

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

March 28, 2023

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on Tuesday, March 28, 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
Phil Gogel
Jerry Pritchard
Mike Jones
Attorney David Backenstoe
Alice Rehrig

- II. CANDIDATE INTRODUCTIONS. Candidates running for office were given an opportunity to introduce themselves to the community:

Janet Scheats. She has lived in the Township for almost 13 years. She is a rooted resident. She has been a basketball and baseball coach, along with an EMT/Firefighter. She wants to bring new eyes and perspective to the Board.

Patrick VanderPloeg. He lives and works at Riverview Dairy. He just started his eighth year of living and working in the Township. He and his wife dine here, their kids will go to school here. He plans on staying here; they got married and started their family. To be on the Board would give him the chance to help provide for a safe Township for our children and other children. He wants to attract new business to the Township and make sure we are a Township where families like himself want to come to, to put down roots in.

Richard Rehrig. He is a long time resident of Lehigh Township. He has worked here for 28 years and is running because he wants to run for the people of the Township. He also thinks there were some unethical things done and he would like to correct that.

Cindy Miller. Everyone knows who she is and she is up for reelection and is asking for everyone's support. She is running on her record.

Michael Jones. He is also running for reelection for the six year seat he currently holds. Everyone knows his past and how he feels about things. If anyone has questions, they are welcome to send an email or text.

Phil Gogel. He has been on the Board for the past five years. He is running for the six year term. A few things he has done for the Township are started an inch and half overlay instead of tar and chip to help improve our roads, prevented an ordinance from happening that could have took away people's rights. He would like to continue to work for the people and make things happen.

Kristin Soldridge. She is running for School Board. She has been living in the Township all her life. She causes a ruckus; she knows how to do it well, but she can get things done. She and Marc Kerksmar are running as a team. They want to make some changes; bring back Valedictorian and class rank which were taken away. Along with the help of Doug Vaughan who is currently on the Board and some other people, they believe they can make a huge change on the School Board and are asking for everyone's support.

Marc Kerksmar. He is also running for School Board. He has been a resident of the Township for almost 20 years. He has been attending the School Board meetings for three plus years and has seen how things have happened in the School District. He has seen how Board members have treated members of the public; he has seen them have someone removed. He pulled his daughter from the School District because of some of the stuff going on. As a tax payer and parent, he is looking to jump in and make something better for everyone.

III. APPROVAL OF THE MINUTES

A. Minutes of March 14, 2023. Cindy Miller made a motion to approve these minutes. David Hess seconded the motion. All voted aye. Motion carried.

IV APPROVAL OF BILLS.

A. General Fund Checks 26605 to 26644. Phil Gogel made a motion to approve these bills. David Hess seconded the motion. All voted aye, Motion carried.

B. State Fund Check 1574 and 1575. Cindy Miller made a motion to approve these bills. David Hess seconded the motion. Jerry Pritchard commented we haven't had a bad winter this year. Should we be carrying over stock piles of salt to go into next year? Alice Rehrig commented the Township is under an obligation to purchase 60 percent of our annual requirements. There will also be additional bills coming for next meeting. The 2022-2023 required allotment of 960 tons was purchased at one time and the salt shed is completely stocked. When she signed up for the 2023-2024 allocation, she reduced the amount of salt that will be required so that we will not be required to purchase as much salt next year. If the Township does not take their allocation, they are charged storage fees. All voted aye Motion carried.

V. OLD BUSINESS

- A. Cherryville Intersection, PennDOT has issued a final closeout for the remediation work that was done at the intersection. There are a few minor items that need to be provided before the final payment can be released to the contractor. The outstanding items are finalizing the punch list items from the March 22, 2023, inspection, receipt of the final notice of completion, receipt of all the HOP closeout material from PennDOT and the correction and submission of the final payrolls for the project. The final payment request, Request #5, in the amount of \$46,465.91 has been reviewed by Jim Milot. It is the recommendation that Payment Request #5 be approved with the condition of the developer providing the items listed in Jim Milot's letter dated March 28, 2023. The actual payment would be held until the Contractor provides the outstanding information. With the approval of Payment Requested #5, Alice Rehrig can complete some of the paperwork required for grant closeout.

Jerry Pritchard made a motion to approve Payment Request #5 in the amount of \$46,465.91 conditioned upon the contractor completing the outstanding items noted in the March 24, 2023, letter from Hanover Engineering. David Hess seconded the motion. All voted aye. Motion carried.

- B. Maintenance Building. The Township received an addition \$1 million in grant funding through the Statewide Gaming Grant. There is now \$3.5 million in grant funding to be used towards the Maintenance Building.

The architect will be providing the Board with draft specs by April 7 so they can authorize the project to be bid at their April 11 meeting. The bids would be due on May 18 and then be able to be awarded at the May 23 Board of Supervisors' meeting.

Paul Nikisher questioned how much of the grant funding needs to be matched. Alice Rehrig commented we have to match the \$2.5 million that was received through the RACP grant. The match would be the \$1 million grant, the funding that was saved, and the value of the land. Cindy Miller also noted the Township has a \$2 million 3.99 percent fixed rate loan which can also be used as match. Even if it is not needed as match, the Township will still need the loan to cover the expenses while we are waiting on the receipt of the grant funds.

