

Foster Township Board of Supervisors  
Regular Monthly Meeting  
**Minutes**  
November 9, 2022

**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 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
- Motion to Disapprove Bills for Payment

Motion By:	<input type="checkbox"/> Ms. Eckrote Jones	Second By:	<input type="checkbox"/> Ms. Eckrote Jones
	<input checked="" 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 ZONING REPORT \* not available for time of meeting\***  
**READING OF POLICE REPORT \* not available for time of meeting\***

**READING OF FIRE REPORT**

- Motion to Dispense with Reading of the Fire Report due to availability to public
- Motion to read the Fire 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 ROADMASTER REPORT**

- Motion to Dispense with Reading of the Roadmaster Report due to availability to public
- Motion to read the Roadmaster 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

**BUSINESS**

**SPCA** – Wilson stated that a proposal was sent for the Luzerne County SPCA to pick up stray animals within the twp. There are two options, one would be per animal and the other would be based on the census numbers at \$.55 per resident. John made the motion to dispense with the contract. Wilson seconds the motion. Roll Call was yes by all.

**Freeland Ambulance** – Wilson stated that he spoke with the current provider and they are okay with the Twp changing and putting them in as secondary. John made the motion to make the Freeland Ambulance the BLs & ALS provider for Foster Twp. Wilson seconds the motion. Roll Call was yes by all.

**Winter Plowing Bids** – Wilson stated that the twp is looking to put out for bid equipment in the event of a major snow storm. He has seen multiple other areas do this and he thinks it would be best for the twp to do it as well. The twp will advertise that it is seeking 2 dump trucks for approx. 100hrs of use and one front end loader for approx. 80 hours of use. These can be bid on together or separate. Wilson made the motion to advertise. John seconds the motion. Roll Call was yes by all.

**Pipe Work Bids** – Wilson stated that he would like to advertise for materials for projects next year. Materials will consist of: (1) Crack & joint sealing materials, as needed. (2) Line Painting per lineal foot (New striping and re-striping) (3) 15-inch ADS double wall solid pipe in 20 ft. sections in quantities as needed (4) 2 ft. x 2 ft. catch basins in quantities as needed (5) 2 ft x 4 ft. catch basins in quantities as needed. John made the motion to advertise. Wilson seconds the motion. Roll Call was yes by all.

**Advertise 2023 Budget and Tax Levy** – Georgiann made the motion to advertise. John seconds the motion. Roll Call was yes by all.

**Weight Limit on Carbon St** – John stated that he would like Attny Karpowich to draw up a weight limit for Carbon St since it is being paved. Attny Favreau stated that he will have it for the boards review next meeting. John made the motion to draft an ordinance. Wilson seconds the motion. Roll Call was yes by all.

**Winter Maintenance Agreement & Resolution** – Wilson explained that this is a winter maintenance contract for Main Street in Upper Lehigh and it will be from the twp line on the Butler Side to the Freeland Line at Birkbeck St. John made the motion to approve the agreement and resolution. Wilson seconds the motion. Roll Call was yes by all.

**Engineers Report** – Mary stated that she has addressed all the issues with the HOP and once the letter of credit is received then the permit should be issued. She is hoping to bid the project early next year with a start date of early spring.

**Sewer Report** – The board announced that the sewer sale is complete.

**Solicitors Report** – Attny Favreau stated that he has a draft resolution for rental fees to go along with the ordinance that was passed last month. Again, this is just a draft for the board to review and he asks that it be on the next agenda for consideration. Attny Favreau also presented the board with a quote from LaBella & Associates for tank removal on the Heller property. They did look into funding for this project but they will not know if it qualifies until the two large tanks are removed and they can see if they are filled with water and plugged properly. This quote is for \$43K. John made the motion to put the tank removal out for bid to see if we can get a better price. Wilson seconds the motion. Roll Call was yes by all. The last item that Attny Favreau presented to the board was a letter from Fidelity Bank. They took ownership of a vacant lot in Hickory Hills and they cannot seem to sell it, therefore they would like to donate it to the twp. The board would like Tom Barna to look at the property before the twp responds.

## **CORRESPONDENCE**

At letter was received from John Petrick and read by Wilson:

I am writing this correspondence in reference to the use of the funds from the sale of the "west end system" sewer facilities. It is my understanding from previous meetings over the years that the sale would gross one million dollars. With that being said, I do believe that there was an amount of \$200,000 that was taken from the general fund to aid both ends of the sewer system. My recommendation is this: 1. Pay back the \$200,000 to the general fund 2. ALL other funds to STAY in the WEST END for road re-paving from the poorly repaired roads after the project was completed. This township should NOT have roads full of potholes and alleys that were affected by the digging for the sewer system. It is an embarrassment to the Taxpayers and the residents that were affected by this project. 3. If there are other funds left, they should remain in an account for future problems such as storm drain problems in the WEST END ONLY. 4. Also, can you please announce the final profit of this sale to the public? 5. With that being said can I get an Elected Official that will make a motion to keep the funds in the WEST END ONLY! I respectfully want to thank the Supervisors for their efforts to make Foster Township a thriving

place for people to reside in and hope that the motion will be made and finalized! This money MUST stay in the WEST END ONLY!

Wilson acknowledged the fact that the general fund was already reimbursed, that was the first thing that was done. He also stated that the roads are starting to get done. The twp has a plan moving forward to get a good portion of paving done. John made the motion to keep the sale money on this end of the twp. Wilson seconds the motion. Roll Call was yes by all.

### **PUBLIC COMMENTS**

Mike Nemchick from Hazlebrook read the board the second class twp code in regards to private and public roads. It states that if the twp has been taking care of it for 21+ years then it is no longer a private road. He stated that the twp paved a section in 1998 or 1999, then 10-15 years later there was damage done by Hazle Twp and under the intermunicipal agreement they came in and fixed it. He reviewed the original map books from the subdivision and there are no signatures, the same as the copies he has. The only people that might have a signed copy is the coal company. Wilson stated that he did not get a report back from Tom and Attny Karpowich yet and he needs to know that the right thing is being done before he moves forward. Mr. Nemchick stated that a decision needs to be made.

Russ Smith from Agmar asked if the missing reports from this month can be included in next months packet. He also brought up that a local propane company has been using North Sheaman Rd in what seems to be a short cut. He knows the twp just had that road paved and he suggested that the board consider weight limits on there as well. Mr. Smith asked about the property with the storage tanks on it, he wants to know if the twp knew about the tanks and if there were environmental studies down why did the twp take ownership of it? Wilson stated that the family turned the property over to the twp and yes, the board was aware of the tanks, but there is funding out there to help with the cost.

Alice Lachewitz wanted to know what is considered a “long term” rental? Can she have a family member stay at her house if she is not there? Attny Favreau clarified that there is not business transaction there, therefore it is not considered a rental at all. The ordinance does not define short term and long term, because the ordinance is for safety so it covers everything as a whole. As long as there is no business purpose to the rental then it is not considered one.

Mark Lachewitz would like to know if anything has been done about 3 Brookside Drive? The board stated that he would have to speak with Brian on that.

Carlene Troell would like to know what the Franzosa bill is on the LOB? Wilson explained that this is for multiple invoices and repairs that were made prior, most of which were last year and they were patiently waiting for payment. She would also like to know if Aqua is looking into possibly purchasing the other end?

### **ADJOURNMENT**

■ Motion to Adjourn was made by John and seconded by Wilson. Yes by all.

□ Motion to Continue

Respectfully Submitted,

*Brittany Majewski*

Brittany Majewski  
Municipal Secretary