

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Minutes of the September 25, 2018, Meeting

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on Tuesday, September 25, 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 and Alice Rehrig. Chairman Darryl Snover called the meeting to order with the Pledge of Allegiance.
- II. APPROVAL OF THE MINUTES
 - A. Minutes of September 11, 2018. Mike Jones made a motion to approve these minutes. Keith Hantz seconded the motion all voted aye. Motion carried.
- III. APPROVAL OF THE BILLS
 - A. General Fund Checks 22266 to 22298. Keith Hantz made a motion to approve these bills. Mike Jones seconded the motion. All voted aye. Motion carried.
 - B. State Fund Check 1458 and 1459. Keith Hantz made a motion to approve these bills. Mike Jones seconded the motion. All voted aye. Motion carried.
- IV. TECHNOLOGY PURCHASE DISCUSSION—Keystone Technologies. Andy Gildner of Keystone technologies was present to answer any questions regarding the quotes that were received for upgrading the office computer system and the police vehicle computers. Keystone Technologies provides a system monitoring service through Connectwise. This system takes a snapshot of the current antivirus, malware, and the backups to the system and also provides reports on the updates. Someone from their office checks this on a daily basis and notifies the Township if there is an issue. Alice Rehrig noted this service was included in the 2019 budget. An updated quote was also received for the mount and the police vehicles. These are going to be more expensive than initially planned. Andy Gildner commented the proposed mounts will standardize everything within the vehicles. It will allow you to swap out the top piece rather than having to replace them out each time.

Alice Rehrig noted if everything was purchased that was listed in the year one plan, it would exceed what is available by \$1,721. In order for phase I to be completed, we would need to take the \$1,721 from contingency. Another option would be to eliminate the upgrades to the office software or eliminate a police computer. Cindy Miller questioned what the entire Freedom System package costs us each year. Alice Rehrig commented both packages cost around \$4,500. Cindy Miller questioned if there was a least expensive way to go by changing the software that we use. Alice Rehrig commented she believes that the other governmental packages are as expensive unless we were to switch to QuickBooks which does not support the eight digit account is. Darryl Snover commented he does not believe there would be any savings when you consider

the amount of consulting time that would take to switch over all the data. If you do not have software that is built for municipalities you are going to be fighting with the software. Quick Books does not tend to work well with other systems. Andy Gildner commented they could shop other governmental systems, but he does not know that there would be a significant savings. Cindy Miller commented she has worked in companies where they changed their accounting systems two or three times; they just adjusted their accounts. Darryl Snover commented the software may be less expensive up front but he does not know that it is worth the amount of time that would take to move the data around to make sure that everything is right. Cindy Miller commented that at PSATS, they were recommending that everybody move to QuickBooks, but if we cannot do it, then we can't. Darryl Snover commented he is not saying that we cannot do it, but he does not see the compelling reason to do so. Alice Rehrig noted that the reports that she has seen that were generated from QuickBooks were not as detailed as what she currently can produce. Andy Gilder noted that QuickBooks would only take care of the accounting piece but it would not do the permitting. Some of his customers use Permit Manager. He is not sure what kind of costs would be involved with switching from one system to another. It may be a wash. Darryl Snover suggested checking with the zoning officer to see what she is familiar with as far as software permits.

The funding that is available in the cost of the entire project was very close the Board felt it would be better to start with a portion of the year one project and then see how that goes in terms of expenses prior to moving forward with another phase. Andy Gilder suggested starting with the office server and the office PCs since that all goes together and it would save you time if you did it all at one time. The police computers could be the second phase.

Cindy Miller made a motion to move forward with the upgrades for the office server and PCs for Phase I and see how it goes and then follow up with a Phase 2 for the police computers. Keith Hantz seconded the motion. All voted aye. Motion carried.

V. PLANNING RELATED ITEMS

A. Waivers for Approval

1. Northwoods Land Development Plan. Mark Leuthe and Dave Lear were present to represent this plan. A letter dated September 19, 2018, was received from the Planning Commission recommending four waivers and one deferral. The waivers were for Section 147-32.c, 147-32.d, 147-17.e and 138-13.c.5. Keith Hantz made a motion to grant the waivers as stated in the Planning Commission letter. Mike Jones seconded the motion. All voted aye. Motion carried.

