

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

January 23, 2024

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on January 23, 2024, 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  
Janet Sheats  
Mike Jones  
Attorney David Backenstoe  
Mike Muffley  
Alice Rehrig  
Liz Amato  
Frank Zamadics

II. APPLICANTS/APPOINTMENTS TO BOARDS AND COMMISSIONS

- A. Recreation Board. Tammy Hess and Joe Schwartz submitted letters of interest for the Recreation Board.

Interview with Tammy Hess

Tammy Hess has been on the Recreation Board for the past year and a half filling an unexpired term. She has been learning new things while doing this. She likes to volunteer and does a lot of volunteer work in the community. She is a lifelong resident of the Township. She wants to continue to see that we preserve parks and continue with planning and design of the ideas that the Rec Board has been discussing. It does take time and as a group she believes they are getting there.

Cindy Miller: What is your vision for the parks? She believes we have four nice parks that need to be preserved. There is a lot of room for improvement. We need to keep our facilities safe and up to date. She thinks that when the plans are done, we need to keep our community in mind, what their needs are, and also do it in a fiscally responsible manner. Planning takes a long time. It is not something that is going to be completed in one meeting. They keep coming up with ideas and need to establish what they are looking for in the parks. The baseball field needs a new wall, the tennis courts need to be updated, the playground equipment is old and needs to be revamped and made safer and up to date. They also need to make sure the parks are ADA accessible.

Cindy Miller: Will you be able to physically attend meetings? Absolutely.

Janet Sheats: Do you have the time and dedication to be able to coordinate the parks, participate with events, and attend the monthly meetings? Yes, she can. No one has perfect attendance on any Board; things do arise, people have families, get sick. Those things do come up, but there are ways to work around that. Phone calls can be made. She doesn't feel her attendance has been any worse than anyone else.

Jerry Pritchard: Where do you see Delps Park in the next four years? She believes we need to get the groundwork started. We need electric, water, sewer, maybe bathrooms. We need to start there. Possibly bring in other sports such as baseball, soccer, and lacrosse. She believes that park is more for our open space whereas Bryfogle has the tennis courts and baseball field. Indiantrail Park is more of the picnic area. Each park has its own unique features. You don't want to stray too far from where they are, but at the same time there are lots of things we can do with the parks.

David Hess: In the past two years on the Recreation Board, what have you learned from working with everyone or being on the Board? It definitely takes a group. It is not just one person running everything or the parks. They collaborate well with each other and come up with good ideas. She has learned a thing or two about baseball. There are little things that you don't know as a resident as to how things run. It has been interesting and it is a good group of people that she works with.

Mike Jones: Do you have a SafeServ certification? She doesn't have one now. She did in the past. She has been helping in the stand and wouldn't be opposed to getting it again.

#### Interview with Joe Schwartz

Joe Schwartz is a 25 year resident of the Township. He was actively involved with LTAA for many years; he was a baseball coach for 17 years and an assistant coach for wrestling. He recently retired and can now put more time and effort into other things in his life. In his career, he worked at Victaulic for 21 years and came up through the management ranks. He also worked at Just Born Candies and Facilities and is very familiar with contractors and facility master plans, heading up some teams for conservation, safety committee, and crisis management. He finished his career being a project manager for a large painting and epoxy floor company.

Cindy Miller: What is your vision for our parks? Lehigh Township is a jewel with its location. We are close enough to everything, but yet far enough away from everything. We have four incredible parks. He believes they are underutilized at

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certain times of the year. Even though some of the field in Pennsville will be taken away, you can still do a food truck night and entertainment there. Regardless of the size of the park or the budget you have, you need community engagement. This is the hardest thing to do, not only from a volunteer perspective, but to get people to come in and participate in the events. With a good team, he believes that could be solved. Delps Park is a huge park. The backdrop on the park is beautiful. He sees that as a larger event scale place as opposed to day-to-day operations. He sees Berlinsville remaining the way it is now, maybe getting more events like the Christmas Tree Lighting which was very successful. He utilizes the tennis courts in Berlinsville all the time. Danielsville Park has great facilities as far as fields and tennis. We have jewels as far as parks. We can have all the great ideas, but we need community engagement and to get these things done you need to get volunteers. He hopes moving forward, we can get more community engagement and appreciation for what is here in the Township. He sees what takes place in Moore Township and West Catty with music and can see more music engagement coming, stages. There is a winery in the Township that we could help promote as well as other local businesses that can come in and help us. He knows we want to keep it rural, but we also need to keep it updated. Change is inevitable, it just a matter of how you manage change.

