

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

8-17-2023

Regular Meeting Minutes

The regular meeting of the Forks Township Board of Supervisors was held on Thursday, August 17, 2023 at the Forks Township Municipal Building, Easton, PA. Chairman O'Neil opened the meeting at 7:00 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:

Lisa Pereira, Twp. Solicitor
David Backenstoe, Conflict Counsel
Sean Policelli, Engineer
Donna M. Asure, Township Manager
Mike Friel, Chief of Police
Mark Roberts, Director of Public Works
Kacee Stout, Director of Finance
Rachel Sulzbach, Director of Parks & Recreation

Supervisors Comments:

J. O'Neil, Chairman – none

T. Corallo, Vice-Chairman – none

T. Hughes, Sec't/Treasurer – none

K. Keegan, member – none

D. Turner –

D. Turner thanked Don Acrury for the wonderful lunch he hosted at the Braden Park pavilion. Mr. Acrury does this every year to thank the township and first responders for saving his life many years ago.

Announcements:

An executive session was held Tuesday, August 8th at 6pm for personnel issues.

An executive Session was held tonight, August 17th at 6pm for personnel issues. No decisions were made in the executive session.

Public Comment: (non-agenda items) –

Peter Murgia – 2100 Treeline Drive – Mr. Murgia spoke to the board about his concern that the township is not maintaining the swale on his property per the agreement. He was asked if due to the recent rains it was too wet to mow. Mr. Murgia stated the swale has not been maintained since May 17th. R. Sulzbach will look into this.

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Robert Parella – 3089 Corey Terrace - Mr. Parella thanked the board for doing their job and asked what could be done about the flooding. He is concerned about the new Legacy project and the amount of stormwater this will create. The board stated that there is a joint meeting on August 22nd and flooding is on the agenda.

Mark Mulrine – 2312 Wagon Wheel Drive – Mr. Mulrine spoke to the board about the recent flooding. He believes that construction debris is causing the backups in the swales and basins. He asked that we require a bulldozer to come in and remove the debris and clear the path for the water to flow.

Matt Menkowski – 1140 Vera Drive – Mr. Menkowski spoke to the board about the recent flooding and that FEMA has money which the township can utilize to correct the issues. He stated that he understands that federal representatives were here in the township.

Department Head reports

Fire –

- Report on Drive
- Mr. Vinci sent an email asking that the board allow the fire company to apply for a grant using approximately \$5,000 of the township's 2024 allocation to the company towards the match. The board stated this was fine.

Police –

- Report on drive
- Call volume and arrests are up
- They discussed the truck traffic on local roads and asked the Chief to send a notice to the businesses along these routes reminding them of no trucks and the recommended routes to have drivers use

Fiscal –

- Report on the drive
- 2022 Liquid Fuels audit has been completed.
- Portnoff has sent out the second batch of letters to delinquent account holders
- Fiscal is working though the new utility system with residents as the first set of invoices using the new system have been sent

Parks & Recreation –

- Report on drive
- The summer programs have wrapped up for the year and went very well

Public Works –

- Report on drive
- In house line painting is on going.
- The street sweepers have been out cleaning up debris
- No decisions yet from PEMA/FEMA as to funding for the flooding issues

Zoning –

- No Report

Solicitor –

- Nothing additional other than items on the agenda.

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Engineer –

- Reported that they have provided a proposal for working to prepare the estimates needed to apply for the grant for Frutchey Hill
- The Braden, Lot 2 sink hole is being inspected as they perform the repairs

Township Manger –

- Report on the drive
- Farmland Preservation meetings had two attendees
- Open Space RFP has had two proposals received and waiting for one more
- Working to apply for any and all grants that may help repair Frutchey Hill Road
- Meeting with County Waste to go over the start of the new contract which is September 1st
- A small test group from each department is working through the time and attendance program
- GLG Sullivan Trail has had the contracts executed and the vendor has ordered the parts for the project

T. Hughes asked the manager to send the Action Item listing to all the board members.

Hearings: none

Presentations –

Posh Properties Land Development Plan – (seeking conditional/final approval) –

Bohler Engineering briefly explained the project. He stated that they had worked with the planning commission to address the plantings in the roundabout. Construction of the project should begin in 2024.

Mr. Hessinger - 1416 DerHammer Road asked if the plants will be native plants to the area. The response from the engineer for Posh was yes.

Gene Parziale – 1904 Quail Court asked how this was going to work with the another light being added. It was explained that there will not be another light added, there will remain a light at Park Plaza and then the roundabout and then the light at Zucksville as is there now.

