

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Minutes of the February 8, 2022, Meeting

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their regular monthly meeting on Tuesday, February 8, 2022, 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
David Hess
Phil Gogel
Mike Jones
David Backenstoe
Alice Rehrig
Mike Muffley
Frank Zamadics
Liz Amato
Frank Zamadics
Scot Fogel

Absent: Jerry Pritchard

II. APPROVAL OF THE MINUTES

- A. Minutes of January 25, 2022. Cindy Miller made a motion to approve the minutes. David Hess seconded the motion. Cindy Miller noted a correction on Page 12 under Public Comment when she was discussing the Jaindl project. The minutes state they applied to have the Seminary building designated on the Historic Registry. It should be “Someone” applied because we really don’t know who applied for that designation. All voted aye. Motion carried.

III. APPROVAL OF BILLS.

- A. General Fund Checks 25509 to 25548. Cindy Miller made a motion to approve these bills. Phil Gogel seconded the motion. All voted aye. Motion carried.
- B. State Fund Check 1550. Phil Gogel made a motion to approve this bill. Cindy Miller seconded the motion. All voted aye. Motion carried.

IV. PLANNING RELATED ITEMS

- A. Extensions of Time. Alice Rehrig noted this is an unusual month in that the Planning Commission does not meet until after the Supervisors so there are not any recommendations from the Planning Commission. The first four extensions

are scheduled to be before the Planning Commission next week, but she had concerns with pushing the extensions to the next meeting in the event there would be an issue holding the meeting because of weather.

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1. J & T Enterprises Land Development. David Lear was present to represent this plan. The Developer provided the Board with an extension of time until April 30, 2022. David Lear commented this project was delayed because they had COVID going through their office over the holidays and they also had some personnel leave that they haven't been able to replace yet. Cindy Miller made a motion to accept the extension of time until April 30, 2022. David Hess seconded the motion. All voted aye. Motion carried.

2. Northwoods Land Development. David Lear was present to represent this plan. The developer provided the Board with an extension of time until June 30, 2022. David Lear commented they have received their signed PPL agreement, and that they were also out with Buckeye pipeline two or three weeks ago and did additional testing to locate that line and have submitted a letter for their approval. He believes these were the last two outside agencies they were waiting on. They are hoping to review this with the Planning Commission on Monday and that they will be able to give them a recommendation for approval.

Cindy Miller questioned if this is tied into the Pitts Subdivision. David Lear commented this plan can stand on its own, but it does abut the Pitts Subdivision. The Pitts Subdivision does rely on the Northwoods Plan, but the Northwoods Plan does not rely on the Pitts Plan.

Cindy Miller made a motion to accept the extension of time until June 30, 2022. David Hess seconded the motion. All voted aye. Motion carried.

3. Obenski Land Development. David Lear was present to represent this plan. The developer provided the Board with an extension of time until May 31, 2022. David Lear commented this plan will also need zoning relief. He believes the application has been filed. Phil Gogel made a motion to accept the extension of time until May 31, 2022. Cindy Miller seconded the motion. All voted aye. Motion carried.

4. Tim Pitts Subdivision. David Lear was present to represent this plan. The developer provided the Board with an extension of time until April 1, 2022. David Lear commented they are going through the planning process in order to obtain recommendations for when they go through a conditional use hearing. The plan has been changed from a development

with single family homes to an expansion of the Northwoods Modular Home Park. They are also on the Planning agenda for Monday and have met with Buckeye Pipeline. With the cold weather, they were not able to

break through the frost and will continue after the ground thaws. Phil Gogel made a motion to accept the extension of time until April 1, 2022. Cindy Miller seconded the motion. Mike Jones questioned why this plan is not running with the time frame for Northwoods. David Lear commented he believes it is because they need to come in for a conditional use. It is also a different project manager for this plan. All voted aye. Motion carried.

5. Donald and Judy Latshaw Minor Subdivision. David Lear was present to represent this plan. The developer provided the Board with an extension of time until April 30, 2022. David Lear commented this plan received conditional plan approval from the Planning Commission. They were waiting on receipt of the title search. The remaining engineering comments were relatively minor. Mike Muffley noted he just received the plan for review. Cindy Miller made a motion to accept the extension of time until April 30, 2022. David Hess seconded the motion . All voted aye. Motion carried.
 6. Hafner Revocable Living Trust. David Lear was present to represent this plan. The developer provided the Board with an extension of time until June 30, 2022. David Lear commented this plan received conditional plan approval from the Planning Commission. There were some HOP comments that they received in December. They resubmitted but haven't heard anything yet. This is the main hold up on the plan. Phil Gogel made a motion to accept the extension of time until June 30, 2022. Cindy Miller seconded the motion . All voted aye. Motion carried.
 7. Top of the Mountain Estates Major Subdivision. David Lear was present to represent this plan. The developer provided the Board with an extension of time until June 30, 2022. David Lear commented they needed to work out a realignment of a roadway. It used to be a "T" intersection and now they need to develop a horizontal curve that will work for the lot areas and septic systems. Cindy Miller made a motion to accept the extension of time until April 30, 2022. David Hess seconded the motion . All voted aye. Motion carried.
- B. Grace Estates. Mark Wagner was present to represent this matter. Mr. Wagner commented he was the developer of this project. The Township is currently holding \$10,000 in escrow for the maintenance period of this development. The

only issue that was outstanding was the refileing of the plan as required by Phil Malitsch. Mr. Wagner commented he never really understood why this was necessary. This was a 20 lot subdivision and nothing really changed. The

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detention plan for the development is on private property. This matter was going back and forth between Lehigh Engineering and Phil Malitsch for a long period of time and he kept on receiving \$500 bills from the Engineer for something he didn't understand so he finally said the heck with it. He now believes it is time for the Township to release the escrow since the maintenance period expired a long time ago and all the work was done and satisfactorily inspected. The maintenance period had to do with the pond because originally it was a holding pond and then redesigned into a smaller pond.

Attorney Backenstoe commented he does recall that there was an issue with the project and someone accepting title and consolidating a lot and it was a problem. Mike Muffley commented the last review letter from February of 2020 did not indicate anything as far as a consolidation issue. These letters indicate a final review was needed for the stormwater management plan, which would pertain to the basin. There was also a final punch list letter pertaining to the basin being converted from a sediment basin to a permanent basin. These included the removal of excess sediment from the basin bottom, removing the skinner and temporary oraphis plate, and final grading around the end wall and outfall protection. There was also a comment in the general review letter indicating some of the lots needed to be excluded from the revised plan because they were sold. This also tied into the new NPDES permit. Lots 2, 6, and 16 need acknowledgements because of the restrictions that are on the lots. He did find draft documents, but does not know if they were ever completed.