Cindy Miller: Will you be able to physically attend meetings every month? Yes.

David Hess: There was an advertisement for the first meeting. Why did you miss the deadline? Mr. Schwartz commented he completely missed the advertisement. He sent Alice Rehrig an email stating he missed the advertisement and is still interested if the opportunity exists.

Jerry Pritchard: Where do you see Delps Park in the future? It all depends upon on what the budget is and what type of funding is available. You need the infrastructure. You need the plumbing, water, and electric. You also need parking. The location should be secured as well. After that, he sees it more as a larger event facility. Maybe not used as frequently, a multifunctional field where you can have tournaments. He doesn't believe it is a place where teams will go there weekly and play. Where it's located, it more fits the larger scale type of use and entertainment.

Janet Sheats: Do you have the time to dedicate to the Rec Board? Yes, I'm retired. It's a great opportunity.

Cindy Miller: Have you ever worked with consultants in the past with plans? Yes, facility master plans. Various consultants at Just Born, including construction, safety, building, environmental, and food safety issues.

Sandy Hopkins to Joe Schwartz: When it comes to commitment to the Rec Board, we have baseball teams that would like to see the stand open. Will you be able to commit to helping in the stand and other activities? Sometimes the need is on the weekend; sometimes it is in the evening; it could be with cooking and cleanup, setup for pet inoculations, or going into the community for donations. Joe Schwartz commented he is willing. He helped with LTAA for 17 years. You commit to something because you enjoy doing it.

Jerry Pritchard made a motion to appoint Tammy Hess to the Recreation Board. David Hess seconded the motion. David Hess, Mike Jones, and Jerry Pritchard voted aye. Cindy Miller and Janet Sheats were opposed. Motion carried.

Mike Jones commented Mr. Schwartz is welcome to attend and volunteer or share ideas. They are always welcome. Jerry Pritchard commented just because someone is not sitting on a board, doesn't mean you can't get a lot accomplished. Janet Sheats commented she would like to see a volunteer list for the Recreation Board to get the community involved.

- B. Auditor. Monica Brown provided the Board with a letter of interest to fill the open auditor position.

Interview with Monica Brown

Moncia Brown has been a resident of the township since 1970, residing at 1430 N. Cottonwood Road, Danielsville. She is retired and a registered voter. She has an extensive bookkeeping background, having kept the books and managing the insurance agency for 18 years. All of her 48 working years since graduating high school were in the insurance industry. She was a licensed insurance agent having done all aspects of insurance work in an agency from personal lines, commercial lines, selling, quoting, claims, and bookkeeping. Her last 25 years were basically servicing large commercial accounts for large agencies in the area which actually included several townships, but not Lehigh. I have the time and would like to become more involved in our township.

Janet Sheats: Do you understand what it entails to be an elected auditor? She has a copy of what is listed in the Second Class Township Code.

Cindy Miller: Are you aware that a CPA has been hired to do the audit? Yes, she agrees with having a CPA do the audit. Even someone with bookkeeping experience is not qualified to find mistakes, errors, or fraud. When she was a bookkeeper, someone came in and audited her books.

