

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

April 8, 2025

7:00 p.m.

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their regular monthly meeting on Tuesday, April 8, 2025, at 7:00 p.m. The meeting was held at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport, Pa. 18088. Chairman Mike Jones called the meeting to order with the Pledge of Allegiance and roll call.

Present: Cindy Miller  
Janet Sheats  
Mike Jones  
Attorney David Backenstoe  
Mike Muffley  
Alice Rehrig  
Liz Amato  
Scott Fogel  
Frank Zamadics

Absent: David Hess  
Jerry Pritchard

The Chairman announced the Board met in Executive Session prior to the meeting to discuss personnel matters. No action was taken.

Jeremy Clark, a candidate for Northampton County Judge was present to introduce himself. He is an attorney in the area who served as a divorce master for many years. Attorney Backenstoe commented he had been before him several times and found him to be fair and listened to what the people had to say and reason his way through the process. Prior to becoming an attorney, Attorney Clark had served as an Infantry Officer in the 82<sup>nd</sup> Air Borne Division from 2001 to 2005. He has been an attorney since 2009 and practicing in downtown Easton since 2013. He has a wide range of experience and has had trials in basically every area of the law. He has worked in State and Federal Courts in Pennsylvania as well as Appellant Courts.

II. APPROVAL OF THE MINUTES

- A. March 25, 2025. Janet Sheats made a motion to approve the minutes of March 25, 2025. Cindy Miller seconded the motion. All voted aye. Motion carried.

III. APPROVAL OF BILLS

- A. General Fund Checks 28606 to 28639. Cindy Miller made a motion to approve the bills except for Check 28635 for the advertising signs. She believes there needs to be more discussion on this when it comes up on the agenda. Janet Sheats seconded the motion. All voted aye. Motion carried.

IV. PLANNING RELATED ITEMS

A. Plan for Approval

1. Tyler & Emily Landis, Preliminary/Final Minor Subdivision Plan. Joe Gruber of Benchmark Engineering was present to represent this plan. This is a three lot minor subdivision which received a favorable recommendation from the Planning Commission for approval. Mike Muffley noted there are only minor corrections that needs to be made to the plan. There are two waivers that are being requested.

Cindy Miller made a motion to grant the requested waivers of SALDO Section 147-9.A.3 regarding the Key Map showing feature and recorded subdivisions within 800 feet of the property and SALDO Section 147-29 regarding a formal wetlands delineation. Janet Sheats seconded the motion. Linda Roman questioned why the waivers were being requested. Joe Gruber commented he is requesting a waiver of the scale on the key map because there are recorded subdivision in the area. The second is for wetlands delineations and there are no wetlands in the area. In lieu of doing a full wetlands study, they have a covenant on the plan that says the Township is not responsible for any future projects or permitting that may be required because of wetlands. All voted aye. Motion carried.

Cindy Miller made a motion to grant conditional final plan approval conditioned upon the items in the Planning Commission's letter dated March 17, 2025, the Sewage Enforcement Officer's letter dated March 6, 2025, and the Engineer's letter dated March 10, 2025, and that the applicant be required to pay the Recreation Fee of \$750 per new lot. Janet Sheats seconded the motion. All voted aye. Motion carried.

- B. Engineer's Report. Mike Muffley did not have anything specific to report because of how the dates on the calendar fell. The Planning Commission meeting will next week.

V. DEPARTMENTAL/ORGANIZATIONAL REPORT

A. Recreation Report.

1. Advertising Signs at Danielsville Park. Sandy Hopkins commented she just found out that the cost of the signs will come out of the \$1,000. That is 3 years of advertising at \$139 per year. Mike Jones commented the signs were approved by the Rec Board in November. It was based upon what LTAA does. The flyer was provided to the Rec Board. Sandy Hopkins commented the price was not discussed at the meetings. Mike Jones commented when he first brought it up he showed the Rec Board what LTAA used and then he had the one that he used for the next meeting when it was voted on.

