

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

Phone (570)386-4507

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**Regular Meeting
Monday, May 5, 2025**

Present at the Meeting

Anthony Prudenti – Chair
Glenn Hummel – Vice Chair
James Akins – Supervisor
Jason Lorah – Chief of Police

Karen Wittig – Treasurer
Katie Orlick – Secretary
Jeremy Frable – Road Master
Shannon Darker – 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 Minutes – April 7th & 15th, 2025

Chairman called for a motion to accept the meeting minutes for April 7th & 15th. Glenn Hummel made the motion to accept. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

D. Treasurer's Report

Chairman called for a motion to approve the Treasurer's Report. Jimmy Akins made the motion to approve the Treasurer's report for April 2025. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

E. Approval of Bills – April 2025

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

F. Solicitor's Report

Attorney Datte said the only thing he has to report is that the Atlas Deed is recorded and he is working with Mike Begis on some certifications that DCED needs for Atlas & J.E. Morgan Parks. 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

G. Chairman introduced Tyler Buchman. Tyler Buchman is preparing to become an Eagle Scout. He is currently a Scout with Troop 756, stationed at Andreas Sporting Club. He is working on his Eagle Scout Project, which consists of building 6 Benches for the J.E. Morgan Memorial Park for the community to enjoy. Tyler Buchman said he is standing before the Board hoping to gain a signature approving his proposal. Tyler Buchman handed out copies of his proposal to the Board of Supervisors. Chairman called for a motion to approval Tyler Buchman's Eagle Scout proposal. Glenn Hummel made the motion to approve Tyler's Eagle Scout Project to put the Benches in the Morgan Park. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0 Jimmy Akins asked Tyler if he is doing any fundraising to make money for his supplies. He said he would be doing bake sales. The Board of Supervisors thanked Tyler for coming to the meeting to share his proposal and for doing his project.

II. Land Use

A. Graver's 309 Self-Storage Facility Land Development

Chairman asked Shannon Darker to explain the plans under Land Use.

Plan proposes the development of an existing 2.52-acre parcel with 66-unit self-storage facility. Property is located along West Penn Pike (SR309) in the Commercial District. Shannon Darker said that the applicant is asking for some modifications to the SALDOs. The Planning Commission recommended:

Chairman called for a motion to grant the applicant's request from Section 602 – Modify the requirement for the Preliminary Plan and go to Final Plan. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Chairman called for a motion to grant the applicant's request from Section 503.B.3 and allow the plan to be drawn at a scale of 1"=30'. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

The Planning Commission DID NOT recommend to the Board of Supervisors, the applicants request for modification from Section 804 the requirement to provide improvements surety. The Planning Commission denied that request because they feel the applicant should provide some type of surety for the improvements. Attorney Datte said he feels that it would be for Storm Water and Erosion & Sediment Controls. Chairman said the applicant has been trying to develop this property for years. The applicant has to put less units on the property due to the Zoning Hearing Board's decision. The applicant lives and has another business in our Township. He is established and is not going anywhere. Chairman feels that we do not need the surety from him. Glenn Hummel said he does not have a problem with that. Jimmy Akins said he feels the applicant already put a substantial amount of money into this project and he feels he is not a flight risk. Jimmy Akins made a motion to accept this modification not to provide surety. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0 Attorney Datte said now you could conditionally approve the 309 Self-Storage Facility contingent on ARRO Consulting's letter dated April 17, 2025, Schuylkill County comments and Bill Brior comments being satisfied along with the three approved modifications. Attorney Datte said they would still need the Improvements Agreement without the surety and an Ownership and Maintenance Agreement with respect to the Storm Water. Attorney Datte would put those together for the Township. A letter of adequacy from the Conservation District for their E & S Controls and a copy of the HOP. Jimmy Akins made a motion to adopt Resolution #16 of 2025 conditionally approving the 309 Self-Storage Facility Land Development Plan. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

B. Deborella Subdivision

The Plan proposes the subdivision of an existing 5.2925-acre parcel into two parcels. The new parcel to be 1.0775acre for a single-family residential use and the residual lot would be 4.2150-acre. The property is located off Medical Crossing Rd. in Suburban Residential Zoning District. Attorney Datte said he spoke to Mike Begis in regards to the plan and he feels they are in a position where it could be approved.

