

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

3-18-2021

Regular Meeting Minutes

The regular meeting of the Forks Township Board of Supervisors was held on Thursday, March 18, 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:

Lisa Pereira, Twp. Solicitor
Sean Policelli, Twp. Engineer - virtual
Donna M. Asure, Township Manager
Chief Greg Dorney
Steve Kramer, Public Works Director
Rachel Sulzbach, Parks & Recreation Director
Tim Weis, Building & Zoning Officer
Jevin Russo, Fire Chief
Dean Turner, Chairman, Planning Commission

Upon a request from Chairman O'Neil, K. Keegan made a motion, seconded by T. Corallo to take the agenda items out of order and conduct the conditional use hearing first. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Hearings:

Conditional Use Hearing – Park Plaza I. LLC -

Chairman O'Neil opened the hearing at 7:05pm. Testimony was presented for the RB Park Plaza I, LLC conditional use hearing for the expansion of the current shopping plaza and the addition of two drive through restaurants. L. Pereira stated that the Board may attach conditions which would address any concerns they may have or that were raised by the planning commission. The hearing was closed at 8:28pm.

D. Martyak made a motion, seconded by K. Keegan to adjourn into executive session at 8:29pm to deliberate. L. Pereira, township solicitor joined the board in executive session. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

The board reconvened at 8:46pm.

T. Hughes made a motion, seconded by T. Corallo to grant the conditional use application for the expansion of the existing shopping plaza as requested by RB Plaza I, LLC. Roll Call Vote: T. Corallo, yes; D. Martyak, no; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

J. O'Neil asked for a motion to address the second part of the conditional use application, two drive through restaurants. After a few moments, J. O'Neil stated that hearing no motion, the conditional use application for two drive through restaurants will not move forward.

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Chairman O'Neil stated that they will now go back to the top of the agenda and follow the printed agenda.

Supervisors Comments:

Chairman O'Neil - none

D. Martyak –

D. Martyak stated that he, Supervisor O'Neil and D. Asure met with representatives of the LNAA to discuss the agreement currently in place and the requested changes. LNAA would like to extend the runway to 2265 feet, and would like to consider development along the Sullivan Trail corridor. The LNAA were asked for three years of profit and loss statements, as well as some definitions of certain aircraft that utilize the airport. D. Asure will contact the solicitor to inform the airport as to the necessary steps to allow development along their frontage.

T. Hughes – none

T. Corallo – none

K. Keegan –

K. Keegan asked that the board discuss the application before the zoning hearing board to be heard on April 12, 2021 concerning Klein Road and the request to create two acre building lots which do not meet the current zoning requirements of three acres. J. O'Neil requested that D. Asure place on next agenda for discussion by the board.

Announcements: An executive session for possible litigation issues was held on March 18, 2021 at 6:30pm. No decisions or actions were taken in executive session.

Public Comment: none

Hearings: (continued)

Tax Collector Fees Ordinance –

J. O'Neil stated Ordinance 369 is an ordinance outlining the types of fees and the per fee charge collected by the township real estate tax collector.

D. Martyak made a motion, seconded by K. Keegan to adopt Ordinance 369, amending the code of the township of Forks Ordinances, Chapter 180, Taxation, by adding a new article IX which establishes certain tax collector fees and repeals all ordinances or part of ordinances inconsistent herewith. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, no; T. Hughes, no; K. Keegan, yes. Motion carried.

Fireworks Ordinance –

The board opened the discussion on the draft Fireworks Ordinance before them. Chief Dorney began by saying that the ordinance is being looked at due to the large number of complaints received concerning fireworks. He stated that a lot of the language is the same as the state regulations such as discharging fireworks within 150 feet of a residents. There are few places in the township that would not fall under this regulation. He also said he realizes this ordinance if passed would be a continuous work in progress. He stated that the department had reviewed the draft three times and the only comment received was that the fines were set at \$1000 to \$5000 were as the state regulations have a fine of \$100.00. The board discussed the reasoning behind the level of the fines. K. Keegan and T. Corallo asked if the ordinance could be passed tonight with the fines lowered. It was reported that the ordinance would have to be readvertised with any changes. J. O'Neil asked if the board wanted to move forward with an ordinance. Under public comment, Michael Rosenberg of cherry Lane stated that his home has been at

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risk for damage from fireworks and he hoped the board would move forward with the ordinance as written. Andrea Lois of Sheriff Drive stated she agreed with Mr. Rosenberg.

