

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Minutes of the September 11, 2018, Meeting

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their regular monthly meeting on Tuesday, September 11, 2018, at 7:00 p.m. at the Lehigh Township Municipal Building located at 1069 Municipal Road, Walnutport, Pennsylvania. Present were Cindy Miller, Darryl Snover, Mike Jones, Phil Gogel, and Keith Hantz. Also present were David Backenstoe, Phil Malitsch and Alice Rehrig. Chairman Darryl Snover called the meeting to order with the Pledge of Allegiance and a moment of silence in memory of the events of those who lost their lives during the terrorist attack in 2001.

- II. APPROVAL OF THE MINUTES
 - A. Minutes of August 28, 2018. Keith Hantz made a motion to approve these minutes. Mike Jones seconded the motion. Motion carried.

- III. APPROVAL OF THE BILLS
 - A. General Fund Checks 22219 to 22265. Keith Hantz made a motion to approve these bills. Cindy Miller seconded the motion. All voted aye. Motion carried.

 - B. State Fund Check 1457. Keith Hantz made a motion to approve this check. Mike Jones seconded the motion. All voted aye. Motion carried.

- IV. PLANNING RELATED ITEMS
 - A. Plan for Approval
 1. Lehigh Elementary School Lot Consolidation Plan. Art Swallow was present to represent this plan.

Keith Hantz requested clarification on some items pertaining to the overall project. In reading the minutes from the special meeting that was held by the Planning Commission to provide an advisory report to the Zoning Hearing Board, a vote was taken where two members voted yes, one voted no, and one abstained. Would this motion actually carry? Attorney Backenstoe commented it would not. If there are four members present, you would need three votes for a motion to carry. You would need the majority of the members who are present to vote yes in order for the vote to carry.

Keith Hantz also raised a concern about the recommendation for granting the variance for impervious coverage. It indicates that they will be 3.3 percent in excess of the permitted coverage. This amount is just for the new building. The problem is that the old building and the new building will exist during construction so the actual impervious coverage will be significantly more. Cindy Miller commented the Planning Commission

did take that into consideration, they are looking what the actual impervious coverage will be when the whole project is complete. There will be a timeline placed upon them as far as removing the old building. Phil Malitsch commented there were several options discussed at the Planning Commission meeting. One possibility would be that they request a variance for the total impervious coverage when both schools are in place; however the problem in doing that is that the school could potentially either not tear down the old school or after the school is down, add other types of impervious areas such as basketball courts. The Planning Commission was looking to have something attached to the record plan and the developer's agreement with potential financial security that within a certain amount of time after the plan is recorded or the building is constructed, that the old building comes down. They realize that there will be the interim condition where both schools will exist. Keith Hantz noted that was not spelled out in the recommendation. His concern is that the residents who live on Cheyenne Drive and Ettornia Drive are already complaining about runoff from the school, what will happen when the impervious coverage is almost double during the construction of the new school. Phil Malitsch commented storm water is a separate issue. The Zoning Hearing Board will just be dealing with a variance for lot coverage. One of the engineering comments in the land development review letter deals with this topic. When it comes to storm water, there is the zoning component which deals with total lot coverage and then there is the storm water component for water runoff. Even if they receive a variance for the 23.3 percent impervious cover, they still need to demonstrate that they can adequately manage the interim condition during construction.

Cindy Miller commented the Planning Commission is recommending that they add additional parking because every time there is an event everyone is parking in the grass. The school is not in agreement with increasing the parking which is why the advisory report is written so that the Zoning Hearing Board can address parking within their ruling. Darryl Snover questioned if the variance for curbing is related to the parking. Cindy Miller commented they are. She voted no regarding the curbing because she felt that if the curbing was not there it encourages people to park on the grass. Darryl Snover noted that this would be the recommendation that did not pass.

Cindy Miller commented the issue of water and sewer did also come up and she did want everyone to know that they cannot require them to

connect to public water or sewer because of the way the ordinance is written. Keith Hantz commented he thought it was stated several years ago that there was a problem with their septic system. Cindy Miller commented they questioned this at Planning and they are stating that there is not a problem. Keith Hantz noted that when the possibility existed of the development going on the Hunsicker track, they could not wait for the public sewer. Phil Malitsch noted the Sewage Enforcement Officer will be reviewing the plan to make sure all components in that aspect are met.

Darryl Snover commented the letter to the Zoning Hearing Board should be revised to indicate that the motion did not carry. Attorney Backenstoe commented it should indicate that there were only two in favor, one no, one abstention, and one was not present.

Keith Hantz also questioned if there should be a reason indicated for the abstention. Attorney Backenstoe commented you should not be abstaining just because it is an unpopular issue. The abstention should be under the Ethics Act because you have a financial interest, an appearance of improprieties or a conflict of interest in some fashion.

