

## LEHIGH TOWNSHIP BOARD OF SUPERVISORS

June 14, 2022

- I. **CALL TO ORDER.** The Lehigh Township Board of Supervisors held their regular monthly meeting on Tuesday, June 14, 2022, at 6:00 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: David Hess  
Jerry Pritchard  
Mike Jones  
Attorney David Backenstoe  
Alice Rehrig  
Mike Muffley  
Liz Amato  
Frank Zamadics  
Scott Fogel

Absent: Cindy Miller  
Phil Gogel

- II. **PROJECTS AND GRANTS.** Alice Rehrig provided the Board with a list of projects that could be done under the COVID relief funding and upcoming grant opportunities. At this time, she was not looking for approval to purchase any of the items, but looking for the Board's concurrence with items that could be applied for with upcoming grant opportunities. She also looked at capital items identified in the Capital Improvements Plan as a way of easing future budgets. The suggested items include: Cameras, security and access systems for all the buildings and yard waste site, Office Servers & laptops, monitors for the meeting room, police computers & server, public works computer, HVAC systems for the municipal building and police station, updated phone system, retaining wall replacement at Berlinsville Park, an LED sign for the municipal building, emergency backup generators for the buildings, above ground fuel island, MS4 projects, replacement of the tennis court in Danielsville, further development of Delps Park to include a large pavilion, bathrooms, and electric, and the maintenance building. Grant funding could be sought for the recreation items, but most of the grants do require a match. Items of priority would be the HVAC systems, the security systems, maintenance building, fuel island, and sign for the municipal building.

The HVAC systems will require additional discussion at some point to determine the best system for the area being served. Currently, the meeting room does not have a dedicated system. It is fed from the unit serving the offices so the air conditioning in particular is inefficient. Heat for the room is not an issue with the baseboard heaters along the walls.

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This room may be best served by a split system rather than the traditional heat pump. If the meeting room has its own system, then it can be separated from the office area which should help the efficiency for that part of the building. The unit serving the office area is almost 15 years old. The third unit to be looked at is at the Police Station. They still have one of the older units from when they moved into the building. The replacement of the HVAC systems will probably need to be phased over the next three years because the total expected costs will require bidding and possibly prevailing wages.

The LED sign would be to replace the existing sign in the front of the Municipal Building. The wording on the sign could be programmed and updated for different events or meetings.

The fuel island would be a priority to replace our underground tanks with an above ground system. As DEP changes the monitoring requirements for underground tanks, the cost of updating the system becomes more difficult and expensive. In addition, the current gas pumps are older and not always working, creating issues with fueling vehicles. These pumps were used when we purchased them about 30 years ago.

Upcoming grant opportunities are GroNorCo through Northampton County which is a \$1 for \$1 matching grant up to \$50,000. This grant will open on June 20 with a deadline of July 31. With the Board's approval, Alice Rehrig would like to get updated quotes for the camera and security systems and apply for them through this grant. There is also a Northampton County Public Safety Grant that is expected to open in August and be due September. This is a \$1 match for \$2 grant funding. This grant is only for emergency services and Alice Rehrig was looking to submit for an additional police vehicle since we still have two vehicles with high mileage. There are also two gaming grants, the Northampton County and Monroe County, which are expected to open between July and September. For these grants, Alice Rehrig would like to submit for the fuel island to Northampton County and a firetruck through Monroe County. The gaming grants do not require any type of match; however, if you include a match, it does increase the points given towards the award. The reason she chose these projects for the particular grants is the County grants are expected to be completed within one year of award. The gaming grants will most likely not be awarded until sometime next year and they have a two or three year deadline for completion.

As these projects move forward and get completed, we will need to watch the amount of spending in one year so that we can try to stay below the \$750,000 threshold for the Single Audit requirements. Depending upon when the Maintenance Building and Fuel Island occur, some of the projects may need to be shifted to avoid this requirement.

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For right now, she would like authorization to apply for the cameras and security through the GroNorCo grant. Jerry Pritchard made a motion to authorize Alice Rehrig to apply for the GroNorCo grant for the cameras and security systems. David Hess seconded the motion. All voted aye. Motion carried.

