

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Minutes of the January 25, 2022, Meeting

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on Tuesday, January 25, 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 January 11, 2022. Cindy Miller made a motion to approve these minutes. David Hess seconded the motion. Phil Gogel noted he would not be able to approve these minutes because he hasn't been able to get through reading the minutes and going over the tape. The minutes might not reflect what was actually stated at the meeting. Cindy Miller, David Hess, Jerry Pritchard, and Mike Jones voted aye. Phil Gogel abstained. Motion carried.

III. APPROVAL OF BILLS.

- A. General Fund Checks 25476 to 25508. Phil Gogel made a motion to approve these bills. Cindy Miller seconded the motion. All voted aye. Motion carried.

IV. OLD BUSINESS

- A. Cherryville Intersection. Alice Rehrig reported she spoke with Jim Milot and he feels he has made progress and is near resolving everything with PennDOT. She also informed Jim Milot that the Township is at the end of their rope with this project. The State is looking to get the grants closed out and we need to get this project done. Jim Milot has spoken with the signaling department and has them on board with what is being proposed and is hoping by the end of this week everything will be resolved to get this wrapped up.

Cindy Miller reported she called the project manager for Turkey Hill. They have two outstanding items. They plan on coming into the Township in April for permits. They are still working on finalizing everything with PennDOT, but feel they are at the end of the tunnel for their HOP. They needed to show the back taxes were paid and that is what PennDOT was waiting for. They have been able

to prove that and are waiting on PennDOT's approval. They then need to sign the deed and the plans. The NPDES permit is getting closer to being resolved. They received comments back in November and never received anything back from the Conservation District. When they contacted the Conservation District, they indicated that they never received their response when in fact that did receive it after they did additional checking. They are now back on track with the Conservation District. They are targeting April 18, 2022, as their construction date.

- B. Maintenance Building. Jerry Pritchard commented he would like to get a group back together and try to get the building going. Perhaps if portions of the contract were pulled out and bid separately, we would be able to reduce pricing.

Paul Nikisher questioned if some of the COVID relief money could be used towards the maintenance building. Cindy Miller commented we need to verify what it can be used for but believes a portion can be used towards the building. The Township has until 2024 to use the funding. The criteria have not yet been handed down from the Treasury.

V. NEW BUSINESS

- A. Veterans Memorial. Tom Szoke was present to discuss the concept of creating a Veterans Memorial. He had brought this to the Board a few years ago, and was hoping to partner with the Legion, but it doesn't seem to be working. He would like to bring this back to the Board to see if there still is an interest. He knows it will take a lot of work and would like to spearhead the project and hopes to get more people interested in it. He was thinking some type of wall or monument. Something that could be located in a central or main area of the Township for all to see. He doesn't want to necessarily replicate what they have in Palmerton, but wants something to recognize all the Veterans of the Township. The Board was in agreement with this and was willing to help as needed.

Jerry Pritchard asked if there was a specific place that Mr. Szoke had in mind. Tom Szoke commented he would like to see it on a main artery so that everyone can see it.

Jerry Pritchard questioned if there was idea in mind regarding the funding of this. Tom Szoke commented he would image a 501.3.C would need to be set up. He was hoping that if he could partner with the Legion, they

could help funnel some funds through them then a different entity wouldn't be needed. Tom Szoke also commented he spoke with some of the people from the VFW in Walnutport. They may also be interested because they do not have a memorial there and Walnutport and Lehigh Township was considered to be the same area that they were drawing from when they were in the service.

He wanted to bring this topic back up so people start to hear about it. He will ask to be back on the agenda in a month or two and see what has been established or talked about at that time.

- B. Proposed Ordinance 2022-1, Amending Chapters 103 and 111 (Noise). This is a draft ordinance based on the discussions from the last meeting. The language is the same as what was discussed at the last meeting. If there are no changes or further discussion on this, then authorization would be needed to advertise it for adoption.

Cindy Miller commented under Item 2, it states "unless permission is granted by the Board of Supervisors." What would be an example of when the Board would even grant permission to violate a noise ordinance? Alice Rehrig commented that was included in the event something was to come up, possibly something like the County Fair when they had the fireworks. It was to show people could come to the Board for approval. It could be removed since people can come to the Board regardless. Phil Gogel commented he would leave it in because the more information you give the public, the better. If you remove too much, people may not understand they have options.

