

FORKS TOWNSHIP, NORTHAMPTON COUNTY
Board of Supervisors

8-19-2021

Regular Meeting Minutes

The regular meeting of the Forks Township Board of Supervisors was held on Thursday, August 19, 2021 at the Forks Township Municipal Building, Easton, PA, and was also held virtually through ZOOM. Chairman O'Neil opened the meeting at 7:06 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, Gilmore & Assoc., Township Engineer
Donna M. Asure, Township Manager
Chief Greg Dorney
Steve Kramer, Public Works Director
Rachel Sulzbach, Parks & Recreation Director – conducting concert in the park
William Donovan, Finance Manager - absent
Dean Turner, Chairman, Planning Commission

Supervisors Comments:

Chairman O'Neil – none

D. Martyak –

D. Martyak thanked Sean Policelli for his work on the Projects and Grants spreadsheet

T. Hughes – none

T. Corallo – none

K. Keegan – none

Announcements: An executive session was held this evening prior to the board meeting, at 6PM to discuss personnel issues.

Public Comment: none

Hearings:

Posh Properties – Conditional Use hearing -

The hearing was opened at 7:05pm by Chairman O'Neil. David Backenstoe representing the township, gave an overview of the process for a conditional use hearing and the reason this conditional use hearing is being held. A conditional use hearing is required for a drive through restaurant. Several exhibits were introduced into the record. The restaurant is Chipotle and is an order pick-up window not a traditional ordering window. The planning commission recommended approval of the conditional use with the

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condition that if the type of drive through would change that the developer must once again appear before the planning commission. There was discussion concerning the streetscape, the sidewalks and the round-about to be constructed on Sullivan Trail. D. Martyak expressed his concerns about the safety of the round-about. Many of those items will be discussed during the land development process of this project. There was no public comment. Chairman O'Neil closed the hearing at 7:39pm.

T. Hughes made a motion, seconded by T. Corallo to approve the conditional use application of Posh Properties No 46 Hanson, LLC with the condition that should the pick-up drive through window change to a traditional drive up to order drive through window, the developer must appear before the planning commission once again to discuss. Roll Call Vote: T. Corallo, yes; D. Martyak, no; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Presentations:

Lafayette Hills at the Bushkill

William Erdman, engineer spoke on behalf of the developer. They are back before the board to discuss the waiver request for the slope of an area at the intersection of Ben Jon Road and Mecco Road. Ben Jon is the through street and Mecco has stop signs. Due to issues with the gas line, they cannot build to the original 4% grade but rather are requesting to build to the original 10% grade. The gas company will not allow the amount of fill which would cover the gas line should the 4% grade be required. D. Martyak asked if a bridge could be built over the gas line. The board was informed no as the gas company was asked about this and they would not be able to get equipment under the bridge to repair the pipeline. J. Weiner, solicitor for the developer stated that every possible way they could think of to not have to request the 10% grade was discussed and reviewed. Nothing else will work. Site distance at the intersection was discussed concerning the need to remove trees at the intersection. They were before the planning commission who recommended approval of the waiver to the supervisors. J. O'Neil asked Dean Turner, Chairman of the Planning Commission if the recommendation was a unanimous vote. Mr. Turner responded that it was. D. Martyak asked how they could not have known about the gas company issues. The developers team stated that there was an understanding with prior engineers and attorneys working on this project with the gas company, but it was not in writing and none of those people are involved any longer with the project.

D. Martyak made a motion, seconded by T. Hughes to grant the waiver request of Knollwood Development, LP for the land development known as Lafayette Hills at the Bushkill, a waiver of the leveling requirement on Ben Jon Road at the intersection of Mecco Road, Subsection 175.42.K(10)(c), with the condition that the trees are removed at the intersection for site distance.

Roll Call Vote: T. Corallo, no; 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 reported that they are getting ready for the joint work session with the board of supervisors on August 24, 2021. The planning commission is reviewing the comp plan visioning results and the plan for the September work session would be to move into the next phase of settings goals and the action plan.

Recreation Board – no report

FBA –

T. Hughes reported it was very small turn out for the meeting. They went over the scheduled upcoming events in the park including community days. There is a Chamber golf outing on September 13th and the chamber is hoping there will be a team from Forks.

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Treasurer's Report –

Secretary/Treasurer T. Hughes reported that the township's outstanding debt is \$4,921,000.00

T. Hughes made a motion, seconded by K. Keegan to approve vouchers payable received through August 18, 2021, in the amounts of General Fund \$ 116,604.23; Utility Fund - \$ 13,568.80; Capital Improvement Fund - \$ 43,062.65; State Liquid Fuel Fund - \$ 15,457.76; Escrow - \$ 1,016.06.

