

UPPER MT. BETHEL TOWNSHIP BOARD OF SUPERVISORS
 WORK SESSION MEETING MINUTES
 MONDAY, FEBRUARY 27, 2017 @ 7:00 p.m.

110208

1. CALL TO ORDER- Chairman Bermingham called the meeting to order at 7:25 p.m. Present in addition to Chairman Bermingham were Supervisor De Franco, Supervisor Geake, Supervisor Due, Supervisor Hallett, Township Manager Fisher and Solicitor Ronold Karasek. The Pledge of Allegiance was recited.
2. APPROVE AGENDA – Supervisor De Franco asked to amend the agenda adding #9 – Community Park Pavilion. **MOTION** by Supervisor Due, seconded by Supervisor Hallett to approve the amended agenda. Vote: 5-0.
3. PUBLIC COMMENT– None
4. Appalachian Trail Presentation - Tabled to 3/27/17 at the request of Brooks Mountcastle.
5. Road Turn back – SR 1039 River Road (1.33 Miles) – Manager Fisher said he met with Penn DOT who submitted this proposal of \$861,935.00 to take back the road, this includes 1). Paving - \$179,095.00, 4” Double Yellow Center Line - \$1,420.00, 4” Single White Edge Line - \$1,420.00, Full Replacement Bridge Culvert #1 - \$245,000, Full Replacement Bridge Culvert #2 - \$373,000, Engineering Fees - \$62,000. Manager Fisher said if we are under budget then we keep the money in our account, if we are over budget, we have to pay the difference for the work to be done on the road. There was discussion about the Marshfield bridge design. Supervisor De Franco asked if there are any administrative fees. Manager Fisher said not that he is aware of. Supervisor Geake asked about the pipe and guide rails not included in the proposal. Supervisor Geake said he would not recommend taking this road back without a 100 year flood on the Marshfield bridge, there is no drainage. Manager Fisher said he wouldn't recommend taking back the road with bridges on them and would ask Penn DOT to keep the bridges. Supervisor Geake noted we don't have enough money now to repair the bridges we have. Manager Fisher suggested going back to Penn DOT and put all costs that were taken out pipes, guide rails, signage, bridge weight limits, crossover over pipes, inlets, outlets etc. and costs to replace everything there to meet Penn DOT standards. Public Comment by Ron Angle - asked what the benefit would be by taking back the road. Chairman Bermingham explained we would have more control of the road and any businesses coming into the Industrial Park. There was discussion regarding maintenance of the bridges. The Board asked Manager Fisher to go back to Penn DOT to get the costs to add those additional items and talk to our Engineer and Road Department regarding weigh limits and 100 year flood of the bridges. This will be put on the BOS April 24th WS meeting agenda.
6. Land Development Escrow Accounts – Solicitor Karasek talked about our fee schedule not being enough even after we increase our fees in June. The Board discussed escrow accounts and reviewed the surrounding town's fee schedules for Subdivisions and escrow accounts. Supervisor De Franco said every municipality has escrow accounts, we shouldn't be chasing the money. Supervisor Geake would like us to use the higher number for fees, we have a new Engineer and suggested we do that for the first year, then we can revisit after we see what kind of bills we get from our current Engineer. Solicitor Karasek mentioned if the township is owed money, then the plan should not be recorded, but right now we don't have that language in place.

Supervisor Geake said any money not used can be returned to the applicant and also suggested a bill be sent to the applicant every time escrow is used, that way they know what their balance is and once their escrow gets too low, they must replenish it. Manager Fisher will get the number together for the BOS March 27th WS meeting.

7.Park & Recreation Fees for new EDU (50% at time of approval, 50% at time of building) – Manager Fisher said originally set up that way and then was changed by ordinance #2007-03 changing it to be paid in full at time of approval. Manager Fisher Supervisor Geake noted it was changed because it was easier to track and we didn't need to chase our money. Supervisor De Franco said this makes it harder for the developers. All other township it is 50% at time of approval, 50% at time of building. Supervisor De Franco said the reason the fees are paid is for children using the Parks and gave an example if 3 lots are sold and one house is put up, then one fee should be paid. There was discussion between Supervisor De Franco and Supervisor Geake discussed the matter. Supervisor De Franco said it's not fair to make the fees be paid upfront. Supervisor Geake disagreed. This will be put on the BOS March 13th meeting agenda.