Keith Hantz made a motion to grant a deferral 147-23.B.9 until the time of building permit application when an individual lot grading plan will be required for each home. Mike Jones seconded the motion. Dave Lear commented it will be a grading plan like what is required for individual lots. It will show the driveway, the building and the grading around it, and to make sure the roof leaders positioned at a point so it goes to the proper infiltration area and some spot grade elevations. With every unit being a little bit different and they will not know what the sizes are going to be, they felt it was better to do it based upon the permit application. They would not receive a building permit until the lot grading is approved by the Township Engineer. All voted aye. Motion carried.

VI. OLD BUSINESS

- A. Cherryville Intersection. Attorney Backenstoe reported that Jim Milot has been in contact with PennDOT and we do have authority to move along with the eminent domain process. He is expecting to have a formal resolution with all the other documentation for adoption at the October 9 meeting.
- B. Maintenance Building. Keith Hantz reported the building committee has not had the opportunity to get together to go over the questions from the Board. They are hoping to do so next week. In reviewing some of the questions, they may need to go back to the architect and depending upon the time that would take for him to provide the answers, there may be additional charges for him to answer the questions.

Phil Gogel questioned if it would be possible to use a PennDOT mix for the concrete rather than the epoxy. By doing this it would eliminate the need to epoxy the floors every five years.

Cindy Miller noted the Board received emails from some residents requesting a separate meeting for discussing the building. She also noted that they received an email from a resident outlining a different type of building. She did not know how the Board wanted to address that. Darryl Snover noted that this item has been on the agenda for the last 18 months and will continue to be on the agenda for residents to ask questions.

Keith Hantz commented the building committee does not feel there is a need for an additional public meeting for the building. They will be glad to answer the questions that the Board has. The committee does not want

to start looking into another design. They would be fine with having another committee formed to look at a different design. It could possibly be spearheaded by the individual who came up with the ideas.

Darryl Snover commented he is absolutely in favor of answering all the questions, but does not know about having another meeting at this point. This tends to happen every time there is something major going on within the Township. After we get to the 95% line, we have people showing up at a meeting and feel as though there has not been public meetings. Cindy Miller noted there were special milk meetings held to discuss the CAFO and at the Fire Company to discuss the possibility of instituting a fire tax. Keith Hantz noted the meeting that was held regarding the fire tax was held by the Fire Company and the Board of Supervisors were invited to be in the audience. Darryl Snover only recalled a special meeting being held at the Fire Company regarding the Environment Advisory Committee. Cindy Miller noted a special meeting was also held at the Fire Company to discuss the CAFO.

Cindy Miller commented she respects the building committee and recognizes all the hard work that they have done, but they are an advisory committee to the Board. They are not the be all, say all. She is hearing that this is what the Building Committee decided, and this is what we are going to do. Keith Hantz commented the Building Committee did what the Board asked them to do. They came up with the building and the Board authorized the architect to develop a rough plan. If someone wants to go in another direction with another plan they may do so. He does not agree with having a special meeting just because two people asked Board to do so. Cindy Miller commented they may be speaking for several residents. Darryl Snover commented that any resident is more than welcome to come to any meeting and ask questions regarding the building.

Randy Braun commented he saw a waste oil heater on the plan and was wondering what it was going to be heating. Mike Jones commented it will be an auxiliary heat for the building. Mr. Braun commented that a 275 gallon tank seems to be small for the size building. He would think it would be closer to 1000 gallon tank. Mike Jones commented the Township only goes through about 500 gallons per year for their equipment, which is why it was meant to be an auxiliary heat. It may only kick on when they open the doors in the winter. Mr. Braun commented

that the Township could accept oil from residents to help with the supply. The waste oil provides for free heat. Darryl Snover commented this is something that could be considered.

