

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

Phone (570)386-4507

Fax (570)386-5851

Tuesday, September 8, 2026

Present at the Meeting

Anthony Prudenti – Chair
Tom Ackerman - Supervisor
Kyle Kester – Vice Chair (phone)
Jeremy Frable - Road Master

Karen Wittig – Treasurer (absent)
Katie Orlick – Secretary
Paul Datte – Solicitor

I. General

A. Open Regular Meeting

Chairman opened the regular meeting @ 6:04PM, with the Pledge of Allegiance & Introductions.

B. Public Comment on Agenda Items Only - None

C. Review of Minutes – August 3rd & 18th, 2026

Chairman called for a motion to accept the meeting minutes from August 3rd & 18th, 2026. Tom Ackerman made the motion to accept meeting minutes. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

E. Treasurer's Report – August 2026

Chairman called for a motion to accept the Treasurer's Report for the month of August. Tom Ackerman made the motion to accept the Treasurer's Report. Chairman seconded the motion. All in favor. Motion was carried. 3-0

F. Approval of Bills – August 2026

Chairman called for a motion to approve & pay the bills for August 2026. Tom Ackerman made the motion to approve and pay the bills for August. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

G. Solicitor's Report – August 2026

Solicitor Paul Datte said we are on track for our Zoning Hearing for our meeting on October 5th. Attorney Datte said he did incorporate the comments into the Data Center draft that were made at the prior public hearing. We will be combining that with the Solar Provisions into a single ordinance. Attorney Datte said it goes to the County for their mandatory review.

II. Land Use - ARRO Consulting, Inc. – Engineer's Report – August 2026

A. Hole-In-One Solar farm, LLC Project – Golf Rd. is requesting another 90-Day extension. It is up to the Board of Supervisors whether they want to accept and ratify their request for the 90-day extension. If the Board does agree the new last action date will be January 22, 2027. Chairman asked if this was their third extension request. Secretary said, "Yes." Attorney Datte asked if they gave a reason for the Time Extension. The Secretary said they are waiting for Storm Water Calculations and other Agency Approvals. Attorney Datte recommended to grant the extension. Tom Ackerman made the motion to grant the extension for 90 days. Kyle Kester wanted to know why they are asking for 90 days. Attorney Datte said he is not recommending 90 days, he is just recommending the extension, but the Board does not have to grant the extension. Secretary said their last action date would be October 22, 2026. Attorney Datte said we could table the decision. They had initially asked for a 30-day extension, which would have brought the last action date to July 22. Then they requested a 90-day extension which had their last action date as October 22nd. Attorney Datte recommended to the board to hold off and ask them why they need another extension and why for 90 more days. Tom Ackerman rescinded his motion. Kyle Kester agreed. He would like to know why they keep asking for extensions. Chairman made a motion to deny the time extension request. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

B. Planning Commission recommended Conditional Approval of the LTN Development, LLC 8-Lot Major Subdivision – Penn Dr. Chairman Tony Prudenti is a part of this subdivision. He stepped outside of the meeting room while discussing the 8-Lot Subdivision Plan. If the Board approves, they will motion to adopt Resolution # 12 of 2026. Which conditionally approves the LTN Development, LLC 8 Lot Major Subdivision, contingent on all comments being addressed from ARRO's letter dated August 21, 2026, with the exception that sidewalks are not required along frontage, Bill Brior, and consideration of the Schuylkill County Planning Commission comments. Tom Ackerman called for a motion to approve the following requested waivers:

1. §503. C.1 – A Waiver requesting to combine Preliminary & Final Plan Submission.
2. §1006.C – A Waiver requesting for the lot depth to width ratio which shall generally not be greater than three to one.
3. §1019A.1 & A.4 – A Waiver requesting for installing concrete monuments at the boundary of the subdivision and along existing roads. The applicant is requesting to install steel pins at all new lot corners.
4. §1006.D – A Waiver requesting of side lot lines shall be right angles to street of lots. The entire side lot lines cannot be right angles due to the shape of the property.

