

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

Work Session Minutes

A work session of the Forks Township Board of Supervisors was held on Thursday, July 6, 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, July 6th at 6:00pm concerning personnel issues.
- There was an executive session, held Tuesday, June 27th at 6:00pm concerning personnel issues.
- No decisions were made in executive session

Public Comment:

Robert Parella – 3089 Corey Terrace - – Mr. Parella asked the board who takes care of the trees along Sullivan Trail as there are trees hanging over the electrical wires. He was informed this is PennDot road and they would be the ones to do the maintenance on the road.

John Nerino – 3690 N. Delaware Drive – Mr. Nerino spoke to the board about a neighbor and his concerns on the trees he believes need attention. He was told this is a private matter and the township could not get involved.

Neil Shurgot – 2913 Meadowlane Drive – Mr. Shurgot spoke to the board about the construction vehicles which are driving through the development even though it is against the developer's agreement. They are running stop signs. Per the agreement they are supposed to be using Winchester Drive and not the roads in the development. The township will look into this.

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

Greg Smith – 1420 W. Newlins Road – Mr. Smith introduced himself as the newly appointed football commissioner. He stated that due to the insurance requirements set by the township, which requires all who use the township facilities to name the township as additionally insured, the football league has issued rules that will not allow visiting teams to provide the required insurance to the township thus eliminating all home games for Forks Township football teams. He asked the board revisit this requirement.

J. O'Neil stated that the board has been in discussions with our insurance company and they require us to have this additional language. Mr. O'Neil then read the following statement provided by our insurance company -

The purpose of requiring the Additional Insured language is that it will reduce the impact of the township's loss history since the additional insured status serves to make sure that the financial responsibility of the claim is placed on the policy of the party that is most likely to be responsible for the claim. The Additional Insured language helps protect the township from being pulled into potential claims/lawsuits and having a verdict rendered that will ultimately cost the township money. By naming the township as an Additional Insured on these policies, it makes the other parties insurance carrier provide defense, and possibly claim payments, for the township rather than having the claim payments/defense fall onto the township's insurance carrier. If the township incurs too many of these claims/lawsuits, there is the potential that the insurance carrier will non-renew the coverage and/or the township will have to pay much higher premiums due to their loss history. This could result in tax increases to the residents/companies in the township which will most likely not be received well.

Unfortunately, society today has become very litigious, and this request is transferring the risk of any potential claims back to the responsible party who is using the facilities. This isn't an uncommon request and most of the municipalities we deal with have this requirement for renting/using township facilities.

Mr. Smith stated that other townships do not require this additional language. J. O'Neil stated that the board cannot speak for other townships, but this board is trying to protect the township and the taxpayers of Forks Township from law suits.

Raph Margolin – 75 Thompson Drive – Mr. Margolin stated he is VP of the FTAA. He stated that the FTAA has attempted to reach out to other teams and is receiving push back from the football league. He stated that some insurance companies do not charge for adding an additionally insured while others do. The FTAA was attempting to fight this ruling by the football league to be able to have home games.

Mr. Smith stated that the FTAA cannot fight this. The league voted on this and it was unanimous that they were not going to follow the regulations set in place by Forks so our kids are suffering with no home games.

Gene Parziale – Quail Court – Mr. Parziale asked why we needed additional insurance if the FTAA has insurance. He spoke to the board about the concerns of getting fields for softball which seems to be getting harder and feels as if residents are getting pushed away from playing sports on their own fields. He asked the board to look into the softball timing preferences and the insurance issue.

It was stated that the insurance carried by the FTAA does not cover the visiting teams.

Mr. Smith asked the board when he could have a response to the request to do something about this insurance requirement. The board stated that they would look into this next week and get back to him.

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

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 – (6-30-23)

All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to ratify payment of vouchers received through June 26, 2023,
in the amount of General Fund - \$ 149,954.55; Utility Fund - \$ 66,996.82; Utility Capital - \$ 13,161.72; General
Capital Fund - \$ 49,745.99; Escrow Fund - \$ 17.95. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve payment of vouchers received through July 3, 2023,
in the amount of General Fund - \$ 20,589.10; Real Estate Fund - \$ 112,687.04; Utility Fund - \$ 380,839.53; Utility
Capital Fund - \$ 53,356.61; Escrow Fund - \$ 1,071.69. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve the following payments to Unity Bank to close
or further reduce the following Fidelity Bank accounts –

- Sewer Tap In Fund - \$27,498.91 – to close account
- Escrow Fund - \$4,002.01 – to close account
- Liquid Fuels Fund - \$ 3,360.23 – to close account
- Utility Fund - \$ 449,525.95 – remains open due to uncashed checks
- General fund - \$ 625,637.84 – remains open due to uncashed checks and to replenish debit card

All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to ratify the gross payroll for the pay period ending June 18,
2023, in the amount of \$ 165,108.68 and pay period ending July 2, 2023, in the amount of 171,340.22. All in favor.
Motion carried.

