

UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, JANUARY 28, 2019 @ 7:00 PM

AGENDA - PART I

1. Call to Order-Chairman Bermingham Jr. called the meeting to order at 7:00 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Present in addition to Chairman Bermingham Jr. were Supervisor Due, Supervisor Teel, Supervisor DeFranco, Solicitor Karasek, Manager Fisher and via phone conference, Supervisor Pinter.
4. Approve the Agenda-**MOTION** by Supervisor Teel, seconded by Supervisor Due to approve the agenda. Vote: 5-0.
5. Public Comment- Howard Klein commented that the notice on the Act 537 Plan Special Meeting, being mailed to all residents, mentioned nothing on Economic Development. Richard Wilford-Hunt commented on the future of the Township, transparency and that there is no outreach to the public. Richard thanked the Board for the upcoming meeting on February 6, dedicated to the Act 537 Plan and stated that it is a good start.

AGENDA - PART II (Presentations)

Chairman Bermingham Jr. introduced Laura Miller from the Greater Valley YMCA.

Laura Miller gave a brief presentation on the Greater Valley YMCA and is looking for ideas to expand into our community. Laura stated they are not looking to build but they are looking for space. Supervisor DeFranco stated that it would be beneficial for her to attend both Recreation and Park Committee meetings. Laura stated she will be attending both committee meetings.

Chairman Bermingham Jr. introduced Lauren Williams from Curtin & Heefner LLP. Chairman Bermingham Jr. stated that Jordan Yeager and Lauren Williams reviewed our Township Ordinances in May of 2018 and presented the Board of Supervisors with a memorandum of their recommendations. Chairman Bermingham Jr. stated he felt it was important to have Lauren attend the meeting to discuss their recommendations. Lauren gave a brief presentation of their review and how to balance and strengthen our Township Ordinances. Lauren focused on three categories: 1) pre-activity requirements, e.g. application and study requirements. 2) general natural resource and protection standards, e.g. direct stormwater away from water wells, zoning setbacks, revise abandoned water well standards. 3) performance standards while activity is going on. There was a discussion

amongst the Supervisors, Lauren and Solicitor Karasek on sewage sludge. Supervisor Teel asked about the possibility to ban sludge in high density areas. Howard Klein commented on sludge in LERTA Zones. Judy Henckel commented on environmental vs. economic development, balancing them. John Kmetz asked about a school complex drawing from private well, does that constitute a public water system. Lauren stated she would have to do some research on that. Bob Boileau, from Eldred Township, stated they are finding it very hard to prohibit sewage sludge. Bob mention EPA Part 503, standards for the use and disposal of sewage sludge and that it would be beneficial for the Township to know about. John Gorman stated he was part of a case in which Jordan Yeager represented them in regards to sewage sludge in a field behind his house. John stated that not only were they fighting Synagro, but also DEP. Solicitor Karasek stated that if the Township wanted to test/regulate sewage sludge, the state may allow it, but we should be prepared to have someone available to do the testing and that an Ordinance should be prepared.

MOTION by Chairman Bermingham Jr. to move forward with Curtin & Heefner to the next step as per their memo, seconded by Supervisor Due to have a discussion. There was a discussion amongst the Supervisors, Lauren and Solicitor Karasek, in regards to municipalities working together and regulating sludge. Solicitor Karasek stated that the Board should give Curtin & Heefner specific direction on what items to be reviewed. Township Manager Fisher stated that he's not certain about amending the motion, but there should be some mention of cost to the motion. Supervisor Pinter stated his opinion was to wait to move forward until all 31 recommendations have been looked at, but choose which items discussed this evening are to move forward with and provide a cost. Chairman Bermingham Jr. amended his **MOTION** for the fee to not exceed \$10,000.00 for Curtin & Heefner to review the following areas, banning sludge in certain areas, school public system and testing of sewage sludge and to provide a cost of the remaining areas. Chairman Bermingham Jr. amended his **MOTION** for the fee to not exceed \$7,000.00. Lauren stated the cost should not be \$7,000 and that it should be closer to \$3,500.00. Supervisor Pinter commented that Lauren should take a look at the three areas and provide the Board with a cost. Chairman Bermingham Jr. asked Lauren to provide the Board with a price on the three areas discussed and also to provide the Board with a fee for the remaining items. Chairman Bermingham Jr. asked Lauren if this can be provided before our next meeting. **MOTION** was seconded by Supervisor Teel. Vote: 4-1.

