



Upper Mount Bethel Township
387 Ye Olde Highway
P.O. Box 520
Mount Bethel, PA 18343-5220
Phone: (570) 897-6127 Fax: (570) 897-0108
www.umbt.org

UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, AUGUST 8, 2022 – 7:00 PM

*This meeting was held in person and live streamed through the Upper Mount Bethel Township Facebook page.

I.

Chairman Pinter called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

In attendance were Chairman Pinter, Supervisor Due, Supervisor Friedman, Supervisor Birmingham, Supervisor Teel, Township Manager Nelson, Township Solicitor Karasek, and Township Engineer Coyle.

Chairman Pinter asked for a Moment of Silence for Jerry Carpinello, a well-respected member of the community, who recently passed away and will be sadly missed. A GOFUNDME has been established for his daughters' educations. Manager Nelson stated another member of the community, Tom Pysher, recently passed away. A Moment of Silence for Jerry and Tom. Supervisor Birmingham stated the GOFUNDME has reached its goal and now raising the bar to \$25,000.

II.

APPROVE THE AGENDA

Supervisor Due asked to amend the agenda, adding Executive Session to discuss Personnel. Chairman Pinter stated this will be added to Section XI. **MOTION** by Supervisor Due to approve the amended agenda, seconded by Supervisor Friedman. Vote: 5-0.

III.

PUBLIC COMMENT

Calais Lovett, Troop 48G out of Wind Gap, is seeking approval for her Eagle Scout project. Calais will be constructing ten (10) Mason Bee Houses and would like to put them throughout the Community Park. **MOTION** by Supervisor Friedman to approve of the project, seconded by Supervisor Teel. Vote: 5-0.

Chris Finan, Apache Dr., Fire Chief, commented on the cars parking along River Rd., to gain access to the Black Bridge and is urging the Township to address it. Chairman Pinter asked Solicitor Karasek to draft a "No Parking" Ordinance to be discussed and reviewed by the Board. Chris stated a bush on River Rd., by Demi Rd., needs to be cut back. Chris provided the Board with the details surrounding the fire that occurred on River Rd. on June 28th. The lack of volunteers, fire departments that could not respond, and access to water, hindered the efforts to fight the fire. Supervisor Bermingham suggested getting together to come up with ways to encourage volunteers to join the Fire Companies. Chris suggested looking into installing Dry Fire Hydrants.

Andy Mahan, Kovar Lane, commented FEMA's description of a structure in a floodplain, there is no reference to a fence being a structure, and is asking that it be removed from our Zoning Ordinance. Andy commented on the Act of Oct. 7, 2021, Repair of Private Roads and Definitions, which states a private road shall be opened, fenced and kept in repair, but at this time, he cannot install a fence due to it being in the Floodplain. This will be on the August 22nd BOS meeting for more discussion. Engineer Coyle will provide more information for the Board to review on this subject. Supervisor Teel stated he will provide the Board with feedback/recommendation from the Planning Commission.

Steve Couples, Sunrise Blvd., commented on the noise pollution coming from Chelsea Sun and Allegheny Creek, which is disturbing the peace. Steve stated he spoke with Manager Nelson regarding this matter and wanted to speak tonight to make the Board aware as well. Manager Nelson stated he did meet with Allegheny Creek and they stated they will tone things down and will continue to keep an eye on this. Mr. Couples quoted a few quotes from the Noise Ordinance. Mr. Couples is not asking the Board to shut them down, he is asking the Board to make them stop being annoying.

Leonard Romanczuk, Allegheny Rd., commented on the noise pollution coming from Allegheny Creek.

Peter DeBoer, Scenic Ct., commented on the closure of Riverton Road and stated that whether they decide to fix it or not, there will be no guarantee that there won't be another rock fall.

Supervisor Teel commented on the site distance problem coming down Gravel Hill onto Belvidere-Martins Creek Highway due to the height of the corn field.

Richard Wilford-Hunt, Shady Lane, commented on the primary duties of the Board of Supervisors, to protect the citizens of UMBT, but instead, trusting the developer.

Frances Visicaro, N. Delaware Dr., read her public comment, which will be part of the official record. Frances commented on not knowing how much monies from the NID the Township will receive and will it be enough to keep our taxes low.

There was a brief conversation regarding the Insurance Coverage in the event the Township was sued. Manager Nelson stated that the limit a Township can be sued for is \$500,000.

