

**TOWAMENSING TOWNSHIP SUPERVISORS' SPECIAL MEETING MINUTES**  
**TOWAMENSING TOWNSHIP MUNICIPAL BUILDING**  
**November 19, 2015 – 7:00 p.m.**

**EXECUTIVE SESSION – 6:30 p.m.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Penny Kleintop, Chairperson/Treasurer; Thomas Newman, Vice-Chairman; Guy Seifert, Supervisor; Thomas Nanovic, Solicitor; Brenda Drew, Secretary; Carl Faust, Zoning Officer; Greg Haas, Engineer - absent.

**ATTENDANCE:**

Gary Anthony, Richard F. Beers, Richard Bachert, Wayne Knirnschild, Bob Daniels, Wendy Keller, Betty Knirnschild, Eric M. George, Ann Bachert, David S. Beers, Robert O'Donnell, Glenn W. Beers, Paul W. Hoppel, Mike Anthony, Susan Anthony, John Wasilowsky, Terry Costenbader.

**PUBLIC PARTICIPATION - 5 MINUTE LIMIT** - Please sign the book if you would like to address the Board.

Resident John Wasilowsky of 120 Pine Lane and Mike & Susan Anthony attended the meeting to discuss the ongoing use of the private road in their neighborhood by another parcel owner, Sid Sawah, who has gotten a septic permit for a lot in the area using the address of Pine Road & Church Road. John is asking the Township to cancel this permit and issue a new one with a corrected address for the access road and an explanation of how he will get to the site on which he plans to build his home. Mr. Sawah has been using Pine Lane. Supervisors and Carl Faust stated that when Mr. Sawah comes to the Township for a driveway and building permit, then something can be done. Chairperson Kleintop suggested placing a “no trespassing” sign on plywood with an address and signature for legitimacy. Supervisor Seifert stated that it's currently a civil matter and suggested calling secondary SEO Sean Corey and DEP, challenging access to the Sawah lot. Since Mr. Sawah is cutting trees, it is suggested that the Zoning Officer make contact to determine how the lot is being accessed since it appears that the access should come from Church Drive and not from Pine Lane. John also reminded the group of his prior board meeting discussions pertaining to the second house located at 460 Beers Lane whose owners have been using Pine Lane for access and have somehow managed to pay no taxes for approximately forty years. The County Tax Assessor's office was recently made aware of the additional house on the property.

**BUSINESS:**

Discussion with Towamensing Township Volunteer Fire Company Members:

Chairperson Kleintop began by reciting from the Second Class Township Code stating the Township shall be responsible for ensuring that fire and emergency medical services are provided within the Township, including but not limited to financial and administrative assistance for these services. Therefore, the Supervisors have a duty to make sure there are adequate services within the Township.

**Motion:** Supervisor Seifert made a Motion to recognize the three surrounding townships of Polk, Aquashicola and Franklin, for their help as part of the Mutual Aid Agreement, as well as Towamensing Township Volunteer Fire Company. Motion seconded by Chairperson Kleintop.  
All in favor. Motion carried.

Resident John Wasilowsky asked whether the Fire Co. still sends out donation request letters. Betty Knirnschild stated that they continue to do so although Chief Knirnschild said at a prior meeting that it is no longer done. Chairperson Kleintop offered to have the request letters mailed out along with the garbage invoice mailing the first week of January 2016.

Supervisor Seifert thanked the Fire Co. members, officers and board members for attending the meeting. He stated that the recent closing of the Kidder Township Fire Company has made the public sensitive to the fact that fire companies may or may not have problems. He knows that our township is not very well represented at fires. What started this process is the sending of the letter to the Fire Chief requesting an accounting of the last three years of books. Supervisor Seifert stated that he has no confidence in what Chief Knirnschild tells the Supervisors or the fire company board members. He asked who is in charge, who sets policy, who administers policy. Supervisors Kleintop and Seifert asked questions such as who makes decisions, what's the hierarchy? Dick Bachert said that policy is voted on by members who attend meetings. He also stated that it's only a handful of members who attend the meetings and invited Supervisor Seifert to attend the meetings. Wendy Keller said that the officers, directors and active members make policy. It's not up to one person. Eric George runs the meetings.

Chairperson Kleintop asked who makes decisions such as the selling of equipment. Wendy Keller stated that decisions are made at monthly business meetings which are held the first Wednesday of each month. Chairperson Kleintop stated that the questions are due to a complete breakdown in communication between the Twp and the Fire Co. Supervisors had asked for an accounting of the VFRA funds and were not aware that the Auditor General's office audits those funds. Another Fire Co. informed Kleintop of the DCED website and how to access the reports. It would have been easy for the Fire Co. to provide that information. The lack of cooperation caused a red flag. Everything in the Township is open records and transparent since Chairperson Kleintop has been in office using CPAs to audit Township accounts. Wayne stated that the Township should have had that audit report from 2009-2011 but no one at the Township is aware that one was ever received. Wayne claimed that, in response to the letter, he called and also went to Supervisor Seifert's house. Chairperson Kleintop stated that it should have been addressed with a simple phone call.

