

UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, MARCH 9, 2020 @ 7:00 PM

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, Township Manager Nelson, Solicitor Karasek and Engineer Coyle. Supervisor Pinter was present via phone.
4. Approve the Agenda-**MOTION** by Supervisor Teel, to approve the agenda, seconded by Supervisor Due. Vote: 5-0.

PART II (Public Comment-3 minutes)

Charles Cole asked if the Board was planning to vote on the submission of the Act 537 Plan to DEP. Chairman Bermingham Jr. stated yes. Charles commented on the AOC and why has nothing been done to solve the problems.

Richard Wilford-Hunt read an article recently published in the Morning Call on growth in a rural community. Richard commented on the wants and needs of the Township. What do the residents want? Richard commented on the meeting with River Pointe Logistics and felt it was an insult to the residents of Upper Mount Bethel Township. Richard stated we need to look into hiring a Planning Professional. Richard stated the public needs 100% transparency from the Board. Richard stated it would be helpful for plans to be displayed for the residents to view.

Judith Henckel stated a quote from the Chamber of Commerce “quality of life vs. the economy”. Judith stated that changes are going to happen but more resident input is important.

Ron Angle stated the property that was purchased by Lou Pektor is zoned industrial, there is not much that can be done to stop development.

Loren Rabbat commented that warehousing does not employ people. Ms. Rabbat commented that any elected official having property holding interest in the corridor that will be impacted if water and sewer were to go in, should reframe from voting on the Act 537 Plan. Supervisor Teel stated that his properties are fine, there is no need for

water and sewer, and this will end up costing him money. Supervisor Teel stated, there is no personal benefit.

Catherine Buehler asked if the answers to the questions/comments will be available for residents to review. Chairman Bermingham Jr. stated that they are in the report that Engineer Coyle put together and is available for public viewing.

Ron Angle stated that the Act 537 Plan is a state law.

PART III (Public Announcements)-None

PART IV (Presentation)

Chairman Bermingham Jr. introduced Chris Basile, the Township's Auditor, at the request of Supervisor Teel, to discuss some questions regarding depreciation in a budget. Chris stated that most businesses factor in depreciation to save on taxes, this is not the case with municipalities. In the case of a municipality, depreciation is a non-cash expense, used to create reserved funds.

PART V (Approve the Minutes)

1. Special Budget Meeting Minutes-February 3, 2020-**MOTION** by Supervisor Teel, to approve the Special Budget Meeting Minutes of February 3, 2020, seconded by Supervisor DeFranco. Vote: 4-0-1. Supervisor Due abstained.
2. Meeting Minutes-February 10, 2020-**MOTION** by Supervisor Due, to approve the Meeting Minutes of February 10, 2020, seconded by Supervisor Teel. Vote: 5-0.
3. Budget Adoption Meeting Minutes-February 14, 2020-**MOTION** by Supervisor Pinter, to approve the Budget Adoption Meeting Minutes of February 14, 2020, seconded by Supervisor Due. Vote: 5-0. Discussion-Supervisor DeFranco stated we have estimated expenditures for 2020 at \$3.8 million, no tax increase, last year was \$3.4 million, with an excess of \$144,000, now at \$3.6 million and with an estimate of \$3.8 in expenditures, and we are about \$200k short. No change in the minutes.
4. Meeting Minutes-February 24, 2020-**MOTION** by Supervisor Teel, to approve the Meeting Minutes of February 24, 2020, seconded by Supervisor DeFranco. Vote: 4-0-1. Supervisor Due abstained.

PART VI (Subdivisions)-Solicitor Karasek discussed the conditional plan approvals.

1. Kuiper-Lot Line Adjustment-**MOTION** by Supervisor DeFranco, to approve the Conditional Preliminary and Final Approval of the Kuiper Lot Line Adjustment, seconded by Supervisor Teel. Vote: 5-0.
2. Kuiper-Minor Subdivision-**MOTION** by Supervisor Teel, to approve the Conditional Preliminary and Final Approval of the Kuiper Minor Subdivision, seconded by Supervisor DeFranco. Vote: 5-0.

PART VII (Official Action-matters to be voted on)