IV.

ANNOUNCEMENTS

Supervisor Friedman announced that he attended the Plan Slate Belt meeting and will provide a copy of the draft multi-municipal comprehensive plan to be reviewed and commented on. There is a fundraising event at Chelsea Sun on November 9th, 5-10 pm, for Brady Ferguson, who has a rare form of cancer.

Supervisor Bermingham thanked Baarda Farms for hosting an Inflation Pick Station Day at their farm. The next fundraising event for SLC6A1 will be October 8th at Hardball Cider. Other upcoming fundraising events, Dream a Little Dream and Nicole Smith, more details when available. Retirement of Colors on Sunday, August 14th. Back Packs for Bangor, for those in need.

Supervisor Teel announced the Seniors Forum is scheduled for September 10th, 1-3 pm, at the Mt. Bethel Fire Hall. Supervisor Teel is pledging \$1,000. There is Special Planning Commission meeting on August 24th.

Manager Nelson announced that James Paul Potter, a member of the road crew, completed his CDL course in record time. Congratulations to James.

V.

CONSENT AGENDA

1. Approval of the July 11, 2022, Meeting Minutes
2. Refuse Reductions, Application Refunds and Exonerations

MOTION by Supervisor Teel to approve the Consent Agenda, seconded by Supervisor Due. Vote: 5-0.

VI.

FINANCIALS

1. Bill List-Manager Nelson read the bill list. **MOTION** by Supervisor Teel to pay the bills in the amount of \$221,363.25, seconded by Supervisor Friedman. Vote :5-0.

VII.

ACTION ITEMS

1. Riverton Road Rockfall Mitigation Project-Engineer Coyle stated one bid was received from GeoStabilization International, LLC in the amount of \$197,409.09. Engineer Coyle stated that providing the Township has the available funds and has acquired the necessary construction easement, Carroll Engineering recommends awarding GeoStabilization International LLC. Engineer Coyle stated that the approximate time for completion is 2-4 weeks. **MOTION** by Supervisor Bermingham to approve the bid from GeoStabilization International, LLC in the amount of \$197,409.09, seconded by Supervisor Teel. Vote: 5-0. Chairman Pinter and Manager Nelson will discuss the financials on the project.

Supervisor Teel stated the corn at the bottom of Gravel Hill needs to be cut. Manager Nelson stated that it is Lower Mount Bethel Township.

VIII. SUBDIVISIONS

1. Philip Poliskiewicz Minor Subdivision, SALDO Waivers/Conditional Preliminary and Final Plan Approval- Solicitor Karasek stated there were four (4) SALDO waivers requested by the applicant, two of which have been granted by the Planning Commission. The two remaining requests to be approved by the BOS are:
SALDO Section 400.4.5- requires primary and secondary sanitary sewage testing for the residual track.
*SALDO Section 302.4.7.8 and 400.2.8-*requires dedication of the right-of-way to the Township.
MOTION by Supervisors Bermingham to approve the SALDO waivers, seconded by Supervisor Friedman. Vote: 5-0.

Solicitor Karasek stated this plan is also on the agenda for Conditional Preliminary and Final Plan Approval. Solicitor Karasek read over the agreement for Conditional Plan approval. All conditions set forth in Engineer Coyle's review letter of July 14, 2022, grant of easement (to be waived), fees-in-lieu for one (1) lot, and SALDO waivers approved and noted on plan.
MOTION by Supervisor Teel to approve the plan, seconded by Supervisor Friedman. Vote: 5-0.

IX. OLD BUSINESS

1. Upper Mount Bethel Township Park Foundation-There was a discussion on the authenticity of the Park Foundation. Supervisor Teel asked Mr. Mezger if he conducted a forensic audit as stated at a previous meeting. Mr. Mezger stated he never said he was going to do that. Supervisor Teel asked Mr. Mezger how much money the Foundation has, is the Foundation a 501c? Mr. Mezger stated the Foundation is a private organization. Solicitor Karasek stated that he reviewed the by-laws and articles of corporation, and it clearly states the public is entitled to any information, if they elect not to provide information, they are exposing themselves to a potential lawsuit. Supervisor Bermingham asked Mr. Mezger what he is going to do with the funds in the account? Mr. Mezger responded saying he has to use the funds to pay to re-instate the 501c3 status. Chairman Pinter stated to Mr. Mezger, so you are not a 501c3, Mr. Mezger responded it is revoked, he does not currently have a 501c3 status. Supervisor Bermingham asked Mr. Mezger what the purpose of the Park Foundation is. Mr. Mezger responded, to generate funds for park and recreation activities and they would like to expand that mission. Solicitor Karasek stated he will send Mr. Mezger a copy of the Articles of Incorporation and the By-Laws, circling the areas that clearly state that the public is entitled to the financial information of the Foundation. **MOTION** by Supervisor Friedman to table, seconded by Supervisor Bermingham. Chairman Pinter

stated he will give Mr. Mezger 30 days to review the information and come back to the BOS with his next steps. Vote: 5-0.

