

**FORKS TOWNSHIP, NORTHAMPTON COUNTY  
BOARD OF SUPERVISORS**

**6-03-2021**

**Work Session Minutes  
June 3, 2021**

A work session of the Forks Township Board of Supervisors was held on Thursday, June 3, 2021 at the Forks Township Municipal Building, Easton, PA, and was also held virtually through ZOOM. 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:**

Donna M. Asure, Township Manager  
Lisa Pereira, Twp. Solicitor  
Sean Policelli, Engineer - virtually  
Greg Dorney, Chief of Police – virtually  
William Donovan, Finance Manager  
Steve Kramer, Public Works Director - virtually  
Rachel Sulzbach, Parks & Recreation Director - virtually  
Tim Weis, Building & Zoning Officer – virtually  
Dean Turner, Chairman, Planning Commission

**Supervisors Comments:**

John O'Neil -

- Supervisor O'Neil thanked the Pheasant Ridge residents for their patience during the process of coming to an agreement with the developer and getting the roads paved. He thanked the PW department for a great job with the paving, our solicitor and township manager for getting the agreements completed and the board of supervisors for uniting, standing behind an issue and getting it done. He thanked Supervisor Keegan for having the ear of the residents and bringing the issue to the board. This was a great example of an issue raised by the residents and the township taking action to find solutions.

Dan Martyak – none

Tim Hughes – none

Ty Corallo – none

Kelly Keegan – none

**Announcements** – An executive session was held prior to the meeting tonight at 6:30pm for personnel issues and there will be another session after the meeting this evening.

**Public Comment:** none

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**Presentations –**

Zelenkofske Axelrod LLC – presentation on the COVID-19 American Rescue Plan Act funding. Jeff Weis, managing partner of ZA, LLC spoke to the board about the ARPA money that Forks Township will be receiving. Forks Township should receive approximately \$1.6 million dollars. The state will distribute the money and has just announced that they are requiring an application be completed on the DCED website within five days. The state must distribute the money to the municipalities, half this year and half in 2022, within thirty days of receiving it from the federal government. The money must be obligated by December 31, 2024 and spent by December 31, 2026. The federal government has outlined areas that are eligible to use this funding for and they are – Support Public Health Response; Replace Public Sector Revenue Loss; Water and Sewer Infrastructure; Address Negative Economic Impacts; Premium Pay for Essential Workers and Broadband Infrastructure. The Board asked if MS4 projects might qualify and the response was yes. Discussion was held on the many possibilities for the use of the money. The board asked for information about the revenue received to evaluate any shortfalls in the revenue, due to COVID and the possibility of making the budget whole. The funds can be used to match grants, and to support businesses and non-profits within the township. The money must be spent on things that can be tied back to COVID-19. It is recommended that the money be placed in a separate bank account, very detailed record keeping be established as the funds may be subject to a single audit by the federal government. Reporting requirements are stringent and must be followed. The first report will be due this October, whether funds have been expended or not and will be due annually in October going forward. J. Weis cautioned that the township does not rush into making any decisions on spending the money as the guidelines are still changing and there is ample time to make sure we make the best decision for the township. This will be discussed at the July 1, 2021 work session.

Padula Road Warehouse Planning Module-

J. O'Neil asked if the board was willing to make a motion to allow discussion on Padula Road at this time rather than waiting until later in the agenda.

T. Hughes made a motion, seconded by T. Corallo to allow the Padula Road Warehouse discussion to discussed at this time. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

DEP has done their due diligence, Gilmore has reviewed, and LVPC has approved. The NPDES permit is complete and requires the township to complete documents including one to be signed by the planning agency which is the Planning Commission. This will amend the township plan to include this property in the sewer service area. Discussion took place on the need for this action as well as the emergency access to the property. D. Martyak asked if the planning commission had reviewed this issue and was told yes. T. Hughes made a motion, seconded by D. Martyak to adopt Resolution 2021-06-03, a resolution for plan revision for new land development as required by DEP. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

**Action Items –**

**Treasurer's Report**

T. Hughes made a motion, seconded by K. Keegan to approve vouchers payable received through June 1, 2021 in the amounts of General Fund \$ 85,418.72; Real Estate fund - \$150,150.52; Utility Fund - \$ 13,837.32; State Liquid Fuel Fund - \$ 3,589.00; and Escrow Fund - \$ 160,738.04. 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. Keegan to accept the 902 Development and Implementation Grant in the amount of \$314,905.00 with a township match requirement of \$34,990.00 (using the appraisal completed as the match) and authorize the submittal of all required documents. Under discussion S. Kramer reported that the truck to be purchased with this grant is already on order. 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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**Personnel –**

T. Corallo made a motion, seconded by T. Hughes to ratify the hiring of Connor Michel as seasonal park laborer, effective Tuesday, June 1, 2021 at a rate of \$13.00 per hour with no benefits for approximately 40 hours per week. Roll Call Vote: T. Corolla, yes; D. Martyak, yes; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

**Discussion Items**

**Weight Limits on Township Roads**

The board discussed with the township engineer what process must be taken for the township to consider limiting truck traffic on various township roads. The township needs to authorize a study to be done by the township engineer called a TE-109. Chief Dorney explained that at this time weight limits are not enforceable by the township police department. The study to be done by Gilmore will include sight distance, geographical information, and safety concerns. S. Policelli estimated a TE-109 study for Newlins Road and Church Lane would be approximately \$3000 - \$4000.00. A separate study must be done for each non-contiguous road.

