

Williams Township Board of Supervisors
June 10, 2020

The monthly meeting of the Williams Township Board of Supervisors, 655 Cider Press Road, Easton, PA 18042 was held on the above date virtually on “gotomeeting.com” and called to order at 7:00 p.m. by Chairperson Mark Ernst. 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 Assistant Township Manager Melody Ernst.

Mark asked Mikal is there are any public comments on agenda items. Mikal stated there are not.

Mark stated an Executive Session was held on June 10, 2020 for Legal Matters.

Mark asked Ray and Michael if they had any corrections to the Minutes of May 13, 2020. 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 10, 2020. It was stated that the May Treasurers Report was not available. Michael made a motion to approve the Expense Report and pay the bills, second by Ray. Ray questioned the Melchor Project invoice and if the \$19,900.00 is part of the \$58,000.00 that was approved at a previous Board of Supervisors meeting. Ron stated for the most part yes and the remainder was left over from creating everything and moving forward with Phase A and B. Ray also asked about the fencing from last month and the invoice received. Ron stated that is an escrow fund and further stated he had to research all the legal decisions and prior review letters regarding why the fence is not on the final plan. There being no further comments, motion carried 3-0.

Managers’ Report

Mikal stated that he has received emails from WTAA Baseball, PA Outlaws, Easton Area Baseball Organization and from Mr. Yetter and Coach Wagner for the use of the ballfields. It was stated the Recreation Board is recommending the request from the four entities to use the fields. Mark commented that he is only in favor of the use of the fields when the State and County go into the green phase. George commented that part of their motion at the recreation meeting was that they adhere to the State requirements. Mark expressed concern to keep the Township protected and his recommendation would be to have the Township Solicitor draft a waiver protecting the Township of all liability and have parents for the minors as well as any participants that are 18 years old or older to sign. He further recommended that the Coaches would be held liable as well as the League instead of the Township. Michael asked if

we would have to follow Dr. Levine's orders? Mark stated that would be included in the waiver. Jonathan recommended the following conditions: 1. Each organization submit a roster of players along with corresponding waivers from the parents and player. 2. A certification be issued from each organization that they comply with all CDC and Pennsylvania Department of Health guidelines and recommendations. 3. Each Organization provide a Certificate of Insurance naming the Township additional insured. 4. The adults supervising the events ie: the coaches, provide background checks to the Township. Ray made a motion to include Jonathans four conditions, second by Mark. Michael expressed concern for Mike taking care of the fields. Mike stated that once an approval is made he will get the fields ready for use. Michael brought up the outside groups should be paying to maintain the fields. Mark asked if the Township drags the fields and what the cost is to maintain it. Mike commented that usually the visiting team will drag the fields and line them. If they want us to do it then the employee labor is \$26.00 something an hour and if it's the weekend they get paid three hours time and a half. Michael asked if that should be placed in the Resolution. Jonathan stated that you should address that and whether or not you are going to open up restrooms and port a johns. Mark commented that once the fields are opened then we can use the port a johns as normal and refreshment stand with CDC Guidelines to follow with safety guidelines. Jonathan commented that the guidelines require the stand emptied out and cleaned every 4 hours and the bathrooms cleaned every hour. Mark commented that he would think that would be the responsibility of the coaches and the League. Michael asked who is going to monitor to make sure the coaches are taking care of that? George commented that based on the resolution from the Legislation side the Township should probably use CDC guidelines and not red, yellow or green phases. Jonathan commented under the Prevention Control Act of 1955 Dr. Levine has the power as the Secretary of the Department of Health to enter any type of order to control the spread of disease. Mikal asked the Board to authorize the Township Manager for the collection of data in the motion so that all appropriate documents have been received before participation. Mark recommended that if the documents are not received, they don't play on the fields. Mark suggested that the information be placed on the website. Ray and Michael agreed with Mark's recommendation. There being no further comments, motion carried 3-0.

Mikal commended the Veterans Memorial Committee for a job well done observing Memorial Day under the COVID-19 circumstances. They were still able to take the time to remember those who made the ultimate sacrifice.