Mr. Braun noted he had new concrete floors put in his machine shop. After the fresh concrete was laid, he put in a hardener and conditioner on the floor. It gets dumped on and mopped around and then let dry. It is supposed to harden the surface layer of concrete so it does not spall, and according to the manufacturer, the more you walk on it and drive on it the harder the concrete gets over time. It soaks into the concrete so there is nothing on top and you do not have to worry about peeling. Phil Gogel commented that product is mainly designed to be used in lieu of a wet cure.

Paul Nikisher commented he is one of the people who requested a specific and special meeting to discuss the building. He believes you would have more people attending if there was a special meeting specifically for the building. He is not looking to fight anybody on the building. They are just looking for what may be the best type of building and what will help to keep the cost down because of the effect it would have on taxes. If we can tap into the knowledge of people who have experience with this type of thing, it would benefit the Township. It seems like there may be some specific items that have not been looked at. There is a concern that the actual costs will be more than the estimate. His son in law did send a list of questions to everybody and is wondering if there will be answers to the questions. Darryl Snover noted that he believes one of the questions was if there is any consideration given to renovating the existing building. He believes the existing building has so many deficiencies right now that would not be economical to do so. It does not meet our needs; it is not large enough. He also believes there was mention of another structure which would still require the engineering and NPDES permit. Phil Gogel commented he believes he meant that the existing building should be rebuilt with two bays that are large enough to work on the equipment, basically utilize this as the workshop to work on the vehicles and then build a separate pole building for storage where you do not need to have it heated. Since it would be an existing site, it may not be required to meet all of the environmental standards. Darryl Snover commented he believes that any major construction or renovations on the site will be subject to the same restrictions as if we were building new. Renovating the existing

building could be just as costly. Phil Gogel noted the floors would need to be torn out and redone because there are different levels within the building plus the building itself is not deep enough. Keith Hantz commented when Bob Hawke pushed for the Board to form building committee, only three individuals stepped forward. Ten months ago, there was an open invitation for anyone to be on the committee.

Paul Nikisher questioned what benefit the tax payers will receive from a building this size? What extra services will taxpayers get out of this building? Keith Hantz commented it is for the Public Works Department who services the roads and the Township people. Darryl Snover commented it is very similar to when we take a dump truck out of commission and put another one in its place. The individual taxpayer does not receive anything extra by the new piece of hardware. The existing maintenance building has reached the end of its useful life for what we need. Keith Hantz commented he feels that the residents receive a good service for the tax rate that they pay. He doesn't know that a resident will get something personally out of the building, but he believe the equipment will last longer.

Mike Meyers noted that it takes more than just the municipal tax money to run the Township. The Township receives funds from the State, from grants, and other taxes. The taxpayer is the one who funds these other sources. He thought some of the hold up on this project was not knowing the wants and needs of the Public Works Department. Their wants and needs are what need to be considered.

Randy Braun commented at a previous meeting, it was mentioned about a 7 percent engineering fee. That is a lot for a pre-engineered building. Darryl Snover commented he believes that either the percentage should be negotiated or it should really be a flat rate. The Township is not obligated to use this particular architect. Mr. Braun noted if you are purchasing a pre-engineered building, all the engineering for the building and the foundation are already done as part of the cost of the building. Mike Jones noted he would be preparing all of the bid packages and overseeing the project; it is more than just supplying the building design.

Nick Taras commented he can get a \$300,000 building, 100' x 200' which is three times more than what is needed, get the prints stamped and have them totally complete with footers, insulation and everything that is needed without an extra cost. The building should not be what the road

department wants, but what they need. If you only need a wheelbarrow, you do not buy a dump truck. Keith Hantz commented it is a building of needs, not wants, and is also meant for the future.

- C. Hills of Greenock Improvements. The Board received an email from Frank Zamadics regarding his concerns with utilizing the Township equipment for the filling of the detention pond at the Hills of Greenock. Darryl Snover questioned if the filling of this pond is truly the responsibility of the Township. Cindy Miller commented she read the improvements agreement and there is nothing included in the improvements agreement regarding the pond.

