

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

6-01-2023

Work Session Minutes

A work session of the Forks Township Board of Supervisors was held on Thursday, June 1, 2023, at the Forks Township Municipal Building, Easton, PA. Chairman O'Neil opened the meeting at 7:01 p.m., followed by the Pledge of Allegiance.

BOARD MEMBERS:

John O'Neil, Chairman
Ty Corallo, Vice Chairman
Tim Hughes, Secretary/Treasurer
Kelly Keegan, Member
Dean Turner, Member

IN ATTENDANCE:

Donna M. Asure, Township Manager
Lisa Pereira, Township Solicitor

Supervisors Comments:

Chairman O'Neil – none

T. Corallo – none

T. Hughes – none

K. Keegan – none

D. Turner – none

Announcements:

J. O'Neil announced the following –

- There was an executive session, held this evening, June 1 at 6:30pm concerning personnel issues.
- There was an executive session, held Wednesday, May 31st at 6:30pm concerning personnel issues.
- No decisions were made in executive session

Public Comment:

Ed Reagan - 1364 Fox Ridge Road – Spoke to the board concerning the debt ceiling settlement at the federal level. He believes it contains language to require the return of unspent ARPA funds received by the township. The township manager will look into this.

Treasurer's Report –

The township total debt is \$3,253,000.00.

T. Hughes made a motion, seconded by K. Keegan to ratify the following online/ACH payments – AFLAC - ACH - \$348.48 – 5/26/23. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve payment of vouchers received through May 30, 2023, in the amount of General Fund - \$ 61,482.45; Utility Fund - \$ 66,941.29; Utility Capital - \$ 418.39; State Liquid

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Fuels Fund - \$ 12,331.25; Recreation Capital Fund - \$ 22,030.77; Escrow Fund - \$ 26,152.38. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to ratify the gross payroll for pay period ending May 21, 2023, in the amount of \$ 158,571.83. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve PO #2880 to ABE Doors & Windows in the amount of \$11,337.00 to be paid from the General Capital Fund (budgeted) for the replacement of three hollow metal doors and frames at the community center. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve PO #2881 to Green Acres – Outdoor Living in the amount of \$9,659.00 to be paid from the General Fund and reimbursed by a family for a gazebo to be placed in community park in memory of a relative. All in favor. Motion carried.

Old Business

Approval of Minutes

K. Keegan made a motion, seconded by T. Corallo to approve the minutes of the May 18, 2023, regular meeting of the board of supervisors. All in favor. Motion carried.

Action Items –

Trash Hauler Bids -

T. Hughes made a motion, seconded by T. Corallo to reject all bids received for the hauling of trash and recycling and authorize the township manager and solicitor to advertise to rebid this contract. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O’Neil, yes. Motion carried.

Internship -

T. Corallo made a motion, seconded by T. Hughes to approve the internship of Nick Zarbin as an administrative management intern from Lafayette College, June 5, 2023 through August 4, 2023 at \$18.00/hour for approximately 25 hours per week. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O’Neil, yes. Motion carried.

Personnel –

D. Turner made a motion, seconded by T. Hughes to hire Steven Schetelich as a part time community center monitor at \$15.00/hour, not to exceed 30 hours per week with no benefits effective Friday, June 2, 2023, as recommended by the Director of Parks & Recreation. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O’Neil, yes. Motion carried.

Discussion Items –

Township Credit Cards and Investments –

K. Stout, Director of Finance, gave information to the board concerning Purchase Cards (P-Cards) through PLGIT (Pennsylvania Local Government Investment Trust). This would replace the township debit card and could be used by the department heads for pre-determined types of purchase, with a set spending limit as well as being used to pay monthly invoices for those companies who take Master Card. In the instance of using the card to pay invoices the township would receive annual rebates which could add up to tens of thousands of dollars.

T. Corallo made a motion, seconded by T. Hughes to have the township staff move forward with the process, applications and necessary policies to enable the use of Purchase Cards through PLGIT. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O’Neil, yes. Motion carried.

