

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Minutes of the March 22, 2022, Meeting

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on Tuesday, March 22, 2022, at 7:00 p.m. The meeting was held at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport, Pa. 18088. Chairman Mike Jones called the meeting to order with the Pledge of Allegiance and roll call.

Present: Cindy Miller
David Hess
Jerry Pritchard
Phil Gogel
Mike Jones
David Backenstoe
Alice Rehrig

II. APPROVAL OF THE MINUTES

- A. Minutes of March 8, 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 25640 to 25666. Cindy Miller made a motion to approve these bills. David Hess seconded the motion. Sandy Hopkins questioned Check 25658 and where the arborvitae will be planted. Alice Rehrig commented there were additional plants needed to complete the project that was started at the range. All voted aye. Motion carried.

- IV. NORTHAMPTON AREA PUBLIC LIBRARY. Veronica Laroche, the new Director of the Northampton Area Public Library was present to introduce herself to the Board. She wanted to let the Board know the library is there to help and do whatever they can for the Township. If there is any outreach needed, the Board should feel free to reach out for their assistance.

V. PLANNING RELATED ITEMS

A. Extension of Time

1. Timothy Pitts Preliminary/Final Major Subdivision. David Lear was present to represent this plan. The Developer provide the Board with an extension of time until July 31, 2022. David Lear commented they were before the Planning Commission a few times with a layout for a proposed modular home expansion for Lot #5. This is basically a two lot subdivision with a few other slivers of land being added onto adjoining properties. They have now submitted their conditional use application and were before the Planning Commission to get a letter of recommendation

for the conditional use. The conditional use hearing is scheduled for April 26 at 6:30 p.m. They wanted to make sure the Planning Commission was comfortable with the plan before coming to the Board of Supervisors. Phil Gogel made a motion to accept the extension of time until July 31, 2022, for the Timothy Pitts Preliminary/Final Major Subdivision. Cindy Miller seconded the motion. Jerry Pritchard commented he would like to see the developer, in addition to their engineer, attend when asking for an extension. All voted aye. Motion carried.

- B. Authorization for Ordinance Update Committee to work on amendments to zoning pertaining to accessory solar systems and lawn care services. Cindy Miller commented this came up at the zoning ordinance update meeting. These two particular issues keep coming up to our Zoning Officer and to the Zoning Hearing Board. They asked that this be brought to the Board for authorization for them to begin working on these and update them separately from the overall zoning ordinance updates. Phil Gogel made a motion to authorize the Committee to start working on amendment to the accessor solar system and lawn care services. David Hess seconded the motion. Linda Roman questioned what the solar systems would be for. Cindy Miller commented the maximum kilowatts listed in our ordinance currently are lower than what the applicants are requesting. The update would consist of looking at the current kilowatts and determining to what level they would need to be increased based on the current technology. A resident questioned what zones would be effected by the changes. Mike Jones commented it would be for all the zones. Attorney Backenstoe noted there are two types of solar system in the ordinance. One is the large scale industrial type of solar field and the other is an accessory residential use. The update would be to the residential use portion. There is a pattern of people who want to do solar energy for their home are needing to get variances because the wattage in the ordinance is too low. As the technology changes, the wattage requirements change and it is now requiring most people to come to the Zoning Hearing Board for a variance. They are looking to make changes to the ordinance so that it is not as cumbersome on the residents. All voted aye. Motion carried.

VI. OLD BUSINESS

- A. Cherryville Intersection. Notice was received from Jim Milot that PennDOT has rejected the remediation plan for the intersection to correct the accessibility issues. PennDOT's requirements for ADA accessibility is that the curb cuts must be flush and there are sections of them that are about half an inch too high. Jim Milot has contacted the contractor so they can develop a new plan.

- B. Maintenance Building. The Statewide gaming grant application for additional funding was submitted on March 14.

