

The Regular Monthly Meeting for the Moore Township Board of Supervisors (BOS) was called to order on Tuesday, May 2, 2023 by Chairman Daniel Piorkowski at 6:00 PM. The meeting was conducted at the municipal building. Members present were Chairman Daniel Piorkowski, Vice Chairman David Shaffer, Supervisor Michael Tirrell, Township Manager Nicholas Steiner, Township Solicitor David Backenstoe, and Township Engineer Kevin Horvath from Keystone Consulting Engineers (KCE).

WAIVERS & DEFERALS

SUB-DIVISIONS AND LAND DEVELOPMENT

REGULAR BUSINESS

MINUTES

Mr. Shaffer made a motion to approve one set of minutes from April 4, 2023

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

FINANCIAL REPORT

Mr. Tirrell made a motion to approve the Financial Report

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

PAYMENT OF THE BILLS

Mr. Shaffer made a motion to pay the bills

Mr. Steiner noted bills for the month from General Checking are \$107,178.60. The Liquid Fuels bills are \$12,481.58. Included with the bills is the final payment to Semmel Excavating for the Schiavone project in the amount of \$15,712.05.

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

APPROVE PAYROLL

Mr. Tirrell made a motion to approve the payroll

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

POLICE DEPARTMENT

Chief Gary West read the April 2023 report. He also reported the speed trailer is fixed and on S. Mink.

FIRE & AMBULANCE

Mr. Harhart read the April 2023 report.

PUBLIC WORKS DEPARTMENT

Mr. Steiner reported parks are open, street sweeping is completed, and they started patching roads.

Public Works Hires

Mr. Steiner asked for a motion to promote Al Hawk to the Municipal Labor position whose primary responsibility is the Recreation Center. Mr. Hawk worked part-time at the Rec Center last year as well as a snowplow driver this past winter.

Mr. Shaffer made a motion to promote Al Hawk full-time to the Municipal Labor position

Mr. Tirrell seconded the motion

Public comment

Mr. Bill Leiner asked confirmation of the spelling of “Hawk.”

Motion carried with all Supervisors present voting aye

Mr. Shaffer made a motion to rescind the Jonathon Good hire

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Mr. Shaffer made a motion to hire David Flick to the Municipal Worker position

Mr. Tirrell seconded the motion

Public comment

Mr. Piorkowski asked if this is pending the background check. Mr. Steiner said they are only awaiting the result of the drug test.

Mr. Shaffer amended his motion to hire David Flick to the Municipal Worker position pending the background check

Mr. Tirrell seconded the motion

Public comment

Mr. Leiner asked confirmation of the spelling of “Flick.” Mr. Anthony Maniscalco has been speaking with Mr. Craig Hoffman regarding signs on Monocacy and Jones Rd for the school buses. Mr. Piorkowski explained the public comment was regarding the motion.

Motion carried with all Supervisors present voting aye

Mr. Steiner addressed Mr. Maniscalco’s question. They are still waiting to hear from PennDOT. Mr. Hoffman has been looking into different types of flashing signs for there and different areas of the Township where regular speeding complaints are received. With Monocacy being a state road, they’re waiting to hear back from PennDOT.

FIRST REGIONAL COMPOST AUTHORITY (FRCA)

NAZARETH COUNCIL OF GOVERNMENTS (COG)

RECREATION COMMISSION

Ms. Jodi Hartzell has permits for two baseball teams and asked for copies to be made by Mr. Steiner.

Northampton Library Story Walk

Ms. Hartzell passed brochures from Northampton Area Public Library regarding the story walk. It is a 16-18 page book she felt would complement the youth program. As people walk through trails, the kids can read this book. Mr. Piorkowski asked if this is permanent. Ms. Hartzell said it is not. The book will be displayed on signs similar to the temporary political signs. The library received a grant to do this program, so it is a trial basis. If it works, they can work with the Township on a permanent program. 16-18 signs will be placed along the trail. They are thinking of running it along part of the trail that ends at the playground. The signs are spaced out so as you're walking with each sign representing a page. Ms. Hartzell doesn't have details for Playground in the Park, but it would tentatively be from mid-June through the end of July, early August. The story walk would work in conjunction with that. The library will also switch out books. The book would stay one to two weeks, then the library would switch it out.

