

The 2023 Reorganization and Regular Monthly Meeting for the Moore Township Board of Supervisors (BOS) was called to order on Tuesday, January 3, 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).

REORGANIZATION MEETING

Appoint Chairman

Attorney Backenstoe asked for a motion to appoint a chairman.

Mr. Shaffer made a motion to appoint Dan Piorkowski as Chairman

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Vice Chairman

Mr. Tirrell made a motion to appoint David Shaffer as Vice Chairman

Mr. Piorkowski seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Approve Treasurer's Bond

Mr. Shaffer made a motion to set the treasurers bond at \$1 million with Travelers Insurance

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Road Masters

Mr. Tirrell made a motion to appoint the Supervisors as road masters

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Sewage Enforcement Officer (SEO)

Mr. Shaffer made a motion to appoint Chris Noll of Keystone Consulting Engineers (KCE) as Sewage Enforcement Officer

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Alternate Sewage Enforcement Officer

Mr. Tirrell made a motion to appoint Ian Stout of KCE as Alternate Sewage Enforcement Officer

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Vacancy Board Chairman

Mr. Shaffer made a motion to Glen Shoemaker as Vacancy Board Chairman

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Establish Regular Meetings

Mr. Tirrell made a motion to establish the regular monthly meetings on the 1st Tuesday of the month at 6 pm

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Establish Deadlines & Payment for Invoices

Mr. Shaffer made a motion for the deadline to be the last Monday of the month for invoices

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Designate Depositories

Mr. Tirrell made a motion to designate Embassy Bank and PLGIT as depositories

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Township Solicitor

Mr. Shaffer made a motion to appoint David Backenstoe, Esquire at \$5,000 per month as Township Solicitor

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Township Engineer

Mr. Tirrell made a motion to appoint Kevin Horvath of Keystone Consulting Engineers per the fee schedule provided by KCE as Township Engineer

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Township Auditor

Mr. Shaffer made a motion to appoint BBD, LLP as Township Auditor

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Earned Income Tax Collector

Mr. Tirrell made a motion to appoint Keystone Collections per Northampton County Tax Collection Committee

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Delegate to Northampton Tax Collection Committee

Mr. Shaffer made a motion to appoint Nicholas Steiner as delegate to the Northampton County Tax Collection Committee

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Local Services Tax Collector

Mr. Tirrell made a motion to appoint Keystone Collections as Local Services Tax Collector

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Township Manager/Secretary/Treasurer

Mr. Shaffer made a motion to appoint Nicholas Steiner as Township Manager/Secretary/Treasurer

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Resolution 2023-1 Township Manager Compensation

Mr. Tirrell made a motion to approve Resolution 2023-1 Township Manager Compensation at \$85,995

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Zoning & Building Officer

Mr. Shaffer made a motion to appoint Jason Harhart as Zoning & Building Officer

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Alternate Zoning & Building Officer

Mr. Tirrell made a motion to appoint Chris Noll as Alternate Zoning & Building Officer

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Open Records Officer

Mr. Shaffer made a motion to appoint Nicholas Steiner as Open Records Officer

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Resolution 2023-2 Open Records Officer for 2023

Mr. Tirrell made a motion to adopt Resolution 2023-2 Open Records Officer for 2023

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Emergency Management Coordinator

Mr. Shaffer made a motion to appoint Matthew DePuy as Emergency Management Coordinator

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Representative to First Regional Compost Authority (FRCA)

Mr. Tirrell made a motion to appoint Dick Gable as representative to the First Regional Compost Authority

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint PSATS Voting Delegate

Mr. Shaffer made a motion to appoint Nicholas Steiner as PSATS voting delegate

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Establish Subdivision & Land Development Application Review & Fee Schedule

Mr. Tirrell made a motion to approve Resolution 2023-3 Fee Schedule for 2023

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Establish Junkyard Permits Rates/Solicitation Permit/Animal Boarding Fee

Mr. Shaffer made a motion to establish junkyard permit rates at \$500, solicitation permits at \$25, and animal boarding fee at \$25

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Zoning Hearing Board Members

Mr. Tirrell made a motion to appoint Zachary Zeitner to a five-year term and Tama Rigler as alternate

Mr. Steiner informed the Board that after speaking with Mr. Harhart, up to three alternates can be appointed to the Zoning Hearing Board.