This plan received conditional approval from the Planning Commission and there is an updated letter from Hanover Engineering dated September 10, 2018. Phil Malitsch noted that the only outstanding items are procedural in nature. Phil Malitsch noted that there is a unique feature on this plan in that it is consolidating two lots, the one with the existing school and one with a house on it formerly owned by Mrs. Hummel. There is a note added on the plan as to when the property will be vacated and razed as of the land development process. There is not a lot of difference between this plan and the previously approved lot line adjustment plan.

Cindy Miller made a motion to grant this plan final approval conditioned upon the developer complying with the outstanding items in the Township Engineer's letter, which includes the review of the language pertaining to the razing of the structure. Phil Gogel seconded the motion. All voted aye. Motion carried.

B. Waivers for Approval

1. Northwoods Land Development Plan. Dave Lear and Mark Leuthe were present to represent this plan. Dave Lear noted that in addition to the waivers that are before the Board, the Planning Commission reviewed

some additional waivers at their September 10 meeting and has also granted some additional waivers. These additional waivers were previously held by the planning commission because of the drainage situation out on Butternut Road. The drainage issue has now been clarified and the Planning Commission reviewed those additional waivers at the meeting and will be forwarding their recommendation to the Board of Supervisors. The applicant will be withdrawing one of the waivers that was requested at the September 10 meeting. These additional waivers will be placed on the Board of Supervisors September 25 meeting.

Keith Hantz made a motion to grant the 17 waivers as recommended in the Planning Commission letter dated August 24, 2018. Mike Jones seconded the motion. All voted aye. Motion carried.

Keith Hantz made a motion to grant the deferral as recommended in the Planning Commission letter dated August 24, 2018. Mike Jones seconded the motion. All voted aye. Motion carried.

C. Engineer's Report

1. Hills of Greenock Improvements. Phil Malitsch reported that he and Attorney Backenstoe had the opportunity to meet with one of the developers, Larry Greenberg, and his attorney regarding the remaining improvements in this development. During the meeting they discussed the basic concept that was outlined in the letter from Phil Malitsch. Attorney Backenstoe commented what they would essentially like to see from Mr. Greenberg and others is that they mobilize and take the topsoil and the rock off the lots and loaded into the pond. He believes the Township would be able to do the work that needs to be done to decommission the pond. The developers would clear and grade their lots, remove the soil, rock and fill, and put it into our dump trucks and our dump trucks would mobilize and take it down to the large basin at the beginning of the development and start filling the basin. This would have to be done in conjunction with the developers. He believes that by working together there could be a benefit for both entities. Larry Greenberg has also agreed to talk to Larry Anthony who also owns lots where fill would be removed to see if the two of them could work together to remove the fill so they can be used to decommission the basins. Nothing concrete was reached during the meeting, but it was a very productive meeting.

Phil Gogel noted they are stockpiling on the lots at the top of the development. Attorney Backenstoe commented the reason they are doing

that is that they intend to take that fill and use that as well to decommission the basin. Phil Gogel questioned what they will be charging the Township to load our trucks. Attorney Backenstoe commented he is not expecting that there will be a cost for that.

Attorney Backenstoe noted they have gone from a point where they would have to bid out in under right the cost for the entire project to working together where the developer will take the fill with our dump trucks to help decommission the basin. Cindy Miller questioned how many men and dump trucks it would take. Phil Malitsch commented a more concrete plan needs to be worked out. Once they hear back from the gentleman that they met with, they will have to identify a schedule as to when the work would take place. They want to make sure that the work is scheduled properly so that any equipment that needs to be rented can be used cost-effectively. Phil Gogel questioned what our dump bodies are made of, are they aluminum or are they steel? If they are aluminum you will not have a dump body left by the end of this project.

Phil Malitsch also reported the work on the detention basin at Grace Estates has started. At this point, everyone is in agreement with what is taking place. He has also discussed with the developer the recording of the revised plans so that the changes are memorialized.

V. OLD BUSINESS

- A. Cherryville Intersection. Attorney Backenstoe reported he has been working with Jim Milot and PennDOT regarding obtaining permission to take the needed Bodish property by eminent domain. Once approval is received from PennDOT, he will be ready to move forward. Cindy Miller questioned how long they expect PennDOT to take in granting the authorization. Attorney Backenstoe commented it shouldn't take that long. They just want to verify that the Township made a good faith effort to work things out with the property owner. He would expect that the Board would be able to take official action at either their next meeting or the first meeting in October.