**Fencing requirements around township owned/maintained detention basins**

The issue of who is required to maintain which detention basins and at what level within the township was again discussed. R. Sulzbach had supplied a list of all open space maintained by the township. This includes, mowing, fencing, trimming, trash removal and spraying. The solicitor needs parcel numbers to research ownership for those we do not know. Since we are heading into budget time we must get a final decision on ownership and township responsibility as the fencing is a very large expenditure. T. Weis needs to provide land development information to see if ownership or maintenance issues were documented on the final plan. The township engineer should work with zoning to find out if the detention basins that are owned or maintained by the township meet the criteria in our ordinance to be fenced. If they do not the board should consider passing waivers to eliminate on the record the need for fencing. If a developer is responsible and is not maintaining a detention basin then letters must be sent from the township requiring them to do so. This will be put on the July 1, 2021 agenda for final direction by the board.

**Responding to non-written and signed complaints**

D. Asure had spoken to T. Weis about responding to all complaints from concerned residents and not requiring them to be in writing. T. Weis wanted this on the agenda to be discussed by the board. J. O’Neil stated that we need to be more proactive in responding to township residents’ concerns. T. Hughes stated that if we see something we need to do something. J. O’Neil, T. Hughes and D. Martyak stated that we should try to get complaints in writing, gathering as much information from the person making the contact as we can, but if not, the complaint must still be investigated. T. Weis stated that he respectfully disagrees. He needs things in writing to go onto people’s property. The board stated they were not specifically asking Tim to go onto properties but if that is necessary get permission. If the concern is visible with a drive by that is fine. If it is a neighbor making the complaint, ask that person if the issue is visible from their yard and do you have permission to enter. T. Weis stated he is concerned for his safety. D. Martyak stated that a log should be kept of the complaint received, when, where, what is being violated and the outcome. The information on these complaints could be a public record under the Right to Know law. The board gave direction that all complaints are to be reviewed and if in violation of ordinances then the process must be followed. T. Weis wanted his disagreeing with this policy noted for the record.

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Riverview Inspection Update

T. Weis reported that complaints had been made from the Riverview HOA concerning construction issues. He, Matt Miller and the HOA were to meet this past Tuesday but the HOA cancelled and have not contacted to reschedule. The HOA would like the engineer present to discuss the grading issues being raised. The board instructed T. Weis to have the meeting and see if what he finds requires the engineer to come out to address the concerns. There was discussion of as built plans versus what is on file at the township. The Board instructed T. Weis that they wanted to be kept informed and would like a full report on each issue raised, the status and the resolution.

PMHIC Dividend

D. Asure reported that the township received a dividend check from PMHIC, our health care trust in the amount of \$159,782.78.

T. Corallo made a motion, seconded by K. Keegan to place the dividend received from PMHIC in the amount of \$159,782.78 to the Capital Reserve Fund. Roll Call Vote: T. Corolla, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Existing Features Survey

Gilmore & Associates provided a quote for an existing features survey in the area of Zucksville and Bushkill Roads. This would be the first step in developing a plan to repair the issues that cause the flooding during major storms. T. Corallo made a motion, seconded by K. Keegan to accept the proposal from Gilmore & Associates for an existing features survey for Zucksville/Bushkill Road in the amount of \$7500.00. Under discussion, D. Martyak stated that he is fully aligned with this issue but cannot support this until he has a "scorecard" of where we stand with all open projects and grants. A report of all open projects, grant funding and where they stand should be reported on at the July 1, 2021 work session. Roll Call Vote: T. Corolla, yes; D. Martyak, no; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Electronic recycling Program

S. Kramer reported that the county is not scheduling their normal electronic recycling events since the start of COVID-19. S. Kramer has received a quote from one company and is awaiting a second to do a township electronic recycling program. He would like to see it run similarly to what the township does with the bulk tags. Residents would come to the township, verify they are a resident and buy a tag to bring their electronic item to the recycling center. This would be cost neutral. Once all the information is received this will be placed back on an agenda for board consideration and possible approval.

Internal Transfer Policy

W. Donovan requested the capability to perform internal transfers between our bank accounts. He developed a policy which is before the board to maintain internal controls. This would not be used on a regular basis but be able to avoid having to write ourselves checks in moving money from one fund to another. T. Hughes made a motion, seconded by K. Keegan to approve the Forks Township Internal Transfer Policy. Roll Call Vote: T. Corolla, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Delinquent Utility Bills

J. O'Neil reported that there is quite a bit of money owed to the township that is delinquent for both sewer and trash. It was discussed that the ordinance needs updating which would be a first step. The board discussed with L. Pereira the need to place liens on the largest offenders. She stated that it would be approximately \$250.00 - \$300.00 to file a lien. She stated that a letter would have to go out first, spelling out the penalties and that if there is no response a lien would be placed on their property. The notice must also state that the township intends to recoup attorney's fees. Staff will work with the

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solicitor to devise a plan to – get liens on the largest delinquencies immediately as well as sending letters to the largest offenders.

The Board asked that the pending matters list be discussed at the July 1, 2021 work session.

Public Comment –

Chief Dorney reported that the Easton High School graduation parade will take place on June 14<sup>th</sup> or 15<sup>th</sup> rain or shine. The board asked about the vandalism at the park. The Chief reported that the graffiti artists have been identified and the investigation is moving forward.

R. Sulzbach reported that they are tackling the issue of the vandalism in the park. Discussion followed on why we would ensure porta-potties and that the agreement with the company should state the township is not responsible. Also, the FTA agreement signed in 2018 needs to be reviewed for renewal. Many events coming up for the summer season.

S. Kramer reported that the generator at the Community Center should be starting up on June 4, 2021.

L. Pereira reminded the board that there is a conditional use hearing for GNAP Industrial Development for a warehouse on Richmond Road on June 17, 2021 at the regular meeting.

Adjournment -

Upon a motion by K. Keegan, seconded by T. Corallo, the board adjourned into executive session for personnel issues and will not be returning at 9:13pm. All in favor. Motion carried.