



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

Website: www.umbt.org

UPPER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES MONDAY, OCTOBER 12, 2020 @ 7:00 PM

*This meeting was live-streamed through the Upper Mount Bethel Township Facebook page.

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 were Chairman Bermingham Jr., Supervisor Due, Supervisor DeFranco, Supervisor Teel, Supervisor Pinter, Township Solicitor Karasek, Township Engineer Coyle, Township Manager Nelson.
4. Approve the Agenda-Chairman Bermingham Jr. amended the agenda, adding to PART VII, item #2, Annual Tax Change, #3 Planning Commission. **MOTION** by Supervisor Pinter to approve the amended agenda, seconded by Supervisor Teel. Vote: 5-0.

PART II (Public Comment)-Emailed comment from Judith Henckel will be part of the official record.

PART III (Announcements)

PART IV (Presentation)

Chris Finan, Chief of the Mount Bethel Fire Company, gave a presentation of the Fire Company and the duties of being a volunteer firefighter. Chief Finan gave a summary of some statistics: 100% of Mt. Bethel Fire Company are volunteers, currently there are 31 active members, and the average number of volunteers that respond is 10, for EMS calls, the average is 5, and for MVA, the average is 7, just to name a few. The State of PA only requires a volunteer have a HAZMAT certification. The following requirements are needed in order to become a firefighter in Mt. Bethel: one needs to get certified in HAZMAT awareness, ICS 100/700 and an introduction to fire services, which qualifies the individual to respond to a fire. Chief Finan discussed structure dispatch, zones, and how each fire company responds to calls. Chief Finan also wanted to clarify that it was not the Fire Company's fault for lack of participation in the DCED Fire Study. Chief

Finan stated that he is not against purchasing used fire trucks, as long as it works for the Township and it's what they need.

PART V (Approve the Minutes)

1. Meeting Minutes-September 14, 2020-**MOTION** by Supervisor Pinter to approve the September 14, 2020 meeting minutes, seconded by Supervisor Teel. No comments. Vote: 5-0.
2. Meeting Minutes-September 28, 2020-**MOTION** by Supervisor Teel to approve the September 28, 2020 meeting minutes, seconded by Supervisor Pinter. No comments. Vote: 5-0.

PART VI (Reports)

1. Financial-Bill List-Manager Nelson read the bill list. **MOTION** by Supervisor Pinter to pay the bills in the amount of \$283,183.71, seconded by Supervisor Teel. Vote: 5-0. Supervisor Pinter stated that he would like the Cartwright Cobra resolved. There was a discussion on the process of moving forward on the collection of the outstanding balance of \$2,320.15. Manager Nelson stated he would like one more month to try to collect. Chairman Bermingham Jr. asked this to be on the November 23rd meeting.
2. Supervisor's Report
 - a. Supervisor Pinter stated that the process of installing Freedom Systems has begun and asked Manager Nelson to start planning for budget meetings.
 - b. Supervisor Teel stated there was no Planning Commission meeting in September, but will be meeting in October.
 - c. Supervisor DeFranco stated that Scott Cole will be giving an EDC update.
 - d. Supervisor Due stated that Manager Nelson gave an update on the road department and zoning his report.
 - e. Chairman Bermingham Jr. stated the Halloween parade plans are underway for October 31st 1-3 at the park, donations are greatly accepted and appreciated. The Veteran's Day Celebration, also at the park, is on November 7th, and is sponsored by Lamtec/Custom Laminating.
3. Manager's Report-Manager Nelson discussed his monthly report. Manager Nelson gave an update on the Road Department, the Park, Finance, Zoning/Planning, Administration, Engineering, and meetings. Manager Nelson stated the Flagpole at the Park will be dedicated to Andrew Nester on Veteran's Day.
4. Engineer's Report-Engineer Coyle discussed his monthly report. Engineer Coyle reported on the site improvements at the Park, correspondence with FEMA, Hemlock Dr. project, traffic signal project, River Road Bridge, River Road Guiderail, and that there was no Planning Commission meeting for September, but there will be one for October.
5. Solicitor's Report-Solicitor Karasek gave a brief summary of his monthly report, meetings attended, subdivision matters, land development/zoning matters, and misc. administrative matters.

