

The Regular Monthly Meeting for the Moore Township Board of Supervisors (BOS) was called to order on Tuesday, September 5th, 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

#22-08P Whitetail Acres/Ashwood Construction Major Subdivision – Waiver request from Stormwater Ordinance

Mr. Richard Gable reported the Planning Commission (PC) passed a motion to grant a waiver request for #22-08P Whitetail Acres/Ashwood Construction Major Subdivision – Waiver request from Stormwater Ordinance, in the amount of 30' instead of the requested 10'. Ashwood Construction is taking up a 15-acre space and developing it into 5 lots. They requested an isolation distance of 10', the ordinance is 40'. David Lear from Lehigh Engineering accompanied Craig Deutsch from Ashwood Construction. Mr. Lear stated this area has a lot of testing it needs to go through for approval. Engineering, LVPC, conservation district, the NPDS permit process. None of these agencies denied or found issue with the requested 10' isolation distance. He also added the current distance for a septic system from another property is 20', containing bodily fluids and chemicals yet something from nature is a 40' distance. None of the lots are encroaching on existing properties. They explained the rain gardens need to be placed in specific geographical areas appropriate to the lot. That is the reason for them being close to the roadways at the end of the properties. Mr. Gable explained waivers are given to those experiencing hardships, this is not a hardship for Ashwood, they could move the homes back further. Mr. Kevin Horvath was asked his opinion and he explained the placements of the gardens are only internal to these lots, any effects would mainly be within one of these 5 being built. Rain Gardens are designed to infiltrate water at a certain rate based on soil characteristics, not free flowing into the ground and spilling out elsewhere. He believes there could be some seepage in the upper lots, all the lower ones meet ordinance specifications. Any impact is possible, but he believes it is likely minimal. Mr. Horvath wouldn't strongly recommend against the reduction, stating a note could be added to the plans acknowledging seepage possibilities. Attorney David Backenstoe mentioned once a waiver is granted, you cannot go back and use any notes against it. Dan Piorkowski questioned what happens if the owner decides they don't want it there and removes it. Mr. Lear and Mr. Deutsch both stated the rain gardens must go in, if they remove it, it becomes something for the township to enforce. Mike Tirrell feels the PC does a great job for the township so he would like to stick with their decision.

Mr. Tirrell made a motion to keep the 30' waiver for #22-08P Whitetail Acres/Ashwood Construction Major Subdivision – Waiver request from Stormwater Ordinance

Mr. Shaffer seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

SUB-DIVISIONS AND LAND DEVELOPMENT

#23-08 Hickory Hills Site Plan Conditional Approval

Mr. Gable reported the Planning Commission (PC) passed a motion to grant #23-08 Hickory Hills Site Plan Conditional Approval. Brad Youst from Hanover Engineering explained the 3-step process plan for removing the tanks from Hickory Hills. They will be keeping the existing tanks in place until the new ones are in place and ready to operate. At which time the “mixed liquor” will be transferred over to the new tanks. The old tanks will then be properly cleaned, disinfected, and cut apart for disposal. All except one tank which will be kept for emergency overflow. The review letter received from Mr. Horvath was accepted with no issues by the owner. Also noted, no suspension of service to residents will occur through any part of the process.

Mr. Shaffer made a motion for approval of #23-08 Hickory Hills Site Plan Conditional Approval

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

Mr. Gable also added the PC passed a motion for the Ordinance Codification for the Township of Moore to give to the board. September’s meeting for the PC will be canceled due to no new plans.

REGULAR BUSINESS

MINUTES

Mr. Shaffer made a motion to approve one set of minutes from August 1st, 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 \$146,780.75, the Liquid Fuels bills are \$5,856.00.

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 August. Chief West also requested the hiring of 2 new part-time officers. Christian Surjan who recently moved to the township from Idaho where he worked for Valley County Sheriff's Office as a Patrol Deputy. Mr. Surjan meets all the requirements to be a PA municipal Police Officer. John Milkovits, a lifelong resident of the Township, is a Federal Police Officer for the Dept. of Veteran Affairs, also part-time for Portland Borough Police Dept. Mr. Milkovits also meets the requirements to be a PA municipal Police Officer. Chief West requested they both be hired part-time, and their wages would be set at the current Police collective bargaining rate.

Mr. Shaffer made a motion to hire Christian Surjan and John Milkovits as part-time officers and their rate being the current Police collective bargaining rate

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

FIRE & AMBULANCE

Mr. Jason Harhart read the August 2023 report.

PUBLIC WORKS DEPARTMENT

Mr. Craig Hoffman stated they have been shoulder cutting and paving. Starting September 12th they will be oil and chipping roadways.