Mr. Tirrell made a motion to approve the Northampton Library Story Walk

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Ms. Hartzell reported fields are being used as they're now in season.

HISTORICAL COMMISSION

Ms. Charmaine Bartholomew reported they met this past Tuesday night. They started planning Oktoberfest earlier than usual to get information out to more people who may travel from out of state. The date is October 12 at 5pm at the Klecknersville Rangers Volunteer Fire Company.

The commission went over the historical signs permission slips. There were 15 schools in Moore Township, and they are trying to place historical markers at each site. They got permission slips but learned it was not what they really needed. When they did the permission slip, the intent was to place the marker on the property of the person who now resides in the school, not in the line of the secondary road. She wanted to know if this makes a difference to the new permission slip they have been given because it was meant to be originally on the property without interference from the state. Mr. Steiner worked with Attorney Backenstoe on the agreement because the initial agreements didn't have addresses and information that would have been beneficial to the Township. If the property owner didn't want to take on the sign, they were going to be placed in the right-of-way (ROW). For state roads, the Township doesn't have a ROW. The Township would need permission from the state to place in the ROW. He worked with Attorney Backenstoe on a license agreement. Attorney Backenstoe said it's a simple agreement that provides the Township with more information. Mr. Steiner said it provides more of the intent of placing it on the property and allows the Township to install if the property owner is unable to install it. Ms. Bartholomew asked if what's missing from the initial permission slip is they didn't give the supervisors permission to maintain and place it on the property. Mr. Steiner said they aren't maintaining it. Attorney Backenstoe said their permission slip didn't say what was allowed. He put together something simple called a license agreement. The property owner gives the Historical Commission a revocable license to put the sign up. It gives the Township a little more protection. Mr. Steiner explained it also allows the commission members or the agents to enter the property, while the original only allowed the commission members. Based on the initial permission slips, the people doing the work were unable to enter the property. This new agreement allows the Township to go on the property and install the signs. Attorney Backenstoe said it allows them to install and maintain it. Ms. Bartholomew had not known anything about the maintenance of the sign. They had all the permissions to put up the sign from everybody but one. This means they must go back to all the property owners to get the new agreement signed it protects the Township from more liability. Attorney Backenstoe doesn't care. He was asked to