Subject to correcting, the setback lines to conform to the new Ordinance and the items on Mike Begis' comment letter dated April 17, 2025. Attorney Datte asked the applicant if he would like the Board to table the plan knowing that changing the setbacks would change the window of what could be built on. The applicant said he understands but would still like to continue with the subdivision. Shannon Darker said a revised plan was submitted before the meeting and the plan is correct. Chairman called for a motion. Jimmy Akins made a motion to conditionally approve the Deborella Subdivision with conditions that all comments contained in the ARRO letter dated April 17, 2025, County Comments & Bill Brior

comments are satisfied and adopt Resolution # 17 of 2025. Glenn Hummel seconded the motion. All in favor. Motion is carried. 3-0

III. Operations

A. Engineer/Zoning Monthly Report – April 2025

Chairman asked the Board if they had any questions for Shannon Darker. Glenn Hummel asked about the Zions Park ADA Accessibility Improvements and if it went out for bid. Attorney Datte said the County awarded the contract to Spotts Bros. Inc.

Chairman Called for a motion to accept the report. Glenn Hummel made the motion to accept the report. Jimmy Akins seconded the motion to accept the Engineer's monthly report for April 2025. All in favor. Motion was carried. 3-0

B. Code Enforcement Monthly Report – April 2025

Chairman asked the BOS if they had any questions about the Code Enforcement Report. Glenn Hummel asked the Chairman if the public could be aware of the code violations without divulging names. Chairman said yes. Brian McQuillian asked for the Code Report to be read. He wanted to know what types of violations there are and what Code Enforcement is doing with those violations. Chairman read the violations and the status of the violations from the April Notice of Violations List that ARRO Consulting provides to the Township. The Board of Supervisors discussed the process of citing the property owner then waiting for the property owner to plea to go before magistrate. It is a long process. The location of some of those properties, West Penn Pike, Penn Dr., Lime Kiln and Medical Crossing. Chairman called for a motion to accept the Code Enforcement Officer's Monthly Report. Glenn Hummel made the motion to accept the Code Enforcement Officer's report for April 2025. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

C. Sewage Enforcement Officer's Monthly Report – April 2025

Chairman read the sewage enforcement officer's report. The report consisted of 1 New Permit Applications, 1 Site Evaluation, 1 Design Review, 2 Malfunction Inspections, 2 Subdivision Reviews and 4 Interim Inspections. Well Activities were 2 New Application, 2 Design Review and 2 Site Evaluation. 2 Malfunctions Reported (St. Peters Rd.). Chairman called for a motion to accept the Sewage Enforcement Officer's Report. Jimmy Akins made the motion for April 2025. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

D. Road Department's Monthly Report – April 2025

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, Hauled in Shale to Red Hill Rd. (DGR Project), Installed millings on parking lot at Morgan park, Cleaned up trees & limbs along Township Roads, Patched holes with cold patch, Installed drainage along Berry Rd., Installed fence along waterway at Morgan Park, Installed 2A modified on Red Hill Rd. (DGR Project), Installed rocks around Morgan Parking Lot and & Cleaned Pipes & Grates along Township Rds. Received new 10-Wheel Tandem Dump Truck from MACK. Chairman also read the Maintenance Report. 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 April 2025. Glenn Hummel seconded the motion. All in Favor. Motion was carried. 3-0

2025 BITUMINOUS SEAL COAT BIDS

2 Bids were submitted:

1. Midland Asphalt Material, Inc.
2. AMS Asphalt Maintenance Solutions, LLC

RESULTS:

1. Approximate Quantities	Units	Description
10,256	SY	T-893 Mill Drive from SR-309 to SR-443 Single Bituminous Seal a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash Surface Category Condition "C", ADT <100

	Unit Price	Total
Midland Asphalt Materials, Inc.	\$2.26	\$23,178.56
AMS –Asphalt Maintenance Sol.	\$1.71	\$17,537.76 Lowest Bid
<u>Difference</u>		\$ 5,640.80

2. Approximate Quantities	Units	Description
26,294	SY	T-789 St. Peter Road from T-984 Mantzville Rd to the Township Line Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash, Surface Category Condition "D", ADT 100-500

	Unit Price	Total
Midland Asphalt Materials, Inc.	\$3.90	\$102,546.60
AMS –Asphalt Maintenance Sol.	\$3.42	\$89,925.48 Lowest Bid
<u>Difference</u>		\$ 12,621.12

2025 BITUMINOUS SEAL COAT BIDS

2 Bids were submitted:

1. Midland Asphalt Material, Inc.
2. AMS Asphalt Maintenance Solutions, LLC

RESULTS:

5. Approximate Quantities	Units	Description
33,676	SY	T-994 Archery Club Rd. from SR-895 to SR-443 Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by wash Surface Category Condition "C", ADT 100-500