Cindy Miller made a motion to authorize the advertisement of Ordinance 2022-1 for adoption at an upcoming meeting. Kristen Soldridge questioned if the ordinance could be read. Cindy Miller commented nothing changed from last meeting, the times are still 11:00 p.m. to 7:00 a.m. and it just removed the old language from the ordinance. It also states the noise shouldn't be heard 150 feet from the source. Mike Jones seconded the motion. Katherine Mack questioned if consideration was given to anything that is in the Zoning Ordinance under noise control and coordinated it with that. Alice Rehrig commented she consolidated the other two ordinances that were already existing into the proposed ordinance. She didn't try to coordinate it with the zoning because that could hamstring the police on the enforcement because they are two different types of ordinances. Katherine Mack commented there are different times and decibel levels for the different zoning districts. Alice Rehrig commented the Police can't enforce the

zoning. Sending out a zoning notice for a violation of noise would not be effective because you need to send a written notice and it would be appealed to the Zoning Hearing Board. Attorney Bucknum, representing Lorah Farms, wanted to point out her concerns regarding the ordinance. The Ordinance does not take into account the zoning districts and the uses in the zoning districts. The language under Section 1 states “not permitted at any time, any noise which serves no legitimate purpose”. This is vague and ambiguous language that could lead to subjective enforcement. There are no time limits listed under Section 1 which can open it up for anything to be saying you are making loud noise that is not legitimate and it would be up to the person enforcing it at the time. Even Section 2 indicates no noise after 11:00 p.m. There could be noise and is it reasonable or not. Her suggestion would be to add a clarification sentence that would provide that this does not include noise from business uses that are permitted under the Zoning Ordinance. You don’t want to go after the businesses. It is really open ended and subject to interpretation. She believes you need some clarification that businesses that are engaging in making noise and are permitted under Zoning, the zoning can’t be circumvented by a complaint under this ordinance. Phil Gogel commented the Chief addressed this at the last meeting and also brought up it could be subjective because one officer may find it loud and another officer might think it is fine. Attorney Bucknum commented it is her understanding that this ordinance came out because of two neighbors and music. This ordinance is broader than just music. Cindy Miller commented the ordinance has to be broad enough to cover the entire Township for noise. Attorney Bucknum commented Section 1 does not have times listed. It is any time; Section 2 has hours. Someone could be cited under either section. Attorney Backenstoe commented noise is one of the most difficult areas for a Township to regulate. It is subjective and when you try to be objective about it, it gets costly. He has seen Township after Township institute decibel levels. When someone is cited and gets counsel, they ask how can you prove decibels. The Zoning Officer needs to have a sound meter; then the question becomes was it properly calibrated. If it was, then was the Zoning Officer properly trained to use the sound meter. He has been involved in litigation where the Townships have spent thousands of dollars because they needed to get a sound expert from Florida to testify. What this Board is trying to do is regulate this in a common sense manner. As Katherine Mack pointed out, there is noise requirements in the zoning, but when you cite them, the Zoning Officer has to give the individual 30 days to correct the problem. By that time, the poor neighbor has to keep dealing with the noise. The Board is trying to take it out of the nuisance ordinance and put it where the Police can go out and effectuate some type of reasonable remediation. It is subjective, but when a Township wants to enforce something which is considered a public