Cindy Miller questioned who derived at the \$1,000. Mike Jones commented LTAA charges \$1,000 for the exact same thing. He could not see charging more or less for the same thing to businesses in the Township. Cindy Miller questioned why it was not brought to the Board of Supervisors. Attorney Backenstoe commented he had talked to Mike Jones about this and he was under the impression that the Board of Supervisors had given the Rec Board the authority to handle these different things at the parks. Mike Jones commented this is not something that will cost the Township any money. Cindy Miller commented the ordinance on the Recreation Commission states that the Recreation Commission shall have no authority to enter into any contract or incur any obligation binding upon Lehigh Township other than current obligations or contracts to be fully executed within the then current fiscal year, and all within the budget appropriations made by the governing body of Lehigh Township. What this is saying is that it has to be in the budget and there is another part that states they need to abide by the resolution, but the resolution only addresses organized sports. It doesn't address any of this. The way she found out was seeing it on Facebook. Attorney Backenstoe questioned if the Township is spending money or receiving money. Mike Jones commented the Township is receiving money that will be to obtain items at Danielsville Park.

Cindy Miller questioned why it wasn't presented as to what the price was going to be. Mike Jones commented it was. Sandy Hopkins commented she had no idea about the price. Cindy Miller commented \$1,000 for three years of advertising is nothing. Mike Jones commented if the price was higher than what LTAA was charging, businesses would choose LTAA. Cindy Miller commented it would depend upon what commitment the business had to the organization. They may do both. Sandy Hopkins commented after paying for the sign, a business is only paying \$139 a year for advertising. It costs more to advertise in the Town and Country for a year. Mike Jones commented this is not costing the Township any

money. Sandy Hopkins commented whatever is done for Danielsville will influence what is done at other parks. She never saw the paper until she asked Alice Rehrig for it today.

Janet Sheats questioned if Alice Rehrig recalled what meeting the price was mentioned. Alice Rehrig commented she doesn't now, but would think it was the night that it was approved. Cindy Miller commented that should have been in the minutes. It is an important part that should be in there. There is nothing to look back at.

Janet Sheats questioned how the Board can move forward on this rather than going back and forth and not accomplishing anything. Attorney Backenstoe commented he sees two separate and distinct issues. One, does the Board have to authorize this? His thought is that they didn't because it is a responsibility given to the Recreation Board. He doesn't believe the Rec Board has to come to the Board of Supervisors and ask if they can sell signs on a baseball field that they maintain. The second issue is that there is a dispute amongst Rec Board members as to whether this was approved or not. The Board can oversee this. Assuming the Rec Board was uniformly together on this, they wouldn't have to come to the Board. The Rec Board needs to come to a consensus on how to handle it. Mike Jones commented the minutes indicate that all members voted to approve it. Attorney Backenstoe commented based on the misunderstanding that is occurring, he thinks the Rec Board should meet ASAP and come to a consensus. Mike Jones commented the signs were already printed because this was approved in November. Cindy Miller commented that is the check that she did not approve. She realizes they are done and we need to pay for them. Janet Sheats wanted to verify that the money for the signs was received. Mike Jones confirmed that the money was received.

Janet Sheats made a motion to approve Check 28635. Cindy Miller seconded the motion. Katherine Mack commented she doesn't understand how the Rec Board as an advisory committee didn't need to come before the Supervisors for approval. Mike Jones commented they don't need to come with everything, only if they are spending money. Katherine Mack commented the Rec Board did the pet inoculations and that didn't cost any money. Mike Jones commented the Board didn't approve it; Sandy Hopkins just told the Board they were holding it. No different than when they work the stand or the Christmas Tree Lighting. Katherine Mack commented she would have expected to see in the minutes that she told the Board about this. If she would have told the Board, that would be where the advisory comes in. The Rec Board could be doing a lot of things that the Supervisors don't know about because the Chairperson of the Rec Board is not advising the Board in her report. She would think that regardless of whether