- C. Lehigh Township Volunteer Fire Company Funding Request. Rick Hildebrand provided a follow up letter outlining the funding that is needed for the vehicle and was looking to work together with the Board for the needed funding. The bid price for the vehicle was \$435,000 and the Fire Company received grant funding in the amount of \$295,000. In order to move forward with the purchase of the vehicle, the Fire Company needs an additional \$140,000. Rick Hildebrand commented the Fire Company may be able to get additional funding through the County towards the vehicle, but that is not known at this time. The quoted price on the vehicle is only good until April 30, 2022. The Fire Company is contributing over \$14,000 towards the federal match requirement plus they will need to fund the equipment that will be needed for inside the vehicle. This was one of the rarest types of grants that get awarded.

Mike Jones commented he knows the Fire Company does not really want the funding to come out of the apparatus fund, but his thought is to take half the amount out of the fund and then the other half out of the contingency fund. Jerry Pritchard commented it may be easier to do a lease on the pumper truck rather than trying to fund the entire amount when that time comes. Rick Hildebrand commented he is not presenting that truck at this time. It is already identified for replacement and funding in the Capital Improvements Plan. The truck they are looking for funding for this evening is to replace a 1970 vehicle that they received partial funding for.

Jerry Pritchard commented he was looking at a way for both vehicles to be purchased. Pay the one on the grant with the funds on hand and then use a lease to purchase the engine. Rick Hildebrand commented they were trying to do equipment replacement without getting into financing because it will ultimately make the vehicle cost more. Receiving the grant award was a wild card because it really was not expected. The funding of this truck is important because of its capabilities. The Township has been identified by the Lehigh Valley Planning Commission and the Pennsylvania Bureau of Forestry as being a threat for wildfires. They have modified the specs on this truck so that it is something that can be used all year long rather than just a few days when there is a forest fire.

Mike Jones questioned where things were at with the engine replacement. Rick Hildebrand commented there is about another year of planning that needs to be done before they can consider taking bids. Mike Jones commented his thought was depending upon how far out the next truck was, the Township may be able to make up the funds that are being pulled from the account. Cindy Miller

questioned how the Township would make it up. Phil Gogel commented we would need to include an additional \$35,000 in the budget for the next two years. Cindy Miller commented we will just make the amount for the engine by the time it comes. Mike Jones commented that was why he was asking about the engine replacement. He thought it was pushed back because of this truck. Cindy Miller commented it sounds like it is on schedule to come in 2024. Rick Hildebrand commented he would like to stick to the schedule if possible. It will take well over a year to manufacture the vehicle. Cindy Miller commented we are already contributing \$150,000 towards the truck fund and barely making the amount that is needed. If we try to make up the \$70,000, we will have to increase that amount of \$185,000. Mike Jones commented by the time it comes in, we shouldn't need to increase the amount. Alice Rehrig commented there is \$150,000 in the truck fund. There is \$310,000 scheduled to go into the fund from the 2022 Budget and then another \$190,000 or \$200,000 scheduled for 2023 and 2024 to reach the \$860,000 that is needed for the engine. These amounts do not take the proposed brush truck into consideration.

Mike Jones questioned if the Fire Company received any grant funding, could it be used to replace the money being taken from the fund. Cindy Miller commented you can't use grant funds to replace money taken from the account. Rick Hildebrand commented he thinks the timing of the grant and the build out of the truck will work that they could use the grant funds to reduce the amount needed from the Township. There is no payment due when the truck is ordered. The federal government does not allow for it, so it will be some time before the money is needed.

Phil Gogel commented the Township could set up an account for the Fire Company to utilize for this truck, then, if the Fire Company receives a \$50,000 grant towards the truck, they will not need the money and it can be swept back into the truck fund. This way the money will be available up front. He also understands that this truck needs to be lien free. Rick Hildebrand commented that the truck becomes a federal asset and they do not permit liens on the vehicle. Cindy Miller questioned why we would need to set up a separate account. We already have an account for vehicle replacement. Phil Gogel commented if a separate account was set up, then the money would be isolated. This way there is no issue of someone saying money was taken from the fund. The account would be set up for the piece of equipment they are looking for. Cindy Miller commented she doesn't believe anyone would be complaining if that is what everyone understands is going to happen.