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

1. Refuse Reductions, Application Refunds, and Exonerations-**MOTION** by Supervisor Pinter to approve the Refuse Reductions, Application Refunds, and Exonerations, seconded by Supervisor Due. Vote: 5-0.
2. Annual Tax Change-Chairman Birmingham Jr. discussed amendments to the Earned Income Tax (EIT) and/or Local Services Tax (LST) for 2021 must be submitted to DCED prior to December 1st. Also, if any tax crediting changes, such as Act 172 volunteer first responders' tax credit, Keystone must be notified by November 1st. Supervisor Pinter stated he would like to take a look at the budget before making any amendments. Chairman Birmingham Jr. asked for this to be on the November 26th meeting.
3. Planning Commission-Supervisor Teel discussed the open seat on the Planning Commission. Supervisor Teel stated that he reviewed the letter of interests and feels that Anthony DeFranco is the best applicant for the seat. There was a discussion as to whether two (2) Supervisors can sit on the Planning Commission. Solicitor Karasek stated that the Planning Commission is a five (5) member Board, two (2) Supervisors can serve on the Planning Commission, three being residents. Chairman Birmingham Jr. feels that having two Supervisors gives them too much power, we need checks and balances. **MOTION** by Supervisor Teel to appoint Anthony DeFranco for the open seat on the Planning Commission, on the condition Solicitor Karasek verifies that two Supervisors can sit on the Planning Commission, seconded by Supervisor Pinter. Vote: 3-2. Chairman Birmingham Jr. and Supervisor Due voting no.
4. I-80 Rockwall Mitigation PAG- Chairman Birmingham Jr. discussed the need for a resident to serve on the Public Advisory Group to represent Upper Mount Bethel Township in regards to the I-80 Rockwall. Chairman Birmingham Jr. stated one letter of interest was received, Cher Mount. **MOTION** by Chairman Birmingham Jr. to add Cher Mount to the PAG, seconded by Supervisor Teel. Vote: 5-0. Chairman Birmingham Jr. stated we still need one more resident and if anyone is interested, they are to email the Township Secretary a letter of interest. Chairman Birmingham Jr. asked for this to be on the October 26th meeting.
5. River Rd. Bridge/Kobalt Construction Payment Requests (2 & 3)-Engineer Coyle discussed his recommendation for the approval of the payment requests, payment #2 in the amount of \$131,634.00, and payment #3 in the amount of \$111,144.60, for a total of \$242,778.60. **MOTION** by Supervisor Pinter to approve the payment of \$242,778.60 to Kobalt Construction, seconded by Supervisor Teel. Vote: 5-0.
6. Community Park Sidewalk/ISG, LLC Final Payment Request-Engineer Coyle discussed his recommendation for the approval of the final payment request, in the amount of \$22,724.60. **MOTION** by Supervisor Teel to approve the final payment of \$22,724.60 to ISG, LLC, seconded by Supervisor DeFranco. Vote: 5-0.
7. River Rd. Cable Rail/Wm. Orr & Sons Payment Requests (1 & 2 Final)-Engineer Coyle discussed his recommendation for the approval of the payment requests, payment #1 in the amount of \$59,117.50, and payment #2/Final in the amount of \$57,929.00, a total of \$117,046.50. **MOTION** by Supervisor Pinter to approve the payment of \$117,046.50 to Wm. Orr & Sons, seconded by Supervisor Teel. Vote: 5-0.
8. Proposed Resolution-Erasure of Audio/Video Tapes-Chairman Birmingham Jr. read Resolution #2020-10. Solicitor Karasek explained that the law is clear, that the official record of a meeting,

are in the written approved meeting minutes. **MOTION** by Supervisor Pinter to approve of Resolution #2020-10, seconded by Supervisor Teel. Vote: 5-0.

9. Petition to Vacate-Solicitor Karasek discussed the Vacation of a 60-foot-wide unnamed right-of-way. This petition is being presented by River Pointe Logistics Center, LLC. The unnamed Right-of-Way is surrounded on all sides by property owned by RPL, therefore RPL is the only affected party by the requested action. **MOTION** by Chairman Bermingham Jr. to grant the Petition to Vacate, seconded by Supervisor Teel. Vote: 5-0.

