

**Williams Township Board of Supervisors**  
**October 12, 2022**

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 George Washburn. 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.

George stated there were no Executive Sessions held.

George asked Michael and Ray if they had any corrections to the Minutes of September 14, 2022. 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 October 12, 2022 to the Board. Ray made a motion to approve the Expense Report, September Treasurer Reports and pay the bills, second by Michael. There being no comments, motion carried 3-0.

**Manager's Report** – Mikal submitted his report of October 12, 2022 to the Board for review.

Mikal stated that Martha from No Nonsense Neutering is here tonight to give a short presentation to the Board. Martha stated that they were founded in 2008 as a non-profit 501c3. She also stated that they have fixed over 142,000 feral cats. Martha explained the Trap Neuter and Return procedure and stated that the resident would trap, bring them to the facility where they would get neutered and then the resident would return the feral cat to the area that it was trapped from. It was stated that the fee is \$40.00 and includes rabies vaccine, worming, ear and flea treatment as well as nails. Martha stated she is asking the Township if they would consider putting money aside in the budget. It was stated that the resident would pick up a voucher from the Township and the Township will get invoiced for the amount of vouchers the Township hands out. Mike asked how she knows there are a lot of feral cats in the Township. George asked if this is a health issue to the Township and Mike asked if they carry deer ticks. Ray questioned what safeguards are in place that the people obtaining the vouchers actually live in the Township? George commented that he would like to discuss the cat issue with other municipalities.

Mikal stated that the Greater Lehigh Valley Meals on Wheels have submitted a donation request for 2022 in the amount of \$4,000.00. Michael made a motion to approve the donation to Meals on Wheels in the amount of \$4,000.00, second by Ray. There being no comments, motion carried 3-0.

**Public Works** – Mike submitted his report for September 14, 2022 to October 12, 2022. Mike stated that at next month's meeting we will talk about truck restrictions.

**Zoning Office** -The report from the Zoning Office was received for the Boards review. There will be a Zoning Hearing Board meeting on Wednesday October 26, 2022 at 7:00 p.m. to hear the following:

1. Michael Limoli - 795 Texas Road - Special Exception

**1. 70 Weiss Avenue - Authorization to Appeal MDJ Decision to the Northampton County Court of Common Pleas** - It was stated that the Zoning Officer issued a citation for chickens which was never appealed. When the appeal expired in thirty days then the Zoning Office filed an action in court. According to the Zoning Officer, instead of Judge determining the amount of the fine he got into the merits.

Unfortunately, all actions are filed as civil and if you move forward you would need to file a civil appeal instead of a summary offense. Suzanne was going to check to see if the chicken has been removed. Jonathan stated that the Township has thirty days to file an appeal so a decision would need to be made tonight. Mikal asked if it could wait until we find out if the chicken has been removed. Ray would like to have an approximate cost of what this is going to cost the Township. Jonathan stated in the thousands of dollars, and he believes the fine would be \$500.00. Jonathan stated that the Court has the discretion of awarding a fine for each day of the violation. Mike made a motion to continue with the appeal on the 70 Weiss Avenue within one week of today if no change in the removal of the chicken, second by George. Polly Clark stated that she would have to assume that the people with the chicken would not be able to pay the fine and we are going to pay thousands of dollars in legal fees. George asked Suzanne to contact the resident and explain that it will cost her. There being no further comments, motion carried 2-1. Ray opposed.

**Planning Commission** - The report was submitted to the Board for September 21,

**Land Preservation Report**- The report for September was submitted to the Board and Jim Williams gave the report.

**Recreation Board Report** - Judy gave the October report.

**Engineer Report**- Ron Madison briefly reviewed his October 10, 2022 memorandum.

**1. 510 Browns drive - Stormwater Improvements Security Reduction** - Colliers Engineering & Design has recommended a fifty percent reduction of the Stormwater in the amount of \$12,771.00. Ray made a motion to approve the reduction recommendation in the amount of \$12,771.00, second by Michael. There being no comments, motion carried 3-0.

