

**MOORE TOWNSHIP BOARD OF SUPERVISORS
2491 COMMUNITY DRIVE
BATH, PA. 18014
October 19, 2015**

Chairman David Tashner called this special meeting to order on October 19, 2016 at 4:30 pm. The next scheduled meeting is on November 1, 2016 at 7:00 pm.

In attendance: David Tashner, Daniel Piorkowski, Richard Gable, Atty. Backenstoe

The purpose of this meeting is to deal with some items that need to be handled before the next regular meeting of the Board of Supervisors.

The first item on the agenda is dealing with the Police Department about a Police Vehicle. Mr. Gable reported that Chief West is sick today, so, we lost a transmission in one of the Police Cars so we took a transmission out of another car, which was the part timers car, and installed it in car #85. We are down one vehicle in the department. We just paid off our 3013 Charger so we found another 2017 Ford SUV, which is coming in shortly and the price with everything including the camera is going to be right around \$45,000.00. 3.96% interest for 36 months puts the payment at \$1,327.17 / month, it was budgeted for this year. It is something we need, and the one that the transmission was traded into will go to the part timers. Mr. Piorkowski as how long the loan was for and Mr. Gable said 36 months. That price includes all the lighting, sirens and new camera, even includes the striping and decals.

Mr. Gable made a motion to proceed with the purchase of the 2017 Ford SUV from Kovatch at a cost of \$40,386.27 + the camera with brings it to roughly \$45,000.00

Mr. Piorkowski seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye.

The next item is the road department, Mr. Tashner wanted to go with the heaters first. At the last meeting the Board directed me to get quotes for the heating system, I did that. One quote came in on a floor mounted unit, which takes up an area of 4' X 4' and 5' clearance around it, a total area would be 9' X 14' which is a lot of space out of the shop. The bid price came in at \$20,526.00, which means we would have to put it out on bid and that process takes us well into December before we would even award the bid for a furnace. The clock is ticking and we do not have that amount of time let alone the loss of floor space. In addition to that I had bids from Bickerts and one from Sullivan. These were the same style of heaters we have, but they would be installing them. Mr. Gable asked if we could have copies of the quotes, Mr. Tashner asked if we did not already have them, and was told we never got them. Mr. Tashner said that he would pass them along. Sullivan is \$6,800.00 per unit and an additional \$2600.00 to install them including the 3rd unit which was never installed. The other bid was from Bickert he is looking at \$9,192.00, but really is not interested in the job. I also got prices from Bath Supply and East Lawn Supply. For just purchasing the heaters, and we do the installation in house, East Lawn has the same heater that we currently have, \$4,785.00 each and 1 power vent unit, the total coast would be \$15,433. plus incidentals. It would cost \$200.00 for shipping. By far the best price was from Bath Supply, which was \$3,875.00 or \$11,000 for the 3 heaters and \$391.00 for the power vent.

That would give us a total cost of \$11,869.00. Lead time is about 7 - 10 days. My recommendation is to go to Bath Supply and do the installation in house. Mr. Piorkowski asked about Sullivan's bid, if you purchase a third heater the cost goes up \$500.00? Mr. Tashner said no that would be the price of the other power vent. Mr. Piorkowski asked what the cost of installation in house would be? Mr. Tashner said that he has not estimated that cost. The only problem going with the installed price, we are getting close to the amount needed to go out for bid. Mr. Piorkowski asked if Mr. Tashner knew how long it would take to install them. Mr. Tashner replied that he did not know.

Mr. Tashner made a motion to purchase the heaters from Bath Supply, 3 heaters which we will install in house, at a cost of \$11,869.00.

Mr. Gable seconded the motion

Public Comment

Mr. Dave Lack said that they installed the one out there and it should not take more than a day to put up one heater. Mr. Tashner said that when you start you never know what will happen.

Motion carried with all Supervisors present voting aye.

The next item is the loader, I brought along the maintenance records of the current loader if anyone is interested in seeing that. I was instructed by the Board to go back and see if there is anything available coming out of a rental fleet, to go into something coming off of a lease would require us to write up specs and put it out on bids. We would be looking into December before we would have a machine. As long as something has not been titled to anyone other than the dealer, we can use Co-Stars to do the purchase. There was available a machine at Plasterer, it was out on rent at the time, and the company renting it decided they were going to keep and purchase it. That machine would have been \$134,329.00 - \$18,000.00 for our used machine final cost would have been \$116,299.00. In addition to that I did get the bill from Plasterer which is \$1,12.00 for the work that was done on the old loader. That puts us at around the same price for the John Deere and the Case. The John Deere would be a 2017, and they will still give us a unit to use until ours would come in. The Case would be a 2016 and nothing has changed as far as the recommendations from the guys when we sat down and discussed this issue. The clock is ticking and we need to make a decision. Mr. Lack had a question, but Mr. Tashner said he would have an opportunity when we get to open to the floor, right now the board is discussing this.

