

UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, AUGUST 13, 2018 @ 7:00 PM

AGENDA - PART I

1. CALL TO ORDER – Chairman Bermingham Jr. called the meeting to order @ 7:00 pm. Present in addition to Chairman Bermingham Jr. were, Supervisor Due, Supervisor Teel, Supervisor DeFranco, Supervisor Pinter, Township Manager Rick Fisher, Solicitor Ron Karasek and Township Engineer Justin Coyle. The Pledge of Allegiance was recited.
2. APPROVE THE AGENDA – **MOTION** by Supervisor DeFranco, seconded by Supervisor Teel, to approve the agenda. Vote: 5-0
3. PUBLIC COMMENT - (3 minutes) – Ron Angle commented on the public comment time allotted. Dean Carnes expressed his concerns about River Rd. Township Manager Rick Fisher agreed there is a problem with the road and it needs to be addressed. Judy Henckel made an announcement regarding a public meeting to be held Tuesday August 21st at the Plainfield Township Municipal Building. This is the first public meeting to discuss the master site plan for 160 acres County Park. Charlie Cole stated that he would like to encourage the Supervisors to get the EAC back to full strength. Charlie also stated that the speed sign in Stone Church is not functioning. Carl Hominick wanted to know the current status of the Noise Ordinance. Township Manager Fisher stated that the ordinance is under review by Solicitor Karasek. Solicitor Karasek is looking for it to be rewritten to make it stronger. Solicitor Karasek stated the Noise Ordinance should be ready for the next Work Session Meeting, which is August 27th.

AGENDA – PART II (Public Announcements)

1. Chairman Bermingham Jr. announced: Movie in the Park will be held August 25, 2018. The movie is the original Willy Wonka and the Chocolate Factory. Gates open at 6:00 pm. Food trucks will be there as well as a DJ.

AGENDA – PART III (Public Announcements) None

AGENDA – PART IV (Minutes)

1. **MOTION** by Supervisor Teel, seconded by Supervisor Pinter to approve the Regular Monthly Meeting Minutes – Monday July 9, 2018. Vote 5-0.
2. **MOTION** by Supervisor Pinter, seconded by Supervisor DeFranco to approve the Workshop Meeting Minutes – Monday July 23, 2018. Vote 5-0.

AGENDA – PART V (Presentations) None

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

1. Szempruch Minor Subdivision
 - a. SALDO Waiver Request- Section 302.4.3 - Location of natural features on the site and within 100 Feet of the site and significant natural resources (as

identified in the Natural Features Component of the Township Comprehensive Plan – April 2001) on the site or within on half (1/2) mile of the site.

MOTION by Supervisor Teel, seconded by Supervisor Due to grant waiver request. Vote 5-0.

- b. Section 308.2.1 – Natural Resource Inventory for Minor Subdivisions.

MOTION by Supervisor Teel, seconded by Supervisor Due to grant waiver request. Vote 5-0. Waivers were granted today August 13, 2018 and signed by Scott Policelli.

- c. Conditional Plan Approval- **MOTION** by Supervisor DeFranco, seconded by Supervisor Teel to accept conditional preliminary final approval plan. Vote 5-0.

- 2. PA American Water Company Subdivision-Fox Gap Rd. SALDO Waiver Request- Solicitor Karasek stated this is not ready, he recommended that both items (2 & 3) be tabled for the September 10, 2018 meeting. **MOTION** by Supervisor DeFranco, seconded by Supervisor Due to table both PA American Water Company Subdivision Waiver Requests. Vote 5-0

- 3. PA American Water Company Subdivision-Tabled on the previous motion.

AGENDA – PART VII (Reports)

- a. Financial Reports-Bill list- Township Manager Fisher read the bill list.

MOTION by Supervisor Due, seconded by Supervisor Pinter to approve the bill list in the amount of \$269,422.32 to be paid. Vote 5-0.

- b. Engineers Report- Township Engineer Coyle discussed his report with the Supervisors. Ron Angle commented on the traffic study at the TK's intersection. Mr. Angle stated that the parking problem at TK's could easily be resolved if some of the parking spaces were removed in front of the building. Supervisor Teel stated the cars parked at TK's is not the only issue and he is still pursuing a stop light at the Potomac St. and 611 intersection.

- c. Solicitors Report-Solicitor Karasek stated that both June and July 2018 reports are attached for review.