PART VIII (Old Business)

1. Community Planner/Alternate Engineer-Manager Nelson stated that Solicitor Karasek was to review the Pennoni agreement. Solicitor Karasek stated that he has not reviewed the agreement. There was a discussion on what should be considered in a Community Planner. Charles Cole commented on the request for additional proposals from other planners. Chairman Bermingham Jr. asked for this to be on the November 23rd agenda.

PART XI (New Business)

1. Sewage Permit Fees-Township SEO Scott Policelli, was not present to discuss. **MOTION** by Chairman Bermingham Jr. to table, seconded by Supervisor Teel. Vote: 5-0.
2. EDC Update-Chairman of the EDC, Scott Cole gave an update from the EDC. Chairman Cole stated that at this time, it is important to keep the line of communication open with RPL. RPL has attended the last two EDC meetings to provide updates. Chairman Cole stated he spoke with Lou Pektor today who provided him with an update, finalizing water & sewer, drilling wells, and site development. Mr. Pektor also provided an update on active interested businesses, LAMTEC, food processor, recycling company, and the Dairy Company that was interested, might not be coming. Chairman Cole discussed the open seats on the EDC. Currently there are three (3) interested candidates and hopes to make a selection in November. Chairman Cole stated the EDC has begun working on a project, township taxes-tax revenue, and also working with RPL on a financial template. Chairman Bermingham Jr. stated it would be good to updates from the EDC on a monthly basis. Public Comment-Ron Angle stated that this was an excellent update.

PART X (Public Comment)

Dave Friedman commented on the drilling of wells on the RPL property, the Township spending so much time on the Rockwall project, and the decision to have two Supervisors on the Planning Commission.

Charles Cole commented on the Township needing good planning/planner and the decision to have two Supervisors on the Planning Commission, you need independent planning.

Cher Mount commented on the privilege of representing Upper Mount Bethel Township on the NJDOT PAG and the establishment of planning, what is good for UMBT.

Ron Angle commented on the EDC update and finding a good planner that could please all the people in the Township.

Manager Nelson discussed the recommendation from the Open Space Advisory Board on a few changes for the Collura property. The Nature Conservancy and the U.S. Fish & Wildlife Preserve have been discussing USFWS interest in holding the easement rather the Conservancy. The original grant award was \$125,125 and with the changes, a reduction of the grant will be \$46,000. **MOTION** by Chairman Bermingham Jr. to approve the reduction in the grant, seconded by Supervisor Due. Vote: 5-0.

Mark Mezgar commented on getting different options from RPL, doing due diligence up front and the importance of getting monthly updates. Supervisor Pinter stated that updates will occur once information is available to share.

PART XI (Executive Session)-None

PART XII (Adjournment)-**MOTION** by Supervisor Teel to adjourn the meeting at 9:05 pm, seconded by Supervisor Pinter. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Comment for Supervisor October 12, 2020 meeting
Judith Henckel

My comment/question concerns a community planner that may be on the agenda. For some time the public has requested non-partisan planning for future direction in sustainable growth and accompanying development throughout the township. In other words where best to most effectively position business, industry and residential that allows for our community rural character and lifestyle.

A good example of this is the Lehigh Valley Planning Commission facilitation of the Slate Belt multi-municipal planning effort. It has put forth data on current and projected demographic, housing, land, economic, redevelopment and transportation analysis. Within that framework, each municipality can determine its best fit into the regional picture, while utilizing the information as the baseline for its own plan.

My concern with our representation, and lack thereof, to that effort is that it is one-sided, as it is with many township committees. It leads to distrust whether decisions made are in the interest of all residents. A community planner appointment for the sake of answering a few hot button topics to quiet citizen concerns is not the answer. Citizens should be respected with a search for an unbiased planner with experience in rural community planning. That includes the laborious work of public input sessions after some introduction into the planning process and then compromise on what will be seen as a good choice twenty years from now.

What are the true economic and environmental costs for the benefits of paving over our wetlands and farms?