

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

August 9, 2022

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their regular monthly meeting on Tuesday, August 9, 2022, at 7:00 p.m. The meeting was held at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport Pa. 18088. Vice Chairman Jerry Pritchard called the meeting to order with the Pledge of Allegiance and roll call.

Present: Cindy Miller  
David Hess  
Phil Gogel  
Jerry Pritchard  
Attorney David Backenstoe  
Alice Rehrig  
Mike Muffley  
Liz Amato  
Scott Fogel  
Frank Zamadics

Absent: Mike Jones

II. APPROVAL OF THE MINUTES

- A. Minutes of July 26, 2022. Cindy Miller made a motion to approve these minutes. David Hess seconded the motion. All voted aye. Motion carried.

III. APPROVAL OF BILLS.

- A. General Fund Checks 25997 to 26024. Cindy Miller made a motion to approve these bills. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- B. State Fund Checks 1561 and 1562. David Hess made a motion to approve these bills. Cindy Miller seconded the motion. All voted aye. Motion carried.

IV. PLANNING RELATED ITEMS

- A. Plan for Approval
1. Jason Brabec Preliminary/Final Reverse Minor Subdivision. David Lear and Brad Rock were present to represent this plan. This is a reverse subdivision where the owner is combining two lots into one which will leave two dwellings on one lot. The one home will be removed within a year as noted on the plan. The well and septic will remain for possible future use with the existing garage that will remain on the lot as an accessory structure. A waiver of SALDO Section 147.9.(7) regarding showing two feet contour lines. The development is a total of 12 acres.

The developer is proposing to not show the contour lines in the wooded area of the lot since there is no new development being proposed.

Phil Gogel made a motion to grant the waiver of SALDO Section 147.9.(7) as requested. Cindy Miller seconded the motion. Attorney Backenstoe questioned if zoning relief would be needed since there will be two dwelling so one lot. Liz Amato commented it wouldn't be needed since the owner is proposing to remove the dwelling within a year and it is also noted as such on the plan. All voted aye. Motion carried.

Phil Gogel made a motion to grant this plan conditional final plan approval subject to the applicant removing the second dwelling within a one year time frame as noted on the plan and the outstanding items in the Planning Commission's letter dated July 15, 2022. David Hess seconded the motion. All voted aye. Motion carried.

B. Extension of Time

1. William Jones, 1170 Municipal Road, Preliminary/Final Minor Subdivision. David Lear and Brad Rock were present to represent this plan. The developer provided the Board with an extension of time until January 30, 2023. David Lear commented they currently have a zoning application before the Zoning Hearing Board for the upcoming meeting. They need to wait until the zoning decision has been made before they can move forward and return to the Planning Commission. They need relief to allow the existing business to continue on a flag lot. The business is a permitted preexisting business on the same lot as the existing home; however, the subdivision will place the business on a flag lot which is not permitted by zoning.

Cindy Miller made a motion to accept the extension of time until January 30, 2023. David Hess seconded the motion. All voted aye. Motion carried.

C. Appointment to Planning Commission for Term Expiring December 31, 2022.

This matter was tabled at the July 26, 2022, meeting. Cindy Miller made a motion to appoint Bill Jones to the Planning Commission to fill the unexpired term expiring December 31, 2022. Jerry Pritchard seconded the motion. Jerry Pritchard and Cindy Miller voted aye. David Hess and Phil Gogel were opposed. Motion failed to carry.

Phil Gogel made a motion to appoint Charlie Perich to the Planning Commission to fill the unexpired term ending December 31, 2022. David Hess seconded the

motion. David Hess and Phil Gogel voted aye. Jerry Pritchard and Cindy Miller were opposed. Motion failed to carry.

This matter will be placed on the August 23, 2022, agenda.

