

Williams Township Board of Supervisors
February 13, 2019

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 Manager Mikal Sabatine, Township Engineer Ronald Madison, Public Works Director Michael Strawn and Township Secretary Melody Ernst.

Mark stated there were Executive Sessions held January 23, 2019 and February 13, 2019 to discuss personnel matters.

Mark asked Ray and Michael if they had any corrections to the Minutes of January 7, 2019. 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 February 13, 2019 and the December and January Treasurers Reports to the Board. Ray made a motion to approve the Expense Report, Treasurers Reports and pay the bills, second by Michael. There being no comments, motion carried 3-0.

Manager's Report

Mikal briefly went over his Managers Report. He stated that the 2019 Intergovernmental Agreement between the Borough of Hellertown, Lower Saucon Township and Williams Township for the Saucon Valley Compost center has been signed and accepted.

Mikal stated that he has signed and accepted the final year of the contract agreement with ACS per the agreement dated 2017. He further stated this is the final year for the agreement and will need to have an RFP developed for the 2020 HVAC season.

Mikal also reported that the shredding event is tentatively scheduled for April 6 at the Public Works Building. The event will be advertised in the spring newsletter as opposed to the use of a separate post card mailing. Advertisements will also be posted on the Reader Board on Morgan Hill Road as well as the Township website. Ray asked when the newsletter will be going out to the residents to which Mikal responded March 25th. Michael asked if we have a count of the number of participants from 2018 to which Mike responded 102 vehicles. Mark would not only like the vehicles counted but would like to know what the weight is of the shredding. The consensus with the Board is to have the shredding event on April 6, 2019.

Public Works – Mike Strawn read the report for January 7, 2019 to February 13, 2019.

1. Approval to Advertise 2019 Road Projects – Mark made a motion to advertise the 2019 Road Projects, second by Michael. There being no comments, motion carried 3-0.

2. Approve to purchase Bobcat with Attachments – Mike asked for the Boards approval to purchase the Bobcat compact track loader with attachments. He stated the total cost of the machine with attachments (bucket, broom, forks, brush hog and cold mill planer) is \$94,740.55. This would be purchased on COSTARS state contract through Bestline Equipment. The equipment would be used for maintaining the sewer right of ways and the road potholes. Michael made a motion to purchase the Bobcat and attachments in the amount of \$94,740.55, second by Ray. There being no comments, motion carried 3-0.

3. Stouts School Road – Water Piping – Mike stated that the gutter on the east side of the road is deep. He is recommending inlet boxes be installed for approximately \$8,000.00 to \$10,000.00. Michael asked if this will help Stouts School Road. Michael made a motion to approve the installation and expense of the water piping for Stouts School Road, second by Ray. There being no comments, motion carried 3-0.

4. Approval to Bid Water Tank – Mike asked for approval to put out to bid a water storage tank that would be used at the Public Works Building as well as for fire protection. A grant was received and it was also in the 2019 budget for the purchase. Ray made a motion to put the water tank out to bid, second by Michael. Mike stated that he will ask Ron to help with putting the packet together. There being no comments, motion carried 3-0.

Zoning Hearing Board – The report from January was received from Tina and accepted by the Board. Mark stated that there will not be a Zoning Hearing Board meeting on February 27, 2019.

1. 95 Young Street – Enforcement Action –Air BNB – It was stated that the zoning officer submitted a memo explaining the conversation that she has had with Mrs. Neville. Mark stated the Board is looking for authorization from Jonathan’s office to proceed with a civil complaint if the operation of the Air BNB does not file a request for a variance by the end of this month. It was stated that action would be taken at the end of the month with the Magisterial Justice Court seeking a fine of \$500.00 a day in violation of the Ordinance. Mark made a motion to protect the Township and to proceed by the end of the month, second by Ray. Jonathan stated that he is assuming that the Board wants him to hold off if the zoning hearing board would grant the variance. Audience comments – William George, 124 Carbon Street, Easton, spoke on behalf of Donna and Steve Allen. He spoke about the hardship that started in 2018 and the nuisance it has created in the neighborhood and how the renter has been able to continue renting the property without penalty even though they have been notified on multiple occasions. He submitted to the Board a petition that nearly 40 residents signed and is urging the Board to do the right thing and not allow it to continue. Steven Allen, 100 Young Street stated he feels this business should be shut down and is not sure how they can keep operating when it should be a cease and desist. He stated they have called the police because there are parties there all the time. Heather

