

UPPER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES MONDAY, MARCH 13, 2017 @ 7:00 P.M.

AGENDA – PART I

1. **CALL TO ORDER**– Chairman Bermingham was absent. Vice Chairman Anthony De Franco called the meeting to order at 7:00 p.m. Present, in addition to Vice Chairman De Franco were, Supervisor Geake, Supervisor Due, Supervisor Hallett, Township Engineer Justin Coyle and Township Manager Rick Fisher. Solicitor Ronold Karasek arrived at 7:30 p.m. The Pledge of Allegiance was recited.

2. **APPROVE AGENDA – MOTION** by Supervisor Geake, second by Supervisor Due to approve the agenda. Vote: 4-0.

3. **PUBLIC COMMENT** – None.

AGENDA – PART II (Public Announcements) – None

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

1. Applegate 2958 North Delaware Drive. – Request for well isolation distance waiver. Scott Policelli denied the applicants request for an on-lot sewage disposal system according to PA Code Title 25, Environmental Protection, Chapter 73, Section 73.3 (b) states the minimum horizontal isolation distance of 100 feet shall be maintained between an individual water supply (well) and the perimeter of the aggregate in the absorption area. The applicant is requesting a waiver of such requirement and Mr. Policelli has submitted a letter dated February 27, 2017 that he recommends the waiver be granted. **MOTION** by Supervisor Hallett, seconded by Supervisor Due to grant the applicant request for a well isolation distance waiver. Vote: 4-0.

2. Joinder of Deeds / Lot Consolidation – Roome **Resolution #2017-08**. The applicants are requesting a Joinder of Deeds combining (2) tracts B11-16-2A – 0131 1045 Turkey Ridge Rd, Upper Mount Bethel Township with B11-16-2E-0131. Supervisor De Franco read Resolution #2017-08. **MOTION** by Supervisor Hallett, seconded by Supervisor Geake to approve Resolution #2017-08 Joinder of Deeds/Lot Consolidation. Vote: 4-0. The applicant asked what the next step is. Supervisor De Franco directed the Roomes contact the Township Manager the following business day to finalize the paperwork.

AGENDA – PART IV

1. Financial Reports – Bill List - Manager Fisher read the bill list. **MOTION** by Supervisor Due, seconded by Supervisor Hallett to approve the bill list in the amount of \$194,837.28. Vote: 4-0.

2. Monthly reports attached

a. Engineer Report (attached) Justin indicated he met with the Township Manager regarding the Eastern Industries Site / Proposed Lot Line Adjustment Plan. Justin submitted his bridge evaluation and repair recommendations report with construction cost estimates for the 2 township bridges on Shady Lane and supplemental pictures. Justin submitted an aerial map of the Community Park for review by the Park Committee and been reviewing the Community park existing permits and future projects

b. Solicitors Report (attached)

c. Managers Report (attached)

AGENDA – PART V (Minutes)

1. Regular Monthly Meeting Monday, February 13, 2017 @ 7:00 p.m. – **MOTION** by Supervisor Geake, seconded by Supervisor Due to approve the minutes. Vote: 4-0.

2. Work Session Meeting –Monday, February 27, 2017 @ 7:00 p.m. - **MOTION** by Supervisor Geake, seconded by Supervisor Due to approve the Minutes. Vote: 4-0.

AGENDA – PART VI (Action Agenda) 1. Refuse Reductions, Application Refunds, and Exonerations. **MOTION** by Supervisor Due, seconded by Supervisor Hallett to approve the Refuse

30 Reductions, Application Refunds & Exonerations as submitted by the Tax Collector. Vote: 4-0.
Manager Fisher said he has a resident that has a life lease on her property, he will be asking for a reduction in her garbage bill and he bring that forward at next month's meeting.

2. Resolution #2017-07 - Designating a Township Official Responsible for Applying, Monitoring and Enforcement of #2012- 01 Stand Alone Well Drilling Ordinance – Supervisor De Franco read portions of Resolution and it was noted that this resolution amends Resolution #2017-06 that was adopted last month adding the last paragraph “wherein the Township Official appointed to apply, monitor or enforce Well Ordinance #2012-01 has been changed from J. Robert Cartwright to Ryan Engler”. **MOTION** by Supervisor Geake, seconded by Supervisor Due to adopt Resolution #2017-07. Public Comment by Ron Angle – asked if Ryan will be enforcing and inspecting and would be impossible to enforce this, that the tree huggers pushed this through. Mr. Angle commented the well drilling fees only being \$100.00 and not covering the cost of Ryan's inspections and monitoring. The Board asked this be put on the April 24th BOS Work Session meeting for discussion. Vote: 4-0.

3. Advertise Shady Lane Bridge Improvements/River Road Guiderail Replacement - Township Engineer Justin Coyle submitted to the Board his Bridge Evaluation and Recommendation for Repairs dated 3/8/17 for Bridge #5 and #6 - Shady Lane over Allegheny Creek. The Township has budgeted \$150,000.00 for the engineering and construction repairs/rehabilitation of the bridges. **Bridge #5** repairs/upgrades are: Remove and replace the existing downstream spandrel wall, curbing and 2 foot section barrel, Install Penn DOT Penn DOT approved approach guiderail and end treatment at all four corners ,Install Penn DOT approved structure-mounted railing on both sides of the bridge and Install “Narrow Bridge” signs at both approaches. Estimated construction costs is \$120,000.00. **Bridge #6:** Install Penn DOT approved approach guiderail and end treatments at all four corners and Monitor the condition of the steel superstructure and expansion bearings and program the bridge to be painted and the bearings repaired under a future project when funds are available. The estimated construction cost is \$20,000.00. Justin indicated they can design and the permitting phase be bid out. Justin suggested bridge #5 just be repaired not replaced. Manager Fisher noted Slateford Bridge can be done next year and noted all bridges are inspected by Penn DOT every 2 years. **MOTION** by Supervisor Due, seconded by Supervisor Hallett to have our Township Engineer Justin Coyle move forward with the advertisement and bid process for repair/upgrades of the Shady Lane Bridge Improvements/River Road Guiderail Replacement. Vote: 4-0. **MOTION** by Supervisor Geake, seconded by Supervisor Due that the advertisement for the 2 bridges be done separately in case the Board doesn't want to move forward with both bridges. Public Comment by Ron Angle - asked how many bridges are there total in the township. Manager Fisher said “7”.Vote: 4-0.