	Unit Price	Total
Midland Asphalt Materials, Inc.	\$3.80	\$127,968.80
AMS –Asphalt Maintenance Sol.	\$3.32	\$111,804.32 Lowest Bid
<u>Difference</u>		\$16,164.48

6. Approximate Quantities	Units	Description
45,642	SY	T-761 Blue Mountain Dr. from SR-309 to T-908 Kepners Rd. Double Bituminous Seal Coat using a Polymer Modified Emulsion and #8 Stone with a 1.0% Loss by Wash Surface Category Condition "C", ADT 100-500

	Unit Price	Total
Midland Asphalt Materials, Inc.	\$3.80	\$173,439.60
AMS –Asphalt Maintenance Sol.	\$3.32	\$151,531.44 Lowest Bid
<u>Difference</u>		\$21,908.16

GRAND TOTAL OF PROJECT

	Total
Midland Asphalt Materials, Inc.	\$465,797.64
AMS –Asphalt Maintenance Sol.	\$400,053.68 Lowest Bid
<u>Difference</u>	\$65,743.96

Chairman called for a motion to award the lowest bidder the 2025 Seal Coat Project. Jimmy Akins made a motion to award AMS Asphalt Maintenance Solutions, LLC the 2025 Seal Coat project for a total of \$400,053.68. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

E. Police Department Report – April 2025

Jimmy Akins read the Police Report. The Police Dept. had 4,960 miles patrolled, 177 total citations & warnings, 5 motor vehicle accidents, 1 Criminal Arrest and 97 Total calls. Chairman called for a motion to accept the Police Report. Glenn Hummel made the motion to accept the Police Report. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

1. Supervisor Akins asked the Board of Supervisors to take action on Chief Lorah's request to promote Officer Glenn Laninger to the rank of Corporal with a \$1/ hour rate increase. Glenn Hummel made the motion to promote Glenn Laninger to Corporal with a \$1/hour increase effective immediately. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0 The Board of Supervisors congratulated the new Corporal, Glenn Laninger. Jimmy Akins announced the CSI camp dates are set for June 16th – June 20th at West Penn Elementary. The Police Dept. also provided a copy of their incident frequency report. Glenn Hummel asked Chief Lorah to explain some of the Grant Programs the department participates in. The most recent one was the Steer Clear Law Program. The Steer Clear law is a law that requires drivers to slow down and move into a lane not adjacent to an emergency response area when approaching an incident like a traffic stop, disabled vehicle, or emergency vehicle with flashing lights. The particular day that our Township was enforcing that law, which was funded by a state grant, a Tow Truck Driver was struck & killed out in Pittsburgh. Chief Lorah stated he had 28 citations that day and almost got run over twice that day. Chief Lorah said we are not trying to punish but we want drivers to be safe and emergency personnel to be safe when they are out on calls. Chief said it is very important to pay attention and understand the laws.

It could save lives. Drivers need Awareness! There are other programs as well, such as Click It or Ticket, Aggressive Driving or Steer Clear. The Board thanked the Chief and the Police Department's whole team.

2. Truck bid on the 2020 Chevrolet Silverado 1500 Crew Cab Work Pick Up Truck. Chairman said we had one bid. Jimmy Akins said when we were buying the new Police Truck we were going to do a trade and the trade in price was only \$6K. We put it on Municibid and we were not successful. Then we advertised in the Times Newspaper and we received the one bid. Chairman read the bid. The bid letter said I, Glenn Hummel respectfully bid \$8010 for the Police Truck. Chairman called for a motion to accept the bid. Jimmy Akins made the motion to accept the bid. Chairman seconded the motion to accept Glenn Hummel's bid of \$8010 for the police Truck. All in favor. Glenn Hummel abstained from vote. Motion was carried. 2-0

F. Fire Company Monthly Report – April 2025

Jimmy Akins read the Fire Department's Monthly Report. The report consisted of 23 total calls for the month of April. The calls were 1 Motor Vehicle Accident, 5 Wires/Tree Down, 1 Medical Assist, 1 Landing Zone, 1 Move up Assignment 1 Fire Police Calls, 1 Structure Fire, 8 Brush Fire, 1 Carbon Monoxide and 3 Automatic Fire Alarms, They had their monthly breakfast, meeting and cash bingo. Their training for the month was Equipment Checks & Location, Driver Training, Rescue Truck Maintenance and PA Certified Emergency Vehicle Operations Class. Chairman asked about the monthly breakfast. Fire Chief said they are steady however, in the summer participation slows down so we may be off a couple months in the summer for breakfast.