1. Refuse Reductions, Application Refunds and Exonerations-**MOTION** by Supervisor DeFranco, to accept the Refuse Reductions, Application Refunds and Exonerations, seconded by Supervisor Teel. Vote: 5-0.
2. Community Park Sidewalk Construction/ISG, LLC Payment #1-Engineer Coyle discussed payment #1 to ISG, LLC for \$2,718.90. Engineer Coyle recommends payment. There was a discussion on the timeframe of the project being completed. **MOTION** by Supervisor DeFranco, to approve payment #1 in the amount of \$2,718.90 to ISG, LLC, with a completion date of May 15<sup>th</sup> and impose a fine of \$200 a day if not completed, seconded by Supervisor Pinter. Vote: 5-0.
3. Laura Iorio Subdivision-Engineer Coyle discussed a request from the current owner of two lots to have a combined driveway for lots 1 and 2. Since this is a change from the approved plan, Engineer Coyle stated to the owner, that this will need to be reviewed and possibly referred to the Planning Commission. Solicitor Karasek stated that planners have encouraged shared driveways, but a comprehensive agreement would need to be in place. **MOTION** by Supervisor DeFranco, to recommend they go before the Planning Commission for their recommendation, seconded by Supervisor Teel. Vote: 5-0.
4. Resolution #2020-04 (Revision to Official Sewage Facilities Plan)-Chairman Birmingham Jr. read the Resolution. Engineer Coyle stated, to go along with the other two binders available for public view, a third binder was created, which includes the public's questions/comments and the responses from the Engineer and Supervisors and based upon public comment, additional information is included in the binder. Engineer Coyle emphasized to the Board, if all in favor, this plan will be officially adopted tonight and will be sent to DEP. Chairman Birmingham Jr. asked if DEP approves the plan, but what happens if we can't come up with the funding. Engineer Coyle stated the Plan as it is written is based upon obtaining grant funds to fund the program in order to move forward. **MOTION** by Supervisor DeFranco, to approve Resolution #2020-04, based upon Engineer Coyle's recommendation, seconded by Supervisor Pinter. Chairman Birmingham Jr. stated his concern is what if we find an alternative system;

Engineer Coyle stated that if we are unable to obtain grant funding, there are alternatives built into the Plan. Vote: 5-0. Supervisor Pinter exited the meeting.

5. Inter-Municipal Agreements-Softball-Chairman Bermingham Jr. read a summary of the agreements with East Bangor Boro and Roseto Boro. **MOTION** by Supervisor DeFranco, to accept the Inter-Municipal Softball Agreements, seconded by Supervisor Teel. Vote: 4-0.
6. Blue Mtn. Antique Gas & Steam Engine Event Signs-**MOTION** by Supervisor DeFranco, to allow Blue Mtn. Gas & Engine to erect two signs for their annual shows and to waive the \$25 fee, seconded by Supervisor Due. Vote: 4-0.
7. Ordinance #2020-01 (UMBT Property Maintenance Board of Appeals)-Solicitor Karasek discussed the establishment of the Ordinance. **MOTION** by Supervisor DeFranco, to approve of Ordinance #2020-0, seconded by Supervisor Teel. Vote: 4-0.
8. Advertise for UCC Board of Appeals-Solicitor discussed the difference between the Property Maintenance Board of Appeals and the UCC Board of Appeals. **MOTION** by Supervisor DeFranco, to advertise, with the proper language, for the UCC Board of Appeals, seconded by Supervisor Teel. Vote: 4-0.
9. Resolution #2020-05 (EOP/2020-2022)-Chairman Bermingham Jr. read Resolution #2020-05, which states that Upper Mount Bethel Township prepare, maintain, and keep current an Emergency Operations Plan. **MOTION** by Supervisor Teel, to approve Resolution #2020-05, seconded by Supervisor Due. Vote: 4-0.
10. Resolution #2020-06 (Creditech Addendum to Contract)-Chairman Bermingham Jr. discussed Resolution #2020-06, which states the agreement terms/addendum terms for collection services between Creditech and Upper Mount Bethel Township. **MOTION** by Supervisor Due, to approve Resolution #2020-06, seconded by Supervisor DeFranco. Vote: 4-0.
11. Letter to River Pointe Logistics, LLC-Fire Hoses-Chairman Bermingham Jr. discussed the letter that Solicitor Karasek drafted to be sent to Lou Pektor with a quote for the fire hoses for Mt. Bethel Fire and North Bangor Fire, which is approximately \$47,000. Solicitor Karasek stated that Mr. Pektor stated that if the Township forgives the judgment that was entered against Marshfield Village LP for \$13,500 in June 2009, then Mr. Pektor will donate \$47,525 to the fire companies for the fire hoses. **MOTION** by Supervisor Due, in satisfaction of the judgment presently entered, Solicitor Karasek will send the letter to Mr. Pektor, stating the Board of Supervisors have voted and approved that in receipt of the check, he will then satisfy the judgment, seconded by Supervisor Teel. Vote: 4-0.
12. Truck #17 Bid Award-Chairman Bermingham Jr. stated the highest bid for Truck #17 was \$4,209. The bidder will be contacted. **MOTION** by Supervisor Due, to accept the bid, seconded by Supervisor Teel. Vote: 4-0.