nuisance, it is not considered a black and white issue. You need to prove the public nuisance having the property owners testify for the police and say, look, this is driving me insane. It is day in and day out from morning to night. The magistrate has to listen to the testimony and make a decision. This Board is trying its best to address issues that residents have brought in good faith and asked if there was a way the Board could do something. Based on this, Alice Rehrig looked at the two different sections and put the draft together. He believes there are two sections to the ordinance. One addresses a general nuisance where you may have someone blasting music so loud that their neighbor can't think. They should have the right to call the police regardless of what time it is. Under Section 2, there is a little bit more of a prima facie case if there is loud noise after 11:00 p.m. because you really aren't supposed to be doing anything like that. You still would have to prove a public nuisance. Attorney Bucknum commented that the two different sections are her concern. One is any time and the other one is not. There needs to be a clarification that if it is a business that is a permitted use under zoning and there happens to be a neighbor who doesn't like the noise, they can't circumvent the zoning and file a complaint under this ordinance for an enforcement action. Mike Jones commented the ordinance does state "for no legitimate purpose", so if a business is operating, it would be legitimate. Attorney Bucknum commented she did think about that but it does risk the subjectiveness of the ordinance so what would it hurt to have the clarification added. Legitimate or not legitimate is not defined. Language that would help clarify this could be "this shall not include noise from business uses that are permitted under the zoning ordinance". This would also incorporate what Mrs. Mack was stating. Cindy Miller commented the Officers are not going to have to check zoning before they go out to see if it is permitted or not permitted. Phil Gogel commented they do check with Zoning. If someone has junk cars on their property, the Police do know it is a zoning violation and report it. He has seen it on the Zoning Officer's report so it wouldn't be out of the realm of what is being suggested. A resident commented he can hear the tractors from the farm start as well as the noise from the tractor pulls, but that doesn't bother him because he knows there is a farm next to him and they advertise the tractor pulls, but at the same time, on a Sunday, for six hours, he could hear his neighbors music inside his home where he and his family can't enjoy sitting on his deck or open the windows because they can't even talk to each other. As a resident, he moved into the country and knows he is going to smell manure and hear tractors, but he didn't move there to listen to his neighbors music. Attorney Bucknum commented you don't want a business cited unnecessarily in a subjective manner because there is some noise that people are complaining about that should be brought to the Township's attention and whether they are in compliance with the zoning

requirement for their business use rather than leaving it open ended for subjective enforcement and circumventing the zoning. Mike Jones commented he is concerned that this would give a business the right to do whatever they want from a noise perspective. Attorney Bucknum commented that wouldn't be the case because she is suggesting businesses that are in compliance with zoning. If they are not in compliance with zoning, then they are in violation. Mike Jones commented he doesn't believe zoning should be involved in an ordinance like this. Edgar Lorah commented a business could get hammered just like a resident. If a company starts their trucks before 7:00 a.m. and slams a tail gate and a neighbor complains, the business has no protection because the Police will come out under this ordinance. Cindy Miller commented she has been on this Board for 10 years and is not aware of residents calling and complaining about commercial businesses operating before 7:00 a.m. She believes that when you live next to a business, you understand that. You chose to live there and understand that there is a business next to you and they need to operate. She has not seen residents of this community complain about commercial businesses operating on off hours. Phil Gogel commented that didn't stop people from moving in around Nazareth Speedway and then shutting them and the other little race tracks down. People moved in there knowing there was a racetrack there and they ended up shutting the racetrack down. Attorney Bucknum commented it is her understanding that an excavation company doesn't start until after 7:00 a.m. because of a complaining neighbor. Cindy Miller commented that was never brought to her attention. Edgar Lorah commented there should be something in the ordinance to protect the businesses because they get new neighbors. Every time he gets a new neighbor, he gets a new complaint as a farmer. People move away and the new people do not realize they moved in next to a farm or factory, or other business. They then complain to the Board and there is no protection for the business. Cindy Miller questioned if the Police have ever come and shut Mr. Lorah down? Mr. Lorah commented his tractor pulls were shut down one or two times. Kristen Lorah commented she used to take her dogs to the groomer at 7:00 a.m. because of her work schedule and she had to drop them off after 8:00 a.m. because the neighbor complained to the Township so she couldn't accept dogs until after 8:00 a.m. so it does happen. Katherine Mack noted there already is something in zoning where it talks about the loudness of sounds. In an RC district, a business cannot go above 64 decibels at any time; in Industrial, they cannot go above 69 decibels at any time. There are also exemptions for agriculture and commercial kennels. Construction operation and repairs of public facilities are to take place between 7:00 a.m. and 9:00 p.m.; the hours for household power tool and lawn mowers are 8:00 a.m. to 9:00 p.m. The Township definitely has hours regulating

