

WILLIAMS TOWNSHIP BOARD OF SUPERVISORS
August 9, 2023

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 Raymond Abert, Supervisor Michael Bryant, Township Solicitor Sean Duffy, Township Engineer Ronald Madison, Zoning Officer Anthony Altimare and Assistant Manager Melody Ernst. Absent was Public Works Director Michael Strawn.

George stated that an Executive Session was held on July 17, 2023, July 18, 2023 and July 20, 2023 for Personnel Matters.

George asked if there were any corrections to the Minutes of July 12, 2023. 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 August 9, 2023 to the Board. Michael made a motion to approve the Expense Report and pay the bills, second by Ray. There being no comments, motion carried 3-0.

PRESENTATION – Lower Delaware Wild and Scenic River – Robert McEwan appeared before the board and stated that he represents the lower Delaware committee that is working to gain congressional designation for more Delaware River segments and creeks along the lower Delaware which goes to the Water Gap to the Washington Crossing Bridge. He stated that they are asking the Board to pass a resolution endorsing the Frys Run and the Williams Township River front to be included as part of the wild and scenic act. The underlying idea of the act is so that not one authority owns the waters of the United States. Mr. McEwan went through the benefits, financial picture, tributary and new segment project, and the designation project. He further stated that the goals of the management plan are to maintain and improve the water quality up and down the basin. It was asked by Mark Flynn if the Township can exit the committee at any time. Michael asked if we join, we can never withdraw. Mr. McEwan said that is correct. George asked what is the downside to the Resolution. Mr. McEwan stated he really doesn't see a downside. George made a motion to approve the Resolution, second by Ray. Jonathan stated that you can adopt the Resolution and Mel can place the next Resolution number on the document and have each of the Supervisors come in to sign. Lois Oleksa stated she urges and commends the Board as it helps our neighbors across the Cooks Creek as it is a good source and does not see a downside. There being no further comments, motion carried 3-0.

Manager's Report - None

Public Works – None

Zoning Office Report – The report from Anthony, Zoning Officer was received for the Boards Review. There will not be a Zoning Hearing Board meeting on Wednesday, August 23, 2023.

Planning Commission – None

Land Preservation – A report was submitted to the Board for their review.

1. Land Preservation Board - Approve Michael Cortright as Alternate Member to the Land Preservation Board - Michael made a motion to appoint Mr. Cortright, second by Ray. There being no comments, motion carried 3-0.

Jonathan stated that the agenda needs to be amended to place the Oleksa Agreement of Sale on the agenda. Michael made a motion to amend the agenda, second by Ray. There being no comments, motion carried 3-0.

2. Lois Oleska 130 Steeley Hill Road Agreement of Sale – George made a motion to approve the Oleksa Agreement of Sale to acquire a Conservation Easement on 130 Steeley Hill Road, second by Michael. There being no comments, motion carried 3-0.

Recreation Board – Judy gave a brief report to the Board.

1. EABO Riverdawks Permission to Use Field B – Judy stated they are looking for permission to use field B to practice two nights a week starting September 5 through October 12. Judy further stated they will give the Township a donation of \$750.00 same as last year. Mel stated that the Township has not received insurance from them. George made a motion for the Riverdawks to use field B as long as they get their insurance information to Mel, second by Ray. There being no comments, motion carried 3-0.

2. Wilson Youth Soccer Permission to Use Municipal Park Field and Chrinery Field and to Waive Fee – It was stated by Mel that the Township has received their insurance. Ray commented that Jack Keiter lines the field and the use the lights would be the only expense. Ray made a motion to allow the Wilson Youth Soccer to use the Municipal Park field and the Chrinergy field and to waive the fee, second by Michael. Mark Flynn commented that the kids enjoying playing soccer on our fields and said it is one of the best fields. Fred Mebus asked what is the length of the agreement. Judy stated until middle of November. There being no further comments, motion carried 3-0.

3. ELV League Williams and Wilson Girls 10yr, Old Softball Team Permission to Use Field A and Waive the Fee – Mel stated that we have also received the insurance for this League. Michael made a motion to allow permission for ELV League to use the fields and to waive the fee, second by Ray. There being no comments, motion carried 3-0.

Ray made a motion to amend the Agenda for WTAA Request to use the field, second by Michael. There being no comments, motion carried 3-0.