- D. Engineer's Report. Mike Muffley reported there were no new submissions for the August meeting. The Planning Commission reviewed and granted conditional approval for the Gladys Werner Estate Minor Subdivision. This is a farm located off Route 248 near Granger Road and Walnut Drive. They are subdividing a lot from the larger farm tract. Mike Muffley commented there were only minor corrections that needed to be made to the plan. The surveyor is proposing to offer dedication of right of way along Granger Road and will need direction from the Board as to whether they would be willing to accept the right of way. Typically, right of way is not offered in a minor subdivision, but the Board may accept it if they wish. In this particular case, the boundary conflicts with the legal 16 ½ feet right of way and as a result, the owner is willing to dedicate the right of way to clean up the conflicts. Some of the property ends up within the legal right of way based upon the deed description and plotting. It doesn't affect the area that the Township has for right of way, but it cleans it up for mapping purposes. Phil Gogel commented he thinks it is a good idea to accept the right of way for when the Public Works Department needs to work within the shoulder area. Mike Muffley commented if the Board wants to accept the right of way, he will have them move forward with preparing the deed. With the right of way being taken care of, this plan will be ready for conditional approval by the Board of Supervisors. It was agreed that this plan would be placed on the August 23, 2022, agenda for approval.

V. DEPARTMENTAL/ORGANIZATIONAL REPORTS

- A. Recreation Report. Jerry Pritchard commented the baseball season is starting to wind down. There are only a few games left at Bryfogle Park.
1. Softball Game Update. Patrick VangerPloeg reported the game is still scheduled to take place on October 1. Right now, he has five teams that have committed to play, six if the Township can put a team together. The cost of T-shirts will be covered by donors. He spoke with the Rec Board and they have agreed on a printer who will do the shirts for \$6.50 per shirt. The next closest price was \$10.00 per shirt. The Fire Company will be having two teams, the Vaughan family, the Berlinsville Hotel, and Amey's Garage will also be entering teams.

Jerry Pritchard questioned if all the teams are aware that the game is for fun. Patrick VanderPloeg commented it will be slow pitch softball, single elimination. They are not playing for anything. Just a community day at

the ballfield. LTAA has granted use of their fields for the weekend in the event there is an issue with weather. LTAA will be running their food stand during the game. The balls were donated and two umpire have agreed to donate their time.

Cindy Miller questioned if this is considered to be a Lehigh Township community event. Patrick VanderPloeg commented it is. As far as he knows, everyone participating is from the Township, unless one of the employees of the businesses are from outside the Township, but the businesses are from the Township. He has some additional ideas for next year for events that would be community engagement and not cost the Township anything. He would like to see more recreation planned.

Jerry Pritchard commented he thinks the event is a great idea, but questioned if there would be any liability to the Township if something is posted on social media, such as Facebook, without the Board being aware of it. Attorney Backenstoe commented there would not be a liability, but it would not be a bad practice for the Board to be made aware that something is being created on behalf of the Township. Patrick VanderPloeg questioned if it would be acceptable for him to print flyers, possibly take out an add in the Town and Country to invite people to attend the event. There was no objection by the Board.

Marc Kacsmar commented if the Recreation Board is looking to create more of these events, they may want to create an actual page. Also, when printing the flyers, they may want to add “sponsored by Lehigh Township Rec Board” in the event people don’t realize that the Township has a Rec Board.

- B. Public Works Report. In addition to his monthly report, Frank Zamadics reported he has not yet received a finish date on the truck. It is currently in the staging area. There is one more vehicle they need to work on before the truck.

Frank Zamadics reported he was notified that the repairs to the John Deere tractor were completed; however, when they went to pick up the tractor, it wouldn’t go into gear so the tractor remained at John Deere. Jerry Pritchard questioned if they will be standing good for the work they did with no additional cost to the Township. Frank Zamadics commented the same parts that were worn are the ones that were damaged again during the repair. It should be on them to bear the cost.

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Frank Zamadics noted the changes to the road closure at Route 248 and Municipal Road are now starting to cause damages to Evergreen and Creek Roads. The Board may want to consider going after PennDOT for some of the repairs to the roads. Within 24 hours of the change of the detour, the shoulders of Evergreen went to mud and the vehicles are dragging it to Maple Drive and Route 248. Even though the detour is supposed to be on Route 946 and Blue Mountain Drive, cars and trucks are not following the detour.