- d. Managers Report-Township Manager Fisher discussed his report. Discussion revolved around Mini Bid for stone for the National Park Drive Project. Manager Fisher supplied the three bid amounts: Hanson Aggregates Pennsylvania LLC @ \$24.95 a ton delivered, New Enterprise Stone & Lime Co. Inc. @ \$25.45 a ton delivered and ABE Materials - \$19.25 a ton delivered. **MOTION** by Supervisor Pinter, seconded by Supervisor DeFranco to award the mini bid to ABE Materials @\$19.25 a ton delivered. Vote 5-0. Minsi Lake Permit for Overweight Vehicles, do we want to charge a permit fee, and how do we enforce it? There was a discussion concerning overweight vehicles. There was a mention of the River Road Bridge Accident and Township Manager Fisher discussed options how to handle the repair. Since the bridge is to be replaced next year, should we take the insurance payment of \$10k or pursue the recovery of \$19k? Solicitor Karasek recommended hiring an asset investigation firm to see if we can recover the full amount.

MOTION by Supervisor Pinter, seconded by Supervisor Teel to look into the option of hiring an asset investigation firm. Vote 5-0. Township Manager Fisher discussed the EAC Letter to School District-Bonfire Hazards. Solicitor Karasek suggested to get the report from 1-Source before sending the letter. **MOTION** by Supervisor DeFranco, seconded by Supervisor Teel to remove the sentence “1-Source tested the soils in the bonfire area and surrounding area and found elevated levels of arsenic and other substances”. Vote 5-0. Township Manager Fisher discussed EAC/EDC/OSAB member replacements. **MOTION** by Supervisor Pinter, seconded by Supervisor Teel, to remove Virgil Kasieber from the committee. Vote 5-0. Also, there has been a practice in the past to advertise open positions, Manager Fisher would like to keep a letter of interest from Stonehouse. Manager Fisher did receive a request from the EDC to increase the members from 5 to 7. **MOTION** by Supervisor Due, seconded by Supervisor Pinter to pass Resolution 2018-09, to increase the number of members of the EDC from 5 to 7. Vote 5-0. Manager Fisher discussed the Boy Scout Eagle Project at the park, a fire pit, which the Park Committee recommended. **MOTION** by Supervisor DeFranco, seconded Supervisor Teel to allow the project at the park. Vote 5-0. Manager Fisher discussed a Social Media Policy which will allow committees to have a Facebook page that they would maintain. **MOTION** by Supervisor Teel, seconded by Supervisor Pinter to have Solicitor Karasek review the policy. Vote 5-0. Manager Fisher discussed quarterly fee for Animal Control, dogs only. Manager Fisher discussed an estimate for the guide rail on River Road and also the Welcome to Upper Mt. Bethel sign in East Bangor. Manager Fisher discussed the Fire Tax Fund. Assistant Fire Chief Brendan McDonald from the Mt. Bethel Fire Co., would like to get a bill list. Manager Fisher stated one will also be provided to North Bangor Fire Co.

- e. Supervisors Report- Supervisor Due is looking for the Deed for Eastern Industries. Supervisor Teel stated that Planning Commission meets on Wednesday and reached out to the EDC to join them to further discuss the economic development of the Township, the R2 Zone and the water and sewer. Supervisor DeFranco stated he went over the road crew department and how he would like to see more local contractors bid for the park pavilion project. No report on the ambulance service. Supervisor Pinter discussed financials, looking for the best rates on our investments. Ron Angle asked to include PNC Bank to quote rates. Chairman Bermingham Jr. discussed the Neighborhood Watch Program. The members are sending out general welfare cards to all citizens, which will be paid for by donation from the Neighborhood Watch Group. Chairman Bermingham Jr. commended Chief Potter, who led the latest water recovery effort in the Delaware River. Also assisting in the recovery effort was Chief Finan of the Mt. Bethel Fire Dept. Chief Finan pulled the son out of the water and noticed he had no shoes, so he provided him with his own shoes. Chairman Bermingham Jr. received a call

from Mrs. Jennifer Steele who wanted to do a collection for Chief Finan to get a new pair of shoes. A donation was presented to Asst. Fire Chief Brendan McDonald on behalf of Chief Finan and at the request of Chief Finan, the funds will be donated back to the Fire House for future water rescues. Chairman Bermingham Jr. also wanted to thank all the First Responders for all they did in assisting with the recovery.

AGENDA – PART VIII (Action Agenda)

1. Zaleski Stormwater-Township Engineer Coyle discussed the project on the storm sewer drains on Slateford Rd. Township Engineer Coyle provided the Supervisors with an estimate for Portland Contractors to move the water line, which he felt was high so he's planning to revisit the storm sewer layout.
2. Refuse Reductions, Application Refunds, Exonerations-**MOTION** by Supervisor Due, seconded by Supervisor Teel to approve. Vote 5-0.
3. Act 537 Plan Revised Proposal (LERTA)-Carroll Engineering- Township Engineer Coyle discussed the Act 537 Plan Revised Proposal (LERTA). Additional areas, including areas designated for the LERTA program, will be added to evaluate the current status of on lot sewage systems and groundwater quality. Solicitor Karasek will review new proposal. Chairman Bermingham Jr. requested the Revised Act 537 Plan to be on the August 27, 2018 Work Session Meeting. **MOTION** by Supervisor Due, seconded by Supervisor Teel to approve the revised proposal on condition that it meets Solicitor Karasek's approval. Vote 5-0.
4. Dean Carnes - Well Isolation Distance Waiver- Plan will be reviewed by Township Manager Fisher to verify distance is correct. Property address is 900 S. Delaware Dr. **MOTION** by Supervisor DeFranco, seconded by Supervisor Teel to approve request with the condition that it meets Township Manager Fisher's approval. Vote 5-0.
5. Basketball Court Estimates-Township Manager Fisher sent out requests for estimates. He received one, Hallett Contracting. The estimate came in at \$19,785. **MOTION** by Supervisor DeFranco, seconded by Supervisor Due to approve estimate. VOTE 5-0. Township Manager Fisher discussed the location of the flag pole.
6. Review/Partial Waiver of Fee-School District-Township Manager Fisher discussed the Township permit fee charged to the school that is invoiced by Township Building Codes Officer Tina Serfass of Keller Zoning and Inspection Services. Township Manager Fisher is asking if the Board would like to approve the fee charged or waive it. Township Zoning Officer Ryan Engler stated the fees have to be fair. Township Manager Fisher stated the fee schedule needs to reviewed. **MOTION** by Supervisor Teel, seconded by Supervisor Due for the permit to go through so the project is not held up and an invoice will follow. Vote 5-0.
7. North Bangor Fire Truck- Final Invoice- **MOTION** by Supervisor DeFranco, seconded by Supervisor Due to accept new negotiated amount of \$11,614.50. Supervisor Pinter abstained due to him negotiating the price. Vote 4-0-1.

8. Environmental Advisory Committee member removal-See Manager's Report.
9. New Road Department Employee-Moved to Executive Session.

AGENDA – PART IX (Old Business)

1. Ambulance Update-Chairman Bermingham Jr gave an update on Suburban. Chairman Bermingham Jr. asked this to be tabled for the August 27, 2018 Work Session.
2. Police Update-Chairman Bermingham Jr. stated that the East Bangor offer is still on the table and at this time Slatebelt Regional has pulled out. Chairman Bermingham Jr. stated he would like to look into Bangor Area School District Police. Township Manager Fisher will contact Larry Sabatine to see if he is interested in being part of the Police Force.

AGENDA – PART X (New Business) - None

AGENDA- PART XI – Public Comment- 3 minutes-Jeff Manzi commented on the agreement with Portland, road maintenance. Jeff asked Township Manager Fisher about the hot dog vendor not having a permit. Township Manager Fisher will ask Township Zoning Office Engler to visit the vendor on a Sunday. Ron Angle inquired about the terminated Township Road Worker, Solicitor Karasek stated it is going to arbitration. Mr. Angle also inquired if the Township has replaced the terminated worker. Nick Ruggiero stated that he is getting harassed from Carl Hominick regarding loud music playing. Township Zoning Office Engler has visited his residence and has found no violations regarding the Noise Ordinance.

AGENDA – PART XII (Executive Session) Personnel, Legal. Adjourn at 9:20 to discuss a personnel matter involving road crew. Reconvened at 9:43 pm. **MOTION** by Supervisor DeFranco, seconded by Supervisor Teel, to hire Wade Hilbert as a Road Department Laborer, providing he passes a test. Vote 5-0.

MOTION by Supervisor Teel, seconded by Supervisor Pinter to install extra cameras in the garage and offices for safety reasons. Vote 5-0.

AGENDA – PART XIII (Adjournment) **MOTION** by Supervisor Teel, seconded by Supervisor Pinter to adjourn at 9:45 pm. Vote 5-0.

Respectfully Submitted by Cindy Beck-Township Secretary