

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Minutes of the August 10, 2021, Meeting.

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their regular monthly meeting on Tuesday, August 10, 2021, at 7:00 p.m. The meeting was held at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport, Pa. 18088. Chairman Cindy Miller called the meeting to order with the Pledge of Allegiance and roll call.

Present: Phil Gogel
Cindy Miller
Mike Jones
Keith Hantz
David Backenstoe
Mike Muffley
Alice Rehrig
Frank Zamadics
Liz Amato
Scott Fogel

Absent: Mike McGonigle

II. APPROVAL OF THE MINUTES

- A. Minutes of July 27, 2021. Mike Jones made a motion to approve these minutes. Phil Gogel seconded the motion. All voted aye. Motion carried.

III. APPROVAL OF BILLS

- A. General Fund Checks 25040 to 25093. Keith Hantz made a motion to approve these bills. Mike Jones seconded the motion. All voted aye. Motion carried.
- B. State Fund Checks 1533 to 1536. Phil Gogel made a motion to approve these bills. Keith Hantz seconded the motion. All voted aye. Motion carried.

IV. PLANNING RELATED ITEMS

- A. Engineer's Report. Mike Muffley updated the Board on the projects that were before the Planning Commission at their August 9, 2021, meeting:

Extension of time for the Pitts Major Subdivision. They are requesting an extension of time until December 31, 2021.

3421 Teel Road Zoning Issue. The Planning Commission reviewed a special exception application that is being heard before the Zoning Hearing Board.

Dewalt/Olewine Lot Line Adjustment. This plan received conditional approval.

Diehl Paving Land Development. The plan was tabled because there is additional information needed on the plan.

Charles and Mary Scheckler Minor Subdivision. The plan received conditional approval.

Phil Gogel questioned if there was an update on the sidewalk/curb height at the Cherryville Intersection. Alice Rehrig commented Jim Milot indicated the sidewalks and curb were based on ADA requirements and site drainage. The as built plan has not yet been submitted. Phil Gogel commented his area of concern was the grass section between the curb and sidewalks. The slope of the grass is steep from a maintenance perspective. It seems like either the side walk should have been brought up higher to soften the slope or the grass area should have been flattened, but then the curbing would seem high. Mike Muffley will discuss this with Jim Milot.

IV. DEPARTMENTAL REPORTS

- A. Recreation Report. Sandy Hopkins wanted to thank David Hess for the concrete and stone work that was done at the Dog Park. In addition, Valarie Shoemaker has painted rocks with dogs' names and dedications that were submitted by the owners. The dedication of the Dog Park will take place on August 28 at 10:00 a.m. The Community is welcome to attend. There will be a trainer there to offer instruction on how to introduce your dog to others in a dog park and to demonstrate how to use the equipment that was donated.

The Berlinsville dugouts were painted by Jerry Pritchard, Vinnie and Nicole Eiden.

Sandy Hopkins will be speaking with the Lions Club regarding them helping with the Christmas Tree Lighting.

1. Capital Improvements Plan. The Recreation Board has not had the opportunity to work on the Capital Improvements Plan with Alice Rehrig. They will be discussing and updating it at their meeting next week.
- B. Public Works Report. Frank Zamadics provided the Board with an update regarding the plow and hitch issues with the snow plow. He has not made any purchases regarding the replacement of the equipment. The insurance company gave a value of \$3,100 for the plow and hitch because of depreciation, less the \$1,000 deductible. The cost of replacing the hitch and plow is close to \$26,000. Phil Gogel questioned why the insurance company wouldn't reimburse the Township for the entire cost of the plow. Alice Rehrig commented they were

looking at it as it being able to be repaired and then they depreciate the value of all the equipment. The policy is not set up to replace equipment at current day values. He is looking to get additional costs for repairing the plow. They may be able to do the repairs in house and get a new A frame and moldboard, then transfer everything from the old plow to a new plow. Parts availability may be a problem; he is waiting for the return calls on the inquiries he made. Jerry Pritchard commented the insurance company should be pushed to see if they will increase the amount they are paying. Alice Rehrig will contact the insurance company to get additional information as to how they arrived at their numbers.