Mr. Tirrell amended his motion to appoint Zachary Zeitner to a five-year term, Tama Rigler as alternate, and Matthew Flower as alternate on the Zoning Hearing Board

Mr. Tirrell asked if there's a term length. Mr. Jeffrey Ayers said it is five years and asked about Mr. Flower's residency thinking he was living in Bath. Mr. Piorkowski said his letter states he lives in the Township.

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Planning Commission Members

Mr. Shaffer made a motion to appoint Max Bauer to a four-year term, Trevor Errington to a four-year term, and Stephen Konopka to a two-year term on the Planning Commission

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Historical Commission Members

Mr. Tirrell made a motion to appoint Ed Marshall to a five-year term on the Historical Commission

Mr. Shaffer seconded the motion

Public comment

Mr. Steiner said they received a letter of interest a couple months ago but are waiting for the Historical Commission's feedback. Ms. Charmaine Bartholomew said she will receive a resignation at the upcoming meeting leaving another vacancy.

Motion carried with all Supervisors present voting aye

Appoint Land & Environmental Protection Board Members

Mr. Shaffer made a motion to appoint Lois Kerbacher, Peter Locke, and Thomas Roberts to four-year terms on the Land & Environmental Protection Board

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Appoint Americans with Disability Act Committee

Mr. Steiner said they received a letter from this past summer. They need to figure out the responsibilities of the committee and would also need at least one other interested person to form the committee.

Mr. Tirrell made a motion to table the American with Disabilities Act Committee appointment until they get additional applicants

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Establish Employee Non-Contract Wages

Mr. Shaffer made a motion to approve the Public Works Director salary at \$73,500, the Police Chief at \$96,452, the Police Secretary at \$21.38/hour, the Zoning Officer at \$27.37/hour, and part-time/seasonal employees at a 3% increase

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

IRS Mileage Rate for 2023

Mr. Tirrell made a motion to approve 65.5 cents per mile mileage rate for 2023

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

REGULAR MONTHLY MEETING

WAIVERS & DEFERALS

SUB-DIVISIONS AND LAND DEVELOPMENT

REGULAR BUSINESS

TOWNSHIP SOLICITOR

Attorney Backenstoe thanked the Board for his appointment.

Resolution 2023-7 Firmstone Deed of Dedication

Attorney Backenstoe reported Mr. Firmstone and his wife signed the deed of dedication as required by the conditions of approval. It was properly notarized, and the resolution is ready to be approved in accordance with SALDO and conditions of approval.

Mr. Shaffer made a motion to approve Resolution 2023-7 Firmstone Deed of Dedication

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Resolution 2023-8 Arthofer Deeds of Dedication