Phil Gogel questioned if people could be cited. Chief Fogel commented the department has been out there citing and will have an Aggressive Driving detail on Wednesday morning. He and Alice Rehrig have been reaching out to different areas of PennDOT regarding the situation. They are supposedly getting together this week to try to improve signage and make things better. The best thing to do would be to shut down the traffic at Blue Mountain Drive and Route 946 and put the signs part way into the lane of travel. That is the only way you will get people to make the turn. PennDOT has four signs posted before the intersection; he's not sure what additional signage they can do. PennDOT is concerned with putting the signs partially in the lane of travel because of people going around the signs and potentially causing a head on accident. He was sitting in Berlinsville and a tractor trailer went through the intersection, then realized the road was closed and had nowhere to go. He then went to Municipal and made a left, and then got stuck at the intersection with Cedar Drive and ended up with a ticket. The other issue that exists is people are going down to Municipal and making a U-turn in the middle of Route 248 or cutting through the car dealership. In addition to the road closure, PennDOT also has an oil and chip project scheduled for Elm, Walnut, and Maple Drives and a pipe project scheduled for Blue Mountain Drive all at the same time as this detour.

Cindy Miller commented the problem is PennDOT works in silos and one department does not know what the other department is doing. She did notice that Municipal Road will need to be redone and if it continues with Creek and Evergreen Roads, we probably will need to go after PennDOT. They need to start communicating with the local governments and figure out what needs to be done in the local communities. Alice Rehrig commented she did suggest to PennDOT that they slide the barricades over for Creek and Evergreen to deter the trucks and traffic, but because the trucks are not following the detour, they were concerned that it would cause accidents because the trucks won't be able to make any turns. Cindy Miller commented she also understands that there was an accident where someone hit the rocks on Municipal Road.

Rick Hildebrand commented he went for a ride today to see how traffic was flowing and saw there were a lot of vehicles on Evergreen and Creek. He also

saw an unmarked pickup truck sitting in the middle of the road by Municipal Road. It was PennDOT blocking Municipal because people were moving the cones and barricades to get through. They run into the same situation with Fire Police. There is no respect from the drivers as to any type of efforts to keep them off a road.

Cindy Miller questioned if there was any action needed by the Board regarding the repairs to the roads. Frank Zamadics suggested keeping track of the expenses and then try to get something out of PennDOT. He did go through the pipe on Municipal and the pipe is not damaged. It is everything around it that has settled down.

- C. Zoning Report. Liz Amato reported there were 37 new permit applications that came in during July. There were three zoning hearings scheduled in July; two special exceptions for accessory apartments and one for a business on a flag lot. One of the special exceptions and the flag lot were continued to August. In addition to the continued hearings, there were two additional applications. One for additional parking on a separate lot for a business along East Valley Drive and one for a rear yard setback relief for a new home on Cottonwood Road. There were also 10 to 12 new complaints that were received. She is also still dealing with citing and reciting old complaints trying to get them closed out.

At the Ad Hoc committee meeting, they have moved to the “Cs” in the definitions. The minutes from the meeting are posted on the website if anyone wants to see what has been taking place at the meetings. If there are any issues that the Board has as they review the minutes, they can bring them up to the committee as they go along to address the issues before they get too far along in the process.

Liz Amato commented the complaints regarding the rocks on Municipal Road are continuing. Hopefully, with the roadway being closed, it will resolve the issues.

Liz Amato went to the Vandling property with DEP. As far as the DEP violations, there is progress being made. Tires have been removed off the property and the burning of the trash is getting better. Hopefully the progress will continue. David Hess commented he also was at site with DEP and walked to the edge of the quarry. There were no tracks or evidence that there was an attempt to dump anything into the quarry. There was also a man named John who was at the site on behalf of Mr. Vandling and it seems as though he is trying to Mr. Vandling out in resolving the issues at the site. Liz Amato did a good job of explaining everything that needed to be done to rectify the issues on the property. David Hess had also been at the property with Barry Haydt a few weeks ago when the

explosion took place and there were more tires on the property at that time. He definitely has made an attempt to clean up. Liz Amato commented the pile at the bottom remains about the same, but most of the tires that were stacked at the top of the property have been removed. There is progress, but there still is a lot of work to be done.