Chairman Bermingham Jr. asked for this on the February 11th, 2019 meeting agenda.

Chairman Bermingham Jr. called for a recess at 8:35 pm.

The meeting reconvened at 8:45 pm.

AGENDA - PART III (Action Agenda)

1. Social Media Policy-Manager Fisher read the policy. Solicitor Karasek will provide the Board with his recommendations to be added to the policy.
2. Conflict of Interest Policy-Solicitor Karasek discussed what the Conflict of Interest Policy is and why it is important to have. Supervisor Pinter commented that there can be a conflict of interest but it has to be disclosed. Solicitor Karasek will provide the Board with an amended Conflict of Interest Policy to be reviewed. Chairman Bermingham Jr. asked for this to be on the February 25, 2019 Work Session Meeting.
3. Northern Tier Trail-Supervisor Due stated the Northampton County Council approved the Northern Tier Trail and according the article, they could start acquiring land to move forward.
4. Bridge #225-Manager Fisher discussed Bridge #225 located on Laurel Hill Road at National Park Drive, which was closed by the County, due to possible structure issues. Township Engineer Coyle stated the super structure of the bridge is sound. Manager Fisher approached the County and suggested to them to check with the Conservation District to see if we could use the low volume road money (if the bridge would qualify for it) instead of using the money on the Hemlock Drive project, which we were going to apply for. Manager Fisher is awaiting further direction.
5. Rt. 512 Regional Support Letter-Manager Fisher discussed the Regional Support Letter and is asking the Board for their approval of the Rt. 512/611 transportation study letter. **MOTION** by Supervisor Teel, seconded by Chairman Bermingham Jr. to approve the Rt. 512 Regional Support Letter. 5-0.
6. Transportation Future LV- Manager Fisher stated that he has applied for the following grants: traffic light, roundabout on Potomac, replacement of the Slateford Bridge and a section of the Liberty Trail.

AGENDA - PART IV (Public Comment) - To be commence after Executive Session.

AGENDA - PART V (Executive Session)-Chairman Bermingham Jr. called for recess into Executive Session to discuss personnel at 9:17 pm. The meeting reconvened at 9:30 pm. Chairman Bermingham Jr. stated that Supervisor Pinter was no longer attending the meeting via phone conference. Chairman Bermingham Jr. stated there was a discussion on Manager Fisher's reappointment letter. **MOTION** by Chairman Bermingham Jr., seconded by Supervisor Teel to send Manager Fisher a 2019 reappointment letter, to include all his benefits. Vote: 4-0. Also discussed in Executive Session was the new intern, Morgan Pysher. **MOTION** by Supervisor DeFranco, seconded by Supervisor Teel to hire Morgan Pysher, intern, at \$8.00 an hour. Vote: 4-0.

Public Comment-Manager Fisher discussed a proposal to hire a Public Relations concerning Act 537 at a flat rate, 3 phases, of \$12,000. Manager Fisher stated he just wanted to bring this

to the Boards attention and will provide more information when available. Chairman Bermingham Jr. asked for this to be on the February 11, 2019 meeting agenda. Manager Fisher stated that ScanTek came and took 99 boxes of property files to begin the scanning process. Manager Fisher wanted to bring to the Boards attention that Charlie Cole signed himself on as personnel and called the speed radar sign company to authorize maintenance and then authorized them to be turned off today, January 28, 2019. Manager Fisher contacted the sign company informing them that he is not personnel and has no authority to make any decisions on the Township speed radar signs. Supervisor Due asked Manager Fisher if he had any update on the vandalism of the signs, Manager Fisher stated a few photos were captured but cannot be identified.

AGENDA - PART VI (Adjournment) - **MOTION** by Supervisor Teel, seconded by Supervisor Due to adjourn the meeting at 9:43 pm. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary