

# UPPER MOUNT BETHEL TOWNSHIP

## ANNUAL REORGANIZATION MEETING MINUTES

### UPPER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS

TUESDAY, JANUARY 2, 2018 @ 7:00 p.m.

#### AGENDA – PART I

**1. CALL TO ORDER** – Chairman Bermingham called the meeting to order at 7:00 p.m. Present in addition to Chairman Bermingham were Vice-Chairman Anthony DeFranco, Supervisor David Due, Supervisor Martin Pinter and Supervisor Robert Teel. The Pledge of Allegiance was recited. Chairman Bermingham welcomed and congratulated Supervisor Pinter and Supervisor Teel.

**2. RECORDING SECRETARY - MOTION** by Supervisor Teel, second by Supervisor Pinter appointing Melissa Mastrogiovanni as BOS Recording Secretary for 2018. Vote: 5-0.

**3. PUBLIC COMMENT**– Ron Angle congratulated Supervisor Pinter and Supervisor Teel.

#### AGENDA – PART II - Appointments:

**a. TEMPORARY CHAIRMAN – MOTION** by Supervisor Teel, second by Supervisor De Franco to appoint John Bermingham Jr. as temporary Chairman. Vote : 4-0-1, Supervisor Bermingham abstained.

**b. CHAIRMAN - MOTION** by Supervisor Due, second by Supervisor Teel appointing John Bermingham Jr. as Chairman. Vote : 4-0-1, Supervisor Bermingham abstained and thanked the Board for appointing him and will do the best job he can as Chairman.

**c. VICE-CHAIRMAN - MOTION** by Supervisor Due, second by Supervisor Teel appointing Anthony DeFranco as Vice Chairman to the Board. Vote : 4-0-1, Supervisor DeFranco abstained.

**d. SECRETARY- MOTION** by Supervisor Teel, second by Supervisor Pinter appointing David Due as Secretary to the Board. Vote : 4-0-1, Supervisor Due abstained.

**e. TREASURER: MOTION** by Supervisor De Franco, second by Supervisor Teel appointing Martin Pinter as Township Treasurer and set bond at \$2,000,000.00 (same as last year). Vote : 4-0-1, Supervisor Pinter abstained.

#### AGENDA – PART III - Appointments

**a. TOWNSHIP MANAGER/ASST. TREASURER - MOTION** by Supervisor Due, second by Supervisor Teel appointing Rick Fisher as Township Manager and Assistant Treasurer. Vote: 5-0. **MOTION** by Supervisor De Franco, second by Supervisor Pinter to discuss salary & benefits in Executive Session. No vote. Chairman Bermingham asked it be tabled to 1/8/18. **MOTION** by Supervisor De Franco, second by Supervisor Pinter to table the Manager's salary & benefits to Executive Session on 1/8/18. Vote: 5-0.

**b. SET BOND FOR TOWNSHIP MANAGER/ASST. TREASURER - MOTION** by Supervisor De Franco, second by Supervisor Pinter to set bond at \$250,000.00 (same as last year). Manager Fisher said the bond is already in place. Vote: 5-0.

**c. ADMINISTRATION/OFFICE LIAISON: MOTION** by Supervisor DeFranco, second by Supervisor Teel appointing Martin Pinter as the Administration/Office Liaison. Vote: 4-0-1. Supervisor Pinter abstained.

**d. ROADMASTER/ROAD DEPT. LIAISON - MOTION** by Supervisor Teel, second by Supervisor Due appointing Anthony DeFranco as Road master/Road Dept. Liaison. Vote: 4-0-1. Supervisor De Franco abstained.

**e. TOWNSHIP SOLICITOR (SET PAY) - MOTION** by Supervisor Due, seconded by Supervisor Teel appointing Ronold Karasek, Esq. as Township Solicitor. Motion and second amended to include the rate of pay at \$125.00 per hour for office time and \$275.00 per meeting. Vote: 5-0. Public Comment by Ron Angle – Ron Karasek is the best Solicitor around.

**f. PLANNING COMMISSION SOLICITOR (SET PAY) - MOTION** by Supervisor Due, second by Supervisor Pinter appointing Ronold Karasek, Esq. as Township Planning Commission Solicitor. Motion and second amended to include the rate of pay at \$125.00 per hour for office and court time and \$275.00 per meeting. Vote: 5-0.