Attorney Backenstoe explained one of the conditions of approval is that Mr. Arthofer grants two deeds of dedication on two different sides of the property. He initially agreed but then voiced concerns. He does not want to sign deeds of dedication but will sign a right-of-way. Deeds are signed by him and all the owners, but he crossed out Deed and wrote "right-of-way." Attorney Backenstoe spoke with Mr. Arthofer's lawyers and engineers. They all indicated this land is not part of Act 319, and he's not losing acreage. The plan was conditioned on the deed of dedication, and the plan won't be recorded until the Township gets the deed of dedication. If the Board thinks a right-of-way is appropriate, Attorney Backenstoe can retitle the document that was signed and write "Deed of Right-of-Way" or "Right-of-Way." It's not exactly the same. Mr. Piorkowski asked if it could be recorded at the county. Attorney Backenstoe said if they did a deed of right-of-way, it would still get recorded and be memorialized. If the Board approves this, Mr. Horvath could then record the plan. The drainage swales, another condition, were installed prematurely but Mr. Horvath reviewed and found they were appropriately placed. However, there was a maintenance period. They did a mini maintenance agreement and Mr. Arthofer posted \$1,500 which will be held for 18 months. If there's any issues, the Township can use that to fix it. Mr. Lorin Arthofer expressed he has concerns and doesn't know how to find good answers. One is, by deeding 25 ft from center of road into the property, he thinks it means any time he accesses and leaves his property, he's crossing Township property. It doesn't make sense to him because it landlocks his property with the Township bordering the roadway. He didn't think that was appropriate. He asked if in the future he or someone else owning the property would be restrained from crossing Township property to access his property. Attorney Backenstoe said no, he is not landlocked. He already accesses his property from a Township road. To the extent the Township would have the extended parcel, Mr. Arthofer absolutely has a right to cross it with unequivocal certainty. Mr. Piorkowski asked confirmation the 25 ft is based on conditional approval that he would not have to make the road improvements. Attorney Backenstoe said that is correct. Mr. Piorkowski asked confirmation that if he was made to make the road improvements, that 25 ft would not be 25 ft. Attorney Backenstoe said it would have been an asphalt road. Mr. Horvath thinks for a local road, it would have been 14 ft from center to create a 28 ft wide roadway. Right now, it might be 18 ft wide. He thinks landlock might be confusing the matter. Right now, it's a Township right-of-way at 16.5 ft, it would be a Township right-of-way at 25 ft. He is driving directly from the property onto a Township right-of-way which is the definition of frontage. Mr. Piorkowski's point is if they would have followed the ordinance and put the road in, this would not be discussed now. Mr. Horvath said as part of the improvements, there would have been a dedication of right-of-way included at the same time. Mr. Piorkowski asked if it would have been asphalt instead of grass. Mr. Horvath said part of it, yes. There would have been additional improvements beyond the simple dedication of right-of-way. Mr. Arthofer didn't understand the deed of ownership but understood it as a deed of right-of-way. His other areas of concern dealt with the driveway. They need a driveway to access a home, but if adjoining properties would change ownership or be developed, and water comes down from other properties, what would he have to do if he needs to put an underground pipe in to handle this water. Attorney Backenstoe thought that's why he put in the swale. Mr. Arthofer said they are only talking about a 300 ft frontage on Buss Rd, the length of a football field. To make an improvement, it's not that much area on Buss Road. He wanted to know what they have to do if they want to make a change with the driveway or provide for water runoff from another property using the installation of a barn as an example. Attorney Backenstoe explained Mr. Arthofer would get a driveway permit to the Township road from the zoning officer. Mr. Arthofer asked if it's one or more, and can it be altered and

changed. Attorney Backenstoe said there is a driveway ordinance that must be followed. Mr. Arthofer asked if in the future they want to change something, is the Township going to say it's their land, and they're not going to make changes. Attorney Backenstoe said the Township cannot prevent him from accessing his property from the road. Mr. Arthofer asked what say he has, as far as the 25 ft distance from center of roadway, which currently is 8 or 9 ft of asphalt, with regard to utilities. He asked if the utility discusses with the Township what they plan to do. For example, the electric company wants to put in poles. Would he have any say, or does the Township say it's their land and he has no say as to where the poles or boxes will go. Attorney Backenstoe said they're a public utility and are exempt from local zoning. Mr. Horvath explained the Township has an occupancy permit for utilities. If the utility company wants to cross the road or build along the roadway, they submit a permit application to Mr. Harhart similar to the driveway permit. It is reviewed and assessed. If it is appropriate, the Township will grant the permit. Mr. Arthofer is concerned because Met-Ed came in when someone wanted to buy the whole parcel for a major development. The electric company described where they would place the poles, and the wires would have drooped in front of his house windows. He's concerned he would no longer have a say because it's Township property. Attorney Backenstoe said if they're going to put lines in, they're going to go along the road. It won't just be his property. Mr. Arthofer figured with a right-of-way, he had no problem if the Township would have to do something, but he would have to deal with the utilities. If they want to put poles in, does it force the poles onto his property, or will the Township be able to work with the utility. Attorney Backenstoe said the Township would have them put the poles in the Township property. Mr. Arthofer said then the Township has a say, and he has no say. Things like that concern him. The other thing briefly mentioned is they have 25 ft from center road. The existing road is about 8-9 ft wide, maybe wider. It's not that the road is very narrow to drive on, but now they're talking from the side of the road in is another 15 ft to deal with. When the Township mows, they mow 6-8 ft wide and get whatever weeds and brush grow there. In the way it is right now, it's not his property and he doesn't have much to say where the lawn would end and brush starts unless he has to maintain it himself. If that's the case, it should be a right-of-way and not a dedication to the Township. Along those lines, he wanted to know what happens if someone drops hazardous waste along the side of the road. He hopes the Township cleans it up, but what if it burns the grass and contaminates the ground. That's going to be on the Township. Attorney Backenstoe said correct. He asked if reseeding would be done or will it grow up in weeds noting he doesn't have much say in it. Attorney Backenstoe said the Township hasn't done this to anybody else. They take care and maintain it, if the property owner wants to cut and maintain they can do so. If there's an accident on the land and Mr. Arthofer owns it, he could be liable. If there's an accident and the Township owns it, then the Township undertakes liability. If someone drops illegal toxins and he owns it, then he could be liable. If the Township dumped on the Township property, then the Township would be liable. Mr. Arthofer felt when they do the deed of dedication, it's out of his hands. It could come to the Board and the Board changes five years from now and can say that's not what was intended. He didn't think right-of-way was a big issue. He's here to say things now rather than complain later. Mr. Shaffer asked if everybody has Township right-of-way in Moore Township. He knows every road is different as far as distance, but every home has right-of-way that goes into their property. Mr. Horvath said the vast majority of properties abut right up against Township right-of-way. Mr. Shaffer explained he lawned his home up to the asphalt. If the Township wants, they can take his front yard back to their right-of-way. He mows and maintains to the asphalt all year around. He isn't understanding the difference. Attorney Backenstoe said if there's a future right-of-way, it doesn't mean the Township owns it. If the Township wants to expand the road, they need to take it by deed of dedication or eminent domain. It would be a lot nicer to own it now, so they give everybody a break from improvements agreements and don't make them do the improvements. Mr. Ayers asked Mr. Harhart with regard to Zoning, if a deed of dedication makes it easier for a subdivision to go in because it's off a Township road. Whereas if they're making another lot, they have to get legal access to that right-of-way. Mr. Harhart thinks it is the same either way if you come in for a subdivision. They will have to give that

