

Williams Township Board of Supervisors
May 12, 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, April 20, 2021 for Personnel Matters.

Mark asked Ray and Michael if they had any corrections to the Minutes of April 14, 2021. There being none, Michael made a motion to approve said minutes, second by Mark. There being no comments, motion carried 3-0.

Melody presented the Expense Report of May 12, 2021 and the April Treasurers Report 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.

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

Manager’s Report – Mikal submitted his report of May 5, 2021 to the Board for review.

Mikal stated he has received two letters of interest to be members on the Recreation Board and will forward same to the Board.

Mikal commended the Veterans Committee for their hard work to put the program together.

Mikal commented that the trees from the grant program were received and the Public Works employees planted them at the Stouts Valley Park.

Mikal asked the Board for permission to have Jonathan draft a new Lease Agreement for the WTAA. He stated that the Agreement was last done in August of 2015 and could use some updating to make sure all concerns are addressed. Mark made a motion to have Jonathan review the Lease Agreement and make any changes that are needed to bring the Agreement to current standards, second by Michael. Ray asked if the Agreement will be sent to the Board before approval. There being no further comments, motion carried 3-0.

Mikal asked the Board for consideration on moving the meetings back to in person. Michael made a motion to move the meetings to the Township meeting room, second by Mark. Mark commented that he does not want to wear a mask the entire meeting. Jonathan commented that everything will be removed on May 31st except for masks.

Michael commented that if the order is changed and if we do not have to wear masks in June then he is for live meetings. There was a discussion regarding the social distancing and mask wearing. Ray commented that he agrees with Mark about the mask wearing and stated that it is hard enough to talk and hear with them on. George commented that the church he belongs to gives you the option of wearing a mask. He feels the Board should go back to live meetings and make masks optional. There was a discussion about what the penalty would be to the Township if mask wearing was not done. Ray stated he is willing to wear a mask and Michael stated he would prefer a mask, but he would not object to meetings without them. Mark commented that he does not want to attend a live meeting unless there are no masks worn. Motion was removed from the table. Ray made a motion to have the live meetings start in June with masks, second by Mark. There being no comments, motion carried 2-1. Michael opposed. Jonathan commented Mikal will need to advertise for live meetings and asked if live meetings are for all boards. Ray amended his motion to include advertising for all Boards to go live in June, second by Mark. Motion carried 2-1. Michael opposed.

Mikal commented that he met with the Department of Environmental Protection and there may be a possibility to recover funds that were lost with regard to the oil spill on Young Street. Boards consensus is to move forward with an application to recoup funds.

Mark stated that Jim Koch has approached Mark and offered to mow the field on the Melchor Property. He further asked if anyone remembers why the farming stopped on that property. Ray stated that the Township was going to get paid a \$1.00 from the farmer which then made it a taxable property. Jonathan stated that if the farmer is making a profit from the hay then it becomes a taxable property. Mark stated that he will call Jim Koch and let him know. He further stated that the Public Works will need to take care of the property.

Public Works – Mike Strawn read the report for April 14, 2021 to May 12, 2021.

Mike asked for the Boards permission to purchase a SCAG Cheetah Zero-turn mower. He stated that the Costars price received was \$11,000.00 for a Briggs & Stratton engine and \$10,934.00 for a Kawasaki engine. He would like to go with the Briggs & Stratton through Whitehall Turf. Mark made a motion to allow the purchase not to exceed \$11,000.00, second by Michael. There being no comments, motion carried 3-0.

Zoning Office – Mark stated the Report from the Zoning Office was received for the Boards review. There will not be a Zoning Hearing Board meeting held on May 26, 2021. Suzanne stated that Northampton County did a study of blighted properties that needed repairs. She further stated there was a short window but she did submit some Williams Township properties to help residents with safety issues with their homes.

Planning Commission Report – Report was received by the Board.

1. Approve Matt Donovan – Alternate Member of Planning Commission – Resolution 2021-11 – Mark made a motion to approve Resolution 2021-11, second by Ray. There being no comments, motion carried 3-0.

Land Preservation Report– Jim Williams read the report for April. Jim stated the Russell property was settled this week. He thanked Laura, Sherry and the Land Preservation Board for their time and effort. Jim asked if the Russell property could be placed in the next newsletter as being preserved? He further stated he spoke with Mr. Russell and he would be fine with that.

Jim stated that the Board is looking for approval to move forward with the O'Brien property, the Agreement of Sale and for the Township to pay \$149,600.00 for the Easement with the understanding that the County will be asked to cover half. Michael made the motion to move forward as discussed by Jim and to pay the \$149,600.00, second by Ray. Michael asked if there is an amount for the appraisal or if that was already obtained. Jim stated that was already done and the appraisal came back at \$8,000.00 an acre and the property is 18.7 acres. George questioned why the Township is paying the entire amount with the hope that the County will pay half. Mark stated that either in 2019 or 2020 there was some question as to whether the State and the County would be able to provide funding for preserving properties. The Board made a determination that in order to preserve properties the Township would have to commit to almost the entire amount to move forward. Michael commented that the County has agreed to fifty percent. Mikal commented that it is important to note that the Land Preservation Board does seek guidance from Laura Baird and they do not preserve unless they are certain about the project. There being no further comments, motion carried 3-0.