Phil Gogel commented that he realizes that there has been a courtesy shown to the property owner regarding the cleanup of his property because we wanted his cooperation, but he should have been taking care of his property for a long period of time. He should be required to follow the rules like everyone else and clean up the property. Cindy Miller questioned how long the eminent domain process takes once the approval is received from PennDOT and at what point can the

demolition be put out for bid. Attorney Backenstoe commented once the action is taken at a meeting, the paperwork will be recorded the next day and the taking would be complete. The Owner would then have 30 days to file preliminary objections where he would be challenging our ability to take the land. If this occurs, there is a mini trial that is held and the Township would need to show it is for public purposes and not for private purposes. Hopefully there would be a quick ruling, but he could appeal the decision to Commonwealth Court, but at that point, he would believe we are pretty safe in proceeding. He would have 5 years to file objections in terms of the compensation he has received. The Board has been more than reasonable and fair on this project. The Board has exhausted all avenues to try to resolve this without doing eminent domain.

A resident commented he has noticed there is an application for alcoholic beverages on the site. Darryl Snover commented the issuance of an alcoholic beverage license is something that is handled by the State. The Township has no say in that matter. At this point we have not seen or heard anything from Turkey Hill regarding this. Cindy Miller commented she had heard that they will be coming before the Board of Supervisors with the new land development plan at some point.

A resident questioned if the Township has the ability to issue a raise or repair order on the Bodish property. Darryl Snover commented that the Township has tried this on other properties and even though they look to be in worse condition they were still considered to be structurally sound. Attorney Backenstoe commented the Township has previously followed the process with the old Cherryville Post Office Building. As horrible as that building was, our engineers went in and inspected it and found it was not structurally unsound. Therefore, a court would not require them to tear it down. They would be required to secure it, but it would not be required to be removed. He is not saying that you could not go after this particular property owner, but by the time it would get through the courts the Township would already be in possession of the right-of-way and have the ability to demolish the building.

Phil Gogel commented he believes this property should be maintained like any other property. The Township goes in and mows other properties and bills them; this one should not be any different. Darryl Snover commented the grass does get mowed; it is just the other vegetation such as trees and shrubs that are out of control. Darryl Snover commented he does not believe we have any ordinances that would require the cutting and cleaning up of trees, shrubs, and other vegetation.

- B. Maintenance Building. Keith Hantz announced the Township received a \$1 million grant for the Maintenance Building. The Building Committee felt it would be appropriate to send Representative Mako and Senator Scavello a letter thanking them for their assistance with securing this funding. Cindy Miller noted that Senator Scavello started this process with the Township two years ago. With this type of grant, a legislator needs to write the entity into a bill which gets voted on.

The Building Committee was wondering if the Board has recognized that there will need to be outside funding acquired or were some Board members thinking that there would possibly be a way to save enough money for the building. Darryl Snover commented that the Board realizes there will need to be additional funding obtained for the building.

The Building Committee started working on this October 10, 2017. The Board had asked them to develop a spec package and a cost estimate. They have provided the Board with specs for the building, the approximate cost, and even came up with some thoughts on how to pay for the building, including what the possible tax increase would be. The Committee feels that a list of questions should be developed by the Board of Supervisors, not just individual Board members. After the Board develops a list of questions, the Committee would be willing to sit down and meet with the Board.

Phil Gogel commented he thinks that there should be a motion to start working on securing the funding before the rates go up. With the amount of money that we are going to need to borrow, a quarter of a percent in interest rate will make a big difference in what it will cost the Township. Cindy Miller questioned if we are looking at taking a regular loan or should there be consideration given to taking out a bond. The Board has not really vetted through the whole financing side of this project. As a Board, it has not been determined what the building will be. They have listened to what the Building Committee has submitted, but the Board really has not sat down and discussed the building with the Committee. We know we have \$1.8 million towards the building, but we still do not know what the total amount of the project will be. How can we go to a bank and ask for financing when we do not know what the total will be? Phil Gogel commented we have good estimates from the architect and from the engineer for the site work. He realizes it will not be finalized until we get the contracts for the project, but he would like to lock the rates in early before they go increase. Cindy Miller commented we are going by architectural costs. We have not had a contractor look at this and give us a cost. It most likely will be different than what the architect is estimating. She believes it will come in lower than what the architect

is estimating. Phil Gogel commented he thinks it should be looked into when we can actually lock into a rate. Darryl Snover commented he does not know much about a bond, but thinks it would be worth looking into. He cannot imagine the bank would be willing to loan money on a building that has only been estimated and not actually been contracted. Phil Gogel commented he would much rather secure the funding now at a lower rate, then wait until the rates go up. If for some reason the project were not to move forward it would only be a small mistake now but if the project does go forward it would save a lot of money in the future. Mike Jones commented he does not think a bank would give us funding based on the limited information that we have. Cindy Miller commented she likes the idea that Keith came up with as far as the board sitting down and developing questions and then sit down with the Committee and try to expedite this project.