- D. Police Report. Chief Fogel commented the Department will be watching Route 248 in the area of the detour trying to deter traffic from going through the area where the roads are closed. They have been issuing both citations and warnings depending upon the circumstances.

National Night Out went very well. It was a good night and everyone had fun. The Public Works Crew did a great job getting the park ready and everything set up for them. The National Anthem was sung by a fifth grade student, Courtney Edwards. The American Legion Post 899 presented the colors to start the night. By the end of the night, they had run out of food. There was a lot of things for people to see and do. They had information about public safety and awareness, civic groups, businesses, politicians, and presentations. He is estimating there were 1,000 to 1,200 people who attended the event.

The next event will be a movie in the park night, probably the end of September. They will be using some of the money from National Night Out to put back into a community event. The movie that is being considered is Minions, the second movie.

August was a busy month as far as arrests, but the overall UCR activity (uniform crime reporting) has been trending down over the past five years.

Cindy Miller questioned if the Department is working with Walnutport to try to find the guys that are stealing the catalytic convertors. Chief Fogel commented the Department is aware and are involved to an extent, along with the State Police. This is a reoccurring issue; there is more than one group going around doing this.

1. West Walker Road Speed Limit. The section of West Walker Road in Lehigh Township is not posted, making it 55 miles per hour. The Moore Township portion is posted at 30 miles per hour. The roadway is not very wide; it is about 21 feet wide and about a half mile long. Our section of the roadway has homes lined both sides of the road. There is an uphill that crests where you can't see over the top to see traffic coming towards you regardless of which way you are traveling. FedEx, UPS, and the post service, and regular traffic all travel on the road from time to time,

occasionally at the same time. Chief Fogel does not feel 55 miles per hour is a reasonable speed. He will be doing running speeds and timing to see what the speeds are, but he believes that reducing it to 30 miles per hour, like it is in Moore Township, would be reasonable and consistent throughout. He will provide the information to the Board so they can make a decision on the speed limit. Phil Gogel commented he can see a reduction is needed, but doesn't want to go down to 25 miles per hour.

VI. OLD BUSINESS

- A. Cherryville Intersection. There were no updates on the project other than Jim Milot is still working on coordinating everything with the contractor to finish the project.

Jerry Pritchard commented the former Bodish property is looking a little shabby; the weeds at the corner are getting pretty high. Liz Amato commented she sent Adam Jaindl an email after the last meeting this was discussed and they were out immediately and cut the lot. She is assuming that they may not be cutting the weeds at the intersection because it is right of way. She can email Adam Jaindl again and ask why that area wasn't cut. Phil Gogel commented other residents are expected to mow the grass to the intersection. Cindy Miller commented the Township deeded the right of way over to PennDOT. Attorney Backenstoe commented if it was deeded to PennDOT it would be their responsibility.

- B. Maintenance Building.

1. Resolution 2022-18, Authorizing Manager to apply for RACP funding and committing Building Funds towards new Public Works Building. The RACP grant application is being prepared for submission to the State. As part of the submission, Alice Rehrig would like to include this resolution which would authorize her to apply for the funding and also commit the building funds to the project as part of the match. Cindy Miller questioned the Building Fund balance that was listed in the resolution. It lists \$46,000 at Neffs Bank and she knows the fund has a lot more in it. Alice Rehrig commented she listed the balance at Neffs Bank and PLGIT separately in the resolution. The balance in PLGIT is \$1,046,000.

Cindy Miller made a motion to adopt Resolution 2022-18. David Hess seconded the motion. Jerry Pritchard questioned if the grant funding is received, will it go to the Maintenance Building. Alice Rehrig commented the Bill that was adopted, which allows us to submit for the grant funding, was specifically written that the project is a maintenance building. Jerry Pritchard questioned if the funding is received, will we be in a position to reassemble the Building Committee and get the project back out to bid.

