

**Williams Township Board of Supervisors**  
**June 13, 2018**

The monthly meeting of the Williams Township Board of Supervisors, 655 Cider Press Road, Easton, PA 18042 was held on the above date and called to order at 7:00 p.m. by Chairperson Mark Ernst. Mark led the audience in the pledge to the flag. Others present were Vice Chairperson Raymond Abert, Supervisor Michael Bryant, Township Solicitor Jonathan Reiss, Township Engineer Ronald Madison, Zoning Officer Richard Adams, Public Works Director Michael Strawn and Township Secretary Melody Ernst.

Mark stated there were Executive Sessions held on June 4, 2018 and June 13, 2018 to discuss personnel matters.

Mark asked Ray and Michael if they had any corrections to the Minutes of May 9, 2018 and June 4, 2018. There being none, Michael made a motion to approve said minutes, second by Ray. There being no comments, motion carried 3-0.

Melody presented the Expense Report of June 13, 2018 and the April Treasurers Report to the Board. Ray made a motion to approve the Expense Report, April Treasurers Report and pay the bills, second by Michael. There being no comments, motion carried 3-0. The May Treasurers Report was not available for approval.

Mark asked for a motion to pay Jennifer Smethers her final compensation. Ray made that motion, second by Michael. There being no comments, motion carried 3-0.

**Public Works** - Mike Strawn read the report for May 9, 2018 to June 13, 2018.

**1. Award 2018 Road Project** - Mike recommended the Township award the road paving project to AMS who was the only bidder in the amount of \$195,238.12. Mark made a motion to award the road project to AMS for the amount stated, second by Ray. There being no comments, motion carried 3-0.

**2. Authorize Line Painting** - Mike asked for authorization to have A-1 Traffic Control complete up to 10 miles of double lines at .125/LF for an approximate cost of \$6,600.00. Michael made a motion to have A-1 Traffic Control paint the double lines after the road projects are completed for a cost of \$6,600.00, second by Ray. There being no comments, motion carried 3-0.

Mike stated he would like authorization from the Board to have AMS seal the office parking lot. The Township would purchase the stone and oil and have AMS seal the parking lot and then fog seal after all is complete for a total cost of \$12,000.00. Mark made a motion to have AMS seal the Township parking lot not to exceed a cost of \$12,000.00, second by Michael. George Washburn commented that he thought

anything over \$10,000.00 was to be put out to bid. Mike stated that AMS's portion of the \$12,000.00 would be approximately \$7,400.00. Jonathan stated the law has increased the bidding amount to \$19,700.00 with anything over \$10,700.00 needing a written or telephonic quote. AMS is under Co-Stars so it is fine the way Mike has received the quote. There being no further comments, motion carried 3-0.

Mike expressed concern over the Public Works lining the fields and paying the employees overtime to do so. He feels this is something that the coaches could do and the Township would save the excessive cost of overtime. Mark commented that he is not opposed to the public works lining the fields. Ray commented that it is hard to find anyone to line the fields. He commented to have the summer help line them so that we're not paying overtime hours. He also feels this is something we are doing for the community. Ron Heinrich asked who pays for the cost of the labor. Mark asked Judy to look into the field lining at the recreation board meeting.

**Zoning Hearing Board** - Rich previously submitted his report for May to the Board. He further stated there will not be a Zoning Hearing Board meeting on June 27, 2018.

**Planning Commission** - Haldan read the report. He further stated there will not be a meeting on June 20, 2018.

**Land Preservation Board** - The Board received the report. No one was present from Land Preservation Board.

**1. Land Preservation Board Alternate Member** - It was stated that Polly Clark has showed interest in serving as an alternate. Mark made a motion to appoint Polly Clark as an alternate on the Land Preservation Board, second by Ray. There being no comments, motion carried 3-0.

**Recreation Board** - Judy stated since there is no football this year, Jason Causa has asked permission to use the field for practice and games for the Wilson Field Hockey Club. The recreation board would like to waive the field use fees for the club. Mike stated that the public works will mow the fields on Fridays. Mike further stated that the club would like the public works to line the fields but advised Mr. Causa that would be a decision of the Board of Supervisors. Mark made a motion to waive the field use fee, second by Michael. Joe Schiller asked if Wilson Athletic Department could line the fields. There being no further comments, motion carried 3-0. Judy thanked the public works for replacing the sand in the park and for agreeing to paint the lines on the pickle ball court.

**1. Dug Out Update** - Judy commented the recreation board would like to go with the Poligon quote in the amount of \$22,870.00. Ray commented he spoke with Mike and public works will be able to do the concrete slab and construct the dug outs between

now and next baseball season. There was a brief conversation regarding wooden posts, hiring a contractor to do the work or keeping it in house and having our Township Engineer getting involved. It was decided by Mike and the Board that public works will do the project. Mark made a motion to approve the ordering of the Poligon dug out DUG-LK-10x36 for a total of \$22,870.00, second by Michael. There being no comments, motion carried 3-0.