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 15, 2021, in the amount of \$ 153,715.34. 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 purchase order in the amount of \$7,449.23 for the purchase of Diamond Barrel Tap Cutter (8 inch) and a 3-piece set of chain with bits from Bortek Industries, co-stars contract #005-092, as approved in the 2021 Utilities Capital budget and recommended by Steve Kramer, Director of Public Works. 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 purchase order in the amount of \$6,450.00 for the purchase of 1 20-yard Hook Lift Container from Conshohocken Steel Products, the lowest of three quotes, and as approved in the 2021 Utilities Capital budget and recommended by Steve Kramer, Director of Public Works. 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 T. Corallo to approve the minutes of the August 5, 2021, work session of the Board of Supervisors with the following corrections – the meeting was called to order by Vice-Chairman Martyak; under old business T. Corallo's vote should be marked as "abstain" as he was not present at the July 15, 2021, meeting. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, abstain; T. Hughes, yes; K. Keegan, yes. Motion carried.

NEW BUSINESS -

Zucksville Road Interceptor Project –

This project is the township's portion of the Zucksville sewer extension for the Lafayette Hills development project. S. Kramer looked at options to do this work in house but due to the amount of rock in this area the township does not have the machinery to complete this task. Gilmore & Associates had been asked to present a proposal to put the project out to bid on behalf of the township. Public works will be able to conduct the observation and inspection portion of this project.

T. Corallo made a motion, seconded by K. Keegan to approve the proposal from Gilmore & Associates for the Zucksville Road Interceptor Project in the amount of \$16,500 to paid from the Sewer Tap In Fund with observation and inspection being performed by the Forks Township Sewer Department. 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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Dietzler request for zoning text amendment –

Julie Wagner Burkhart presented on behalf of the applicant. This project has been before the supervisors at a prior meeting and has just been before the planning commission. They took the comments made by the boards seriously and are before the township with a revised request for performance zoning in the EC1 districts that would require a conditional use hearing and would not allow apartments or duplexes. There would be a ten-acre minimum which in reviewing all properties within this district this zoning text amendment would affect three properties. D. Martyak asked if this would be considered spot zoning. L. Pereira stated that this would not be spot zoning as it is an amendment for an entire zoning district and not just a property. D. Martyak asked if this could be discussed at the upcoming joint work session. Dean Turner stated that the planning commission felt comfortable recommending approval of this request to the supervisors due to the amount of work done by the applicant, that they took the comments to heart and listened, and the graphic they presented which showed how small this district is. The next steps would be that the township staff would review the documents presented so far and meet with the applicant to work on language for the amendment. Once a draft was reviewed by the boards, a hearing would then be scheduled. T. Hughes made a motion, seconded by K. Keegan to authorize the township staff and professionals to review the plans presented for the zoning text amendment and to develop language for a draft ordinance. Roll Call Vote: T. Corallo, yes; D. Martyak, no; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Betco Block and Products, Inc. –

L. Pereira advised the board that Betco Inc had appealed the assessment of their property. After several years a settlement has been reached which reduces the assessed value by almost \$8 million dollars. The board discussed the revenue lost to the township and calculated that it will be approximately \$5500.00. L. Pereira stated that the last step would be for the township to authorize the solicitor to sign the stipulation agreement. D. Martyak made a motion, seconded by T. Corallo to authorize the solicitor to sign the Stipulation documents on behalf of the township in the assessment appeal of Betco Block & Products, Inc. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Budget work session dates -

The board discussed the upcoming review of the 2022 budget. D. Asure was instructed to advertise every Monday starting September 13, 2021, except for September 20th and October 11th, and ending on November 1, 2021, as budget work sessions beginning at 5:30 pm.

Personnel

T. Corallo made a motion, seconded by T. Hughes to ratify the termination of Timothy Weis, effective close of business July 8, 2021, as Forks Township Zoning Officer, Codes Enforcement Officer and Building Codes Official. Roll Call Vote: T. Corallo, yes; D. Martyak, yes; J. O'Neil, yes; T. Hughes, yes; K. Keegan, yes. Motion carried.

Public Comment-

J. O'Neil asked the board if they have heard of non-smoking parks. L. Pereira stated that she has. J. O'Neil asked that this topic be placed on the next workshop agenda.

K. Keegan made a motion, seconded by T. Hughes to adjourn the meeting at 8:41 pm. Motion carried.