FIRST REGIONAL COMPOST AUTHORITY (FRCA)

Mr. Gable stated they are cleaned out of almost all the mulch and compost. They are now getting the wind rows put out for next year. They also applied for a septic system and replacing the current shipping container with an actual office building.

NAZARETH COUNCIL OF GOVERNMENTS (COG)

Mr. Dan Piorkowski stated there is an ongoing issue with the resolution that needs to be signed. Their meeting was canceled and they're unsure of how the resolution issue will be handled.

RECREATION COMMISSION

Ms. Jodi Hartzell was not present, so Nick Steiner discussed the basketball courts request. The letter Ms. Hartzell sent was a request to move forward with the resurfacing of the basketball courts by Sealmaster for \$10,801 with an additional \$700 for different colored lines. They're also requesting an estimated additional \$10,900 to replace the poles, hoops, and backstops. Mr. Shaffer questioned the sizing of the courts and if tournaments could be a possibility in the future. Craig noted there's many different court sizes (high school, rec, etc.) but the townships courts are two different sizes. One is 91' x 55' the other is 78' x 55'. An average high school court is 84' x 50'. After discussing some issues regarding making the courts the same size (space & not level) the decision was made to keep them the dimensions they are.

Mr. Tirrell made a motion to move forward with the resurfacing, painting of the lines and adding the poles at a cost of \$21,700

Mr. Shaffer seconded the motion

Public comment

None

Motion carried with all Supervisors present voting aye

HISTORICAL COMMISSION

Ms. Charmaine Bartholomew spoke of Oktoberfest which will be held on October 12th at Klecknersville Vol. Fire Co. The price will be \$25\ticket, doors open at 4:30 and dinner will be served at 5:30. Point Phillips Hotel will be catering for the event. She also thanked Mr. Steiner, Ms. Kerbacher, and Mr. Tirrell for helping with all the advertising.

LAND & ENVIRONMENTAL PROTECTION BOARD (LEPB)

Mr. Bob Romano shared they will be having their annual Open House event September 11th at 7pm located at the pavilion in the rec center. They will have Mr. Babbitt as a guest speaker who will provide a presentation and answer any questions.

COMMUNITY DAYS COMMITTEE

Ms. Kerbacher mentioned this year was one of the best Community Days yet. The last concert in the park will be September 8th featuring Boondock Barons. September 30th will be the annual fall yard sale held at the football field at the rec center. Housewares Bingo will be held sometime in October, and Trunk or Treat will be October 21st this year.

ZONING AND BUILDING OFFICER

Mr. Harhart submitted his August report.

TOWNSHIP ENGINEER

MS4

Mr. Horvath explained he has made a few attempts to reach Mr. Barnes which have been unsuccessful. Attorney Backenstoe also stated his lawyer has not been able to contact him either. If he keeps refusing to communicate, then the Township will have to go the route of eminent domain. Mr. Shaffer questioned if we could resort to a strongly worded letter to Mr. Barnes. Attorney Backenstoe advised the township could and let him know the revisions were made to accommodate him and now he's refusing to respond. The next step would be eminent domain on all that is necessary. Mr. Steiner asked if there were any other options. Mr. Horvath stated not with the Barnes property, but for the Schiavone property. Prior to the sale Attorney Backenstoe prepared an easement agreement for ongoing maintenance required for MS4 BMP. Mr. Horvath proposed the township pursue that option. Mr. Horvath would have to propose this to DEP and make sure it would go through, which would require a revision or amendment to the Pollution Reduction Plan before it gets processed by DEP, and then it would have to go through public comment. Mr. Piorkowski questioned, besides grass cutting, what other maintenance needs to be done to the basin. Mr. Horvath explained each basin will be different; some may require more maintenance than others. Mr. Shaffer wanted to know if by moving on with the Schiavone property, would the Township still require attaining the Barnes property. The answer would be yes, there is a certain property requirement to be met for MS4. Mr. Horvath explained the role of a basin is to improve water quality, meaning less chemicals and infiltration to reduce run off rates which causes stream degradation which leads to erosion of stream banks. Mr. Piorkowski approved Attorney Backenstoe to write a letter to Mr. Barnes and get an appraisal if needed. Also, for Mr. Horvath to look into other options available and using the Schiavone property as a possible alternative pending approval.

School House Renovations

An agreement has been signed with Mr. Fedio. The start date of the project will be on or around September 15th, 2023, taking 120 days to complete with exceptions to weather, etc. An added clause to the agreement covers liquidated damages of \$500 a day after the specified period.

Mr. Shaffer made a motion to accept the signed agreement with Mr. Fedio for the Edelman School House Renovations Project

Mr. Tirrell seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

Truck Restriction Study Updates

Since last month's meeting Mr. Horvath spoke with Mr. Steiner and Mr. Hoffman who both felt that Keeler Rd. should be added to the truck restriction study. Mr. Horvath hopes to be able to report next month on the study of all roads at once.