4. Resolution #2017-09 – Municipal Assistance Program (SBCOG) – Multi-Municipal Comp. Plan. Supervisor De Franco read portions of Resolution #2017-09 Authorizing an application to the PA Municipal Assistance Program (SBCOG) for creation of a Multi-Municipal Comp. Plan. The joint match requirement of \$62,500.00 to be shared by Upper Mount Bethel Township, Plainfield Township, Washington Township, Lower Mount Bethel Township, Bangor Borough, East Bangor Borough, Pen Argyl Borough, Roseto Borough, Portland Borough and Wind Gap Borough. **MOTION** by Supervisor Geake, seconded by Supervisor Hallett to adopt Resolution #2017-09. Vote: 4-0.

5. Request by Blue Mountain Steam Engine to erect signs and waive fees at Jacktown. We received a request for permission to erect two signs for the annual shows at Jacktown (3rd weekend of May, July & October), they are non-profit and requesting the \$25.00 fee be waived. Signs would be at 512 Five Five Points Richmond Road & Route 611 and 512. This annual request has been granted in past years. **MOTION** by Supervisor Geake, seconded by Supervisor Hallett to approve the request. Vote: 4-0.

6. Approve Summer Recreation Director. The Recreation Board made their recommendation for Lisa Pfeifer, Summer Recreation Director be approved at the pay of \$3,500.00 salary as budgeted. **MOTION** by Supervisor Geake, seconded by Supervisor Due to grant the request. Vote: 4-0. (Pg.2)

7. Advertise/Hire Office Assistant 20-24 hours per week. Manager Fisher indicated this has been approved and budgeted, he will write up a job description and advertise. **MOTION** by Supervisor Geake, seconded by Supervisor Hallett to grant the request. Vote: 4-0.

8. Alternate Building Codes Official. Manager Fisher said we received one submittal from Paul Jarrett LV Inspection Service at the rate of \$45.00 per hour. **MOTION** by Supervisor Geake, seconded by Supervisor Due to approve Paul Jarrett as Alternate Building Codes Official at the rate of \$45.00 per hour. Vote: 4-0.

9. Appoint (2) BOS for Union Contract Negotiations (tabled from 2/13/17). **MOTION** by Supervisor Due, seconded by Supervisor Hallett to appoint Supervisor Hallett and Chairman Birmingham to negotiate the Union contracts for the Road crew and the office staff. Supervisor Geake asked the Solicitor if he researched the question that previously came up whether or not a Supervisor can be appointed if they have a pending lawsuit against the Township. Solicitor Karasek indicated he did not and apologized. Vote: 3-1 with Supervisor Geake voting "no".

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10. Inter-municipal Agreements – Softball – Bangor, East Bangor, Washington Township, Roseto, Portland, and Lower Mount Bethel Township. Solicitor Karasek indicated these are approved every year, but an ordinance needs to be adopted. **MOTION** by Supervisor Geake, seconded by Supervisor Hallett that the Inter-municipal Agreements for Softball be approved and authorize Solicitor Karasek to move forward with the adoption of an ordinance. Vote: 4-0.

AGENDA – PART IX (Old Business)

1. Eastern Industries –status from Solicitor Karasek - Solicitor Karasek has been and is still researching, but it looks like the Township does need a 3rd party to act as the conservatory. Public Comment by Ron Angle - you can do what you want as long as it's not challenged, it's the right thing to do. Solicitor Karasek said he will finalize his opinion and present at the next meeting.

2. State Police – status of agreement - No update. **MOTION** by Supervisor Geake, seconded by Supervisor Hallett to Table to the 4/10/17 BOS meeting. Vote: 4-0.

3. LWGT Agreement Establishing PA Extension Alliance - Status of Agreement. **MOTION** by Supervisor Geake, seconded by Supervisor Hallett to Table to the 4/10/17 BOS meeting. Vote: 4-0.

AGENDA – PART X (New Business) - None

Solicitor Karasek noted he will prepare the Roome Joinder of Deeds release, hold harmless & indemnification agreement Joinder of Deeds / Lot Consolidation.

AGENDA – PART XI (Executive Session) - MOTION by Supervisor Geake, seconded by Supervisor De Franco to recess for Executive Session from 8:08 p.m. to discuss 1). Dispute of municipality professional consultant fees, 2). Niemoczynski Lawsuit, 3). Personnel. Reconvened at 8:22 p.m. No action on the dispute of municipality professional consultant fees or the Niemoczynski Lawsuit. Personnel: **MOTION** by Supervisor Geake, seconded by Supervisor Due that Melissa Mastrogiovanni, Office Secretary/Recording Secretary be approved to work from home 8 hours per month to prepare the regular and work session monthly meeting minutes of the Board of Supervisors, no overtime with hours and times to be arranged with the Township Manager. Vote: 4-0.

AGENDA – PART XII (Adjournment) MOTION by Supervisor Geake, seconded by Supervisor Hallett to adjourn the Public Meeting at 8:22p.m. Vote: 4-0.

Respectfully submitted, Melissa Mastrogiovanni
Recording Secretary Upper Mount Bethel Township