Frank Zamadics also reported this truck was at the garage for inspection and it was reported that there was a leaking fuel system and leaking steering box. The local garage referred them to Transedge Mack and the estimate to replace the fuel pump, fuel lines, and steering box is \$8,100. The road salt and plowing takes a toll on the vehicles. The vehicle has been in service for 12 years. It is not scheduled for replacement until 2030 or 2031.

The chip seal project should be starting on Tuesday and Wednesday next week. The roads are Beech Road, Walnut Drive, and the shoulders of West Mountain View Drive. The in house paving projects are expected to take place the first week in September. These roads are Hillview Drive and Barbara Lane.

1. Capital Improvement Plan. The grader is scheduled for replacement. It was expected to be replaced with a skid loader with various attachments. He will be reviewing the equipment and reporting back to the Board. Cindy Miller commented she would like to see three quotes when equipment is being purchased. We should be looking at competitive bids, regardless of whether something is available through Co-Stars. Frank Zamadics commented the Co-Stars pricing tends to be less than the bidding process because the vendors do not need to obtain separate bonding when they quote through Co-stars.

Frank Zamadics noted the auto scanner should be replaced. The current scanner is eight years old and is not reading the new police cars. They did not get the higher priced Snap-on Unit that updates because they do not use it every day. It is a matter of convenience for when the police cars throw a code. They can check the code right away to try to get the vehicle back on the roads rather than having to schedule it with a garage.

- C. Zoning Report. Liz Amato commented there are two cases before the Zoning Hearing Board on Thursday. The Bittner case on Teel Road was before the

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Planning Commission last evening for an advisory letter. The Zoning Hearing is intended to be scheduled for September, although Mr. Bittner's attorney indicated there may be a conflict and the hearing may need to be postponed to October.

Liz Amato was in contact with Turkey Hill Corporate to get the grass cut. They got half the grass cut when they got into garbage and damaged their equipment. They were supposed to finish it the end of last week, but it has not yet been cut. She will be getting back in touch with them. She also heard from Brian Gasda who said they are looking to start site work on September 1. Cindy Miller questioned if their plan was recorded. Liz Amato commented the plan is not recorded. They were instructed to contact David Backenstoe for the necessary agreements to begin the site work. Attorney Backenstoe commented an indemnification agreement and escrow account would be needed.

The School District has passed all their life safety inspections for the new school. She has issued them a temporary CO for the faculty and staff to start moving into the building. The School plans on having all of their building code inspections completed and passed by the end of the week. If that happens, they will get a revised temporary CO that will allow public and students to occupy the building.

Cindy Miller questioned if there was anything specific that Liz Amato would need for the budget. Liz Amato commented she doesn't need anything in particular; however, she does need to complete some training in order to maintain her certifications. Cindy Miller commented she knows Planning will be looking to have funds allocated to redo the ordinances. Cindy Miller noted there seems to be a lot of zoning hearings coming in and was wondering if the expenses were being covered. Liz Amato commented she will need to review the bills. Last year the fees for commercial hearings were increased. The fees for residential may need to be increased because most of the hearings are residential. Alice Rehrig commented the expenses of the hearings are exceeding the fees that are being charged. Liz Amato noted some Townships charge a base fee and then hold the applicants responsible for the expenses that go over the base fee. The problem in doing it this way is that you end up having to chase after people to collect the balances. One area to look at are the hearings that are continued. If the announcement to continue the hearing is made during the initial hearing, there is no additional fee required because you don't need to readvertise the hearing, but the stenographer and Zoning Hearing Board attorney are still at the meeting. Right now, she has a hearing that was continued two times and the only fee they were required to pay was the initial \$750.

Phil Gogel questioned the status of the Airbnbs. Liz Amato commented there is a sale pending for the Cedar Drive. Attorney Backenstoe commented their

attorney contact him and told him it was under agreement of sale so that should resolve this Airbnb issue. As far as the one on Longacre, it was just listed for oral argument in September. Cindy Miller commented she is of the understanding that our Police Department is ~~not~~ **now** citing the owners for nuisance violations.

Liz Amato commented she and the Board received an email regarding zoning violations for a property on Blue Mountain Drive. The owner of the property came in today to get the necessary permits to correct the issue and she also explained to him that his agent has the house listed as having an in law suit and that one is not permitted without obtaining Zoning Hearing Board approval. She also explained that listing it as a home based business or Airbnb is not accurate. The owner was going to talk to the agent to get the listing corrected.