Mr. Wagner commented all the physical work has been done. They only remaining items are legal and possible recording, although he doesn't understand why these three lots need to be included on the stormwater plan when they are independently owned lots. All of the lots within the development have been sold. Mike Muffley believes the comments and concern revolved around the timing of the NPDES permit and the lots being sold. When the new NPDES permit was issued, there were changes that needed to be done because the regulations had changed. This resulted in changes to the plan and the need for rerecording. Mark Wagner commented the lot lines did not change as a result of the NPDES permit. Mike Muffley commented it may be the need to update the names of record and have the new owners removed from the plan because they were sold.

Attorney Backenstoe and Mike Muffley will do further review on this and work with Mr. Wagner to resolve the matter. Phil Gogel questioned what would apply to the lots if they were already built upon. Mike Muffley commented it is all part

of the stormwater maintenance plan and agreement which is perpetual. Part of the NPDES permit identified some areas on lots as protected areas. As part of that protection, it states they must be left in their natural state. Phil Malitsch felt that it

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should be part of the stormwater maintenance agreements and conditions. Mark Wagner commented this is on the subdivision plan because when they sold lots to people, they sat down with them before the settlement and showed them the areas they were not allowed to touch. Phil Gogel questioned if this was written into their deeds. Mark Wagner commented they were made aware of this and he also believes his lawyer got them to sign a document to acknowledge it. Alice Rehrig questioned if the new NPDES permit and plan wouldn't change the stormwater plan that is recorded with the subdivision plan. Mike Muffley commented it would; it is all tied together. Alice Rehrig noted if the new plan changes something that is recorded, then that would be the reason for the rerecording of the plan. Phil Gogel commented what he his not understanding is adding more restrictions to someone's property by rerecording the plan when they already have built their home, when they didn't have that restriction in the first place. Mark Wagner commented when the NPDES permit was issued, there were unsold lots. Since that time, those lots have been sold. The detention pond has also been completed and it is owned by the individual lot owner.

David Hess made a motion to table this matter. Cindy Miller seconded the motion. All voted aye. Motion carried.

- C. Engineer's Report. Mike Muffley reported there will be two special exceptions reviews for an advisory letter to the Zoning Hearing Board on the agenda for the Planning Commission at their meeting on Monday. In addition to that, there are also five plan reviews on the agenda. These include a lot line adjustment plan, Sedler Redesign and Redevelopment Plan which is the old Archery Additions building, Richard Diehl Paving land development, the Timothy Pitts Mobile Home Park and the Northwoods Mobile Home Park.

V. DEPARTMENTAL/ORGANIZATIONAL REPORTS

- A. Recreation Report. Sandy Hopkins reported the Lehigh Township Lions were guests at the last Rec Board meeting. The Lions are willing to put money towards either refurbishing or replacing the shed at Berlinsille Park. Right now, they are currently looking at different options for the project as far as moving it to a location not as close to the road or replacing it or repairing it in its current location. They also need to keep in mind the electricity to the building since it is the main source that feeds that portion of the park.

Saturday, December 3 has been set for the 2022 Tree Lighting. Santa has also been reserved for this date.

- B. Public Works Report. Frank Zamadics did not have anything specific to report other than his written report.

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1. Summer Help. Frank Zamadics questioned if the Board would authorize the advertising of summer help in the near future since it may be tough of fill the positions. David Hess questioned how many people would be needed for summer help. Frank Zamadics commented they have been getting two individuals that would work between April 15 and October 15. Paul Nikisher questioned what the rate of pay would be. Phil Gogel commented it is a progressive scale depending upon whether or not the others who worked here for summer help return. Mike Jones commented he believes the starting rate was \$11. Paul Nikisher questioned how many hours per week they would work. Mike Jones commented it is around 24 hours per week. If it rains, they don't work. Alice Rehrig noted there is an amount included in the budget for summer help so the hours would need to be adjusted to fit the budget. Cindy Miller made a motion to advertise for summer help. David Hess seconded the motion. All voted aye. Motion carried.

- C. Zoning Report. Liz Amato reported the permits and complaints have been relatively slow over the past month which is typical for winter; however, she has been receiving a lot of zoning appeals. She had two appeals last month, the Karfam LLC for a short term rental which was denied and the other was for Carl and Regina Sharp for roof mounted solar panels that was granted. This month there are two special exceptions, one for heavy equipment sales, service and repair and an appeal of notice of violation for 527 Graystone Drive LLC which is an expansion of the garage that is across from EAG on Lehigh Drive. March will be two more special exceptions, one for a short term rental and one for a home occupation. She also just received another special for April and a variance for March.

She has heard back from everyone and March 17th is a date that works for everyone for the Lorah Conditional Use Hearing. She was questioning if the Board wanted to start the meeting at 6:00 p.m. or 7:00 p.m. The Board agreed to start the hearing at 6:00 p.m.

David Hess questioned if there was any update on the Vanderling Property on Wood Drive. Liz Amato commented David Backenstoe spoke with him on Friday. His plan just received a time extension and they can ask for an additional update at the Planning meeting on Monday. He also is not living on the site. Attorney Backenstoe commented he is making payments on the penalties that he was assessed.

Phil Gogel commented he heard some rumors that the Airbnb on Longacre was still operating after their deadline to close down on January 16. Liz Amato

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commented Mike Jones had also asked her the same thing. She has not heard anything from the neighbors. She has not found it on line anywhere and she has been driving past there ever few days and has not seen any cars in the driveway. It may be possible that a longer term tenant was moving in when people saw the cars. Attorney Backenstoe commented they would be allowed to rent the home for more than 30 days at a time. Attorney Backenstoe also noted that the other property that was operating was sold.

Paul Nikisher questioned if the meeting on March 17th will be open to the public and if so, will there be public comment. Liz Amato commented it is just like the Zoning Hearing Board. The meeting is open to the public and anyone can come and speak for or against the applicant.

- D. Police Report. Chief Fogel reported the Department is aware of the concerns by the residents of Walnut Drive regarding the truck traffic. They have been sitting in the area the past few days and do have truck details scheduled.

Over the past two weeks there has been COVID related issues. All but four people in the Department have had COVID, two instances were officers were in a vehicle together and passed it amongst themselves, and two officers have had it twice. Fortunately, there were no major illnesses associated with this, but there were two officers that had it longer than the typical five to ten days.