Randy Braun questioned if the Board looked into the Mitsubishi individual air exchange units rather than having to replace all the ductwork. Mike Jones commented that is the split system that was being referred to. The Board will need to look into which would be the best system for the area.

The Board has no objections to the projects and grant applications that were presented. Alice Rehrig will begin obtaining quotes for the fuel island in preparation of the upcoming gaming grant application.

**III. APPROVAL OF THE MINUTES**

- A. Minutes of May 18, 2022. David Hess made a motion to approve these bills. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- B. Minutes of May 24, 2022. David Hess made a motion to approve these bills. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

**IV. APPROVAL OF BILLS**

- A. General Fund Checks 25830 to 25886. David Hess made a motion to approve these minutes. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- B. State Fund Checks 1556 to 1558. David Hess made a motion to approve these minutes. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

**V. PLANNING RELATED ITEMS**

- A. Plans for Approval
  - 1. Vineyard Estates, Preliminary/Final Major Subdivision. Doug White was present to represent this plan. This project has been recommended for approval by the Planning Commission. It consists of 17 new lots and 1 lot with an existing residence. All the lots have road frontage on Persimmon, Long Lane and Willow Roads. A waiver is being requested of SALDO Section 147-7.C which is the requirement to submit a preliminary plan. The applicant has submitted a preliminary/final plan. Mike Muffleay noted most of the outstanding items are outside agency and administration items.

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Jerry Pritchard made a motion to grant the waiver of SALDO Section 147-7.C pertaining to preliminary plan submission. David Hess seconded the motion. All voted aye. Motion carried.

Jerry Prichard made a motion to grant this plan conditional approval subject to the outstanding items in the Township Engineer's letter dated May 5, 2022, and the Planning Commissions letter of recommendation dated May 17, 2022. Linda Roman questioned if it is really necessary to approve subdivision in the community. Is it really necessary to subdivide? Mike Jones commented it is the property owners right to be able to subdivide his property if he wants to. Attorney Backenstoe commented it would be unconstitutional to tell someone that they cannot subdivide their property when they meet all the requirements of SALDO and Zoning. If the Township were to do this it would be considered a taking and the Township would have to pay the value of the property every time they didn't allow a subdivision to take place. Linda Roman commented she is questing it because when we develop land, we are destroying the land. The developers and contractors do not take this into consideration. Once the farmland is gone, it cannot be replaced. Attorney Backenstoe commented the law, the U.S. Constitution, the Pennsylvania constitution, and all Pennsylvania law associated with it allow property owners to subdivide their property if they meet the SALDO and Zoning requirements. All voted aye. Motion carried.

2. Hafner Revocable Living Trust Minor Subdivision. Mark Leuthe was present to represent this plan. They have finally received their HOP which was the remaining outstanding item for the plan. Jerry Pritchard made a motion to approve this plan. David Hess seconded the motion. All voted aye. Motion carried.
3. Top of the Mountain Estates Major Subdivision. Mark Leuthe was present to represent this plan. This plan has previously been approved, but not recorded. Between the time of the initial approval and this plan, an additional area of wetlands was discovered. As a result of this, they needed to remove the one through road and add a cul-de-sac. They will need to enter into a developers agreement prior to getting the plan recorded.

David Hess made a motion to grant this plan conditional approval subject to the outstanding items in the Township Engineer's review letter dated July 1, 2021, the Planning Commission's letter of recommendation dated October 20, 2021, the applicant entering into a developers agreement and

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providing the updated cost estimates to the Township Engineer for review. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

B. Extensions of Time for Plan Approval

1. Sedler Design & Redevelopment, Shanghai M & U International Trade Co. Joe Seder was representing this plan via telephone. The developer has provided the Board with an extension of time until July 31, 2022. This extension is necessary in order to give them time to submit their plan for the July Planning Commission meeting. They are expecting to be able to receive conditional plan approval at the July meeting.

Jerry Pritchard made a motion to accept the extension of time until July 31, 2022. David Hess seconded the motion. All voted aye. Motion carried.