25ft right-of-way anyway. Mr. Ayers asked if they're creating a new lot off the right-of-way, they'd have to go to the people who have that right-of-way to be given access to that right-of-way. Mr. Harhart said in some cases, yes. Mr. Ayers said if it's a deed of dedication and Township road, and there's road frontage, they can put a driveway in. If they're subdividing a lot and need an access with only a right-of-way, if the person doesn't want to give them the right-of-way they can't build the lot. The ZHB ran into that several times in zoning where a building lot was approved in the 1970s, but they need to make sure it's in the deed that they have legal access to that right-of-way. He explained further, there's a difference in zoning between a right-of-way and Township road. People didn't have deeds on their lots with access to right-of-ways, so they had to go back to the owner of the right-of-way. Attorney Backenstoe confirmed if someone doesn't have road frontage then it's a different issue. Mr. Ayers asked in this case if it's a deed of dedication and only a right-of-way if it makes a difference. Attorney Backenstoe doesn't know based on the hypothetical but understands the concept. It's better off if he develops the ten acres to have access to the frontage of the road. Ms. Lois Kerbacher said they didn't dedicate any of her road frontage, and the Township cuts the right-of-way. Mr. Steiner spoke procedurally, there is a difference between a deed of dedication and a right-of-way. Deed of dedication is ownership, right-of-way is not. Right-of-way allows access for things like improvements for water runoff. Deed of dedication gives the Township greater ability to expand the road and do more to the property. He asked confirmation from Attorney Backenstoe this plan was passed on condition the property owner signs the deed of dedication. Attorney Backenstoe said that is correct. Mr. Steiner asked what happens procedurally if it has gone through Planning Commission, Board of Supervisors, waivers have been granted, and it's ultimately been passed with conditions set forth including the deed of dedication. Attorney Backenstoe said Mr. Arthofer would have to get a waiver, go back through the whole Planning Commission process to get it waived, and have the plan changed to do it right. Mr. Piorkowski said if it must go through those steps, the plan can be denied unless he makes the road improvements. Attorney Backenstoe said that is correct. Mr. Piorkowski said whatever committees approved this in the past did so with good faith, and that good faith has been construed to the current sitting Board. They're not getting that good faith back when looking at it based on what Mr. Steiner and Attorney Backenstoe said. If they vote not to take the right-of-way for deed of dedication, he asked if they can send it back to the Planning Commission. Attorney Backenstoe clarified if he does not give the deed of dedication, the Board will not approve the plan, and it will not be recorded. The subdivision will not happen. If Mr. Arthofer wants a waiver from the deed of dedication, he has to go back to the Planning Commission, ask for the waiver, get the Planning Commission to approve, resubmit plans because they show he will do a deed of dedication. This is why his engineer was involved from the start and repeatedly advised him of that. He would have to start over because the Township can't record the plan because they don't have the deed of dedication that was agreed to. Ms. Kerbacher said if his time runs out, noting it is now past a year from when the plan was supposed to be recorded, the plan is dead. Attorney Backenstoe said he would have to submit a new plan. Mr. Piorkowski asked if they could table this and move on. Attorney Backenstoe said they don't have to vote on it, but the plan won't be recorded. Unless they vote to accept the right-of-way, then the deed of dedication is what's required which is on the plan. If the Board wants to move on, they can thank Mr. Arthofer for coming in, explain the plan is not going to be recorded because the Board doesn't want to do the right-of-way for all the reasons discussed, and they respectfully request they do the deed of dedication to get the plan recorded. Mr. Arthofer said he came because he didn't understand what deed of dedication meant. He has concerns that in future, there's going to be issues arising. He wanted to feel easier about this. He felt the right-of-way was the way to go. He thinks Attorney Backenstoe is being honest with him. If this is what it takes, then they could erase right-of-way. Attorney Backenstoe said he could put a new page on so it's clean.