Neville, 2130 South Delaware Drive, stated that since she has purchased the property she has been harassed by people across the street and they have taken pictures of their guests. She stated she has not heard of any incidents since she has owned it. Mark commented to Mrs. Neville that she is not here to unwind and commented that the zoning officer has been lenient but there is a protocol to follow. Mark asked Mrs. Neville if anyone is renting the property. Mrs. Neville stated that the listing has been off since November. David Neville stated they are in the process of purchasing the home as they want to bring family members in to live in the house. Michael asked if anyone is living in the house right now. Mr. Neville stated that they are in and out of the house every day to check on things. There was a discussion regarding notices that were sent and not responded to by the Neville's and how they were instructed to not rent the house as an Air BNB. Mrs. Neville asked where she can get a copy of the law that states what they are doing is against the law. Jonathan stated that the letters cite the zoning ordinance provisions and the zoning ordinance is available on the township website. There being no further comments, motion carried 3-0.

Planning Commission Report – None

Land Preservation Report – Bob Schmidt gave the report for January.

Recreation Board – Judy read the report for January. Ray commented that Wilson Baseball Association is asking to use the big field. Mark commented that should be brought before the Recreation Board and then a recommendation to the Board of Supervisors at the next meeting. Judy stated that Barry Batdorf is getting three quotes for sod for the ballfield. Jonathan stated that if the sod project is over \$20,600.00 then it will need to go out to bid. That will not be determined until the quotes come back from Barry.

Landfill Advisory Committee Report – The February 7, 2019 report was submitted to the Board.

Engineer Report– Ron briefly reviewed his February 8, 2019 memorandum.

Solicitor Report

1. Marra Estate – Back Real Estate Taxes –Jonathan stated he received a letter from the Northampton County Solicitors office regarding property on Texas Road that has been owned by Lawrence Marra. In 2002 Mr. Marra paid a court order that prevented the County from selling the property for real estate taxes. The estate would like to settle the taxes with the County, School District and Township totaling \$2,371.07 for all three municipal entities. It is Jonathans recommendation that since the Township is the smallest share that the Board authorize Jonathan to notify the County Solicitors office that the Township accepts the settlement and to authorize Jonathan to enter into a Stipulation noting that. Mark made the recommendation a motion, second by Michael. There being no comments, motion carried 3-0.

Old Business

- 1. Easton Auto Salvage Development Close-out/Maintenance Agreement** - Ron stated that Easton Area Metal Recycling has completed the requirements of the 2015 Improvements Agreement and has addressed the outstanding items that were listed in the Maser review memorandums dated February 6, 2017, May 29, 2018 and January 22, 2019. It is recommended that the Board move to approve the commencement of the 18-month maintenance period of the 2015 Improvements Agreement, conditioned upon payment of all Township fees and submission of the executed Letter of Credit. Mark asked for a motion to accept the Improvements and to enter into the 18 month Maintenance period contingent upon payment of fees and security. Ray made that motion, second by Michael. There being no comments, motion carried 3-0.
- 2. Authorize Partial Payment to Semmel Excavating - Coffeetown Road Emergency Project** - Ron stated that Maser Engineering recommends that the Board approve and accept the partial payment of \$25,819.20 to Semmel Excavating for Coffeetown Road. Ray made a motion to approve the payment in the amount stated above to Semmel Excavating, second by Michael. There being no comments, motion carried 3-0.
- 3. 50 Hilton Street Sanitary Sewer Line Dedication** - Ron stated the sewer line has been videoed and have found that all tasks have been completed as well as receiving a signed Bill of Sale on January 9, 2019 for the sanitary sewer to become a public asset. Mark made a motion to accept dedication of the sanitary sewer lines with the Hilton Street right-of-way, second by Michael. There being no comments, motion carried 3-0.