8.LWGT – Agreement establishing PA extension Alliance – Present was Mayor Lance Prator. Solicitor Karasek said he had sent his comments to Ms. Horan on February 8th and haven't heard back from her yet. There was discussion Solicitor Karasek should make the changes and give the Board a clean copy. Solicitor Karasek suggested the Board first decided if they want to be a part of the Alliance first and asked the Board to look over the changes and put on the next meeting to vote. Solicitor Karasek mentioned an ordinance would need to be adopted. Supervisor De Franco mentioned the feasibility study from 2012 says the township would be responsible for maintenance of the trails and concerned with the costs to the township. Public Comment by Bob Schneider – The Board should support them. Supervisor Due presented a map of the 911 National Memorial Trail and mentioned the main roads of that rail run parallel to this trail. Supervisor De Franco referred to the 2013 feasibility study and mentioned the work that they think Penn DOT is going to do is about 35 million dollars and doesn't think Penn DOT will go for that. Supervisor Hallett said he would love to see this done, but there are bridges falling apart all over the place. Public Comment by Ron Angle – the Board should put in the agreement that at no time would Upper Mount Bethel Township be asked to provide any manpower or pay any money towards maintenance of these trails. Public Comment by Judy Henckel – said there would be 7 voting members, a board member from the different municipalities/boroughs. Chairman Bermingham asked the Supervisors to look at Solicitor Karasek comments for the next meeting. This will be put on the BOS March 13th meeting agenda.

9.Community Park Pavilion – Supervisor De Franco indicated the Community Park Committee met on Saturday to look at Park Pavilions. Everyone was present with the exception of Toni Lynch and Denny Jones. They looked at the pavilion at the park which is 30'x50', but are looking to acquire a 30x70 pavilion instead. Supervisor De Franco said the same designer will draw up the plans for free. There was discussion about where the pavilion will go. Superior Geake would like to see them include the electric in the plans including from the pole. Manager Fisher said they are possibly moving towards a community project, they have a lot of volunteers that would like to help. Supervisor De Franco said they are also looking into La trains, they are DEP approved. Public Comment by Bob Schneider – the Board should be thankful they have Supervisor De Franco.

10.Eastern Industries and Lake Minsi – Supervisor Due spoke about Lake Minsi getting drained in the spring and is looking into moving the fish from Lake Minsi to a lake at our Eastern Industries property.

Manager Fisher said he has been in contact with the man in charge at Fish & Boat Commission, they can't promise survival, and they are two different types of water. Supervisor Geake said it's a good idea if we can get some fish in there. Supervisor Due mentioned turtle also being brought to Lake Minsi. Supervisor Due and Manager Fisher said they are waiting for the Fish & Boat Commission to let us know when the dredging is going to start. Public Comment by Ron Angle – This is a once in a lifetime chance, you won't see that dredged again for 40-50 years. Solicitor Karasek said he has reviewed the Ordinances and Resolutions, we might need a 3rd party to use funds and will research if the Township can set up their own Lands trust.

Solicitor Karasek said he needs to do his due diligence and needs to review the dedicated / donated property act. Public Comment by Ron Angle – you should get it out of the townships hands temporarily, then get it back. Public Comment by Judy Henckel – at the County Workshop, she talked to people from

DCED and they said they don't think the township can do this and concerned with this being legal. Supervisor Hallett asked Judy Henckel why is she so offensive, we are doing this for ourselves. The Open Space Advisory Board should get involved and look at good side of this, instead of so negatively.

11. Municipal Assistance Program (SBCOG) – Multi-Municipal Comp. Plan – Manager Fisher discussed our inclusion in the multi-municipal comprehensive plan with the Slate belt COG. A resolution needs to be adopted by each Municipality and jointly shared costs would be \$62,500.00 match requirements. Supervisor Geake commented this might be good and bad, but we might not agree with other townships. Solicitor Karasek asked who would determine the regular comprehensive plan. Manager Fisher said final recommendations come from the County Planning Commission. Solicitor Karasek will look at the model Resolution submitted by the Slate belt COG and review and revise as needed. This will be put on the BOS March 13th meeting agenda.

12. Adjourn – **MOTION** by Supervisor Geake, seconded by Supervisor De Franco to adjourn the Work Session Meeting at 9:08 p.m. No comments. Vote: 5-0.

Respectfully Submitted, Melissa Mastrogiovanni, Recording Secretary
Upper Mount Bethel Township

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