Mikal stated that at last month's meeting it was decided that the Board would act on the Summer Recreation Program this month. Mark commented that at the Recreation Meeting the vote was 4 to 3 against having the program. Michael commented that he feels we should go along with the Recreation's Board recommendation to not hold summer recreation. Chloe commented that she heard it was a 3 to 3 vote. Mark stated that Judy voted to break the tie. Chloe Washburn commented that she talked with

other camp counselors and parents of the children that go to camp and said she feels the Board should highly consider having the camp. She further stated that guidelines can be put in place, waivers signed and fever checks. She feels we are going to be in green soon and a lot of parents depend on this free childcare through the summer. Ray commented how do you follow the Rules and Regulations that the CDC has placed and even break kids down in groups? The groups would have to stay together and no one else can decide to come over and play in that group. There was a discussion regarding rain dates and keeping the kids socially distanced. Ray commented that East Allen Township is opening up their summer camp. George Washburn commented that we hire responsible people to handle the kids and feels that the Township should have it because there are a lot of people that count on it. Mikal thanked Chloe for stepping up and being the advocate of fellow employees. He did comment that we are down one staff individual and full compliance with the CDC would be a large liability of the Township. Another hurdle is the CPR and First Aid training. There was a brief discussion regarding CPR and First Aid and Coordinated Health for the training. Jonathan commented that if the Township considers the program you would want waivers signed like with the sports and would definitely want a plan written before camp opens following guidelines of the CDC and the Commonwealth of Pennsylvania. The staff would need to go over the policy and it would be up to the head of the camp to implement that and followed each and every day. Ray stated he is in favor of the camp when we are in the green phase and follow State Guidelines. Michael is against having the camp. Mark commented to stay consistent, if the State is in the green phase then the camp could be held. Mark made a motion to approve the summer camp program as long as the State is in the green phase and all rules and regulations are followed and waivers signed to protect the Township of any liabilities, second by Ray. Michael commented that regardless what the State has to say we are putting other children and people at risk. Mikal asked the motion include the hiring of additional staff, CPR and First Aid Training and complying with all hiring requirements. Mark added in the waivers being signed if the Township Manager sees there is no compliance the Manager can close the camp down. Mark asked that Mikal's recommendation and Mark's after the motion be included in the motion just made. Ray agreed to the extra motion. There being no further comments, motion carried 2-1. Michael Bryant opposed.

Mikal commented that the parks are still closed and would like to have a decision made by the Board as to the re-opening. Michael made a motion to open the parks depending on Dr. Levine's recommendation when we go into the green phase, second by Ray. There being no comments, motion carried 3-0.

Mikal commented the Land Preservation Board will hold a virtual meeting on June 23rd at 7:00 p.m. July meetings will be discussed at a later date.

Mark commented with the Disease Prevention and Control Act of 1955, Dr. Levine has the authority over the Governor during the pandemic. He asked Jonathan if it is his recommendation that the Township change our Emergency Management policy to match Dr. Levine's because of the politicians arguing with the Governors about it? Jonathan stated the Township Declaration said it would remain in existence as long as the Governors Declaration did which Dr. Levine recently renewed. However, there was a joint resolution adopted by the Legislature under the Emergency Declarations Act that allows them to pass a concurrent resolution to terminate a Declaration. Jonathan further stated that will most likely be in litigation, but to remove uncertainty in the Township Declaration, he is recommending the Township amend it to remain in effect so long as Dr. Levine still has any phased orders in effect. Mark made a motion to amend the Act as recommended by Jonathan, second by Michael. Mikal commented his only concern is that he has applied for funding through FEMA and PEMA as a result of the governors declaration and asked Jonathan if the revision of our current Declaration would disqualify us from any funding that we seek for COVID related expenses? Jonathan stated that it shouldn't but it can be amended by saying the Governors Order and Dr. Levine's orders, both would have to be terminated. There being no further comments, motion carried 3-0.

Public Works – Mike Strawn gave the report for May 13, 2020 to June 10, 2020.

Mike stated that the supervisors as well as Township manager have toured the house on Diehl Road. It is his recommendation that the house be demolished as there is no good use for the house. Michael asked for an approximate number to repair the home. Mike stated approximately \$20,000.00 to get it to where it wouldn't look so run down. Ray made a motion to demolish the house, second by Michael. There being no comments, motion carried 3-0.

Mike commented that the contractor is scheduled for June 22nd to pave Stouts Valley Road and the residents will be notified.