It was stated that the WTAA would like permission to use the fields on August 19, 2023 for a whole year party. They will have a dunking machine, water slide and movies in the park. Mel commented that she has checked with the Township Insurance company regarding their insurance, and we are just waiting for confirmation that it is adequate. Michael made a motion to allow the WTAA to use the field provided they have adequate insurance, second by Ray. There being no comments, motion carried 3-0.

Engineers Report - Ron submitted his memorandum of August 7, 2023 to the Board for their review.

Solicitor Report- Jonathan stated that the 95 Gaffney Hill Road property was sold at auction, and he gave Mel the proceeds check this evening.

Old Business

1. Public Hearing – Timber Harvest Ordinance Amendment – Ordinance 2023-2 -

George opened the public hearing. Jonathan stated this ordinance was advertised in the Express Times and reviewed by the LVPC and the Williams Township Planning Commission which both recommended adoption of the amendment. It was made available for review at the Township office, law library and the Express Times. This is to amend the timber harvesting forestry activity to be in line with PA State Law. There were no comments. George closed the hearing. Michael made a motion to approve Ordinance 2023-2, second by Ray. There being no comments, motion carried 3-0.

2. Public Hearing – No truck Parking/Parking enforcement – Ordinance 2023-3 -

George opened the public hearing. Jonathan stated this was prepared at the request of township staff due to tractor trailer parking on certain streets close to Route I-78. This Ordinance was advertised in the Express Times and available at the Township building for review for public inspection as well as the Express Times. Ray asked if this covers the whole Township. Jonathan commented that it does provide for the Township Manager, Assistant Township Manager, Zoning Officer, and Public Works Director to enforce the parking regulations of the whole Township. There were no comments. George closed hearing. Michael made a motion to approve Ordinance 2023-3, second by Ray. There being no comments, motion carried 3-0.

3. Non-Residential Fire Inspections & Discussion Regarding 2020 International Fire Code - Jonathan stated that the Township authorized his office to prepare an Ordinance to authorize the Township Fire Marshal to annually inspect commercial and industrial buildings. When Sean worked on the Ordinance, he noticed the Township did not adopt the 2020 International Fire Code. And without having some code or provisions in the Ordinance for these inspections the Township cannot enforce it. Jonathan stated his office is recommending that the Township consider adopting the 2020 International Fire Code and at the same meeting adopt an Ordinance for annual inspections. Ray asked who would inspect the buildings, the fire chief? Jonathan stated it would be the Fire Marshal. If the Ordinance is adopted, the Township would need to adopt a fee schedule to cover township administrative costs and for paying the

Fire Marshal to do the inspections. Ray made a motion to authorize Jonathan's office to draft the Ordinance to adopt the 2020 International Fire Code, second by Michael. Matthew Wojaczyk stated for point of clarification it would be 2021 International Fire Code. He further suggested the Fire Marshal obtaining the Labor and Industry Certification. In adopting the code, he also suggested considering pairing it down to your most pressing concerns as well as utilizing the Township third party inspector, Keycodes, and not limiting yourself to who you are opening the enforcement to. There was a brief discussion regarding the fire code. Mike asked Matthew what his expertise is. Matthew stated he is the Building Code Official in the State and a Zoning Officer. Michael asked Matt if this is something he could possibly help if we need to reach out to provide the kind of code. Matthew stated that Keycodes would be able to help as well. The motion was amended to have Keycodes and/or Matthew Wojaczyk suggest what provisions of the fire code should be adopted. There being no further comments, motion carried 3-0.

4. Chrinerger – BOS Request Waiver of Taxes Due for School Tax 1/1/24 and Request County Waive Taxes for 2024 – Jonathan stated back on May 11th Sean and the Township Manager went to a hearing before the Revenue Appeals Board for Northampton County and they approved the application to have the fields become Real Estate Tax Exempt. However, they made the effective date January 1, 2024 and in the meantime the Township received a County and Township tax bill and will most likely receive a school tax bill. Jonathan recommended to the Board to authorize Mel to write a letter to the County and the School District requesting since the property has been found to be exempt to waive the taxes effective January 1, 2023 for the County taxes and effective July 1, 2023 for the School tax. Mike stated on the agenda it states January 1, 2024. Jonathan stated that is when it will be official with the county so the tax collector will not be sending out a tax bill. Jonathan further stated that even though the school district was informed by the Township tax collector that she was aware that the property was tax exempt starting January 1, 2024, they told her to send the tax bill anyway. Michael made a motion to request a waiver of taxes for the Chrinerger property for the school tax 7/1/23 and requesting County waive taxes for the year 2023, second Ray. There being no comments, motion carried 3-0.