She then spoke to the board about investing some of the township money from the township’s various bank accounts into CDs in our local bank. The rates have recently gone up and could produce a

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substantial additional amount of interest. It is suggested that the board consider a tiered approach when investing the funds such as doing a six month, and a nine month and a 15-month CD so there is always something coming due. The board asked Ms. Stout to put together her recommendations for the next meeting.

Text Amendment –

The board discussed the adding of the use of gas station to the Town Center District. The planning commission recommended approval with a 3-2 vote. A developer interested in purchasing a property for this type of use spoke with the board about the project. He stated there would not be another property in this district that would provide the required criteria for a Class A gas station/convenience store to be interested in. The board considered the various issues that may arise from allowing this use in the TC District such as truck traffic using this site to fuel their 18-wheel vehicles, the residential properties located in the vicinity of this area, the noise and use as a gathering place, landscaping, sidewalks and walkability to the township recreation path.

Jack Ryan – College Hill – commented that there will be 5000 additional cars on the road in the coming years and wondered if the current gas stations can handle the growth.

Ron Parella – 3089 Corey Terrace – stated that a substantial berm would be needed to protect the local residential properties.

Matt Menkowski – 1140 Vera Drive – stated that he voted against adding the use to this district due to the environmental impacts of gas leaks

Gene Parziale – Quail Court – asked if the diesel available at these types of properties would be available to passenger trucks or would it service large 18-wheel trucks which would cause concern on Sullivan Trail

Ed Reagan – 1364 Fox Ridge Road – commented that there is nothing locally opened 24-7 which then causes the township police officers on duty to leave the township and go to Tatamy to get food during the night shift

Eliana Sekkinor – 1502 Waverly stated that 99% of these types of facilities have diesel

The developer stated that through the land development process the items of concern could be addressed such as planning the entrance and exits to prohibit the ability of 18-wheel trucks from being able to enter the property; perhaps they could refuse to sell diesel; that zoning is just a part of the equation and the property would have to meet the storm water requirements, they would need an HOP from PennDot, they would need to address the concerns of the planning commission which dealt with lights and pollution.

D. Turner suggested to the board that perhaps it would be best to task the planning commission to come up with the conditional use criteria for gas stations in this zone. The board thought this was an appropriate next step. The planning commission will be requested to do this at their next work session. The board will then review the conditional use criteria before making a decision on adding this use to the TC District.

The board discussed the criteria for the Industrial Designation District. This will create a district within a district, restricting the heavier industrial uses to its own designated zone. Uses from the surrounding EC zones will be removed from those districts and placed within this newly created area. D. Turner expressed his concern about not leaving the use of quarry where a quarry use to be rather than moving the use into this new district.

T. Corallo made a motion, seconded by T. Hughes to authorize the township solicitor and township staff to create the language necessary for this text amendment which removes uses from the EC zones and creates the new Heavy Industrial District. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, no; D. Turner, no; J. O'Neil, yes. Motion carried.

Use of Township Vehicles –

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The board discussed the need for a policy governing the use of township vehicles during the work day, traveling out of the township or county for township business and the use of vehicles when assigned to drive back and forth to work. The board feels the policy needs to address family members in the car, definitions of who is permitted to take cars home, whether there is a need to report this benefit on a 1099 tax document, etc.

Matt Menkowski – 1140 Vera Drive – stated that the liability for insurance claims is great and should be considered.

The board directed the township manager and solicitor to work on a policy that could be reviewed by the board at the next meeting.

Anti-declaw and puppy mill pet store ordinance –

Stephanie Gallaher 402 Newlins Road East and part of the cat rescue Feline Urban Rescue and Rehab (FUR) spoke to the board about passing an ordinance which would ban the declawing of cats. She explained the painful procedure. Allentown and Easton have recently passed this ordinance and she encouraged the board to pass this ordinance. J. O’Neil asked how this would be enforced. The board was told that the other municipalities have made the police responsible for enforcement. K. Keegan thanked Ms. Gallagher for coming and being such a strong advocate. D. Tuner asked if it would be possible to expand this to all animal mutilation.