Mr. Tashner made a motion to purchase the John Deere

Mr. Gable seconded the motion

Public Comment

Mr. Lack said that Trunzo purchased two loaders at a cost of \$50,00 each. Mr. Tashner said that we would have to go through the entire bidding process and that puts us into December. Mr. Lack said that you could save \$50,000.00. Does the township have \$50,000.00 to spend, I understand your budget is pretty tight. If Trunzo can find them, why can't we.

Mr. Tashner voted aye while Mr. Piorkowski and Mr. Gable voted nay.

Motion does not carry

Mr. Tashner asked what do you want to do. Mr. Gable said that I feel that we should look for something used. Mr. Piorkowski said that he agreed. Mr. Tashner said okay if that is what you want.

The next item on the agenda is for the exoneration of taxes. Mr. Gable said that he just received these from the County and there are two different properties in the Township, the amount of taxes comes out to around \$4.00. The third one is a little sliver of property that we have no liens on and they are selling it for \$50.00.

Mr. Gable made a motion to exonerate the taxes and let the County sell the other property.

Mr. Piorkowski seconded the motion

Public Comment

None

Motion carried with all Supervisors present voting aye

Public Comment

Mr. Peter Locke from the EAC said that they received a request from Wildlands Conservancy to extend their contract from October 31 to December 15 so they can continue their discussion with the park service and game commission.

Mr. Gable made a motion to approve the extension

Mr. Piorkowski seconded the motion

Public Comment

None

Motion carried with all Supervisor present voting aye

Judith Rodwin, Bob Romano, Maureen Romano, wanted to go on record that we have concerns about the firing range that has been installed at 1010 Bushkill Drive. Mr. Romano said that there are many neighbors around us that are very concerned about this. It poses two things, one is that it is loud, especially down range. It does go into Bushkill Township and the one in that area are the ones that are really effected. We get the noise they will get more than that, it is just a dangerous situation. I think that it is not if something will happen, it is a matter of when. We are not looking or requesting action right now, we just want it on record that there is a situation there that needs to be looked in. We know it is a difficult situation, we know it is not an easy solution. Instead of having all the neighbors here at a meeting, it might be better to deal with us right now. Mr. Tashner asked if they were speaking for a larger group, and they replied yes they were. Mr. Romano said that if you want they all here we can do that. It is not just a backyard target shooting area, it is set up for 100 yards, and the back stop is a structure that is build almost on my other neighbors property line. He is about 100 feet off of my property line and about 20 feet off of another property line. He has it set up for 300 feet, right now we have been dealing with mainly hand guns. Atty. Backenstoe asked if they had called the police? Mr. Romano said that until recently I thought that I was the only one worried about it, but it turns out that about 7 homes on Church Road are affected by this in some way. Atty. Backenstoe said that he would like to address the issue, I am familiar with the issue in general and I will tell you that it is one of the most complex and complicated controversial issues in the law right now. As you know Pennsylvania is a big second amendment rights state. In fact several years ago the legislature enacted a statute which really preempts zoning.

The statute says that no County, Municipality or Township may in any manner, regulate the lawful ownership, possession, transfer or transportation of firearms, ammunitions or ammunition components for purposes not prohibited by Pennsylvania law.

That is very strong language, which tells the municipal governments you cannot regulate use of firearms. That did not deter Philadelphia, Pittsburgh and many others who have enacted Ordinances which have tried to prohibit that. Case after case, the court has upheld that they do not have the right to regulate it. Because so many townships and boroughs and cities, the legislature adopted another law in 2015, which gave right to anyone in the state to sue any municipality that adopted any regulations. This statute says that the NRA, with all their money, can come up here and sue the township. Not only do you have to repel your Ordinance, you have to pay for their legal fees, and so Moore Township could easily have to pay \$100,000.00 in fees. Atty. Backenstoe went on to explain how the courts handled this and how the law was enacted and passed, but it violated the Single Purpose Rule and was stricken. I can tell you that the NRA was here in Moore Township to look at all of our Ordinances to try to sue us, but when Dick pulled out the book and they checked, they said you do not violate the law. I know this does not help you at all. In my research the legislature has now sponsored a new bill, which says the same thing, and they intend to introduce it on its own. Mr. Locke asked about the fact that everything in that statute, it does not cover discharge of a firearm. Atty. Backenstoe said that the only argument that I could find was the work discharge is not in there. I will tell you that they implies that possession means discharge. There is some case law that discharge is covered by possession. The discussion continued and the end result was a recommendation from Atty. Backenstoe for the group to have a meeting with the Chief of Police to see what can be done about whether this is safe or not.

**Mr. Piorkowski made a motion to adjourn at 5:45pm
Mr. Gable seconded the motion
Motion carried with all Supervisors present voting aye**

Respectfully Submitted

Richard K. Gable

**Richard K. Gable
Secretary/Treasurer**

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