C. Extension of Time/Plan for Approval

1. J & T Enterprise, LLC. Mark Leuthe was present to represent this plan. The developer provided the Board with an extension of time until August 31, 2022. The plan did receive conditional plan approval at the Planning Commission meeting. If the plan receives conditional approval from the Supervisors, the extension will not be necessary. The only outstanding item was the abstract of title. There is a waiver being requested of SALDO Section 147-9.A.6, regarding the location of existing structures, utilities, etc. within 50 feet of the development. The developer is requesting a partial waiver because he is building close to the center of a 30 acre tract of land and they didn't feel it was necessary to locate all structures within 50 feet of the property lines.

Jeanie Conners commented there is a report from Amy Falsh from DEP when they did an inspection on that property on June 6, 2022. They found three violations on the property that must be taken care of within 30 days. It states in the letter that J & T Enterprises did not maintain cover over the asbestos material on the site as outlined in the property deed. If he has violations from the DEP, why would he be given an extension or approval? Mark Leuthe commented it would be up to DEP to enforce their violation notice. This is the approval of a retroactive grading plan and septic approval. There is no grading being proposed in the area outlined by DEP. This plan is to correct what Terry Vandling did wrong because this lot was previously designated as a nonbuilding lot because there was no approved area for a septic system. Mr. Leuthe commented he understands there are multiple issues with Mr. Vandling as a neighbor, but that falls outside the scope of what is before the Board of Supervisors.

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One of the neighbors stated Mr. Vandling is bringing in more and more junk to the property. It is turning into a dump and they didn't buy their properties to live next to a dump. Jeannie Conners noted there are over 500 tires on that property. That is one of the violations that is noted by DEP. They are worried about their wells and land that he could be effected because he is not taking care of this stuff. Now, you are looking at approving a land development plan and these problems will go on forever. Mark Leuthe commented this plan is no different than any other plan where someone wants to put a house and septic system on a lot. Unfortunately, there are some other circumstances involved with this lot in which other agencies beyond Lehigh Township are involved in enforcing. There is only one house being proposed. It is not like they are trying to put 30 homes on top of a quarry hole. He would hope DEP is going to enforce all of their violations.

Lou Benedict questioned why the Board doesn't take a field trip to the property and walk around the property and see what is there before you give an approval. Make it a condition of approval of the plan that the owner must give you permission to go onto the property. David Hess commented he has been to the property and unfortunately, legally, the Board is stuck with what they are required to do. Attorney Backenstoe commented there are two things here. One is the plan approval of which he meets all the requirements and the Township doesn't really have a choice but to approve the plan. Mr. Vandling had a lot which was a non-building lot and was required to do a land development plan prior to building on the lot; however, he constructed a house prior to getting the plan. He was cited, we went to court, he didn't do what he was supposed to, so we went to court again. Finally, an injunction was filed and a court order was issued and he kept excavating so a contempt petition was filed. The court entered an order, found him in contempt and fined him \$5,000 of which he paid \$4,000. He was to file a land development plan and he has done that and is ready for approval. He also had to file for soil and erosion permits with NPDES which still need to be done once the plan is approved. He also needed to apply for a septic system, which has also been approved by the Township SEO, file for and obtain appropriate building and zoning permits which he will do once the plan is approved, and no further excavation on this parcel until he obtains all appropriate State, County, and Township approvals and Mr. Vandling must comply with all DEP requirements with regard to excavation. Like it or not, he did comply with this until May of this year because he wasn't living at the property. In May, he returned and starting running his equipment. The Zoning Officer did go out early in May and found that although he was

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moving his equipment around, he was not disturbing any earth. Later on, it was seen that he was moving earth. That is when another contempt petition and order was prepared and filed right after Memorial Day. In the order, he is asking for another \$15,000 fine to be paid within 10 days of the order or he be placed in Northampton County jail. Further, he asked the Court to authorize the Northampton County Sheriff and Lehigh Township Police Department the authorization to arrest him on site and place him in Northampton County jail if he or any third party continues to excavate, dig or move earth on his property without the proper State, County and Township permits. Attorney Backenstoe had also requested the neighbors to keep a journal which describes what he is doing each day, what equipment he is doing it with and what time he is doing it. Each of the neighbors will be asked to take the witness stand and testify from their journal. The hearing for this will be next Wednesday, June 22. He doesn't know what else to do but ask him to be placed in jail and fined if he continues to excavate without authority.