Jerry Pritchard commented we need to look at the numbers and figure out how we can get the two vehicles that are needed. Rick Hildebrand commented the one

truck was identified for replacement and those amounts are worked out in the Capital Improvements Plan. The brush truck is the unknown because that was something that was going to be replaced by a grant and designated in the plan as such. With the availability of a federal grant and trying to keep it attractive on the application, you can't ask for the full amount of the vehicle. With the inflation and increase in pricing, we are in a unique time where the numbers went beyond where the Fire Company thought they would be. This vehicle is a vehicle that can be used on just about every call. It will be able to be used at car accidents, house fires, wildlands fire, medical calls, any of the high priority calls. It will also have additional capabilities such as pulling the boat and the ATV. They will get all these capabilities out of one piece of equipment.

Adam Ash questioned what additional equipment will need to be purchased and installed in the vehicle. Rick Hildebrand commented they will need air packs, thermal imaging camera, gas meters, AC hot sticks, tools, equipment, hose, ladders, etc. These are things that Fireman's Relief and the Fire Company will be covering.

A resident questioned what the Fire Company will be doing with the old truck. Rick Hildebrand commented the old truck was on lease from DCNR. As part of the grant, the truck had to be taken permanently out of service so the 1970 Kaiser Jeep was returned to DCNR to fulfill their side of the grant and taken out of fire service according to the rules of the Federal Government. Once the vehicle was returned back to DCNR, they can do whatever they want to do with it. They also have a 1996 pickup brush truck and a military vehicle that carries 1,200 gallons of water for hauling water to the top of the mountain for wildlands fires. These were all obtained through grants.

Cindy Miller commented she thought the rescue truck which was purchased a few years ago was for accidents. Rick Hildebrand commented it is for accidents, but they take two, three, or four vehicles out depending upon the call. The rescue and the pumper will typically go out so they have fire suppression equipment and rescue equipment. Some of the equipment will have like equipment because it can be used for fires and accidents. They also utilize the extra pickup trucks for controlling traffic, setting up detours. It is an operation to deal with the afternoon traffic on Route 248 and Route 145. Every once in a while, the 1996 pickup truck just stops running. There is not much value in the truck. It has 140,000 miles on it. There is no sense in selling it if they can keep it running usable most of the time. This vehicle has not been listed for replacement in the plan. There are certain vehicles outside the big vehicles that are not in the plan because they can potentially do without them or another truck may have more capabilities. For the size of our community and the emergencies they have, they are not overly stocked

with equipment. He and Cindy Miller met with Bill Brady from the State who does mergers and consolidations. When asked how our Fire Department compared to others, he said we were in the right spot. If anything, a substation may be needed to the north to cover the time and distance away. As far as apparatus type and amount and all the other things, he felt they were good where they were at. It may look like a lot of equipment, but each truck has a different type of purpose.

Adam Ash commented he believes the Fire Company could be doing more fundraising than what they are doing. He doesn't believe the Board should pull money from anywhere else other than the vehicle fund. They are not doing the fundraising that they are capable of doing.

Phil Gogel made a motion to provide the necessary funding for the purchase of the new brush truck/mini-pumper as outlined in the March 14, 2022, letter that was received from the Lehigh Township Fire Company. \$70,000 will come out of the contingency fund and the other \$70,000 will come out of the apparatus account. If the Fire Company receives grant funding, the apparatus fund will be replenished. David Hess seconded the motion. Jerry Pritchard commented the Fire Company is in need of two trucks. If money comes from the apparatus fund to purchase the brush truck, how are they going to be able to get the pumper truck? Rick Hildebrand commented if you look at the apparatus replacement plan, the ladder truck will cost \$1.6 million when it is time to replace it. You need to understand the funding that is involved with the plan. The funding of the trucks is not something that is going to be able to be done by selling hot dogs at a tractor pull and be able to have enough funds available for these pieces of equipment. The fundraising that is done at the Fire Company is way beyond what anyone else contributes to any other "hobby" as it may be thought of. This isn't a hobby. It is an unpaid professional service. The least that the community can do is to help fund the equipment that is used to help them. They had a house fire at 1:30 a.m. and they all went out to it; no one else gets up for it. What type of hobby does that? Cindy Miller commented she doesn't have a problem with giving the Fire Company money. She worked very hard on the capital improvement plan to get the large apparatus that was discussed and what the Township can contribute. The concern is what happened when the ladder truck was purchased. Money was taken out of the account to purchase the truck, and she didn't have a problem with that. At the same time, the building was too small so additional funds were taken out to put an addition onto the building, which she was also fine with. But, if vehicles and items keep coming up in between while working through the Capital Improvement Plan, and money is taken from the apparatus fund, we won't have the money to provide what we think are going to

