

Williams Township Board of Supervisors
April 14, 2021

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 Michael Bryant, Supervisor Raymond Abert, Township Solicitor Jonathan Reiss, Township Manager Mikal Sabatine, Township Engineer Ronald Madison, Public Works Director Michael Strawn and Assistant Township Manager Melody Ernst.

Mark stated there was an Executive Session held on Tuesday, March 30, 2021 for Legal Matters.

Mark asked Ray and Michael if they had any corrections to the Minutes of March 10, 2021. 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 April 14, 2021 and the March Treasurers Report to the Board. Michael made a motion to approve the Expense Report, Treasurers Report and pay the bills, second by Ray. There being no comments, motion carried 3-0.

Mark asked Mikal is there are any comments. Mikal stated not at this time.

Manager's Report - Mikal submitted his report of April 14, 2021 to the Board for review.

Mikal commented that the Township was awarded a \$1,000.00 for the 2021 Wellness Grant that Mikal applied for.

Mikal commented that the state has elected to move the tax deadline to May 17th. He further stated that lawfully we cannot extend the due date for EIT, however, we can petition our Collection Agency to waive any penalties and interest that are received between April 15th and May 17th. If the Board is in favor, Mikal will notify David Woglom. There were no comments from the Board.

Raubsville Sportsman Association has asked to use the pavilion for their meetings. Mikal has requested that the rental fee be waived. No objections from the Board

The Veterans Committee is moving forward with the Memorial Day program. Flags will be placed on the fence unless the Board objects. There are no objections from the Board. Mikal stated that he will supply the Parks and Recreation guide that will outline the activities and the guidance recommendations. Ray stated he does not have problem with social distancing and feels that masks should be worn. Michael commented as long as we meet the CDC requirements and the State Health Department of Pa he is okay with it. There were questions as to whether the Veterans

Committee would have to get waivers signed for the program. Mikal stated that he did not feel that was necessary for the Veterans Day Program. Mark and Michael both stated they are fine with no waivers. After a brief discussion regarding the waivers, it is the Board consensus that no waivers are needed.

Mikal asked the Board for approval to conduct the clean-up process on the Breiner property on Gaffney Hill Road. Michael made a motion to approve Easton Metal Recycling to conduct the clean-up process of the Breiner property on Gaffney Hill Road, second by Mark. Ray wanted to know what the cost of the clean-up would be? Mark commented that the amount of the clean-up was discussed in Executive Session for Legal Matters. Michael commented his recollection was \$17,000.00 and Mikal corrected him by saying approximately \$25,000.00. He further stated the specific bid was in the amount of \$16,729.00. Ray asked if that was an estimate, Mikal replied yes. He further asked how do we collect that money. Jonathan stated that whatever the amount is will be placed against the real estate as a lien, then if the property is sold the Township would be paid. At this time there are no liens on the property and if there are unpaid taxes, those would be a priority over the Municipal lien. He further stated the Municipal lien can be used to foreclose on the property and force the sale, if the Township decides to do that. Ray asked how long would the Townships money be tied up before we see anything come back? Jonathan stated that he really cannot give an answer on that. Michael asked when the lien would be executed. Jonathan stated once it is filed six month or more, but that would be based on the decision of the Supervisors. There being no further comments, motion carried 2-1. Ray opposed.

Mikal stated that the 2020 Audit has been completed. It was also stated that if the Board approves the Audit the Chairman would need to sign the Acceptance letter so that can be forwarded to Riley & Company and then the Audit can be submitted to DCED. He also commended Mel on a "Job Well Done". Ray made a motion to approve the Audit, second by Michael. There being no comments, motion carried 3-0.

Public Works - Mike Strawn read the report for March 10, 2021 to April 14, 2021.

1. Approval for Center Line Painting - Mike stated that he is looking for approval from the Board to have A1 Traffic Control Products paint the center double yellow lines of approximately ten miles of Township Roads for approximately \$7,000.00. Michael made a motion to approve the line painting as mentioned, second by Ray. There being no comments, motion carried 3-0. Michael asked if the price is consistent to previous years. Mike stated yes.

2. Approval to Hire Summer Public Works Employees - Mike asked the Board approval to hire up to four summer temps for the Public Works Department. He further stated that 2020 hourly rates were \$13.83. Mark made a motion to hire four summer temps at a rate of \$13.83 an hour, second by Michael. There being no comments, motion carried 3-0.

Mike commented he will be going to look at another fork lift for \$2,500.00. It is still being used at the Federal Warehouse. Mike further commented if it is in good shape, he will be bring it back to the shop.

Mike commented that the Kressman Bridge Project will be moving forward. The concern that Mike and Ron have is the drainage pipe under the bridge that is rotted and will need to be replaced. The County would like us to replace the pipe prior to their contractor getting there. The concrete pipe has been ordered and hopefully will be completed in the next few weeks.

