

The Regular Monthly Meeting for the Moore Township Board of Supervisors (BOS) was called to order on Tuesday, October 3rd, 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

#21-07 Aqua PA-Evanwood Land Development Request for Extension to Record Plan

Mr. Jonathan Morris from GHD Engineering was present to request an extension. Attorney Backenstoe explained he should come to the meeting and request this, since it should have been done in 2022. Mr. Morris explained nothing has changed, plans are the same and they were approved by DEP in 2021. They simply forgot to file an extension before the deadline. They are hoping to push the project out for bid by the end of this year for construction in 2024. Mr. Horvath added he has everything that is needed as far as the plans are concerned, they will just need a signed maintenance agreement and a bond. The requested extension is until September 30th, 2024 per Attorney Backenstoe recommendation.

Mr. Shaffer made a motion to approve the #21-07 Aqua PA-Evanwood Land Development Request for Extension to Record Plan until September 30th 2024

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

Speed Study for Lilly Hill Rd.

A letter was received requesting a speed study on Lilly Hill Rd. to reduce the speed limit. Currently Lilly Hill Rd. is a numbered, unmarked Twp. road making the speed limit 55 mph. Mr. Brad Roth from Lehigh Engineering came forth to discuss with the board. Mr. Roth stated the requirements from PennDOT are complicated for this road, he has a few things to check on site to see if it would qualify. Mr. Horvath joined in stating that a speed study is the only way to lower the speed of the road per PennDOT. Mr. Wayne Cacciola was present to discuss as well. He questioned how the sight distance and speed study is conducted. Mr. Horvath explained the process, Mr. Cacciola had some disagreements being a former employee of PennDOT and how he was taught they are conducted. It was agreed by the Board that if the speed study is done, by either Keystone Engineers or Lehigh Engineers, the payment for this will be determined by past ordinances, as well as any signage needed. Mr. Roth requested invoices if the study is done by Keystone Engineers. Mr. Horvath stated their invoices break down everything for them. Mr. Hoffman questioned which section of Lilly Hill Rd. this would affect. Mr. Cacciola stated it would be Lilly Hill Rd. to Glase Rd.

Mr. Tirrell made a motion for Keystone Engineers to conduct a Speed Study on Lilly Hill Rd. to Glase Rd with payment being consistent with past ordinances

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

REGULAR BUSINESS

MINUTES

Mr. Shaffer made a motion to approve one set of minutes from September 5th, 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 \$540,597.07. The amount includes Firemen's Relief, Police Pension for the year, half of insurance for the 22/23 year and all of the insurance for the 23/24 year. The Liquid Fuels bills are \$230,978.82 with \$215,800.30 being the first payment to AMS.

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 report for September. Chief West also spoke of a grant to which they applied for 2 new police vehicles in 2024. Koch 33 has a shipment coming in December, if a vehicle is put on reserve now it will save between \$4-5K. It's no cost to reserve and it wouldn't be ready until March/April 2024.

Mr. Tirrell made a motion to reserve one police vehicle from Koch 33.

Mr. Shaffer seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

FIRE & AMBULANCE

Mr. Jason Harhart read the September 2023 report.

PUBLIC WORKS DEPARTMENT

Mr. Craig Hoffman stated seal coating for 2023 has been completed. Leaf collection is to start October 31st and run through November, possibly December depending on fallen foliage. Rian Griesemer's last day is going to be Friday October 6th for his retirement. Another employee will be retiring come December. Mr. Hoffman requested the board approve to allow Mr. Steiner to start advertising hire of two public works employees.

Mr. Shaffer made a motion to approve Mr. Steiner advertise to hire for Public Works

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

FIRST REGIONAL COMPOST AUTHORITY (FRCA)

Mr. Hoffman stated he spoke with Mr. Zac Walczer from FRCA, there were some issues with machines being down, but if the Twp needs anything he will try to help as best as possible.

NAZARETH COUNCIL OF GOVERNMENTS (COG)

No Report

RECREATION COMMISSION

Basketball Resurfacing Update

Ms. Jodi Hartzell stated they are going to try and purchase all the equipment needed for the courts (poles, nets, etc.) and then start the project in Spring. The courts are being heavily used right now. If they were to attempt to complete the project at this time, the courts would be closed for possibly up to 3 weeks. In Spring it will only take 1 week.

MTAA Memorial Bench

Ms. Hartzell requested approval for a memorial bench that MTAA would like to add in the park, possibly off English Rd. near flagpole. This would be in honor of a softball player that passed away a few weeks ago. It would be at no cost to the Twp.

Mr. Shaffer made a motion to approve the MTAA memorial bench

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

MTAA Campfire

Ms. Hartzell would like approval for an end of the year campfire to be held at the Rec. Center for baseball/softball players, pending approval by insurance. It will be held over by the Tennis courts, October 14th. The Baseball Commissioner will oversee the fire and see that it is extinguished. He will be providing the wood as well. Klecknersville Rangers will be on site. No alcohol will be permitted. Mr. Hoffman will place garbage cans out to be used for the event.