Lou Benedict commented what disturbs him and which is most detrimental to the neighborhood, is he is encroaching on the quarry. This is the aquifer for the whole area. The quarry is maintaining the aquifer for everyone's well. Now they have possible contamination of the water table. The wells may show okay now, but what happens in six month. There is a lot more than just noise and garbage being hauled in. If they test at some point in the future, what happens if it comes back with heavy metals or whatever was not there before. They were all tested by DEP back in 2009 so they have a baseline of water testing at that point. If there are elements showing up now in their water that weren't there before, the source of that would be where the aquifer starts which is the quarry. Attorney Backenstoe commented he understands and hopes that DEP will remain on him. He knows the Zoning Officer does regularly correspond with DEP. Right now, the only thing before the Township is a glorified grading plan. That is one issue. The other issue are all these other items involving DEP. Lou Benedict commented Mr. Vandling can only occupy that property if he has a certificate of occupancy, which he does not have, so legally, he shouldn't even be living there. Through DEP he had 30 days to correct the issues or he was to be cited every day from the original violation on May 26, 2021. DEP should have been fining him since May of 2021 and they haven't done anything. He has not been fined one penny. A year and a half later, DEP hasn't acted at all. If they lose their wells, they are screwed. It's all of Wood Drive. Attorney Backenstoe commented the Board will do what they can within their power. They can continue to go after him for what they can. Most of the issues such as the

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tires and the asbestos are DEP issues and they can continue to stay on DEP. Lou Benedict commented the Township is ultimately supposed to be protecting the residents. Their neighborhood doesn't feel as though the Township has been protecting them. It's not only the garbage; it's the riff raff that is coming in and out. He believes he knows all the police officers at this point. He must say they are a great group of people and do respond. Attorney Backenstoe commented he did speak with the Chief and they are citing Mr. Vandling a lot under the new noise ordinance because he does not have a legitimate purpose to move earth. He may have a legitimate purpose at one point, but does not now. Mike Jones question how he will be able to correct the asbestos violation if he is not permitted to move earth. Attorney Backenstoe commented he will be able to once he has the appropriate permits and plans. Lou Benedict questioned who will be supervising the activity once he has the proper permits. If no one is supervising, it will be a free for all. Mark Leuthe commented once the work is done, DEP will inspect it. Mike Muffley commented the environmental violations fall under the State code, Title 25, and they are enforced by DEP. The Township can enforce the zoning ordinance and the local statutes. The Township cannot force him to remediate asbestos; that is DEP's responsibility. The Township can police the area and report to DEP; do everything they can to get DEP to do their dutiful action until this gets done, but DEP must enforce the environmental laws and there is a process for that. Attorney Backenstoe commented the residents can also stay on DEP, perhaps contact their State Rep to get DEP out there. Lou Benedict noted DEP has not done anything in the last year, year and a half, other than come out there maybe once or twice. Attorney Backenstoe commented the Zoning Officer was the one who was able to get them to come out there. He will be meeting with her again tomorrow and they will again contact DEP. He and the Township will continue to do what they can to get DEP out there to understand the urgency with this situation. The Board does need to approve the plan that is before them because it is complete and meets the ordinances. The environmental issues fall under DEP and the Township can work with them and push them to stop him from continuing to have the environmental issues. Lou Benedict commented the residents do not have anyone else who will look out for them.

Mark Leuthe noted DEP typically requires a remediation plan for removing asbestos and the individual doing the work must be certified for that remediation. Jeannie Conners commented that is the way it should be

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done, but Mr. Vandling does what he wants. Barry Haydt commented the only thing DEP is requiring is that he cover the material and not disturb the area. Linda Roman commented years ago, the quarries in the Township were used as a dump. She has even seen where a quarry was filled in and a home built on it. You will never get rid of all the material that was dumped into the quarries. You have to contain it.