Ray commented that he received a couple phone calls about an excellent job of the street sweeping.

Zoning Office - Mark stated the Report from the Zoning Office was received for the Boards review. Suzanne stated there will be a Zoning Hearing Board meeting held on Wednesday, April 28, 2021 to hear the following:

1. David and Molly Sunderlin - 27 Pine Manor Drive - Special Exception
2. Robert Rafiniski - 170 Gaffney Hill Road - Dimensional Variance

Planning Commission Report - March 17, 2021. Alan Kirby gave the report.

Land Preservation Report- Jim Williams read the report for March.

Recreation Board Report - Judy gave the report. Judy stated the Recreation Board is recommending Jack Keiter be appointed as a member. Mark made a motion to appoint Jack Keiter to the Recreation Board, second by Ray. Jonathan stated he would be appointed to fill the remainder of the term that is vacant. There being no further comments, motion carried 3-0.

Judy stated the Recreation Board is looking for approval of the dedication of the sign for field B. Mark asked if the sign will be mounted with posts in the ground or directly on the backstop? Judy stated the sign will be mounted on the back stop behind the catcher. Mark commented just for clarification for the public, the Township is not paying for any of this, it is total donations. Mark made a motion to install the sign and have the celebration on June 20th, second by Michael. Michael asked if this was voted on by the Recreation Board and passed and asked when it was done. Judy commented it was done at the meeting held in public works building and there was an email that was sent out in which all the members said it was a great sign. There was a brief discussion regarding whether it was actually voted on and Jonathan advised the Board that the Recreation Board is just an advisory committee and the Board of Supervisors are the one to make the decision. There being no further comments, motion carried 2-0. Ray abstained and will send notice to Mel Ernst.

Judy stated that Kari will be working on a program for the Recreation program that she will present to Mikal by the end of April. If Summer Recreation would take place, it would be June 21st to July 30th. It was further stated that the Director and three counselors would be returning, but they would like to also have two more counselors. Judy commented that perhaps the forms can be placed on the website to get a count of

kids interested in the program. Judy also asked if the program moves forward are the counselors going to receive a raise. She stated the hourly rates in 2019 were Director \$16.65, Assistant Director \$13.63 and Counselors \$12.14. Mark commented that he is all for summer recreation and it would not be a bad idea to get a count ahead of time. Mark further commented that it was his understanding that the counselors would get the 2020 rate. Ray asked if we could advertise for two anticipated vacancies for the summer recreation program and place it on the Township website.

Ray stated he received a phone call the High School would not be having senior night on the Township fields because the school would need to drag and line the fields. Mike Strawn commented that he has no knowledge of the High School requesting to use the fields and is unclear where the miscommunication is coming from. Ray commented that Senior Night was mentioned at the last Supervisors meeting. Mark commented at the Recreation meeting Mike indicated that he would drag the fields if he can, but if there is other work scheduled, he may not be able to get to it. There was a brief discussion regarding the field dragging and senior night. Ray is asking the Board for the Township to drag the field and the High School would line it. Ray asked if Mikal will call Mr. Frankenfield and tell them that the Township will drag the field. Mikal stated that the High School has not been approved to use the field. Mark clarified that everything goes through the Recreation Board, when the Recreation Board approves the teams, it goes to Mikal for waivers and liability insurance. Mike will drag the fields unless his schedule does not permit it. There was another brief discussion regarding dragging the fields during the day instead of the weekends.

Engineer Report- Ron Madison briefly reviewed his March 5, 2021 memorandum. Mikal commented just for clarity we did request a revision of the mailbox situation and asked if the Board wants Colliers to prepare a review of the entire SALDO. Mark commented that he is not sure there is a need for that. Jonathan stated that typically if problems are found we correct them once or twice a year. He further stated he does not feel an entire review needs to be done. Ron stated it would only be the comments in his draft memo.

Solicitor Report – None

Old Business

1. Authorization to Advertise Public Hearing – Lighting District Ordinance 2021-1 –

Jonathan stated this is for Country Inn Estates which Ron's office provided the area that would be subject to this district. Jonathan stated that the Ordinance has been drafted and we are seeking authorization to advertise for a public hearing and all property owners in the proposed district to receive a notice as well. The lighting district cost of the lights will be billed on the Real Estate tax bills once a year for electricity and any maintenance. Mark asked who will send the notices to the residents? Jonathan stated he believes the Township would and he would like to review the notice before it goes out to the residents. Michael made a motion to authorize the advertisement for a public hearing, second by Ray. There being no further comments, motion carried 3-0.