Mr. Tirrell made a motion to approve the campfire pending the insurance approval

Mr. Shaffer seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

HISTORICAL COMMISSION

Mr. Tirrell stated they are preparing for Oktoberfest which is October 12th.

LAND & ENVIRONMENTAL PROTECTION BOARD (LEPB)

Mr. Bob Romano stated the Open House went very well, gaining them 3 new applicants.

W Beersville Rd Open Space Appraisal

Mr. Shaffer noted the appraisal came back for 3282 W. Beersville Rd. that is a 9.31 acre property. Before the appraisal it was \$233,000. After it was \$121,00 making the value \$112,000, giving roughly \$12,000 per acre.

Mr. Tirrell made a motion to approve the appraisal

Mr. Shaffer seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

COMMUNITY DAYS COMMITTEE

Ms. Lois Kerbacher stated Household Bingo would be held October 8th at the Klecknersville Fire Co. Trunk or Treat will be October 21st and they're in need of volunteers. Toy Bingo will be held December 3rd.

ZONING AND BUILDING OFFICER

Mr. Harhart submitted his September report.

TOWNSHIP ENGINEER

Wheel Collision Center Letter of Credit

Mr. Kevin Horvath reported a request from the property owner to reduce their improvement security due to many improvements made to date. Requesting to lower the original \$72,204 down to \$42,934, a \$29,810 difference.

Mr. Shaffer made a motion to accept the reduce in price

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

MS4

Mr. Horvath stated Mr. Barnes has spoken to his attorney, and his attorney has contacted Attorney Backenstoe. There were a few modifications Mr. Barnes was still requesting which Attorney Backenstoe amended for him. He should be signing soon. Mr. Horvath submitted the annual progress report, and September 2024 will be the end of the permit cycle. It will need to be renewed by April 3rd. Mr. Horvath was asked to find other BMPs at last month's meeting. He found 2 new ones, one being at the Klecknersville Rangers Fire Co. They have a drainage way that comes from Community Dr. into the parking lot of the fire company and then exits towards Mountain View Dr. The Rec. Center is also another possibility but requires a closer look at the property to see where the water flows. Mr. Shaffer

mentioned Mr. Horvath should continue looking into other BMPs. The Twp. will continue to need them in the future. Mr. Horvath explained the basins will be planted with native vegetation, mowed only twice a year. Also recommended is placing a baffle inside the basins, giving a longer travel plan of the basin to the outlet, allowing more sediment to be filtered out. This will most likely create a problem for some homeowners who cannot mow the vegetation due to how long and thick it will grow. Mr. Steiner and Mr. Hoffman will discuss solutions for the issue.

Schoolhouse Renovations

Mr. Horvath noted the go ahead to proceed was given to Mr. Fedio, and he is hopeful to start the project on Friday. He was given a key, and any work should be coordinated through Keystone.

Truck Restriction Study Ordinance

Mr. Horvath stated the results from the Truck Restriction Study. Plaza Court will become “No Parking”, and there is already an ordinance on upper Smtih Gap Rd. recommending keeping it as is. Mr. Horvath also recommends adding Keeler Rd. to the “No trucks, except local deliveries” list, due to road width and condition. It was decided to move forward and have Mr. Horvath and Attorney Backenstoe work together on creating an ordinance for the truck restrictions.

Delps Road

Mr. Horvath and Mr. Hoffman went to the area of Delps Rd. and N.Mink Rd. to look at a drainage issue causing water to gather in the roadway. Cyclists/motorists swerve around it in the opposite lane of travel entering a blind curve. Mr. Horvath recommends grading roughly 250 ft of the roadway where the issue is occurring. This will correct the low grade in the road and cause the water to run south towards an existing inlet. Keystone gave an estimate of the project if done by the Public Works crew. For 2 inlets, 140 ft of 12” pipe, aggregate, seed mix, and erosion control matting it comes to approximately \$7,000. Mr. Shaffer questioned what was in the plans of the existing lots for stormwater. Mr. Horvath stated it was to be graded in a positive flow to the inlet. It is too shallow to do there. What was done was limited to widening, and placement of one inlet in the corner that didn’t help water flow in any way. Mr. Hoffman added the water is affecting the whole curve, and this would be the best fix for the situation. Mr. Hoffman also stated the project would probably need to wait until Spring due to material availability, but he would like to try cutting the shoulder of the roadway for Winter to avoid any ice forming. Mr. Shaffer asked Mr. Horvath how we can avoid issues like this in the future. Mr. Horvath replied he feels there is more communication now between Public Works and Keystone and going forward there should be less issues.

West End Rd. Culvert

Mr. Horvath stated there are 2 failing culverts along the Bushkill Creek on West End Rd. and they will need to be replaced. He met with the conservation district and employees of the Girt, Gravel, Low Volume Rd Program. They agreed these pipes would qualify for the Low Volume Rd. Program since it is neither dirt nor gravel. This program only provides \$140,000 countywide for the year and is almost used up. The Dirt & Gravel Program has changed since Kern Rd. was done. Previously they could look at the stream width and decide which pipe would work, now they require 1.5x the width. That would mean a 26.5-30’ culvert would be needed for this road. Estimates for fixing each would total between \$600-700K. Right now, water is flowing through 5’ boiler pipes and Mr. Hoffman noted if they go with the Low Volume Rd Program, the larger of the two culverts that uses 2 boiler pipes would qualify as a bridge which would need to be inspected by PennDOT. Mr. Horvath is going to look into other funding options, and all will discuss them more in the future.

