

**UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, JANUARY 8, 2018 @ 7:00 P.M.**

1. CALL TO ORDER– Chairman Bermingham called the meeting to order. Present in addition to Chairman Bermingham were Supervisor De Franco, Supervisor Due, Supervisor Teel, Supervisor Pinter, Township Manager Rick Fisher, Solicitor Ron Karasek & Township Engineer Justin Coyle. The Pledge of Allegiance was recited.

2. APPROVE AGENDA – Supervisor Due asked that we add to the agenda Emergency Operations Plan. **MOTION** by Supervisor Teel, seconded by Supervisor Pinter amending and approving the agenda adding Emergency Operations Plan as #5 under old business. Vote: 5-0.

3. Public Comment - Chairman Bermingham asked if anyone has a public comment and if so to please come up to the podium. There was no public comment.

AGENDA – PART II (Public Announcements)

1. Advanced Disposal - Joey Scott, General Manager of Advanced Disposal was present. He apologized for the first day of garbage / recycling service. There was a series of bad decisions made, they stayed on top of things, but it was after the fact. Mr. Scott said this issue will never happen again. Chairman Bermingham thanked Mr. Scott for coming to the meeting and explaining.

AGENDA – PART IV (Subdivision and Land Development Plans/Sewage Planning)

1. Torre – Extension of time submitted until 3/9/18 . Solicitor Karasek asked the extension of time be 3/12/18 and include the subdivision and waivers as requested. **MOTION** by Supervisor Teel, seconded by Supervisor DeFranco accepting the extension of time and table the Torre Subdivision and waivers until 3/12/18 Vote: 5-0.

AGENDA – PART V (Reports) 1. Bill List - Manager Fisher read the bill list. He asked that we hold the payment for one year of \$398.00 to DM2 security because he is currently negotiating security service with Service Electric. Supervisor Pinter said as long as there is no lapse in coverage. Rick asked about payment to PA State Tax Collectors Association. Janet Pearson paid that herself and Tracy asked if the township would pay it. The Board discussed and decided if Janet paid it herself, then Tracy should also. **MOTION** by Supervisor De Franco, second by Supervisor Teel that we pay this bills in the amount of \$65,032.30 except the \$70.00 to PA State Tax Collectors Association and hold the \$398.00 check to DM2 security providing there is no lapse in coverage. Vote: 5-0.

2. Monthly reports attached.

a. Engineer Report(attached) - Township Engineer Justin Coyle reviewed his written report with the Board as follows: Act 537 plan update - we had 23.5 responses from the Water & Sewer questionnaires. They will be moving forward with field verification of questionnaire response forms to begin in March, 2018. DEP has approved the Act 537 Task Activity report submission. They are evaluating soils in the vicinity of the AOC's for suitability to support decentralized waste water treatments systems. DEP waiver on MS4 stormwater Permit was acquired for a 5 year term, River Road structures; preliminary engineering / design is in process, prepared legal descriptions for lot consolidations on former Eastern Industries site and prepared Conservation Easement plan. Justin asked the Board for a policy decision regarding grading plans; specifically one he received on 18 Shepherds Hill Drive. The grading checklist includes the requirement for an alternate site and believes that subdivision and others were approved prior to grading ordinance, however he does not want to set a precedence and would like directions from the Board. Manager Fisher indicated new subdivisions require primary and reserves sites, but some older ones are grandfathered.

Supervisor De Franco said existing lots do not have to show an alternate site. Manager Fisher said the Township should assess each one on a case by case basis. Solicitor Karasek agreed and has no problem with that.

b. Solicitors Report (attached) Solicitor Karasek said his report is attached and is working on the several revisions and drafts of proposed Resolution - Use of Open Space Money to pay off Eastern Industries Loan / Mortgage. Manager Fisher said the Eastern Industries loan was already paid off on 12/28/17 to Merchants Bank in the amount of \$926,103.23.

c. Managers Report (attached) Manager Fisher reviewed his report with the Board as follows: Industries loan was paid to Merchants Bank on 12/28/17 in the amount of \$926,103.23. Rick reviewed the winter storms we have had so far and as of January 3, 2018 we have ordered 1000 tons of salt and received 850 tons = \$55,900.00 in expense, plus two of the storms were on holiday weekends, doubling our labor costs. He has been dealing with complaints re: snow plowing of cul-de-sacs, looking into a better security system and will be starting the interview process for the Road Department position with Supervisor/Road Master DeFranco.

AGENDA – PART VI (Minutes)

1. Regular Monthly Meeting Monday, December 11, 2017. **MOTION** by Supervisor Due, seconded by Supervisor DeFranco to approve the minutes. Vote: 3-0-2, Supervisor Teel and Pinter abstained.

2. Budget Adoption Meeting & End of Year Meeting Wednesday, December 27, 2017 @ 6:00 p.m.

MOTION by Supervisor De Franco seconded by Supervisor Due to approve the minutes. Vote: 3-0-2, Supervisor Teel and Pinter abstained.