Phil Gogel questioned if there is any thought given to reducing the size of the maintenance building and redesigning the building so that all the departments can be operating within the same building. He was thinking if the maintenance area was reduced to 100' x 160' and then have an area of 100' x 70' office personnel. With everything being located together, all departments could utilize the amenities of one building rather than having several different buildings to maintain. It would also be easier on residents because they would only have to go to one place for whatever they would need. Our existing buildings are nickel and diming us. If we could put everything together, it would resolve all the maintenance issues. Keith Hantz commented the idea is good, but the expense will be greater. The Building Committee has gotten flack from the expense of a new garage. Phil Gogel commented there would not be a bump out, so that would save some money and there would only be an additional 30 feet being added to the length of building. He didn't think the Board should be asking the public to support a \$3.5 million building that benefits just one department. For the same amount or just a little bit more, all departments would benefit. Darryl Snover commented he can see some reasons why the police and road crew should be kept separate for liability purposes. Mike Jones questioned if there is another Township that does that. Cindy Miller commented Washington Township has everything in one building; they lease space to the State Police, but they don't have local police or have a jail area or booking center like what we have.

Nick Taras questioned if anyone on the building committee knows anything about building. The Board commented that Chip Hazard has experience. Mr. Taras commented he doesn't think a building that is 100' X 200' is necessary. He feels there will be wasted space in the middle by the drain. He can get the material for

a fraction of the costs that are being present. Darryl Snover commented that prevailing wages must be paid for the project. Keith Hantz also commented that the building must be placed out to bid.

Blaine Holden commented he appreciates the thought that Phil Gogel put into a potential redesign of the building, but also fees that the Chief should be asked how he feels about combining the Police Department with another department.

Adam Raker questioned if there was any consideration given to building a simple pole barn just to get the equipment under roof. Darryl Snover commented there was a variety of construction looked at for the project. The Building Committee was asked to provide a recommendation to the Board and this is what their recommendation was. Keith Hantz commented that they had toured some buildings that were both pole buildings and steel buildings. The committee felt the best design of the building was a drive-through design and a pole building would not be able to be 100 feet wide without having poles placed on the inside or having multiple garage doors. The Public Works Department and the Committee felt that a drive-through design with large garage doors on either end of the building was the best design. Mr. Raker suggested the ends of the building be left open. Keith Hantz commented the idea of the new building was so that the men could work on the vehicles. Mr. Raker questioned if the old building was structurally deficient or does the roof leak and it just need some upgrades. Frank Zamadics commented the roof was repaired approximately eight years ago. The foundation and the walls are cracking. The windows are 50 years old. The size of the building does not meet the needs of today. If they are out in the middle of the night in a snow storm and a truck goes down and they have to work on it they have to have the doors open in order to do so. The size of the building does not meet today's equipment. Mr. Raker commented it would be to the benefit of the Township and the taxpayers for the committee to look at putting up a pole barn. It does not need sides, but it can be big and you can drive equipment under it and get it out of the weather and refurbish the building that is there. Darryl Snover commented one of the other driving factors was getting the equipment warmed up enough so that it can be worked on in the winter. They need to be able to get the snow and ice off of the equipment in order to make the repairs. This is something they have difficulty with in the current building. He doesn't believe there would be an economic benefit in refurbishing the existing building to bring it up to where it should be and adding an additional pole barn or two. The engineering for the runoff and environmental requirements will be expensive. Mr. Raker suggested a pole building with one end closed for offices and then the other end

open with a stone floor. Keith Hantz commented the Committee did consider a pole barn structure and they felt the building that was proposed was the most efficient and cost effective.

VI. NEW BUSINESS

- A. Allen Township Comprehensive Plan. In addition to updating their comprehensive plan, Allen Township is also updating their parks and open space and recreation plan. As part of the requirements of adopting the plan, Allen Township is required to submit a copy of the plan to the neighboring municipalities. If the Board has any comments on this plan, we need to submit them to Allen Township by Monday, September 17. A letter was received from the Planning Commission indicating they did not have any comments on it. The Board did not have any comments on this plan either. Allen Township will be holding a public meeting on Tuesday, September 26.
- B. Public Works Report. There is no specific Public Works report.
- C. Recreation Report. Sandy Hopkins did not have anything specific to report, but she wanted to thank Mike Jones for obtaining additional information regarding the park sponsorship signs.