Robert Hara – 350 Ramblewood Drive asked how construction in 2024 was going to affect traffic. The engineer from Bohler explained that lanes will not be shut down but the construction will be done in phases to minimize the impact to the travel lanes.

D. Turner asked the engineer if the simulation that was presented to the boards as to how the roundabout will work could be given to the township and placed on the website. The engineer will look into this.

Hunter Keim – planning commission member stated that the lights on Sullivan Trail are times to allow for the flow of traffic.

T. Hughes made a motion, seconded by T. Corallo to grant conditional/final approval for the Posh Properties land development plan contingent upon applicant agreeing to and executing the memo dated August 17th with all conditions as outlined. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O’Neil, yes. Motion carried.

Seifert Residential Major Subdivision – (seeking conditional/preliminary approval) –

William Schaefer of Langan Engineering presented the project to the board. He stated they had made the changes as discussed with the planning commission during the review process. They have added pickleball courts, curbing along Mitman and Arndt Roads, added benches along the trail system, a picnic open space area, wildflower plantings, and added pull-offs for the cluster mailboxes. They are here for conditional/preliminary approval as well as to discuss a waiver of the recreation fees. The board discussed with the applicant the reasons for the waiver request. It was stated that connecting to the township recreation path, which will be open to all residents, will cost \$152,400.00 to install. The other amenities are for the residents of the subdivision only and will be maintained by the HOA. The cost of all

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the amenities will be approximately \$1,500,000.00. The fee is \$1800.00 per residence which would total a recreation fee of \$442,800.00.

T. Corallo made a motion, seconded by D. Turner to approve the waiver request by Seifert Residential concerning recreation fees and to grant a reduction of \$150,000.00 of the total recreation fees owed for the Seifert Residential project. Roll Call Vote: T. Corallo, yes; T. Hughes, no; K. Keegan, yes; D. Turner, yes; J. O'Neil, no. Motion carried.

D. Turner made a motion, seconded by T. Corallo to grant conditional/preliminary approval to the Seifert Properties Residential Development contingent upon applicant agreeing to and executing the memo dated August 17th with all conditions as outlined. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Invited Guest Reports:

Board Reports:

Planning Commission – no report

FBA – D. Turner reported at the most recent meeting they discussed dwindling memberships and efforts to restart the organization to get more interest here in Forks.

Treasurer's Report –

T. Hughes reported that the township's outstanding debt is \$3,253,000.00.

T. Hughes made a motion, seconded by K. Keegan to ratify the following online/ACH payments –

- Infradapt – ACH - \$7,050.30 – 8/08/23
 - FP Finance (postage machine) - \$119.00 – 8/15/23
 - Verizon - \$ 1,499.18 – 8/14/23
 - CivicPlus – (annual hosting fee) - \$4,725.00 – 8/15/23
- All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to approve vouchers payable received through August 14, 2023, in the amount of General Fund - \$ 251,220.78; General Capital Fund - \$ 50,300.00; Utility Fund - \$ 30,982.15; Utility Capital Fund - \$ 11,601.25; State Liquid Fuels Fund - \$ 9,116.56; Escrow Fund - \$ 45,041.13. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to ratify the gross payroll for the pay period ending August 13, 2023, in the amount of \$ 171,855.20. All in favor. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to authorize approval of the following line-item adjustments to properly allocate funds within various lines within various departments and funds All in favor. Motion carried.

OLD BUSINESS

Minutes

T. Hughes made a motion, seconded by K. Keegan to approve the minutes of the August 3, 2023, work session of the Board of Supervisors. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, absent due to absence. Motion carried.

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County Waste of Penna, LLC –

D. Asure explained that before the board tonight was the contract for execution with County Waste of Penna., LLC, the company who was the lowest bidder for the hauling of trash and recycling. She stated the board will need to set the quarterly fees that will be charged to residents as well as consider allowing for a penalty for late utility payments for trash as the township currently has in place for sewer payments.

