

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

9-02-2021

Work Session Minutes

The work session of the Forks Township Board of Supervisors was held on Thursday, September 2, 2021 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
Dan Martyak, Vice Chairman
Tim Hughes, Secretary/Treasurer
Kelly Keegan, Member
Ty Corallo, Member

IN ATTENDANCE:

Lisa Pereira, Twp. Solicitor
Donna M. Asure, Township Manager
Shawn McGlynn, SFM Consulting, Zoning Officer/BCO
Dean Turner, Chairman, Planning Commission

Public Comment:

Dean Turner, Chairman, Planning Commission, spoke to the board about the opportunity that may present itself at this time to negotiate to fix a road issue. With a prior project Richmond Road was supposed to be connected to Kesslersville to make it a complete through road. There was the need to build a bridge. D. Turner has broached the subject with the developer and he is willing to speak to the township about providing the land needed to put in the originally discussed connector bridge in exchange for some considerations for his development. D. Turner felt this may be a project for the federal money that may become available for infrastructure.

Robert Parella, 3089 Corey Terrace asked the board for a storm sewer map of the township. Shawn McGlynn, zoning officer, stated that each property and development is required to have their own storm water plan so there is not an overall plan for the township. The township must have a plan as the owner of township roads as PennDot must have a storm water plan for state roads. They spoke about storm drain systems which are more for urban areas. There is discussion in the township of funds to be dedicated to a township storm water plan for the future to repair areas of concern. J. O'Neil asked Mr. Parella is he would be opposed to a tax being implemented to fund storm water. This was followed by discussion on school taxes being very high. Mr. Parella stated that there is need for the government to do things for the people. He stated he would not mind a tax but his wife would be upset.

Supervisors Comments:

Chairman O'Neil –

- J. O'Neil recognized the public works department, the police department and the fire company for the work they did during the heavy rains and flooding over the past two days. As a board they appreciate the dedication of all.
- Community Days will be September 17 – 19th.

D. Martyak - none

T. Hughes – none

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T. Corallo – none

K. Keegan – none

Announcements: none

Action Items:

Treasurer’s Report –

T. Hughes made a motion, seconded by K. Keegan to approve vouchers payable received through August 30, 2021 in the amounts of General Fund \$ 63,489.64; Utility Fund - \$ 14,306.34; State Liquid Fuel Fund - \$ 1,921.40; and Escrow Fund - \$ 40,855.92. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

T. Hughes made a motion, seconded by K. Kegan to ratify the gross payroll for pay period ending August 29, 2021 in the amount of \$ 183,736.14. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

OLD BUSINESS

Approval of Minutes

T. Corallo made a motion, seconded by T. Hughes to approve the minutes of the August 19, 2021 regular meeting of the Board of Supervisors. Roll Call Vote: T. Corallo, yes; D. Martyak, abstain; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

DISCUSSION ITEMS -

Ordinance restricting truck traffic on certain township roads -

L. Pereira reported that Gilmore conducted a traffic study on certain township roads to provide an analysis as to the compatibility for truck traffic. The study showed that trucks should be restricted on these roads. D. Martyak made a motion, seconded by K. Keegan to authorize the solicitor to advertise for a hearing on September 16, 2021 concerning the consideration of an ordinance to limit truck traffic on certain township roads. Under discussion, the solicitor reported that the ordinance adds language to allow local deliveries. This ordinance would be enforced by the police department. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried

Draft Township Ordinances –

A. Dangerous Structures –

The board read through the draft ordinance for dangerous structures. They discussed the enforcement procedures with S. McGlynn, zoning officer. The board discussed what type of property would fall under this ordinance. It appears that this would be mostly for abandoned properties but could be used for properties that are inhabited. S. McGlynn stated that this would be a useful tool for the township to have. It would not answer all the property maintenance issues but is a good start. This ordinance requires an investigation ordered by the supervisors to be completed by the zoning officer. A report would be given to the board and if deemed a dangerous structure a hearing would be held before the board of supervisors. K. Keegan motion, seconded by T. Corella to authorize the solicitor to advertise the dangerous structures ordinance for a hearing on September 16, 2021. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried

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B. Nuisance Junk Vehicles –

The board discussed the draft ordinance with the zoning officer. It is a difficult ordinance to enforce. There are many people who work on cars as a hobby, use older cars for car parts to rebuild a car, as well as young people who are working on their first cars. It is better to enforce this type of issue through the zoning ordinance rather than a stand alone ordinance. The board discussed changing the definition of junk yard to include one vehicle from two and other options. R. Panella, Corey Terrace stated that most hobbyists will have their cars in the garage and not sitting outside. The board asked over the next two weeks anyone who sees a property with two junk cars should report this to zoning to see how the current ordinance would be enforced. This draft ordinance will be discussed again after the two week period.