put a simple license agreement together so the Historical Commission can put up a sign in somebody's yard. If the commission doesn't like it, they can do something else. However, the one he wrote protects the commission and the Township. The initial memo didn't have the legal significance that it should. If the commission is happy with what they have and nobody cares, it's not that big of a deal. Mr. Steiner said the first problem was the Public Works Department didn't know where the signs belonged. Ms. Bartholomew said they're all on state roads but two. Mr. Steiner said the Department is being asked to put up signs, but they don't have permission to go on the property to put up the signs. Attorney Backenstoe said the license agreement had nothing to do with whether it was a state road or township road. He was envisioning the Township placing signs up on private property, and this is a proper license agreement whereas the memo they had before really didn't do it. If he's being asked if this is a legal problem, he's saying no. Mr. Steiner asked him to put together something simple and compact giving them the right to do what they want to do. If it's troublesome, don't worry about it. Mr. Shaffer thinks it would be a good idea to get them signed so Moore Township has a right to go on private property and put these signs up. It would be appropriate as they are going outside the ROW into private property. Before they have Township Public Works or whoever is installing, they should have permission to install the signs. Mr. Tirrell asked if the permission they currently have means the same thing. If it says they have permission to put up the sign, they have permission to go on the property. Mr. Steiner said the way it was worded gave permission to the commission members to enter the property. However, they didn't know where the properties were located. He was given a stack of slips that names the school. Ms. Bartholomew has given a copy two or three times to different individuals, but nobody seems to have a copy. Mr. Shaffer asked if there's an exact location of where the property owner wants it noting that could be a whole other problem. Mr. Steiner said the Department would like to know where it is to be installed before they go out. Mr. Shaffer said they can place an X, a flag, or meet with Public Works. Ms. Bartholomew asked if it would be better that Mr. Hoffman or somebody from the road crew goes to the property owners knowing it is a state road, and they would know where the line is rather than a commission member. She feels it should go back to the Public Works Department, so it's done the way the Township wants it because the commission member doesn't know the state rules either. Mr. Shaffer said that or the private property owner mark the location of where they see fit. Mr. Hoffman can check the locations and if any of them fall within the ROW, he can address the location issue. Ms. Bartholomew asked why they can't hit it with one stone. Mr. Shaffer asked if everybody is going to be available at the same time at 15 locations. He doesn't want to speak on behalf of Mr. Hoffman. Ms. Bartholomew said Mr. Hoffman can take this on because he's going to take this on along with the road crew since they're going to install the signs. He can say where they can be placed and will know through him whether it will be in violation. Mr. Steiner doesn't want to speak on behalf of Mr. Hoffman, but this was supposed to be a very simple project. The commission reached out to the property owners, received permission, tells Public Works Department where they want it installed, and they install the signs. He doesn't think it's appropriate to have Mr. Hoffman reach out to the property owner to discuss the location, basically doing everything it sounds the commission already did, especially this busy time of the year while they're still trying to get signs. He asked if they had all installed except five or six. Ms. Bartholomew said they have two installed and one in inventory to be used as a future copy for the others. They're delaying. She asked if the signs can be ordered and made up so they get through this loop and are ready for the next step. Mr. Steiner said if she gets all the information for the signs, they will order the signs. They are still waiting on some information which is why they haven't ordered the signs. If she has the information, give it to Mr. Steiner and he'll give it to Mr. Hoffman. Mr. Shaffer thinks they're all on the same page. Everyone wants it completed. Mr. Leiner asked if it's a revocable license by the property owner. Attorney Backenstoe said yes.

Ms. Bartholomew reported they had a visitor at their meeting who lives in the Township. He and another person from Easton will be writing a book about Moore Township and Bushkill Township. It will have

history involving the one room schoolhouses. He's coming to the commission for information he hasn't received. They are going to work with him. He is also going to work with the courthouse in Easton which the commission did early in their time. Hopefully this will reveal more to the citizens of Moore Township.

LAND & ENVIRONMENTAL PROTECTION BOARD (LEPB)

Electronic Recycling Event

Mr. Bob Romano reported the board thinks the Township will benefit from another electronic recycling event. The county is not doing any but are supporting the Townships. He thinks Mr. Shaffer gathered information noting they've always been popular. He thinks Mr. Hoffman supports it as it keeps recycling off the side of the road. They would use the same set up in the Rec Center as last year noting he heard it went well and was organized. Mr. Shaffer reached out to the county with Mr. Steiner. They are going to reimburse 100% of the event. The same company that did the event last year will do it this year. The only thing that may be required is traffic control. Mr. Harhart said they didn't have to do anything last year, and it went very smoothly. Mr. Shaffer said they didn't need officers or fire. The board is looking for a motion to move forward with the electronic recycling event. With regard to dates, he asked if the Township is hosting Garcia Cup this year. Mr. Tirrell and Ms. Hartzell said no. Mr. Shaffer asked if there's a problem in October. Ms. Hartzell said October should be fine. There may be a tournament, but she thinks it's in September. Mr. Tirrell said last year they did it at Halloween. He thinks the event should be held early September. There's baseball, but they don't normally play on weekends. Mr. Shaffer said it's just a two hour event. Mr. Tirrell said most games don't start until 10 or 11 am, so he thinks it should be held a Saturday morning early September. Mr. Shaffer said the person he spoke with was booking up fast. He may email her tomorrow, and she might say there isn't anything until October. She can go back and get the Township penciled in for September or October. Hopefully it doesn't interfere with anything noting they were at Zartler parking lot last year. He can reach out to her and come back next month with a date.