or not they are spending money, the Chairperson or representative would have said they are doing this. She thinks it is a good idea, but believes the Board should have been advised of it. The only thing she would have changed in the letter was to state that it was for the Danielsville Park. Mike Jones commented he does tell everyone when they call that it is for Danielsville, but does agree that he should have included it. These signs will pay for improvements at the park, such as additional gates on the side to make maintenance easier. They are raising money to make the park better. He came to the Rec Board with a list of items that they would like to raise money for and the Rec Board approved it. He also discussed getting the roof repaired pro bono and then using that money for other items at the park. Katherine Mack commented they are good ideas, but the Rec Board should be advising the Supervisors about it as an advisory Board. Mike Jones commented he will take blame for this; he assumed that when the Rec Board approved it, it was okay because it wasn't costing the Township anything. The Rec Board approves teams that use the field and that doesn't come to the Supervisors. Cindy Miller commented Sandy Hopkins does report on that. Katherine Mack commented communication is what was missed and needs to be there. Monica Brown questioned what happens in three years. Mike Jones commented the business either keeps the sign or pays again to continue to advertise at the park. Marc Kerksmar suggested the new advertisements could be done so that the business pays for the sign plus the \$1,000 to advertise at the park. Mike Jones commented he set this up the same as LTAA. It's difficult to be higher for the advertisement when someone can go right down the street for a lower amount. Katherine Mack questioned if the money is being kept in a separate account. Alice Rehrig commented the money is placed in the Recreation Capital Account. Katherine Mack questioned if the money was not spent, will it go back into the General Fund. Mike Jones commented it will stay in the Recreation Fund for the improvements at Danielsville. Alice Rehrig commented the Recreation Capital Fund is separate from the General Fund and the Rec Land Fees. All voted aye. Motion carried.

Sandy Hopkins did not have anything to report beyond what is listed on the agenda since there hasn't been a meeting.

Cindy Miller commented it seems like there are a couple of people on the Rec Board who are on the Board of Supervisors who are moving forward and doing things and not getting it finalized at the Rec Board before coming to the Board of Supervisors. Sandy Hopkins commented there are times where she questions why have a Rec Board because things are brought up to the Supervisors and the Rec Board is not aware of it. Janet Sheats suggested the two boards meet to work out some of these issues. Cindy Miller commented a separate meeting is not necessary; the Rec Board

itself needs to make decisions and then come with an advisory report to the Supervisors through Sandy Hopkins at a meeting. The Rec Board needs to get their act together as far as making decisions and presenting it to the Board. The Rec Board needs to understand what is going on before it comes to the Supervisors and she gets the impression that they don't. They need to make decisions, finalize it and then present it to the Supervisors. Sandy Hopkins agreed. It is nice that the Supervisors agree with what the Rec Board is suggesting, but it is not always finalized at the Rec Board. She will need to make sure Alice Rehrig's notes are more thorough than what they were. Cindy Miller commented the letter could have been attached to the minutes as an exhibit.

Marc Kercksmar commented 50 percent of the Rec Board is made up of Supervisors which is 40 percent of the Supervisor's Board. That is an unfair advantage to information and decisions being made, especially to those subject matters that are near and dear to some people's hearts. Cindy Miller commented Marc Kercksmar does have a point. There really should only be one board member as liaison to the Rec Board. There is no reason to have two. Mike Jones commented David Hess started on the Board to see how things worked before he became a supervisor. Cindy Miller commented Jerry Pritchard was also on the Rec Board before they became Supervisors. Her opinion is that one should come off and the other should stay as liaison. This would also open up the opportunity for a resident to get onto the Rec Board rather than having two supervisors on the Rec Board. Mike Jones commented there are no rules against it.

Paul Nikisher questioned the blacktopping of the tennis courts. Sandy Hopkins commented Jerry Pritchard had a meeting and if anyone was going to report, it should be him. He spoke with Wayne Kleintop. Mike Muffley commented there was no discussion with contractors. Sandy Hopkins commented the meeting was held at the park and whomever showed up, showed up. They had Mike Muffley come out to the park and look at the tennis court. He looked at the court the same way that they did. The cracks are so bad, it is useless to patch it. They took his advice, not that they are going to follow it, but she felt it should come back to the Rec Board to discuss it with them before reporting to the Board.

Paul Nikisher questioned if pickle ball lines will be put in Berlinsville. Mike Jones commented that would be up to the Rec Board to report to the Supervisors because they would be spending money.

Paul Nikisher also questioned how the fencing was going in Berlinsville. Sandy Hopkins commented they are still waiting for the fencing that was supposed to be finished by now. Mike Jones commented according to Jerry Pritchard at the last

meeting, the material was ordered, but didn't come in. Sandy Hopkins commented when she questioned Jerry Prtichard about Northern Lehigh playing on the field, he said it was going to be finished before they started. Her fear is that they are playing. She hopes no one gets hurt. She is not as worried about the temporary fence on top of the wall as she is having someone back up into the temporary fence on the field because it is not a supportive type of fencing.