- C. Resolution 2023-4, Establishing a Process for Appointment to Boards and Commissions. Cindy Miller made a motion to adopt Resolution 2023-4. David Hess seconded the motion. Jerry Pritchard commented there is language in the resolution which indicates you need to be present at the next Supervisors' meeting or the one following. What would happen if someone is qualified and happens to be out of town over that two week span? Would they be automatically turn someone away

who is qualified because they are out of town for two weeks? Why couldn't the Board accept an email outlining who they are and their qualifications, especially if they were previously serving on the Board? Mike Jones commented when the dates are outlined, the individual can notify Alice Rehrig that they can't make those particular meetings; we want to make the positions available to everyone who is interested in the positions. It is not time sensitive to fill most positions on the boards. Attorney Backenstoe commented the Board can always schedule around those types of requests; however, vacancies on the Board of Supervisors have time constraints. The Board has 30 days to fill a vacancy. If it is not filled in 30 days, it goes to the Vacancy Board and they have 15 days. If it is not filled within these 45 days, then the Courts would be petitioned. Paul Nikisher questioned if there were any major changes in the resolution since it was before the Board. Attorney Backenstoe commented there were changes after the first time it was discussed, but since last meeting, there were no additional changes. All voted aye. Motion carried.

- D. Ordinance 2023-2, Amending Zoning Ordinance pertaining to districts permitting Cluster Developments. The ordinance was scheduled for adoption; however, the Planning Commission is going to be making additional changes to the ordinance and it would be best to table this until all the changes are made.

Phil Gogel questioned if the Planning Commission was going to take out the Village Residential portion of ordinance. Alice Rehrig commented the Planning Commission is in the process of reviewing the ordinance. She doesn't know what the final recommendations will be. Phil Gogel noted he felt this should have been done before it was advertised.

Cindy Miller made a motion to table Ordinance 2023-2. David Hess seconded the motion. All voted aye. Motion carried.

VII. NEW BUSINESS

- A. Resolution 2023-5, Resolution outlining Police Records to be destroyed. This resolution was prepared by the Chief outlining all the records to be destroyed in accordance with the Records Retention Act. Phil Gogel made a motion to adopt Resolution 2023-5. Cindy Miller seconded the motion. All voted aye. Motion carried.
- B. Bella Vista Streetlighting. Request to reevaluate the Street Lighting District. The Bella Vista Development was approved in two phases. Each phase of the development had roughly 20 lots. When the first phase was approved, street lights were required because of a site distance issue at an intersection. As a result of this, a street lighting district was created which encompassed the first 20 lots. When the second phase of the development was created and approved, there were no proposed street lights or any changes in the street lighting district so the second phase of the

development was not required to pay the street lighting fee because they were not part of the designated district, even though they have to drive through the lit intersection.

One of the newer residents of the first phase of the development sent a letter requesting the street lighting district be amended to include the second phase of the development since they are also getting the benefit of the lights. If the district were extended, it would reduce the annual street lighting fee of \$35 to \$17.50. Phil Gogel commented the dilemma that the Board runs into is that people in the first phase of the development have agreed to pay the fee for street lighting and the people in the second phase of the development would not expect to be paying the fee. Mike Jones commented he would agree. The people in the first phase of the development should have been aware or known about the fee. The Board shouldn't be forcing the people in the second phase who were never assessed the fee to now pay the fee. Jerry Pritchard commented the people in the second phase bought the homes not expecting a lighting fee. How can you assess a fee against people sometime down the road after they bought the properties? Phil Gogel commented it is not something people want to hear and is unfortunate, but they should have been aware of the situation when purchasing the home. The consensus of the Board was that the street lighting district should not be extended.

C. Manager's Report. Alice Rehrig did not have anything additional to report.

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

VIII. PUBLIC COMMENT. Paul Nikisher noted the Fire Company did a great job with their event last week. Rick Hildebrand thanked the public for their support.

Phil Gogel commented in regards to the increasing in electric bills, he contacted Zach Mako's and Nick Miller's offices. Nick Miller's office has a hot line to get information from PPL. The back story to PPL is they split off from Talon Energy in 2014. They owned 65 percent and Riverstone Holding held 35 percent. PPL then went and sold their 65 percent to Riverstone holdings so it is now a holding group and are not regulated the way PPL is. All the nuclear power plants were paid by tax payer money, along with some dams to produce hydroelectric to provide energy for PPL. Riverstone Holding now owns all the generation power. PPL just transmits the power to us. Riverstone is selling off some of the power generation to Canadian Companies, which is worse because the United States is now being bought by foreigners. Our Representatives are letting this stuff go. They are fleecing us with out anyone knowing it, slowly chipping away at the fabric of America. He is asking people to contact Zach Mako and Nick Miller and start riding them to do something about this. Their predecessors are the ones who allowed this to happen, and if we keep the pressure up, he believes PPL will have to purchase the

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facilities back. It was wrong what they did. The facilities were purchased with tax payer dollars. Jerry Pritchard commented he believes Talon Energy is owned by Goldman Saks. This may also be a Wall Street problem in addition to a Harrisburg problem. Phil Gogel commented the Representatives can make things happen by legislation.

- IX. EXECUTIVE SESSION. The Board went into Executive Session to discuss personnel matters. Upon returning from the Executive Session, Jerry Pritchard made a motion to suspend Employee #209 for a period of 1 day for violation of the code of conduct. The Chief is ordered to schedule the day so as to not interfere with the operations of the department and to not cause overtime. ~~Jerry Pritchard~~ **David Hess** seconded the motion. All voted aye. Motion carried.
- X. ADJOURN. Cindy Miller made a motion to adjourn. David Hess seconded the motion. All voted aye. Motion carried.