Sandy Hopkins commented there was approximately \$4,100 budgeted for fertilization of the all the fields. They will only be using half that amount this year for the fertilization. She was requesting the Board set aside \$1,500 of these unused funds so that a new batting cage could be purchased next year should one be needed. She is hoping that one is not going to be needed, but she would like to have the money available if it is necessary. They are also going to be looking into a heavier weight net hoping that a heavier weight net would last longer.

Keith Hantz made a motion to allocate \$1,500 from this year's fertilization budget to a batting cage for next year. Mike Jones seconded the motion. All voted aye. Motion carried.

- D. Zoning Report. Liz Gehman noted the special exception hearing for the elementary school will be on Thursday at 6:00 p/m. She also has two applications for the October meeting, one special exception for an accessory apartment and one variance request for a front yard setback.

The Planning Commission has been looking at a vacant property registration ordinance to help with some of the maintenance issues and forcing the banks to maintain the properties they are in possession of. Last evening, the Planning

Commission started to consider a property maintenance ordinance rather than just dealing with the grass issues on vacant properties. It would be a watered down version of the State property maintenance code that would cover exterior conditions such as broken windows, doors missing, stair railings, buildings that are falling apart, and rodents. The nuisance ordinance does not really address these issues. The state property maintenance code addresses these issues plus interior issues, but the Township could just adopt their own ordinance to only address the issues they wish. Cindy Miller commented it really comes down to the health, safety, and welfare of the community. Phil Gogel commented he believes there should also be interior inspections for rental properties to make sure the properties are fit and safe for people to rent. Liz Gehman commented these items are covered within the interior section of the Property Maintenance Code. Phil Gogel commented he also believes that there should be a requirement that properties be surveyed prior to them being sold. There are a lot of arguments being created because people do not know where their property lines are. Darryl Snover commented he would be in favor of the exterior code. He is not real keen on the idea of going into people's homes. Phil Gogel commented he is only referring to rental properties. Not all landlords keep their up on property maintenance of their properties. Chief Fogel commented there has been several occasions where tenants have called the police department because of property issues. There are some rental properties in the Township that are not in a safe and habitable condition. In many occasions the renters do not have the means to deal with landlord issues. Attorney Backenstoe commented there are tenant/landlord regulations and the tenants can file an action at the Magistrate if there is a problem. Darryl Snover comment he would rather see the tenants being made aware of what is their rights under the current laws rather than having the Township get involved in tenant/landlord issues. Chief Fogel commented it would be an additional tool they could use to have the landlord take action. Liz Gehman commented if there is not compliance, she would have to take an enforcement action. Liz Gehman commented she will start with exterior portion of the ordinance so the Board can see what is involved.

Cindy Miller questioned if some of the older complaints are moving forward or are they at a standstill. Liz Gehman commented in some cases it is a matter of waiting on a court date and others there are properties that are making progress, but not cleaned up to her satisfaction so she doesn't want to remove them from the list until she is satisfied with the property condition.

A resident commented that he does not think the Township should go overboard with imposing the inspections. Darryl Snover commented he understands, but there are situations where things get out of hand, and the current ordinances do not address those situations, such as with the Bodish property.

- E. Police Report. Chief Fogel reported the Department has been getting complaints regarding school bus violations and people driving through the flashing lights. He wanted to remind drivers to watch for the lights on the buses to be activated.

National Night Out was fantastic; they had a great turnout even though there is a brief period of rain at the beginning of it. They are looking to do a movie in the park night the first Friday in October with what was left from national night out. This will be held at Indian Trail Park. Darryl Snover commented National Night Out really was fantastic everyone did an awesome job.

Chief Fogel is hoping to finalize the promotion of an officer to Sgt. at the first meeting in November.

- F. Manager's Report. Alice Rehrig reported with the help of Sen. Toomey's office, the clearances that were needed for the Ash Road Bridge Project have now been received and the project can move forward. The approval was delayed because the biologist who was assigned to this project was out of the office with no expected date for return and US Fish and Wildlife refused to sign another biologist to the project.

There is a possibility that there may be some FEMA funding available for damages that resulted from the flooding on August 13. Information regarding the flooding in a Township was reported to the County. The Township had incurred approximately \$7,000 in expenses from material and labor for restoration to shoulders after the flood. The County as a whole met the requirements to be eligible for funding. The next step will be to have FEMA come in and look at the areas that were damaged. Phil Gogel questioned if additional sites could be added. On his road, the outlet side of the pipe is blown out about 3 feet back. Alice Rehrig commented she believes additional locations can be added up to the point when the sites are reviewed.