- B. Public Works. Frank Zamadics commented he has been in touch with A-1 Striping regarding the painting of the lines on the roadway. We are at the top of the list. They are waiting for the surface temperature of the roads to come up and a dry day.

Mike Jones questioned if the Township has burn ban signs. Frank Zamadics commented the Township does have them. Mike Jones commented he thinks it would be good if the signs are put up if another burn ban needs to be enacted. Rick Hildebrand commented he also thinks they may have a set of signs at the Station.

Frank Zamadics commented he is looking at making repairs to approximately 8 miles of roadway and then having an oil and chip project.

Paul Nikisher questioned if the Road Crew was going to start making repairs to pot holes. Frank Zamadics commented they will be starting shortly.

Katherine Mack commented the light at the back of the parking lot is not on making the lot dark if you have to park back there. Frank Zamadics will check on the light.

- C. Zoning Report. Liz Amato reported in March, there were 56 new permit applications received, 35 permits were issued, and six new complaints were received. She has been citing the property owner on Riverview Drive weekly for the past four weeks. She has not yet received a hearing date. She does believe that the fines will be heavy handed from the start because there doesn't seem to be any type of resolution to this.

Cindy Miller commented but some municipalities are now starting to crack down on properties like this and they may actually buy the properties. In this instance, there could be environmental issues involved and quite a bit of clean up. She doesn't know if there is any funding available and was going to look into that and maybe the Township could flip it. It would be prime commercial property. Liz Amato commented she was going to talk to Michael Corriere at the Planning Commission meeting because Judge Hawke told her that Walnutport Borough was able to seize one of the same property owner's properties and that is how they were able to clean it up. Since Michael Corriere is the Solicitor for the Borough, she thought he could offer some information as to how they started that process. It would be a huge undertaking, but that may be the only way that this can get cleaned up.

There are three zoning hearings scheduled for April: an interpretation or variance for a winery, a variance for accessory solar which exceeds the permitted kilowatts, and a pole building in a front yard. In May, there are two hearings scheduled: an expansion of a non-conforming use: Gap View Mobile Court would like to add one more unit to the park; and, a special exception for a kennel in the A/RR district. An application has also been received for June for an accessory apartment.

- D. Police Report. Chief Fogel provided the Board with 5 year trend charts from 2020 through 2024. The crash data shows an increase over the last 5 years. The traffic citations and warnings have been declining over the past 5 years. This can be contributed to short staffing, departures, injuries, and similar items. Criminal arrests are relatively consistent, but have been decreasing. The service calls which are the driver for everything that the police do including, all their calls, complaints, and all the activities. They have also been relatively consistent with a slight increase.

The last time he put something together which showed the significance of the numbers was in 2013. At that time, their numbers were around 9,700 calls, complaints, and activities. Now they are looking at 16,300 which is a significant jump. These numbers include everything that an officer does from the beginning to the end of their shift. He incorporated these numbers into a staffing study based upon a study that was done prior to him starting here. When he did the first study in 2013, the core services study showed the department should have been staffed at 15. According to the International Chiefs of Police it should have been 16. Using the same methodology, the staffing study based on today's service calls jumps the numbers up to 18 and 21 respectively. We are currently at 12 officers less one that is currently out injured. The Department is staying at a very stagnant place to the point where they are not keeping up with things. This is when you start seeing things like traffic enforcement falling off. Traffic enforcement can equate to a lot of arrest numbers. When you are doing proactive patrol, other things can come up such as DUI arrests, things that you see in a car such as drugs, and people with warrants for their arrest. Chief Fogel wanted to let the Board know that they are getting to a point where the numbers are increasing, but they are almost not manageable. There is a lot of data they collect and things that need to be reviewed with regularity such as body camera footage, in car camera footage, reviewing reports, evidence logging, and property management. It is getting to a point where we need to start making decisions on how to move forward and getting somewhere relatively soon. There are officers who are burning out, new officers who are not only looking for opportunities here, but elsewhere because for them there is a lot of stress trying to manage what they have to here, when other places are looking at things differently because they have adequate staffing. Departments around us have been adding and we haven't. We have been falling behind our peers around us.