Vice-Chairperson Newman stated that the reason the Supervisors are asking for an accounting of funds is due to a lack of records in the past. They are trying to get rid of the image of impropriety. Sending documents on November 18 is a step in the right direction, as is talking in a positive fashion.

Chairperson Kleintop stated that during the November 5<sup>th</sup> meeting, the Supervisors offered to hire an accounting firm and it was agreed upon. Wayne said that he had hired John Nonnemacher as the auditor of the Fire Company's books but when Chairperson Kleintop spoke with Mr. Nonnemacher, he said that he was not hired by the Fire Co. This was another red flag. Both Mr. Nonnemacher and the Township accounting firm Kirk & Summa have high opinions of one another. Mr. Nonnemacher also suggested that the Township should hire someone they are comfortable with.

**Motion:** Chairperson Kleintop made a Motion for the Township to pay for a full and thorough audit of the last three years of the Towamensing Township Fire Company's books. Supervisor Seifert seconded the Motion.

All in favor. Motion carried.

Gary Anthony, Eric George and Dick Bachert agreed with the motion. Wendy Keller and Betty Knirnschild agreed with audit but want the option to choose the auditor and even pay for it themselves since the Fire Company is self-supporting. They have no problem with the audit being open and transparent.

Glenn Beers did not understand why the Fire Company wasn't taking the Supervisors' offer to perform and pay for the audit. He expressed an appreciation for the work that the Fire Co. does. He also reminded them that an auditor can highlight deficiencies. It's an outside look inside.

Supervisor Seifert described it as a "turf war". He stated that the Township takes its authority from the State which states that it has oversight. The Township has been remiss, as was Kidder Township. He agrees that the members do a great job but wants to make sure that those problems don't happen here.

Chairperson Kleintop stated that she was concerned when, at the previous meeting, Wayne stated that he'd lock the doors of the Fire Co. and the Supervisors could talk to his lawyer.

Wayne stated that no other fire companies give an accounting of all funds and objects to the accounting of fundraiser and bingo funds. He stated that he, Gary and Wendy are the only three people who touch and handle money and that they are all bonded. He invited everyone to come out and join the Fire Co. Chairperson Kleintop asked if it wouldn't be better to make the amounts known.

Supervisor Seifert suggested that the Fire Company officers, board and members meet, and possibly meet with Dale Kirk. Wendy Keller stated that the offer was made, they will discuss it and take it under consideration. Solicitor Nanovic asked that they address the Kirk audit and get back to the Township by December 10, 2015, as did Vice-Chairperson Newman.

Solicitor Nanovic questioned what the problem was with using the Township's accountant. Vice-Chairperson Newman stated that an audit dispels all public opinions and that the intended or unintended consequences are good.

**Motion:** Supervisor Seifert made a Motion to establish a Fire Company oversight ordinance which complies with Second Class Township Code. Chairperson Kleintop seconded the Motion. Vice-Chairperson Newman abstained.

Motion carried.

Supervisor Seifert asked what the top three biggest problems were at the Fire Company. Bob Daniels said that it was technology – the communication from the Comm. Center – it's difficult to hear the transmissions. Wayne Knirnschild said that it's not money but a lack of volunteers. Terry Costenbader of Palmerton Borough said that it's the cost of equipment.

**Motion:** Supervisor Seifert asked for a Motion to release the fire relief funds to the Towamensing Township Volunteer Fire Co. Chairperson Kleintop made said Motion, seconded by Vice-Chairperson Newman. All in favor. Motion carried. The check in the amount of \$31,353.19 is to be drafted November 20 and given to Gary Anthony for deposit.

Chairperson Kleintop then called for an Executive Session. Upon return she asked Eric George to be the liaison who will contact the office after the meeting of the Fire Company Board of Directors with the decision on accounting firms to audit their books. Eric, as President, agreed to do it for now. She stated that there needs to be better communication between the Fire Company and the Township.

Supervisor Seifert said that there's a need for more openness without having to chase personnel down. He also stated that the Supervisors are not yet finished with the issues at hand. Wayne said that "call logs" can be faxed right to the Township.

## **OFFICIALS:**

Reminders – November Staff Meeting will be held on Wednesday, November 25, 2015 at 2:30 p.m.

Zoning Office hours for November 2015 –Tuesday, November 3; Wednesday, November 11; Tuesday, November 17 & Tuesday, November 24 - 5:00 to 7:00 p.m.

Carl Faust, Towamensing Township Zoning & Code Enforcement Officer, can be reached by calling: 570-943-2577 or 610-681-4202. Email: [bmisinspector@gmail.com](mailto:bmisinspector@gmail.com)

**ADJOURNMENT: 8:57 p.m.**

**Motion:** Supervisor Seifert made a motion to adjourn, seconded by Vice-Chairperson Newman. All in favor. Motion carried.

Respectfully submitted,  
Brenda L. Drew, Secretary