New Business

1. Accept Resignation of Mikal Sabatine, Township Manager – Michael made a motion to accept Mikal's resignation, second by Ray. There being no comments, motion carried 3-0.

2. Approve Separation Agreement for Mikal Sabatine – Michael made a motion to approve the Separation Agreement, second by Ray. There being no comments motion carried 3-0.

3. Approve First Amendment of CE By Primrose – Jonathan stated that Ron brought it to the Townships attention that the original Conservation Easement that was part of the settlement for the painter tract included an area on part of the tract that is subject to a conservation easement where the developer was allowed to disturb that area for purposes of stormwater management and put wells and other things like spray irrigation systems. This easement will amend that because what was approved by the

Township and Northampton County Conservation District slightly modified the area of disturbance. Ron stated the words of the easement agreement are correct, but they attached an old exhibit that showed everything south of Texas Road not to be disturbed. As part of their NPDES stormwater management plan they will be pumping water out of the basin into a spray irrigation system on the South side of Texas Road to encourage ground water recharge. George made a motion to approve the first amendment to grant a conservation easement between Primrose Glen LLC and the Township, second by Michael. There being no comment, motion carried 3-0.

4. Approval of HOP Co Applicant Agreement – Tuskes Homes – Jonathan stated PennDOT a number of years ago required any stormwater facilities that were being replaced or new stormwater facilities connected with a PennDOT roadway be permitted in the name of the Township where it was located. A culvert under the roadway needs to be replaced and therefore will be under the Townships name but the developer will be doing the work. This agreement is requiring the Developer to be responsible for initial construction work, maintenance, and a future replacement of the culvert. This would run with the land and be recorded when the Record Plans is recorded and will be an obligation of the community association that will be formed. The developer received preliminary approval, and it requires a \$20,000.00 escrow to be with the Township to secure the commitment by the Developer and the HOA to maintain the pipe. Ray made a motion to approve the co-applicant agreement for Highway Occupancy Permit for enclosed stormwater facilities, second by Michael. There being no comments, motion carried 3-0.

5. Appointment of Melody Ernst as Interim Manager – Michael made a motion to a appoint Melody as the Interim Township Manager as of July 18th while the search for the position is being conducted, second by Ray. There being no comments, motion carried 3-0.

Supervisors Comments

Ray commented that the carnival was a success and happy that the Township has Mel for an interim manager part time. Michael made the same comment as Ray about the carnival and an interim manager. George thanked Mel.

Audience Comments

1. Nancy Ackerman – Expressed concerns about the speeding on Kiefer Street and for the children safety. Suggested maybe new parking signs on Keifer and Young streets. She also commented about residents using the pavilions and whether or not they are aware that it is a public park and they are only renting the pavilion.

2. Jim Martin – Commented that he sent an email to the Board address the American 250 Celebration. Just wanted to let the Board know that the Historical Society is going to lead the effort again and if you so choose to support them. They are encouraging the Townships to start getting engaged.

3. Lois Oleksa – Thanked Williams Township and Board of Supervisors, Land Preservation Board and Heritage Conservancy and the Solicitor and commented that

everyone has worked together. She briefly gave a little history on the property that was owned by her grandparents and stated that it has been in the family for five generations.

4. Tom Heilman - stated that the Oakleigh Knoll HOA had a couple meetings. He commented that he sent an email a couple weeks ago and would like to have some time to discuss the items. Asked if he could be on the September agenda.

5. Steve Allen - Commented about the speeders on Young Street and commented on residents with high grass. He passed out what the City of Easton does with high grass and that is they give them 72 hours to take care of it.

6. Kyle Kauffman - Feels he is being treated unfairly. He sent Ron an email regarding the water flow on his lot in Oakleigh Knoll. He further stated that the NPDES required swale is on his property and asked what is the ability to move water flow in the ground. Also asked if he can do anything without obtaining a final CO.

7. Mark Flynn - Asked about a generator and where it is listed in the Ordinance that a final certificate of occupancy must be issued before he can install a generator. He commented that Foxlane makes it out that it is the township at fault, but they know it is not. Feels the township should not issue them any more permits until they get things straightened out.

There being no further business, meeting was adjourned at 8:43 p.m.

Respectfully Submitted,

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