Jim stated that it was also discussed at the Land Preservation Board meeting that Heritage Conservancy will be the holder of Township Open Space Easements unless otherwise directed. Jonathan stated that the Board of Supervisors determined that a number of meetings ago and it was made part of the new contract that was signed with Heritage Conservancy.

1. Walter and Ligaya Russell Purchase of a Conservation Easement – Resolution 2021-11 – Jonathan stated this Resolution is a ratification of what happened with the closing authorizing the Chairman of the Board of Supervisors or the Township Manager to attend the closing and sign documents. This was all accomplished and the Title Company is requiring the Resolution for their file. Ray made a motion to approve Resolution 2021-11, second by Mark. There being no comments, motion carried 3-0.

Recreation Board Report – Judy gave the report.

There was a discussion regarding the Guidelines that were prepared by the Director for the Recreation Program and it was stated there should not be any issues as long as they provide the waivers and insurance. Mark made a motion to approve the recommendation by the Recreation Board as the Guidelines stand in the live document

with the option that the Recreation Board can make changes on as needed basis, second by Michael. There being no comments, motion carried 3-0.

Judy stated the Summer Recreation program will take place from June 21, 2021 to July 30, 2021. Mark made a motion to move forward with the Summer Recreation Program with the Guidelines that have been drafted, second by Michael. Ray commented that in the Guidelines, the Director has proposed to close the park and asked if that was possible. It was discussed that since there is no way to police that, that parks would stay open. Mikal commented that all participants and employees of the program will have to sign waivers. Mark and Michael both agreed, understanding it is necessary. There being no further comments, motion carried 3-0.

Judy stated that the counselors will be as follows: Kari Maskalis, Director, Chloe Washburn, Assistant Director, Tyler Batdorf, Ashlee Woods, Aiden Dufal and Clayton Washburn, counselors. Judy also asked if they are entitled to the 2020 wages that were approved which would be \$17.06 Director, \$13.97 Assistant Director and \$12.44 Counselors. Mark made a motion to pay the Summer Recreation employees the 2020 increase, second by Michael. Mikal commented they will all need to do background checks and complete the appropriate paperwork. There being no further comments, motion carried 3-0.

Judy stated that Kari would like to send flyers home with school children if that is ok. Judy further stated that Kari is willing to come a week early for a couple of days in case anyone has any questions. It was stated that the paperwork would be placed on the website so that parents can pre-register their children so the counselors can plan how they will run their day. Mikal stated that he will go over the waiver with Jonathan before posting.

There was discussion regarding the Stouts Valley Park and allowing dogs.

Engineer Report– Ron Madison briefly reviewed his May 10, 2021 memorandum.

Ron stated that there will be a meeting on May 21, 2021 regarding the Roth Farm Estates and asked the Board if they would like him to attend. Mark asked if the Township would be in jeopardy if he did not attend or would it show more force if he did attend. Ron stated that there are street trees and other documents to file as well as the developer sold two lots and there are issues with those lots. Ray is in favor of having Ron attend the meeting as well as Michael. Board consensus to attend.

It was stated that an estimate was received in the amount of \$10,262.14 for the pole relocation at the Stouts Valley Park. The payment would need to be received in advance with the signed work order and if the relocation comes in under that amount than Verizon will reimburse the Township the difference. The Easement would need to be recorded so that clear title can be provided to PennDOT. Michael asked who owns the poles. Ron stated that Verizon owns the poles. Michael stated if Verizon owns the poles, then why do we have to pay for it. Ron stated that the pole needs to

be relocated because PennDOT will not accept the right-of-way to be given by the Township with poles. Mark stated that this is needed in order to close out the park. Mark made a motion to have the Manager and Solicitor sign the work order Agreement not to exceed \$10,262.14, second by Ray. Michael stated he is not happy that the Township has to pay for the relocation. There being no further comments, motion carried 3-0.

Ron stated that Grace Industries now owns the Painter Tract and it is his recommendation that a meeting be set up with them to review the security and permits so that there is a clear understanding moving forward when permits are being pulled.

Ron stated that he notified Mikal of two grant opportunities that are both due by June 25, 2021. He further stated that he would like to submit them as a joint Municipal effort since the Agreement was approved and executed last month with the City of Easton. Ron will touch base with the City of Easton.

