

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

July 25, 2023

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on Tuesday, July 25, 2023, 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
Mike Jones
Jerry Pritchard (via telephone)
Attorney Lisa Pereira
Alice Rehrig
Liz Amato

Absent: Phil Gogel
Attorney David Backenstoe

II. APPROVAL OF THE MINUTES

- A. Minutes of July 11, 2023. David Hess made a motion to approve the minutes. Cindy Miller seconded the motion. All voted aye. Motion carried.

III APPROVAL OF BILLS.

- A. General Fund Checks 26938 to 26982. David Hess made a motion to approve these checks. Cindy Miller seconded the motion. Jerry Pritchard questioned the check to All Traffic Solutions. Alice Rehrig commented this was for the replacement of the speed board sign that was destroyed when hit by a vehicle. Most of the expense will be reimbursed by the insurance company. Jerry Pritchard also noted he saw the chassis for the firetruck was ordered and paid for. All voted aye. Motion carried.

- B. State Fund Check 1582. David Hess made a motion to approve this check. Cindy Miller seconded the motion. All voted aye. Motion carried.

IV. DEPARTMENTAL/ORGANIZATIONAL REPORTS

- A. Zoning Report. Liz Amato reported there were 33 permit applications received in June and 32 permits were issued. She received 6 new complaints in June and is still working through the older complaints.

There was a special zoning hearing board meeting held on June 29 for a change in use to permit three multi-family apartment units in the General Commercial Zoning

District. This application was denied. Jerry Pritchard questioned if this matter is now concluded once they receive their decision. Liz Amato commented it is, unless the applicant files an appeal with Northampton County courts.

No new zoning hearings applications were received for the August meeting; however, the special meeting for the medical marijuana campus will still be held at the Fire Company on August 24 at 6:00 p.m.

V. OLD BUSINESS

A. Maintenance Building

1. Bracy Construction, Payment Request #1. Bracy Construction submitted their first payment request in the amount of \$64,112.40. Items included in this request is the ordering of the pre-engineered building, the bonds and insurance, project management, and general conditions consisting of the job trailer, temporary fencing, dumpsters, signs, and port-o-lets. This request has been reviewed by W2A and recommended for approval. Cindy Miller made a motion to approve Payment Request #1 to Bracy Construction in the amount of \$64,112.40. David Hess seconded the motion. Jerry Pritchard questioned if that amount included the 10 percent retainage. Alice Rehrig commented the amount being released is the balance owed the contractor less the 10 percent retainage. Paul Nikisker questioned how many payment requests there would be. Alice Rehrig commented the contractors would typically submit for reimbursement once per month. All voted aye. David Hess commented he knows there was a concern about the fencing. Is the payment request they are asking for consistent with what was required of the bid specs. Alice Rehrig commented there is no specific amount of fencing stated in the bid. Initially, they were only going to put the chain link fence across the roadway and parking lot. After speaking with the contractor, they were told to run construction fencing that is in place along the edges of the site for additional security. Motion carried.

VI. NEW BUSINESS

A. Ordinances for Lehigh Valley Planning Commission and Advertisement

1. Ordinance 2023-2, Amending Zoning Ordinance pertaining to Cluster Developments. The recommended changes to this ordinance by the Planning Commission have been completed. With the Board's authorization, Alice Rehrig will forward the ordinance to the Lehigh Valley Planning Commission and advertise it upon receipt of a favorable review. Cindy Miller made a motion to authorize Ordinance 2023-2 to be forwarded to the Lehigh Valley Planning Commission and advertised. David Hess seconded the motion. Jerry Pritchard questioned if he was correct in that this ordinance will be expanding this into the VR zone. Cindy Miller confirmed it will add cluster developments as an option in the VR zone. Paul Nikisher questioned what was included in a cluster

development. Cindy Miller commented cluster developments allow for a little bit higher density as long as the developer gives more recreation area within the development. They typically pull the developed areas of tract of land together and then have more open space around the development. Cluster Developments are already permitted in the A/RR zone. This amendment will allow them to be in the VR zone because the VR zoning districts are the areas where they would typically push for public water and sewer so it would make sense to have it there. All voted aye. Motion carried.

2. Ordinance 2023-3, Amending Zoning Ordinance pertaining to Wholesale and Wholesale Trades. This ordinance amends the definitions of wholesale and wholesale trades and removes them from the General Commercial District. Since the definitions are very similar to warehousing and warehousing has been limited to the Industrial Districts, it would be consistent to keep the wholesale uses to just the Industrial Zoning District as well. Like the previous ordinance, with the Board's authorization, Alice Rehrig will forward the ordinance to the Lehigh Valley Planning Commission and advertise it upon receipt of a favorable review. David Hess made a motion to authorize Ordinance 2023-3 to be forwarded to the Lehigh Valley Planning Commission and advertised. Cindy Miller seconded the motion.

- B. Resolution 2023-10, Adding J2 21 11A into Ag Security Area. Richard Becker, the owner of this property, owns 64 acres on the south side of Chinchona. He is looking to have the 2 acres he owns on the north side of Chinchona included in the Ag Security area. This would be the first step for them if they are trying to place their farm into farmland preservation. Cindy Miller made a motion to adopt Resolution 2023-10. David Hess seconded the motion. All voted aye. Motion carried.

- C. Memorandum of Understanding. The Teamsters have accepted the Township's proposal for new hires and it is now ready for approval by the Board. Cindy Miller made a motion to approve the Memorandum of Understanding with the Teamsters. David Hess seconded the motion. All voted aye. Motion carried.