noise. When zoning takes a look at businesses and they come before them for a special exception or a use variance, they do set hours of operation and they are not allowed to open their doors before or after those set hours. Cindy Miller commented when plans come before the Planning Commission, they look at the same thing. Jerry Pritchard commented everything is regulated and regulated. We need to use some common sense. Janet Scheetz commented common sense is great, but she also doesn't want her windows rattling from a noise on Jenny Drive when she is on Blue Mountain Drive. Cindy Miller commented she doesn't have a problem with the way this is written because we have this and we have zoning. Alice Rehrig noted the section of the ordinance that does not have times listed is already part of Chapter 111. This ordinance is taking the existing language of Chapter 103, Nuisances, and combining it into Chapter 111 so everything is in one place. Jerry Pritchard questioned where something could be inserted about businesses. Cindy Miller commented every business is different. If you do it through zoning their hours are different. Jerry Pritchard noted every residence is different, some have one acre, some have twenty. Cindy Miller questioned how you would want to make it generic in this ordinance. We already have it in zoning. Jerry Pritchard commented you don't want to have police going to a business and shutting them down. Cindy Miller commented our police haven't been doing that; she can't imagine that is what they would do. Katherine Mack commented they try to set appropriate hours of operation through zoning depending upon if the business is inside or outside and what type of noise they are generating. They also look at lighting so that the lights are not shining onto a neighboring property. Katherine Mack commented she is not aware of complaints about a business offending a neighbor. Phil Gogel commented it was noted earlier that Mr. Lorah was shut down and fined by the police. Mr. Lorah commented he was fined \$600 from the Police for not shutting down by 11:00 p.m. Phil Gogel commented there is not a defined line; one Officer will see things differently than another. Attorney Bucknum commented her original concern was that Section 1 does not have any times and she believes there should be a clarifying sentence like what she gave to help satisfy the concern so that Police can still enforce noise problems, but that businesses would be given some type of acknowledgement that they make noise for their business. Mike Jones commented he can agree with that but also believes it should still be 11:00 p.m. to 7:00 a.m. A resident commented if you exempt businesses, then they can do whatever they want 24 hours a day, 7 days a week. Mike Jones commented if a business is exempt between 7:00 a.m. and 11:00 p.m., then you would be saying they can make as much noise as they want to between those hours, regardless of zoning. Attorney Bucknum commented there are zoning regulations and if there is nothing clarified in this ordinance, someone could use this ordinance to

circumvent the zoning. People move in and out all the time. As things change, you run the possibility of people coming in and trying to circumvent the zoning through this ordinance because they don't like the business they move in next to. Katherine Mack commented when businesses go through Zoning, they set hours of operations. Janet Scheetz commented it seems like the discussion is based upon Lorah's Tractor Pulls. Why not just issue them a permit? Cindy Miller commented they will be coming before the Board for a conditional use hearing. Attorney Bucknum commented it is more than just Lorah's Tractor Pulls. Edgar Lorah commented it is for all businesses in the Township. Businesses get new neighbors and they don't like the business, then they start throwing darts at the business and eventually, they end up before the Board. Commercial Business needs to be kept separate so they can operate and not get caught up in the Nuisance Ordinance. Mike Jones commented if the hours are set through zoning and they are operating within those guidelines, there shouldn't be a problem. A resident questioned who would be enforcing the Zoning in the moment when the police are called, before they issue the citation and shut them down. Jerry Pritchard commented if the Police don't enforce zoning, but they enforce this ordinance, there should be something in the ordinance to address that. Cindy Miller commented most commercial businesses shut down by 5:00 p.m. Jen Lorah commented what happens if someone's business is snow removal and they start their trucks at 4:00 a.m. Is their neighbor going to call the Police because the trucks are running at 4:00 a.m.? Kristen Soldridge commented there are neighbors who will call just for tit for tat, then it starts a constant battle because certain residents have a problem that wasn't enforced by the Police Department for whatever reason and now, we are here at this point. If the clarification is included, then there is no confusion and one person can't say one thing, then another says something different. If enforcement needs to be done, then the Police know what they are supposed to do. A resident commented you cannot rely on common sense; that is gone. It needs to be determined what is necessary noise. People and businesses next to each other need to realize it cuts both ways. If you want to run your business there, you need to be considerate. It has to be case by case and you need some leeway. If it goes to court, and you have a case, so be it. Use common sense. Some people are in a special situation and you are trying to generalize something that is very difficult. Attorney Backenstoe commented the Board could consider inserting a modifier as requested. After "serving no legitimate" insert (legitimate purpose may include a lawfully operating business operating between 7:00 a.m. and 11:00 p.m. or as otherwise permitted by the Zoning Ordinance or Zoning Hearing Board). He can work with Alice Rehrig on this language. He is trying to define legitimate to address the

concerns of the individuals. He believes this may capture the sentiments of everyone who is discussing this. Cindy Miller withdrew her motion. This matter was tabled.