**2. Township Parks Rules and Regulations** – It was stated that the Recreation Board has asked that no dogs be allowed in the parks. Jonathan will make the necessary changes and circulate it to the Board.

### **Landfill Advisory Committee Report - None**

**Engineer Report** – Ron briefly reviewed his June 11, 2018 memorandum.

**1. Accept Completion of 18 Month Maintenance Period and Release Bond – Country Classics Legacy Sewer** – Inspections of the forty three sanitary manholes have been conducted and they are in good condition as stated in Ron’s report dated June 6, 2018. Ron stated that it is Maser Consulting’s recommendation to release the Maintenance Bond for dedication sewers to Country Classics Legacy at Morgan Hill, LLC. Mark made a motion to release the maintenance bond, second by Ray. George asked if the sewer lines were tv’d. Ron stated at the time of dedication of the Maintenance period 18 months ago. There being no further comments, motion carried 3-0.

Ron stated on the Melchor Tract Park Plan they have moved ahead with all the permits. Because of the wetlands in the watershed of Frys Run they have to file for a US Army Corp of engineers jurisdiction with determination so they can concur that the wetlands are acceptable. Ron also stated that after the application for the Army Corp is submitted there will be other permit applications for DEP, NPDES and Lehigh Valley Stormwater Management. Michael made a motion to have the chairman of the Board sign the application for the Army Corp of Engineers, second by Ray. There being no comments, motion carried 3-0. Ray asked if the Township is on a time schedule with the grant. Ron stated the grant goes to next year and if need be we can ask for an extension depending how the permitting goes.

Ron stated he has reviewed the landscape grant application for the Melchor Tract Park. There are grants funds available for landscaping trees. In 2002 a cost estimate was put together for landscaping and Maser received an updated landscaping quote and has forwarded the application along with quotes to Mel. Ray expressed concern on the cost for Maser to continue with the grant. Ron stated that they just looked over the documents that were already prepared and forwarded it to Mel to submit. Michael made a motion to submit the Treevitalization grant application, second by Mark. There being no comments, motion carried 3-0.

Ron commented the developer for Oakleigh Knoll has made some requests from the approved plan that they would like to bring to the Board. They would like to reduce

the width of each island on Ava Way from 12' to 8'. The first center island closest to Texas Road they would like to relocate as it is blocking lots 13 and 14. Install street lighting in the three center islands which would be maintained and owned by the Homeowners Association. And lastly, change three species of proposed trees. After a brief discussion street lighting and trees, Mark made a motion to approve the revisions of the June 11, 2018 letter items regarding the center island width reduction, reduce the length of the center island for Lots 13 and 14 and add street lighting, second by Ray. It was stated that at this time no tree substitution until we know what is happening with the trees as a whole. Michael commented that he does not support street lighting. There being no other comments, motion carried 2-1. Michael opposed.

Ron stated a meeting was held on June 12, 2018 with the developer of Oakleigh Knoll/Painter Farm, Township Engineer, Township Representatives and First Energy with regard to electrical service. The developer submitted a plan which indicated that to provide electrical service to the subdivision, trees would need to be removed along Texas Road from the western border and northern side of the subdivision to Ava Way and beyond to extend to lot 13 in the development. It is the understanding of Maser Consulting that the subdivision was granted SALDO relief from requirements of road improvements along both sides of Texas road, specifically because the Township wished to preserve the greenery along Texas Road. The record subdivision plan had a pre-existing 33 foot right of way that has not been improved and an unapproved pavement cartway of approximately 20 feet wide. The record utility plans do not provide any design information regarding electrical service to, and throughout the subdivision. Ron further stated that he has discussed this with Maser Consulting's electrical engineer sub-consultant and based on his opinion feels that the subdivision could be served by underground electrical lines along Texas Road without tree clearing. As an alternative, with some tree removal, they may be able to run lines from an existing pole on the Fry's property through a dedicated electrical easement to the Anna Way cul-de-sac in the development. Ron stated that based on the information submitted and after discussion with their electrical engineering consultant, Maser Consulting would not recommend the current submitted electrical plan be approved. Mark commented he was at the meeting on June 12, 2018 and what the Township received in writing is not what was tentatively agreed upon at that meeting. After a brief discussion, it was the Boards consensus they are not in favor of requesting electrical service and that Ron and Jonathan look into this further.

### **Solicitor Report**

Jonathan stated that sometime ago he brought to the Boards attention Act 43 which amended the State statute on firework sales. At that time Rich and Ron determined that temporary sales which currently have a prohibition of being within 5 miles of permanent stores that sell fireworks did not qualify in the township. However, as of January 2023 that restricted area will be reduced to 2 miles. It is Jonathan's recommendation that Ron and Rich determine based on the current location of the

fireworks stores what is the 2 mile radius and then present that information to the board to determine what areas as of January 2023 the Township would allow those sales. Jonathan further stated that he would then draft an Ordinance in such a way that the provision would be effective on January 1, 2023. The Boards consensus is to have Rich and Ron prepare the information requested and forward to the Board.