have when the trucks need to be purchased. Phil Gogel commented it is a plan; nothing is perfect in this world. Prices go up, especially now. They can't help it that the truck went up another \$140,000. Cindy Miller commented she can't help that either, but what happens when we go to buy this pumper in a few years and the \$850,000 turns into \$900,000 or \$950,000? Phil Gogel commented we will deal with that when it comes. Right now, we have the opportunity to purchase this truck. Cindy Miller commented the problem she has is that we spend money that we don't have. We don't have it. Phil Gogel commented that is what the contingency fund is for. Cindy Miller commented we are not looking to build back the contingency fund. The motion is to take the money from the apparatus and contingency fund, but there is nothing in it as to how we are going to replace the money in the contingency. Phil Gogel commented that comes with time. There always are items in the budget that we change around when it comes to budget time. We have had a few hits with the police vehicles and needed to use contingency money, but that is what it is for. Cindy Miller commented you should also have ten percent in contingency at all times because you never know when an emergency can happen. Phil Gogel commented in his opinion, this is an emergency. He wants firetrucks to show up at 1:00 a.m. if his house is on fire. Cindy Miller noted the firetruck will show up; this is a brush truck. They have other trucks that can show up. Rick Hildebrand commented the ladder truck wasn't necessarily in the plan. The replacement of a pumper that could have cost \$500,000 was up for replacement so what they did was spend \$180,000 on a used ladder truck and extended the front of the building because they knew the replacement for the rescue truck would need that space as well. It saved \$320,000 which was able to be used towards the replacement of the rescue truck. With buying the ladder truck used, they had an independent mechanic and another individual who specializes in fire vehicles look at it. Both of them are residents of the community and said it would be ridiculous to not pick up the truck because it was that fine of a piece of equipment. By doing this, it gave them more capabilities than they had with the truck to be replaced, a ladder was something this community didn't have. They have tried utilizing neighbors to respond up here, but when one doesn't get up and the other takes 15 minutes to get here, there is no benefit for them to show up that late in the call because the Township has their apparatus in front of the building and there is no ability to use a ladder truck at that point. They have improved their position by being able to buy that used piece of equipment. Yes, it wasn't planned, but they worked through it. The plan has been evolving; it can change. It is not iron clad. They hope to not modify it too much. Jerry Pritchard questioned if they felt this brush truck was a priority and what they need now. Rick Hildebrand commented there is \$295,000 in federal grant money available for the truck. He believes it is a bargain for \$140,000. The ladder truck, pumper, and some other trucks will not make it down some driveways. They cannot build a truck that is a Johnny of all trades. There

are different types of things to deal with different types of emergencies. This truck is capable of fighting a house fire, capable of going into the woods or on top of the mountain, down to the river towing a trailer, and taking care of accidents. It is a multipurpose piece. Linda Roman commented she understands wants and needs and that you can't take from Peter to pay Paul. Eventually it catches up. Why not hold off and see how much the Fire Company can come up with from their fundraising that they can put towards this truck. Rick Hildebrand commented the grant funds are good for two years. It takes over a year to build a truck; the Ford Chassis has to arrive first and that can take close to a year. It could be difficult if this were postponed. Linda Roman commented there would still be a six month time frame where the Fire Company can do what they need to do and look at what they can raise themselves. She does agree, the community does need to get involved and support this. It would also give the Township an opportunity to see where they stand towards their budget. With the prices right now and the inconsistency of parts coming in, it is a problem and may even get worse. Phil Gogel commented that is why he made the motion the way he did so that money goes back into the apparatus fund. He thinks this is a good idea because you cannot get a fire department staffed the way we have ours for what it is costing us. A resident commented the Fire Company is not asking the Board for the money tomorrow. They are asking that you put it aside for them. He also questioned if the Fire Company had any plans to do a fundraiser for this specific piece of equipment. Rick Hildebrand commented on Friday night they are having their Sportmans' night. It is well attended and they make good money and appreciate the support that comes from that. They also mail out a donation request to the community, but less than 30 percent of the households send anything in. They try to educate the public and work with the Board to identify long term funding through a fire tax so that there would be guaranteed money every year in a fund that could take care of this type of replacement because there is no way they can fund the trucks, even with a very successful fundraiser. That is why they want to have a dedicated fund that money is put into by members of the community; you would have 100 percent contribution towards it and it wouldn't be through them. The funds that they raise at the Fire Company are used to pay for everything as far as the property, the lights, the building, everything. Over the years they have gotten creative. Bingo went to the wayside. They were not generating much more than a few hundred dollars a week on bingo. They took some money and bought a run down house across from the Fire station and converted it into a three unit apartment building. They now have that replacing their bingo. If a fundraiser isn't working, they modify it. If it still doesn't work, they try something else. They have done a rose sale for years. This year, the prices were astronomical and they took a hit. They don't know if they will be able to continue with the rose sale. These are all things they need to keep oil in t

