

Williams Township Board of Supervisors
September 12, 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, Public Works Director Michael Strawn, Township Manager Mikal Sabatine and Township Secretary Melody Ernst.

Mark stated there was an Executive Session held before tonight's meeting to discuss personnel matters and potential litigation.

Mark asked Ray and Michael if they had any corrections to the Minutes of August 8, 2018 and August 15, 2018. There being none, Michael made a motion to approve the minutes of August 8, 2018, second by Ray. There being no comments, motion carried 3-0. Michael made a motion to approve the minutes of August 15, 2018, second by Ray. There being no comment, motion carried 2-0. Mark abstained.

Melody presented the Expense Report of September 12, 2018 to the Board. Ray made a motion to approve the Expense Report, Treasurers Report and pay the bills, second by Michael. There being no comments, motion carried 3-0.

Manager's Report

Mikal stated the Garden Club reached out to the Township to ask if they could use the Community Building on October 16, 2108 in the evening for a meeting. They have asked that the fee for the rental be waived but a donation would be made from the club. The Board was in agreeance to waive the fee. Robert Schmidt offered to open the building for the club that evening since he would be attending the meeting.

Andrew Kanusky reached out to the Township asking if the Girl Scouts could use the Community building every other Sunday beginning September 23, 2018 in the evening for their meetings. The Board was in agreeance. Mikal will reach out to Mr. Kanusky to see if he would be the one holding the key for those meetings.

Mikal stated a proposal was received in the amount of \$1,500 from MKSD Architect to perform an acoustics analysis and asked the Board how they would like to proceed. Ray stated he does not hear an echo. Mark suggested hanging valances or heavy curtains to absorb the sound. Michael stated that he is fine with trying the curtains first. Mikal will do additional research on curtains.

Mikal stated he participated in a web presentation to review the Nixel Communication concept. The Nixel program would link Township residents via messaging and phone calls for communication. It also permits communication of announcements, newsletters or other correspondence as well as intermingles with facebook, twitter and google alerts. Mikal further stated he has been offered a one year trial in the amount of \$4,500.00 with a \$500.00 one time set up fee. After a brief discussion, it was suggested by the Board to put it in an email blast as well as the newsletter to see how many residents would be interested.

Mikal stated that as far as the P3 Towers proposal received, he has passed that on to Zoning Officer Tina Serfass. She reviewed same and commented that the location is zoned low density residential district and the use would not be permitted without a variance being approved. Mark asked if the Township is waiting for Attorney Cohen to review same. Jonathan stated they provided a draft to update the wireless communications which brings the Ordinance in compliance with Federal and State law. Ron is looking it over for distance, height and locations. Jonathan's recommendation is that the Ordinance should be in place before acting upon anything. Mark and Michael feel that this matter should be placed on hold until we have everything in place with Attorney Cohen.

Mikal commented that the Emergency Management position will be transitioned from Mike Strawn to Mikal Sabatine. They will be meeting with Michael Rampulla to get the necessary paperwork started for the transition.

Mikal commented that Timothy Edinger of BCE Flood Analysis and Mitigation Services has provided him with an informational packet discussing services provided by his firm for advanced modeling and engineering for stormwater solutions to habitual flooding issues. It was discussed to have Ron go over the materials. No action taken.

Mikal stated that Andrew Kleiner, Director of External and Governmental Affairs has requested the opportunity to discuss and present economic development priorities, challenges and opportunities to him. Mark commented after Mikal has spoken with Mr. Kleiner to make a recommendation to the board as to whether or not a presentation would be desired.

Mikal commented that at the discretion of the Board he would recommend compensation in the form of a bonus for township staff. Ray made a motion for a bonus for Melody Ernst in the amount of \$2,500.00 be given for August in helping Mikal transition into the manager position, second by Michael. There being no comments, motion carried 2-1. Mark abstained. Copy of abstention will be attached.

Public Works – Mike Strawn read the report for August 8, 2018 to September 12, 2018.