Cindy Miller commented she would think we would be. Alice Rehrig commented she is not certain when the awards for the grant will be made. In looking back through the older files, it seems like it may take six months until something is heard. Cindy Miller commented she heard that orders for steel are out nine months. Adam Raker commented he would get the project back out to bid as soon as the Township is aware that they were awarded the funding. Cindy Miller questioned if there was an escalation or de-escalation clause in the bid specs. Adam Raker commented regardless of whether you asked for it or not, it will depend upon where the commodity market is. Someone will not sign a contract that will cut their throat. Hopefully by the time it is bid, things will have calmed down a bit. Phil Gogel commented he knows that there is additional money available because of the loan, but it was not intended to all be used on the project. The target of the project is still going to be \$4 million; he doesn't want anyone to think that because of the additional grant funding, we can spend more on the building. That is not the way it was designed when the loan was taken out. Alice Rehrig commented the loan is \$2 million, but because of the way the grant program is structured, we need to have enough money to pay for the project up front and then get reimbursed from the State at specific increments. It wouldn't be wise to try to add the entire \$2 million into the project because then we wouldn't have any funding to work with during construction and while we are waiting for reimbursement. All voted aye. Motion carried.

C. Ordinance for Adoption

1 Ordinance 2022-2, Amending Chapter 180 pertaining to Roof Mounted Accessory Solar Energy Systems. This ordinance was previously discussed by the Board. It will increase the permitted kilowatts on roof mounted accessory solar systems from 18 kilowatts to 30 kilowatts. Favorable comments have been received from the Lehigh Valley Planning Commission and the Lehigh Township Planning Commission. The ordinance has been advertised and is ready for adoption by the Board if they choose. Cindy Miller made a motion to adopt Ordinance 2022-2. David Hess seconded the motion. All voted aye. Motion carried.

D Awarding of Bids for culvert installation on Cinchona Road. As reported last meeting, the bids exceeded the budget by \$62,000. Since then, Mike Muffley has reviewed what will be needed in terms of engineering on the project and other ways of reducing costs and Wildlands has requested additional funding from DCNR, but at this time we don't know what, if any, additional funds they are willing to commit. One way of reducing the costs would be to install a single lane culvert rather than a two lane culvert. If a two lane culvert is installed, the

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contractor is willing to do a change order to reduce the bid by \$1,200 by leaving the excess top soil on site for the Township, install used guiderail and removing the paving from the contract and have the Township road crew do the paving. By doing these items, it would reduce the project shortfall amount to \$39,400, but we would still have an expense for our maintenance department to do the paving. If the single lane culvert is installed, it would reduce the cost of the culvert by \$15,000 and the contractor would reduce the amount of time needed for the installation of the culvert by \$4,200, plus the other mentioned deductions leaving a budget shortfall of \$20,000. The Board would need to decide which culvert they want installed.

Phil Gogel commented there were funding sources provided to the Board at the last meeting. Alice Rehrig commented there were funds available from excess money carried forward into 2022 as well as the Road Maintenance Fund. Phil Gogel commented he would prefer to do it the right way since there is funding available from the Road Maintenance Fund. Jerry Pritchard questioned if a one lane culvert would work. Mike Muffley commented a one lane culvert would be sufficient for the amount of traffic that is on that road. If the funding is available to do two lanes, it would be his recommendation to do the two lanes because then you don't have to worry about emergency vehicles, traffic problems, someone violating posted signs, or having a conflict on a one lane bridge.

Cindy Miller questioned if emergency vehicles can access Cinchona from Indiantrail Road and Walnut Drive. Mike Muffley commented there still are alternate routes to get to the other side of the park. Cindy Miller commented it was stated at a previous meeting that the fire vehicles could not access the park from Indiantrail Road, but she thought they came in that way for National Night Out. Rick Hildebrand commented he is not sure how they came into the park, but making the turn from Indiantrail Road to Cinchona is not easy. Cindy Miller questioned if they would take the smaller pumper vehicle to the scene or the larger vehicles. Rick Hildebrand commented they would take several to get the job done. If there is a restricted area, they would lead off with the smaller truck. He can see the benefit of having a two lane road since we have been trying to improve the roads.