- C. Resolution 2022-6, Adopting Emergency Operation Plan. Every two years the Township's Emergency Operation Plan and resource and identification manual needs to be reviewed and updated. This was completed by Emergency Management and is now ready for approval by the Board. Cindy Miller made a motion to adopt Resolution 2022-6, adopting the Emergency Operation Plan. Phil Gogel seconded the motion. All voted aye. Motion carried.
- D. Memorandum of Understanding. This is a Memorandum of Understanding between the Township and the Teamsters regarding a working lunch. Phil Gogel made a motion to approve the memorandum of understanding. David Hess seconded the motion. Paul Nikisher questioned what the memorandum of understanding was. Phil Gogel commented this was something started during negotiations, but wasn't able to be worked out at that time, regarding the road crew having to come in and punch in and out for lunch. This memorandum will allow the road crew to take paid breaks on the job site and not have to return to the office for their lunch, eliminating the need to break down the job, return to the office, then go back out and set everything back up. It provides for hours from 7:00 a.m. to 3:00 p.m., removes the unpaid 30 minute lunch break and allows a paid 20 minute and 10 minute break during the day, although if they wanted to, they could combine or split those times as they needed. It just took some time until everything could be worked out. All voted aye. Motion carried.
- E. Manager's Report. Alice Rehrig reported she did some on line research on range requirements. The only detailed requirements she was able to locate was from a gun club in Canada. Other municipalities that regulate ranges refer to the NRA requirements, but do not actually list them in their ordinance. She did check the NRA website and you can purchase their regulations for \$50. Mike Jones commented he knows the Chief and Sergeant Mirabile were not comfortable with doing range inspections because they were not certified inspectors, questioned if there was a range inspector available through the State Police. Phil Gogel commented the Township has always used their own officers. Before he retired, his brother Bob Gogel was a range instructor and would go out and check the ranges. Cindy Miller commented she knows the NRA inspects ranges; they will go out and inspect commercial ranges. Barry Haydt commented the NRA recommends railroad ties with ground behind them. The Game Commission may also have specifications because they have public shooting ranges. Adam Raker

commented if someone wants to do this, put the onus back on them. Let them figure out what is required. Why take the liability onto the Township? As soon as you start telling someone what they can or can't do, as soon as something happens where someone gets hurt or something gets damaged because of something you said they could do; the liability will come back to the Township. Attorney Backenstoe commented unfortunately, that is the way things are right now. With the way the ordinance is written, there is no criteria for a range and if the Township is going to regulate it, it should be updated. Another thought would be that the Township chooses not to regulate it. If the Township is going to regulate ranges, then there should be a uniform standard that must be followed. He does understand what Adam Raker is saying in that once you take on the responsibility to regulate it, you are also possibly taking on that liability as well. The problem is the Township has already taken on that responsibility and liability with the ordinance as it is written. Cindy Miller commented it seem like a lot of municipalities fall back on the NRA guidelines. Adam Raker questioned who would inspect the range to make sure it meets those guidelines? Jerry Pritchard commented the Township should have the regulations on file and whomever goes out to do the inspection should have it with them. Attorney Backenstoe commented if there is a uniform standard, then someone from the Police Department would be able to inspect it because they would know what was needed. Mike Jones questioned why the individual who was applying for the permit couldn't absolve the Township of liability. Attorney Backenstoe commented you could ask them to sign a waiver and indemnification agreement, but that doesn't mean that the Township couldn't be sued because they are the entity issuing the permit which is why not regulating the ranges is a possibility, but everyone has always thought it was better to regulate them, but uniform standards should be developed. If the Township does take on the responsibility to regulate ranges, they do take on the liability as well. Individuals can sign a release, but that doesn't mean someone can't come after you. But, if you have uniform standards, set to industry standards and you do have to go to court, you have a good argument as to why you are not liable, and it is the shooters negligence and not yours. Jerry Pritchard commented if we are already issuing permits for ranges, then we are already liable. If we are liable, then why not have guidelines for people to adhere to. A resident questioned if the standards are developed, can the Township go back to the individuals who already have been issued a permit and check if they meet those standards. Attorney Backenstoe commented you cannot go back, but if someone comes in to change or expand their range, then you can have them comply with the new regulations. Jerry Pritchard made a motion to authorize Alice Rehrig to purchase the NRA range specifications. Phil Gogel seconded the motion. All voted aye. Motion carried. Adam Raker commented if the Board is going to continue to permit the ranges,

then the ordinance should also be updated. Mike Jones commented there should also be a requirement that the range permit expires and needs to be reapplied for every so many years so that it can be reinspected every so many years.