**g. APPOINT PLANNING COMMISSION MEMBER - MOTION** by Supervisor Due, second by Supervisor Pinter appointing David Friedman as a member of the Planning Commission for a (5) five year term. Public Comment by Ron Angle – A supervisor can be appointed to the Planning Commission and actually would be beneficial. Motion and second Withdrawn. Supervisor Teel indicated he would serve. **MOTION** by Supervisor De Franco, seconded by supervisor Due appointing Robert Teel to the Planning Commission for a (5) five year term. Vote: 4-0-1. Supervisor Teel abstained.

**h. APPOINT TOWNSHIP ENGINEER (SET PAY) - MOTION** by Supervisor De Franco, seconded by Supervisor Due appointing Justin Coyle of Carroll Engineering as the Township Engineer at the current rates (no change). Vote: 5-0. (2 letters of interest submitted: Carroll Engineering and Bogia Engineering)

**i. Appoint Flood Plain Administrator - MOTION** by Supervisor De Franco, second by Supervisor Pinter appointing Justin Coyle of Carroll Engineering as Flood Plain Administrator. Vote: 5-0.

**j. APPOINT TOWNSHIP ALTERNATE ENGINEER (SET PAY) – MOTION** by Supervisor Due, seconded by Supervisor De Franco appointing Robert Collura as the Township Alternate Engineer. Vote: 5-0. **MOTION** amended by Supervisor Due, second amended by Supervisor Pinter setting the pay at \$90.00 per hour (no change). Vote: 5-0.

**k. APPOINT ZONING, BUILDING CODES AND SEO LIAISON - MOTION** by Supervisor Teel, second by Supervisor DeFranco appointing David Due as the Zoning and SEO Liaison. Vote: 4-0-1. Supervisor Due abstained.

**l. APPOINT ZONING OFFICIAL/CODE OFFICER - MOTION** by Supervisor Due, second by Chairman Bermingham appointing Ryan Engler as the Township Zoning Official / Code Officer at the rate of \$60.00 per hour (no change). Public Comment by Ron Angle – asked what we paid the Zoning Officer last year. Manager Fisher excused himself to get the budget. Mr. Angle asked Ryan how many hours a week he works. Ryan said about 12-18 hours per week, sometimes calls on the weekends too. Supervisor De Franco said Tina, our Alt. Zoning Officer charges less. Manger Fisher returned and said we paid the Zoning Officer \$45,880.00 and alternate, Tina Serfass \$9,064.00. Public Comment by Ron Angle – obviously it is lucrative for his employer, Ryan is not getting all that money. Mr. Engler indicated he had spoken to Bob Collura and he would be willing to reduce his hourly rate to \$55.00 per hour. **MOTION** amended by Supervisor Due, second amended by Supervisor Teel appointing Ryan Engler as the Zoning Officer / Code Officer and set the rate of pay at \$55.00 per hour. Vote: 5-0.