2. Well Ordinance Committee-Supervisor Friedman stated that five (5) letters of interest were submitted, James Potter, Jeff Manzi, Judy Henckel, Charlie Cole, and Cori Eckman. Supervisor Friedman would also like to be appointed the Liaison. This Committee will make recommendations to the Board. Chairman Pinter confirmed this is an Ad Hoc committee and would like to see a timetable on the deliverables. Supervisor Teel would like to know the purpose of this committee. Supervisor Friedman stated to update our current well ordinance. Supervisor Teel asked if this has anything to do with RPL. Supervisor Friedman stated yes. Supervisor Teel stated he is not comfortable with having two members on the committee that have sued the Township. Supervisor Due wanted to confirm the statement that Supervisor Teel made about this being all about RPL and Supervisor Friedman's response being yes. Judith Henckel commented that this is unfinished business. **MOTION** by Supervisor Bermingham to appoint the five (5) members and Supervisor Friedman the Liaison, seconded by Supervisor Friedman. Vote: 4-1. Supervisor Teel voting no.

X.

NEW BUSINESS

1. Eastern Industries Building-Manager Nelson discussed the garage upgrades at Eastern and stated he met with Condition One Commercial, and they have extensively inspected the roof and believe the roof would qualify for an insurance claim, due to storm damage. Condition One Commercial is willing to negotiate with the insurance company to replace the roof in full and accept the payment the insurance company pays. Manager Nelson stated the only Township obligation is to pay the deductible. Manager Nelson stated the deductible is \$1,000. Chris Ford, Condition One Commercial, discussed their contract and the Braxon Public Adjusters contract. **MOTION** by Supervisor Bermingham to move forward with Condition One Commercial contract, upon Solicitor Karasek's approval of the contract, seconded by Chairman Pinter. Vote: 5-0.

Manager Nelson discussed the replacement of our 2008 F-250 pickup truck. It will not pass inspection and the repair costs could run from \$2,500 to \$5,000. Manager Nelson has identified a replacement for at a cost of \$56,492. **MOTION** by Chairman Pinter stated to fix the truck for \$2,500, seconded by Supervisor Friedman. Vote: 5-0. Chairman Pinter asked Manager Nelson how he knows it will cost \$2,500. Manager Nelson stated we are going with what the previous estimates were. Chairman Pinter stated to strike his **MOTION**. Manager Nelson will bring an accurate estimate to fix the truck back to the Board.

XI.

EXECUTIVE SESSION

Recess to Executive Session at 9:30 pm to discuss personnel matters.

The Meeting reconvened at 9:40 pm.

1. Personnel-Chairman Pinter stated that a personnel matter was discussed in Executive Session and at this time no action will be taken.

**XII.
ADJOURNMENT**

MOTION by Supervisor Bermingham to adjourn the meeting at 9:41 pm, seconded by Supervisor Friedman. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Board meeting August 8,2022

Members of the board, thank you for this opportunity to speak.

The money River Point most likely will not give the town enough to keep the taxes low. With the increase of traffic, many of the town roads are being destroyed. Along with the higher cost of supplies the town will need to keep the town functioning.

Bangor school taxes will go up, with the influx of families coming into the area for employment.

How many employees will be hired from Upper Mount Bethel? 200? A thousand? Only the employees who live in Upper Mount Bethel will be paying the earned Income-tax to Upper Mount Bethel.

At this point the town doesn't know how much money it will receive from River Point's NID. The NID was created to help River point.

All the tax charts and grafts presented to the town are estimates. These charts and grafts could be overestimated on the money that would be received to keep our town taxes low.

Definitely, No one at this time can say our taxes won't go up.

Frances Visicaro

3001 N. Delaware Dr

Upper Mount Bethel, PA 18343