T. Hughes made a motion, seconded by K. Keegan to rescind the approval PO #2880, approved at the June 1, 2023,
board of supervisors meeting, 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 ratify PO #2893 to Condition One Commercial, in the amount
of \$75,000.00 as budgeted in the 2023 General Capital Fund for the replacement of three flat roofs in the municipal
building above admin; above zoning and at the fire house. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve PO #2902, to Builders Door and Hardware, Inc, in the
amount of \$9,909.00, co-stars number 008-E22-1002; as budgeted in the 2023 General Capital Fund for the removal
and replacement of two exterior steel doors at the community center. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve PO #2903, to Best Line Equipment, in the amount of
\$6,812.50, for the rental of heavy equipment for the Ramblewood Basin project, to be paid from the Utility Capital
Fund. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve PO #2906, to DeAngelo Contracting Services, in the
approximate amount of \$15,000.00 for line stripping throughout the township, to be paid from the general fund. All
in favor. Motion carried.

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

Old Business

Approval of Minutes

T. Hughes made a motion, seconded by D. Turner to approve the minutes of the June 15, 2023, regular meeting of the board of supervisors. Under discussion T. Hughes stated there is a correction to be made. Under the motion for the tasers on page 5, Mr. Hughes is listed as making the vote and seconding the vote. This will be corrected. J. O'Neil asked if the makers of the motion would amend the motion to state as amended, T. Hughes so moved, D. Turner, second. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Industrial Designation District

D. Turner made a motion, seconded by T. Corallo to amend the motion from June 15, 2023, meeting to clarify the hearing date for the Industrial Designation District, as August 3, 2023. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Rescind motion to bid

T. Hughes made a motion, seconded by D. Turner to rescind motion, made at the June 15, 2023, board of supervisors meeting granting permission to advertise for the replacement of three flat roofs as budgeted in the 2023 budget. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Action Items –

Trash Hauler Bids –

The bids for collection of solid waste and recyclables for Forks Township were opened on Friday, June 30, 2023. The base bids contained bids for the removal of solid waste weekly, the removal of recyclables weekly or bi-weekly, and the removal of bulk items four times per year. Alternates included the removal of white goods, either once or twice a year and yard waste either once or twice a year.

T. Corallo made a motion, seconded by K. Keegan to award the contract for the collection and removal of solid waste and recyclables to GFL for Bid A as the lowest responsible bidder to meet all the bidding requirements, including weekly solid waste and recycling removal and four times per year bulk removal. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

The board then discussed the services listed as alternate bids, in the document titled Bid C, D, E and F. Mark Roberts, Director of Public Works discussed with the board his process for taking the collection of white goods and yard waste in house. The exact process and cost will need to be discussed later but it would save the township money since we currently pay the vendor to remove the items, only in turn to bring them to our recycling center and the township then has to pay to have them removed to a disposal site.

D. Turner made a motion, seconded by T. Hughes to reject Bids C, D, E and F, white goods and yard waste collections. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

The board stated that there was concern that the increase in cost was going to be more than it appears it will be. As the numbers are being finalized it appears the increase will be less than \$100/property with the new contract.

Penn Strategies (grant writer) contract

Jason Fitzgerald, Penn Strategies, gave the board an overall update as to the grants applied for, the grants not awarded, the grants awarded and the net gain to the township. Overall, after the cost of the

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

contract the township realized \$112,000.00 in awarded grants. Mr. Fitzgerald stated that he hopes to work with the township in the coming year to bring in more funds through grant opportunities.

K. Keegan made a motion to extend the contract with Penn Strategies, effective July 1, 2023 through June 30, 2024 at a cost of \$3000.00 per month, which is no increase. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Sullivan Trail 2.0

Sullivan Trail 2.0 land development project is requesting a reduction in their letter of credit.

T. Corallo made a motion, seconded by T. Hughes to approve the letter of credit reduction for Sullivan Trail 2.0 in the amount of \$128,316.76 with a remaining balance of \$ 294,987.42 as recommended by Gilmore and Associates. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Legacy at Sullivan Trail (conditional/final approval request)

Representatives of the Legacy project were present to request conditional/final approval from the board and answer any questions. The planning commission recommended approval at their June 8th meeting in a 7-0 vote.

T. Hughes made a motion, seconded by T. Corallo to approve conditional/final approval for the Legacy at Sullivan Trail Land development project conditioned upon addressing all comments in the June 9, 2023, revised review letter (original June 1, 2023). Under discussion D. Turner asked what the revisions were in the comment letter. L. Pereira stated that the original letter on June 1st stated the waivers needed to be approved by the board of supervisors, yet they already had been approved at the November 17, 2022 meeting. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

A sidewalk plan had been discussed by the planning commission, but the board stated that due to the cost of the easements that would be needed this could possibly be explored in the future.