TOWNSHIP SOLICITOR

Chapman Borough Zoning Officer Agreement

Attorney Backenstoe created an agreement for Chapman Borough regarding Zoning Officer Jason Harhart. The terms would be Chapman's pays a \$1,000 retainer, Mr. Harhart's hourly rate of \$27.37 anytime he gets called for the borough, and overtime where it applies. They would also reimburse for any office supplies used (paper, staples, ink, postage, etc.) It would be from October 1st- December 31st, 2023. The Board and Mr. Harhart would need to decide by December 15th if they wanted to continue or have Chapman's find their own zoning officer. Mr. Steiner added Chapman Borough did not adopt the Moore Twp. ordinances and chose to adopt Upper & Lower Nazareth's. This would mean Mr. Harhart would have to learn new ordinances for them. Mr. Piorkowski felt it should be stated upfront they only would have Mr. Harhart until December 31st, 2023. He then decided not to enter into an agreement at all, with Mr. Tirrell agreeing largely due to the borough not adopting an ordinance consistent with the Township's.

Mr. Piorkowski made a motion to deny Jason Harhart being the zoning officer for Chapman Borough

Mr. Tirrell seconded the motion

Public comment

None

Motion Carried with all Supervisors present voting aye

Amusement Tax Ordinance

Attorney Backenstoe stated this was adopted in the Twp. in 1995, where 3 entities: Evergreen Lake, Whitetail Golf Course, Southmoore Golf Course would provide a check to the Twp. for the Amusement Tax. Mr. Steiner added this is not managed properly and generates anywhere from \$13K-\$25K a year from all 3 entities combined. Reports are supposed to be given that are not, also not all records of the past can be found, if they ever existed. The tax is more of a burden than anything to the Twp.

Mr. Piorkowski made a motion to have Attorney Backenstoe draft an ordinance retracting the Amusement Tax.

Mr. Shaffer seconded the motion

Public comment

None

Motion Carried with all Supervisors present voting aye

Fallen Tree Ordinance

Attorney Backenstoe created fallen tree ordinances like this for other municipalities. It would address any issues of fallen trees. It covers every scenario and how to properly handle a tree being on private property falling onto a roadway (Twp. Property) or falling onto private property from Twp. property. Mr. Steiner and Mr. Hoffman would like to discuss the ordinance more. Attorney Backenstoe noted he will make a rough draft for them both to look over and he can modify as needed.

Ordinance 2023-5 Ordinance Codification

Attorney Backenstoe stated the Moore Township Ordinances are now up and running online, so anyone can now view them. Mr. Steiner will add the link to the website this week. Thanks were given to all involved to get this completed.

Mr. Tirrell made a motion to adopt Ordinance 2023-5

Mr. Shaffer seconded the motion

Public comment

None

Motion Carried with all Supervisors present voting aye

TOWNSHIP MANAGER

Parks, Recreation and Open Space RFP

Mr. Steiner stated the ad hoc committee met and came up with the RFP. He would like to have it posted to Pennbid by this month and seek proposals by November 3rd, 2023. Attorney Backenstoe added they will get the professional service agreement together which will be part of the bid packet. Once the bids are in and the entity is accepted, they will modify the agreement to include the name of the entity in which the bid was received.

Open Space Preservation CD Transfer

Last month it was decided to have Mr. Steiner look into an amount from the Open Space account to transfer into a CD. After looking at the expenses and future income of the account, Mr. Steiner recommended moving about \$1.5 million for 12 months at a rate of 5.35% through Embassy Bank. There is currently around \$4 million in the account, and this would leave enough available if needed. The CD will be staggered from the current ones so they will not mature at the same time. Mr. Tirrell questioned what happens with the interest. Mr. Steiner explained when the CD matures and is renewed, the new total rolls into the renewed CD.

Mr. Tirrell made a motion to transfer the \$1.5 million into a 12-month CD at 5.35%

Mr. Shaffer seconded the motion

Public comment

None

Motion Carried with all Supervisors present voting aye

Phones

Mr. Steiner stated the new phone system should be done on Monday\Tuesday. It has been a little challenging due to the wiring.

Mr. Steiner also added he hopes to have the preliminary budget done the week of the 16th in time for the workshop on October 25th.

OLD BUSINESS

NEW BUSINESS

Mr. Jeffrey Ayers made mention that under the solar panel ordinances there is nothing in writing about posting of a bond for decommissioning of the panels. The Board of Supervisors felt the ordinance should include this. Attorney Backenstoe will look into amending the current ordinance.

CORRESPONDENCE/MEMOS

OPEN TO THE FLOOR

ADJOURNMENT

Mr. Shaffer made a motion adjourn the meeting at 8:01 PM

Mr. Tirrell seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

Respectfully submitted,

Katherine Yost
Township Secretary

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