Alice Rehrig noted the Township received the 904 performance grant for recycling in the amount of \$7,282. This would have been for recycled materials in 2016. Phil Gogel questioned how this funding is obtained. Alice Rehrig commented it is from the glass, plastic, aluminum, and paper that is collected by the haulers. They report the total residential and commercial tons to the

Township and we in turn report it to DEP. DEP has a specific formula they use for each pound of residential and commercial material that is collected.

The Lehigh Valley Planning Commission is updating the regional comprehensive plan which will be called Future Lehigh Valley. It will integrate the municipal needs as well as looking at housing, water, sewer, recreation, and other infrastructure. LVPC is looking for input from all the various municipalities and is asking supervisors, managers, and members of the Planning Commission to attend the meeting on Tuesday, September 18 at 6 PM at the Hanover Township Municipal Building.

1. Sycamore Drive/Route 248 Intersection. Cindy Miller questioned if any cost estimates have been received for the work that needs to be done at the intersection. Alice Rehrig had spoken with Leo Livengood prior to the meeting. If we utilize his excavator and operator and haul the material with our trucks, he is estimating that the removal of the banks from both sides of the intersection will cost approximately \$8,000. The larger expense will most likely be the removal of the trees that will be disturbed on the embankment. Estimates for this have not yet been received. In order to do the work, we would need to apply for an embankment removal from PennDOT which will cost \$40. Keith Hantz question how long it will take to obtain the permit. Alice Rehrig commented when she spoke with Mr. Potter it did not seem like it would take that long. He has also provided the information to another individual in his office so that if he was unavailable somebody else could help with the permit. Keith Hantz questioned what will be done about getting permission from the property owners. Alice Rehrig commented she has already spoken with the Madeas. They are requesting that the area that is going to be removed be physically marked on the bank so that they have a good idea as to how far back into the property the bank will be removed. Mrs. Madea just wants a comport level that it will not be too close to her home. Alice Rehrig will have to send Mr. Chrisman a letter asking him to contact her since she does not have any contact information for him. The board agreed that Alice should apply for the embankment removal permit as well as getting quotes for the tree removal.
2. July Financial Reports. Alice Rehrig commented there were no significant changes in status since June other than the real estate transfer tax will be exceeding the budget. The final August financial reports will be ready for the next meeting.

3. 2019 Capital Improvements Plan & Budget. Alice Rehrig reported in addition to her memo dated September 7, 2018, she did receive information from the insurance company that there would not be a problem with having volunteers replace the roof on the building at Indiantrail Park from a liability standpoint, but it could get complicated from workers compensation. Both the Supervisors and the Fire Company would have to approve the work as an extracurricular activity of the Fire Company in order for them to be eligible for coverage from workers comp. It was suggested that the individuals be covered under the Fire Company accident and sickness policy.

The two most significant changes to the Capital Improvements Plan were to the Fire Company and the Recreation sections. Alice Rehrig had provided the Board with copies of the old portions of both of these sections for a side by side comparison. The increase of the costs of equipment replacement and shortening the life of equipment result in the need for an additional fire truck contribution of \$80,000. Cindy Miller commented the used ladder truck that was purchased a few years ago, the addition to the building for the truck and the repainting of the truck were expenses that were not planned for in the Truck fund which is also adding to the shortage in the account. She is not sure how the Township will be able to purchase these large trucks only three years apart. Darryl Snover commented it seems like the life of these trucks should be longer than 20 years. Cindy Miller commented the rescue truck is the one that is used the most often. Keith Hantz commented the engine is also used quite a bit and a tanker is needed in our area for water supply. He feels the Board needs to sit down and talk to the Fire Company about their equipment, particularly the ladder truck. He does not know that they really need a ladder truck going forward. There is probably five ladder trucks in the departments surrounding the Township. Cindy Miller noted the new elementary school will be two stories.

The changes to the Recreation section are mostly in the approach to it. Rather than trying to fit a large project into one budget year, she developed a savings plan to spread it out over several budgets, plus it would also put some cash on hand for when there are matching grant opportunities. The Recreation Board has not yet had the opportunity to review the schedule. They will be reviewing this at their next meeting. A scheduled replacement plan for the batting cage netting has also been included into the plan. Darryl Snover questioned who primarily uses the cage, residents or the teams. Alice Rehrig commented the cage is