Kyle Kester made the motion to approve the four waivers that were requested for the plan. Tom Ackerman seconded the motion. All in favor. Motion was carried. 2-1 Chairman Tony Prudenti abstained from vote.

Tom Ackerman made a motion to adopt Resolution # 12 of 2026. Kyle Kester seconded the motion. All in favor. Motion was carried. 2-1 Chairman Tony Prudenti abstained from vote.

Tom Ackerman called for a motion to accept ARRO Consulting, Inc. engineer's report. Kyle Kester made the motion. Tom Ackerman seconded the motion. All in favor. Motion was carried. 3-0

III. Operations

A. Hometown Municipal Services, LLC monthly report – August 2026

Bill McMullen from Hometown Municipal Services reviewed his report with the Board. He said with recreation that a notice was provided to Clauser Environmental to proceed with wetland delineation, wetland report, and jurisdictional determination for Atlas Park. We reviewed the two project budgets and reviewed it with DCNR. DCNR indicated their approval of the proposed revisions/ additions to the scope of the work. Bill McMullen said instead of paving 3-4 Parking spots, with the Road Dept. doing a lot of in-kind, we could now pave the whole parking lot. Bill McMullen said we are doing an analysis of what was spent, what is available and what must be spent as far as materials and what can be expanded. The Atlas Park is a 50/50 match; we used the land donation as part as the 50%. J.E. Morgan Park the first \$10K is for Engineering, \$30K is for Materials then anything after that is 1 to1 Match. Bill McMullen said he spoke with ARRO Consulting about project invoices. Chairman made a motion to accept Hometown Municipal Services, LLC monthly report for August. Tom Ackerman seconded the motion. All in favor. Motion was carried. 3-0

B. Hometown Municipal Services, LLC Code Monthly Report – August 2026

Hometown Municipal Services LLC provided the Board with a report. Bill McMullen said he does not barter with violations. He said bartering is with the District Magistrate. The person in violation has 10 days from the date they receive the notice of violation. Chairman made a motion to accept the Code Officer's monthly report. Tom Ackerman made the motion. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

C. Sewage Enforcement Officer's Monthly Report – August 2026

The Sewage Enforcement Officer's report consisted of 2 New Permit App., 1 Test Probes, 2 Site Evaluation, 1 Design Review and 4 Interim Inspections. 1 Malfunctions Reported. 1 new well, 1 Site Evaluations & 1 Design Reviews. Tom Ackerman gave an update on the Malfunction. This malfunction has been corrected. The contractor discovered that a pipe was broken in the drain field. He replaced a small section of pipe and then covered it. The area will be graded and seeded soon. Chairman called for a motion to accept the Sewage Enforcement Officer's monthly report. Tom Ackerman made the motion to accept the Sewage Officer's monthly report for August 2026. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

D. Road Department Monthly Report – August 2026

Tom Ackerman read the Road Department's Monthly Report. It consisted of general maintenance of the Twp. Building & Equipment, Fixed Street Signs along Township Roads, Patched holes on Dirt Roads with millings., Patched holes on Twp. Roads with Cold Patch, Mowing Shoulders along Twp. Rds. Paving bad spots on Andreas Rd & Winter Mt. Dr., Mowed brush back along Twp. Roads, Fixed wash out on Summer View Dr. with millings, Paved First St. (LVR Project), Hailed in 2A Mod. For stockpile, and Fixed washout by bridge on School Rd. with concrete. Tom Ackerman read the Maintenance and Equipment Report. Chairman called for a motion to accept the Road Dept. Monthly Report. Tom Ackerman made the motion to accept the Road Dept. Monthly Report for August. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0 Kyle Kester asked if the road of the Halloween Route was fixed in Andreas. Jeremy Fable said, yes.