- m. APPOINT ALTERNATE ZONING OFFICIAL/ BUILDING CODES OFFICIAL – MOTION** by Supervisor Teel, second by Supervisor De Franco appointing Tina Serfass as the Alternate Zoning Official / Code Officer and Building Codes Official at the rate of \$51.50 per hour (no change) Vote: 5-0.
- n. APPOINT ALTERNATE BUILDING CODES OFFICIAL – MOTION** by Supervisor DeFranco, second by Supervisor Teel appointing David Shields – Key Codes as alternate Building Codes Official. Supervisor Due asked if there was any other letters submitted. Manager Fisher said “no”. Vote: 4-1 with Supervisor Due voting “no”.
- o. SET PAY OF ZONING HEARING BOARD SOLICITOR (ZHB appoints) – MOTION** by Supervisor De Franco, seconded by Supervisor Due setting the ZHB Solicitor pay at \$125.00 per hour for office and court time and \$275.00 per meeting (no change).Vote: 5-0.
- p. APPOINT MEMBER TO THE ZONING HEARING BOARD – MOTION** by Supervisor De Franco, second by Supervisor Teel appointing Susan Klaver to the Zoning Hearing Board for a term of five (5) years . 3 letters of interest submitted. 1). Susan Klaver (current) 2). Brad Albert & 3. Leo McDonald. Vote: 5-0.
- q. APPOINT MEMBER TO THE ZONING HEARING BOARD – MOTION** by Chairman Bermingham, second by Supervisor DeFranco appointing Leo McDonald to the Zoning Hearing Board for a term of five (5) years. 2 letters of interest submitted. 2). Brad Albert & 3. Leo McDonald. Vote: 4-0-1. Supervisor Teel abstained.
- r. APPOINT 3<sup>RD</sup> PARTY INSPECTION AGENCY – MOTION** by Supervisor De Franco, second by Supervisor Pinter appointing Keller Inspection Agency, Key Codes & Barry Issett Assoc. as our 3<sup>rd</sup> Party Inspection Agencies. Vote: 5-0.
- s. APPOINT SEWAGE ENFORCEMENT OFFICER/ SET PAY & t. APPOINT ALTERNATE SEWAGE ENFORCEMENT OFFICER** – Scott Policelli put his letter of interest for re-appointment as SEO. There was discussion if Scott would rather be alternate than primary since he does a lot of work in the township. **MOTION** by Supervisor DeFranco, seconded by Supervisor Due to table the Sewage Enforcement Officer and Alternate Sewage Officer to the 1/8/18 BOS meeting and ask Scott Policelli to attend. Vote: 5-0.
- u. APPOINT CHAIRMAN TO THE VACANCY BOARD - MOTION** by Supervisor Teel, second by Supervisor De Franco appointing Andy Mahan to the Vacancy Board for a one-year term. Vote: 5-0.
- v. APPOINT EAC LIAISON – MOTION** by Supervisor Due, second by Supervisor Teel appointing of Anthony DeFranco as the EAC Liaison. Vote: 4-0-1. Supervisor De Franco abstained.
- w. APPOINT MEMBER TO THE EAC – MOTION** by Supervisor Teel, second by Supervisor Pinter appointing Larry Ott as a member to the Environmental Advisory Council for a three year term. Vote: 5-0.
- x. APPOINT OSAB LIAISON – MOTION** by Supervisor De Franco, second by Supervisor Due appointing Martin Pinter as the OSAB Liaison. Vote: 4-0-1. Supervisor Pinter abstained.
- y. APPOINT MEMBER TO THE OPEN SPACE ADVISORY BOARD - MOTION** by Supervisor De Franco, second by Supervisor Due appointing Janet Pearson as member to the Open Space Advisory Board for a three (3) year term. Vote: 5-0.

**z. APPOINT MEMBER TO THE OPEN SPACE ADVISORY BOARD – MOTION** by Supervisor Teel, second by Supervisor Pinter appointing **Nick Graziano** as member to the Open Space Advisory Board for a three (3) year term. Vote: **5-0**. (1 letter of interest: Nick Graziano).

**aa. APPOINT RECREATION BOARD LIAISON - MOTION** by Supervisor De Franco, seconded by Supervisor Teel moves appointing **John Bermingham Jr.** as the Recreation Board Liaison. Vote: 4-0-1. Chairman Bermingham abstained.

**bb. APPOINT MEMBER TO THE RECREATION BOARD - MOTION** by Supervisor Teel, second by Supervisor Pinter appointing **Kevin Dillon** as a member to the Recreation Board for a five (5) year term. Vote: 5-0. (no other letters)

**cc. APPOINT COMMUNITY EVENTS LIAISON - MOTION** by Supervisor Teel, second by Supervisor Due appointing **John Bermingham Jr.** as the Community Events Liaison. Vote: 4-0-1. Chairman Bermingham abstained.

**dd. APPOINT COMMUNITY PARK COMMITTEE LIAISON - MOTION** by Supervisor Due, second by Supervisor Teel appointing **Anthony DeFranco** as the Community Park Liaison. Vote: 4-0-1. Supervisor De Franco abstained.

**ee. APPOINT ECONOMIC DEVELOPMENT COMMITTEE LIAISON - MOTION** by Supervisor De Franco, second by Supervisor Teel appointing **David Due** as the Economic Development Liaison. Vote: 4-0-1. Supervisor Due abstained.