Mr. Shaffer made a motion to adopt Resolution 2023-8 Arthofer Deeds of Dedication
Mr. Tirrell seconded the motion

Public comment

Mr. Arthofer thanked them for considering his concerns.

Motion carried with all Supervisors present voting aye

Attorney Backenstoe left the meeting at this time.

MINUTES

Mr. Shaffer made a motion to approve two sets of minutes from December 6, 2022 and December 19, 2022

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 \$47,155.47. The Liquid Fuels bills are \$19,112.77.

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 November and December 2022 reports.

FIRE & AMBULANCE

Mr. Harhart read the November 2022 report.

PUBLIC WORKS DEPARTMENT

Mr. Craig Hoffman explained that last week, damage was done to the Public Works building when a driver of the company delivering salt damaged the roof. They needed a structural engineer to make sure the building was ok. The building isn't going to fall down, but there's a couple things that need to be fixed.

Job Postings

Since Mr. Longley resigned, Mr. Hoffman would like to advertise for the open position in the Public Works Department. Mr. Steiner said an executive session was held December 19, 2022 to discuss personnel. They want to post the position of municipal worker which is a starting position at Public Works. They also discussed hiring an assistant Public Works Director. Part of the issue is overseeing the work being completed as Mr. Hoffman gets pulled in multiple directions. This person would serve as a foreman and run the department when Mr. Hoffman is not there. This would fill a leadership void. Mr. Tirrell asked confirmation they would post two positions. Mr. Steiner said yes.

Mr. Tirrell made a motion to advertise for the positions of Assistant Public Works Director and for Municipal Worker

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

FIRST REGIONAL COMPOST AUTHORITY (FRCA)

NAZARETH COUNCIL OF GOVERNMENTS (COG)

RECREATION COMMISSION

HISTORICAL COMMISSION

Ms. Bartholomew said they did not hold meetings in November or December. There have been questions amongst their members if associate members could become voting members. An associate member has no voting right and do not have to live in the Township. Many times, they cannot hold their meetings because there is no quorum, but associate members attend. She thinks the Township would need to change the resolution or ordinance. Mr. Steiner assumed a member would have to be a resident of the Township and that is why they created the associate member for those outside the Township to participate. Mr. Tirrell said she's asking if associate members can vote if there's not a quorum with regular members. When they spoke with Attorney Backenstoe last time, he said they would have to amend the resolution. Mr. Steiner asked if Attorney Backenstoe said regardless of residency status, they could be voting members on the Township board. Mr. Tirrell said they could if they wrote the ordinance that way. Attorney Backenstoe isn't here, so he thinks they should bring it up next month.

LAND & ENVIRONMENTAL PROTECTION BOARD (LEPB)

COMMUNITY DAYS COMMITTEE

ZONING AND BUILDING OFFICER

Mr. Harhart said his report for December will be included with his January report.

TOWNSHIP ENGINEER

Mr. Horvath thanked the Township for his appointment as well as the SEO's.

Church Rd Culvert Project

Keystone spoke with the contractor who spoke with the fabricator. The end of the month looks promising for taking delivery of the culvert. The contractor will schedule the work as soon as he can after that. The project could be started as soon as February.

Schiavone Farm Sediment Erosion Project

A fourth application for payment was submitted, and the Board approved and paid it. They are awaiting for the maintenance bond to release the fifth application of payment. The bond was submitted this morning. They did not have a chance to review it but will prepare it for next month's meeting.

