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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, DECEMBER 12, 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 Friedman, Supervisor Bermingham, Supervisor Teel, Township Manager Nelson, Township Solicitor Karasek, and Township Engineer Coyle. Supervisor Due was absent.

II.

APPROVE THE AGENDA

MOTION by Supervisor Teel to approve agenda, seconded by Supervisor Friedman.
Vote: 4-0.

III.

PUBLIC COMMENT

Andy Mahan, Kovar Lane, stated that he called Supervisor Due on December 5th and has not received a returned call back. Andy commented on the neighbor living in their camper for 3 years, with no water, electric or septic. There was a discussion on whether the Conklin's are in violation of the zoning ordinance concerning the amount of time they are living in a camper. Solicitor Karasek stated he will need to review the violation. **MOTION** by Supervisor Teel for Solicitor Karasek to investigate the issue and come up with a suggestion of what the Township can do, seconded by Supervisor Bermingham. Vote: 4-0. Andy expressed his concerns regarding the use of well water in the industrial zones and the impact on the aquifer.

Charles Cole, Riverton Rd., commented the trash contract, make sure the residents have time to analyze this.

Chris Finan, Apache Dr., commented on the complaints regarding the fire siren. The siren has been broken for 3 years and has now been repaired. The timer is on 8am-8pm.

Manager Nelson stated that Riverton Road is now open. And Rt. 611 in the Water Gap is still closed.

Francis Visicaro, Delaware Dr., commented on her having to cross busy Rt. 611 to get her mail. Francis commented on the trash contract and the size of the toters.

Scott Policelli, Tara Ct. commented on the trash contract and the placement of a large amount of toters in a small area.

IV. ANNOUNCEMENTS

Supervisor Teel announced that he will be hosting a benefit auction December 17th, 12 noon, for Duke's family. All store proceeds go directly to the family.

Manager Nelson stated the boys scouts and girls scouts are still selling Christmas trees at the Park. All proceeds go to the scouts.

Supervisor Bermingham announced that his book about what firefighters do is free but does welcome donations that go directly to the Fire Companies. To date, donations have exceeded \$1,000. Thoughts and prayers to the families of Marvin Gruber and Zachary Paris, fire fighters for the New Tripoli Fire Dept. who lost their lives protecting and serving others. The retirement dinner for Senator Scavello has been postponed.

V. CONSENT AGENDA

1. Approval of the November 14, 2022, Meeting Minutes
2. Approval of the November 28, 2022, WS Meeting Minutes
3. Refuse Reductions, Application Refunds and Exonerations

MOTION by Supervisor Teel to approve the Consent Agenda, seconded by Supervisor Friedman. Vote: 4-0.

VI. FINANCIALS

1. Bill List-Supervisor Friedman asked about a bill from Cozza Law Firm. Manager Nelson stated that request came from the Board for Chairman Pinter to contact them to discuss their bills. Supervisor Friedman inquired about certain roads being paved and does not recall the road crew doing any paving and does not recall seeing anything in the bill list about purchasing macadam for these roads. Supervisor Friedman would like to know who paved the roads and what the cost was. Manager Nelson stated that Hallett Paving paved the roads because the road crew got behind on their schedule. Manager Nelson stated the material cost was about \$560,000 and the labor cost was about \$400,000. Supervisor Friedman asked why this was not put out for bid and the Board should have been kept up to date on this. Supervisor Bermingham asked to see the bill from

Hallett Paving. Manager Nelson stated that the Hallett bill will not be paid until the beginning of the new year. Manager Nelson proceeded to read the bill list. **MOTION** by Supervisor Teel to pay the bills in the amount of \$246,204.63, seconded by Supervisor Friedman. Vote: 4-0.

2. 2023 Budget-Manager Nelson provided a copy of the budget for the Board members. Manager Nelson stated he is looking for a 4 mil increase for 2023. Supervisor Birmingham stated he has not had a chance to review the proposed budget and asked what a mil amounted to. Manager Nelson stated a mil is \$217,000. Chairman Pinter stated he has pushed a millage increase for the past three years, costs are rising. Supervisor Teel is opposed to having any increase. Supervisor Teel would like to table this to work the budget. **MOTION** by Supervisor Teel to table until December 19th, seconded by Supervisor Birmingham. Vote: 4-0. **MOTION** by Supervisor Friedman to advertise for a special budget meeting to be held on December 19th, seconded by Supervisor Teel. Vote: 4-0. Chief Finan stated that the Fire Companies would give back the COVID money if that would help with the budget, and then maybe consider giving the Fire Companies a 1.5 mil increase. Both NB and MB will attend the meeting on the 19th for further discussion.

VII.