Attorney Backenstoe commented that he would like to discuss this matter with the Board in Executive Session because the attorney for the developer, Charlie Vogt, had mentioned potential litigation over this matter.

The Board went into a brief Executive Session. Upon returning from the executive session, Attorney Backenstoe announced that he feels the best way to resolve this matter is to have two of the principal lot owners remove the fill and truck it down to the detention basin and then decommission the basin at that point using the fill. The Township could either utilize their own road crew to decommission the basin or put that portion out to bid. Attorney Backenstoe would like to approach the property owners that are involved, to try to put this type of scenario into motion. Once he has a definite confirmation from the property owners, he would bring it back to the Board for a vote. The Board had no objection to this.

Paul Nikisher questioned how large the detention basin was and if the Board was entertaining having the Township workers fill the basin. Attorney Backenstoe was not certain of the size of the pond. With regard to the filling of the pond, private contractors would be bringing the fill from the lots on the hill to the basin. The Township workers or possibly a hired contractor would utilize this fill to decommission the basin. Paul Nikisher questioned why the Township would have their workers do this when this is a development. Attorney Backenstoe commented the decommissioning of the basin is a public improvement. When the original developer for the Hills of Greenock defaulted on the development, the

Township pulled his letter of credit, they became responsible for completing all the public improvements. This basin is part of the public improvements.

VII. NEW BUSINESS

- A. Presentation of 2019 MMOs. In accordance with Act 209, the MMOs for the pension plans need to be presented to the Board of Supervisors. The 2019 MMO for the non-uniformed pension plan will be \$45,822.10. The police pension MMO will be \$244,872. Cindy Miller questioned where the funds are being held. Alice Rehrig commented they are being held through BB&T.

Cindy Miller questioned the 13.4% cost of the plan. Alice Rehrig commented that is the average of the total contribution in the plan because not all employees are contributing the same amount. If everyone were contributing the 7% for a match, then that percentage would be 14%, Cindy Miller questioned what the fees are for the managing of the funds. Alice Rehrig commented the fees vary depending upon which fund the employee chooses to be in. All the expenses of the plan are charged back to the individual employee's accounts. Alice Rehrig will provide the expense breakdown for the different plans.

Darryl Snover noted there is a 4% administration charge for the police pension plan. Alice Rehrig commented that it is for the actuarial services that are required by the state. That is separate from bank investment fees.

Paul Nikisher questioned if the non-uniformed plan was a 401(k). Alice Rehrig commented it is the government version of a 401(k). Mr. Nikisher noted that as the Township negotiates contracts, he would see no reason why the Township would want to have the Township's contribution increased. **Mike Meyers commented that as a Board, they should pay particular attention as to how the contracts get negotiated. (Addition per Oct. 9, 2018, meeting)**

- B. Resolution 2018-16, Authorizing Manager to Apply for Monroe County Gaming Grant for Maintenance Building. Alice Rehrig commented she is looking to apply to the Monroe County Gaming Grant for \$700,000 towards the maintenance building. In order to apply for these funds, a resolution must be adopted by the Board of Supervisors authoring her to do so.

Cindy Miller made a motion to adopt resolution 2018 – 16. Mike Jones seconded the motion. Paul Nikisher questioned how the Township was able to apply for Monroe County funds. Alice Rehrig commented when the Mount Airy Lodge Casino went into Monroe County, the legislation which allowed the casino required monies to be set aside for grants for the communities. This particular legislation opens the grant to municipalities in the counties that are touching

Monroe. Attorney Backenstoe noted the legislation which permitted the casinos also required that the casinos provide for grants to neighboring communities. All voted aye. Motion carried

- C. Manager's Report. District Attorney John Morganelli sent a letter requesting to meet with the Board regarding assistance his office may be able to offer the Township. The Board suggested having District Attorney Morganelli attend the first meeting of a month when the Police Chief is present as well.

Keith Hantz questioned if the Sycamore Drive permit was submitted to PennDOT. Alice Rehrig commented it was submitted.