MS4

On December 20, Mr. Horvath and Mr. Steiner met with six or more property owners of properties identified for potential BMPs for the MS4 program. Everybody was generally agreeable. There were a couple residents voicing concerns. They aren't concerned with the proposed idea but with administrative items including language tweaks to the easement agreements. One resident will grant access to do any work related to the survey and testing, but before he signs the full easement wanted to know more closely what was going on. He also suggested other portions of his property if it could be more beneficial to the Township. Mr. Steiner said they received and signed five agreements. Another was received last week. They are still waiting on at least three agreements. Mr. Horvath said one of them needs more of a field survey for location of the house and septic system to give piece of mind the Township will not try to overlay an easement over an existing home. It looks that way from the exhibit, but he would like to clear it up for the property owner. At this point, they have agreements in hand to do some physical survey work which needs to be done to design the BMPs. He is looking for guidance on how they want him to proceed. Mr. Piorkowski asked Mr. Horvath if there an opportunity to better the plan for the property owner asking for relocation. Mr. Horvath thinks he wants them to come back with a decision on what to do and get sign off. If he says no, it would be a whole other issue. He doesn't know that it will be completely resolved. He thinks the others can be quickly resolved. This property owner is not necessarily in disagreement, but he wants to make sure the proposal doesn't devalue his property or create a hardship. Mr. Piorkowski asked if there is an easement on the property now. Mr. Horvath said there is over the stormwater basin which is where they initially looked at doing the work. It's an easement for maintenance and access of the existing basin. The issue the Township is dealing with is it doesn't allow for improvements, enlargements, or changes to what was previously constructed. This is where the Township is looking from the property owner the ability to expand upon the rights and privileges the Township has regarding the easement. Mr. Piorkowski asked if most of the projects are where the Township already has easements. Mr. Horvath said yes, areas of the retention basin or pond on the property is where they originally looked. The other area he recommended is outside the existing easement area. Mr. Piorkowski said they would have two different easement areas then if there's another place. Mr. Horvath said yes. He explained the reason they looked at the initial detention basins for retrofit is because it would typically be a less expensive option because they have a bit of the infrastructure in place. His basin is adjacent to his house, and the property extends far downhill further from sightlines, so maybe it would be preferred. Mr. Steiner said access would be easier as well. Mr. Piorkowski said they have five signed already and asked how long it would take to do the work. Mr. Horvath said they would like to do a field survey. Depending on how they'd like to proceed with the retrofit, whether it is going to involve adding functionality to the basin where it will infiltrate water into the ground rather than detain it, they may need to do additional testing. It's tough to tell. Mr. Piorkowski asked if his recommendation would be to do the field study on the five properties. Mr. Horvath thinks the start would be to do the field survey and come back to the Township with recommendation noting each has unique characteristics. Different solutions would be better fit given the different conditions.

Mr. Shaffer made a motion to move forward with field studies on the properties they have agreements for

Mr. Horvath asked confirmation if they should hold off on the properties they don't have agreements for. Mr. Steiner said yes noting he thinks Mr. Horvath will need to talk to Attorney Backenstoe before accessing the properties.

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

TOWNSHIP MANAGER

Mr. Steiner will hand out ethics forms to all the relevant positions and committee members. Those members who served in the prior year need to fill it out in addition to those members serving this year.

RESOLUTIONS & ORDINANCES

Resolution 2023-4 Non-Uniformed Pension Plan Rate

Mr. Tirrell made a motion to approve Resolution 2023-4 Non-Uniformed Pension Plan Rate at \$4/hour

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Resolution 2023-5 Police Pension Plan Contribution Exoneration

Mr. Shaffer made a motion to approve Resolution 2023-5

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Resolution 2023-6 Chief Administrative Officer of Pension Plans

Mr. Tirrell made a motion to approve Resolution 2023-6

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

OLD BUSINESS

NEW BUSINESS

CORRESPONDENCE/MEMOS

OPEN TO THE FLOOR

Mr. Ayers explained he had an incident on his property last week. He called Mr. Steiner who transferred him to the Police Department. Two officers came to his home and very professionally and diligently solved the issue in an hour. He wanted to let police know they did a good job.

ADJOURNMENT

Mr. Shaffer made a motion adjourn the meeting at 7:07 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.