**ff. APPOINT SAFETY COMMITTEE MEMBER(S) – MOTION** by Supervisor De Franco, second by Supervisor Pinter appointing the Safety Committee members: Road Dept. Kevin Williams, Dave Constable and Virgil Kasieber, Office staff: Diann Eden, Melissa Mastrogiovanni & Joann Dentith. Vote: 5-0.

**gg. APPOINT EMERGENCY MANAGEMENT POSITIONS AND NOTIFICATION LIST – MOTION** by Supervisor De Franco, second by Supervisor Due appointing Lindsey Manzi as Emergency Management Coordinator and Bill Williams as Deputy Emergency Management Coordinator Vote: 5-0.

**hh. EMERGENCY NOTIFICATION LIST - MOTION** by Supervisor Due, second by Supervisor Pinter to maintain status quo of the notification list as follows: All Supervisors, Township Manager & Township Office Staff. Vote: 5-0. Public Comment by John Kalina – there are meetings at Air Liquide. Chairman Bermingham indicated he attends and received reports and Lin Manzi attends as well.

**ii. APPOINT EMERGENCY MANAGEMENT STAFF: MOTION** by Supervisor De Franco, second by Supervisor Due appointing the Emergency Management Staff as follows:

Public Information Officer	Lindsey Manzi
Communication & Warning Officer	Lindsey Manzi
Deputy Communication & Warning Officer	Bill Williams
Logistics Liaison	Lindsey Manzi
Fire & Rescue Officer	Bill Williams
Police Services Officer	Joseph Battillo

**jj. APPOINT EMERGENCY SERVICES LIAISON - MOTION** by Supervisor De Franco, second appointing Robert Teel as Emergency Services Liaison. Vote: 4-0-1. Supervisor Teel abstained.

**kk. APPROVE ATTENDANCE AT PSATS CONVENTION – MOTION** by Supervisor De Franco, seconded by Supervisor Teel to table to the 1/8/18 BOS meeting to see who can attend. Public comment by Ron Angle – the PSATS is great to attend and a lot to learn, especially for Supervisors. Vote: 5-0.

**ll. VOTING DELEGATE PSATS CONVENTION - MOTION** by Supervisor De Franco, seconded by Supervisor Due to table to the 1/8/18 BOS meeting. Vote: 5-0.

**mm. APPOINT MEMBER TO SLATE BELT COUNCIL OF GOVERNMENTS - MOTION** by Supervisor De Franco, second by Supervisor Teel appointing David Due as member and Martin Pinter as alternate. There was discussion about the Slate belt COG. Public Comment by Ron Angle – it's not worth it, the township should consider pulling out, you not getting anything except a dog catcher and leaf vac. Ron said when Victor Rodite dropped out, it fell apart. Supervisor Due indicated they are getting a new director this year, things will change and we also need the COG for the appeals board process if we need it. **MOTION AND SECOND WITHDRAWN. MOTION** by Supervisor De Franco, seconded by Supervisor Teel to table to the BOS meeting on 1/25/18 for further discussion. Manager Fisher noted we will hold the check to the COG. Vote: 5-0.

**nn. DESIGNATION OF DEPOSITORIES - MOTION** by Supervisor Teel, second by Supervisor Due approving Merchants National Bank, Morgan Stanley, Landmark Community Bank & Franklin Security Bank as designation of depositories. Public Comment by Ron Angle – why doesn't the township use PNC as one of the depositories and asked them to look into it. Manager Fisher and Supervisor Pinter said they will look into it and other financial changes for the future of the township. Vote: 5-0.

**oo. ESTABLISH REGULAR MONTHLY MEETING LOCATION, DATE & TIME - MOTION** by Supervisor Teel, second by Supervisor Pinter approving the 2<sup>nd</sup> Monday at 7:00 p.m. in the Municipal Building as the regular meeting date, time and location. Vote: 5-0.

**pp. ESTABLISH MONTHLY WORK SESSION MEETING LOCATION, DATE & TIME – MOTION** by Supervisor Teel, second by Supervisor Pinter approving the 4<sup>th</sup> Monday at 7:00 p.m. in the Upper Mount Bethel Township Municipal Building as the monthly work session date, time and location. Vote: 5-0.