T. Hughes made a motion, seconded by T. Corallo to authorize the Chairman of the Board of Supervisors to execute the contract for the hauling of trash and recyclables for Forks Township with County Waste of Penna, LLC for a three-year period beginning September 1, 2023, with the possibility of three one-year extensions. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

T. Hughes made a motion, seconded by D. Turner to set the residential fee for trash and recycling collection at \$350.00 per year to be billed quarterly. Under discussion it was stated that this is an annual increase of \$86.00 or an increase of \$21.50 per quarter. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

T. Hughes made a motion, seconded by D. Turner to authorize the solicitor and township manager to update and advertise for a hearing for the Solid Waste Ordinance for Forks Township to include a 5% late fee penalty for trash/recycling payments. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Gas Stations in the TC District –

J. O'Neil stated that this issue has been discussed over the last several months. T. Corallo stated he does not believe it is right to change zoning for one developer. J. O'Neil asked the township manager if we had an application for this text amendment. It was stated we do not. T. Hughes asked if the property had been sold and if we received real estate transfer tax for it. This was unknown by the township. Steve Weiner, Redco Properties stated that he is the potential owner of this property which could be affected by this text amendment change. He stated that an application for this process was never brought up before and he has discussed this "missing use" at several meetings. D. Turner stated that successful businesses help the tax base which takes away some of the burden from the residential property owner. T. Hughes stated that under our current SALDO, a convenience store can be built on that property. The issue at hand is adding the gas station use to the Towne Center District. J. O'Neil stated that at the last meeting residents brought up the concern of the number of accidents at this intersection. According to the police department there have been two accidents at this intersection in the last year.

Matt Menkowski – 1140 Vera Drive stated that on behalf of the planning commission they believed there was an application due to the technical discussions that occurred.

Danny Rivera – 860 Mecco Road West asked if anyone could submit an application. He stated that the traffic in this area is dangerous and is under patrolled by the police department. Lisa Pereira, township solicitor stated that a text amendment comes in the form of a petition and usually comes from the property owner. It would include a site plan and proposed language.

The board stated that they believed that the process of submitting the proper paperwork had begun, which is why the discussions were taking place. They stated that until an application has been received by the township and reviewed for completeness, they would table any further discussion on this issue.

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NEW BUSINESS –

2023 Insurance Renewal -

T. Hughes made a motion, seconded by T. Corallo to accept the proposal from EHD for the Forks Township commercial insurance package which includes general liability, auto, professional liability, police liability, fire company liability, crime and inland marine for August 18, 2023, through August 17, 2024, in the amount of \$ 169,399.00 and to pay via ACH. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

HERA Registry -

D. Asure explained that the company the township has used for the past several years for the registration of foreclosed properties has gone bankrupt. The township needs to contract with another company to comply with our ordinance.

T. Hughes made a motion, seconded by D. Turner to enter into an agreement with HERA Registry to administer the township's foreclosure registry database as required under Chapter 52, Abandoned and Foreclosed properties, with fees collected to be split equally between HERA and the township conditioned upon review of the solicitor and changes to be accepted by company. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Resolution 2023-08-17-01 – update fee schedule –

T. Hughes made a motion, seconded by D. Turner to approve Resolution 2023-08-17 a resolution amending the 2023 Forks Township fee scheduled. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Gilmore proposal to prepare grant information

T. Hughes made a motion, seconded by T. Corallo to approve the proposal from Gilmore & Associates in the amount of \$5000 - \$6000 to prepare the information needed by the grant writers to submit all grants related to the Frutchey Hill project. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Resolution 2023-08-17-02 - LSA grant

T. Corallo made a motion, seconded by K. Keegan to approve Resolution 2023-08-17-02 a resolution approving the submittal of an LSA grant for up to \$1 million dollars for the repair of Frutchey Hill road and authorize the Chairman of the Board of Supervisors and the township manager to execute all related documents. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

2024 Budget Work Session schedule –

K. Keegan made a motion, seconded by T. Hughes to authorize the township manager to advertise the budget work sessions as follows starting at 5:30pm -

Monday, September 11th, Tuesday, September 19th, Monday, September 25th, Tuesday, October 10th, Monday, October 16th, Monday, October 23rd, Monday, October 30th, and Monday, November 13, 2023. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Personnel –

T. Hughes made a motion, seconded by T. Corallo to increase park employee, Nathan Bargiel to Laborer II at \$29.31/hour, effective July 6, 2023, based upon passing his pesticide license certification as required as part of the offer of employment and the recommendation of Rachel Sulzbach, Director of Parks &

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Recreation. Roll Call Vote: T. Corallo, yes; T. Hughes, yes; K. Keegan, yes; D. Turner, yes; J. O'Neil, yes. Motion carried.

Public Comment-

Gene Parziale – 1904 Quail Court – asked the board if we received any money for the flood damage. The board stated that PEMA/FEMA have not yet made any determinations as to funding. We are applying for as many grants as possible to fix Frutchey Hill Road. Ramblewood Basin was also heavily damaged in the recent flood event.

K. Keegan made a motion, seconded by T. Hughes to adjourn the meeting at 8:51pm. All in favor. Motion carried.