David Hess made a motion to appoint Monica Brown to the open position of Lehigh Township Auditor. Janet Sheats seconded the motion. Jerry Pritchard questioned if at this point, will this be the end of the auditor topic, now that we have three auditors. Attorney Backenstoe commented the Second Class Township Code requires you have three auditors. If there is a vacancy, you need to fill the vacancy, which is the process you have done tonight. The appointment tonight fulfills this obligation. Cindy Miller commented she had also contacted PSATS to see where the elected auditor requirements stood as far as lobbying the State to make changes within the law and code. She was told at this point they are trying to move it forward to update the law. They realize what municipalities are going through and realize that it is a mute for a lot of municipalities because they utilize CPAs. There are three proposals in front of PSATS. The first is that the change in law is that municipalities would have the authority to annually create a resolution. The second would be to create an ordinance. The third would be to go through a petition and referendum and place it on the ballot for the voters to decide whether they want the elected position within their municipality. Her personal preference would be the resolution because it is the quickest, easiest, and most economical way to do this. PSATS also requests she contact her local representatives so she wrote a lengthy email to Senator Miller and Representative Mako requesting they get involved and work with Brian Renger at PSATS to try to move this legislation forward. Senator Miller's office has contacted her and she provided a further explanation of the law and why there needs to be a change and is unnecessarily costing the taxpayers' money. The aide in his office understood and will be taking it to the Senator. Janet Sheats also noted that this would directly affect Magistrate Hawke who was present and provided an explanation of how things work in his office. Magistrate Hawke commented the process starts with the Police Department, Game Warden, or Zoning Officer filing a citation under either Title 75, Traffic or Title 18, non-traffic, or a local ordinance. When the documents are received, his staff enters them into the Magisterial District Judge System (MDJS) that is set up by the PA Courts by statute. Once the case has been disposed of, the money is distributed by statute to the appropriate agency. At the end of each month, the State advises his court via report (his office is a state court and state system run by the State) how much money each municipality or office receives. He then provides a report to each municipality as to what fines were paid under what section and how much money they are to receive. His office is audited every other year by the State and the County. He has never had a finding during an audit since he has been in office. By state statute they are required to shred files every two years. Local auditors cannot come into his office because he is a state agency. Cindy Miller commented she pointed this out to the Senator's office when she spoke with them this morning. The law is outdated because it goes back to the days when there was a Justice of the Peace. Magistrate Hawke commented if the Board wants to review records, Alice Rehrig would have copies of everything that

was submitted to the Township Offices. The details of the reports should not be released to the public because it could contain juvenile payment information. If anyone wants to review any of the audits, they can contact the State and review them in Harrisburg. Jerry Pritchard noted the elected Township Auditors would have no business going to the Magistrate's office. All voted aye to appointing Monica Brown to fill the open auditor position. Motion carried.

III. APPROVAL OF THE MINUTES.

A. Minutes of January 9, 2024. David Hess made a motion to approve these minutes. Cindy Miller seconded the motion. All voted aye. Motion carried.

IV. APPROVAL OF BILLS.

A. General Fund Checks 27367 to 27452. Cindy Miller made a motion to approve these bills. David Hess seconded the motion. Linda Roman questioned the expense for a forensic investigation. Cindy Miller commented there is a forensic audit being performed. The Board cannot provide additional information at this time. All voted aye. Motion carried.

V. PLANNING RELATED ITEMS

A. Extension of Time for Plan Recording.

1. Sedler Design and Redevelopment/M & U International. Joe Sedler was present to represent this plan. The deadline for getting this plan recorded is February 14, 2024. Mr. Sedler commented there are two items remaining for the construction cost estimate which should be completed this week. They also needed to redo the PennDOT HOP because the name on the permit is not the same as the property title. He is hoping to have things completed in the next month or two. Cindy Miller made a motion to grant an extension of time to complete the recording of the plan until April 30, 2024. David Hess seconded the motion. Motion carried.

B. Release of Escrow

1. Northwoods Land Development. Mike Muffley commented the major improvements for Phase I have been substantially completed. There are a few minor items that need attention. Based on the maintenance period requirements and the outstanding items, he is recommending 20 percent of the original amount be retained and \$1,163,132.19 can be released from escrow. The amount of money that is being retained is \$729,614.52. Cindy Miller made a motion to a release \$1,163,132.19 from the developer's escrow account. David Hess seconded the motion. Jerry Pritchard questioned if the amount being retained is enough to cover the amount of work that needs to be done. Mike Muffley commented the amount is adequate. All voted aye. Motion carried.