13. Part-Time Zoning Officer-Manager Nelson provided a job description for the Supervisors to review. Manager Nelson stated he would like to hire a Part-Time Zoning Officer, 20 hours a week at the rate of \$23.00 an hour. (Advertisement asks for experience). **MOTION** by Supervisor Due, to advertise for a Part-Time Zoning Officer, seconded by Supervisor Teel. Vote: 4-0.
14. Three Part-Time Road Crew (Non-CDL)-Manager Nelson stated that since we hired our current part-time road crew member to a full time position, he would need to fill that open position and since he would like to do the grass cutting in house, he would need to hire two for the summer. Supervisor Due/Road Crew Liaison, stated we need to do the grass cutting in house, if the numbers pan out and is cost effective. Manager Nelson stated we paid \$22,000+ last year for the mowing. Manager Nelson stated the positions would also be used to assist in flagging. **MOTION** by Supervisor DeFranco, to hire one (1) part-time road crew, seconded by Supervisor Teel. Vote: 3-1.
15. Troy Bartron 2<sup>nd</sup> Year Seniority-Manager Nelson stated that Troy completed his probationary period at the probationary rate and stated his work has been exceptional. Manager Nelson stated that Troy submitted a project he made to the PennDOT "Build a Better Mousetrap" program. **MOTION** by Supervisor DeFranco, to move Troy Bartron into 2<sup>nd</sup> year seniority, seconded by Supervisor Due. Vote: 4-0.
16. Septic at park-Manager Nelson stated with the pavilion in place, he would like to get bathroom facilities set up, therefore he will be starting the probing stages at the park. No further discussion.

#### PART VIII (Old Business)

1. BASD Senior Experience-Chairman Bermingham Jr. will discuss in his report.

#### PART IX (Reports)

1. Financial Report-Bill List-Manager Nelson read the Bill List-Supervisor DeFranco asked by clarity on the River Road Turnback amount of \$19,054.13. Engineer Coyle discussed. **MOTION** by Supervisor Due, to pay the bills in the amount of \$252,386.00, seconded by Supervisor Teel. Vote: 4-0.
2. Monthly Reports
  - a. Manager's Report-Manager Nelson read his monthly report. Monthly activity included road Department, park, finance, zoning and planning, administrative, engineering and building activity, as well as meetings attended. Manager Nelson included 2020 Objectives in his report.
  - b. Engineer's Report-Engineer Coyle read his monthly report. Monthly activity included site improvements at the park, correspondence with FEMA

- concerning River Rd repair, Act 537 Plan Update, road work scheduled, traffic signal project, bids prepared, and plans submitted to be reviewed.
- c. Solicitor's Report-Solicitor Karasek read his monthly report. Monthly activity included meetings attended, subdivision/land development/zoning matters, outstanding litigation matters, and misc. administrative matters.
  - d. Supervisor's Report  
Supervisor Due reported that two of our road crew members stopped a crime in East Bangor. Congratulations to David Constable and Tom Abbott. Friends of Lake Minsi, they will be stocking the lake on March 23, 2020, County and Township Officials are welcome to attend. Supervisor Due stated that Manager Nelson made a suggestion that the Township make a donation, something made of slate, which is already in the making.

Supervisor Teel reported that the Planning Commission will be very busy with plans coming in. Supervisor Teel stated that he is working on many Emergency Management meetings and states that with the new businesses coming in, it is only right that they assist with the needs of the Township.

Supervisor DeFranco reported he attended the Plan Slate Belt meeting and one thing discussed was the lack of employees needed for work.

Chairman Bermingham Jr. reported he attended the EAC meeting and discussed were recycling issues and smart community planning. Chairman Bermingham Jr. stated he spoke with BASD, they would like to see the summer camp program do weeding in the new gardens at the school. The clean-up UMBT program will be starting again in April. Continued efforts working with ambulance companies and getting cameras on all buses. A meeting is scheduled with Senator Scavello on Saturday, March 28<sup>th</sup> 12-1, to discuss the well water issues. Chairman Bermingham Jr. stated the first Senior Club meeting is scheduled for March 17<sup>th</sup>, 12 noon at the Chelsea Sun. Chairman Bermingham Jr. discussed the BASD Senior Experience. If you are a senior in high school and you meet the requirements, you are able to start working towards college credits, either paid or unpaid internship or working in the field of their choice.

PART X (New Business)-None

PART XI (Public Comment-3 minutes)

Jim Potter asked Engineer Coyle if he knows what the preliminary study area is on the Pektor property. Engineer Coyle stated without knowing his proposed use, all impact studies will be speculative. This will be a long progress, challenges along the way.

Ron Angle asked what the maximum size building is allowed on the Pektor property. Engineer Coyle stated 300,000 sq. feet, some are larger than that. Ron commented on the budget, is it a balanced and approved budget.

Judy Henckel asked when the power point presentation given by Lou Pektor will be available on the website. Manager Nelson stated he hopes to have it up within a week.

PART XII (Executive Session)-Solicitor Karasek stated there was a legal matter to be discussed in regards to IPMC, but this has been resolved.

PART XIII (Adjournment)-**MOTION** by Supervisor Teel, to adjourn the meeting at 9:20 pm, seconded by Supervisor DeFranco. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary