

Foster Township Board of Supervisors

Regular Monthly Meeting

**Minutes**

February 9, 2022

**CALL TO ORDER**

Call To Order The Regular Monthly Meeting, followed by the Pledge of Allegiance to The Flag and a Moment of Silence.

**ROLL CALL**

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

**READING OF MINUTES FROM PRIOR MEETING**

Motion to Dispense with Reading of Minutes due to availability to public  
Motion to read Minutes

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

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

**READING OF TREASURER'S REPORT**

Motion to Dispense with Reading of Treasurer's Report due to availability to public  
Motion to read Treasurer's Report

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

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

**READING OF LIST OF BILLS**

Motion to Dispense with Reading of List of Bills due to availability to public  
Motion to read List of Bills

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

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

## APPROVE FOR PAYMENT

Motion to Approve Bills for Payment with the addition of E.D. Pons for \$747.50 and Eckert Seamans for \$6,583.50

Motion to Disapprove Bills for Payment

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

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

## READING OF ZONING REPORT

Motion to Dispense with Reading of the Zoning Report due to availability to public

Motion to read the Zoning Report

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

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

## BUSINESS

**Greenland Pay Request #4 (Final)** – Mary Peters explained that the final pay request is for \$61,759.99. This is for the final touches and demobilization. John made the motion to approve the final pay request. Wilson seconds the motion. Roll Call was yes by all.

**Repository Sales (2 AgMar)** – Georgiann explained that the county was able to verify the two lots that we believe one of them to be the lake. They are extremely close to it, but they are separate parcels of land. Georgiann made the motion to approve. John seconds the motion. Roll Call was yes by all.

**Repository Sales (2 Hickory Hills)** – This includes 1245 and 1224 Woodhaven Dr. These are empty lots. Georgiann made the motion to approve. Wilson seconds the motion. Roll Call was yes by all.

**Zoning Amendment for Cargo Containers** – Attny Karpowich drafted an ordinance to regulate cargo containers a regular storage container and a storage shed. He stated that if the board gives him a motion to advertise, then this will proceed to the planning commission, both ours and the county. John made the motion to advertise. Wilson seconds the motion. Roll Call was yes by all.

**Tannery Road Rezone** – Attny Karpowich explained that the property that is owned by Mr. & Mrs. Lauer on Tannery Rd is split into two zoning districts. This used to be the Tannery Rod and Gun club, but has been rebranded as a Lavender Farm. They are asking the twp to consider making the entire property A-1 instead of half R-1. They state that they will reimburse the twp for the fees associated with the cost of the change. Once a motion is made to advertise, Attny Karpowich will then send to both planning commissions. John made the motion to advertise. Wilson seconds the motion.

**2022 Police Contract** – Wilson read aloud the addendum to the police contract. This contract will run from January 2022 to December 2023 and it will renew each year automatically unless either party decides to end the agreement. Wilson made the motion to approve. John seconds the motion. Roll Call was yes by all.

**Wildland Conservancy Reverse Subdivision** – Attny Karpowich explained that there is a large portion of land that they would like to convey to DCNR. They would like to combine the lots in each of their respected municipalities. These lots are in the lower portion of Foster and it is approximately 3.3 acres. DCNR plans to use it under the state forestry guidelines. Georgiann made the motion to approve the reverse subdivision. John seconds the motion. Roll Call was yes by all.

**Burning Ordinance** - Wilson explained that he would like to look into updating the current ordinance. Attny Karpowich said that the board can consider setbacks, the fire code, defining recreational fires and camp fires and also pits and containers. He said that it will also allow the police to enforce it. Wilson made the motion for Attny Karpowich to draft an amendment. John seconds the motion. Roll Call was yes by all.

**Street Parking Ordinance** – Wilson stated that he would like to see this ordinance possibly updated, but it needs to be looked into further at this time.

**Stop Sign Eastbound on Carbon @ Fern St.** – Wilson explained that he would like to consider changing this from a 3-way stop to a 4-way. Attny Karpowich stated that he can have that advertised for the next meeting for adoption. John made the motion. Wilson seconds the motion. Roll Call was yes by all.

**Engineers Report** – Tom stated that there is a new LSA grant that opened and he has been working with Wilson to apply for 4 of them. Roadways – n/a, Garage/Municipal Building Repairs - \$100K, New Truck - \$190K and New Salt Shed - \$250K. He explained that he will have the roadway cost estimate before the next meeting therefore the board can finalize and sign a resolution to apply then. Tom also asked if the board was still interested in taking over the Coal Miners Rd, there was some talk about it previously and it is up to liquid fuels standards and it is approx. 1600ft. John stated that he would like to move along with it and see what can be done.

**Police Report** – by Brittany: The twp was covered for a total of 286 hrs in December. Incidents included the following: 3 Domestic, 1 Public Drunkenness, 3 Abandon Vehicle, 3 Civil Issues, 2 Noise Complaint, 1 Disabled Vehicle, 2 Drug Possession, 2 Admin Reports, 3 Burglary, 4 Assist other PD, 19 Traffic Offenses, 5 Fraud, 7 MVA, 1 Theft, 5 Welfare Checks, 5 Harassment, 2 Mental Health, 3 Trespassing, 6 Assist EMS, 3 Suspicious Vehicles, 19 Follow up Investigations, 3 Disorderly, 3 Burglar Alarms, 2 Animal Complaints, 1 Assist Codes, 3 Suspicious Persons, 1 Parking, 2 Assist Other Agency, 3 Trees Down, 1 Game Violation, 1 Weapons, 1 Illegal Dumping, and 1 DUI Arrest. In January the twp was covered for a total of 294 hrs. Incidents including the following: 5 Domestic, 1 Abandon Vehicle, 1 Suspicious Persons, 1 Noise Complaint, 4 Parking, 9 Assist Other PD, 9 Traffic Offense, 2 Disabled Vehicles, 2 Drug Possession, 1 Fraud, 6 MVA, 7 Welfare Checks, 1 Open Burning, 2 Theft, 6 Mental Health, 4 Phone PD, 6 Assist EMS, 1 Suspicious Vehicle, 20 Follow up Investigations, 1 Disorderly, 4 Burglar Alarms, 3 Assist FD, 1 Theft of MV, 2 Missing Persons 5 911 Hang-ups, 1 Repo Advisory, 2 DUI Arrests.

**Fire Report** – Report was given to Wilson for the year 2021. 36 members responded to 232 emergency calls for service 2021. This does not include routine calls or events. Total dollar amount of fire damage in Foster Twp is estimated at \$148K for the year 2021. Members performed over 250 hours of in-house maintenance and repairs to the equipment and facility during the year saving a considerable amount of money. 27 members attended approx. 330 hours of training in 2021. Th apparatus consumed 652.1 gallons of fuel during this period. This is an increase from 503.7 gal used in 2020 due to the call volume. Chief Balliet stated that he can give the board an annual report or a monthly report. Wilson stated that it can be added to the agenda.

**Sewer Report** – Mary Peters stated that she will be working to include the additional grant money, that was given to continue the 940 extension, into the Act 537 plan. She explained that this money can only be used for construction but she doesn't believe the admin and engineering will be much because most of the plan is already laid out. She will prepare a proposal for the next meeting. Attny Karpowich stated that all PUC questions that were submitted to PAWC have been completed and submitted.

**Solicitors Report** – Attny Karpowich explained that the pre treatment ordinance needs to be updated to conform to EPA standards. Wilson made the motion to update the ordinance. Georgiann seconds the motion. Roll Call was yes by all.

### **CORRESPONDENCES**

Letter from Hazlebrook resident – Georgiann explained that she received a letter stating that the residents of Hazlebrook haven't seen the police as much as they would like to see them in their community and they think it is a location issue. It is believed that complaints are not being handled in a timely manner. Chief Szoke explained that there is not a location issue, and they have gotten to every call they were sent there for, he stated that he knows which complaint is being spoken about, and it was handled within a few days. This was after the complainant sent them the wrong information and needed to correct it. Georgiann stated that there was an additional letter from an AgMar resident that would like to thank the very polite officer that came for a smoke alarm. Chief Szoke explained that it was Officer Mathes.

### **PUBLIC COMMENTS**

John Petrick submitted public comment: He would like to see a Roadmaster Report on the monthly agenda. The board agreed that it can be done.

Alice Lachewitz asked the Police Chief if she can get a status on the fraud case? Will charges be filed? Chief Szoke explained that yes shortly there will be, but he needs to be sure that the charges are proper for when it gets to the judge. She stated that she appreciates everything the police department has be doing.

Mark Lachewitz stated that he knows the township has permits for storage containers and sheds and that someone cannot simply place them anywhere they would like on their property. He is referencing 3 Brookside Dr. Chief Szoke explained that this property is the one involved in the police matter and he would recommend not going into details about it, but it is going to be handled and the code officer will be included.

At this time three members of the audience expressed their concerns and support for the lineman memorial that is proposed on Foster Avenue. They stated that the limitations put on them by the Foster Zoning Hearing Board are unreasonable and why are they being treated differently? Attny Karpowich explained that the Board of Supervisors, whom they are in front of right now are not the board members that set the conditions. This board that is presently here already showed their support and approved the land development that was submitted to them. Unfortunately, the Board of Supervisors have no right to overturn conditions imposed by a zoning hearing board. He stated that the Supervisors are in support of any agreement that can be made between the two parties.

### **ADJOURNMENT**

Motion to Adjourn

Motion to Continue

Motion By:  Ms. Eckrote Jones  
 Mr. Malloy  
 Mr. Pavuk

Second By:  Ms. Eckrote Jones  
 Mr. Malloy  
 Mr. Pavuk

Roll Call: Ms. Eckrote Jones  
 Yes  
 No  
 Abstain

Mr. Malloy  
 Yes  
 No  
 Abstain

Mr. Pavuk  
 Yes  
 No  
 Abstain

Respectfully Submitted,

*Brittany Majewski*

Brittany Majewski  
Municipal Secretary