VI. DEPARTMENTAL/ORGANIZATIONAL REPORTS

- A. Zoning Report. Liz Amato commented there were 11 new permits received, 9 permits issued and 2 new complaints in December.

The Zoning Hearing Board did not meet in December. Last week they heard three cases: a special exception for Moyer's garage which was a lot consolidation and expansion of the existing business. It was granted with very heavy conditions; a variance was granted for developing an undersized lot on Cedar Drive; and another variance was granted for Gap View Acres to replace six of their existing mobile homes. In February, there is an appeal to a notice of violation and variance for the Principal Solar Energy Farm on the McBride property. They are in need of a few variances prior to moving forward with the conditional use application.

Liz Amato also reported the lots for Vineyard Estates have started selling. She has received one building permit application and received a call from another builder who purchased four lots.

VII. OLD BUSINESS

- A. Maintenance Building. David Hess questioned if the construction is still progressing on time. Alice Rehrig confirmed that it was.

1. Bracy Construction, Payment Request #7. Cindy Miller made a motion to approve Bracy Construction Payment Request #7 in the amount of \$330,623.69. David Hess seconded the motion. Paul Nikisher questioned if there is a completion date for the building. Alice Rehrig commented they are targeting it being completed in April. All voted aye. Motion carried.
2. Shannon A. Smith, Inc. Payment Request #3 and #5. Cindy Miller made a motion to approve Shannon A. Smith Payment Request #3 in the amount of \$3,720.60. David Hess seconded the motion. All voted aye. Motion carried.

Cindy Miller made a motion to approve Shannon A. Smith Payment Request #5 in the amount of \$57,728.70. David Hess seconded the motion. All voted aye. Motion carried.

3. Vision Mechanical, Payment #6. Cindy Miller made a motion to approve Vision Mechanical, Payment #6 in the amount of \$342,829.98. Janet Sheats seconded the motion. All voted aye. Motion carried.

- B. Meetings. Mike Jones commented the format of the way meetings would be conducted was brought up in December. There were some changes made to what was

proposed in December. Public comment will still remain at the end of the meeting. For the topics being discussed under old and new business, there would be a time limit of three minutes per item. Public comment would also be limited to three minutes per item. Comments would be limited to residents and taxpayers of the Township.

David Hess commented he doesn't agree with limiting the discussion to three minutes. Jerry Pritchard commented he also doesn't agree with the three minutes. If something is missed within those three minutes, the Township could end up paying the price down the road because we didn't let someone finish speaking; it is not worth it. Cindy Miller commented they can always ask if they can speak longer. Jerry Pritchard commented if the limit is not there, they won't need to ask. Mike Jones commented he doesn't agree with the three minutes during the business portion of the meeting. He does agree with the three minutes for public comment. The Board cannot vote during public comment. When the Board is discussing things and voting on items, he doesn't agree with the limitation.

Jerry Pritchard commented public comment needs to be open to the public, not just to residents. He agrees with restricting it to residents when the Board is voting. Attorney Backenstoe commented under the Sunshine Law, the only people with the right to comment are residents and taxpayers. If the Board wants to open the floor up to anyone, they may do so.

Jerry Pritchard commented he watched and has seen what happened when the clock went up at the School Board meetings. The contention didn't go away; it got worse. Once you start setting limits on people, you are not reigning in the contention; you are making it worse. You put a three minute limit on people and end up with a ten minute fight. Mike Jones commented he is not looking to put a clock on the wall to time people.

Mike Jones commented the back and forth between people in the audience also needs to stop. Everything should be directed to the Board. David Hess commented he agrees with Cindy Miller that we need to tighten things up, but he doesn't agree with the three minute limitation on people. Cindy Miller questioned how you would tighten it up without the time limit. David Hess commented it would be up to the Chairman. Janet Sheats commented we need to curtail it somehow. People are repeating themselves over and over and getting louder each time as they repeat themselves. That is when it starts to get contentious. The Board needs to be able to cut them off and they accept that, but as the Board is currently hearing, they will not accept that. David Hess commented it is up to the Chairman to control the meeting.