David Hess made a motion to grant the waiver of SALDO Section 147-9.A.6. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

David Hess made a motion to grant this plan conditional final approval subject to the outstanding items in the Planning Commission approval letter dated June 14, 2022, the engineer's letter dated May 5, 2022, and the sewage enforcement officer's letter dated May 9, 2022. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

Paul Nikisher questioned who gets the fine money. Attorney Backenstoe commented the fine money goes to the Township's General Fund.

Jerry Pritchard commented we are stewards of the residents of the Township. When they are being traumatized, it is not right. Attorney Backenstoe commented that is why you take it to court and have him fined. That is all we can do. Mark Leuthe commented this is not the only Township that has to go through this; this Township has done more than most Townships he has worked in. Jerry Pritchard commented we need to do what we can to help these residents. We need to keep on DEP; it is not right for the residents to suffer through this.

D. Extensions of Time for Recording Plans

1. Turkey Hill Land Development Plan. Mark Leuthe was present to represent this plan. The deadline to record the plan is June 30, 2022, and the developer is requesting an extension of time until June 30, 2023. Mike Jones questioned why they are looking for a whole year. Mark Leuthe commented he is not sure why they requested a year, but it has to do with PennDOT. During the last go around with PennDOT, PennDOT told them they needed to submit current as built plans since the Township completed their work first so they know that what is being proposed will meet with what is now existing. They met with the Township's Engineer this week to discuss this. He doesn't believe there are any issues with the Township's requirements; it's a PennDOT issue. He believes they are

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being cautious, but doesn't believe a year is needed and the date can be adjusted as the Board sees fit. When you're dealing with 30 day increments with PennDOT, three months goes by very quickly. They met with Jim Milot this week and are meeting with him again next week before they resubmit to PennDOT.

Jerry Pritchard made a motion to grant Turkey Hill an extension of time until December 31, 2022, to record the plan. David Hess seconded the motion. All voted aye. Motion carried.

2. Northwoods Lot Line Adjustment. Mark Leuthe was present to represent this plan. The deadline to record the plan is June 30, 2022. They are requesting an extension of time until September 2022. He is pushing for a July closing on the property. The LLC that owns Heritage Village will be purchasing Northwoods prior to recording of the plan. They will need to update all the ownership information on the plan as well as the developer agreements.

Attorney Backenstoe noted that if the development is going to be done in phases, the inactive phases will need to be hatched out on the recording plans and then the subsequent phases will need to be updated and recorded. The cost estimates and improvements agreements will need to match to the phase that is being recorded. There was also discussion regarding a tri-party agreement because of the involvement of the Municipal Authority. Mark Leuthe commented he did separate cost estimates for the Township and LTMA. Attorney Backenstoe commented he will prepare the cost estimate with a separate section pertaining to the Authority and have them as a signatory on the developers agreements.

David Hess made a motion to extend the deadline for recording the plan until September 30, 2022. Jerry Pritchard seconded the motion. Motion carried.

- E. Withdrawal of Plan—Thomas Phillips/Archery Addictions Lot Line. Mark Leuthe was present to represent this plan. The developer will not be pursuing this lot line adjustment plan. Jerry Pritchard made a motion to accept the withdrawal of this plan. David Hess seconded the motion. All voted aye. Motion carried.
- F. Engineer's Report. Mike Muffley reported the Planning Commission reviewed four plans at their meeting, two of which were new plans. The plans they reviewed were as follows:

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Gertner/Goodman Annexation Plan. There were some zoning difficulties involving a private road. It turned out it was not feasible to consolidate some of the lots without zoning relief so the owner decided to do a simple annexation plan or lot line adjustment. This plan was recommended for conditional approval.

J & T Enterprises Land Development Plan. This was the land development plan the Board approved this evening.

William Jones Preliminary/Final Minor Subdivision. This is a new plan with a house and a landscaping business that was approved in the late 80's or early 90's by zoning variance. They want to subdivide the parcel into three lots. The lot that would have the landscaping business would be a flag lot and the zoning ordinance does not allow anything other than a residence on a flag lot. They will most likely be coming in for zoning relief. This plan was tabled.

Jason Brabac Minor Subdivision. This is a simple lot line adjustment where they will be taking two lots and combining it into one residential property. The one lot has an existing home on it which will be removed. There were a few comments and questions pertaining to this project. The plan was tabled.