Mr. Tirrell made a motion to approve the electronic recycling event

Mr. Piorkowski seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Newsletter

Mr. Shaffer reported articles are due the end of the month. He and Ms. Lois Kerbacher have Historical, an article from Ms. Detmer, and a letter from Mr. Jeff Ayers on the Zoning Hearing Board. Ms. Kerbacher sent out a reminder email. They will take pictures depending on how much space is available. Mr. Shaffer said Mr. Jesse Longley sent him pictures for Historical. He asked Chief West, Attorney Backenstoe, and Mr. Horvath if they're working on an article, but this is the first they're hearing about it. Mr. Steiner said this is the first he's heard about it as well. Ms. Kerbacher didn't send anything to Attorney Backenstoe. She reached out to Jacobsburg, a local boy scout troop, and the fire company who are all putting something together. Mr. Shaffer thanked Ms. Kerbacher. Mr. Ayers asked if the pictures are of Board members noting he isn't sure his board members would want their pictures posted, but Mr. Shaffer said no. Mr. Harhart asked if they can get the map placed back into the newsletter. Ms. Kerbacher said the company has it. Mr. Harhart said it was kept out and a lot of people asked about it. Mr. Steiner said the newsletter is given out to everybody who moves into the Township, so people use it.

COMMUNITY DAYS COMMITTEE

Ms. Kerbacher reported the purse bingo was very good. On May 20, they are having the community yard sale. Anybody who wants to set up a spot should see the committee. In June, they will start concerts.

ZONING AND BUILDING OFFICER

Mr. Harhart submitted his April report. He also reported this month, the Nazareth COG should be finalizing the implementation agreement for the regional comprehensive plan.

TOWNSHIP ENGINEER

Schoolhouse Renovations

Mr. Horvath reported last month Keystone reached out to three contractors in an effort to get quotes or proposals for a list of items to be completed at the schoolhouse. They were able to meet with two different contractors at the schoolhouse and requested quotes from both. After some prodding, they received a quote from Restoration Services of Coopersburg. They only gave a quote for the reinforcement and replacement of the floor. The quote for that work was \$12,500. They have been back in touch in an effort to get in their proposal the pointing as it is a specialty item that would take a decent chunk of the work from the list. Their take is it's a hodge podge of different items. When a contractor looks at it, a busy contractor specifically doesn't see it as something they're interested in. They will select a couple big ticket items, and that's why they received what they did from Restoration Services. They can continue pressing, but he doesn't think they will find a lot of positive response. Restoration Services could be as far as a year out on this work. These are specialty contractors who fill up quickly. If the Board is inclined, they can press to see if that date can be brought forward, but it likely won't be this month or this summer. If the Board can wait, he thinks they can get a decent price on the pointing and floor restoration. Some of the miscellaneous items could be better served by volunteers or different contractors. If the Board would opt to go that route, they estimate the price will come in under \$22,500 which is the public bid threshold. They received one quote and requested three. Two have neglected to turn them in. They met the quote burden in that sense, but unfortunately don't have a great turnout. Keystone is looking for feedback from the Board on how they'd like to proceed. They are short on specialty contractors. Mr. Tirrell asked Mr. Steiner for Mr. Bob Fedio's quote. Ms. Bartholomew didn't know the quotes had to be in and asked if it was advertised. Mr. Horvath said this was just a request and was not advertised. Ms. Bartholomew said Mr. Fedio does have one. Mr. Tirrell asked if she knew the amount. Ms. Bartholomew didn't bring it along, but Mr. Fedio does have a proposal and has done everything so far. Mr. Horvath asked if she had the quote, but she does not because she didn't know the Township was accepting anything. Mr. Piorkowski asked Mr. Horvath if the floor was the main item that needed to be restored. Mr. Horvath said in his mind, that is the big ticket item. Mr. Piorkowski asked if that work was a year out, would it give them enough time to do the other work or would they need to do the floor first. Mr. Horvath doesn't know that it matters. They're not going to do finished work like hanging coat racks, but they can replace windows or do the concrete porch. They can find someone to do it but when looking at specialty contractors they're few and far in between and seem to have a booked schedule. Mr. Steiner suggested tabling the issue. Let Keystone reach out to Mr. Fedio to get more information. Mr. Piorkowski said it would give Mr. Horvath more time to press for information. Mr. Maniscalco knows several contractors through his business and can reach out to Mr. Horvath. Mr. Horvath will provide him with his contact information after the meeting. Ms. Bartholomew asked if they'd like her to bring up Mr. Fedio's estimate for the flooring. Mr. Horvath said if he has an estimate for all the items on the list, she can send him to Keystone. Mr. Tirrell thought he turned in the quotes to Mr. Steiner. Ms. Bartholomew thought he could not do this until he saw an advertisement in the paper that they were looking for three outside quotes that would be opened at a meeting and then rewarded. She didn't know the circumstances under which this would be reviewed. Mr. Steiner explained Keystone has been looking to see what the general costs of the project would be to determine whether it would need to go out for bid, or if it fell under the threshold of only needing three proposals. They are learning it may only need to meet the three-quote threshold and won't need to go out for public bid. The Board can then make a decision from the three quotes.