AGENDA – PART VII (Action Agenda)

1. Refuse Reductions, Application Refunds & Exonerations - **MOTION** by Supervisor De Franco, seconded by Supervisor Due to grant the Refuse Reductions, Application Refunds & Exonerations as submitted by the Tax Collector. Vote: 5-0.

2. Resolution #2018-03 – Janet Pearson - Chairperson Birmingham read Resolution #2018-03. Acknowledging Janet Pearson for her many years of service. **MOTION** by Supervisor Due, seconded by Supervisor Pinter approving Resolution #2018-03. Vote: 5-0.

TABLED FROM 1/2/18 Re-organization meeting

1. Appoint Sewage Enforcement Officer - Scott Policelli was present. Supervisor Teel said the reason it was tabled and Scott was asked to be here is to make sure there is no conflict and that maybe he would rather be the alternate to allow him to do more business in the Township. Mr. Policelli said he appreciates that, but would rather be appointed as primary. **MOTION** by Supervisor Due, seconded by Supervisor De Franco appointing Scott Policelli as Sewage Enforcement Officer and set pay at \$70.00 per hour. Mr. Angle asked if his hourly rate covers the permit fees? Mr. Policelli said “yes”. Vote: 5-0.

2. Appoint Alternate Sewage Enforcement Officer - **MOTION** by Supervisor De Franco, seconded by Supervisor Due appointing Robert Collura & Ryan Engler as the Alternate Sewage Enforcement Officer at the rate of \$70.00 per hour. Vote: 5-0.

3. Approve Attendance at PSATS Convention - **MOTION** by Supervisor Teel, seconded by Supervisor Due approving the Board of Supervisors (MP, AD, & JB - depending on schedule, would like to attend), Twp. Manager - Rick Fisher, Full-time office staff (MM, Diann doesn't want to go) RD Dept. Heads (LM & DC). Public Comment by Ron Angle - it's a great convention, very beneficial and it's nice to see participation by the Supervisors. Vote: 5-0.

4. Approve Voting Delegate/ Alternate for PSATS Convention - **MOTION** by Supervisor De Franco, seconded by Supervisor Due appointing two Board of Supervisors as voting delegates - primary & alternate with Rick Fisher as a 3rd alternate. Vote: 5-0.

5. Alternate Building Code Officer – D. Due - Supervisor Due asked that we reconsider the original appointment the Board made at the Re-organization. The Township received another submittal from Barry Issett & Assoc. the Board didn't know about. **MOTION** by Supervisor De Franco, seconded by Supervisor Teel to appoint Barry Issett & Assoc. as Alternate BCO. Vote: 5-0.

6. Appoint Liberty Water Gap Representatives – currently Rick Fisher 2). Alternate (Judy Henckel) 3. Alternate (vacant). Public Comment by Ron Angle - has always been concerned with being part of this at all. Public Comment by Judy Henckel - she has been the alternate representative for UMBT since 2016 and attends all the meetings. Supervisor Due said he would like to be a representative. Supervisor Teel talked about the newspaper article in the Express Times about Judy Henckel and would like to make a motion that Judy Henckel be stricken from ever representing this Township, she has misguided this Township and the State Board of Ethics found her guilty of violating the Sunshine Law. **MOTION** by Supervisor De Franco seconded by Supervisor Pinter to approve David Due as primary LWG representative and Rick Fisher and Robert Teel as Alternates. Vote: 5-0.

7. Road Foreman position – Two letters submitted. Table to Executive Session.

8. Advertise Ordinance – Tax Collector Increase Tax Cert. fees / Dup. Bills. Solicitor Karasek indicated the fees were established by Ordinance, therefore they can only be changed by Ordinance, but in the Ordinance he can put language that says any future increase can be changed by Resolution. **MOTION** by Supervisor Teel, seconded by Supervisor Pinter that an Ordinance be advertised for adoption of the Tax Collector Increase of Tax Certification Fees / Duplicate Bills for the 2/12/18 BOS meeting. Vote 4-0-1, Supervisor De Franco abstained.

AGENDA – PART IX (Old Business)

1. Cable Franchise status - Manager Fisher said they are trying to run 1900 feet of cable at the park.

2. Grader - Manager Fisher asked the Board to award the bid to Dominic Lovich in the amount of \$7,400.00 Muncibid ended on December 12, 2017. **MOTION** by Supervisor De Franco, seconded by Supervisor Pinter to award the bid. Vote: 5-0.

3. Demolition estimates – Silo. Manager Fisher indicated we received (4) estimates to take the Silo down at the Park and the lowest estimate is \$8,500.00 from Paul Giroux Inc. **MOTION** by Supervisor De Franco, seconded by Supervisor Teel to award the job to the lowest estimate Paul Giroux Inc. in the amount of \$8,500.00. Supervisor Pinter asked we have UMBT named as additional insured. Public Comment by Ron Angle - past Boards did anything the Park Board wanted to do, put new roof on this Silo and new the Silo eventually caved in and after all that money wasted, you're tearing it down. That park was designed wrong from the start. Mr. Angle said he is impressed with this new Board, the previous boards have squandered money away and would like to see the Park Board with people that know what they're doing.