primarily used by the teams which do have some residents on them. Darryl Snover commented he feels the teams that use the cage should be contributing to the replacement. Sandy Hopkins commented there are very few outside teams that utilize the field. Keith Hantz commented he agrees we need to look at what the residents use at the parks. Darryl Snover commented if there is a resource that the teams need, they should be providing it. Keith Hantz commented he looks at the batting cage like the soccer nets. When the soccer nets need to be replaced, LTA replaces them not the Township. Phil Gogel commented the Township does more expensive things for LTAA such as mowing the grass. That is a lot of man-hour expenses. They are leasing the property they should be taking care of it. Other additions to the capital improvements plan are playground equipment and a pavilion for Berlinsville. Cindy Miller commented the Lions are still working on the playground equipment project. Depending upon what funding they receive from the main Lions organization will depend upon how much additional funding is needed. Refurbishing and replacement of the tennis courts has also been added to the capital improvements plan. The court in Danielsville will probably need more extensive repairs and will be needed much sooner than Berlinsville. Over the next year we should probably have someone come in and evaluate the court to offer a better idea of how much it will cost to refurbish this court. At Delps Park, she targeted 2029/2030 for installing bathrooms, well and septic. The Rec Board also would like to see a dog park at Delps Park. This has been targeted for 2025. The savings program for Recreation is a total of \$15,500.

Keith Hantz questioned what has not been included in the draft budget. Alice Rehrig commented the only item not included is the increase in funding for fire trucks. and any type of payments for the maintenance building.

Alice Rehrig also noted that the technology items could be changing depending upon what the final quotes come in at for the computers. She has the expenses set up as worst case scenario.

The mower that is listed in the capital improvements plan and the budget is for a 60 inch mower. There was discussion that it may make more sense to purchase another 72 inch mower. The quote for the 72 inch mower will add an additional \$2,770. Frank Zamadics also suggested that a catcher be

considered for picking up the grass during times of excessive growth. Phil Gogel commented the larger mower will save man hours and it may be a good idea to pick up some of the grass.

Cindy Miller commented in thinking about the auditing, she is inclined to go with a forensic audit and do more than what we have done in the past. There has not been one done in the past. Alice Rehrig will contact the current auditor for estimated costs for additional options for auditing. . Phil Gogel questioned if this would go into liquid fuel funds as well. Alice Rehrig commented right now, the current audit is based upon the financial reports that are generated and then the auditor generates the required DCED report. The auditor will check a selected sampling of invoices. With a forensic audit, they will review every transaction. Phil Gogel questioned if they would make recommendations regarding excessive expenses. Alice Rehrig commented that could be written into the proposal requirements. Alice Rehrig commented the funds that are received from the State are audited separately by the State to make sure the expenses paid from that account are allowable expenses.

Cindy Miller questioned if there is still uniform replacement costs being included in the budget. Chief Fogel commented a uniform will last for approximately four years. Each year money is budgeted to replace one complete uniform for each officer so that there is a rotating basis.

Cindy Miller questioned if there will be changes in any software. Chief Fogel commented he was just notified of a change in the edge Software which is used for accident reconstruction. The changes and upgrades to the software will cost \$5,000. They are also double checking with the company to see if the company is willing to reduce costs. There is no additional information available as to changes within the County software.

Cindy Miller questioned if there is going to be any consideration to on line payments. Alice Rehrig commented she can start looking into it again. For some reason, Official Payments never responded to her requests. She can also contact other municipalities to see what they are using.

Alice Rehrig commented the Zoning Officer would like to switch out her cell phone for a tablet. There is an app that can be added to the tablet that would allow her to prepare enforcement letters in the field. By swapping out the tablet for the phone, there will not be an effect on the budget. Liz Gehman commented that she does not mind using her personal cell phone

if she needs to make a call. The Board commented that they felt she should have access to a Township cell phone so that there are no issues should a right to know request be submitted for phone records. The cost of adding a table to the plan is approximately \$500 per year.

Cindy Miller questioned the police overtime. Chief Fogel commented he was doing well in terms of being within budget on overtime up until about a month ago. Overtime will be close at the end of the year. The required amount of overtime is difficult to budget because one significant event will greatly increase overtime. He does not see a need to increase the overtime budget.

Phil Gogel questioned what overtime, such as checkpoints and scales, is reimbursed through a grant rather than the Township budget. Chief Fogel commented all DUI checkpoints and roving patrols are grant funded. When an officer does the weight details, it is usually done during their regular shift. If an officer is required to do a detail on overtime because of specific concern, the associated fines would offset the overtime.

Phil Gogel asked if Frank Zamadics could check the sections on Cherryville Road that have opened and if there are plans on digging them out and replacing them.