MS4

Mr. Horvath and Attorney Backenstoe had been in contact over the past month to review revised agreements. Attorney Backenstoe returned the agreements either to the homeowner or the homeowner's attorney. They received neither agreements back. Attorney Backenstoe is trying to reach by phone again. Mr. Horvath said there is nothing to do in the field with those properties until they receive the agreements.

TOWNSHIP SOLICITOR

Cable Franchise Agreement

Last month, Attorney Backenstoe reached an agreement regarding a draft cable franchise agreement. On April 5, he sent the Board and Mr. Steiner a copy of the proposed agreement. It's straight forward as they are regulated by the Television Consumer Protection Act. If they put cable lines in and service homes in the Township, they will need to pay 5% of gross revenue. They need to have insurance, indemnify the Township, and provide at least one line to the Township building. It's been agreed to by both parties. The agreement needs to be approved by the Board. If the Board doesn't have any questions, he will advertise for adoption at the next meeting. It is acceptable to the Board.

Schiavone Agreement of Sale

The Township received two bids for the Schiavone property. Phil Ronca was the high bidder at approximately \$350,000. The other bidder was Compagnola who had a right of first refusal. He sent letters, and the Compagnolas chose to exercise their right of first refusal. Their attorney sent him a draft agreement of sale. He is still revising some of it. It provides they pay \$351,00 for the property, put \$1,000 down. He wanted to confirm the conservation easement was part of the property noting it must be a part of any deed. He didn't want any confusion, so he wanted it in the agreement. Mr. Horvath also has a BMP agreement for the grassway installed as the Township spent a lot of money. Attorney Backenstoe wants to make sure that agreement is incorporated. He recorded the BMP agreement in Easton. Now that he has the recording information, he sent it to the Compagnolas' attorney. They also want to start farming right away, something Ronca asked about in the event he was the successful bidder. Attorney Backenstoe doesn't think anybody has a problem with him farming it. His only thought is in the event Compagnola does farm it and for some reason cannot get the financing, noting the purchase is contingent on state assisted financing, he thinks they need to pay for the space leased. He thought it would be fair and equitable to use the same price as the last lease which was \$220 per acre. He asked the Compagnolas' attorney to revise the agreement in these ways.