The Department has been busy over the past few weeks with accreditation. They finally had their assessments scheduled for February 1 and 2 where all the policies, equipment, station, vehicles, and overall operations were reviewed. The assessors will be recommending the Department be accredited at their March meeting. Sergeant Henry put a lot of time and energy into this project. There are only about 12 percent of the Departments in the State that become accredited. The accreditation puts the best practices in place for the changing environments across the State and Country.

1. Resolution 2022-7. This resolution is required as part of the Department accreditation process. It has to deal with summary arrest powers for certain violations including public intoxication, disorderly conduct in certain cases and other similar items. This resolution does reference specific sections of their policy manual that indicates the details of these arrest powers.

Attorney Backenstoe commented there is no question that a police officer who witnesses these types of crimes can make an arrest. He is not sure

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why that State Statute has a special provision that talks about making an arrest without a warrant because most of the time you wouldn't have a warrant. Chief Fogel commented he would agree, but it is one of the things that were identified in the accreditation process as being needed and good to have.

Phil Gogel questioned if probable cause would be affected and allow someone to enter someone's house. Chief Fogel commented this wouldn't have anything to do with that. This section specifically deals with summary violations. Phil Gogel questioned if it would affect the searching of a vehicle. Chief Fogel commented there are specific criteria for that as well. This particular section is more focused on peace and good order. Phil Gogel commented his concern was that there was no prior document and he had nothing to compare it to as far as what is being changed. Chief Fogel commented the resolution that is before the Board is a carbon copy of what other Departments that were accredited used in the process.

Attorney Backenstoe commented from a legal perspective, he does not have any objection, but he can tell that the Chief or the Manager did not prepare the resolution because of how odd the language is within the resolution so he did fix it. If the Board were inclined to adopt this resolution, the heading of the resolution would now read:

A resolution of the Board of Supervisors of Lehigh Township, Northampton County, Pennsylvania, authorizing the Police Officers of the Township of Lehigh to arrest without a warrant pursuant to 42 PA C.S., Section 8902 and adopting guidelines to be followed by such Officers when making such arrests.

Cindy Miller made a motion to adopt Resolution 2022-7 as amended by Attorney Backenstoe. David Hess seconded the motion. All voted aye. Motion carried.

Attorney Backenstoe commented before this resolution was adopted, the Department obviously had the authority to make an arrest by State Law. Chief Fogel commented the way he interprets the requirement is that because the Department is the local agency

for Lehigh Township, the Resolution just designates them as the local agency with that authority. The policy that is listed in the

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Resolution has been in place; the Resolution just designates that policy as the procedure. Once everything is finalized, he will be providing the Board with a copy of all the policies.

Cindy Miller questioned what happens if there is another department providing backup to our Department, would they be following the same policy? Chief Fogel commented they would be acting on behalf of the Township Department, so yes. He also indicated he was curious as to what other departments have in place since the other departments around the Township have not gone through the accreditation process.

2. Police Vehicles. Chief Fogel provided the Board with information regarding fleet management and the standard benchmark. The GSA replacement standards suggest that passenger vehicles be replaced at 5 years, 60,000 miles which is a little light for mileage; he was finding police vehicles seem to be a standard at 5 years as a baseline and 100,000 also seems to be the other baseline based on the condition of the vehicles. He does believe we need to develop a better fleet management system and would be willing to sit down with Frank Zamadics, Alice Rehrig, and a Board member or two as a committee to figure this out. There is no way we can keep a police vehicle for 9 or 10 years and not expect it to not cause all type of problems and expect it to cost more money to repair. Currently he has a vehicle with 150,000 miles on it and another one with 135,000 on it. One of which, the mechanic who serviced it last, felt it shouldn't be driven. He had another vehicle which needed inspection so he was down to two vehicles and had four people in the office so he has guys who can't get out and patrol. We need to get something moving. He does have a vehicle that will be arriving next week. This is the vehicle that was supposed to be replaced last year when the other vehicle had a blown motor. They are still needing to replace the vehicles that were in accidents last September and on January 7. He knows Alice Rehrig was getting some numbers and he also spoke with the guy he normally deals with and he has matched prices for a vehicle. He knows Alice Rehrig had been speaking with Block Communications who also deals with Chapman auto and they can send cars over to him

as well, which is fine, but he did ask that if they get a dollar amount approved for a vehicle, if they could use the upfitter that they normally use. They have about a two week turnaround time and they use equipment that the Department is already familiar

with and on the cars currently. He is not familiar with the equipment that is listed on the quote from Block Communications. Both quotes are based on Co-stars; he is just not familiar with the equipment from Block Communications.

Cindy Miller questioned what type of vehicles are being quoted. Chief Fogel commented these quotes are for a Ford Explorer. The vehicle that is coming in next week is a Dodge Charger. Mike Jones commented he also contacted Rentschler and was told that Dodge does not do a police version of the Durango. Chief Fogel commented he is aware that they do upfit the Durangos, but they have become quite a bit more expensive than the Explorers.

David Hess questioned if we need to go with an SUV or can we get another car. Chief Fogel commented he does not have much in terms of an SUV in the fleet. Even though the Chargers are all wheel drive, the SUV is needed because of ground clearance depending upon the severity of the weather. The roads are not as much of a problem as the longer private driveways that they may need to go on to respond to a call.

Cindy Miller questioned if the Dodge is the model that has not been holding up. Chief Fogel commented the problems were occurring with the V8 motor that was in the Chargers. This motor is no longer being provided. It is only the V6 model that is being offered. The problem that was occurring was the oil pressure is lower at idle and the vehicles do tend to idle a lot. The oil that was being used was not rated for this type of vehicle. He knows we have started using additives to help correct the problem. So far, there hasn't been any problems in the past year. A lot of information was learned from Cherryville Auto. They did a study in house because they were having issues with people coming in with similar issues so they started checking into what type of oil and additives were being used. He also hasn't heard of any departments that have been having problems with the V6 Chargers.

Alice Rehrig commented she had contacted Kovach Ford in Nesquehoning and they do not have any vehicles on their lot.