- D. Manager's Report. The Chief was requesting authorization to move forward with ordering a new sign for the Police Station that was approved in the budget now that the park signs have been worked out. The cost for the replacement of the sign is \$650. Cindy Miller made a motion to move forward with the replacement of the sign at a price not to exceed \$650. David Hess seconded the motion. All voted aye. Motion carried.

Alice Rehrig questioned if there would be an objection to her developing specifications for the fuel island so that it can be placed to bid and hopefully have

some coordination with the work being done for the maintenance building. There was no objection to having the specifications developed. In addition, the proposed fueling island is located in an area that is slated for blacktop as part of the construction project. It may make more sense to have the blacktop for this area relocated to an area in the front of the building by the police station and have the access road improved. There will need to be additional discussions between the contractor, the engineer and Frank Zamadics on this matter.

Alice Rehrig would also like to put together a grant application through the Monroe County Gaming Grant which should be opening up within the month for a technology upgrade for the office. The server and laptops are due to be replaced next year; one laptop has already failed. She would be looking to get a new server, laptops, monitors, and an upgraded phone system which would help alleviate some of the issues with the use of old technology and new technology for the phone system. It would also prevent the entire phone system going down during a power outage. It would also give the ability to relocate and have phone service during a power outage as long as there is wi-fi availability. Once the proposals are received for the costs, she will bring the additional information back to the Board.

Alice Rehrig will also be working on the specification for the resurfacing of Cottonwood Road this week and is expecting it to be bid within the next week.

The Statewide Gaming Grant is open from September 1 through November 30.

A copy of the 2022 Audit and auditor comments were provided to the Board for review.

- E. Solicitor's Report. Attorney Lisa Periera was filling in for Attorney Backenstoe. She spoke with Attorney Backenstoe and he didn't have anything specific to report.
- VII. PUBLIC COMMENT. Dennis Ziegler, 840 Hickory Road, commented he had a neighbor at 4699 Aspen Drive, who on July 22, was having a Party with a band and stage that went until 1:15 a.m. This shouldn't be permitted and if something isn't done, he may take matters into his own hands. Mike Jones commented that the Noise Ordinance requires no noise between 11:00 p.m. and 7:00 a.m. When something like this occurs, the Police should be contacted. Mr. Ziegler commented he had called the police once before a few days prior and they didn't respond, so he was hesitant to do it again. Mike Jones commented they should still be called when there is a problem to get things documented. There is not much that can be done after the fact. Jerry Pritchard commented he understands that the Police Department is short staffed, but not responding at all shouldn't happen.

Mr. Ziegler also reported his neighbor at 832 Hickory Road has several junk vehicles on his property and also had someone living in a travel trailer. Mike Jones commented he believes the Zoning Officer is already working on this. Mr. Ziegler commented that travel trailer is gone, but now there is another motor home which he doesn't believe has plates. Mike Jones commented a complaint should be filed with the Zoning Officer. Mr. Ziegler invited the Zoning Officer to come to his property to see all the issues taking place on this property. He wouldn't be surprised if there are not drugs being sold at this property. The past few nights, there has been a white car with New Jersey plates going back to the house. The property is a mess and should be cleaned up. Mr. Ziegler commented he has seen them take plates off one vehicle and put them onto another. Mike Jones commented there is a certain process that needs to be followed for enforcement. Mr. Ziegler commented he wants to see results in 30 days. Cindy Miller commented that may not be possible because of the process the Township has to follow. Mike Jones commented unless the individual cooperates, it takes time for it to go through the system. A letter is sent and then if there are no results after a certain period of time, the property owner is cited at the Magistrate. Then they need to respond to the Magistrate's office and either plead guilty or take a hearing. Mr. Ziegler commented the house should probably be condemned. When he was at the house about six years ago, the kitchen wasn't cleaned and there was a five foot pile of laundry in the living room. The Zoning Officer will contact Mr. Ziegler about this situation.

Kevin Derr commented there is a cabin or tiny house at 827 Hickory Road which has been empty for years. Recently they have been remodeling it for someone to live in and there is no septic system. It only has a small tank. Will someone be able to live in it? Alice Rehrig commented the Sewage Enforcement Officer has been out to the property and also been in contact with DEP regarding it. Based on the information that was available, there was no malfunction with the system so someone would be able to live there. It is recommended that they be careful with their water use so it doesn't malfunction. Mr. Derr questioned if anyone ever placed dye in the system since it is so close to the creek. Alice Rehrig commented she does not know what type of testing was done. Cindy Miller commented if it is something that is permitted by DEP, the Township's hands are tied. Alice Rehrig commented if someone is living on the property and there is a malfunction, then the Sewage Enforcement Officer can do an investigation. Mr. Derr questioned how they determine if their system is working. Alice Rehrig commented there was a third party who provided information on the system, determined it was a working system, and the Sewage Enforcement Officer reviewed the information and the site. Mr. Derr commented it had been determined the system was not working 20 years ago, how is it working now? Alice Rehrig commented if it was malfunctioning from over use, it probably dried out over time which is why it is working now. If it malfunctions again, then they would have to do something to correct the situation. Dennis Ziegler questioned if they are not required to upgrade the system when the

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property is sold. Cindy Miller commented they are not required to do so because the Township does not have a property maintenance code that needs to be followed when properties are sold.

- VIII. ADJOURN. Cindy Miller made a motion to adjourn. David Hess seconded the motion. All voted aye. Motion carried.