**2. 870 Texas Road - Stormwater Improvements Security Release**- Colliers Engineering & Design has recommended a final reduction of the Stormwater escrow in the amount of \$2,797.73. Michael made a motion to approve the final reduction, second by Ray. There being no comments, motion carried 3-0.

**Solicitor Report** - None

## Old Business

**1. Public Hearing – Sewer Amendment Ordinance 2022-4** – George opened the public hearing. This Ordinance was changed to update the Rules and Regulations and Procedures Standards. Jonathan stated this draft Ordinance has been advertised for a public hearing. There being no comments, George closed the hearing. Michael made a motion to adopt Ordinance 2022-4, second by Ray. Motion carried 3-0.

**2. Resolution Adopting the Amended Sanitary Sewer Rules and Regulations – Resolution 2022-31** – Jonathan stated that the Township Engineer went through the current Rules and Regulations and updated them to include by reference the Easton Area Joint Sewer Authority Rules and Regulations, as they may be amended from time to time, and also made changes as requested by the Sewer Authority. Michael made a motion to approve Resolution 2022-31, second by Ray. There being no comments, motion carried 3-0.

**3. Public Hearing – Well Ordinance Amendment – Ordinance 2022-5** – George opened the public hearing. Jonathan stated this Ordinance was drafted after the Zoning Officer ran into a situation when a house was built in the Township and the well was drilled and they had locating water to serve the house. The Ordinance requires that a Class 1 well be drilled before the house is built. The Township Engineer made some changes to the geothermal wells as well. There being no public comments, George closed the public hearing. Michael made a motion to adopt Ordinance 2022-5, second by Ray. Motion carried 3-0.

**4. Public Hearing – Fireworks Ordinance Amendment – Ordinance 2022-6** – George opened the public meeting. Jonathan stated that Act 74 of 2022 was signed into law earlier this year that made changes to the States fireworks statute. The changes are now incorporated in this draft Ordinance which regulates the use of fireworks and brings it into compliance with Act 74. There being no public comments, George closed the public hearing. Michael made a motion to adopt Ordinance 2022-6, second by Ray. Motion carried 3-0.

**5. Public Hearing – Residential Disclosure Ordinance 2022-7** – George opened the public hearing. Jonathan stated this Ordinance was requested by the Zoning Officer and would only apply to the sale of a newly constructed homes by a developer or builder on a single lot. The Ordinance would require prior to a CO for a builder or developer to produce a Residential Disclosure related to the surrounding zoning property line of zoning maps and HOA or Condo Association that they provide with information. There being no public comments, George closed the public hearing. Ray made a motion to adopt Ordinance 2022-7, second by Michael. Motion carried 3-0.

**6. Zoning Ordinance Amendment HOA Approval – Authorization to Advertise for Public Hearing** - Jonathan stated that this was a result from the Zoning Officer that residents residing in developments with Homeowner Associations were applying for building and zoning permits that still require the governing Board of the HOA as well. To save time and expense as part of the application the resident will need to include a letter from the Homeowners Association and can still proceed with a zoning permit. Michael made a motion to advertise the draft Amendment for a public hearing, second by Ray. There being no comments, motion carried 3-0.

**7. 820 Morvale Road Holding Tank Agreement Approval and Signing** – Jonathan stated we are seeking Board approval for the signature of the Holding Tank and System Maintenance Agreement. The Township Sewage Enforcement Officer has approved the holding tank which requires the owner to have the system pumped. Mike asked if this is just temporary. Jonathan stated it is intended to be temporary. Ray asked who inspects it. Jonathan stated the Sewage Enforcement Officer. Michael made a motion to approve, and sign said agreement, second by Ray. There being no comments, motion carried 3-0.

## **New Business**

**1. Authorization to Amend the Employee Handbook** - Mikal stated that when the Union negotiations took place it was the Boards desire to institute longevity pay for all full time employees. This is to amend the handbook to add the longevity scale. Michael made a motion to amend the Employee Handbook, second by Ray. There being no comments, motion carried 3-0.