They would need to order the vehicle and it would take approximately 30 weeks until it was received. She did ask them for a quote on the upfitting, but she hasn't received anything from them. They would use a different brand of material than what was

quoted from Block Communications and Chapman. The vehicles from Whitmoyer Ford and Chapman Ford are both the same price. The only difference between the two vehicles is that the one from Whitmoyer has the factory keyless entry on it. Whitmoyer and Chapman both have vehicles on their lot. The difference in price comes from the upfitting. The quote from Chapman through Elite is \$11,547.43. The upfitting from Whitmoyer through Block Communications is \$10,045. Cindy Miller questioned if the upfitting would be the same. Alice Rehrig commented the upfitting would be the same, but the equipment would be different brands. Both companies offer a five year warranty. Block Communications provides an onsite service as well. Their turnaround for the upfitting is typically two weeks, but the molded plastic rear seat needs to be ordered which takes about 4 to 6 weeks to come in. Mike Jones questioned if the Board wanted to give Chapman the opportunity to match the price since that is who has always done our vehicles. Chief Fogel commented one of the benefits to using the same upfitter is that the equipment would be interchangeable with their other vehicles. Cindy Miller questioned why we wouldn't want to just move forward and purchase the vehicle from Whitmoyer at the lower price. Why do we have to keep going back to Chapman? What is so important about going there? Why didn't he give us his best price when we got the quote rather than us having to go back to him again. Chief Fogel commented we can go with either one; it's not that important that we stick with Chapman. It is just that in dealing with him in the past, he knows how things go; it's a nice smooth transition and he knows what we get.

Cindy Miller made a motion to purchase the vehicle through Whitmoyer Ford with Block Communications for the upfitting at a price of \$43,880. A resident questioned if there was any concern with the brands not matching. Chief Fogel commented there wouldn't be because the equipment would be for this specific vehicle. He just doesn't know anything about this particular brand. He does know other departments use them, so it shouldn't be that big of a deal. The only difference is that you can't take parts from this car to use in another, but you really shouldn't be needing to do

that because that would mean another car became inoperable.
David Hess seconded the motion. All voted aye. Motion carried.

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Alice Rehrig noted there is still one more vehicle that needs to be dealt with, which is the Taurus. She did speak with Leibenguth Auto Body and they would be able to do the repairs for the \$8,787 that the insurance company quoted as the cost of the repairs. If the Board chooses to have this car repaired, he may be able to save the Township some money depending upon part availability. He is hesitant to commit to a price because he will not know what is available until he goes to order it, but will do his best to reduce the cost. The other option that is available is to purchase a used vehicle through Municibid. There are two vehicles which are currently listed that have lower mileage than what we currently have. One is a 2014 Ford Taurus with around 86,000 miles on it and the other is a 2015 Ford Explorer with about the same mileage. The Ford Explorer is completely equipped. This could be an option rather than repairing the vehicle since both of these are newer with lower mileage.

Mike Jones questioned if there were any mechanical issue with the Taurus that was in the accident. Frank Zamadics commented they really haven't been having any issues with either of the Fords. Chief Fogel commented there is 123,600 miles on the vehicle.

Phil Gogel questioned if they are still having problem with the tie rod ends on the Taurus's. Frank Zamadics commented there haven't been issues with the Taurus. There were problems with the steering racks and the tie rod ends on the Chargers. Chief Fogel noted his Charger was just in for service and they flushed out the power steering and that took care of the problems, but there is still looseness in the front end. Frank Zamadics commented there was supposed to be a tie rod and alignment on the vehicle along with the flush, but the front ends on the Chargers tend to be loose. The bill from when it was serviced indicated there was a lot of corrosion that will eventually lead to electrical problems and there is an engine misfire which will lead to engine replacement. It is recommended that the car be replaced. Chief Fogel commented the vehicles are driven hard because they are a severe use vehicle which is why they shouldn't be kept for 10 years. Having a car still running with 150,000 miles on it is pretty amazing. Frank Zamadics commented part of the problem with the wiring on that vehicle is that the motor is up front and the battery is in the trunk. Any break in the wire will create corrosion and water getting into

the system. With the conversion of the vehicle from a marked car to an unmarked car, there was some splicing of the wires.

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Mike Jones questioned when the next vehicle was scheduled to be replaced in the Capital improvements Plan. Alice Rehrig commented there is another vehicle scheduled for replacement next year so that the Chief's vehicle would be taken out of service. Mike Jones questioned when the Taurus was scheduled to be replaced and where are the bids on the vehicles currently at. Alice Rehrig commented that was scheduled for 2024. The Taurus is around \$5,100 and the Explorer was at \$9,100. If the Township keeps the damaged vehicle and repairs it, we will receive \$5,194. If we give the vehicle back to the insurance company, then we will receive \$6,444.

David Hess commented his concern with the ones on the auction is that you don't know what condition they are in. Chief Fogel commented he emailed both departments who are selling the vehicles and they are both part of their replacement plan and fleet maintenance where they are getting rid of the cars and getting new ones in. Both are inspected and have no known issues and full service records. The benefit of getting one of these vehicles is that we can get it now. It's the Detective vehicle and he is currently driving around in a vehicle that he shouldn't be driving around in. He needs a vehicle and this would be a fit for that because his vehicle doesn't get the severity of use that the other patrol vehicles get. It is a short term solution where the Township would only need to put out funds beyond what the insurance company is giving us. Alice Rehrig commented if the Board is interested in these vehicles, she would need the Board to set a maximum bid and if the bidding goes beyond that, then we would fall back and just repair the vehicle. Chief Fogel commented the Explorer is actually already upfitted so it would be ready to go except for the radio. The other vehicle is not upfitted, but we have all the equipment for it. David Hess commented the Board could give Alice Rehrig an amount, and if neither of the vehicles can be purchased, then in two weeks the Board could make the decision about repairing the damaged vehicle. Kristen Soldridge why not do the ultimatum. If you can't get the used vehicles, repair the car. Why drag it out two weeks when the Chief says he needs another car. Patrick VanderPleog questioned why the Township couldn't try for both. You have one that is wrecked and one that is not safe to drive. It doesn't matter if one is not scheduled to be replaced until

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next year. If you can get both for a good price, why not get them instead of having him drive a ticking time bomb and another one that is wrecked. A resident questioned if the COVID money could be used towards a vehicle. Chief Fogel commented he found articles where other departments have purchased multiple vehicles with that.

Cindy Miller questioned what is in the budget for the vehicle. Alice Rehrig commented this vehicle was not included because the accident happened after the budget was completed. It would need to be from contingency.

Mike Jones questioned what amount Alice Rehrig was thinking she needed for the purchase of one of the vehicles. Alice Rehrig commented she was thinking since we would have to spend \$9,000 to repair the car and we would get an additional \$1,500 from the insurance company, \$10,500 to \$12,000 since the vehicles are newer with fewer miles. There is also a 9 percent buyers fee through Municibid.