Forks Village – (waiver request)

L. Pereira explained that this plan was approved years ago. The project is almost ready to be closed out and this is the final piece. The four lots were originally approved to be developed but due to a renewal of the NPDES permit the lots are needed to improve the drainage basin. The township does need a revised plan to be recorded to protect the township in the future but due to this being the consolidation of four lots the developer is here to ask that this waiver be granted to avoid the large expense of an entire land development plan. The township staff has spoken and agree with this request. This waiver is being requested to have the consolidation done administratively since lots 1-4 already exist in this combined and consolidated manner since 2012. Parcel 89 is a detention basin and lots 1-4 were used to expand this basin as part of a NPDES renewal. (this waiver was recommended unanimously, 7-0, for approval by the planning commission at their June 8th meeting)

K. Keegan made a motion, seconded by T. Corallo to grant the request of Forks Village for a waiver of Part III, chapter 175, general Provisions of the Forks Township Subdivision and Land development Ordinance, seeking relief from need to apply for minor subdivision to consolidate parcels J9-13;15B-1, 2, 3, 4 – 0311 and combine them with parcel J9 13 15B-89-0311. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Seifert Properties –

T. Corallo made a motion, seconded by T. Hughes to authorize the Chairman of the Board of Supervisors to sign the M-950AA's for the Seifert Properties Residential Development Project HOP submissions for stormwater pipe outfall and sanitary connection along Bushkill Drive. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

Tosado pension distribution-

T. Corallo made a motion, seconded by T. Hughes that the board of supervisors, acting as the pension committee does authorize the distribution of pension funds to John Tosado with notification of said action being sent in writing to the trustee. This distribution is as of August 1, 2023, in accordance with his signed Distribution Election Form. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Resolution 2023-07-06 –

T. Hughes made a motion, seconded by T. Corallo to adopt resolution 2023-07-06, a resolution authorizing the destruction of certain records as documented and in accordance with the township record destruction plan. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Personnel:

Pay Increases

T. Hughes made a motion, seconded by D. Turner to approve the following pay increases for the following employees effective the pay period which started July 3, 2023 –

- Kacee Stout – Director of Finance – increase to \$86,000
- Mark Roberts – Director of Public Works – increase to \$92,000
- Alexa Stewart – Accounts Payable clerk – increase to hourly rate in non-uniform agreement of \$28.29/hour

Under discussion, J. O'Neil stated that K. Stout and M. Roberts are doing a wonderful job for the township and this raise is well deserved. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Hiring of Zoning Administrative Assistant/Planning Administrator –

T. Hughes made a motion, seconded by T. Corallo to approve the hiring of Katherine Faubert, as zoning administrative assistant/planning administrator at \$28.29/hour and details of employment as outlined in the offer of employment, effective July 17, 2023. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Seasonal Employee -

T. Hughes made a motion, seconded by T. Corallo to ratify the hiring of Jackson Shollenberger, as a seasonal parks laborer, effective Monday, June 26, 2023, at a rate of \$15.00/hour with no benefits, as recommended by the Director of Parks and 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 Vehicle policy –

D. Asure explained that this policy will be a stand-alone policy as it affects more than employees so can not just be in the employee manual. The policy is necessary to protect the township from liability as well as to monitor the wear and tear on township owned vehicles.

Robert Parella, 3089 Corey Terrance asked the board if someone such as the fire chief is out of town can the assistant chief has the vehicle. The policy will be amended to reflect that language.

T. Hughes made a motion, seconded by D. Turner to approve the vehicle policy and distribute as needed. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

7-06-2023

Anti-declaw and puppy mill pet store ordinance – review of draft and authorization to advertise hearing -
L. Pereira explained the ordinance is in draft form but there is guidance needed from the board as to who will enforce this ordinance. The municipalities who have adopted this ordinance to date have the police as the enforcement entity. The board discussed how the police enforce this.

Stephanie Gallagher – 402 Newlins Road East, explained that this ordinance makes it illegal for a veterinarian to perform this procedure. The board then discussed that this would require an investigation of records etc. so really the police are the logical ones. L. Pereira will add that into the draft ordinance.

Gene Parziale – Quail Court – asked if there is a clause for medically necessary procedures. He was told there is.

K. Keegan made a motion, seconded by D. Turner to authorize the solicitor, to advertise for a hearing for consideration of the anti-declaw and puppy mill store ordinance. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O’Neil, yes. Motion carried.

Public Comment- none

Adjournment

K. Keegan made a motion, seconded by T. Corallo to adjourn the meeting at 8:54pm. Motion carried.