**qq. SET HOLIDAYS FOR FULL-TIME EMPLOYEES- MOTION** by Supervisor De Franco, second by Supervisor Pinter setting the Employees Holidays as per union contract and for the Township Manager as follows: (11 days) New Years Day, MLK day, Presidents Day, Good Friday, Memorial Day, 4<sup>th</sup> of July, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving & Christmas Day. Vote: 5-0.

**rr. PART - TIME & SEASONAL EMPLOYEES (non-union) SET PAY - MOTION** by Supervisor De Franco, second by Supervisor Teel setting the part - time (non - union) employee & seasonal pay at \$14.70 per hour and \$20.00 per hour for CDL Operators. Vote: 5-0.

**ss. SET THE PENSION CONTRIBUTION FOR FULL TIME EMPLOYEES - MOTION** by Supervisor Due, second by Supervisor Pinter setting the Full time employee pension contribution per union contract & for the Township Manager as follows: Effective January 1, 2018 - \$3.30 per hour, Effective January 1, 2019 - \$3.40 per hour, Effective January 1, 2020 - \$3.50 per hour. Vote: 5-0.

**tt. SET MILEAGE REIMBURSEMENT RATE - MOTION** by Supervisor De Franco, second by Supervisor Pinter setting the 2018 mileage reimbursement IRS rate of 54.5 cents. Vote: 5-0.

#### **AGENDA PART IV**

**a. Resolution #2018-01 – Appoint Deputy Tax Collector** - Chairman Bermingham read the Resolution. **MOTION** by Supervisor Due, seconded by Supervisor Pinter adopting Resolution #2018-01. **MOTION** amended by Supervisor Due, second amended by Supervisor Pinter adopting Resolution 2018-01 appointing Brenda Valletta as Deputy Tax Collector. Vote: 4-0-1. Supervisor De Franco abstained.

**b. POLICE PENSION RESOLUTION #2018-02** - Chairman Bermingham read Resolution #2018-02. **MOTION** by Supervisor De Franco, second by Supervisor Pinter adopting Resolution 2018-02 - Police Pension contribution (2 ¾ %) from individual Police Officer to the Police Pension Fund is hereby waived for the twelve (12) month period beginning January 1, 2018. Vote: 5-0.

**c. POLICE PENSION FUND ADMINISTRATOR - MOTION** by Supervisor Due, second by Supervisor Teel appointing Martin Pinter (same as Treasurer) as the Police Pension Fund Administrator. Vote: 4-0-1. Supervisor Pinter abstained.

**AGENDA PART V – OTHER.** Public Comment by Ron Angle – asked if the Eastern Industries loan was paid off and was it paid out of the Open Space fund. Manager Fisher said “yes”. Mr. Angle asked about the restrictions on the property. Solicitor Karasek read the section of the agreement that there is a covenant placed on the property that it can never be developed. Mr. Angle said the loan was for the entire property, the whole property should be preserved and covenant placed on the entire property. Leaving out acreage can be challenged There was discussion about what is being left out. Supervisor Due indicated all except 59 acres that the building is on and the railroad right-away. Supervisor De Franco mentioned we paid 2 million, had already paid ½ of the loan off and only keeping a ¼ of it. Solicitor Karasek said the language in the agreement is that 214 acres shall have a restrictive covenant a substantial portion of the property and restrictions has similar language as in the Ziegafuse property. Solicitor Karasek said in the agreement it states no change of use and no transfer of ownership, possession, control or interest in this property without approval from the Township Open Space Advisory Board, but may not be unreasonably withheld and only if challenged it would go to court. Solicitor Karasek noted the Supervisor want a clause in there that sludge cannot be spread on the preserved land. Mr. Angle said you can’t do that, that’s a state mandated law that sludge can be spread. Solicitor Karasek said the township owns the property and if chooses can have that as a restriction.

Manager Fisher mentioned the grader that was on municibid. The gentleman that bought it already paid the 8% fee and the auction has concluded. He would like to pick it up. Bid amount is \$7,400.00 and asked the Board if he can release the grader to him. Chairman Bermingham asked that it be put on the BOS 1/8/18 meeting for approval. Vote: 5-0.

#### **AGENDA PART VI – EXECUTIVE SESSION – NONE.**

**AGENDA PART VII - ADJOURNMENT: MOTION** by Supervisor Teel, second by Supervisor Pinter adjourning the re-organization meeting at 8:30 p.m. PM. Vote: 5-0.