Cindy Miller made a motion to bid up to \$15,000 on the vehicle. David Hess seconded the motion. Phil Gogel commented the \$15,000 may be a little high even for the SUV and you wouldn't want to spend that much on a car. Cindy Miller commented Alice Rehrig could use her discretion on the car. Chief Fogel commented he just checked Municibid and the deadline on the car was pushed back by 19 days so it would only be the SUV that was available. Cindy Miller commented the motion can stand and then the other vehicle can be discussed at the next meeting. All voted aye. Motion carried.

A resident questioned if there was any financial analysis done to see what the costs were for maintaining the vehicles over the years they were in service. Keeping the vehicles for 10 years and 150,000 may be costing a lot in repairs. Alice Rehrig commented the vehicle expenses are being tracked. Part of where things got out of order was all the incidents that took place with the vehicles. Originally the vehicle that the Chief is driving was planned on being replaced this year, but when a different vehicle had a blown motor and then another vehicle was totaled in an accident, it pushed the replacement of the Chief's vehicle back. All the events threw the replacement schedule off. Chief Fogel commented that is why he wanted to discuss fleet management overall; we need to figure something out. Cindy Miller commented we are supposed to have a maintenance plan and believes it is in effect and is supposed to be working in collaboration with our Capital Plan. She doesn't know if it is or not, but

it should be. Alice Rehrig commented the greatest problem was when multiple vehicles needed to be replaced before they were supposed to, mainly because of accidents.

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Paul Nikisher questioned how many officers are on duty. Chief Fogel commented tonight there are two night shift officers and one middle shift. Mr. Nikisher also questioned how many functioning vehicles we have in the fleet. Chief Fogel commented there are four; one is a F250 truck which is generally used for extra duties; two sedans, the K9 vehicle, plus the sedan that he currently uses. Mr. Nikisher questioned what is meant by the K9 vehicle. Chief Fogel commented that is the vehicle that is outfitted for the dog. This vehicle is used by the one officer because it has the dog cage in the back. Paul Nikisher questioned if the K9 is utilized every day. Chief Fogel commented the dog works every shift that his handler is scheduled for. Paul Nikisher questioned how many of the vehicles are taken home by the officers. Chief Fogel commented right now it is only the K9 vehicle. Normally he has a take home vehicle, but right now, that vehicle has been staying here. Paul Nikisher commented if a vehicle is going home with an officer, then that would be one vehicle in the fleet which is inaccessible. Chief Fogle commented that is true, but that is a typical situation for a K9 vehicle. Paul Nikisher questioned if it wouldn't be more feasible to have the K9 transported in the officers own vehicle and then keep the Township vehicle here so it is available. Chief Fogel commented that wouldn't work for a couple of reasons: The back seat is unusable because there is a K9 cage in the back so you can't transport prisoners in the back; also, K9 dogs tend to be amped up which makes transporting them in a personal vehicle difficult. It can be dangerous to have them sitting loose in a vehicle which is why almost all K9 handlers have take home vehicles. It is the safest way to transport the K9. Paul Nikisher questioned if it was feasible to have a K9 on duty in an area like Lehigh Township; we are not Detroit. Chief Fogel commented when there are bomb threats called into the school or when there is a shooting like they had in the Farmettes, you want to have a dog available if possible. The dog is there about 50 percent of the time when these calls come in. When they pull someone over for DUI and you smell drugs in the vehicle, it's good to have the dog to sniff around. You absolutely want the dog there for that. There have been nine different arrests this past year where the dog was utilized in them. This doesn't include other things that the dog would have been involved in. From his perspective, the dog is an absolute asset. Paul Nikisher questioned where the next closest K9 would

be that we have access to. Chief Fogel commented it would depend, Allentown, Northampton, and Bushkill have K9s. We have had K9s come to help us out just as we will go help another department out. If you call your K9 officer out because you need to do a drug sweep or there is a high risk warrant to be served and he has a car at home, he has everything he

needs right there, and he can go directly to the scene. Without the car, he would need to come to the station first and get everything outfitted before he could respond. It's the same principal with him having a car at home. When they had the shooting in the Farnettes, he was able to go directly to the scene. He does the same thing if there is a fatal accident. Often times he pulls cars over on his way into work. Since he has an unmarked car, they go flying past him on the Treichlers bridge. There are benefits to this that are for the Township and the residents. While we are not Detroit, the same types of incidents do happen here from time to time. Paul Nikisher commented his concern is that when a vehicle goes home with an officer, it is just sitting there when it could be utilized here. It would help us out with vehicles here.

Mike Meyers commented he lives along a busy road. He sees there were only 13 traffic violations issue this past month. If the Chief is pulling vehicles over on his way into work, all 13 violations must be from the Chief. Chief Fogel commented it would normally be higher than that, but as he explained earlier, he only had two vehicles and four officers on duty. Typically, there are between 50 and 100 citations issued.

E. Fire Company Report. There was no one present to represent the Fire Company.

1. 2022 Fire Officers. Mike Jones read the list of Fire Company Officers to acknowledge them for the Community. The Officers for 2022 are as follows:

Fire Company Officers

President	Roger Spadt
Vice President	Mike Tripaldi
Recording Secretary	Lee Boehning Jr.
Treasurer	Bryan Fritz
Membership Secretary	Tom O'Donnell
Trustees	Matthew Davidson Shane Peters Cody Henninger
Fund Raising Chairman	Monica Seko

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Fire Duty Officers

Fire Commissioner	Richard Hildebrand
Fire Chief	John Haggerty
1 st Asst. Chief	Scott Uhnak
2 nd Asst. Chief	Brian Krische
Captain	Shane Peters
Captain	Chuck Aicher
Lieutenant	Cody Henninger
Lieutenant	Joe Winkelbauer
Fire Police Captain	Barry Frey
Fire Police Lieutenant	Bob Wrenn
Fire Police Recorder	Steve Geyer

Firemans' Relief

President	Tom O'Donnell
Vice-President	Brian Krische
Secretary	Lee Boehning Jr
Treasurer	Bryan Fritz
Trustees	Rob Kemmerer
	Cody Henninger
	Sean Demczyszyn

V. OLD BUSINESS

- A. Cherryville Intersection. Jim Milot provided Alice Rehrig with an update. They provided the as built/remediation plans to the contractor last week and they are in agreement with the scope of work. He has unofficially submitted the plan to PennDOT for their review and comment hoping to get feedback sooner than 30 days. Once he gets concurrence from PennDOT, he will submit the plan through the required on line submission program which will start their 30 day review period. He didn't want to submit it to the system first because they typically do not offer comments until the 30th day, then he would need to resubmit the information into another review cycle.