K. Keegan made a motion, seconded by T. Corallo to move forward with a fireworks ordinance. Roll Call Vote: T. Corallo, yes; D. Martyak, no; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

T. Hughes made a motion, seconded by K. Keegan to move forward with the adoption of Ordinance 370, amending the Township of Forks Code of Ordinances, by creating a new chapter 97, Fireworks, and repealing all ordinances inconsistent herewith as written. Roll Call Vote: T. Corallo, no; D. Martyak, no; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Noise Ordinance –

Chief Dorney stated that the department has also reviewed this draft ordinance. He stated that this topic has been brought before the board several times before and it would be an ordinance that will require review and revisions by the board when it is found as to what works and what does not. This could become subjective in some instances if neighbors do not get along with neighbors, but he believed this ordinance, as written, was a good starting point. D. Turner read a letter from the Miller family on Meco and Sullivan Trail asking that the noise ordinance help with the jake brakes they hear from trucks or perhaps post signs along the road that state no jake brakes. T. Hughes made a motion, seconded by K. Keegan to adopt Ordinance 371, amending the Township of Forks Code of Ordinances, by creating a new Chapter 121, Noise, and repealing all ordinances inconsistent herewith. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Presentations:

Riverview Estates West Phase V final approval –

The board discussed Riverview Estates West with representatives of the project. Each phase has its own agreement and its own security. If the phase is not completed per each agreement and plans then the security can be drawn upon to complete. Streetlights were discussed and the streetlights are not special lights that require different fittings than others in the township. T. DeGroot representing the developer stated that this is the final phase consisting of 41 lots. Not all other phases are totally complete. The township has taken over roads in Phase I and Phase 3 is in maintenance. S. Kramer commented that there were erosion control issues in this phase. S. Policelli stated that the developer had addressed the issue as soon as it was brought to his attention. They have a street sweeper on site to deal with this issue. This will continue to be monitored. Gary Cleaver, developer of the project commented that they have had an issue but are attempting to keep the roads as clean as possible. A resident commented on ZOOM chat that they believe the streets are not being swept. Mr. Cleaver stated that the township engineer is there almost daily and inspecting during this rainy season.

T. Corallo made a motion, seconded by T. Hughes to approve the final plan of Riverview West Estates, Phase V, subject to the condition that applicant satisfy all comments set forth in Gilmore & Associates Inc. review letter dated January 20, 2021. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Invited Guest Reports:

Planning Commission – D. Turner, Chairman of the Planning Commission stated that the planning commission has several plans coming before them. The work session on March 23rd will discuss by laws for the board, the comp plan and land use features and possible zoning ordinance changes for conditional use applications.

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Recreation Board – R. Sulzbach reported her report is on the drive. The Rec Board held a virtual meeting on Monday, March 15, 2021.

FBA –

T. Hughes reported that restaurant week will be the week of March 28th through April 3rd; state of the township will be April 14th and will be pre-recorded and broadcast at lunchtime. D. Asure was asked to find out if a link could be posted on the township website for this event.

Treasurer’s Report –

Secretary/Treasurer T. Hughes reported that the township’s outstanding debt is \$5,257,000.00.

T. Hughes made a motion, seconded by T. Corallo to ratify vouchers payable received through March 8, 2021 in the amounts of General Fund \$ 117,114.73 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 ratify vouchers payable received through January 11, 2021 in the amounts of General Fund \$ 36,642.02; Utility Fund - \$ 18,022.51. 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 approve vouchers payable received through March 17, 2021 in the amounts of General Fund \$ 90,620.47; Utility Fund - \$ 22,832.43; State Liquid Fuel Fund - \$ 6,218.82. 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 ratify the gross payroll for pay period ending March 14, 2021 in the amount of \$ 143,312.16. 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 T. Corallo to approve the purchase order in the amount of \$107,707.00 to be paid from the Capital Reserve Fund, from Tenco for the RPM 217 Tier IV snow blower from Sourcewell, contract #080818 for the purchase of a snow blower. 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. Hughes made a motion, seconded by K. Keegan to approve the minutes of the January 4, 2021 reorganization meeting of the Board of Supervisors. 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 approve the minutes of the March 4, 2021 work session of the Board of Supervisors. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O’Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

NEW BUSINESS - none

Personnel - none

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DEPARTMENT REPORTS

- A. Township Manager –
 - D. Asure asked the board if they would be interested in having a virtual meeting policy since it appears likely that holding meetings in both person and virtually will continue into the future. The board asked the manager to draft a policy for discussion.

- B. Police
 - Chief Dorney stated he has a report on the drive.

- C. Parks & Recreation
 - R. Sulzbach reported that her report is on the management drive
 - Lights on the field will start on April 1, 2021

- D. Public Works
 - S. Kramer stated his report is on the drive

- E. Zoning Dept.
 - The zoning report is on the drive

- F. Solicitor – Lisa Pereira- nothing additional

- G. Engineer – Sean Policelli –
 - S. Policelli reported that they are getting started on the ACT 209 study. There are some items that are needed for both the traffic impact study as well as the comp plan so this may be able to save some money since it only has to be done once for both items.

- H. Fire –
 - J. Russo had to leave the meeting but ask that it be reported that the bill was received for the repair to the ladder truck in the amount of \$13,308.00. The township has not yet reviewed the invoice nor received any reports on how the damage occurred.

Public Comment- none

K. Keegan made a motion, seconded by T. Corallo to adjourn the meeting at 9:42pm. Motion carried.