Cindy Miller questioned what happens when a land development plan is approved, but not recorded, and a business continues to operate without the recorded plan. Attorney Backenstoe commented if a business is operating without obtaining the proper permits, they should be shut down. If the business is operating legally, and they were required to do a land development plan to put on an addition, they would be able to operate while the addition is being approved. If a land development plan is required in order for a business to build a building to operate the business, and they build the building without the plan being finalized, then they should be issued a cease and desist. If the recording of the plan is a condition precedent to the operation of a business, then they should not be operating a business unless the plan is finalized recorded and all the permits are issued. Cindy Miller commented it seems that this is happening more and more where people are not recording plans, but they are operating a business. Attorney Backenstoe commented if the plan is a requisite of their operation, they should be cited immediately with a cease and desist. Attorney Backenstoe commented the only reason that he can think of why somebody would not want to record their plan would be because they would not have enough money to finish it if a letter of credit is needed. Alice Rehrig noted it seems like there has been a disconnect between the smaller developers and their engineers. The developer receives their final approval, and believes that they are done but their engineer for whatever reason does not submit the prints and mylars to have them recorded.

Keith Hantz questioned the status of the issue pertaining to the previous sewage enforcement officer. Alice Rehrig commented that Chris Noll was able to obtain the signature that he needed and has also been given new contact information to reach her as he finds similar situations.

Cindy Miller questioned if we know if all the fees that were owed by Cherryville developers for the Turkey Hill project were paid and how would outstanding fees

affect the project being sold. Alice Rehrig commented she believes that all the fees have been brought up to date. If there is any money that is owed it would be very minimal. Attorney Backenstoe commented that if there were any outstanding fees owed on the development, the new owners would be responsible. All fees associated with a plan must be paid in full prior to the plan being recorded.

1. August Financial Reports. There were no specific questions pertaining to the August financial reports.
2. 2019 Budget. Alice Rehrig noted that the fees that are collected for the zoning hearings are not covering the associated expenses. The fees that are being collected per residential hearing is \$750 and the average cost per applicant has been \$1,264. She did discuss this with Attorney Backenstoe prior to the meeting. He had indicated some municipalities, the zoning hearing Board will only issue an approval letter rather than a formal opinion for simple cases where there most likely would not be an appeal. By only issuing the letter it will cut back on some of the legal expenses. Attorney Backenstoe commented this is a problem for most municipalities. There are significant cost to the Township for zoning hearing because they need to pay the Zoning Hearing Board members, the Solicitor, the stenographer, and also pay for the advertisements. The hope of municipalities is that they charge a reasonable fee for residential and another fee for commercial and hope that it averages out in the end. The truth is, it usually does not work out. In cases where the relief that is being requested is de minimis and no one objected, and there is an unlikely chance of appeal, he has seen a Zoning Hearing Board write a letter confirming that the relief was granted and these are the conditions associated with that relief. This will cut down on the legal expenses significantly, but if somebody does appeal the decision, then the Zoning Hearing Board solicitor will have to prepare the findings of fact because that is required by law. Cindy Miller questioned how this would work with the Planning Commission understanding what the Zoning Hearing Board agreed to. Attorney Backenstoe commented the letter that the Zoning Hearing Board would issue would have to be detailed enough to explain all the conditions. He did note that if it is an appeal that is of such a magnitude that the Planning Commission would be concerned about it, it may not be an appropriate application to have the simple letter written.

Cindy Miller questioned how we would delineate what is a residential application and what is a commercial application. Attorney Backenstoe

commented it would be based upon the proposed use. Cindy Miller questioned how a large residential subdivision would be treated. Attorney Backenstoe commented if a developer is needing relief for a large project, then it would be a commercial application. Darryl Snover commented his thought would be to be as easy as possible on the individual homeowner but still figure out a way to cover the costs.

Attorney Backenstoe noted the residential fee of \$750 that the Township is charging is about the average fee. He does believe that it would be reasonable to increase the commercial applications to \$1,500. Darryl Snover commented he would be in favor raising the commercial rates. The Board agreed with this as well.