Linda Roman commented Cinchona Road is used, but you don't need a two lane bridge. Cinchona Road by itself is not two lanes. With the traffic coming down Teak Road and traffic coming from both sides, it is not safe.

Phil Gogel questioned the width of a single lane culvert. Mike Muffley commented the culvert would be 18 feet wide with guiderails leaving a travel lane of 15 feet. Linda Roman commented if a 20 foot DOT approved pipe were put in

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place, it wouldn't cost as much as a culvert. Mike Muffley commented a wider opening than a pipe is needed in the area. The hydraulic analysis requires a larger volume than a pipe.

Phil Gogel commented he would rather do it the right way than only do it good enough just to save \$19,000 when we have the funding available. Cindy Miller commented just because money is available doesn't mean it needs to be spent. Phil Gogel commented if it is done the right way, there is no issues with the fire trucks accessing the area and people can get in and out. We can start upgrading instead of having 20 foot roads that are two lanes where two trucks can barely pass. Let's start improving rather than going backwards; we have the funding available. Cindy Miller commented she was looking at how many people are really utilizing this section of the roadway; how many vehicles per day use it. If it is a matter of safety, then yes, a two lane culvert should be installed. Chief Fogel commented his concern would be what happens during a heavy snowfall. Coming down Teak and making the turn onto Cinchona is difficult. He would have to defer to the Fire Company if a one lane bridge would be sufficient for a firetruck if there is a heavy snowfall. Rick Hildebrand commented he would be in a neutral position on the bridge. He doesn't know if they would have a need to get two trucks across at one time. Since there are no hydrants in the area, they would have to pump water in regardless.

Phil Gogel also noted that this is an older area and people are buying up more than one lot as the neighbors sell. There will eventually be larger houses up there and it will start growing in time. Big trucks will be needed up there. The Fire Company will be bringing in as many pieces of equipment as necessary to get a fire out and preserve as much of a structure as they can.

Marc Kacsmar commented his concern with a single lane culvert would be if the width of it would be enough in an emergency situation when a fire truck or ambulance may need to get through or in the event there wouldn't be another access to the area because of where the emergency occurred.

Phil Gogel commented he looks at the \$19,000 difference between a one lane bridge and a two lane bridge as adding value. You are getting a lot more material out of a \$223,000 bridge. He can see the value in having a 10 percent additional cost on a project that will give you a wider, safer, and better access for emergency services.

David Hess commented he agrees with the Chief's concern with having enough room on a single wide culvert when there is a snow storm. He doesn't like the idea

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of spending the extra \$19,000, but does believe it is a good investment. Paul Nikisher commented the money will soon be forgotten, but the safety will continue.

David Hess made a motion to award the bids for the culvert replacement to Grace Industries at a bid price of 152,330.90 with the proposed change order deductions as outlined for the soil stockpile, used guiderail and elimination of the paving and funding coming from the Road Maintenance Fund as needed. Phil Gogel seconded the motion. All voted aye. Motion carried.

- E. Real Estate Opportunities. Cindy Miller commented she wanted to close the loop on this matter. Since she didn't gain any interest from any other Board members, she didn't schedule a showing of the property and this matter can be considered to be a dead issue at this point. Phil Gogel commented he thinks it was a good idea, but we are not in the financial status to be purchasing real estate at this moment. He understands they would be willing to work with us and sometimes you don't get opportunities like that.

Rick Hildebrand commented he remembers when the Maintenance Building was going to cost \$1 million and here we are at \$4 million. What you can get in on at a certain point in time may seem high or out of your reach, but when you want to obtain something or go in a direction, you have to have the forward looking vision because it never goes down. Phil Gogel commented we need the Maintenance Building; this is a wish and how much burden do you place on the tax payer. He personally doesn't ever want to raise taxes. He wants to grow organically to produce revenue for the Township. He doesn't think we should be raising taxes to keep up with expenditures. Right now, is an odd time with finances, but believes we can ride the wave without jeopardizing our residents and having to raise their taxes to fund something that down the road we may end up selling anyway because we do have a lot of property in the Township.