The COPS hiring grant is scheduled to be opening in a few months. Right now, his request would be to at least apply for that to try to move us in the right direction. He is not saying we need to go right out and hire another five officers this year or next year. It is something that must be done incrementally. We currently have five new officers so you couldn't do this all at once even if you wanted to. We don't have the capacity to train that many people. Mike Jones questioned what would be a realistic number that could be hired in the next few years. Chief Fogel commented he believes we should try to get two people in to keep the squads equal. After that, he would want to wait a year or two to give the current new officers time to get up to speed where they can adequately do what they need to do because they will also have to help train new people. You need training time and you need time for the younger officers to develop also. Putting things in perspective, you don't allow an officer to test for a promotion until they have three to five years experience. The officers who have been hired in the last 18 to 24 months should have a couple years under them. You don't want to overwhelm the system so you need to be thoughtful on how you do this. Mike Jones questioned if new officers were hired in the next year, year and a half, would that give everyone time to be where they should be. Chief Fogel commented, yes. You wouldn't look to hire until next year anyway because it is not budgeted for it and the grant wouldn't do anything for it either so you would be looking at next year regardless. At that point, the first of the new hires would be into their third year. Then the following year, the other officers would be at that point.

Janet Sheats questioned if there is an ongoing list in the event an officer were to leave. Chief Fogel commented he does not have an ongoing list right now, but he does have some resumes because people do contact him from time to time and he does keep them on file. Over the past four or five years, it has been hard to even accumulate a list. When the time comes, we can advertise to try to get additional people.

Chief Fogel questioned how the Board felt about him applying for the grant. If something were to fall through and nothing were to happen, you can just turn the grant down. Cindy Miller questioned how the grant worked. Chief Fogel commented it covers a three year period which typically descends over the three years with the idea of easing into the end of the grant. There is flexibility in how you break it down. Janet Sheats made a motion to authorize Chief Fogel to apply for the COPS grant. Cindy Miller seconded the motion. All voted aye. Motion carried.

Chief Fogel commented he will be providing the Board with a resolution for file destruction for the next meeting. He also needs to find a better way of storing the files than in the upper area of the garage. It meets standards, but it is not the best way. He is considering speaking with Frank Zamadics about moving files over to the old office or break room.

Paul Nikisher questioned how many officers we currently have. Chief Fogel commented there are a total of twelve officers including himself and the officer that is off injured. Mr. Nikisher questioned if there are any part time officers. Chief Fogel commented there currently are no part time officers. He also just had a conversation with a neighboring Chief. They currently have five slots for part time officers but cannot find people to fill the slots. Mr. Nikisher questioned if the reason for that is known. Chief Fogle commented there are a lot of reasons. It is hard to get people to fill the vacancies because there is a lot of bad press for the police lately nationwide. There also is the increase in violence nationwide. Why would someone want to go into a profession that is increasingly easier to get hurt and put your family at risk. It is a sign of the times. The numbers have been dwindling for a number of years. The dilemma with part time is when people graduate from the academy, they are trying to find jobs. They often will work for multiple agencies which creates other problems. It results in them needing to follow three or four sets of rules which can create confusion at the least and bad habits at the worse. There also is fatigue that would need to be contended with. Part time is very difficult to manage. The pay scales also tend to be lower. The younger officers who just came out of the academy are looking for full time work so when a position opens elsewhere, they leave. Mr. Nikisher questioned why there was such an increase in call volume. Chief Fogel commented it is over a 14 year period so it is not as astronomical as it may seem. We have not had a tremendous amount of growth from within the Township, but we have had a tremendous amount of growth in traffic from people passing through here which is a big part of it. There also is a lot of stuff that goes on throughout the course of a day. There was a lot of stuff that we didn't have to contend with back then. Some of which are mental health calls which have grown exponentially, traffic volume which has also grown exponentially, ambulance calls, and assists with other departments. It's not just what happens in Lehigh Township; it is also things that pass through.

Linda Roman questioned how the Department handles the vehicles that come through without a driver. Chief Fogel commented so far, they have not had any of those. He believes at some point, they will have to deal with them and adapt for them. He knows on the crash reports, there are boxes to be checked for autonomous vehicles. As things progress, he would expect they will be receiving more training.