Ed Reagan – 1364 Fox Ridge Road asked if this could be regulated through the rental lease for tenants.

Rob Parella – 3089 Corey Terrace – stated this is a good idea and should include that feral cats outside should be spayed or neutered.

Cheryl Petrillo asked the board to include banning puppy mills in the ordinance. This would prohibit the retail sale of dogs, cats, rabbits and guinea pigs in commercial operations. She discussed the puppy mills and how they breed puppies for sale. She asked the board to show people they are humane animal leaders by passing this ordinance.

The board asked the solicitor and township manager to create a draft ordinance for their review.

Discussion on Open Space

D. Turner stated that he requested this be on the agenda so the board could assess where we are at with this issue. He stated that the comprehensive plan listed the priorities of the township residents based on surveys and forums and the residents want to preserve the character of the town. We had a meeting on zoning and the township actually does most of those things already. There was a vote to put an EIT tax on the ballot. This was a referendum to allow the people to decide if they wanted this tax to fund open space. There are other hybrid ways to preserve open space.

J. O’Neil stated that his position on the EIT tax has not changed. People need to be educated to facts such as the police pension plan has a liability currently of \$1.2 million dollars. The trash hauler bids are coming in higher and must be rebid, there is a police study with DCED that was approved, and it will probably come back saying we need more police. All these issues have to be funded with money coming from somewhere. We are elected to look at the township as a whole.

D. Turner stated that this is what the educational period is for which is the time between the time passes the authorization to place it on the ballot and election day. He stated that the restrictions of things such as the Agricultural Security Area should be extended to the HC District. We need to protect the land along Bushkill Drive and the Delaware River Area.

T. Corallo stated that he believes we need to try everything we can to manage growth before taxing the residents.

T. Hughes stated that the board needs to hear everything about every option before making a decision for a referendum.

D. Turner stated that we have a good focus and we need to make this a priority. Zoning is good. Zoning is where developers ask for waivers. The boards always grant the waivers and perhaps less waivers should be approved so there is more open space. The board should push more and there will be one or

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two less houses. J. O'Neil stated that the board of supervisors has worked hard to improve the relationship with the planning commission and by taking their recommendations shows the supervisors respect the opinion of the planning commission.

Rob Parella – 3089 Corey Terrance -stated that Prime Ag soils needs to be discussed. Where will this require the homes to be built on the various properties?

Matt Menkowski- 1140 Vera Drive – spoke to the role of the planning commission to protect open space

Ed Reagan- 1364 Fox Ridge Road – asked the board if they heard of the recent court case out of Philadelphia concerning EIT tax. This case has just been heard by the Pennsylvania Supreme Court. The outcome of this case could affect the EIT revenue collected by the township.

J. O'Neil asked the board if they would be agreeable to using some of the ARPA funds to hire a consultant to work on an open space plan. This could be a guiding document for the direction of this program in the township.

D. Turner made a motion, seconded by J. O'Neil to authorize the use of ARPA funds to conduct an RFP to hire a consultant to guide the township through an open space plan. Under discussion K. Keegan stated that they have been told this could cost \$75,000 and the township could have had grants for this. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Steve Fanicase – 2063 Lenape Way – asked the board to concentrate on the corridors in the township and thanked the board for thinking outside the box.

Amy Blum – Barnyard View – stated that she was in favor of a referendum as she wanted to choose whether or not she wanted to be taxed. She stated this is a good direction.

Public Comment-

Gene Parziale – Quail Court – asked about the annexing of Tatamy field. He is a coach and wondering how this would affect the teams. It was explained that this park is owned by Tatamy and the action requested will only change the township boundary lines. He stated he thought the township was selling the park to another township so this clarification was good.

Steve Weiner – Mr. Weiner stated that under the discussion for the TC District gas station he stated he could guarantee that no diesel would be sold. He needed to restate that as it is not a guarantee he can make but he can guarantee that he will work hand in hand with the township to design the property restrict the larger trucks and to create a vision that is compatible with the township's vision.

Adjournment

K. Keegan made a motion, seconded by T. Corallo to adjourn the meeting at 9:35pm. Motion carried.