- G. Solicitor's Report. Attorney Backenstoe reported there are still issues with the prior SEO. There are number of property owners that have paid for and received soil testing by qualified soil scientists and those tests were inspected and approved by Janice Buskirk. As long as the proper certification is signed by her there is not a problem with the new SEO accepting it and moving it through the system. The problem is in several instances Janice Buskirk has not signed the certifications. Her notes all indicate that everything was done properly and that everything was verified but she just did not complete it by signing the form. Without the signature the State will not accept Chris Noll's approval of a permit. As a result of this there are several property owners being held up on the issuance of their permit. A certified letter has been sent to Janice Buskirk telling her to make arrangements to sign these forms ASAP. If this does not happen, he believes the Township will have to sue her either at the magistrate or in court because she either needs to return the money or sign the verifications. The testing has already been paid for and the Township should not have to pay for additional testing. Attorney Backenstoe noted there have also been multiple phone calls made to her by Chris Noll and Alice Rehrig. Keith Hantz suggested that we try to contact Chris Whitley to see if he can get in touch with Janice to have her sign the

forms. That matter will be pursued as aggressively as possible to try to resolve things before it gets to a point where additional expenses are incurred and some type of suit needs to be filed. Alice Rehrig also noted that Chris Noll has been doing his best to fight for the residents with DEP. Attorney Backenstoe noted Chris was actually willing to go the extra mile and process the permit without the signature, but he wouldn't allow him to do that because of potentially putting his certification in danger.

- VII. PUBLIC COMMENT. Nick Taras commented he heard the Road Crew needed a place to weld inside the building, but it is possible to weld outside. He also feels that the grass mowing should be subbed out. When you sub something out you want to make sure they have the proper equipment and insurance. He doesn't agree with providing a building that is three or four times larger than what is needed. If they don't like the building, they can go elsewhere. Keith Hantz commented the Township did sub out the grass mowing several years ago, there were a lot of problems with the job that was being done. We didn't have the ability to adjust the cutting times as needed for events at the parks and there were times when they would come in during the evenings when the parks were being used because they were trying to catch up because of weather issues.

Ed Ziegler commented that PennDOT really needs to get the shoulder repairs along Blue Mountain Drive.

Cindy Miller noted the Board had previously authorized the advertisement of proposals for the Comprehensive Plan. The Planning Commission also spoke about this at their meeting and they also feel the SALDO and Zoning need to be reviewed because of the inconsistencies between the ordinances. They are hoping the Board will allow this to be included with the project. There may even be a benefit to start with the SALDO and Zoning review first to resolve the inconsistencies, then apply it to the strategic plan. Darryl Snover commented it would depend upon the costs.

Phil Gogel also noted if it is put on record that there are rental properties, the owner could also be sent quarterly returns to ensure the Township is receiving the appropriate earned income tax. This would be an added benefit beyond the safety inspections.

Keith Hantz questioned if the negotiations are still scheduled for September 24 at 6 PM. Alice Rehrig commented they are still scheduled.

A resident questioned why the Township would only consider inspections for rental properties? Phil Gogel commented it would be for safety of the renter. If an owner chooses to have their home in an unsafe or substandard condition, that is up to them, but they shouldn't be able to force a tenant who is paying them to live there to live like that.

Cindy Miller questioned if air B&Bs would be included in the rental inspections. Liz Gehman commented in her opinion they should be. Darryl Snover commented he has mixed opinions on this because there are people buying properties for the explicit purpose of using them like this which is different than a homeowner going away for two weeks wanting someone in their house while they are gone.

The Board developed the following questions to be forwarded to the Building Committee:

- What is the reason to move the building? How does the committee feel about moving the building knowing the NPDES permit needs to be changed at a cost of \$10,000-\$20,000 in addition to the \$60,000 already spent for the permit?
- What are the breakout costs for the building?
 - Skin and partition?
 - Roof?
 - Electric?
 - Plumbing?
 - Lighting?
- Can the costs for the different options considered for the building be provided for comparison?
- What is the yearly estimate to run the radiant heat? How does this compare to other heating system?
- Why the bump out for the administrative area?
- Was there any consideration given to future expansions of the building should the need arise?
- What vehicles/equipment will be housed in the new building? What vehicles/equipment will be housed outside new the building? Where?
- How many people work inside the building at one time?
- Will the new building allow for more maintenance to be performed on site vs. outsourcing repairs? Will there be a designated work area and where will it be located?
- How many unit heaters are included in the cost?

- Why is the men's bathroom located in the locker room and a separate unisex/ADA bathroom? Will this accommodate a future female employee?
- Where is the location of the emergency spray wash shower?
- What is the reason for the location of the break room and manager's office?
- What is the use of the break room? For who?
- Why the size of the manager's office (13'x28')?
- What is the required maintenance on the building? (such as radiant heat system, sealing of the floor, etc) What are the estimated costs?
- What site work and other work needs to be completed at the estimated \$750,000?
- What is the list of items that is not included in the cost of the building?
- Can the architect's fee be negotiated below 7%?

VIII ADJOURN. Cindy Miller made a motion to adjourn. Mike Jones seconded the motion. All voted aye. Motion carried