Zack Szoke commented his parents own 34 acres at the intersection of Timberline Road at Quince Road. He generally goes around and picks up the standard garbage that is thrown out along the road. Recently there was a bunch of old tires dumped on Quince Road and Sunday, there was a mattress and box spring dumped on the property and is looking for suggestions on how to combat that type of an issue. Chief Fogel commented that is difficult because people don't typically dump things when they see the officer, although sometimes they get lucky and will see someone

throwing something out of their vehicle and they do stop them. With two vehicles out for 30 square miles, it's hard to be in the right place at the right time to catch someone.

- E. Fire Company Report. Rick Hildebrand commented the Sportsman Night was a huge success.

There were 146 calls in the first quarter of the year. 88 of them were fire related and 58 were medical which include accidents and EMS assists. Their average on scene time is a little over an hour. There were also 27 times where they were already out on a call and they got a second call while they were out. There was a total of 700 manhours spent on the calls. This doesn't include any of the time back at the station. They received mutual aid fourteen times, mostly while dealing with the fire on Cherryville Road.

The fire on Cherryville Road is still burning and they still have equipment there. The only thing they are slightly concerned about is that they have their 4,000 gallon portable pond there which is usually on the side of their tanker. This can be an important piece to them to provide additional water when they have a fire. He's not sure if there is a good way of getting it back. They have been thinking an option may be to speak with one of the water haulers and see if they would be willing to park a tanker there and swap it out when needed, but there probably will be a cost associated with it. So far the fire has been staying inside the box that was created. The recent rains have not really helped it because of the amount of heat underground. Dry windy days could potentially cause the fire to get out of the box, but there is air support should that happen.

It was brought to their attention this week that the firetruck that was ordered is moving along and way ahead in production. He believes the time line that the company provided was based upon COVID time lines and right now, they are pushing seven months early. The chassis has been completed and was shifted to the plant to get the pump and ladder put on. The truck could be done as early as August or September. Mike Jones commented the original timeline was that the truck wasn't expected to be delivered until this time next year. He's not sure what the next step is with the early delivery.

Cindy Miller questioned if the manufacturer couldn't be spoke with about slowing the production down. It seems like they are pushing to get it out. Rick Hildebrand commented he doesn't know that they are trying to push it out. He believes that the product delivery and the overall supply and demand is working again unlike it was during COVID and they had to plan out all the extra delays. The contracts had

penalty clauses in them if they failed to get the vehicles out in a certain amount of time that they would be assessed penalties. They started writing the contracts with longer production times to cover them. Cindy Miller commented the manufacturer would be the one with the problem because of the contract they signed.

Rick Hildebrand commented one of the items they discussed was if the vehicle could just be put to the side. Cindy Miller commented she does not know where the Township would get that amount of money in the timeframe that was just mentioned. Rick Hildebrand commented he has a concern with pulling the truck out of production with everything that was done because you would lose the continuity of production and having open electrical connections sitting out in the weather. Cindy Miller commented her question on this is that they know what the timeline was and are now pushing it up by seven months. They are pushing it on the fire company as the buyer as being their fault when it is not. It is the way they are handling their production. They as the manufacturer should be trying to figure out a way to accommodate the customer. It shouldn't be the other way around where we have to jump through hoops for them because they are seven months early. Rick Hildebrand commented he and others at the Fire Company do not want to see the truck halted in production. They would rather see it complete and then let it sit. Otherwise, they can end up with lifelong problems with the electrical components. Mike Jones commented he would agree that production should not be stopped; they could still encounter problems with parts. Cindy Miller commented it shouldn't be our call as to whether or not they halt the production. Our call is the way they are going to handle it. She agrees it makes the most sense to complete it and set it aside. We don't take possession of it until when we signed the contract for. She doesn't know how we will come up with money seven months in advance. We based everything on their production time line. Attorney Backenstoe commented they could deliver it and we could enter into a lien. As a taxing entity, they know they will get paid. The Township is not going anywhere and they would have the lien on the truck. That would make sense. He would get the truck done. He believes they will finish the truck and deliver it and then we would need to enter into an agreement with them. Another option would be to enter into a lease agreement for the period which is premature. Rich Hildebrand commented he does have some leasing information from Catasauqua who basically leases the entire piece of equipment when they purchase equipment.