**VI. DEPARTMENTAL REPORTS**

- A. Recreation Report. Sandy Hopkins provided the following information: The grant application for park identification signs for both Delps and Danielsville Park was submitted. Based on the amount of the grant and the cost of the signs, they were able to submit for both parks.

The plans for this year's tree lighting were outlined. They are planning on keeping it similar to what they had last year.

Lehigh Township Lions want to discuss adding a pavilion at Bryfogle Park.

The Rec Board is considering a First Responder Slow Pitch Game for a fall event where Fire Company and Police Departments from different municipalities would play against each other.

- B. Public Works Report. Frank Zamadics reported the roadside mower is currently in the repair shop. The machine is stuck in low range. It will be about four weeks until they are able to look at it. They are now using the larger machine to do the roadside mowing. It is larger and slower, but they are still able to mow along the roads and keep intersections open.

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Mike Jones questioned if the new motor was received for the truck. Frank Zamadics commented when the motor was delivered, it was discovered that a forklift was stuck into the side of the pallet, breaking the motor. They were able to find a replacement motor. It is expected to be coming in about three weeks.

1. Letter of Resignation. A letter was received from Jon Gula resigning his position on the road crew. David Hess made a motion to accept the resignation of Jon Gula. Jerry Pritchard seconded the motion. All voted aye. Motion carried. Discussion regarding advertising for his replacement will be placed on the next meeting agenda.

Jerry Pritchard noted the Public Works Department did a nice job with the metal roofs at Bryfogle Park. They really came out nice.

Paul Nikisher questioned if there was another place the tractor could be taken to be looked at. Frank Zamadics commented they took it back to that shop because there is less than 100 hours on the machine since they last serviced it. It was in because it was getting stuck between forward, reverse, and park. He believes most of the issue is with the linkage.

Marc Kacsma noted there is a broken branch that is hanging over Myrtle Road near Pecan Drive. Frank Zamadics will check on this.

- C. Zoning Report. Liz Amato reported there were 46 permit applications received in the month of May. Permits have been issued for 39 of the applications. She also issued 28 notices of violation. There are two new zoning hearing applications for July, one is for a special exception for an accessory apartment and the other is a variance request to have more than one principal use on a property. They did not have any zoning hearings in May or June. One of the appeals of the Zoning Hearing Board's decision has been withdrawn. This was the application by 527 Graystone Drive and the cars that were parked outside the fence on the property across from EAG. All of the cars have been removed and they withdrew their appeal.

The Ad Hoc committee continues to work through the definitions in the Zoning Ordinance. They are adding a lot of items that were missing. This month, the meeting that was scheduled for June 22 was rescheduled to June 29.

1. Ordinance 2022-2, Amending Zoning Ordinance to increase kilowatts of Accessory Solar Energy Systems. Liz Amato provided the Board with a draft ordinance which would amend the zoning ordinance to change the permitted kilowatts for an accessory roof mounted solar system from 18

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kilowatts to 30 kilowatts. If the Board does not have any issues with the ordinance, it can be authorized for advertising after Attorney Backenstoe has an opportunity to review the ordinance.

David Hess questioned how things were going with Donald Gogel. Liz Amato commented she is planning on meeting him next week. There were scheduling conflicts, but he has been answering her calls and is being responsive. This will be her next big project now that Terry Vandling is almost done. David Hess noted that he believes if she has to go to that site again, she should make sure there is an Officer present. Liz Amato commented after the last time, they definitely should make sure he is aware they are coming.

- D. Police Report. Chief Fogel reported this past month, there were 12 crashes which is significantly lower than the 30 crashes per month in the past. In addition, the traffic violations were lower with 43 violation compared to past months of 100. When both of these are trending together like this, it is a good indication that things that were done in the past, such as targeted enforcement, education, etc., are working. This has been typical for the past 6 months. Chief Fogel noted that the data from the speed boards also shows that things are trending downward.

The Department was awarded a small portable speed timing board through a grant from All Traffic Solutions. Each month they give away one of these devices to a Department who requests one.