The yard waste site is temporarily closed because of icy conditions. As soon as the Road Crew is able to clear the ice, they will reopen the site.

A claim summary report was received from the insurance company regarding the 2012 Ford Taurus which was damaged in a recent accident. Based on the costs of the repairs and the value of the vehicle, the insurance company has determined it to be a total loss. If the Township were to turn the car over to the insurance company, they would receive \$6,444. If the Township were to keep the car, they would receive \$5,194. The estimate that the insurance company gave for the repairs was \$8,787. Since the amounts are not that far apart, Alice Rehrig contacted Leibenguth Auto Body to see what their thoughts were on the repairs to help the Board determine if they want to repair or replace the car. Replacing the car will be more costly because most of the equipment will probably not be able to be transferred.

The Chief had provided additional information regarding the replacement of the Ford Explorer that was damaged in an accident last year. This was discussed at the last meeting and the Board approved spending up to \$38,000 for the vehicle and the upfitting. When the Chief went to order the new vehicle, he learned the body style of the Explorer has changed and the equipment from our older model will not be able to be transferred to the new vehicle. This will result in additional expenses for the upfitting of the car. The total cost of the vehicle with the upfitting would be \$45,382. Mike Jones questioned if we should be looking at other models if we cannot transfer the equipment. Kristen Soldridge commented you may also be able to find a vehicle that is a year or two old and in decent shape where the existing equipment would fit. Even if you check with some of the used car dealers, they may be able to locate something through the auctions. Alice Rehrig commented she hasn't seen total costs on the Durangos, but was told that they are more than the Fords. Mike Jones commented if we have to do everything new, why don't we price different models out. Jerry Pritchard commented we should be getting competitive bids when we are pricing things out. Cindy Miller commented she believes we need to start looking outside the normal places we have been going to ensure we are getting the best pricing. If we can't get vehicles, why are we relying on the same people all the time? Phil Gogel commented he does not like the idea of putting our officers out in a vehicle that has been used, possibly abused. When you buy something used, you need to be prepared to throw some cash at it. David Hess commented Lehigh University gets

rid of their cars when they only have 25,000 or 30,000 miles on them. This may be a possibility. Janet Scheetz commented you don't want to buy a used police car. They beat the crap out of the cars; they are not safe. Contact colleges; their driving is relatively limited. Depending upon what doesn't fit into the new vehicle, they may have brackets that will adapt the equipment to the new vehicle. They were able to do that with the cage for her husband's vehicle. Jerry Pritchard commented if we are able to put our vehicle back on the road for \$8,000, it would be better than having to spend \$45,000. Additional information will be needed before a decision is made on this matter.

The Comp Plan hearing has been set for March 8 at 6:30 p.m.

- F. Solicitor's Report. Attorney Backenstoe reported he did need to speak with the Board in Executive Session regarding a Zoning Hearing Board matter with Car Farms. He does not anticipate any official action being taken.

- VIII PUBLIC COMMENT. Dennis Herschman questioned the status of the COVID relief funds. Mike Jones commented we haven't received the final guidelines on what the money can be used for. At this point, we have received half the money.

Paul Nikisher questioned if there is any new information regarding the Jaindl project. Attorney Backenstoe commented the Township has not had any new submissions for quite some time. Cindy Miller noted they received a \$2.1 million RACP grant. She doesn't believe they received the \$6 million grant for the sewage. Someone also applied to have the Seminary building designated on the National Historic Registry. They haven't been before Planning recently. The only thing that has been approved so far is Phase 1 which is the Hotel. Phase 2 will be the residential portion, but they have not submitted anything to the Township yet.

- IX EXECUTIVE SESSION. The Board went into Executive Session to discuss potential litigation and personnel. Upon returning from Executive Session, Mike Jones announced the Board discussed a matter of potential litigation and no action needs to be taken. With regard to the personnel matter, after reviewing evaluations, the Board felt adjustments were needed to the salaries of the following employees: Chrissy Czonstka will receive an additional \$228.80 to her original raise; Lori Lambert will receive an additional \$436.80 to her original raise. Cindy Miller made a motion to increase these salaries as stated. Phil Gogel seconded the motion. All voted aye. Motion carried.

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