Deb Miltenberger questioned if anyone has heard back from Lorah's farm. Liz Amato commented that their attorney contacted Attorney Backenstoe and herself. They were asking for the materials in the property file and asked for an extension of time to give her the opportunity to review the files. They are planning on coming into the Board in September.

- D. Police Report. Chief Fogel reported July 4 was busy. The Officers responded to several fireworks complaints and they did cite for a few of them. The call volume coming in was greater than two officers working the road could handle.

An issue with ATVs and motorcycles has developed. It was something that was more of a problem in the city, but has now starting to move out to our area. They decided to create a route that ran the whole length of Route 145, through Lehigh Township, up to Palmerton, then loop around and come back down. There was no regard for safety, traffic laws, or anyone else. Right now, his goal is to sit down with surrounding departments to work together to try to come up with a way to handle it. With the way things are right now, someone is going to get hurt.

Chief Fogel reported the Department is very close to completing the accreditation of the Department.

- 1 Capital Improvements Plan. Chief Fogel commented he has not had an opportunity to review the plan in great detail. He did want to mention that vehicles do need to be looked at. They are running into the problem where there are four vehicles with either over 100,000 on them or are approaching 100,000 miles on them which is a lot for a vehicle that idles, stops, and goes. The 100,000 miles on a police vehicle is probably closer to 300,000 because of the amount of idle time that is on the vehicle. It is

something to be aware of so that we are not nickel and dimed with expenses. Taser has a program out right now that would give everyone the opportunity to get on the same platform rather than only updating them one or two a year. Taser has a lease purchase program that is interest free where you can replace all the tasers at one time and pay for them over a five year period. There are some additional benefits to the newer models, such as rechargeable batteries and automatic uploads. He will have additional information available for the next meeting.

Cindy Miller questioned if there was any more information available regarding the change over to digital radios. Chief Fogel commented there is limited information. He knows they did an evaluation and study over the past year or so, but nothing has been said about what or when it may take place. He does know the Department has been experiencing problems with the radio communications. He's been receiving emails from the County regarding our radio frequency having disruptions as a result of either weather, solar, or another company operating on or near the same frequency. Cindy Miller commented she is going to write an email to County Executive McClure and request information and let him know this is an unfunded mandate coming our way. This is something we need to plan for. You can't just pop it on municipalities and say you have two or three months to upgrade. Chief Fogel commented he and Alice Rehrig have discussed putting money away, but the amount that we are putting away will not even be close to what is needed because the digital radios are quite expensive compared to the analog radios. Cindy Miller will also be copying the County Council members who represent our area. They must have an estimated time line that this will occur because they too must save for it. Chief Fogel commented they will need to put major infrastructure together and it will be costly.

Randy Braun commented he heard through the grapevine that Northampton County 9-1-1 has an antenna at the Mary Immaculate Center and Mr. Jaindl wants it to be removed. Cindy Miller commented she does believe he wants it to be removed, but also believes he is working with the County on how to handle it. The tower may not be in the same location as it is today, but it will be somewhere in the general area. Alice Rehrig commented they are also restricted as to how far the antenna can be moved because of FCC regulations. Mr. Jaindl is working on finding a location on his property that is suitable for their plan and also meets the needs of the antenna. He is working with representatives from Northampton County Emergency Management, RCN, and Industrial Communications. The individual from Industrial Communications is very

familiar with the antenna and what is required. He was involved with the original location and installation of the tower in the 1980's. They are looking for something that will work for everyone.

E. Fire Company Report.

1. Capital Improvements Plan. The replacement schedule for equipment replacement that the Fire Company drafted along with the current Township plan were provided for comparison and discussion at a future meeting.

VI OLD BUSINESS

A. Cherryville Intersection. The as built plans are the only outstanding item for this project.

B. Maintenance Building. Adam Raker reported there were a few coordination items that need to be worked out between the architect and the MEP teams as far as the firewall tank and waste interceptor. He believes these items have been worked out and plans are expected to be issued. At this point, it seems like a comprehensive set of plans will be ready to go by the end of the week. It would be his suggestion to have one last review with the Board and the entire design team to make sure everyone understands what is being bid and that nothing is missing or that you don't want to have because of driving up costs.