Trach Rd Vacation

Attorney Backenstoe was asked at the last meeting to draft an ordinance to vacate a portion of Trach Road from Bauer Rd to S. Summit Rd. The other area is paved and provides access to homes. He looked at the road with Mr. Steiner. It is largely dirt and gravel. He put together a draft ordinance with valuable input from Mr. Horvath and Mr. Steiner. He sent a final draft to the Board last week for review. One of the requirements is a metes and bounds description, and Mr. Horvath did provide it in the event the Board wants to vacate it. If the Board does authorize and approve an ordinance to vacate, they have to record the ordinance at the clerk of courts as a public record, and they need a metes and bounds description. If the Board wants to formally consider the ordinance, they need to pick a hearing date. Contiguous property owners get at least ten days notice, it needs to be advertised, and they need to hold a public hearing. They need a stenographer and will hear from Mr. Hoffman, Mr. Horvath, and the property owners have a right to testify at the hearing. Mr. Jeffery Henderson asked if the hearing is where the ordinance is approved as it's been drafted. Attorney Backenstoe said the Board has a copy of the ordinance to consider. The night would be a formal hearing to consider the ordinance. Mr. Henderson asked if that would be at the courthouse. Attorney Backenstoe said the hearing would most likely be at

the municipal building and a stenographer would record everything in the event an appeal or exceptions is filed. The Board selected June 22 for the hearing date. Attorney Backenstoe explained they will have a stenographer, it will be advertised in the newspaper, personal letters will be sent to the property owners, and a copy of the ordinance will be included in the letter. They will hold a hearing similar to the Trapper Road hearing. They will hear from the road foreman explaining why he thinks it should be vacated, maybe hear from Mr. Steiner, will hear from Mr. Horvath, and will hear from the property owners. The Board will ultimately decide whether to vacate it or not. If the Board chooses to vacate it, any concerned resident, contiguous property owner, can file exceptions with the court. Exceptions is akin to appeal where you would state why you were prejudiced or harmed by it. For example, you may not be able to get to your home anymore. If an exception is filed, the property owner is required to post a bond with the court to cover the Township's cost for the exceptions. It's heard not by the court, but by a Board of View. The court would appoint a Board of View which is three people who are on the board in the county. He thinks one is an attorney, one is a realtor, and the third is in another profession. The three people consider the ordinance and decide whether they agree with the Board and it's in the best interest of the Township. If they agree, the property owners can file a second appeal with the court and claim damages. If the property owners can show they're harmed financially because the road is now private instead of public, they have a right to present to the court to show why. Mr. Henderson asked what paper it would be advertised in. Mr. Steiner said the Home News.

Mr. Shaffer made a motion to have Attorney Backenstoe advertise for the Trach Road vacation on June 22 at 6pm at the Township building

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Attorney Backenstoe also discussed a conversation had with Ms. Hartzell about an agreement between the Township and athletic association. He prepared for the Township a formal recreation users agreement for the Moore Township Athletic Association (MTAA) in 2007. The Board had him prepare all the circumstances under which the MTAA could use the fields, schedule activities, use the snack stand, and what the responsibilities are. In this particular draft, the athletic association would pay the Township one half the proceeds from the snack bar. It had indemnification language. Mr. Steiner also emailed him about a user agreement, and he prepared a separate detailed licensed agreement for anybody who was going to use the Township fields or park. It talks about the fields and park, insurance, and indemnifying and holding the Township harmless in the event someone is hurt. He brought copies to Ms. Hartzell as he spoke with her about putting something together and thought this would be a good start.

TOWNSHIP MANAGER

CD Renewal

One of the CDs in the amount of over \$6,300 is up for renewal. Rates are significantly better than a year ago. Last year was less than 1%, and the 12 month for this year is 4.75%. He is looking for approval to renew the CD for another 12 months at the new rate. Mr. Tirrell asked when the big CDs for land preservation are due. Mr. Steiner will need check the file and double check. He thinks one was a 24-month and the other a 14-month.

