

Foster Township Board of Supervisors
Regular Monthly Meeting via Zoom

Minutes

May 12, 2021

6:30 PM

CALL TO ORDER

Call To Order The Regular Monthly Meeting via zoom.

ROLL CALL

Ms. Eckrote-Jones	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent
Mr. Pavuk	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Mr. Brogan	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Attny Karpowich, Brittany Majewski, Brian Maso, Tom Barna and members of the public were also present.

READING OF MINUTES FROM PRIOR MEETING

Motion to *dispense* with Reading of the Minutes due to availability to public.

Motion to *read* Minutes.

Motion By:	<input type="checkbox"/> Ms. Eckrote-Jones	Second By:	<input type="checkbox"/> Ms. Eckrote-Jones
	<input type="checkbox"/> Mr. Pavuk		<input checked="" type="checkbox"/> Mr. Pavuk
	<input checked="" type="checkbox"/> Mr. Brogan		<input type="checkbox"/> Mr. Brogan

Roll Call:	Ms. Eckrote-Jones	Mr. Pavuk	Mr. Brogan
	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> Abstain	<input type="checkbox"/> No	<input type="checkbox"/> No
		<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain

READING OF TREASURER'S REPORT

Motion to *dispense* with Treasurer's Report due to availability to public.

Motion to *read* Treasurer's Report.

Motion By:	<input type="checkbox"/> Ms. Eckrote-Jones	Second By:	<input type="checkbox"/> Ms. Eckrote-Jones
	<input type="checkbox"/> Mr. Pavuk		<input checked="" type="checkbox"/> Mr. Pavuk
	<input checked="" type="checkbox"/> Mr. Brogan		<input type="checkbox"/> Mr. Brogan

Roll Call:	Ms. Eckrote-Jones	Mr. Pavuk	Mr. Brogan
	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> Abstain	<input type="checkbox"/> No	<input type="checkbox"/> No
		<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain

READING OF LIST OF BILLS

Motion to *dispense* with Reading of the List of Bills due to availability to public.

Motion to *read* List of Bills.

Motion By:	<input type="checkbox"/> Ms. Eckrote-Jones	Second By:	<input type="checkbox"/> Ms. Eckrote-Jones
	<input type="checkbox"/> Mr. Pavuk		<input checked="" type="checkbox"/> Mr. Pavuk
	<input checked="" type="checkbox"/> Mr. Brogan		<input type="checkbox"/> Mr. Brogan

Roll Call:	Ms. Eckrote-Jones	Mr. Pavuk	Mr. Brogan
	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> Abstain	<input type="checkbox"/> No	<input type="checkbox"/> No
		<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain

APPROVE FOR PAYMENT

■ Motion to *Approve* Bills for Payment with the addition of Highway Equipment 232.06, Standard Speaker 341.50, Tri County 120.00 and PA One Call 16.04.

□ Motion to *Disapprove* Bills for Payment.

Motion By: □ Ms. Eckrote-Jones

□ Mr. Pavuk

■ Mr. Brogan

Second By: □ Ms. Eckrote-Jones

■ Mr. Pavuk

□ Mr. Brogan

Roll Call: Ms. Eckrote-Jones

□ No

□ Abstain

Mr. Pavuk

■ Yes

□ No

□ Abstain

Mr. Brogan

■ Yes

□ No

□ Abstain

BUSINESS:

940 Sewer Extension – Attny Karpowich suggested approving Greenland Construction @ a base price of \$327K with up to \$342K in additional items, pending the HOP. Jerry made the motion to award the bid to Greenland Construction. John seconds the motion. Roll Call was yes by all.

Lampart Subdivision – The Planning Commission recommends approval and no comments. Jerry made the motion to approve. John seconds the motion. Roll Call was yes by all.

Engineers Report – Mary Peters was not in attendance to give a report, but she spoke with Jerry prior to the meeting and only had an overflow report from Hickory Hills, all appropriate parties were notified. Tom Barna stated that the LSA grants were not awarded yet, but possibly by the end of May. He also stated that there is about 3,000ft of Meir’s Road that is in bad shape and he suggested handing it over to the state, and forgoing the liquid fuels for it. Its in disrepair and would take too much to fix at this point. Jerry asked if he looked at the lower end of the alley by the Dawson property between Adams and Washington. Tom stated that the water problem is being created by the garages that were installed there without stormwater permits. There is no grass area for the water to absorbed correctly. The road crew will look into grading it down and directing the water. Tom stated that he went over the streets with Chris and there are bigger jobs that need to be bid out especially Carbon Street. Washington, Adams, Fern, Ridge and Vine also need to be looked at. Angel from AgMar asked if they were out to look at the water problem in AgMar. Tom stated that he was out and looked at it, and they are going to look into putting a drain in to direct the water elsewhere, but they need to get the property owners info first.

Police Report – No officers were present, so Brittany gave the report for the month of April. The police covered the township for 193.03333 hrs. Incidents are as follows: 4 Domestic, 3 Burglary, 1 Criminal Mischief, 2 Harassment, 2 DUI, 2 Vandalism, 2 Suspicious Persons, 8 trespassing, 1 Noise Complaint, 1 Illegal Dumping, 33 Traffic Offenses, 2 Disabled Vehicles, 2 Fraud, 1 MVA, 1 911 Hang up, 1 Wires, 1 Welfare Check, 2 Open Burning, 3 Theft, 1 Warrant, 2 MV Theft, 2 PFA Investigations, 1 False Report, 1 Parking, 1 Assault, 2 Assist EMS, 3 Suspicious Vehicles, 4 Follow up Investigations, 1 Disorderly, 5 Burglar Alarms, 1 Code Violation, 3 Assist FD, and 5 Mental Health.