E. Police Monthly Report – August 2026

Tom Ackerman read the Police Report. He reported that the Total Miles Patrolled 5,306. Traffic Citations were 72, Traffic Warnings 25, with a total of 97. There were 8 Motor Vehicle Accidents, 3 Criminal Arrents & 80 Total Calls, for the month of August. Kyle Kester asked if their phone box was installed yet. LT said it is scheduled for Friday. Chairman called for a motion to re-hire as a part-time police officer. Chief Lorah aid he was a previous part-time police officer. He resigned and now we would like him to come back. Tom Ackerman made the motion to rehire Richton Penn as a part-time police officer. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0 Chairman made a motion to accept the Police Monthly Report. Tom Ackerman seconded the motion. All in favor. Motion was carried. 3-0

F. Fire Company's Monthly Report – August 2026

Tom Ackerman read the Fire Report. The report consisted of 16 Total Calls for the month of August. Emergency Responses included 6 Motor Vehicle Accidents, 3 Wires/Trees Down, 0 Medical Assists, 0 Automatic Fire Alarm, 2 Fire Police Needed, 0 Transformer Fires, 3 Structure Fires, 0 Brush fires and 2 Chief Calls. Their activities consisted of Monthly Meeting & Cash Bingo. Training included Vehicle Rescue, Pump Operations and Fire Bull Foam Demonstration. Jeff Bradford said the monthly All you Can Eat Breakfast will be starting back up and they will be every second Sunday of the month. Jeff Bradford said there were rumors that there were changes made to run cards and things like that. Fire Chief said he wanted the Community to know that there were No Changes made. Fire Chief said there were a couple of incidents over the past month and there were no problems with Tamaqua Fire Company responding. He said we all worked well together and had no issues. Another positive thing is that our training has been getting better because we have more volunteers that are participating, which helps us be able to do other training that we didn't have the manpower to do before. Chairman called for a motion to accept the Fire Dept. Monthly Report. Tom Ackerman made the motion to accept the report. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

G. Ambulance Monthly Report – August 2026

Tom Ackerman read the Ambulance monthly report. The Ambulance report consisted of 44 Calls for the month of August. Unit 935 had 20 calls and Unit 937 had 24 calls. There were 15 Treated, and Transported BLS, 6 Canceled Prior to Arrival, 5 Lift Assists, 1 Refused Care, 2 Standby, 1 Treated but not Transported and 14 Treated, Transported with ALS on board. Receiving Hospitals were 14 St. Luke's Miners, 5 Lehigh Valley – Carbon, 3 St. Luke's – Geisinger, and 2 LVHN Cedar Crest, 2 St. Lukes -Carbon, St. Luke's Bethlehem, 1 Tower Health – Reading and 1 LVHN Schuylkill-East. The calls were 2 East Brunswick, 1 New Ringgold, 7 Tamaqua, & 34 in West Penn Twp. Ambulance included a Bar Graph with their report. Chairman asked secretary to find out the number difference in the categories. Chairman called for a motion to accept the Ambulance Monthly Report. Tom Ackerman made the motion. Kyle Kester 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 # 13 of 2026, approving the budget for CDBG Program for the FY 2026. Tom Ackerman made the motion. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

B. Chairman called for a motion to approve the West Penn Lions Club request for approval & to apply for the Andreas Halloween Parade PennDOT Special Event Permit. Tom Ackerman made the motion. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

VI. Correspondence

A. West Penn Lions will be hosting a Senior Fun Day, Saturday, September 12, 2026, starting at 11 AM at the West Penn Park – Zion Stone Church Rd. Please register by Sept. 8th.

VII. Business from anyone on the Board

A. Chairman announced that it is budget time and reminded all the Dept. heads to prepare for the first budget meeting on Sept. 15th following the 8:30AM regular meeting.