**2. Parcel P10 4 6 – S Delaware Drive – Repository Sale** – Jonathan stated this property has gone into repository sale for nonpayment of real estate taxes. Once it goes into repository it becomes tax exempt and there is sixty days to approve or disapprove of a sale. The Tax Claim Bureau received an offer of \$50.00 to purchase the property. It was stated that the Tax Claim Bureau has a balance of unpaid taxes in the amount of \$1,963.00. Jonathan stated it is his recommendation that the Township Manager notify the Northampton County Tax Claim Bureau that the Township approves of the sale. Michael made a motion to have the Township Manager notify the Tax Claim Department, second by Ray. There being no comments, motion carried 3-0.

**3. Poverni Sheikh Group, 140 Cedarville Road, Williams Township Petition for a Zoning Ordinance Text Change** – Attorney Nate Fox, Kyle Slack and Ibrahim Sheikh were all present. Attorney Fox explained that his client is seeking a text amendment to allow a self-storage facility in a Highway Commercial Zoning District. He explained that the current project is not allowed in that particular zoning district. It was discussed how the storage facility will be enclosed, climate controlled, carts, loading zones, and security cameras. Attorney Fox stated they appeared before the Planning Commission last month and all but one planner was in favor of the project. The design of the facility was discussed with matching the architecture of the area. They talked about the property, wetlands and the slopes that are located on the property and how they are making the project work with that in mind. Michael feels it is a good use for the property but asked Suzanne for her opinion. Suzanne stated she feels the concept is amazing but does not think the facility belongs there. She explained how we should keep our Highway Commercial areas for strip malls and things of that nature and how this project should be placed in the Industrial Use areas. Suzanne questioned Attorney Fox and his client as to why they would not make it a Conditional Use instead of a Special Exception. Attorney Fox stated that with all due respect to the Zoning Hearing Board they wanted to go through the Board. It was stated that this particular property is not conducive to standard retail because of the frontage. Michael asked if they have looked at different sites. It was stated they have but with the terrain of the properties it did not allow for easy access. George questioned why

not go for a variance where a decision would be made on this particular property instead of making a change on all Highway Commercial Zoning? Attorney Fox asked the Board if this is not their wish to do the text amendment but to go through the Zoning Hearing Board, if a letter can be drafted with conditions that the Board would not be opposed to. Ray would like to see the project go through zoning. Ron Hinline asked what the tax revenue is. It was stated the owner would be responsible for the property taxes there would also be taxes for the rentals. Eric Reiter feels a special exception would be a better idea.

Jonathan stated the issue before you is either move forward to adopt a motion authorizing the petition be forwarded to the Townships Planning Commission and the Lehigh Valley Planning Commission for review and comment and then it would come back to the Board for a public hearing. Or, should they explore filing for a Variance that goes directly to the Zoning Hearing Board. Jonathan stated that if you recommend going to the Zoning Hearing Board a letter be drafted to the Zoning Hearing Board with conditions the Township would want if granted. Michael would like it to go to the Zoning Hearing Board as a Use Variance. George feels this should be sent to both Planning Commission for review and comment and then to have a public hearing. Michael would prefer that the Ordinance not be changed. George made a motion to send the petition to the Township Planning Commission and the Lehigh Valley Planning Commission for review and comment and then back for a public hearing, second by Michael. Judy Abert asked why would you put a storage facility close to where one is already located. Mr. Sheikh stated there is a demand for storage and that particular facility is fully occupied. There being no further comments, motion carried 2-1. Ray opposed.

### **Supervisors Remarks**

Ray thanked Mike Strawn for cutting and trimming around the Welcome to Williams Township signs.  
Michael reminded everyone about Veterans Day.

### **Audience Comments**

**1. Ron Hinline** - Spoke about Veterans Day. He also mentioned that the wreath ceremony is Saturday December 17<sup>th</sup> at noon.

There being no further business, meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

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