5 Minute Time Limit - NONE

III. Land Use – NONE

IV. Old Business

A. Burn Ban is NO Longer in effect as of 12-09-24

B. The Budget adoption meeting is 13-30-2024 at 9:00AM for General Purposes.

C. Ordinances/Solar – The Board discussed the amendments to the Zoning Ordinance. The specifically discussed the Solar Amendment to the Zoning Ordinance. Chairman said that the person we have been dealing with to do the Solar amendment had some health issues. Schuylkill County just adopted a solar ordinance. Chairman recommended that we adopt their ordinance. Attorney Datte said he was involved in developing it and he feels it is a good Ordinance. The one thing he would need to complete the Solar Ordinance for West Penn Township is the “uses” in Zoning Districts. Attorney Datte asked for some guidance on what Zoning Districts we would allow solar. Attorney Datte said he could give some recommendations as well. Chairman said Herb Woodring, our Assistant to the Board of Supervisors and a member of our Planning Commission and is a Master Planner, is very familiar with our Township and all the Zoning Districts. Chairman recommends for him to come up with his recommendations.

V. New Business

A. ReOrganization will be held January 6, 2025 @ 5:30PM followed by our regular meeting.

B. Auditor’s meeting will be January 7, 2025 @ 6PM.

C. Recycling will be closed Thursday, December 19th & Friday, December 20th of this week and December 25th – 27th.

VI. Business from anyone on the Board

Glenn Hummel gave compliments to the West Penn Twp. Police for all they do and how fast they respond. He also expressed the great job that Jeremy Frable and the Road Dept. has done on the J.E. Morgan Park. Jimmy Akins seconded those comments and said about the great job the Police is doing and hats off to them for having the DARE program at the Tamaqua Middle School. He appreciates all the efforts of our police & road departments.

VII. Correspondence - NONE

VIII. Public Comment on General Items

Jodi Mulcahy – Reached out to DEP.

Chairman asked if DEP ever returned our phone call. The secretary said no, she called twice, was transferred to different people and left messages for both but did not hear anything back. Jodi Mulcahy said she spoke to Joseph Pichinski. Ms. Mulcahy said he is in charge of the East Coast area. She said he said they do not monitor any water extraction in this area and are not responsible for any well drilling, no permits, or anything else. She said she already contacted an Attorney. She said no one could say how many wells there are in WPT. She wanted to know with the questions she had last time do we know how many wells there are for extraction, how many permits there are and how many wells are in operation? Attorney Datte asked if she had the docket filing of this outfit with the Delaware River Basin Commission. Attorney Datte said what he understands is that they only report to the commission once a year. He believes there is a provision in that approval that requires them to replace water sources if you could demonstrate that you are within the zone of influence. That is on Jodi Mulcahy to prove that. Attorney Datte said he would email that to her.

Jodi Mulcahy wanted to know how many wells there are. Secretary said Bill Brior, our SEO said he does not issue Commercial Well Permits, so we would not have those records. She feels no one is doing anything to help. Ms. Mulcahy would like to know who enforces if someone well goes bad and they are in the Zone of Influence. Attorney Datte said the DRBC; it is a condition of the DRBC docket on the approval. Attorney Datte said DRBC would have to enforce if it was a condition on that application. Attorney Datte said you would have to prove your well is in his zone of influence. Attorney Datte said the DRBC should have the location of the wells. If in the submission he has to delineate that zone of influence then you would be able to determine if you were in that Zone of Influence.

Ms. Mulcahy said she does not understand why the DEP would say to ask the Township about the permitting when the Township does not issue Commercial Well Permits. Chairman said that DEP at one point said to contact the Dept. of Agriculture because it is an Agricultural thing because he is Harvesting. Dept. of Ag said they have nothing to do until it hits bottling. Chairman said his point is she said she was getting the run around, so does the Township. Jimmy Akins expressed that we are trying to do and find out what we can for her. He feels that this Township has exhausted resources to try to find information out. We spent tons of money and a lot of time to try to regulate water whether it was creating an Ordinance for Water Extraction, hiring lawyers to help create the Ordinance, hiring a Hydrogeologist to support the Ordinances and the proposed regulations. He understands her emotions for everything she has been through but it is unfair for her to say the Township is not doing anything. This has been going on for many years. Jodi Mulcahy said she did not have any correspondence. Secretary said she spoke to her on Friday. We are still waiting on information as well as you are. The Township could only give what we get and if we have to wait for information from other sources, that what we do. The secretary said she reached out to the SEO and was told he does not issue Commercial Permits. The next step is to find out who would. I reach out to DEP and they did not get back to me. Once I would hear from them and if they do not issue permits then I would reach out to DRBC. I need to speak to them. Jimmy Akins said we are in this with you; however, we are looking for information. Chairman said where do we go from here. Jodi Mulcahy said Attorneys and maybe they will get some answers.

Delroy Haas – asked if there was any new information about the Police Department. Chairman said yes, At the last meeting, we announced the new Police Chief is Jason Lorah and our new Full-Time Officer is Sgt. John Kaczmarczyk. We also hired another Part-Time Officer, which started on Saturday.

Delroy Haas also asked if the public would have access to the amendments for the Solar Ordinance. Chairman said, yes. Attorney Datte said there would be a public hearing as well.

Valeria Coombe thanked Glenn Hummel for inviting Penn Mahoning Ambulance to Wreaths Across America. They had the privilege to put Wreaths on Veteran's graves and they also were able to put a Wreath on Harry Hontz's grave. Harry was a former member of Penn Mahoning Ambulance.

Valerie Coombe also wanted the Board to know they would have closing for their new Ambulance on the 23rd. Valerie Coombe also said the Ambulance Subscription Drive is going to start soon and please donate.

Glenn Hummel asked if the Ambulance would be taxed on their new Ambulance. Attorney Datte said the financing was based on a tax exempted rate to Penn Mahoning. The issue was to get the tax-exempt rate

There are a lot of documents that have to be prepared and IRS forms that have to be filed. The request was made for an Attorney's opinion letter but with that, there was a lot of documents that would need to be prepared. Attorney Datte was in contact with the bank and they had to do a taxable rate that would not require those documents. There is no issue on the tax exemption. They are clearly a 501.3C in good standing. Glenn Hummel said the rate went 5% to 7%, would they be able to refinance on the tax-exempt basis? Attorney Datte said no they would not be in a position to refinance on a tax-exempt basis because the financing would need to be for the acquisition of the piece of equipment not to refinance another loan for the piece of equipment. If this loan were tax exempt, they would be able to refinance to get a better rate. They could refinance for a better rate but not under the tax exempt status. Valerie Coombe wanted to the public to know that even once they take possession of the new Ambulance, they will have to get it certified before it is in use.

IX. Executive Session – NONE

X. Adjournment

A. Chairman called for a motion to adjourn the meeting at 10:42AM. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Transcribed by:

Katie Orlick, West Penn Township Secretary