Mike Meyers questioned if there were going to be turning lights in addition to the left turn lanes. Cindy Miller commented she believes there will be an arrow for

each of the lanes. Mike Meyers commented he was hoping it wouldn't be like Berlinsville where there is only a lane. It's nice that there is a lane, but it really doesn't help. Cindy Miller commented the Township was fighting to get lights for the turning lanes, but they were told that it wasn't warranted.

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- B. Maintenance Building. Cindy Miller reported she met with Senator Scavello on January 21. She was given a couple of ideas for grants and she is working with Alice Rehrig to apply for two of the grants. These grants do not require any match by the Township. One of the grants needs to be written into a law. Unfortunately, we missed the Senate time frame, but Senator Scavello contacted Representative Mako and requested he place it into the House Legislation. Hopefully Representative Mako will do this. Once there is legislative action, it goes to the Governor for approval.
- C. Proposed Ordinance 2022-1, Amending Chapters 103 and 111 (Noise). This is a revised draft of the ordinance from last meeting. Attorney Backenstoe had made some minor adjustments to the language to make it easier to read as well as adding some language to define "a legitimate purpose".

Mike Jones commented he is still questioning how the Police will know what the decision was of the Zoning Hearing Board. How will the Police know what is or isn't okay? Attorney Backenstoe commented he didn't think the language was really necessary, but he wanted to address the discussion that took place at the last meeting. Mike Jones commented he also thought the original language was fine. Attorney Backenstoe commented the answer would be if there is a noise that is really disturbing someone and it becomes a continued problem, the Police could talk to them and if the owner says they have a Zoning Hearing Board decision that allows them to do this, they would have to look at it and decide how they want to handle it. Mike Jones questioned if it couldn't work the same way without the language. Attorney Backenstoe commented it could, but everyone was so upset at the last meeting, and there wasn't a resolution. Cindy Miller commented she too thought the language was fine the way it originally was written. Mike Jones commented that language from the ordinance has been around forever.

Phil Gogel commented the language is still subjective to the Officer unless you have a calibrated decibel meter and defined decibels. Mike Jones noted they would also need to be trained. Phil Gogel commented it would be no different than the training they have to do for speed timing. Mike Jones commented he thought it would get costly to do this. Attorney Backenstoe commented the enforcement is where it became costly. He had a Township who cited someone using a decibel meter and it cost the Township thousands of dollars to defend that

because he needed to bring in an expert witness from out of the area to testify. Ordinances like this will always be subjective and the Police Officers have to use their discretion. If it becomes a problem, you can do more with it. It is a lot to get the sound meter, have it registered and certified, then train someone to be

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certified to use the meter. Phil Gogel commented you would then be better off not changing anything and letting it the way it was. Attorney Backenstoe commented the whole thing that Alice Rehrig was trying to do with this ordinance was, at one point, the Chief had commented that he didn't think he had as much authority to shut people down for noise because it wasn't a localized ordinance. Rather than having the noise under the zoning ordinance or a nuisance where you have to give them notice and nothing gets resolved. This gives the Police the ability to go out and enforce the ordinance with regard to noise. He believes this is helpful; the Chief likes it and it will give his officers the ability to go out and take care of the situation if someone is making a lot of noise. Mike Jones commented he understands that, but doesn't understand why it needed to be altered from last meeting. Cindy Miller commented it didn't need to be; it's the same thing we had before but we added verbiage. Phil Gogel commented he believes it was to clarify as far as General Commercial, Industrial, Agricultural, etc, the different zones in the Township so that you know there are going to be different sound levels. The ordinances should be regulating the noise based upon the density of the uses.

Mike Jones questioned if the Zoning Hearing Board set hours based on the zones. Katherine Mack commented when a business comes before them, they can set special conditions based upon the specific application before them. Phil Gogel commented that plays into what Attorney Backenstoe was trying to clarify with this ordinance. Attorney Backenstoe commented the Board was in quagmire at the last meeting because there were all kinds of situations brought up at the last meeting. He was just trying to address all if the concerns in one general sentence.

Mike Jones commented he wished the Chief was still here. He does not remember the Police ever citing a business for operating. Phil Gogel commented Mr. Lorah had stated that he was fined. Cindy Miller commented he was fined because he was running the tractor pulls after 11:00 p.m. and told numerous times to shut down. Cindy Miller commented he told them that after the meeting. Mike Jones commented nothing ever happened there during the day, before 11:00 p.m. Phil Gogel commented there are no restrictions on farm equipment. Cindy Miller commented they were not cited because they were running equipment at the farm. They were cited because of the tractor pulls going after 11:00 p.m. They were told numerous times to shut down the pull and they were eventually cited. That is what she was told after the meeting. She questioned them again

because she was in disbelief that our Police would cite a commercial business for noise. It didn't settle with her because she couldn't see our Police doing that so she questioned them after the meeting and that is what she was told.

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Janet Scheetz commented she thinks the problem came in because you could be cited if you were operating anything outside of your normal business duties. If you are licensed for certain things, anything above that, you could be cited. That is where the problem is coming in. Phil Gogel commented that is why Attorney Backenstoe added the additional language. Mike Jones commented either way, the Police do not know what is or isn't allowed. Phil Gogel commented he's sure we would inform them of the rules.

Katherine Mack commented there are times when businesses are given certain hours to operate. If someone is operating outside their hours, they would be cited if a business creates noise or disturbance, but this is usually done under Zoning. The Zoning Hearing Board does ask them for hours of operation. An example is there is an Airbnb that is permitted by special exception coming before the Zoning Hearing Board. They will probably be putting definite constrictions on them. The Zoning Hearing Board does have the right to put restrictions on an applicant. If the Zoning Hearing Board determined that there could not be any noise after 9:00 p.m. and the occupants were making noise past 9:00 p.m., they could be cited.