On Friday night they will be having a movie in the park night at Danielsville Park. The movie and popcorn will be free. They will be selling hot dogs and drinks. The proceeds will go to help offset costs of National Night Out. National Night Out will be held on August 2 from 6 PM to 9 PM followed by another movie. This will be held at Indiantrail Park. If the Board is interested in helping to serve food or set up a tent with information or do a Q & A, they are welcome.

Chief Fogel noted with regard to the Vandling situation, Mr. Vandling was issued a warning per the new ordinance, and then each subsequent time there were called and there was a violation, he was cited.

VII. OLD BUSINESS

- A. Cherryville Intersection. Alice Rehrig reported Lehigh Engineering met with Jim Milot to discuss their next submission to PennDOT. They will be adding Jim Milot onto their design team to help aid in transferring the deeds and titles from the land the Township had to condemn for this project. This will be done at the developer's expense.

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Jim Milot is waiting for a response from PennDOT regarding the last remediation plan that was submitted on the Township's portion.

- B. Maintenance Building. Alice Rehrig received verification that the Township is on the list to be written into a bill so that we can apply for additional RACP grant funding. Once the Township is written into the bill, she can apply for the additional grant funding. The Statewide Gaming grants will not be awarded until November at the earliest.

Randy Braun commented he spoke with Morton Buildings. They did not bid on the project because the specs were written for a metal building. Even though a wood alternative could be considered, they did not touch it because everything is designed for a metal building. If the bids were done on a design/build basis, then let them propose a design. Their building would be \$1 million. That would leave the rest of the budget for HVAC, electric, and site development. The lady he spoke with believes their building would fit into the Township's budget.

- C. Comp Plan Meeting. The Planning Commission, Attorney Backenstoe, and Charlie Schmehl are available to hold another workshop meeting on July 27<sup>th</sup>, as long as that date is good with the Board of Supervisors. As far as sending letters, Phil Gogel had stated the letters should be sent, but there was no additional discussion. If the Board wants letters sent, all the address labels have been saved from the previous meeting. The letter could state that this will be the last letter sent pertaining to this and residents should watch the website for updates. Mike Jones commented he also feels a sign in sheet should be available for residents to sign in if they want additional updates. It also needs to be determined if we are going to hold the meeting at the Fire Company again.

Jerry Pritchard commented the people need to understand that they can't just go and choose how they want their individual properties zoned. We need to look at the Township as a whole, not the individual properties. He understands people want what they feel is best for them, and as a Board we can't do that, but that is what this is turning into.

The Board agreed to hold the meeting on July 27<sup>th</sup> at 6 PM at the Fire Company if it is available. If the Fire Company is not available, the meeting will be held at the Municipal Building.

**VIII. NEW BUSINESS**

- A. Alternate Sewage Enforcement Officer. Chris Noll is requesting the Board authorize Ian Stoudt from his office as an alternate Sewage Enforcement Officer to do work in the Township. Chris Noll would still be the primary contact, Ian

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Stoudt would help Chris Noll out as needed. Jerry Pritchard made a motion to authorize Ian Stoudt as an alternate Sewage Enforcement Officer. David Hess seconded the motion. All voted aye. Motion carried.

- B. H2 17 1B-T107 and H2 17 1B-T148, authorization to exonerate delinquent taxes. Both of these units are located within the Mountain View Mobile Home Park. The owners either abandoned them or removed them from the park and the County has no way of collecting the delinquent taxes. They are requesting authorization to exonerate these taxes so they can remove them from the delinquent list and tax rolls. Jerry Pritchard made a motion to exonerate the delinquent taxes and penalties from H2 17 1B-T107 and H2 17 T148. David Hess seconded the motion. All voted aye. Motion carried.
- C. Awarding of Bids for 2022 Road Projects. Four bids were received for this project. The lowest bid was from Hanson Aggregates at a price of \$291,728.35. The bid would fit within the State Fund budget and still allow Public Works to do mill and fill repairs at various locations within the Township. Jerry Pritchard made a motion to award the bids for the paving project to Hanson Aggregates at a cost of \$291,728.35. David Hess seconded the motion. All voted aye. Motion carried.
- D. Manager's Report. A letter was received from Rails to Trails inviting everyone to Indiantrail Park on June 25<sup>th</sup> from 1:00 p.m. to 4 p.m. for the grand opening of the trail they did in the woods.