Jerry Pritchard commented he doesn't believe government should own a lot of land. Right now, land is at a peak. He doesn't believe in buying at high times. Things will bottom out and not continue like this. He knows it is in a great location, but at the same time we would be buying at peak with no money. He doesn't know how we would pull it off.

David Hess commented he thinks it was a good idea for Cindy Miller to be looking towards the future. Right now may not have been the best time. Cindy Miller commented her thought was that land opportunities only come every so

often. The only reason she was looking at this was being the land was located so close to the municipal complex. She wasn't looking to get the Township into debt. She was looking towards the future.

VII. NEW BUSINESS.

- A. Manager's Report. Alice Rehrig reported the County currently has an emergency services grant open. It is a matching grant of \$1 contribution for every \$2 of grant award up to \$20,000. She was looking to submit for the replacement of one of the patrol vehicles with high mileage. The Board agreed Alice Rehrig should apply for the funding for the police vehicle.

The Northampton County and Monroe County Gaming grants are both open through September 30. Alice Rehrig was proposing to submit for a fuel island through Northampton County and funding towards a fire truck through Monroe County. The Board agreed that she should pursue the funding for these projects.

- B. Solicitor's Report. Attorney Backenstoe had a matter he needed to discuss with the Board in Executive Session.

The Northwoods Project is moving along. It is currently in the process of being sold and Mike Muffley has been working on making sure they have the appropriate improvements agreements and determining if it will be in multiple phases. There is one aspect of this project that is different from other projects and that is the involvement of the Municipal Authority. They will have their own improvements that will need to be secured. The Authority and their Solicitor requested and felt that it would be best if their improvements be incorporated into our agreements. This can be done without a problem. There will need to be separate letters of credit for the Township and the Municipal Authority as well as separate line items for the cost of the improvements.

- VIII. PUBLIC COMMENT. Marc Kacsmar commented the culvert was part of a previous meeting where the Police and Fire were not represented. Perhaps going forward, discussions of that nature could take place at a meeting where they are both present. Phil Gogel commented that is a valid point, but sometimes it doesn't work out because of how things come up.

Paul Nikisher commented National Night Out was a great event. Mrs. Pritchard commented she talked to someone who went to three events that night and said ours was the largest.

- IX     EXECUTIVE SESSION. The Board went into Executive Session to discuss a matter of pending litigation and personnel matters. Upon returning from the Executive Session, Attorney Backenstoe stated the Board discussed the Karafam appeal which is a home that is being used as a lodging facility for seniors to do art projects and do some wine tasting. It is located in General Commercial and a permitted use there is a hotel-motel. This particular property received a variance to have a residential use. Technically, what they were doing was not in compliance with zoning. The issue came to the Zoning Officer's attention, she cited them and they came to the Zoning Hearing Board. The Zoning Hearing Board found in favor of the Township and told them they needed to cease and desist. They filed an appeal and came to the Board and asked if there was a way to limit their use and place restrictions on it since they were not impacting the public negatively. The Board considered the matter and decided to undertake a stipulated agreement with them regarding the proposed used. The Board is basically agreeing to give them a favorable interpretation of Section 180-20.B.7 and they would be considered a similar lodging facility to a hotel which is a permitted use in the GC district. There are conditions that will be placed. It limits the number of people, rooms, no disorderly conduct or unusual or excessive noise, no fighting, and they cannot erect any other structures that would be associated with the business. Once the current owner sells the property to anyone other than her son, Scott and Jessica Kara, the use granting with this agreement would stop and revert back to a single family approval. If the Board were to approve the agreement, it would then go to the Zoning Hearing Board for their approval and the appeal would be done. Phil Gogel made a motion to approve the stipulated agreement that was reviewed with the Board in Executive Session. Cindy Miller seconded the motion. All voted aye. Motion carried.

No action was taken with regards to the personnel matter.

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