the furnace and keep the property. There gets a point where you are spending more time at the fire house than you do at home. It is the reality of what happens in order to get the funds that are needed to provide a community service when the community should be supporting the service. The resident commented he felt any grant funds that are received should be used to replace the contingency fund because that is the Township's contingency fund. Cindy Miller commented grant money cannot be used to repay a fund. It must be used towards that specific item. Rick Hildebrand commented he thinks that with the timing of the grant program and the build out time, things could work out that the grant money could be used to reduce what is needed from the Township. Adam Ash questioned what the service life is of the pumper and could it last another ten years. Rick Hildebrand commented it is a 1998 and as far as how long it would last would depend upon how long parts would be available. They also take care of all the maintenance costs on the trucks as well. Those numbers can be staggering. A resident commented she felt 1998 was too old for a fire truck. Rick Hildebrand commented NFPA has a standard of 20 years, but the Fire Company does have equipment that is older than that. Charlie Perich commented this conversation is de ja vu from the Township he came from. They wound up solving the problem with a fire tax. People complained for a while, but that is a dedicated tax where the money comes in, goes to a fund so the money is available for the fire company. Cindy Miller commented the Township already looked into that. The amount of money that the Township is designating out of the general fund is probably more than they would get from a fire tax. Charlie Perich commented the money would not be a one time donation. It is guaranteed money coming in every year. Adam Ash questioned why there is a rush to make a decision tonight. Mike Jones commented the manufacturer will only hold the price until the end of April. Cindy Miller questioned if Phil Gogel wanted to leave the motion the way it was stated or set it up more as a loan. She is questioning if some of the money could be put back to the Township so it would be more like a loan. Phil Gogel commented he wants his motion to stand the way he stated. His motion was to provide the necessary funding for the purchase of the new brush truck/mini-pumper as outlined in the March 14, 2022, letter that was received from the Lehigh Township Fire Company. \$70,000 will come out of the contingency fund and the other \$70,000 will come out of the apparatus account. If the Fire Company receives additional grant funding towards the truck, the amount taken from the apparatus fund will be reduced by the grant award. Jerry Pritchard questioned if the Fire Company would lose the grant if the Township didn't provide the funding. Rick Hildebrand commented none of the federal dollars have been spent. They could go back to the federal government and tell them this is no longer a viable project and decline the grant. Another option would be to strip the truck back down to being a basic pickup truck that gets used ten times

throughout the year and pay for it with the \$295,000. They are trying to get something that will work for the community 365 days a year. All voted aye. Motion carried.

- D. Advertisement of Comp Plan. The meeting for the Comp Plan has been advertised in the Home News, Northampton Press, and the Town and Country Gazette. The price that was received for the robocalls would be a minimum of \$800. An alternative to the expense of the robocalls would be to post it on the Facebook pages of the Police Department, Emergency Management, and Neighbors Helping Neighbors. Mike Jones commented he thinks that would be a better alternative.

David Hess commented he will also have signs made and placed throughout the Township indicating the date and time of the meeting.