Alice Rehrig reported she had contacted the current auditor regarding doing a forensic audit. He indicated that the cost of that type of audit would be around 18 to 20,000 because of the amount of transactions that the Township has throughout the course of a year.

Keith Hantz questioned if the \$100,000 that was included in the engineering project budget was just for engineering. Alice Rehrig commented it was a total cost for the engineering and projects. Keith Hantz commented he understands why the amount was budgeted, but he also thought that as a Township we hired an attorney to help bring the costs associated with the MS4 down. Darryl Snover commented that he does not even believe that the number should exist in the budget based upon the response we received from DEP in response to the right to know request. Attorney Backenstoe commented he spoke with Attorney Hahn who does have some ideas as to how we could get that information another way and/or file another right to know request which he is in the process of doing. Darryl Snover commented he is of the opinion that the board should not take any further action on this until we actually get something from the DEP to substantiate their numbers. He does not understand why we need to apply for a permit for water runoff that will happen whether or not we have a permit. They are an unelected body and the Board of Supervisors as elected representatives are being told that they must vote for and pass ordinances because of a non-elected body, we are nothing more than acting as strong-arm agents of the State. Keith Hantz commented every municipality has to worry about the runoff yet the state has exempted themselves from the requirements. If we did not need to include the MS4 projects in our budget, we would not have any issues with the budget. Darryl Snover commented the attorney that we hired is

working to minimize the number, but that is not the same as saying the number they gave us and this whole process is trite. Phil Gogel commented we started off wanting to appeal based on the data, but we have more data that is nothing we need to appeal for insufficient data. The criteria that they used made us need to be MS4 compliant, however the Township itself does not meet the density requirements. Attorney Backenstoe noted that we cannot file any kind of an appeal until you actually receive the permit. Darryl Snover commented that at some point he believes we are going to have to take a stand on these issues. His honest opinion is if the state wants this done, then they should come in and do it. Attorney Backenstoe commented there is a process by which to fight the permit and the issues which the Board will follow. To just not do it and to just say we are not going to pay it runs an incredible risk because if you are eventually sanctioned by the court, they will direct you to raise your taxes to pay it.

Cindy Miller commented she was asked by the Chamber to participate in a panel discussion regarding the MS4. She had the fortune to be on the panel with two individuals who work for Herbert Roland and Grubie. One of the individuals, Adrienne Vicari, led, as a consultant, a regionalization of MS4. She led the Wyoming Valley regionalization which is up in northeastern PA. That is how they combated this MS4 issue. Instead of every municipality fighting it, paying the fees, hiring their own engineers, and coming up with their own PRPs, they did it as one and saved the boat load of money by doing it. She said she would be willing to come in and talk with us. The Township probably would not be able to drive this, it would probably have to be the County. The County could take the managerial role and organize this and that it would save everybody a lot more money. She was going to call the County Executive and talk to him about this concept. She wants to meet with him and find out the County's role in the MS4 process. Mike Meyers commented years ago, there was talk about the Township joining a COG; this would be the same thing. Cindy Miller commented the only way to get funding anymore is to be part of some type of regional type of plan. Mike Meyers commented the people need to be made aware that the EPA is the one who is driving this. Cindy Miller noted this is the beginning to no end.

Paul Nikisher questioned if money that was allocated to the MS4 could be reduced but then put more money into contingency in the event that you need it. Attorney Backenstoe commented it can just stay where it is at and

if the Township is successful in winning some type of appeal, they would not be obligated to spend it. Cindy Miller commented the money can be reallocated later.

Cindy Miller questioned if the \$5,000 that was included in the engineering project was part of the grant that was received for Indiantrail Park. Alice Rehrig commented that it is a carryover from this year because when we completed the initial County application for Indian Trail Park, we did not expect the grant funds to cover all of the engineering, there would have been a \$5,000 shortfall. Since we have received additional funding that was not anticipated during the development of the budget last year, she is hoping that the engineering will be either entirely covered or this number will be reduced.

Cindy Miller questioned the \$5,000 is included for the Hills of Greenock. Alice Rehrig commented that was included in the event that we need that to complete the development.