VIII. Public Comment

Trina & Craig Moyer – would like to know if there was any more information the Township could provide about the neighbor target shooting too close his house. Chairman said we have a section in our Zoning Ordinance that addresses target shooting. Trina Moyer asked if you would need a permit for that. Attorney Datte said yes for a target range, however the ordinance reads that the occasional daytime target shooting by residents or owners of a lot and their occasional invited guests, and which has a suitable barrier behind the target shooting area is not regulated as a target range. Craig Moyer said he created a map and felt that whichever direction that neighbor would shoot it would be in the direction of a house. Mr. Moyer said his neighbor had a back stop, but they had water jugs sitting on top of the back stop. Mr. Moyer would like to know if someone is going to go to the neighbor's house and explain that they cannot be shooting and using the back stop like that. Chairman said the Code Enforcement Officer will do that. Attorney Datte said the issue is it is not a target range if it is an occasional thing but for it not to violate the Zoning Ordinance it would still need a suitable back stop behind the target area. They would need something that would stop bullets from going beyond the property line. Trina Moyer expressed her concerns with the whole situation. Her boys' bedrooms are on the side where their house got struck with two bullets. She was thankful no one got hurt. She wants something done about what happened. She is upset about the investigation into the situation and not getting a phone call back. Craig Moyer wanted to know if the neighbor would have to move the backstop. Bill McMullen recommends that the Code Enforcement Officer and a Police Officer goes out to inform the neighbor about the target shooting and inform them that you cannot shoot beyond the target. Trina Moyer and Craig Moyer would like to see more regulations for shooting on residential property, especially with homes nearby. Trina Moyer asked if someone was going to go to the neighbor and explain to him about shooting and backstops and the purpose of a backstop. Chairman said the Twp. Will get back to the Moyers of what was done. Craig Moyer handed out an article about a similar situation and how it was handled. Craig Moyer asked about Body Cam footage. Bill McMullen said the Officer knows the law for shooting, however in a Zoning perspective they are allowed to shoot provided they have a backstop and they need to comply with the Zoning Ordinance. Bill McMullen said we will basically tell them how they would need to comply. Chief Lorah said game laws apply only during hunting season. The incident did not occur in hunting season. No violations of the safety zone were violated. Chief Lorah explained what needed to be done to investigate if charges were to be filed. Chief Lorah explained that he would have to cut the bullet out of their house and have to get search warrants to find the gun that shot those bullets. Chief Lorah said he would have to prove that. Attorney Datte said we will have our Code Enforcement Officer see if there was a violation with Zoning Ordinance. Craig Moyer asked going forward could we come up with a resolution of what is considered a safe backstop. Attorney Datte said the words in the Ordinance are suitable barrier. Trina Moyer said then there are no regulations about barriers. Chairman said we are going to consider amending the Zoning Ordinance. Triana asked if someone would follow up with them. Tom Ackerman said we could look into it. Kyle Kester asked if the Moyers were in a residential area. He said he was going to look into this more. Chairman said amending a Zoning Ordinance is at least 2-3 months. Trina Moyer just wants the neighbor to be informed. Attorney Datte said even if we amend the Ordinance and the neighbor has a proper backstop does not mean that they would use it appropriately.

Attorney Datte said the barrier needs to be suitable. It needs to stop the projectile from leaving the property. Chairman said maybe we could have that the shooting range needs to be 150 yards from a residential structure. Chairman asked the rest of the Board if they could have the Township Solicitor look into what we could do about residential target shooting.

Dale Martin – asked if anything could be done on the trail that runs along SR309 from Dairy Rd to Tamaqua. It is becoming a muddy mess. Mr. Martin believes the ESRC was involved with that project, and the Townships were to maintain it. Chairman believes that there may have been an agreement that West Penn would maintain from Dairy Rd to the Township line going towards Tamaqua. Which is around Fegley's Mini Mart. Mr. Martin said he mowed it for a while. He said you do not need to stone the whole thing just in the spots where it is worn and muddy. Chairman recommends Mr. Martin come to a budget meeting so he could suggest, we put money aside for that trail. Chairman asked Jeremy Frable about the Trail. Jeremy Frable said we do maintain that trail. He feels that there was an agreement that we were to maintain part of the trail. Mr. Martin recommends fine like cinders on the path. Jeremy said probably the anti-skid work on that trail.

IX. Executive Session - NONE

X. Adjournment – Chairman called for a motion to adjourn the meeting at 7:33PM. Tom Ackerman made the motion. Kyle Kester seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By: Katie Orlick, West Penn Township Secretary