1. Approval to Advertise Selling of Equipment on Municibid – Mike Strawn asked the board for permission to sell old Township equipment on Municibid. Ray made a motion to have Mike place items for sale and dispose of them on Municibid, second by Michael. There being no comments motion carried 3-0. Mark asked Mike Strawn if he can get to Coffeetown Road for road side cutting. Thanked Mike for repairing the gutters stated in his report.

Zoning Hearing Board - Tina previously submitted her report for August to the Board. Mark also stated that due to lack of business there will not be a Zoning Hearing Board meeting for September 26, 2018.

Planning Commission – Haldan read the report for August. Mark commented that the hearing for the Comprehensive Plan will be advertised.

Land Preservation Board – Bob Schmidt read the report for August.

1. Appointment of Jim Williams as Member of Land Preservation Board – Michael made a motion to appoint Jim Williams as a fulltime member of the Land Preservation Board, second by Ray. There being no comments, motion carried 3-0.

Recreation Board Report – Judy read the September. Judy stated the Fall O Fest will be held on October 6, 2018 with a rain date of October 7, 2018. Ray commented that they are looking for volunteers to help that day.

Landfill Advisory Committee Report – Mark stated that an outline of the September 11, 2018 meeting was received by the Board.

Engineer Report – Ron briefly reviewed his September 7, 2018 memorandum.

1. Approval of Stouts School and Steely Hill Culvert Project – Pay Request #2 – Ron stated he is recommending that pay request #2 in the amount of \$145,164.46 which is less 5% retainage, be released to Semmel Excavating. Ray made the motion to release the request in the amount stated above to Semmel Excavating, second by Michael. There being no comments, motion carried 3-0.

2. DCLVR Grant Contract Addendum Approval – Ron stated that Maser Consulting requested an additional \$20,276.89 from the Dirt and Gravel Road Grant for the Culvert project for the funds to be distributed to Williams Township to offset the general fund expenses and pay the contractor.

3. Approval of Termination of Improvements Agreement – Cedar Park Major Subdivision – There was a request for the termination of the improvements agreement but only for two specific commercial condominium parcels. Ron further stated that Maser Consulting wrote a letter dated September 7, 2018 wherein Maser Consulting has no objection in releasing the maintenance requirements. Ron stated he would

need a motion to allow the Chairman to execute the agreement. Mark made that motion, second by Ray. There being no comments, motion carried 3-0.

Ron commented that he has been in touch with Brian Cope with reference to the Melchor Tract grant. The grant will most likely be extended but as of yet, he has not heard anything.

Ron stated that a third plan modification has been received with regard to the Oakleigh Knoll development that would allow the evaluation of cul-de-sac revisions in place of the current plan approved in litigation. Ron further stated that Maser Consulting has no objection to the modification as it would improve emergency vehicle access in the future. The Board is in agreeance to consider the modification.

Solicitor Report – None

Old Business

- 1. Louis and Melissa Pektor – Announcement of Agricultural Security District Application** – Jonathan stated this is an announcement that Louis and Melissa Pektor have completed an application under the Agricultural Security Area for two parcels. First parcel P8 20 2 0836 is approximately 38 acres located on Raubsville Road in Williams Township with the second parcel P8 9 9 079 for approximately 37 acres along Raubsville Road located in Saucon Township. The next step will be to advertise that the application has been received and there will be a fifteen day comment period. After the fifteen day comment period, the application is sent to the Township, Lehigh Valley Planning Commission, Township Planning Commission and the Township Agricultural Security Area committee for review and comments and then back to the Township for a Public Hearing.
- 2. Authorize Advertisement of Comprehensive Plan** – Mark made a motion to authorize Jonathan’s firm to advertise the Comprehensive Plan for a hearing at the October Board of Supervisors meeting, second by Michael. There being no comments, motion carried 3-0.