Cindy Miller commented she used three minutes because that should be plenty of time for individuals to explain what they need to explain in three minutes unless it is a major issue. A major issue could take longer and it really should be on the agenda. Mike Jones commented if it is something that the Board is going to have to take action on, it should be on the agenda. Jerry Pritchard commented the Board has a lot of answers and is the last line in defense of top-down government. The government shouldn't be telling you how long you are allowed to speak and what you can say. Once we have surrendered to that way of thinking and doing business, there is no other government to go to. He doesn't want a time limit on anything. We can have a controlled meeting, but he doesn't want to tell people how long they can speak.

Lynn Tamarro commented all governmental bodies should encourage public participation. The more participation you get, the more you will know what is going on. Arbitrary time limits do not make any sense because you don't know what the subject is going to be.

Paul Nikisher commented the people don't want the time limitation. If someone makes a comment that someone didn't think of, they won't be able to bring anything additional up. The School District not only limits it to three minutes of comment, but 30 minutes for the topic. It is a slimy slope. He doesn't think it's good. Leave it open to the people. That is why they are coming. He doesn't think it is fair to the people who show up and take time out of their schedule. He is concerned the three minute limitation will eventually turn into the 30 minutes per topic. Leave it open; the Chairman needs to control the meeting. He understands what Cindy Miller is saying. We can't keep saying the same thing over and over. Get to the point and move on. That is what we need to do.

Cindy Miller commented she would at least like to ask whomever is going to speak to come up to the table to speak to the Board rather than from their seat. Jerry Pritchard commented he would agree as long as they are physically able. Janet Sheats commented she thinks that would help curtail the dialog amongst the audience and keep the question directed to the Board. The Board agreed moving forward, everyone who wishes to speak needs to come to the table.

#### VIII. NEW BUSINESS

- A. 839 Creek Road, Request for Waiver of Well/Septic Isolation Distance. The owner of 839 Creek Road needs to install a replacement septic system which will be located approximately 86 feet from his well. In order for the Sewage Enforcement Officer to issue a permit, the Board needs to grant a waiver from the 100 foot well/septic isolation distance. Cindy Miller made a motion to grant the well/septic isolation

- distance waiver for 839 Creek Road subject to the owner entering into an indemnification agreement. David Hess seconded the motion. All voted aye. Motion carried.
- B. Resolution 2024-5, Adoption of Emergency Management Plan. Cindy Miller made a motion to adopt Resolution 2024-5. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- C. 2024 Budget. Janet Sheats made a motion to reopen the 2024 Budget. Cindy Miller seconded the motion. David Hess questioned what the reason would be for reopening the budget. Janet Sheats commented as the budget stands now, there is not a line item for elected auditors. Per the State law, each auditor can make \$2,000 per auditor plus mileage. In order to keep with the law, we need to have a budgeted line item for elected auditors. Initially, she was thinking only \$100 would be needed; however, she feels the maximum amount should be included since we don't know how many meetings they may be holding. She believes the maximum of \$6,000 which is \$2,000 per auditor plus \$200 for mileage. Jerry Pritchard commented just because we put it in the budget doesn't mean we need to spend it. Cindy Miller commented the issue is, the Board can't control whether or not the auditors meet. Just because they are not conducting an audit, doesn't mean that they can't meet and each time they meet, we have to pay them \$10 per hour for the meeting. Jerry Pritchard questioned if they can call a meeting whenever they want and run the tab up at any given time. Cindy Miller commented they would have to submit their hours and what they were doing. Janet Sheats commented she believes we need to show the line item in our budget and she believes it should be at the maximum amount. Jerry Pritchard questioned if the meetings would be open to the public. Attorney Backenstoe commented they would be. Attorney Backenstoe commented if they have an issue, they can also hire their own attorney. Cindy Miller commented they have to have at least one meeting to organize. Mike Jones questioned what the penalty is if they don't organize. Janet Sheats commented there is not according to PSATS. The Supervisors also cannot be penalized for the auditors not doing what they are supposed to do. Cindy Miller commented the auditors are separate from the Board. Janet Sheats noted the taxpayers just have to pay for them. Charlie Perich questioned what it has cost in the past? Alice Rehrig commented she will make the adjustment in the budget and advertise for 10 days as required. All voted aye. Motion carried.
- D. Delps Park Farm Field. David Hess commented as a member of the Recreation Board, he learned that there was about 15 to 20 acres that are being farmed at Delps Park and there is not a fee being charged. He believes a fee should be charged so that the Rec Board can have additional money coming into their budget. The Recreation Board all agreed that this should be brought to the Supervisors for discussion.