Cindy Miller questioned what Adam Raker's experience has been with the cost increases of construction material and if he thought it was a good idea to put the building out to bid at this time or wait. Adam Raker commented it is difficult to say when things will get better with pricing and supply. If there is no obligation to enter into a contract because the project was bid, he would suggest bidding the project and if the pricing comes in too far off budget, reject them and rebid it in six months. Going out to bid a second time shouldn't generate that great of an expense. Attorney Backenstoe commented there would not be an obligation to enter into a contract. The bid package would contain language indicating the Township has the right to reject any or all bids.

Cindy Miller commented she is hearing that contractors are only holding prices for five days. What does that mean for the project? Adam Raker commented it depends on who you talk to. It is all over the place right now. Some contractors are willing to take a greater risk with the pricing than others. Something would need to be written into the bids as to how long the prices would have to be held. Adam Raker commented the pricing is not the only issue with projects right now. The lead time for getting materials can be several months.

Alice Rehrig will try to set up a meeting for Monday, August 23, to review the plans so that the Board can take action on putting the project to bid at their August 24 meeting.

- B. Collective Bargaining Agreement. The Teamsters have accepted the last contract proposal offered by the Board. The Union Representative is in the process of updating the language within the contract. Phil Gogel made a motion to accept the collective bargaining agreement between the Township and the Teamsters. Mike Jones seconded the motion. Paul Nikisher questioned how long the contract was and what was the average percent per year. Cindy Miller commented it is a 5 year contract. The average increases are 2.5 to 2.6 percent. Phil Gogel commented the contract is fair for both the workers and the Township. There was additional language added for new hires going forward. Sandy Hopkins questioned if this is retroactive? Phil Gogel commented they will be receiving a signing bonus, but the wage increases are starting July 1 and that is when 5 year period will start. Paul Nikisher questioned if the crew will still be coming back to the shop for lunch. Phil Gogel commented that portion of the contract has not changed. Paul Nikisher commented he believes it to be a waste of tax dollars to have them go back and forth. All voted aye. Motion carried.
- C. Hiring of Road Crew Employee. Keith Hantz commented the budget was set up to have a new employee start September 1. Keith Hantz made a motion to advertise for a full time road crew employee. Mike Jones seconded the motion. All voted aye. Motion carried.

Phil Gogel questioned if we can require the applicants to be Township residents. Mike Jones commented he doesn't believe we need to make it a requirement that they live that close, but there should be a limit because of call outs, especially when it snows. Attorney Backenstoe commented he believes a radius can be set because you are looking for them to respond in an emergency, but felt the labor attorney should comment on it. The Board agreed that the applicants should be within 10 miles of the Township complex.

V. NEW BUSINESS

- A. Pollution Reduction Plan. This plan has been advertised and previously placed on the agenda for public comment. There were no comments received. The adoption of the plan is needed as part of our MS4 requirements with DEP. Phil Gogel questioned the language where it restricts the timeframe when the work can be done. It states the work cannot take place between March 15 and November 15 of any given year. Mike Muffley commented the restriction for doing the work only applies if you are working within the stream itself. It is based upon trout reproduction cycle.

Mike Jones made a motion to adopt the Pollution Reduction Plan. Keith Hantz seconded the motion. All voted aye. Motion carried.

- B. Manager's Report. The Document Imaging project has been going well. The programming has been installed and all of the zoning hearing files have been uploaded to the system along with half of the minor subdivision files. Going forward, the staff has the ability to scan new documents into the system.

The next step in the completion of the Comprehensive Plan will be the adoption of the plan by the Board. Alice Rehrig will be asking the consultant to attend the next meeting to give a presentation on the updates to the Comprehensive Plan. The adoption of the plan will need to be scheduled for a different meeting because it will need to be advertised for adoption for a period of two to three weeks.