Solicitor Report

Jonathan stated that Laura Baird normally refers people to Daniel Paci, Esq., of Grim, Biehn & Thatcher, a tax attorney for clients and she referred Mr. Russell to him. Jonathan stated he is bringing this before the to explain the possible conflict. It was the Board's consensus to waive any potential conflict of interest understanding that if an enforcement should arise, his office would not be able to represent the Township or Mr. and Mrs. Russell.

Old Business

1. Public Hearing - Lighting District - Ordinance 2021-1 - Jonathan stated this would be for the four streetlights in the County Inn Estates Subdivision on Murray Drive, Westfield Drive and Highfield Drive. Jonathan stated the Board asked his office to draft an Ordinance. Jonathan stated the Ordinance was advertised for a public hearing tonight. If adopted the properties listed in the Ordinance would be charged for lighting and maintenance. The Board of Supervisors will establish an annual assessment per property within the lighting district for each fiscal year by a Resolution. The cost would be divided between the properties located in the lighting district and appear on their tax bill as a separate line item. The Board could also start a maintenance fund for future maintenance of the streetlights. Mark opened the public hearing. Kevin Benbrook and Lisa Muff from 60 Highfield commented. They commented in general they are used by the Fire Company and the public, but feels there are no benefits to the residents. He further commented that it is only four lights in a rural community with light pollution and seems to be a nuisance. Their thought is to just turn them off. Mark commented that he drove in the development today and stated they are nothing more than decorative lights. He never gave it a thought to see if the residents would want the lights or just shut them off all together. Mark stated that if the residents do not want them lite, then perhaps the lights can stay but de-energize the electric to them. His thought is to continue the hearing and have the Township Manager send a letter to the residents in the development asking for their

option and then move forward with the majority of the opinions. Jonathan stated if you want to continue the hearing, a motion will need to be made so that you do not have to readvertise the hearing and it can just be continued to June. George suggested that the letter state there will be a cost to keep the lights on. Mr. Benbrook thanked the Board for the discussion. Mark suggested that an approximate cost be placed in the letter to give the residents an idea. Mikal stated his best estimate would be an average of \$900.00 a year and you would be looking at anywhere from \$75.00 to \$100.00 per resident, of course that would be at the discretion of the Board. Mark made a motion to continue the hearing to June for the purposes of outlining the details in a letter to the residents of the development, second by Michael. Mikal stated that the Faust's are present and have prepared a written statement which Mikal read. They feel they do not fall within the district and have never been a part of the actual development. There being no further comments, motion carried 3-0.

New Business

1. Authorization to send the SALDO Ordinance Revisions to Township and Lehigh Valley Planning Commissions for Review – Michael made a motion to send the revisions to the Planning Commissions, second by Ray. There being no comments, motion carried 3-0.

2. EAJSA Request for Rules and Regulations – Resolution 2021-13 – This Resolution is to amend the Regulations that were adopted previously. Ray made a motion to approve Resolution 2021-13, second by Michael. There being no comments, motion carried 3-0.

3. Roth Farm – In Default for not Replacing Financial Security – Jonathan stated that in September of last year the Township received notice that the Standby Letter of Credit would not be renewed and is set to expire on July 3, 2021. Jonathan asked the Board to find the Developer in default conditionally if the Letter of Credit is not replaced by the June 9th meeting. And if adopted, he has until June 9th to submit new financial security. Michael made that motion, second by Ray. There being no comments, motion carried 3-0.

4. Accept Resignation of Ronald Reichard – Land Preservation Board – Mark made a motion to accept the resignation, second by Ray. It was stated to post the vacancy on the Township website. There being no further comments, motion carried 3-0.

5. Approval of Waiver for 65 Raubsville Road Well Setback – Resolution 2021-14 – Mark made the motion to approve Resolution 2021-14, second by Michael. There being no comments, motion carried 3-0.

6. Approval of Emergency Operations Plan – Resolution 2021-15 – Michael made a motion to approve Resolution 2021-15, second by Ray. There being no comments, motion carried 3-0.

Supervisor Comments

Mark commented that he would like to welcome the new part time Township employee Hannah Warner to the meeting.

Ray asked when we are going to hold a workshop for finding ways to increase revenue in the Township. Mark stated that we should schedule something for the month of June. Mark asked Mikal to check the availability of Jonathan and the Tax Collector.

Michael thanked Suzanne for her report. He also commented on masks at a public meeting.

Mark commented that he would like to thank the Township Manager for hosting the virtual meetings for 2020 and 2021 and would like the Board to consider a bonus for Mikal Sabatine for the 55 meetings that he hosted. He would like the board to consider for next month a potential bonus in the amount of \$2,210.00 if the Board is inclined to do so for Mikal and to think about an amount for Mike. Michael stated he feels it should be considered.

There being no further business, Michael made a motion to adjourn at 8:43 p.m., second by Mark.

Respectfully Submitted,

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