New Business

- 1. Appointment of Jim Williams a Member of Land Preservation Board** – This item was moved to the Land Preservation Report by Chair Mark Ernst.
- 2. 1. Minimum Municipal Obligation Approval** – Mikal advised the Board of the Townships responsibility for the 2019 Minimum Municipal Obligation for the Pension Plan would be in the amount of \$56,409.00. Mark made a motion to agree with the amount second by Michael. There being no comments, motion carried 3-0.
- 3. Approval of Stormwater Facilities Agreement – 880 Texas Road** – Jonathan stated this agreement is for an escrow that has been posted with the Township to install a

stormwater facility along with the construction of their new home. Michael made a motion to approve the Agreement, second by Ray. There being no comments, motion carried 3-0.

4. Tax Board of Appeals – Jonathan stated that the Township appointed Keystone Collection Services to collect the Local Services Tax (LST). Recently Keystone Collection Services contacted Mel because there was an employer objecting to the tax. Jonathan stated that he worked on the local tax payer Bill of Rights which is required under the state law with their solicitor. The Township needs a Tax Board of Appeal for the Local Service Tax. Resolution 2018-18 adopts the tax payer bill of rights and establishing a local services tax appeal board and rules and regulations for that board. If the Resolution is adopted the Board will need to appoint three people. Michael asked Jonathan if the Resolution is necessary. Jonathan stated it is necessary but suspects the Board will never meet. Ray made a motion to approve Resolution 2018-18, second by Mike. There being no comments, motion carried 3-0.

5. Chrin Brothers Inc. Second Amendment to Settlement Agreement – Jonathan asked this matter be tabled, have not received the signed Agreement.

6. USDA Lanternfly Quarantine – Mikal stated he had the pleasure in meeting with Ms. Bugabee. In short it is a matter that must be dealt with. After sending the contract to Jonathan for review, he had expressed concern over some of the legalities which we are looking into. Mikal further stated that he has placed a call to the pest control company as to what it would cost to have the Lanternfly taken care of. The pest control would need to survey and measure the area in order to give us a cost. It was stated that there is no cost, Jonathan stated that their agreement has a very comprehensive waiver release and hold harmless clause where you are holding them harmless from basically any claims made by or through the Township or by any third parties. There was a brief discussion whether there is a cost on the township for corrective measures on the Lanternfly and the agreement. Jonathan suggested to having PSATS get involved through your Association because it will affect other municipalities. Mikal stated there is a lot of information that was received that is out front and also he will post information on the website. Board decided to hold off another month. Polly Clark asked what tree they are attracted to. Mikal stated it is the tree of Heaven.

7. Authorize Truck Parking Ordinance to be drafted – Mark commented this matter deals with the tractor trailers parking along Cedarville Road. Ray made a motion to have Jonathan draft said Ordinance, second by Mike. Mike Strawn stated it would be Morgan Hill to Turnberry. There being no further comments, motion carried 3-0.

8. Authorize Ordinance to Repeal Ordinance 1977-1 – Said Ordinance has a weight limit of 10,000 pounds of the entire length of Industrial Drive and Morvale Road. Mike Strawn stated this Ordinance was pre highway. Michael made a motion to appeal Ordinance 1977-01, second by Ray. There being no comments, motion carried 3-0.

Supervisors Remarks

Michael welcomed Mikal Sabatine to Williams Township

Audience Comments

1. **Ned Heindel** – Spoke about the PennEast pipeline.
2. **Bob Schmidt** – commented that the Frys Run Water Association is holding a free event on September 29th with the first tour being at 10 a.m.
3. **Ken Teske** – Asked the Board if there is anything that could be done to have Williams Township merge with Glendon Borough.
4. **Judie Novak** – Complained about the farm across the street from her residence wherein there is constant gun fire with automatic devices being exploded. She stated that the township has a noise ordinance and asked if the township could consider enforcing it.
5. **Joe Novak** – Commented that everything is wonderful accept for the peace and enjoyment of your property as their seems to be lack of respect by neighbors. Asked the Board to take whatever steps they could to enforce the Ordinance.

It was discussed that the Board would need to have the Zoning Officer enforce the Ordinance. Jonathan stated that the township may need to look into a decimal meter. There being no further business, meeting was adjourned at 8:38 p.m.

Respectfully Submitted,

MELODY A. ERNST, SECRETARY
Williams Township Board of Supervisors