There has been a significant increase in the volume of material coming into the yard waste site in the evenings. It is most likely from people out of the area or contractors. The Board may want to consider having the gates closed in the evenings after the Road Crew is gone for the day. Mike Jones commented the concern with closing the site in the evenings, especially in the summer, is it is after work when most people are able to use the site. Attorney Backenstoe commented he also serves as solicitor to the Authority, and there is a problem all over where people are dumping things they shouldn't, such as stones, bricks, metal and stumps. If the stone, brick or metal accidentally gets into the grinder, it causes several thousands of dollars in damages to the machine. All the Townships need to unite and regulate; unfortunately, to the detriment to some of the citizens, the hours need to get cut back. Unfortunately, some people just can't help themselves and misuse the facility and cause damage to equipment. Mike Jones questioned how the facility would get opened and closed on the weekends. Alice Rehrig commented ideally, the police department would open and close the gates on the weekend rather than leaving them open. Frank Zamadics commented if it is left open on the weekends, everything that was prevented Monday through Thursday would get pushed to the weekend. Besides the fact that contractors should be going to the main site to dump their loads because our site is residential only, the other problem with contractors is they are dumping garbage with the loads. They hide water bottles, soda bottles, lunch bags and broken tools at the bottom of the pile, leaving a mess for the Road Crew to clean up.

Jerry Pritchard suggested adding surveillance to the site. Cindy Miller commented it's not right that the Township would have to pay because contractors are misusing the site. Frank Zamadics commented the only way to completely control the site is to have it manned and check ID's. The other week

he drove through Bowmanstown and saw a very distinctive trailer parked along the road that tends to frequent our site quite often. Adam Raker commented a camera would be a lot cheaper than manning the site. It may help deter people and get their attention that they may get caught. Adding additional signage indicating what the fine is if they get caught may also help. Frank Zamadics commented there are already signs indicating the property is under surveillance, Lehigh Township residents only, no contractors permitted, and the hours of the processing center and people are still confused. The signs are only as good for the people who actually read them. The only way you can control the use of the site is to have someone watch the site. At some point, serious consideration will need to be given to manning the site.

Keith Hantz questioned what other municipalities do. Alice Rehrig commented she believes Moore Township cut their hours back during the week and are only open on a Saturday. Allen Township is open during the week when their road crew is working. When they are open on a Saturday, it is manned with their summer help.

This item will be placed on the next meeting agenda for additional discussion.

1. Grow NorCo Grant. The County just opened another round of the grow NorCo Grant program until September 10. The grant can be used towards Capital Improvements, façade grants, operation grants, community planning grants, and Municipal Police Department Support. Based on a conversation she had with the County, it seems like they are giving priority to the Municipal Police Department Support applications. The grant itself is a matching grant for all the categories except the Municipal Police Department Support. Applications falling in this category are \$1 match for every \$2 in grant funding. The maximum grant amount is \$50,000. The projects funded under this grant must be completed by December 31, 2022. The two ideas she had for applying for this grant were a generator for the office and a police vehicle to try to avoid the need to purchase two vehicles in one year. She was able to obtain two quotes for a generator. The one quote was from two years ago and that was \$16,000. The second quote that was just received is a price of \$38,000. The actual project would need to be put to bid if the grant were awarded. A total of \$8,500 was received in contributions from business grants so the Township would only need to contribute around \$12,000. The balance of the funds would come from the grant application. Cindy Miller commented she also thought about the digital radios especially since they are doing a \$2 to \$1 match because we are going to have to purchase them. Alice Rehrig commented the only concern with the radios would

be whether the County would have enough information available as to what is needed and when it is needed by so that the grant can be closed out in 2022. This will be discussed further at the next meeting.

Adam Raker questioned why a generator would be needed for the Municipal Building. Cindy Miller commented all the communication goes through the Municipal Building. When the power goes out, they lose everything, including the phones for the police station. Adam Raker questioned how often the power goes out. It's not just the initial cost, it's the upkeep and maintenance that will be needed over the life of the generator. It's a large expense for a minor inconvenience. Alice Rehrig noted the building also serves as the Emergency Operation Center. As part of the overall technology plan, the goal was to have the infrastructure in place so that everyone could continue to operate in the event of a long term outage. Frank Zamadics commented there is usually one day a year when the power is out. It's not how often it goes out, it's the problems that occur when it does go out. Cindy Miller commented she gets concerned when all of the IT goes out. Adam Raker commented if the concern is the computers and phone, you can get a battery back up system that will last for eight hours. You probably will need to replace them every few years, but it will be a lot cheaper than a generator.