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

G. Ambulance Monthly Report – April 2025

Jimmy Akins read the Ambulance Monthly Report. The Ambulance Report consisted of 157 calls year to date. Unit 935- 29 and 937 -3. April had 32 total calls. 26 West Penn, 4 Tamaqua, and 2 Walker. The outcomes of the calls were 9 Treated, Transported BLS, 4 Cancelled, 3 Lift Assists, 1 Patient Refused Care, 3 Standby, 1 Standby – Public Safety, Fire or EMS Operational Support, and 11 Treated, Transported, with ALS. Receiving Hospitals were 8 St. Luke's Miners, 2 St. Luke's Carbon, 8 Lehigh Valley Carbon, 1 LVH Cedar Crest and 1 St. Luke's Geisinger. The calls consisted of breathing problems, chest pain, convulsion seizure, falls, fire, traffic accidents, hemorrhage, lift asst., patient evaluation, stroke, traumatic injury, sick and unknown problems. One missed call for the month of April because on another call. Chairman called for a motion to accept the Ambulance Report. Glenn Hummel made the motion to accept the Ambulance Report for April 2025. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

IV. Old Business - NONE

V. New Business

A. Parks

1. Dogs – the Board agreed to purchase signs and poop bag signs for the Parks. Jimmy Akins made a motion for the Township to provide signage and disposal resources for dogs and leashes. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

2. Picnic Tables – Karen Wittig, Treasurer was asked to get another quote for more picnic tables for the park. She got a quote for 5 Regular and 2 Handicapped Accessible Picnic Tables. The total would \$7209.59. Glenn Hummel said we have the funds for the picnic tables in the Park & Recreation fund. Treasurer said yes, all but \$1,175. Glenn Hummel made the motion to purchase the Picnic Tables. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

3. Park Commissions – Chairman said that the Zion Stone Park, which we lease from the Church has its own Commission. We have two other Parks that are in the Township and are owned by the Township, which are the J.E. Morgan Memorial Park and the Atlas Park. We are in the process of looking for Volunteers for a Park Commission for those parks. Dennis D'Angelo would like to be a part of the Park Commission. He is the gentleman that donated the land for the Atlas Park. If anyone is interested, please let us know.

B. Chairman called for a motion to adopt Resolution # 18 of 2025, authorizing the proper officers of the Governing Board to appoint a Liaison between it and Berkheimer Tax. Jimmy Akins made the motion. Glenn Hummel seconded the motion. All in favor. Motion was carried. 3-0

Jimmy Akins said the Tamaqua Soccer Association asked if we could get a street address for the J.E. Morgan Park and put a mailbox up. Secretary said we have an address for the park, which is 49 Cold Spring Rd.

VI. Correspondence

A. Chairman announced that West Penn Township invites you to our 2025 Independence Day Celebration and Fire Works, July 5th 6PM-9PM – at the J.E. Morgan Memorial Park, 49 Cold Spring Rd. The event is free and made possible entirely by donations. The fundraiser is for our Police, Fire and our EMS Services. Anyone interested in donating can send donations to West Penn Township. Chairman introduces Howard Pryda who is in charge of this fundraiser. Chairman said we understand we need an

insurance policy, which would be \$300 for the event. Howard said it is a \$5 Million Dollar Liability Insurance Policy for the event. Glenn Hummel made the motion to write a check for insurance and make the check payable to Celebration Fireworks. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0 The Board of Supervisors thanked Howard Pryda for volunteering to do all this. Rain Date July 6th. The Board of Supervisors thanked Howard Pryda for doing all this for the Township and the event. Chairman asked what the businesses would get if they donated. Howard explained that if they gave a certain amount they would be able to have a banner and also their business would be announced at the event and there would be a special thank you on the Township's digital sign.

B. Chairman announced Frank DeMarco is joining our meeting tonight. Frank DeMarco is a Schuylkill County Sheriff Candidate. Mr. DeMarco thanked the Board for allowing him to speak. He introduced himself. He has been a Police Officer for 27 years. He is proud of his service as a Police Officer. His plan includes having inmates that are in prison help clean up our local streets. He wants a 30-day reminder to be sent when your license to carry permit is going to expire. He feels the Sheriff's Dept. could have a bigger role with assisting local police with transportation of prisoners. The Sheriff's Dept. is the security, care, custody & control of prisoners, that is their job. He will be ready to assist with ICE and Homeland Security. He would like to see a K-9 Unit specifically trained in explosive & Fire Arms. He spoke about a Bill that is in the House of Representatives about Concealed Carry. (HR38). He spoke about Title 18 in the Crimes Code. He feels it should be use but is not being used. Mr. DeMarco thanked the Board for allowing him to speak.