2. Public Hearing – Leon Koplin – Agricultural Security District Application – Resolution 2021-9 – Mark opened the public hearing. Jonathan stated this hearing has been advertised and the property was posted and the application was announced at a Board of Supervisors meeting and advertised for a fifteen-day comment period that was sent to the Township. The Lehigh Valley Planning Commission, Agricultural Security Committee and the Williams Township Planning Commission have recommended amending the Agricultural Security Area to include the Koplin property. There are no comments. Public hearing is closed. Michael made a motion to approve the Koplin property into the Agricultural Security Area, second by Ray. There being no comments, motion carried 3-0.

New Business

1. Intermunicipal Agreement – Resolution 2021-10 – It was stated that the City of Easton and the Township have discussed some common Stormwater issues along the boundary and the city has already approved an Intermunicipal Agreement with the Township that would authorize both entities to look at the problems, agree on an area to remediate and set up how the cost would be shared. The approval tonight would be for the approval of the Agreement and not any projects. Any projects that the Engineers would come up with would have to come back to the Township and the City Council for approval and if one or both do not approve, it would not move forward. Mark made a motion to approve Resolution 2021-10, second by Michael. Ray stated that he feels the Agreement benefits Easton more than Williams Township. Ray expressed concern that either party can pull out of the agreement at any time. Jonathan commented that is true for almost any Inter Municipal Agreement. There was a brief discussion regarding the Agreement and grants. Ray asked Jonathan who benefits more from the Agreement. Jonathan stated if the Board would approve the project any credits for the work that is performed with improving the stormwater or quality of the stormwater the City of Easton would be able to take credit for the MS4 permit because Williams Township is exempt. Ron stated the premise of the Agreement is mutual benefit, mutual contribution and to work together to solve common problems. There being no further comments, motion carried 3-0.

2. Approval of Real Estate Appraiser for Penn East Pipeline Ratification – Jonathan stated some time ago PennEast pipe line condemned in Federal Court an easement area over some properties in Williams Township, believed to be four to six parcels, upon which Williams Township holds a Conservation Easement as well as the County. The condemnation process is under a timeline and the County and Township needed to hire a Real Estate Appraiser who will serve as an expert witness and also appraise the value of the easement area that is being taken by the pipeline because that condemns the Conservation Easement on that area. The County and Township would be able to recoup some of the money that they paid for the Conservation Easement if this condemnation would go through. The County and Township found an appraiser for \$250.00 an hour out of Camp Hill PA. It was stated that we are asking for authorization or approval to hire Mr. Sheer at the cost of \$250.00 an hour to perform the appraisals and act as an expert witness if needed with the cost to be shared by the County and Township. The property owner may choose to share in the cost or they can hire their own appraiser. Mike asked if the shared cost is fifty fifty between the

County and the Township. Jonathan stated yes unless the property owner decides to join then it would be one third. Mark asked if there was a rough quote without the testimony? Mark made a motion to join partners with the County and to hire the appraisal with a fifty-fifty cost split, second by Michael. Alan Kirby commented that he receives emails regarding the Penn East pipeline and he is a little taken back that the Township would spend money on something that may not even be happening. Jonathan stated a Federal Judge entered an order and the experts reports as well as discovery are due in May. Linda Heindel spoke of the unmerciful damage this would cause to Hexenkopf Ridge. After a brief discussion Mark stated from everything he is hearing it is a recommendation to protect the Township. He further stated his motion stands to approve the Real Estate Appraiser with regard to the Penn East Pipeline Easement, second by Michael. No further comments, motion carried 3-0.

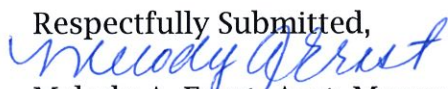
Supervisor Remarks

Ray stated he has been checking with another Municipalities on how they bring money into the Township so that taxes do not have to be raised. He talked about possibly charging landlords or trying to tax property owners for the cell tower fees they are receiving. He also talked about charging the property owner a fee for all the tractor trailers sitting on Hilton and Holly Street. Mark commented that he is not opposed to looking at ways to bring revenue into the Township. He said perhaps we could hold a workshop in house. Mark talked about the Earned Income Tax and thought perhaps including the tax collector in on the workshop. Jonathan stated that a number of years ago a statue was passed to prohibit municipalities from enacting ordinances for certain taxes which have been deemed to be nuisance taxes. If you had an Ordinance in place prior to the statue being placed for a business privilege tax you can still collect. If you do not, then you cannot have an ordinance now to that effect. Jonathan stated that you understand that other municipalities can collect the fees and taxes because they have had Ordinances in existence for a number of years.

Audience Comments

1. **Alan Kirby** - Noticed that on the Williams Township Facebook page, a Frys Run Watershed group of individuals did a clean-up and picked up 21 bags of trash. Asked if a letter could be sent to them for the great work they did to help Williams Township be even more beautiful. The Board asked Mikal to draft a letter and send it out to them.

There being no further business, Michael made a motion to adjourn at 8:45 p.m., second by Mark.

Respectfully Submitted,

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