Randy Braun commented if the Township does go the generator route, he would suggest diesel rather than propane. If there is ever a situation where there is an ice storm or catastrophic snow storm, you will not be able to get a propane truck here to fill it during a storm. If need be, you can put 5 gallon cans on the back of a snowmobile to get fuel here.

Keith Hantz questioned if Northampton Regional Emergency Service is included in our budget. Alice Rehrig commented we do have fuel allocated for them, but they haven't used it in quite a few years. Keith Hantz commented he thinks they should be included as a line item in our budget. In looking at their report, the Township has the second highest call volume and looking at their membership subscriptions, they are down along with insurance reimbursements and people choosing not to pay them. Cindy Miller commented she feels someone from Northampton Regional should come and discuss why they should be included in the budget. Keith Hantz commented he is sure Eric Wescoe would be more than willing to come to a meeting.

- C. Solicitor's Report. Attorney Backenstoe reported Terry Vandling did file a land development plan. He did not file the complete escrow and that will need to be submitted before the Planning Commission will review it.

- VI. PUBLIC COMMENT. Cindy Miller commented PSATS will be holding a special meeting October 14 and 15 for the 100th year celebration. All Supervisors are invited to the meeting. In addition, since they have not been able to have their annual convention for the past two years, they are also going to be reviewing and having voting delegates vote on resolutions they want PSATS to continue to work on and prioritize for upcoming year. She will be attending the meeting as the voting delegate for Lehigh Township.

Paul Nikisher commented there have been a few times where the Board almost didn't have a quorum to hold a meeting. He is hoping Mike McGonigle is doing well, but since he has been having trouble attending the meetings, he is assuming he is not. He believes it is time to seriously consider what to do with Mike McGonigle. He thinks someone should reach out to him and find out where he is. It may be time to nominate a replacement. Phil Gogel commented he was down to see Mike McGonigle in the last two weeks. He still wants to be a Supervisor. He has filled him in on the contract and a few other items. He does still want to stay on the Board. He enjoys hearing what goes on in the Township. He is taking it one day at a time and is doing better than he was a while ago. Paul Nikisher commented if he really likes it, he feels he should participate. Phil Gogel commented he was elected by the people and it's his decision what he wants to do. Adam Raker commented he disagrees. He was elected by the people, but if he is not participating, he is not representing the people. It is nothing against him; he hopes the best for him and a full recover, but if he can't participate and there is no true breakthrough in his recovery, at what point is it time to replace him because we have to operate and there is business that needs to be handled. Paul Nikisher commented its great that Phil Gogel is in communication with Mike McGonigle, but he believes the people want to hear Mike McGonigle's position from him. Someone should reach out to Mike McGonigle and have him give Cindy Miller as Chairman an update on what his future looks like as far as him being able to come back. Cindy Miller commented she did receive a text from his wife a few meetings ago saying he plans to come back. She did not communicate back. She just basically said thank you and didn't question him anymore. Mike Jones commented from what he has been hearing, Mike McGonigle is doing better and not having setbacks like he did before. Cindy Miller commented if the community is asking her to contact him, she will. Kristen Soldridge suggested that Mike McGonigle email the Board with what his intentions are. Then the Board has the information and everyone will feel better. Adam Raker questioned what happens if the ups and downs keep going on for the next few years or the rest of his term. Phil Gogel commented if he were in that position, he would want the respect from everyone saying when you are ready, you can come back. Right now, he as a Board member will do everything he can to get the information back to him. Adam Raker commented there should be a limitation as to how long this can go on. Mike Jones commented it would be different if he was just choosing to not show up. Cindy Miller commented there is no regulations regarding this, but the State does have an action that can occur. Attorney Backenstoe commented an action would have to be filed in court. There was one filed in

Williams Township when there was a falling out with one of the Supervisors and a Supervisor just stopped coming to meetings and an action was filed. He's not saying it is appropriate in this case. Adam Raker commented he is not saying that, but thinks it would be appropriate to ask him or his family to send something back indicating that he is intending on returning when he feels it is appropriate to or when he thinks he'll be back. Keith Hantz suggested Alice Rehrig draft a letter to Mike McGonigle asking some of the questions that are being asked by the residents. Cindy Miller commented she doesn't believe we should be writing him a letter. It should be coming from Mike McGonigle to the community. He should be the one to initiate it. It is up to him how he wants to move forward with his term. Adam Raker commented he would feel better hearing it from the individual if he plans on returning, when he expects that to be, rather than hearing it second hand through Phil Gogel.