A resident questioned if a data base could be created so that the police are aware of what conditions are placed on a business so they know who can do what and do a quick search before they talk to people. It's good in some aspects, but it creates more of a red tape issue for a Police Officer and someone who may be challenging something when something is going on. Mike Jones commented that is why he thought if nothing is listed in the ordinance, and they would stop at someone's business, they could say they were allow to do what they were doing or provide the paperwork that shows they can do this. If an Officer had a question on something, they can always call the office and ask for the information. Alice Rehrig commented if a business is given hours of operation of 7:00 a.m. to 9:00 p.m. and a complaint was received that they are operating outside of their permitted hours, it is not something that the police would handle unless the business was creating a public nuisance. Complaints about a business operating outside their approved times would be handled by the Zoning Officer. The Police would only be handling complaints where nuisance is being created. Mike Jones commented that was his point. Why have the additional language when all they are doing is stopping the excessive noise.

A resident commented if a business is operating outside their normal hours and there is not a complaint, he wouldn't expect the Police to stop in a say, hey you are after your hours. Even if the police are not able to do something on the first time they are called because they have to come back to the office and find out what is permitted, it creates an awareness. Although it is subjective, the person

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who is making the complaint should get some satisfaction in knowing the Police are trying to get something done, so that it doesn't happen again. It starts something in motion.

Kristen Soldridge commented she can't speak for Susan Bucknum, but she believes the point she was trying to make was that there are a lot of people who have business run from their property. If you have a neighbor who doesn't like you for whatever the reason and you have a business that runs 24/7 because there are some people who bring their work trucks home, you could have your neighbor calling the police because they feel you are creating a nuisance if you have to start a truck in the middle of the night or early morning. For example, her husband brings his work truck home because he has to respond to emergencies. If they had a neighbor who didn't like them, they could be calling the police on him because he was starting his work truck at 1:30 in the morning. The ordinance does not separate businesses so that someone cannot just willy nilly call the police on them to file a complaint. If the ordinance list 7:00 a.m. to 11:00 p.m., then you can do what you need to do during that time. If you are running a business out of your home, you may be doing paperwork at 7:00 a.m. or 9:00 p.m. If you also work full time, you may even run past the 11:00 p.m. for your at home business. The additional language is being put out there so that someone cannot abuse the system. Mike Jones commented he understands that, but in the case of someone bringing their work truck home, the Township's ordinance won't protect them because the business is not in the Township. Kristen Soldridge commented there are people in the Township who would call just to create a problem for someone. From a business standpoint, it should be made clear that if a business is operating between 7:00 a.m. and 11:00 p.m., someone could not be specifically targeted. Janet Scheetz commented any resident has the right to call the police. When they call the non-emergency number, they have to dispatch the police. It's not up to the Township to say people cannot call the police. Phil Gogel commented this would help them when they go out and the owner provides them with the rules to show them what they are permitted to do and operate.

Rich Rehrig questioned if the language that was added would give the police the right to enforce zoning. Attorney Backenstoe commented the police, when called upon, would have the right under this ordinance, to go out and address a noise

problem. There was a certain contingency of people who were concerned if they ran a business, that should be recognized and there could be other parameters under which they could operate. He was trying to come up with language to satisfy that. The Board may or may not like the language; you can't appease everybody. Everyone has a slightly different interpretation, and you cannot

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create these laws to satisfy everyone. After the discussion at the last meeting, he tried to come up with language which would generally address everybody's concern.

Katherine Mack commented she believes the amount of calls that the Township receives regarding the businesses going over the noise level are minimal. The person who needs to enforce the Zoning Ordinance is the Zoning Officer. When she gets a complaint, she needs to go out and make sure the businesses are operating within the hours that they are allowed to operate in, regardless of whether they are a business permitted in a particular zone or a business that was given a variance to operate. She has been on the Zoning Hearing Board a long time and hasn't really heard anyone complain about a specific business. She has heard people complain about a specific neighbor and that does need to be addressed. She believes this ordinance now has some teeth in it so that people can be cited. The complaints she was hearing prior to this was people were not being cited.

Cindy Miller commented this ordinance came about because of the Airbnb and neighbors who are discourteous to their neighbors with loud music. That is what this is about. It had nothing to do with commercial operation of businesses. Attorney Backenstoe commented the language that he created does address an issue, but it does not mean that a business can suddenly create an echophony of sound that drives everyone crazy. Just because you are a lawfully operating business does not mean you can have a sound that is deafening to your neighbors. You could still be cited, even with the language that was added. The language was just to clarify that some businesses may be operating and have zoning relief that allows them to have something that may not ordinarily be allowed for that site.

David Hess questioned what the Zoning Officer's opinion was on the additional language that Attorney Backenstoe added to the ordinance. Liz Amato commented she believes the zoning decisions and what this ordinance states are two different items and should be kept separate. When you talk about a data base, there are hundreds of files going back to the 60's. It's not for a police officer to take a half hour or hour to find the information. The officer needs to decide whether or not they want to cite them for being a nuisance which is a

separate issue than violating zoning. If the Police cite someone or are called out on a specific issue, they will let her know and if it involves zoning, she will then go out and determine if they are in violation of any relief they may have gotten, she will enforce it from a zoning standpoint. This ordinance is dealing in

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neighbor issues. You can't make noise after 11:00 p.m. and if you are really disturbing your neighbor on a continual basis, it gives the police the clarification that they can cite someone.

Phil Gogel noted we are too large of a Township and have so many different zoning areas that you cannot have a blanket ordinance for noise because everyone has noise at different levels. Liz Amato commented each zoning district allows for different levels of noise and that is part of the land development process. Phil Gogel commented this additional language lets everything mesh. Liz Amato commented it is still two different issues. When you are talking about zoning relief, those are specific decisions for specific uses. There are also specific rules to different districts. Phil Gogel commented if a business was smart, they could have their paperwork readily available to show the police so that they didn't have to jump through the hoops of going to court. If they are able to show the police what they can or can't do, it shouldn't go any further. Liz Amato commented if there are continual issues on one property, the Police do send her a report and they try to figure something out to fix the issue. The problems are mostly neighbors, not businesses, or noise in general after 11:00 p.m. Phil Gogel commented people are human; they attack each other. That is just the way of the world. As legislators, they have to craft something, with the help of the Attorney, to do their jobs. He thinks this language is as good as its going to get right now.

Mike Meyers commented this is subjective and terms of relativity; its bogus, and you can't use a decimeter. The PA Code states a vehicle moving at less than 35 miles per hour, the maximum decibels permitted is 88. If they are moving over 35 miles per hour, the maximum is 92. If you are using a decimeter to check cars, he doesn't understand why you can't use it on noise. Attorney Backenstoe commented he is not saying you can't use them; you absolutely can use them. He was just explaining the problems he encountered in another municipality. Janet Scheetz commented besides having to buy them, you need to train the officers and get the machines certified every year. Mike Meyers commented he has come here every year for the past 10 years complaining about the noise of vehicles and the police don't do anything about it. He contacted Julie Harhart and she said it was in the code. The police just chose to not do anything. Perhaps they would choose to not do something here as well. What's the sense of getting the police involved? They choose when to enforce a law and not to enforce a law.