VII. Business from Anyone on the Board

Chairman announce that the Morning May meeting will be on Monday, May 19, 2025 at 9AM at the ANNEX Building due to the Election on Tuesday, May 20, 2025.

VIII. Public Comments on General Items

Donald Hoppes – Mill Dr. – He said he has been hearing rumors of possible water extraction on Penn Drive. Chairman said he has a property on Penn Dr. with other investors. Chairman said they have 80 acres. He said you would need 100 acres to do water extraction. Chairman asked why they would purchase 80 acres if you need 100 acres. They purchased 80 acres to subdivide it into eight 10- acre lots. They ran into some problems such as PennDOT HOP Permits, some lots are steep. We may need a Home Owner's Association / or a Maintenance Agreement for Driveways, put into the deed that would be there for the life of the property. They spent \$30K on engineering so far. Chairman pulled his plans to show what they are doing. They had the sewage tested for each lot. One of the lots they found to have a water problem on it. When they did the perc tests, they had to do it in different locations because of the spring on that property. Chairman said we need to solve that problem. They had experts come in to see what they could do. Chairman said he was asked why there was a backhoe on the property. He said there were a lot of old tires, old farm trucks, and scrap metal that they wanted to get rid of. Chairman feels that he should not have to answer rumors about his own personal property but he did.

Brian McQuillen asked if he was going to do Water Extraction. Chairman said Water Extraction is not planned at this time. Chairman said we need to do something with the water but he does not know at this time what they are going to do about it. Brian McQuillen asked if he could pipe it or swale it down. Chairman's concern with that is he feels the property value would decrease if they did something like that. The reason why they did not submit the plans yet was that they may have to reconfigure the plan. They are also waiting to see about the HOPs. He understands they could submit as long as they have a

letter in showing that you are doing it as per the municipal planning code but they rather do as much as they can before they submit.

Terri Knoedler – asked if he denies that Jay Land was out at that property. She said Jay Land told her that he was at the property. Chairman said he is not denying that anyone was out at the property. Chairman said he was not out at the property with Jay Land. He may have been one of the experts his partner brought in to look at the property. Chairman said it would not surprise him if it were Jay Land because he is a water expert. Ms. Knoedler said it is not going through Jay Land it is going through Nestle. Chairman said you know more than I do. Terri Knoedler asked about Towing. She said she heard he gets a kick back when you give it to HOPES Towing. Chairman said HOPES has been Towing before he was even a Supervisor.

Tory Graver – said everything the Township did to the park looks great, him, and his family loves going there.

Glenn Hummel – since the rumor is out there and no applications have been submitted to extract water, could Charlie Schmehl put something in our Ordinance about Water Extraction to protect our Residents. Attorney Datte said we addressed it for years and we have it in our Ordinance. You would have to comply with our new ordinance and all of its provisions. Our Ordinance complies with any water extraction for Commercial Purpose. Attorney Datte said we spent years putting our water extraction ordinance in place. We brought in water extraction attorneys, hydrogeologists, engineers and we put together a committee to create the Water Extraction Ordinance. We put every legally permissible requirement in the ordinance. It could make it very expensive to do that.

Brian McQuillen – thanked the Chairman for being so forth coming with everything. He said he heard the rumors also, he believes the current Ordinance says you could take 10,000gal/ 5 acres/ day. He believes it is not the 100 acres anymore. Mr. McQuillen was not sure when the Ordinance changed. He asked the Chairman if he would look into it for next meeting. Chairman said he was on the Water Extraction Committee and he insisted that it should be 100 acres. Mr. McQuillen said that is not what the Ordinance online reads. Chairman asked the Secretary to look up the Ordinance and see if the 100 acres is still a requirement.

IX. Executive Session

Chairman called for a motion to go into executive session @ 7:25PM for pending litigation. Glenn Hummel made the motion. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0
Attorney Datte said it is for pending litigation and there will not be any action taken, we could adjourn the meeting. Jimmy Akins said before we adjourn he thanked the Chairman for being upfront and for looking out for our community for all these years.

X. Adjournment

Chairman called for a motion to adjourn at 7:26PM. Glenn Hummel made the motion to adjourn. Jimmy Akins seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By:

Katie Orlick - West Penn Township Secretary