Jonathan stated that Sean Gresh represented the Township in Magisterial District Court against the owners of 95 Gaffney Hill Road who have been cited by the zoning ordinance for having a non-conforming junk yard use. The Township was asking for the maximum judgment of \$12,000.00 and the Magistrate entered a judgment for \$500.00. It is Jonathan's recommendation the Township appeal the decision in the Northampton County Court of Common Pleas and seek a fine equal to \$500.00 a day since the zoning enforcement notice was issued and also seek an injunction against the property owners. Michael made a motion to have Jonathan's office prepare the appeal to the Court of Common Pleas, second by Ray. There being no comments, motion carried 3-0.

## **Old Business**

**Public Hearing - Fireworks Ordinance 2018-1** - Jonathan stated the Board authorized this Ordinance be prepared. It was advertised in the Express Times for a public hearing, posted on the Township bulletin board and made available for public inspection at the Township building and the Express Times. This Ordinance adds a fireworks Ordinance to the Township code Ordinances which would regulate display fireworks being used in the Township. It would require a permit, limit where the events could occur and it would require a liability insurance policy for the individual or company doing the display fireworks at one million dollars. It would also allow the permit to be continued if there is a weather event that would prevent the fireworks display. It also allows the permit to be assignable but it requires the assignee to make application and comply with all the Township Ordinances. Ray asked how this affects the fireworks display that the Township puts on for the residents. Jonathan stated that the Township can waive the permit since the Township is the one holding the display. Township staff should look at the fee schedule and come up with a proposed fee for the permit and application as well as drafting an application. Mark closed the hearing. Mark made a motion to approve Ordinance 2018-1, second by Michael. Motion carried 3-0.

**2. Landfill Advisory Committee** - Mark stated that Jen sent a letter to Chrin with regard to the two applicants that expressed interest in serving on the Landfill Advisory Board. Mark further stated that he received a letter from Chrin stating they find both applicants a benefit to the committee and they would certainly be amendable to expand the committee membership which may also alleviate a quorum issue they may have from time to time. Mark commented that he has spoken with Jonathan and there would not be an issue with the HCA. His opinion is in favor of having both MJ Crowley

and George Washburn serve on the committee and for Ray to sit on the committee as well. Ray commented that he has no issue with both serving on the committee. Susan commented on the increased membership and quorum. Carole Gorney commented that the committee was to be balanced but does not remember there ever being a quorum issue when she served. Mark made a motion to have both MJ Crowley and George Washburn serve on the Landfill Advisory Committee and have Jonathan through communication with Chrin's attorney verify everything, second by Ray. Susan Reed commented that the committee is still out of balance with lesser representatives from the Northern part of the Township. There being no further comments motion carried 2-1. Michael opposed.

#### **NEW BUSINESS:**

- 1. Accept Resignation of Planning Commission Member Vito Intini** - Mark made a motion to accept the resignation of Vito Intini, second by Ray. There being no comments, motion carried 3-0.
- 2. Appoint Thomas DeGenaro Planning Commission Member - Resolution 2018-14** - Ray made a motion to approve Resolution 2018-14 appointing Thomas DeGenaro to the Planning Commission, second by Michael. George Washburn asked if this appointment is to fulfill a fulltime member on the Board. Joe Schiller stated that Tom is highly qualified. There being no other comments, motion carried 3-0.
- 3. Authorize to Send Comprehensive Plan to LVPC, School District and Adjourning Municipalities** - Ray made a motion to send draft number 5 of the Comprehensive Plan to the various entities, second by Mark. There being no comments, motion carried 3-0.

#### **Supervisors Remarks**

Ray stated that a couple weeks ago he along with Jen met with gentlemen from a cell tower company who was inquiring whether the Township had any property to build a cell tower on. There would be no cost to the Township and 40 % of revenue from the tower would go to the Township. He asked if the Board would like him to come to the July meeting and explain what he is proposing. It was stated that Rich advised Jonathan the proposed area would not allow a cell tower. Jonathan stated that the Board may want to hold off until the new Ordinance is in place. Polly Clark asked if the property owners would be selling or leasing their land. Mark stated it would be Township property. Joe Schiller asked they determine who their customers are. Jonathan stated once they have a tower, they will lease antenna space to certain carriers. Susan Reed asked where it would be located. Mark stated they are looking at tentative space at the old recycling center. Haldon commented if they use that property it would no longer be tax exempt.

Ray thanked the Veterans Committee and commented how nice the service was.

Michael thanked the Veterans Committee. He asked for the Board consensus to have an acoustics engineer look at the meeting room sound issue. He also read from a statement he prepared regarding what he portrayed as factual in his interpretation from the previous months meeting.

Mark thanked Tom, Polly, MJ and George for showing interest in serving on the Committee and Boards.

**Audience Comments**

**1. Susan Reed** - Commented that she didn't realize that residents could question supervisor's votes. Susan asked Michael why he voted against the Landfill Advisory Committee member.

There being no further business, meeting was adjourned at 8:40 p.m.

Respectfully Submitted,

MELODY A. ERNST, SECRETARY  
Williams Township Board of Supervisors