## VI. OLD BUSINESS

### A. Maintenance Building

1. Vision Mechanical, Final Payment Request #12. Alice Rehrig commented the approval for the final payment should be tabled. Pittsburgh Tank does have the part and is working on scheduling the installation. They do not have a final date since they are not from the area.

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- B. Leases. At the last meeting it was left for the Board to think about how they want to structure the leases since the lease with the Township and the Quarter Midget Association has expired. The Board could either do a new lease or an amendment to the current lease addressing the Fire Tax.

Cindy Miller commented the lease specifies the area which is being leased. At a prior meeting it was mentioned that they are using more than what is in the lease, encroaching onto the Township property. How can we get this back to using what is in the lease. Attorney Backenstoe commented the area could be expanded and they could be charged more. Mike Jones commented the current lease is \$1.

Preston Henry commented when his father started this years ago, in 1987, the Township Supervisors at the time, ~~Joe Tretiak~~, Roy Silfies, and ~~John Klutzaritz~~, told them if they can make the property usable, they can do whatever they want. The property was considered unusable because of the slope. LTAA didn't want it. They put in the race track and the State actually filled in the back corner where they are parking. The actual track is on the lease area. The area outside the lease is only for parking. They also have a lease with Walnutport Borough. The tree line coming in goes to a triangle in the back corner is Walnutport Borough's.

Janet Sheats questioned what else would we be using this for. Cindy Miller commented there is going to be stuff done with Bryfogle. Rec has also talked about doing other stuff, but she doesn't know what it is at this point. Mike Jones commented the only thing he knows of was making the pathway in the woods bigger. Sandy Hopkins commented a trail was supposed to go in. Part of it was where they dug out and took all the trees down, then it was supposed to circle around the bank to an empty area close to the quarry.

Cindy Miller commented from what she is understanding, what is written in the lease is what they are using. She thinks that is how it should stay. She doesn't think we should be giving more without knowing what Recreation has in planning. Preston Henry commented he is not looking for more. He wants to renew the lease and get the fence and blacktop done. They have had the lease for 36 years and have not had any problems. Now all of a sudden there seems to be a problem. He doesn't want a problem. He wants to put up a fence for their pit area which is a restricted area for safety reasons. They also want to blacktop a small area because it goes black top, stone, then blacktop. This is all within the area of the original lease.

VII. NEW BUSINESS

A. Blue Mountain Quarter Midgets—Request for Fencing & Paving. The Blue Mountain Quarter Midgets were requesting permission to install a fence in their pit area which is a restricted area and add blacktop to the stone area between the existing blacktop areas. Cindy Miller questioned how Recreation feels about this. Janet Sheats questioned if this is something that they would want to take on. At the last meeting it was stated they already had too much on their plate. Cindy Miller commented anything recreation related should go to the Recreation Board and they give the Board of Supervisors an advisory report about how they feel about things. For some reason, people want to skip the Rec Board and come directly to the Board of Supervisors. She thinks it may be because the Board of Supervisors themselves don't understand how a committee operates within the scope of the Township. Mike Jones commented the lease is between the Quarter Midgets and the Supervisors. Cindy Miller commented they are requesting to make changes to the property. Mike Jones commented he doesn't believe a fence and blacktop is something for the Rec Board when they are looking to install it within an area that is already leased by them. Mike Jones commented he doesn't believe this is something that needs to go to the Rec Board. If they were expanding their area, then yes.

Sandy Hopkins commented it would be nice if the Rec Board were told about what is going on. Just like when they took all the trees down, it was an area where they were going to put a trail in. They can't put a trail in there now when there is no shade and 50 percent of the logs are still there. Mike Jones commented the trees that were cut down were removed. The ones that fell down naturally are what remains. Sandy Hopkins disagreed. Cindy Miller questioned what the point is of having a Rec Board if everyone goes directly to the Supervisors.

Preston Henry commented they are looking to fence in their pit area which is a restricted area. A waiver is needed to go into that area; it is a requirement of their insurance policy. They have a separate policy for that area. Anyone is welcome to come and watch the races in the bleachers and that is covered under a separate policy because they are not physically around a moving car or anything like that. They have two separate insurance policies. The pit area is their restricted area and that is why they want to put up the fence because that is what their insurance policy states. They have an EMT there all the time. It is a restricted area and if someone were to get hurt in there, it would be under a separate insurance policy.