Sewer Report – Attny Karpowich asked for a motion to approve the asset purchase agreement with PA American Water for \$3.750MIL. Jerry made the motion to approve the purchase agreement. John seconds the motion. Roll Call was yes by all. Jerry announced the number of delinquents in each area of the twp, they are as follows: AgMar 7, Hickory Hills 49, Highland 3, Grove 8, Upper Lehigh 2, Youngstown 5, Woodside 10 and Route 940 (east end) 2.

Solicitor’s Report – Attny Karpowich explained that he received a letter from Attny DeCosmo regarding the maintenance of Hazle Brook Road. It is on behalf of a few residents and it states that the twp has failed to maintain the road, and it was even worse over the winter months. The supervisors would like him to send a copy of the Intermunicipal agreement and letter to Hazle Twp because they receive 3% of the twp liquid fuels money to maintain the road on behalf of the twp. Attny Karpowich stated that he was approached by Brian Effort and Jennifer Traup for a lot consolidation in Mountain Terrace, which is above Hickory Hills. This would bring the total lot to 1.473 and he suggests granting them the waiver of not having to go through the reverse subdivision process. Jerry made the motion to approve. John seconds the motion. Roll Call was yes by all. Jerry asked Attny Karpowich if the mobile food facility ordinance that was passed, does it restrict them from being on a commercial lot? Attny Karpowich stated that as long as that commercial lot is in the correct zoning district they are not restricted. Attny Karpowich stated that there is a code issue he would like to discuss during an executive session but he thinks its best to wait until Georgiann is able to attend.

Zoning Report – Brian reported that the following permits were issued: 5 zoning, 1 building, 2 demo, 1 landlord/tenant, 1 ZHB, and 1 non conformity. He has 10 code enforcement issues and 3 nuisance vehicle violations that consisted of 23 vehicles. He also has a few issues that he would like to discuss with the board and Attny Karpowich in an executive session. Alice Lachewitz asked if he could explain what happens with a property like at 24 Pond Creek Drive, did he say it would be turned into greenspace by Hickory Hills? Brian stated that it goes into repository until someone bids on it, and that Hickory Hills was looking into it for themselves.

• Jerry stated that the road crew only consists of four guys and the twp should consider looking for some summer help to maintain the parks and the twp grounds, because they really need to focus on getting the roads in better shape. Jerry and John agreed that it would be a part time position, 20 hours max per week @ \$12.00 per hour. John made a motion to hire Dave Barna Sr. Jerry seconds the motion. Roll call was yes by all.

CORRESPONDENCE

The twp received a letter from the Fearnots requesting a \$20K disbursement from the fire fund. They had a break down on one of the engines and the money will help cover the costs. Jerry made the motion. John seconds the motion. Roll call was yes by all. The board wants to know if there needs to be an invoice on file at the twp? Brittany stated that in the past, the twp would just ask them for a breakdown of what the money was used for

PUBLIC COMMENT

Rachel Johnson spoke on behalf of the NSUJL project on 940, she would like to know what the status of the building permit she submitted in October. Attny Karpowich explained that their land development application needs to be resubmitted and approved before any permit approvals can be given. Once that is resubmitted it will go to the twp planning commission and Luzerne County for review and then it will move on to the supervisors for review. Rachel asked if the land development needs to be done for just phase 1, of which Keith was going to let them do? Attny Karpowich stated that she needs to forget about what Keith did, because he is not here anymore and she needs to go by what Brian is telling her. No work can be done on the property until all the proper steps are taken. She asked if it has to be submitted in its entirety instead of in phases. Attny Karpowich stated yes, she should do it that way, and now because she has her zoning approval it can go to the land development phase. Rachel stated that when she submitted her building permit, she had zoning approval from Keith. Attny Karpowich stated that if she had zoning approval, she wouldn't have had to go to the ZHB. He stated that she will also need an NPDES permit depending on the amount of earth disturbance. Depending on the amount of land disturbance she may also need to get conditional use approval that will need to go to the supervisors, which runs concurrently with the land development, so she will not lose any time. Once everything is approved then the building permit can be issued. Rachel asked if a job trailer can be moved onto the property, and Attny Karpowich in turn stated that she should wait until approvals are given. He stated that she will need a stormwater plan submitted with her LD also, along with the HOP from PennDOT. Tom Barna stated that he was in touch with a Tim Connelly a few months back regarding the project. Attny Karpowich told Rachel to have her engineer look into the conditional uses. He also stated that they do not need to wait for the HOP to be granted, the plan can be approved with that condition. They can submit for preliminary approval, do all the work and then come in for final approval, and as long as the final matches, then they would be approved and be given an occupancy permit. Or they can submit it all at once and just bond it as the improvements, this is typically what is done. He suggested that she speaks with her engineer to see what they want to do.

ADJOURNMENT

John made the motion to adjourn. Jerry seconds the motion. Roll Call was yes by all.

Respectfully Submitted,

Brittany Majewski

Brittany Majewski
Municipal Secretary