Mr. Tirrell made a motion to approve the CD renewal for \$6,325.77 for another year

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Paver and Trailer – LSA Statewide Grant

Mr. Steiner reported the LSA statewide grant applied for jointly with East Allen Township was awarded. They finally received the contract, and it's been signed by the Township electronically. They are still awaiting the CFA signature. They are allowed to move forward with purchasing the equipment. The grant was applied for in March of 2022, so equipment costs have changed. The grant applied for then and approved was \$266,573 to purchase a Leeboy 8520C Paver from Stevenson Equipment and a Talbert 20-ton tag trailer from Hale. Since then, the paver increased and the trailer decreased. The difference between the approved grant amount and equipment cost is \$16,708. The cost to the Township to get a new trailer will be half of that because it will be split with East Allen. Quotes are through COSTARS. Once the Board approves, East Allen's Board of Supervisors will also have to approve. They can then place the order. They should be able to receive the trailer this year. The paver is about a year out.

Mr. Tirrell made a motion to purchase the paver and trailer

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

RESOLUTIONS & ORDINANCES

Resolution 2023-12 Whitetail Farm Views Deed of Dedication

Attorney Backenstoe explained the Board approved a lot line adjustment plan for Whitetail Farms and pursuant there to, he prepared a deed of dedication. It has been signed by Mrs. Korpics fully executed.

Mr. Shaffer made a motion to adopt Resolution 2023-12 Whitetail Farm Views Deed of Dedication

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

OLD BUSINESS

2023 Seal Coat Projects

Mr. Horvath reported the 2023 seal coat project bids came in yesterday and were open publicly. The project was bid via PennBid. There was a single bidder, Asphalt Maintenance Solutions, LLC (AMS), the same contractor who did the work last year and seemingly the only one in the area that does seal coating. They did a great job last year, and their bid came in slightly lower than the budget estimate for a bid cost of \$243,542. All the information submitted was complete in accordance with the specifications, a 10% bid bond was submitted, and Keystone recommends the Board approve the award of the contract to AMS in the amount of \$243,542 pending timely receipt of required bonds, certificate of insurance, etc. Mr. Tirrell asked what they budgeted. Mr. Horvath said they budgeted about \$248,000, and it came in around \$244,000. Mr. Steiner explained when they did the budget last year, they budgeted \$200,000 for seal coat projects. Between Liquid Fuels coming in almost \$10,000 more than expected and the winter maintenance about half of what was expected, they figured to use that toward the seal coat projects.

Mr. Tirrell made a motion to approve the bid from Asphalt Maintenance Solutions, LLC for the seal coat projects for 2023 in the amount of \$243,542

Mr. Shaffer seconded the motion

Public comment

Mr. Ayers asked what roads were to be addressed. Mr. Horvath said Alpine Drive, Applebutter Rd, Bigley Rd, Crest Vue Circle, Derhammer Rd, Hillcrest Lane, Horseshoe Rd, Mink Rd south, Oaks Road north, and Vista Drive. The roads are not necessarily seal coated in their entirety but sections Mr. Hoffman has identified as in need. Last year, Mr. Hoffman requested the roads be seal coated toward the end of the season to give him time to prepare the roads. AMS was able to accommodate that schedule.

Motion carried with all Supervisors present voting aye

NEW BUSINESS

CORRESPONDENCE/MEMOS

Letter of Support for Bushkill Township Grant Request

Mr. Steiner reported they received a letter from Bushkill Township who is applying for DCED Greenways Trail. They are applying for a grant for huge improvements to their park including accessibility, pickleball courts, and disc golf. He thinks they sent an email to the surrounding municipalities looking for letters of support.

Mr. Shaffer made a motion to add Bushkill Letter of Support to the agenda

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Mr. Shaffer made a motion to have Mr. Steiner draft a letter of support for Bushkill Township's DCED Greenways grant

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

OPEN TO THE FLOOR

Mr. Leiner asked if the cable agreement was with Blue Ridge. Attorney Backenstoe confirmed it is.