Cindy Miller questioned what the Recreation Board was planning on charging. David Hess commented it would be put out for sealed bids. Backenstoe commented in other municipalities the property is put out to bid; the high bidder wins and he prepares a lease agreement. There usually is a staggered payment where they pay up front before the planting, some pay towards the middle, and then the balance is paid at the end when they harvest. You also need to have a map or some type of diagram that depicts the area to be farmed and the acreage. Access to the farm field also needs to be identified and depicted on the plan and attached to the lease agreement. The lease with the farmer will also trigger an assessment for taxes because you will not longer be using it as Township property; you are leasing it.

Mike Jones commented he believes the farmers usually want more than one year. Patrick VanderPloeg commented they prefer three to five years. Mike Jones commented his point is the farmers don't want to put all the fertilizer and money into the field in one year, then lose it the following year. Patrick VanderPloeg commented the farmers are going to want some type of notice included in the lease to ensure that that after they plant their crops that the Township can't come in two months later and say they are now building a community center there. Cindy Miller commented that it her concern. Attorney Backenstoe commented what has been done in other Townships, if they determine they are going to be doing something with the property in a particular year, they don't lease the property. Most of the Township's he's involved with are doing it per growing season and it is put to bid each year. David Hess commented he would want to do a three year lease. Cindy Miller questioned why you would want to do a three year lease knowing the Township is working on a plan for the park. Attorney Backenstoe commented it could be bid as a one year lease with three one year options two for renewal. In addition to the lease, the Township will also want to require insurance naming the Township as an additional insured. There could also be language that the Township could deny the ralenew with a 60 day notice.

Danny Ziegenfuss commented the reason why a farm hesitates to take something on for a year is because they may need to apply lime, potash, or other material to the soil which could cost a few thousand dollars, but it will last for several years. So, if a farmer goes in the first year and spends all the money to treat the soil, another farmer could come in the next year and out bid him and have the better soil. Cindy Miller commented this year the Township is hiring a consultant to develop plans so next year we should be implementing them. By doing a three year lease, the area will be tied up when the Township should really be moving forward with the plans. Jerry Pritchard questioned if the Township would really be in the development phase, moving earth, that quickly. Cindy Miller commented it would depend upon what the Township is doing. She will be focusing on parks and recreation and obtaining

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grants. The park won't get developed if we don't go after the funding. Jerry Pritchard commented the grants are not guaranteed money. The Township should be focusing on the money that is coming from the Jaindl development. When that development comes in, that is the guaranteed money that we have control over. Any grant we submit, we can hope and pray we get it. Cindy Miller commented we don't know when Jaindl will be coming in. He could be sitting on it for ten years. Janet Sheats commented the Township almost needs to do a three year lease to be fair to the farmer.

Kristin Soldridge questioned if you can restrict the bidders to just from the Township. Attorney Backenstoe commented if it is put out to bid, it's open to anyone. He doesn't believe you can limit it to just the Township residents. Kristin Soldridge commented if you put the property out to bid, you don't know who you will get. You could get someone who will undercut the local farmer so you may not really be helping out the Township.

Cindy Miller questioned if it is known about how much money will be brought in. Danny Ziegenfuss commented the low price per acre is \$35 and the high is \$125 per acre. Attorney Backenstoe commented he believe most of the ones in Moore Township come in at \$60 to \$70 per acre. Cindy Miller commented she would like to see a cost analysis on paper. She would like someone to figure out how much money we would receive and what it will cost us to do this because we need to do a lease agreement and everything else. We are looking at making a decision and don't know what the actual revenue will be.