C. Quality of Life Ordinance

The board asked the zoning officer for his thoughts on this type of ordinance. S. McGlynn likes the ordinance and believes it would lead to a high level of compliance. It has a lot of what would be included in a property maintenance ordinance. The ticketing process is very cutting edge and allows a lower level of ticketing by code enforcement. The education to the violation could include door hangers with a warning. There would be a ticket which the resident would pay as well as correcting the violation. If the resident fails to comply the enforcement process would still go through the citation process through the MDJ office. The board asked that this draft is internally reviewed and tailored to Forks Township. It needs to be compared to our current ordinances to make sure there would be no conflicts. The draft of the ordinance should be ready for next month's work session.

D. Ordinances that should be repealed

The board discussed with S. McGlynn a couple ordinances that should be repealed and/or revised to meet current UCC standards. The first ordinance is Ordinance 137 – Plumbing. The UCC standards regulate plumbing so this ordinance should be incorporated into the current ordinance for UCC standards. The second is Chapter 94 – Fire Prevention which should be reworked to repeal parts of the ordinance that are governed by the UCC but making sure that the role of the Fire Chief remains for fire prevention. The board asked the solicitor and the BCO to review the ordinance and make recommendations for changes. J. O'Neil asked if the fire company reviews developments plans to see if the new ladder truck will be able to respond to emergencies. The fire company is offered the plans for new developments. It was discussed that there should be a checklist that accompanies plans that has the different departments sign off on their review, such as public works and fire. This list would be attached to all the other review letters submitted for this project.

E. Ordinances that are needed

S. McGlynn recommended that the board consider adopting a grading ordinance. The board was provided a sample used in another township by SFM Consulting. This would set the standards as to when a grading plan would be required for individual property owners installing a pool or a garage, etc. Subdivisions and land development plans have a grading plan done as part of the engineering review which is then reviewed as an as-built and compared to the original. The sample presented to the board will be tweaked for Forks and presented to the board.

F. Fee Schedule

S. McGlynn discussed with the board the current fee schedule, the process for charging developers and applicants for zoning and building permits and the opportunity to make some changes so the planning and zoning department is closer to being cost/revenue neutral. Permits and inspections would go through SFM. The fees would be paid to the township and SFM would invoice monthly. The township would keep 30% of the fees brought in. S. McGlynn

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recommended that Key Codes, the current electrical and commercial inspector be appointed as alternate in case there are any conflicts. Key Codes would finish any projects they are currently working on. The board asked that the final documents be ready for consideration at the September 16th board meeting.

G. Flood Plain Administrator

The current township ordinance names the township engineer as the Flood Plain Administrator. S. McGlynn has discussed this with S. Policelli of Gilmore & Associates. Most of the issues for flood plain involve zoning. We must have a flood plain ordinance under the flood insurance program of the 1970's. The board was provided with an email from S. Policelli where he believes, after conversations with S. McGlynn that S. McGlynn should be the flood plains administrator. The board asked that this be on the September 16th regular meeting.

H. MS4 Fees

The board previously discussed the possibility of MS4 fees to assist in offsetting the cost of the mandates required under this federal program. The options are a fee, which is based on an impervious surface study versus a tax which would be an increase in the real estate property tax and dedicated internally to the MS4 program. It is a several year process to educate the public and to conduct the study. The board asked that staff find out how Easton and Bethlehem Township conducted their study and what the cost was. If it is a fee then all properties would be required to pay the fee including tax exempt properties. If a tax only properties who pay property taxes would contribute to this dedicated fund. The cost of the study could be quite expensive and could include going out for an RFP. Staff will report back to the board on their findings on next steps.

Public Comment-

- I. O'Neil announced that the board has received a letter from Louise Kolb, resigning from the Zoning Hearing Board effective September 1, 2021. She has enjoyed her time on the board but has family obligations that come first. The board thanked her for her service and asked that we post for the open volunteer position.

K. Keegan made a motion, seconded by T. Hughes to adjourn the meeting at 10:06 pm. Motion carried.