Phil Gogel commented a decibel meter costs between \$20 and \$75. He used to do calibrations and they will need to be done either semi-annually and annually. The calibration runs between \$300 and \$500 per unit. 70 decibels are considered

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to be safe; 85 can cause hearing damage over time; 95 is subway; 85 is heavy traffic and 105 is max volume on a sound system. Officers would need to be trained on the unit as well.

Mike Meyers commented he is bringing this up because of the straight pipes on the Harley. He brings this up every year and the police give him the same sad story. You are talking about a noise ordinance and enforcement by the police. They won't do it. Mike Jones commented if the Township were to purchase a decibel meter for traffic, how could they not use it for other noise complaints. Mike Meyer commented he is not referring to local businesses or ordinances. He is referring to the PA vehicle code. Attorney Backenstoe said you cannot use a decibel meter to enforce the ordinance. Attorney Backenstoe clarified that he did not say you cannot use a decibel meter or that it would be costly. He said it is difficult to enforce, but there are many Townships that have one. Mike Meyers commented without a decibel meter you are talking about terms of relativity and its useless.

Cindy Miller made a motion to authorize the advertisement of Ordinance 2022-1 without the section that was added in the parentheses which states "A legitimate purpose shall include but is not limited to the lawful operation of a business between the hours of 7:00 AM and 11:00 PM or otherwise in accordance with a decision of the Lehigh Township Zoning Hearing Board or the Lehigh Township Zoning Ordinance in general". Mike Jones seconded the motion. Cindy Miller and Mike Jones voted aye. Phil Gogel and David Hess were opposed. Motion did not carry.

Katherine Mack noted it was brought up a few meetings ago about a dysfunctional Board. We need a Board that makes a decision. Mike Jones commented everyone does have the right to their own opinion. Katherine Mack commented she understand that, but the audience is making decisions for the Board. They are making decisions about the truck, the car, police vehicles, and ordinances. Phil Gogel commented he was prepared for the ordinance which is why he agreed with the language the way Attorney Backenstoe wrote it and he stated his case why he was for it. Katherine Mack commented the Board needs to make a decision and move on.

VI. NEW BUSINESS

- A Manager's Report. The Comprehensive Plan hearing is scheduled for March 8 at 6:30 p.m.

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The Lorah Conditional Use will be held on Thursday, March 17, at 6:00 p.m.

Alice Rehrig did receive the NRA Range Guide, but has not had a change to go through it to develop guidelines.

A letter was received from Allen Township regarding a letter they had submitted to PennDOT regarding the truck traffic on Kreidersville Road and Walnut Drive. PennDOT is asking them to obtain support from Lehigh Township and Northampton Borough regarding the restriction of trucks on Walnut Drive in Allen Township. If they were to approve a restriction, they would start it from the Borough of Northampton and continue it to Lehigh Drive. Cindy Miller commented she understands Allen Township is trying to do, but her questions is where would the trucks go to with all the detours. Kristen Soldridge commented with all the roads and bridges being out, trucks can only go in certain places. You also have to take into consideration that they can only make certain turns. Alice Rehrig commented if they can't use Walnut Drive, they would need to go into Bath. She also noted there have been a lot of complaints coming into the office regarding the trucks on Walnut Drive. Cindy Miller made a motion that Lehigh Township support Allen Township with the request to PennDOT for a truck restriction study on Kreidersville Road. Mike Jones seconded the motion. Phil Gogel commented there are landscaping businesses in the area who will have problems because they would be getting deliveries of stone. Mike Jones wanted to clarify that this was only for Walnut Drive from Route 248 to the Allen Township line. Kristen Soldridge questioned what would happen if Bath were to push back on this. Everyone keeps detouring everyone into Bath and Bath is getting pretty run down. Do they have a right to complain? Bath is highly populated and there are a lot of kids there. Cindy Miller commented the way the laws are written, a truck is allowed on any road in Pennsylvania. That is what caused this. Now, all the Municipalities who want to prevent trucks from traveling a road because it will deteriorate the road, are mandated to do an engineering study to prohibit the trucks. Cindy Miller also noted that the State may not approve the study or the restriction. Right now, Allen Township is just asking for our support. All vote aye Motion carried.

Cindy Miller commented she was at the Outdoor Show on Saturday and obtained information regarding an inspection service that the NRA will provide for ranges. She believes they will come out and inspect personal ranges, but there may be a charge. Mike Jones questioned what would happen if there is a range permit issued for a property and 10 years down the road the property behind the range were sold for a housing development and now the range is shooting towards

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houses. Attorney Backenstoe commented that may not be something the Township can regulate; it may be a private nuisance action. How will that effect the ranges? Cindy Miller commented the NRA will fall back onto local ordinances. Attorney Backenstoe commented the Township needs to develop objective legitimate criteria for ranges in their ordinances. Cindy Miller commented the Township could also include in the ordinance that when the property is sold, it would need to be reinspected. Attorney Backenstoe commented you could require the permits to be renewed every so many years. A resident commented an annual inspection would be something to consider because you need to take erosion into consideration with the dirt berms that are being recommended for the ranges. If there is no stabilization or erosion control, the berm can get smaller and smaller and be out of spec. If the berm is adequate, it shouldn't matter what is built around a property. A resident also commented if someone has a range for five or ten years, they shouldn't have to be required to remove the range because someone moves in behind them

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

VIII PUBLIC COMMENT. Mark Kercmar, Lehigh Township, commented as the Rec Board considers the replacing and relocating of the shed in Berlinsville, they should also keep in mind about the idea of the Veteran's memorial so that they could be coordinated.

Mr. Kercmar also commented people are not stopping at the temporary stop signs for bridge on Maple Drive creating an unsafe condition. If you are driving east, it is difficult to see the stop sign because of the curve in the road. The warning signs have also been knocked over. Mike Jones commented the Township is not responsible for the signs but Alice Rehrig could contact PennDOT to make them aware of this.

Dennis Herschman questioned what the Township plans on doing with the COVID money. Mike Jones commented the Federal Government has been very vague as to what the money can be spent on and the Township was advised to wait until the final determinations were made because if the money is spent on something that was not permitted, the Township would be obligated to pay the money back.

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