Cindy Miller questioned if the \$5,000 that was budgeted for the permitting of pipe is something that is included with the MS4. Alice Rehrig commented that it is separate from MS4. This is included in the event that we find that there was a pipe that failed that will require a permit.

Cindy Miller noted that the overtime for the police has not changed yet we now have twelve officers. Darryl Snover noted he was hoping that he would see a reduction in overtime especially with the schedule change. Cindy Miller noted we are now looking at a police budget of \$1.8 million. Mike Myers questioned what other options there would be. Mike Myers questioned how much of this amount goes towards the pension. Darryl Snover noted the cost is \$244,872. Alice Rehrig noted that we do receive approximately \$145,000 from the State for pension funding. Alice Rehrig noted the driving force behind the overtime is when officers work on a holiday. That accounts for \$40,000 of the \$63,000 in overtime. Mike Jones noted that the overtime did come down quite a bit since three years ago. Cindy Miller commented all the overtime adds to salary which in turn increases pension.

Keith Hantz noted that the budget does not include any additional funding towards fire trucks or maintenance of the fire trucks. Alice Rehrig commented she did reach out to Roger Spadt to let him know that the board would want to meet and he said he would be willing; let him know

some dates. Alice Rehrig commented she did not change anything within the capital improvements plan at this point. If the Board did want to increase the contribution she could try to rework the plan to match the contribution. Darryl Snover noted his mixed emotions on that. He knows they need equipment to do their job, but thinks the replacement schedule is a little too short. It seems like the vehicles should last. Cindy Miller commented she thought someone had told her that the laws changed on the requirements to replace fire equipment. She thought it was now made to be 20 years. It has something to do with the fire regulatory agencies. Keith Hantz commented he does not believe that that would be something that is mandatory. Lehigh Township has never had a problem with selling one of their old pieces of equipment to another fire Company out west. He is thinking it is more of a suggestion than a regulation.

Darryl Snover noted there is not a lot of fluff in the budget. We have been giving the library \$8,000 for the past several years and that is a resource that everyone can use.

Phil Gogel questioned if any of the overtime can be covered by a grant. Alice Rehrig noted any overtime that is work for DUI checkpoints and roving patrols items of that nature is all covered by a grant. Regular shift over time cannot be turned in as part of the grant overtime. Grants that cover payroll are very specific and those funds can only be used for a specific task.

Phil Gogel questioned if liquid fuels money can be used to cover salaries. Alice Rehrig commented that salaries pertaining to road work are permitted under liquid fuels. The liquid fuels funding has different requirements than grant funding. There are specific items that are permitted under the liquid fuels funding and as long as you are operating within those guidelines it is permitted. The downside to using liquid fuels money to pay for salaries is that it does pull money away from actual roadwork.

Keith Hantz commented that the next Township newsletter should have a full-page write up regarding the MS4 requirements and where it came from so that people are aware of what is taking place. Darryl Snover commented that one single item in our budget is causing us to be over budget.

Mike Jones questioned what the dues and memberships were under the police budget. This year the budget is already at 135%. Alice Rehrig commented is for the memberships to the County Police Association, the PA Chiefs of police Association, Maglocin, crime code and vehicle code updates. Alice Rehrig will need to check to see what caused the budget to go over this year.

Mike Jones questioned what supplies we purchase for the Fire Company. Alice Rehrig commented that is the fuel that they receive from the Township.

Alice Rehrig also noted that we are on the second year of a rate increase in workers comp because of a large claim that occurred. As long as there is no other significant claims, the rate should start coming down after 2020.

Phil Gogel questioned if we know how much money will be available for roadwork next year. Alice Rehrig commented she just received the notice from the state and doing some rough calculations it looks like there will be \$287,000 available for the actual roadwork next year. The total allocation from the state is \$511,000, but we also use the liquid fuels funding to pay for salt, cinder, pipe, and line striping.