4. Ambulance Service- Chairman Bermingham said he has been talking to various ambulances for the past 8 months. The goal is to try and get 24/7 coverage and gave some history of what has developed. Chairman Bermingham said he went to Portland to see their interest in coming on board; however they were not interested in doing this with UMBT. The Township has \$158,000.00 in the budget for ambulance services plus \$4,000.00 for diesel fuel. Chairman Bermingham said he reached out to Brian Cole, Director of Operations at Wind Gap and Supervisor Pinter reached out to St. Lukes. Chairman Bermingham said if we go with Wind Gap for BLS, we can keep Suburban for ALS. Supervisor De Franco said he spoke to Suburban and they could put an extra truck in UMBT. Chairman Bermingham stated this would cost too much for the Township. Public Comment by Chris Finan – said Wind Gaps main contract is with Nazareth.

Supervisor De Franco said we have had Suburban forever, we should just get the extra truck. Supervisor Teel talked about the Road Department moving down to Eastern, then we can even have an ambulance right here at the Township building. There was further discussion about ALS / BLS. Supervisor Due noted his concern with the well-being of the citizens, this is a big Township. Chairman Bermingham said he will try and work with Suburban and would like to get this ambulance service right away, it's the right thing to do. Public Comment by Ron Angle - having a closer ambulance doesn't guarantee lives, you should keep emotions out of the decision. Supervisor Due would like someone right at the Mt. Bethel FD. Supervisor Pinter asked to see data and reach out to Suburban again. Public Comment by Chris Finan - he will reach out to Jeff at Suburban and see if he would like to have a meeting. Chris spoke about the past when UMBT had Suburban for 24/7 coverage, there was no contract and no control to enforce. Table to the 1/22/18 meeting for a status on the data, if we have no data then it will be on the 2/12/18 meeting.

5. Emergency Operation Plan - Supervisor Due reviewed our Emergency Operations Plan, it does not address when there is a catastrophic emergency and 100,000 people want to come into this township trying to get over the Portland or Belvidere Bridge. We are the crossover area and have two power plants. Chairman Bermingham asked we put this on our February 26th Workshop meeting.

AGENDA – PART X (New Business)

1. Neighborhood Watch - Chairman Bermingham explained the Neighborhood Watch that is being explored. They have about 100 people interested and they would meet here at the Township building. The State Police would come and recognize us federally as a community wide effort. **MOTION** by Supervisor Due, seconded by Supervisor Teel that we move forward and explore the Neighborhood Watch program. Public Comment by Chris Finan - they should be educated on what they can and cannot do and would be willing to do that so nobody gets themselves hurt. Vote: 5-0.

2. Committee Meetings - Supervisor Due suggested committee heads appear at the Board of Supervisor Workshop meeting every month so they can update the Board. Manager Fisher said they are volunteers and may not want to come, maybe the Board can ask as needed. Manager Fisher said the Board might want to consider merging committees together, like Recreation and Park committees. Public Comment by Judy Henckel - the committees do submit monthly reports to the Board. Public Comment by Ron Angle - on the restriction of bio-solids on the Eastern Industries property, you can't override PA state law. Solicitor Karasek said you can have that restriction on your own land. Public Comment by Chris Finan - update on Fire Departments is that North Bangor FD and Upper Mt. Bethel FD have joined forces, the fire departments have merged unofficially without lawyers and are covered under the same Workers Compensation insurance. Supervisor Teel stated that's new cooperation. Public Comment by Ron Angle - commented UMBT bought a fire truck for a lot of money and implemented a fire tax, Portland didn't have to do that and they have a new fire truck.

AGENDA – PART XI (Executive Session) a. Personnel - **MOTION** by Supervisor Teel, seconded by Supervisor Due to adjourn for Executive Session at 9:05 p.m. - 9:25 p.m. Vote: 5-0. **MOTION** by Supervisor De Franco, seconded by Supervisor Teel that Rick Fisher, Township Managers salary be set at \$72,000 plus a bonus program to be discussed at a later date with the following benefits: Anniversary date effective- January 1st, all sick, personal and vacation time from 2017 be carried over to 2018 plus the following time for 2018 Vacation time – 2 weeks, sick time – 11 days, personal time – 7 days sick time shall not be accumulated no more than 2 years - 22 days = 176 hours plus continued current medical insurance. Pension and holidays the same as the Full-time union office staff. Vote: 5-0. **MOTION** by Supervisor De Franco, seconded by Supervisor Pinter to approve Lindsey Manzi as Road Crew Chief with salary set in the union contract.

AGENDA – PART XII (Adjournment) - **MOTION** by Supervisor Teel, second by Supervisor Pinter to adjourn the Regular Public Meeting at 9:30 p.m. Vote: 5-0.

Respectfully submitted, Melissa Mastrogiovanni, Recording Secretary