TOWNSHIP SOLICITOR

Ordinance Codification

Attorney Backenstoe stated all the advertisements were sent out.

Schiavone Agreement of Sale Extension

Asking for a 50-day extension of the Agreement of Sale due to the buyer waiting for financing through the Farm Bureau which takes a while sometimes.

Mr. Tirrell made a motion to extend the 50-day agreement

Mr. Shaffer seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

Collection Matter

The Sewage Enforcement Officer was needed at the property of Thomas VanSickle due to a complaint; a notice of violation was issued. A bill was submitted to the Township which is to be paid by the property owner. Ms. Kerbacher has tried 3 separate times to collect payment with no luck. Approval is needed for Mr. Harhart to file civil action against Mr. VanSickle for payment.

Mr. Shaffer made a motion to approve the civil action to be filed against Mr. Vansickle

Mr. Tirrell Seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

TOWNSHIP MANAGER

Electronic Access

Mr. Steiner issued an RFP for electronic access for the building, and he received 4 proposals ranging from \$22,388 - \$36,934. He looked further into the 3 lowest proposals to see which would fit the Township's needs. The lowest was simply not enough, it was more a battery back and fobs that had to be reset to each door with each change. The second is KIT at \$26,822.67 with an annual fee of \$950 for the cloud system. The third is Eastern Time at \$30,210 with an annual fee of \$576. This one has a local office in Allentown and uses BEI for installation. The last proposal was way over the amount that was wanted to spend so was not considered. All companies are Co-Star dealers. Some of the hardware will eventually need to be replaced, including some doors, but the existing will work for now. The systems are also able to be uninstalled and reinstalled if needed at any time. The systems can control when and who is allowed in the

building. For instance, the entry fob for the water delivery personnel or the uniforms personnel for Public Works can be activated for a certain date and time frame so they can only access at said given time. Eastern and BEI have installed a different model system into Bushkill Township, and they have had no complaints.

Mr. Shaffer made a motion to move forward with Eastern Time/ BEI

Mr. Tirrell seconded the motion

Public comment

None

Motion Carried with all Supervisors present voting aye

The PMRS uniform and non-uniform MMOs were handed to the Supervisors to look over.

Mr. Steiner then brought up a CD Renewal \$20,053.94 that will mature September 8th. Current rates are 5.25% for 9 months, or 5.35 % for 12 months. It was decided to go with the 12 months at 5.35 %.

Mr. Tirrell made mention of looking at the Open Space fund to take advantage of interest rates and move money from it. The account is around \$4 million, Mr. Steiner will take all things into account and come up with a recommended amount for next month.

Telephone systems will be changed in September along with some new wires and switches. Also, the leaks in the municipal building will be looked at hopefully before the end of September by Diefenderfer, if it continues the roof will need to be checked.

Parks, Rec & Open Space had their meeting on Thursday, adding Steve Eellis from MTAA. After a few corrections, they hope to have the RFP ready for the October meeting.

RESOLUTIONS & ORDINANCES

Resolution 2023-16 LSA Grant for Police Vehicles-\$136,000

Resolution 2023-17 LSA Grant for Public Works Truck -\$133,999

Resolution 2023-18 LSA Grant for Asphalt Roller- \$74,500

Resolution 2023-19 LSA Grant for Speed Trailer- \$18,524

Resolution 2023-20 LSA Grant for Crack Sealer- TBD

Mr. Steiner went over 5 resolutions eligible for the LSA Grants statewide, Northampton/Lehigh County, and Monroe County. Mr. Piorkowski asked if Bushkill Township would be going in on the grants with us this year, Mr. Steiner stated no, they're applying for things on their own.

Mr. Tirrell made a motion to accept Resolutions 2023-16, 2023-17, 2023-18, 2023-19, and 2023-20

Mr. Shaffer seconded the motion

Public Comment

None

Motion Carried with all Supervisors present voting aye

OLD BUSINESS

NEW BUSINESS

Trick or Treat

Mr. Shaffer made a motion for Trick or Treat night to be October 31st from 6-8PM

Mr. Tirrell Seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

Budget Workshop meeting will be held October 25th at 5PM.
November Regular Meeting will be held November 2nd at 6PM due to Election Day.

CORRESPONDENCE/MEMOS

Mr. Steiner received an official complaint about trees on Grouse Dr. PennDOT was notified.
The Township received a letter from Northampton Library for their donation.

OPEN TO THE FLOOR

Mr. David Lilly brought to attention the amount of truck traffic on Smith Gap Rd. It was explained to him that Smith Gap is part of the truck restriction study even though it has truck restrictions on part of it. Chief West was made aware it may be an enforcement issue now.

ADJOURNMENT

Mr. Shaffer made a motion adjourn the meeting at 7:47 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.