The Board is also invited to the Fire Company on June 21, 2022, at 1:00 p.m. for the presentation from the Fire Commissioner's Office. The Fire Department was chosen for this year's Fire Safety Stand Down Week.

Alice Rehrig provided a draft of standards that could be used for personal ranges and is looking for feedback. She also has now received an email address for someone with the NRA and would like to forward the standards to them once the Board is satisfied with them. She also was questioning if the Board wanted to restrict the home ranges to just handguns or allow rifle ranges. Also, does the Board want to restrict acreage or a distance the range needs to be from a residence. Mike Jones commented he would think there should be a minimum acreage and a certain distance from the property lines. Jerry Pritchard commented he doesn't feel the Board should be restricting the type of gun an individual can use on their property. Mike Jones commented the height of the backstop seems high. He wasn't sure that a 20 feet high berm is needed for shooting 75 feet. Chief Fogel noted there is a range in Palmer Township that some department use. It is located at the bottom of a vertical cliff. At the top of the cliff there are

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homes. The homes are located more than 100 feet higher than the range and they have found rounds up there. Mike Jones commented when you look at the distance/height ratio, you would need an 80 foot high berm when shooting at 300 yards. He doesn't know if he has seen a range that would fit to this. Alice Rehrig commented she can recheck her numbers. The information she was working with was listed in meters so she may have made a mistake on the conversion to feet. Linda Roman commented a bullet can travel a great distance and you want to have a safe place to discharge a gun. Chief Fogel commented he has no objection to ranges as long as they are safe. There is a wide variety of weapons and calibers available to people, and some of them probably should not be permitted in a backyard range type of situation. The Township should be cautious as to what is permitted in backyards because of nearby home. There are two ranges within the Township where people can go to shoot. Barry Haydt commented when people are hunting, they don't have a backstop. You need to use common sense. He also questioned if the Township should be involved in permitting ranges, in the event something were to happen. Alice Rehrig commented the current ordinance says a range is permitted by Board approval, but there are no guidelines for the range. If the discharging of weapons in the Township at a range requires Board approval, there should be criteria that people need to follow so that you don't have someone using an insufficient backstop on a 1 acre lot. David Hess questioned what other Townships in the area do. Alice Rehrig commented some just refer to the NRA guidelines, Whitehall Township addresses it as a zoning use. They require a conditional use and a minimum of seven acres; it seems to be aimed more at gun clubs than individuals homes. Charlie Perich commented he was involved when Ontelaunee's Gun range went in. The range is 300 yards; it is back so far that the backstop has to be cribbed to get it high enough to make it safe and they have the Blue Mountain behind them because you don't know who will be on the property you don't own. Linda Roman commented there should not be any rifle ranges in residential areas.

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

- IX. PUBLIC COMMENT. Katherine Mack noted she was traveling on Route 248 at a time when one of Lorah's events were leaving out. She noticed people were coming out between the driveways of the coffee stand and the other buildings on that lot. There were people trying to make left hand turns from both sides of the coffee stand along with Cypress Road. People are impatient and do not want to wait in line. This seems like an accident waiting to happen. Chief Fogel commented there is nothing the Department can enforce to prevent people from driving through the parking lot. He suggested the Lorah's place cones across these areas to prevent people from cutting through the parking lot.

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Katherine Mack also noted there is a large pothole on Peach Drive near Walnut. There seems to be a problem with the pipe and road sinking.

Randy Braun commented there is a culvert around 4100 Butternut Drive that has sunk and the water runs across it during heavy rains. Frank Zamadics commented he spoke with Mark Leuthe because there seems to be a lot of water coming down the pipeline again and it was flowing both ways. Previously, they had the water controlled where it was going west on Butternut to the drainage ditch. Randy Braun commented the depression in the road seems to be getting worse.

- X. EXECUTIVE SESSION. The Board went into Executive Session to discuss a matter of pending litigation. No action was taken.
- XI. ADJOURN. David Hess made a motion to adjourn. Jerry Pritchard seconded the motion. All voted aye. Motion carried.