ACTION ITEMS

1. James and Amy Enman Joinder Deed-Solicitor Karasek stated he has reviewed the Joinder Deed and appears to be in order, therefore he recommends the Board to consider approving this Joinder Deed. **MOTION** by Supervisor Friedman to approve the James and Amy Enman Joinder Deed, seconded by Supervisor Birmingham. Vote: 4-0.
2. Resolution No. 2022-20 EOP-Manager Nelson stated this Resolution is for the Emergency Operations Plan (EOP), which is completed every two years. **MOTION** by Supervisor Birmingham to adopt Resolution No. 2022-20, seconded by Supervisor Friedman. Vote: 4-0.
3. RPL East, Planning Module and Resolution No. 2022-21- SEO Scott Policelli discussed the Planning Module for RPL East. The Resolution is the legal step in acknowledging the Township has adopted it for submission to DEP. Solicitor Karasek stated this is a standard DEP Resolution form. **MOTION** by Supervisor Teel adopt Resolution No. 2022-21, seconded by Supervisor Birmingham. Supervisor Friedman stated he would have like to have had the Resolution to review prior to the meeting. Engineer Coyle asked how gallons a day for flow. Scott stated 7500 gallons a day. Vote: 4-0.
4. Solicitor Karasek discussed a waiver for Lot C on RPL East property, for a second testing site. **MOTION** by Supervisor Teel to grant the waiver for a secondary testing site, seconded by Chairman Pinter. Vote: 4-0.

VIII.

TABLED ITEMS

1. Parks/Rec Rental Agreement & Rules/Regulations-Solicitor Karasek stated he forwarded the revised agreement to the Board for a final review. **MOTION** by Supervisor Friedman to approve the Parks/Rec Rental Agreement and Rules/Regulations, seconded by Supervisor Teel. Vote: 4-0.

2. Trash Contract-Manager Nelson discussed the proposed three (3) contract with Waste Management. The fee will go from \$225 annually to \$485 annually. The fee will increase each year during the three (3) year contract. This service will be all robotic. Each unit will receive one 96-gallon toter and one 96 recycle toter. For an additional toter, there would be an additional cost of \$22. All garbage will need to be placed in the toter, they will not pick up trash outside the toter. They will be picking up trash 4 days a week and the 5th day will be for bulk items. There was a discussion on whether there was an option for a smaller toter, that is not an option. Ron Carlson stated the new program will not start until March 1, 2023, it will take time to get the toters delivered, residential education, scheduling, etc. **MOTION** by Supervisor Teel to approve the 2023, 2024 ,2025 trash contract, 1st year \$1,271,449.80, 2nd year \$1,347,736.79, 3rd year \$1,428,601.00, seconded by Supervisor Friedman. Vote: 3-1. Supervisor Bermingham voting no.

IX.

OLD BUSINESS

1. Portland Sewer Capacity Study-Engineer Coyle discussed the letter received from Portland Borough regarding the Sewer Capacity Study. Looking at existing capacity flows and the projected flows. The Board previously approved the study and the fee and Supervisor Teel stated RPL would be paying for it. Payment will be coordinated with the Borough.
2. Dry Hydrants-Engineer Coyle stated that he, along with Manager Nelson and the Fire Chiefs visited initial potential spots, Sandy Shore Dr., and RPL East, for the installation of dry hydrants. Chief Finan stated he spoke with GBW Associates, who does consultations and will put him in touch with everyone via email.
3. LVPC Traffic Study-Supervisor Friedman stated that the LVPC is willing to attend a Planning Commission Meeting but due to scheduling and the holidays it will have to be scheduled for January.

X.

NEW BUSINESS

1. Hydrogeologist-Supervisor Friedman stated the Well Ordinance Committee would like to meet with a hydrogeologist, via ZOOM, and would like to cap the fee at \$1,000. **MOTION** by Supervisor Bermingham to meet with a hydrogeologist and cap the fee at \$1,000, seconded by Supervisor Friedman. Supervisor Teel stated that he would like to table this after the approval of the 2023 budget. Supervisor Friedman stated he will accommodate Supervisor Teel's request. Supervisor Bermingham rescinded his motion, Supervisor Friedman rescinded his second. **MOTION** by Supervisor Teel to table, seconded by Supervisor Friedman. Vote: 4-0.

XI.

EXECUTIVE SESSION

Recess to Executive Session to discuss Legal matters at 9:02 pm.

The Meeting reconvened at 9:17 pm.

1. Legal-Chairman Pinter stated that a legal matter was discussed in Executive Session and there is no action to be taken at this time.

**XII.
ADJOURNMENT**

MOTION by Supervisor Teel to adjourn the meeting at 9:17 pm, seconded by Supervisor Bermingham. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary