

Foster Township Board of Supervisors
Regular Monthly Meeting
Minutes
March 8, 2023

CALL TO ORDER

Called 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 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 TREASURER'S REPORT

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

BUSINESS

Intermunicipal Liquor License Transfer (Sona Mart) A public hearing took place at approximated 6:05pm and a transcript was taken. Testimony was heard from the owner of Sona Mart and pamphlets were given to the board to explain what the employer plans to do with all current and new employees. There was no public comment. John made the motion to approve as long as all requirements are met with the PLCB. Wilson seconds the motion. Roll Call was yes by all.

Embark Land Development – Mr. Yanuzzi was present on behalf of Embark. Atty Karpowich went over the conditions that the Planning Commission recommended and additional waivers. Conditions are as follows:

1. Applicant shall revise paragraph 8 on page 5 of 9 of the plans to state that Foster Township and/or its assignees have the right of entry to access stormwater management controls on The Change Academy at the Lake of the Ozarks, LLC, and/or its assignees, development as shown on the plan or inspection and/or maintenance if required.
2. Applicant shall provide financial security for the project in the amount of at least \$220,000.00 in a form acceptable to the Supervisors, pursuant to Section 210-341 of the SALDO. This was changed to a bond, credit or cash for the pipe work only in the amount of \$10,000.
3. Applicant shall obtain written certification from the Luzerne County Conservation District approving the Soils Erosion and Sedimentation Control Plan prior to beginning construction.
4. In the event that there are any substantial changes or deviations from the approved plan and the finished construction, then the Applicant will record an as built plan at the office of the county recorder of deeds.
5. Applicant shall reimburse Foster Township for all associated engineering review, solicitor review and inspection fees prior to being issued permits.

Waivers are as follows:

1. Section 210-31.A(1) and Section 210-37.A(1)-Plan Scale allowing plan scale larger than 1' = 50' for the overall plan only.
2. Section 210-33.F -Will-Serve Letters from Utility are not necessary as the site already has all utilities serving the property.
3. Section 210-35.B -Final Plan Submission so that the plan is considered as Preliminary/Final in a single process.
4. Section 210-94.J -Minimum Size Diameter of Drainage Pipe is waived to allow use of 8" and 10" diameter piping on the site.

John made the motion for preliminary/final conditional approval, granting the waiver set forth. Georgiann seconds the motion. Roll Call was yes by all.

Advertise Paving Bid Packets – John made a motion to table. Wilson seconds the motion. Roll Call was yes by all.

HCA Lien Discount – 805 Hazle St – Attny Karpowich explained that Hazleton City Authority has a current lien on the Heller property that was obtained. His office negotiated a discounted price to get the title cleared up. The lien was originally for \$6,423.56 and they are willing to discount it to \$2,052.84. John made the motion to approve for payment. Georgiann seconds the motion. Roll Call was yes by all.

Engineers Report – Mary stated that she is working on the Chapter 94 report that is due to Aqua for them to submit to DEP. She also stated that she will be putting the 940 phase II extension out on PennBid on Monday, March 13th with a end date of April 12th at 3pm. She plans to have the review done for the meeting that evening.

Sewer Report - None

Solicitors Report - None

Open Paver Bids -There was an advertisement in the Standard Speaker on Feb 22nd and 26th looking for bids for a used paver. The twp received one bid from GTE out of Bellefonte Pa for a 2019 Mauldin 1750c Paver in the amount of \$73,000, which includes all repairs that need to be made. John made a motion to approve the bid. Wilson seconds the motion. Roll Call was yes by all.

CORRESPONDENCES

None

PUBLIC COMMENTS

Luke McHugh spoke on behalf of the Hickory Hills board; he would like clarification on the Ordinance for Vacation home rentals and if it is true what was said last meeting that it applies to the entire twp. Attny Karpowich stated that yes it does apply to everyone, after the 2016 adoption date. Anyone that was operating a rental prior to 2016 would be grandfathered in but they should still be registering nonconformity, this way the twp still has them on the books as a rental property. Mr. McHugh asked how they should go about letting the twp know about a rental in the community that started after 2016. Attny Karpowich stated that zoning would like the board to exhaust all options before coming to the twp. He asked if their by-laws cover rentals at all? The answer to this was no. Therefore, Attny Karpowich explained that a complaint would need to be filed, so it is in writing and a NOV can be issued. Once that is issued the person has 30 days to either comply or appeal. If they appeal it will go to the ZHB. If they do not comply or appeal then a civil complaint would be submitted to the magistrate. Mr. McHugh asked if the HOA can be copied on emails pertaining to the rentals within the community.

Mark Lachewitz asked if there is a list available of the rentals inside Hickory Hills? Attny Karpowich explained that he thinks he may be mixing up the vacation rental ordinance and the inspection ordinance. The office will have a spreadsheet of the properties for the inspection ordinance that can be shared with them.

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 Mr. Malloy Mr. Pavuk
Yes Yes Yes

Brittany Majewski