New Business

- 1. Rodriquez - 1670 South Delaware Drive - Tax Refund** - Michael made a motion to reimburse Mr. Rodriquez for Real Estate taxes that were paid twice in the amount of \$76.08 per the Williams Township Tax Collector, second by Ray. There being no comments, motion carried 3-0.
- 2. Steele - 25 Stouts Valley Road** - Michael made a motion to reimburse Mr. Steele for Real Estate taxes that were paid twice in the amount of \$160.75 per the Williams Township Tax Collector, second by Ray. There being no comments, motion carried 3-0.
- 3. Acceptance of George Washburn Resignation - Landfill Advisory Committee** - Ray made a motion to accept the resignation of George Washburn from the Landfill Advisory Committee, second by Michael. There being no comments, motion carried 3-0.
- 4. Accept 2019 Fee Schedule and Appoint Campbell, Durrant, Beatty, Palombo & Miller, PC - Labor Law Attorney** - Michael made a motion to accept the aforementioned law firm as the Townships labor Law Attorney and the fee schedule with an hourly rate of \$325.00/hr, second by Ray. There being no comments, motion carried 3-0.
- 5. Woodside Drive Tax Sale** - Jonathan stated that parcel N10 3 3-51 Woodside Drive has been offered through sale to the highest bidder through a repository sale. He further stated that the purchaser is in the Dover, Delaware area with a bid of \$50.00. After contacting the Township Secretary it was determined that the parcel covers all the private roadways in the Woodside Development. Jonathan recommended that the

Township Secretary contact the Homeowners Association regarding the notice received to protect their property interest. The President of the Association sent an email to the Secretary asking the Township to object to the sale in order for them to work something out with the County. It would be Jonathan's recommendation if the Board so wishes, to send a letter to the County objecting of the sale. Mark commented that he is not sure it would bear any weight. Jonathan does not think the property would sell if the Township objects to the sale. Ray made a motion objecting to the sale of the private roadways in the Woodside Development and to authorize Mikal to send a letter to the County, second by Michael. Noelle Albanese of 40 Long Hill Drive, stated that she is the Homeowners Association president. She stated that since 2011 they have been in contact with the County to purchase the private roadways. She thanked the Board for taking action and asked if they could go one step further and make sure the title is cleared so that they can also maintain the two retaining ponds. Jonathan asked if they have contact with Woodside Partners and if they approached them for a Quit Claim Deed. It was asked who maintains the roads in the development to which Noelle stated the homeowners association maintains the roads and designated common areas. She also commented that they do not have title to maintain the retention ponds and were told not to maintain them because of the liability. There was a brief discussion regarding the stormwater and the open NPDES permit. There being no additional comments, motion carried 3-0.

6. Petition Action Against Tree Cutting – PennEast Pipeline – Ned Heindel spoke on behalf of a group of residents and handed the Board a petition that was signed by several township landowners. He spoke about the premature tree cutting by the PennEast Pipeline. He stated they are looking for the Township's support in urging the Federal Energy Regulatory Commission (FERC) to deny any PennEast request for tree-cutting until all key permits are obtained. Lorraine Mineo also spoke and handed the Board information. She also asked for the Boards support with PennEast obtaining the necessary permits and also asked if the Board is in support to send copies of the Resolution to the people listed on her handout. Jonathan stated if the Board approves he can draft the Resolution for the Boards review and signatures. He suggested adding some of the lands are subject to conservation easements and to allow clear tree cutting would disturb the natural resources. Ron recommended including that the Township's ordinances prohibit clear cutting. Ray made a motion to have Jonathan draft the Resolution as explained together with Ron's addition, second by Michael. There being no comments, motion carried 3-0. Jonathan commented that the Resolution can be sent to everyone on the list from Lorraine Mineo with the exception of Judge Schmehl.

7. Hazard Mitigation Resolution 2019-10 – Michael made a motion to approve Resolution 2019-10, second by Ray. There being no comments, motion carried 3-0.

Supervisors Remarks

Ray thanked Mike and the Public Works department for taking care of the roads during the storms. Michael and Mark also thanked Mike and the department for taking care of the roads as well as Mike and Ron for handling the Coffeetown Road project. Mark

commented that Mary Mueser Memorial Library has started a Go Fund Me page for a matching 2019 grant for pertinent work that needs to be done to the library. Mark also commented that every dollar donated is matched by the grant and asked the Board if this is something they would like to donate to. After a brief discussion about a donation amount, Ray made a motion to donate \$1,000.00 through the Go Fund Me page, second by Michael. Linda Heindel asked how much was budgeted in 2019 for the Library. There being no further comments, motion carried 3-0.

Audience Comments

1. **Donna Allen** - Asked if she will receive notification if the owner of the Air BNB were to appeal to the Zoning Hearing Board.
2. **Lorraine Mineo** - Commented on behalf of the property owners that are directly impacted by the pipeline, want to thank the Township for allowing Matt Hoover who represented the Township at the hearing with Judge Schmehl.

There being no further business, meeting was adjourned at 8:26 p.m.

Respectfully Submitted,

MELODY A. ERNST, SECRETARY
Williams Township Board of Supervisors