Michael asked for clarification from Mike regarding the lights at the Municipal Building in his report. Mike commented that the cost of the extra lighting, wire and post did not seem necessary after talking to the Township Manager. Mikal commented that they were going to look into LED lightening. But with that we would need to replace everything and at this point it is not necessary.

Zoning Office – None

There will not be a Zoning Hearing Board meeting Wednesday, June 24, 2020.

Planning Commission Report – Alan Kirby gave the report for May 20, 2020.

1. Approval of 15 Gaffney Hill Road – Lot Line Adjustment – Resolution 2020-18 – Ray made a motion to approve Resolution 2020-18, second by Michael. There being no comments, motion carried 3-0.

Land Preservation Board Report – Bob gave the Report for May.

Bob asked for the Townships approval to have Heritage Conservancy do a baseline study not to exceed \$2,500.00 for the Russell property. It was stated with the \$2,000.00 grant, the Township's cost would not exceed \$500.00. Mark made a motion to allow Heritage Conservancy to spend up to \$500.00 on behalf of the Township, second by Ray. There being no comments, motion carried 3-0.

Recreation Board Report – Judy did not have a report but commented that sand would be needed for the sand boxes if there is a summer recreation program.

Landfill Committee Report – Ray gave a brief report.

Engineer Report – Ron Madison briefly reviewed his June 9, 2020 memorandum. It was stated that the Melchor Tract plans have been submitted and a title search should be done. Ray made a motion to authorize Jonathan's office to conduct a title search for the Melchor Tract, second by Mark. There being no comments, motion carried 3-0.

Solicitor Report – None

Old Business – None

1. ZO Amendment, Section 27-904.A – Authorization to send to Township PC and LVPC For Review and Comment – Jonathan commented the Zoning Officer discovered an oversight in Section 27-904.A for permitted uses in the District. Looking back at the different drafts, it seems to be a formatting issue. This proposed Amendment would clear that issue up and will put it back where it belonged originally. Ray made a motion to send the Amendment to the Township Planning Commission and the Lehigh Valley Planning Commission for Review and Comment, second by Michael. There being no comments, motion carried 3-0.

New Business

1. Approval of Walter and Ligaya Russell Contract for Land Preservation – 180 Ballek Road – Jonathan stated that the Board already approved the Grant Agreement between the County and the Township and this is the actual Agreement that governs the grant. Ray made a motion to approve the Agreement and authorize the Chairman of the Board of Supervisors to sign, second by Michael. There being no comments, motion carried 3-0.

Supervisors Remarks

Ray suggested that the Township send a Thank You note to Chris Mease for his time getting the War Memorial ready with plantings.

Michael thanked everyone for their patience during the virtual meetings.

Mark commented that during the COVID-19 the public works was sent home out of protocol and continued to receive pay. Mark further commented that he would like to ask for a stipend or bonus for Mikal for the two weeks that he worked in the office. Ray commented that he believes in compensating a person in the beginning of the year with a raise as he does not believe in bonuses. Michael agreed with Mark and further commented that with giving a bonus it is acknowledging that they went above and beyond their normal duties. Mark said that his thought process is if the public works was paid for two weeks that he would like to give Mikal a two week salary paid bonus. Michael made a motion to pay Mikal two weeks of salary for continuing to work in the office during the COVID-19 crisis, second by Mark. Jonathan stated that it would be Resolution 2020-19 and you can approve it verbally. Michael amended his motion to state Resolution 2020-19. Jonathan stated he would draft the Resolution if the motion is passed. There being no other comments, motion carried 2-1. Ray opposed.

Mikal commented he would be remiss to not mention that in addition to our public works staff all members of our Township staff had been compensated and dismissed from work. He further stated that Mel was dismissed from the building for COVID purposes but was working from home during that time. Mark removed himself from the discussion. A brief discussion was held but no one concurred with Mikal's suggestion. The Chairmen pointed out his rationale for his motion and further stated the Township Administration continued working while most Municipalities closed. There were no further comments.

George commented that the website is a 100% improvement.

There being no further business, meeting was adjourned at 8:21p.m.

Respectfully Submitted,

Melody A. Ernst, Asst. Manager/Secretary
Williams Township Board of Supervisors