Cindy Miller wanted to verify that the fence is going up between the leased area and the area that the Township owns. Preston Henry commented it was. There used to be a guiderail there, but the kids would play on the guardrail and fall off of it. So now they decided to put a fence there for safety reasons.

Cindy Miller questioned how many residents from the Township participate in the program. Preston Henry commented right now, there are six members out of 54 that are residents. At the end of the year, he advertises to try to get more people from the Township involved, but not every kid is into racing. At the beginning, they had 25 to 30 residents. The kids race until 16 and then they graduate. The ages are 5 through 16.

Cindy Miller questioned the reasoning for adding the asphalt. Preston Henry commented it currently goes asphalt, stone, asphalt. They drag across there all the time and the kids are running and tripping on the stone. Stones are drug onto the blacktop and then they trip and fall on that. They want to make it more even.

Janet Sheats made a motion to approve the addition of the fence and blacktop as long as it is within the leased area. Cindy Miller seconded the motion. Mike Jones questioned if they need to go through Zoning. Cindy Miller commented they would need to speak with Liz. Mike Muffley noted you typically need a permit to install fencing. Janet Sheats amended her motion to include the Quarter Midgets need to obtain all the necessary permits associated with the work. Cindy Miller seconded the motion. A resident questioned why they would need to go through the Rec Board since it is not a recreational park. Cindy Miller commented they would go to the Rec Board because it is recreation and part of our park. Linda Roman questioned who would pay the fire tax on the property. Mike Jones commented the Quarter Midgets would pay it. Linda Roman commented she doesn't agree with the lessee paying the fire tax. The Township owns the property and it was stated that everyone who owns property would have to pay it. The Township as the property owner should have to pay it. Preston Henry commented they have no issue with paying the fire tax. All voted aye. Motion carried.

- B. Resolution 2025-4, Funding for Emergencies. As discussed at the last meeting, Alice Rehrig prepared a resolution which would establish guidelines for dealing with unusual circumstances that arise during an emergency. The disaster declarations through PEMA are more for when the Township itself has an emergency situation such as there was an instance several years ago when there was an issue obtaining road salt. The declaration of disaster allowed the Township to purchase road salt from another source without having to go to bid. Cindy Miller suggested combining items 1 and 2 and giving the Manager discretion up to \$10,000 and then anything over \$10,000 would go to the Board.

Janet Sheats made a motion to approve Resolution 2025-4 with the changes that were discussed by combining Items 1 and 2 and Items 3 and 4. Cindy Miller seconded the motion. Rick Hildebrand questioned if the resolution had a clause to allow to forgo bidding under emergency circumstances. Mike Jones commented it would allow the

Manager to release up to \$10,000 in funding if needed. Alice Rehrig commented since it would be a pass through like it was for the supplies for the fire on Cherryville Road, there wouldn't be any bidding involved. Janet Sheats commented if it hits the point of a disaster declaration needing to be declared, there wouldn't be any bidding. Attorney Backenstoe commented if there is a situation where there is a real emergency with life and property at stake and there is no time to bid, that is the purpose of the declaration. Mike Jones commented otherwise, it becomes a pass through from the Fire Company. Attorney Backenstoe commented the Township is authorized to fund the Fire Company in any manner they see fit and this would essentially allow the money to go to the Fire Company. All voted aye. Motion carried.

C. Manager's Report. Alice Rehrig did not have any anything additional to report.

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

VIII. PUBLIC COMMENT. Cindy Miller commented she received a call regarding the timing of the light at the Cherryville Intersection. The Blue Mountain Drive timing seems to be very short. Rick Hildebrand commented part of the problem is people wanting to make a left hand turn and this will be a problem until the intersection is completed.

Linda Roman commented there is a box on the ground by the flashing light signal. Rick Hildebrand commented that was knocked down during an accident. Alice Rehrig will contact Signal Services on this.

Zach Szoke provided the Board with a summary sheet as to what they plan on discussing at the next meeting.

IX. ADJOURN. Janet Sheats made a motion to adjourn. Cindy Miller seconded the motion. All voted aye. Motion carried.