Mr. Maniscalco asked Ms. Hartzell confirmation the Northampton Public Library would pick out the books for the story walk on the trail. Ms. Hartzell said yes, they picked three different books already. Mr. Maniscalco explained the only reason he asked is he's running for a school director position, and books in school libraries have been one of the big, hot topics. It's crossing over to everything. Mr. Tirrell asked if they gave copies of the books to her. She said yes. Mr. Maniscalco asked if he could get a copy. He also asked if any future books would be put out for the public to see, and Ms. Hartzell said yes.

Mr. Maniscalco asked Attorney Backenstoe about the Southmoore project. He spoke to Mr. Harhart regarding the appeal being done prior to the actual vote, and the appeal then refiled. He asked if there's any further information. Attorney Backenstoe said no. It was odd. The attorney for the Southmoore project filed an appeal after the verbal vote which, by case law, is premature. Had he not filed it within 30 days after the written decision, it's possible his appeal would have been stricken. The appeal filed after the verbal served no purpose. He then filed a much more detailed appeal after the written decision and asked to consolidate them. Attorney Backenstoe entered his appearance on behalf of both for the Township. The next step would be for them to list the manner on an argument list. Once he does that, the Township needs to be given 20 days notice and a copy of his brief. Attorney Backenstoe is already working on the response because they don't have a lot of time once it's received, and he has to respond in

so many days to his brief. It will then be before a judge. Mr. Maniscalco asked if he has a ballpark for a trial or anything to that effect. Attorney Backenstoe doesn't. Usually oral argument, which is the particular court session this would be, is the second Tuesday of each month. He has to put it on at least 20 days before that. He could have tried getting it on for May, and he didn't. He could have, or may still try, to do it for June. When he does, it starts the clock because Attorney Backenstoe then needs to file his brief, the Zoning Hearing Board solicitor files their brief, and it's listed for oral argument before a judge who gets assigned the case. They don't know who that judge will be. Once the judge hears the oral argument, the judge has 90 days to render a decision. Any party that's unsatisfied could then appeal to the Commonwealth Court. Mr. Maniscalco thanked him for the information.

Mr. Ayers asked if it would be possible for Mr. Steiner or Mr. Hoffman reach out to the Home News or residents to let them know when it is time to do roadwork and seal coating. In the past, people complained they didn't realize their road was going to be worked on. Mr. Shaffer thinks AMS gives door hangers. He then asked if Mr. Ayers meant the seal coating jobs or in general. Mr. Ayers said in general. In the past, people have showed up to the meeting complaining they can't get into their driveways because their road is being worked on. When it gets closer maybe reach out to the Home News to check out the website. Someone can call Home News and let them know what roads will be worked on to save the Township aggravation. Mr. Shaffer said they can get the seal coat projects on the website. If Mr. Hoffman decides to patch a road tomorrow, they may not. He thinks they can alert within reason.

Mr. Henderson asked based on the Trach Rd ordinance, what it says and how it's written, if they wanted to file an exception, how much the bond would be that is needed to be paid by the homeowners. Attorney Backenstoe answered it's supposed to be theoretically the cost the Township will incur in defending the ordinance. Mr. Henderson said it varies then, and Attorney Backenstoe confirmed. There is no set fee. Mr. Henderson asked if the board that hears the appeal will be at the hearing on June 22. Attorney Backenstoe said no because you don't know if there's going to be an appeal. Once there's an appeal, the Court of Common Pleas appoints a Board of View. They have a transcript, so they don't have to do the hearing over.

Ms. Bartholomew asked if the Historical Commission could have an email direct to the Moore Township Municipal Building. Mr. Steiner said Mr. Longley and Ms. Hartzell both asked about getting email addresses. He needs to talk to their IT person to see how much it would cost. The commissions would also have to do trainings for cyber security insurance. Mr. Longley asked him Saturday or Sunday. He has it on his list of things to do.

ADJOURNMENT

Mr. Shaffer made a motion adjourn the meeting at 7:12 PM

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Respectfully submitted,

Nicholas C. Steiner
Township Manager

Not intended to be word for word, but a synopsis of the meeting.