Jerry Pritchard commented there is a process for filling a vacancy on the Board. Is the Board aware of what that process would be? Attorney Backenstoe commented if someone were to resign their position, the Board has 45 days to accept the resignation. Once the resignation has been accepted, the Board then has 30 days to appoint someone to fill that vacancy. If after those 30 days the Board has not filled the position, the Vacancy Board, which is the remaining Supervisors plus the Vacancy Board Chairman, has an additional 15 days to fill the position. If the Vacancy Board cannot fill the position, then the Courts are petitioned to fill the position. This would only apply if there were a vacancy, not to this discussion.

Sandy Hopkins questioned if Mike McGonigle or his wife realize how often people have said "Where's Mike, is he coming back?" She agrees with Adam Raker in the fact that they don't wish him any ill will. Phil Gogel commented he believes that Mike McGonigle's wife does realize it and it is a little upsetting because everyone needs to be afforded the time they need to recover, especially with everything he has been dealing with. It takes quite a bit of time. He knows if he were out, he would hope that the Board had enough respect for him not to replace him and give him a period of time. He believes he has attended a meeting via phone in the last four months. Adam Raker commented physically attending a meeting is different than intermittently phoning in. Mike Jones commented when things first shut down because of COVID, Mike McGonigle was phoning in for every meeting. It's only been since he got sick that he hasn't been able to consistently call him.

Phil Gogel commented he doesn't believe any action needs to be taken and this discussion was addressed a few meetings ago in that Mike McGonigle does intend on coming back to the Board. Adam Raker commented if the Board doesn't want to take any action, he will contact him and let him know himself and several other people in the audience were wondering about how he is and does he believe he will be able to return and when that may be and wish him well. Jerry Pritchard commented, ultimately, if he is

chosen in November, he would like to sit on the Board with Mike McGonigle. He believes that he is a balanced person. ~~A resident~~ **David Hess** commented he believes if there is going to be any communication with Mike McGonigle regarding his returning to the Board, it should be coming from Cindy Miller.

Jerry Pritchard commented it was mentioned earlier about the activities of the four wheelers and dirt bikes bringing the activities of the cities out to here. It is only going to get worse with the Federal Government. A bill that was just passed goes back to the House, as a portion called Human Infrastructure that will get attached to that bill, then it will go back to the Senate and it won't be able to be stopped because it is attached to the Bill. This bill will bring high density housing to the Township and we won't be able to stop it. Kristen Soldridge commented people need to be aware of what is taking place with the overreach of government. Cindy Miller commented it is not just the Federal and State governments that need to be watched. It's County as well. County is starting with unfunded mandates.

~~A resident~~ **Deb Miltenberger** questioned if there was any update on the activities at Lorah's. Attorney Backenstoe commented they will be here in September. Back in 2012, they asked to have three tractor pulls each year. Even though it was more of a zoning issue, the Zoning Officer at that time brought it to the Board and felt it should be treated as a show or circus type of event. The Board decided they wouldn't treat it as a circus event, but felt it was agriculture and didn't have an objection to having three events. Based on what residents are saying, the events have expanded beyond the three events. The Board had the Zoning Officer send them a letter to have them come in and explain what they are doing. He is not sure if the Board will have the authority to grant the permission as it may be a zoning issue. The Lorah's retained an attorney who called Attorney Backenstoe and asked if she could have an extension of time to review the files and then come to the Board for the September 14 meeting.

Phil Gogel commented he had been donating his meeting pay to Shop with a Cop. Since that program is no longer taking place, he would like to give his meeting pay to the office staff if the Board did not have an objection. He thought it would be a nice "thank you" gesture for them. The Board did not have an objection since it is Phil's Gogel money to spend as he wishes.

Kristen Soldridge questioned if there was any information about National Night Out for Lehigh Township. She noticed a lot of other communities had theirs last week. Cindy Miller commented Lehigh Township is not having one. National Night Out is held the same night throughout the Country.

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