Janet Sheats questioned if the property is put out to bid, must the Township accept them. Attorney Backenstoe commented there could be wording in the bid that states the Township has the right to accept or reject any and all bids. Cindy Miller commented you still have to pay to advertise the bids and for someone to write the bid.

David Hess made a motion to put the farming of the field at Delps Park out to bid for one year lease with an option to review for two additional one year periods with a right for refusal. Jerry Pritchard seconded the motion. Monica Brown commented she thinks it is a good idea to research the costs involved with this and what the potential is on the income before spending everyone's time on this. Janet Sheats commented the Board won't know the income until after they receive the bids which why they are including the right for refusal. Jerry Pritchard questioned what the costs would be for advertising. Alice Rehrig commented it would be around \$50 to \$70 for each ad. This bid may need to be run twice. Patrick VanderPloeg commented the farmer who is currently farming the property should be notified so he is not

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blindsided. Cindy Miller questioned who would be writing the bid. Jerry Pritchard commented Alice Rehrig could do it. Attorney Backenstoe commented if assistance is needed, he would help. Jerry Pritchard questioned how long the bids would be advertised. Attorney Backenstoe commented the Second Class Township Code requires at least ten days before the bid is due. Alice Rehrig commented realistically, the earliest she could have the bids could be due the end of February. It may not be possible to do a lease for this year. No vote was taken.

- E. Manager's Report. Alice Rehrig did not have anything specific to report other than what was on the agenda.
- F. Solicitor's Report. Attorney Backenstoe did not have anything specific to report other than he has been working with Mike Muffley on agreements for various projects.

Katherine Mack questioned the status of the Karafam appeal. Attorney Backenstoe commented it was submitted to the court and we are waiting for a decision. She also questioned the status of the Heffelfinger appeal. Attorney Backenstoe commented Heffelfinger advertised for a deemed approval and he filed an appeal on that. In the meantime, the written decision by the Zoning Hearing Board denying the appeal was received and Mrs. Heffelfinger appealed that decision. At some point, he will need to talk to Attorney Ettinger about consolidating the two matters.

- IX. PUBLIC COMMENT. Barry Haydt commented Attorney Ettinger provided the Zoning Hearing Board with a letter that his rates were increasing in January. Janet Sheats commented the Board received the letter and they set his rate at \$105 per hour. Lynn Tamarro commented the Zoning Hearing Board won't be able to get a decent solicitor for \$105 per hour and would hope the Board would reconsider that. Jerry Pritchard commented the Board looked at it as the other Solicitor's for the Township held their rate.

Katherine Mack questioned if the Board had the answers to the questions she asked in her email. Katherine Mack asked the following questions of the Board:

Why did the cost of the audit go up \$15,000? It was because they are doing a forensic audit.

Was the actual cost of the audit \$8,000 as indicated in past budgets? There was additional money included in the budget in the event a program audit was required for outstanding grants.

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Who pays for the bonds for the tax collector and treasurer? The Township pays for both bonds.

Who is the auditing firm? Kunsman Corporation.

How can an auditor be hired before the resolution was adopted? There is a three year contract and you cannot wait until January to hire an auditor. It was noted in prior minutes that the Solicitor commented the Board can appoint an auditor to conduct an audit.

Katherine Mack noted an error in the January 2, 2024, minutes. It states that there were two four year terms for Planning Commission. There was only one four year term.

Angela and Adam Stranzinski were present to discuss the issues they are having with water run off on Cottonwood Road. They have done all they can do and have been working with Public Works who has installed a culvert to try to help, but the problem continues to get worse and her foundation is starting to become compromised. The Board agreed to have Mike Muffley look at the situation to see what can be done.

- X. EXECUTIVE SESSION. The Board went into Executive Session to discuss personnel matters pertaining to new hire candidates. No action was taken.
- XI. ADJOURN. Cindy Miller made a motion to adjourn. David Hess seconded the motion. All voted aye. Motion carried.