Linda Roman questioned what the Comprehensive Plan was and what was changing. Cindy Miller commented the Comprehensive Plan shows the future plans for development of the Township and possible changes to zoning districts. Mike Jones commented the meeting regarding the Comp Plan is on Wednesday, April 6 at 6 PM at the Fire Company. Once the Comp Plan is finalized, then the Board would need to work on changing ordinances to meet the plan. If someone's property has a change in the zoning, they will be notified.

VII. NEW BUSINESS

- A. Resolution 2022-12, Authorizing Chairman and Secretary to sign PennDOT deed of dedication. This resolution is needed as part of the Turkey Hill project and the dedication of the required right of way. When the Turkey Hill project started several years ago, the Township needed to take right of way through eminent domain. Now that Turkey Hill is actively working on finalizing their HOP, the right of way that the Township took will need to be deeded over to PennDOT. Cindy Miller made a motion to adopt Resolution 2022-12. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- B. Manager's Report. Several months ago, there was a discussion regarding either the repair or replacement of the one truck we have with a blown engine. Frank Zamadics has been working on getting quotes for purchasing a new chassis and repurposing the body on the existing truck, but no one is willing to give a price at this time. He also contacted some garages regarding engine replacement. So far, he has received one quote at \$14,400. The truck is a 2008. Cindy Miller questioned when it was scheduled to be replaced. Alice Rehrig commented originally it was planned for around 2028. Frank Zamadics is planning on having additional information for the next meeting. Cindy Miller questioned if this

money will need to come out of contingency. Alice Rehrig commented when the budget discussion took place, the replacement of this truck was included. With the supply issues, repair rather than replacement may be the better option.

Alice Rehrig commented that the 2021 Audit is almost complete. As part of the audit, there were some additional recommendations made by the Auditor. These changes were to add some additional revenue and expense accounts and remove some liability accounts. These changes were mostly to funds that were set aside for specific purposes. The financial reports that were provided to the Board at this meeting incorporated the changes that were recommended.

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

VIII PUBLIC COMMENT. Adam Ash commented he had a serious accident in 2007 causing him to have serious back pain and sometimes lose the use of his right leg from time to time. In 2014, he was running with the Fire Company and was going through the firefighter training in the eastern part of the County. The one day he was having a bad day with the pain in his back and most of the instructors were understanding except for one guy. That one guy rode him all day until he snapped and yelled back at him. Because of this he was asked to leave the Fire Company; for one bad day, because one person. He was trying to help them get more fundraisers going. He raised more than \$30,000 in the middle of the Atlantic Ocean for the Navy Marine Corp Relief Society. If he can raise \$30,000 in the middle of the ocean, don't you think he could come up with fundraisers for the Township and that would be an asset you would want to keep. Instead, they kicked him to the curb. Now, when he wanted to ask about fundraising, the Board cut him off. He had questions that were germane to the issue at hand. We are taking money from the Contingency Fund to pay for an apparatus that they didn't even have slated to be replaced. They were hoping grant would cover it all. It's an apparatus. It should have come from the apparatus fund. If he has a gift card to Dave and Busters and it doesn't cover all the expenses, he can't take the extra money from his PPL bill. What was done tonight was wrong. Four Board members voted for it; one didn't say anything. Check the record. Alice Rehrig commented she had all members voting aye. Phil Gogel commented the reason meetings go on for hours and hours is we don't stay on topic. The audience is not supposed to be speaking amongst each other. They should be speaking to the Board. We were speaking about a truck, not fundraising. He wasn't trying to be disrespectful, but we need to stay on topic. The meetings last for hours and hours and that is not the way we are supposed to be running our meetings. Adam Ash commented we used to have community days but we don't have them anymore. They say it is because they can't get enough people to participate. Is that true or is it that they don't want to maintain the park? The Fire Company was saying they didn't have the facilities to keep it going. Phil Gogel commented it was a lot of work. Adam Ash

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commented it was also good for the community and raising funds. They don't need to raise funds if the Township just gives it to them. If the grant doesn't cover the cost of the truck, the money should have come out of the apparatus fund. If necessary, then they need to push back the purchase of the next truck. You are taking \$70,000 from the Contingency Fund and it is not even April.

- IX. ADJOURN. Cindy Miller made a motion to adjourn. Phil Gogel seconded the motion. All voted aye. Motion carried.