Alice Rehrig noted she did speak with both Neff's and New Tripoli banks. Both would be willing to entertain locking in a rate at this time. New Tripoli is willing to give us a term sheet outlining conditions of the loan; this term sheet would be nonbinding. We could either use this sheet to get additional quotes for loans or move forward with committing to a loan. If we were to commit to the loan they would lock in the rates and we would move forward with a settlement. There would be a two-year construction drawdown period. If for some reason the Township did not go through with actually building the maintenance building, we would just owe some minimal fees for the settlement costs. If at the end of the two-year period we are still intending on building the building, we would get a lump sum deposit into our account and would start paying the scheduled payments. The reason why the Township is able to lock in the rate without having all the details of the building worked out is because the Township is pledging the full faith of their taxing abilities. We would not be putting up the building as collateral for the loan. Darryl Snover noted Alice Rehrig provided minutes from 2013 containing information pertaining to bond issues. The costs involved in a bond issue would be approximately

\$100,000. Alice Rehrig commented she could contact Attorney Damgaard and find out what the current bond rates are to see if it would be worth going through the expense.

- D. Solicitor's Report. Attorney Backenstoe did not have anything additional to report.

Ed Ziegler questioned when the Northampton County Judicial Sale takes place. Attorney Backenstoe commented the Judicial sale usually takes place in January or February. The Sheriff sales take place throughout the year.

- VIII. PUBLIC COMMENT. Adam Raker commented at the last meeting the board was going to be developing questions for the building committee. What will be the next step in this process? Darryl Snover commented the building committee has not yet had an opportunity to meet. Mr. Raker also noted that he sent an email to the Board regarding the building and some information to be taken into consideration. Will this be discussed? Darryl Snover commented that the Board will discuss that.

Randy Braun voiced his displeasure with oil and chipping roads, particularly Butternut Drive. He believes this is a malicious act by spreading all the loose stone on a roadway. Stone is hazardous to motorcycles, kids on bikes and it chips paint on the cars. He can no longer walk his dog on the roadway and increases wear on the car tires. When he first moved to the area, there were no lines in the road and people just kind of drove. When the road was repaved, they added double yellow lines to the road which is now forcing people to drive more along the edge of the road where it is soft causing it to crack. He does not believe the oil and chip anything to help the road. It is possibly just painting the road. Rather see the cracks in the roads than have them oil and chip. Mike Jones commented he is spoken to several people from Butternut Drive and they told him they liked the oil and chip job that was done. Cindy Miller commented that she has heard other residents raise similar concerns as Mr. Braun. Other people in the community have also said that it is a waste of money in the Township should not do it. Phil Gogel commented the Township does need to start doing more resurfacing of roads, but funding becomes the issue. It takes close to \$100,000 to resurface 1 mile of roadway. Mike Jones commented that the Township is using oil and chip to help preserve the road, similar to the way you would seal your individual driveway. Mr. Braun commented several years ago he went to Julie Harhart and asked her to introduce legislation in the state that would ban oil and chip in Pennsylvania. She told him she could not because PennDOT does not answer to the legislature. He also called the State Attorney General and asked if you could sue PennDOT if you crash your motorcycle on an oil and chip road. He was told absolutely not, they are immune from all criminal and civil lawsuits.

He also wrote a letter to the Governor who forwarded the letter to the head of PennDOT. He received a response from him and he said if you crash your motorcycle on an oil and chip road it is because you are drunk. That was his response.

Adam Raker commented it looks like with everything that is going on in the budget we need to generate more money and spend less. He hopes that when the building is discussed there will be some serious consideration given to stepping back the building.

Cindy Miller noted the funding for PennDOT for road improvements actually comes to the Lehigh Valley Planning Commission from the federal government. The money for the entire Lehigh Valley comes through the Lehigh Valley Planning Commission. They control the money and work with PennDOT to figure out which roads get done.

Ed Ziegler commented it does pay to challenge DEP. At one point he was cited for violating some of the laws and went to the Wilkes-Barre office for hearing and got nowhere. He then went to Harrisburg and they ruled in favor of him.

IX ADJOURN. Mike Jones made a motion to adjourn. Keith Hantz seconded the motion. All voted aye. Motion carried.