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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS WORK SESSION MEETING MINUTES
MONDAY, NOVEMBER 27, 2023 – 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 Teel, Supervisor Friedman, Supervisor Birmingham, Manager Graziano, Township Solicitor Karasek, and Township Engineer Coyle. Supervisor Due was absent.

II.

APPROVE THE AGENDA

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

III.

PUBLIC COMMENT

Charles Cole, Riverton Rd., commented on Chairman Pinter's letter to Editor regarding how elected officials fail to uphold what is expected of them.

Michael Kulicke, Hemlock Dr., commented Totts Gap Rd, over the mountain to Poplar Valley Rd. Michael stated this was a public road up until the early 70's, at which time the Township took it out of service. Michael stated this should be studied and considered as an alternate route to DWG and Stroudsburg.

Ron Angle, Million Dollar Highway, commented on the history of the one lane bridge on Million Dollar Highway and would like to see the Township spend some time working with PennDOT.

Jim Potter, Audubon Dr., commented on the meeting he had with a hospital-based ambulance service. They are willing to come to our area. They need more numbers.

Supervisor Friedman commented on his recent Ethics Violation and noted that one important piece of information was never looked at by the Ethics Commission, the court order removing him as an appellant.

IV.

EXECUTIVE SESSION

Recess to Executive Session at 7:19 pm to discuss personnel matters.

The meeting reconvened at 7:30 pm.

Chairman Pinter stated a personnel matter was discussed in Executive Session. MOTION by Chairman Pinter to accept David Due's resignation, effective November 15, 2023, seconded by Supervisor Teel. Discussion: Supervisor Bermingham discussed accepting or not accepting David's resignation. Solicitor Karasek explained the process when a Supervisor resigns. As per the Second-Class Township Code, the BOS must accept a tendered resignation no later than forty-five (45) days (December 30th) after the resignation has been tendered to the BOS, unless the resignation is withdrawn in writing prior to the acceptance. After the resignation is accepted, the BOS has thirty (30) days to select/appoint someone. If the BOS cannot do it within the thirty (30) days after the vacancy occurs, the vacancy shall be filled within fifteen (15) additional days by the vacancy board. Chairman Pinter called for vote to accept David Due's resignation. Supervisor Friedman-nay, Supervisor Bermingham-nay, Supervisor Teel-nay, Chairman Pinter-nay. Chairman Pinter stated David's resignation was not accepted, therefore he is still a voting member of this Board.

V.

ANNOUNCEMENTS

Chairman Pinter thanked everyone who attended the Veterans Day Celebration at the Park. And thank you to John and Peggy Post for making the Fireworks happen. Donations were being collected for the Slate Belt Veterans Association, who are looking to build housing for the Veterans in Bangor. The Parks/Rec will be having their Christmas Pajama party on December 17th at Allegheny.

Supervisor Friedman stated that due to the resignation of Tracy DeFranco, Tax Collector, the Board should be looking to fill that position. Anyone interested in the position can submit their letter of interest to the Township Secretary.

Supervisor Bermingham thanked Mt. Bethel Pharmacy for their donation of two turkey dinners. Mt. Bethel Pharmacy is also doing an Angel Tree. December 3rd, there is a fundraiser for the Bangor Slater Band. Supervisor Bermingham is working with Steel Wool Sisters with the collecting of gifts for pediatric patients in Lehigh Valley Hospital. Lehigh Valley Assembly is hosting a ZOOM meeting on Wednesday. The Mt. Bethel Church tree lighting is being held on Wednesday, November 29th at 5pm at the MBFH.

Suburban Ambulance would like to come and talk to the Board. Supervisor Bermingham will invite them to attend the meeting on December 11th. Supervisor Bermingham will be having office on December 13th, place to be determined.

Supervisor Teel announced the Planning Commission meeting that was cancelled on November 15th, has been rescheduled to December 6th.

Secretary Cindy Beck read a thank you letter from Lois Gerwig to the road crew for the great job they did on River Rd.

Manager Graziano thanked Air Liquide for their generous donation of \$4,600 to the Parks/Rec fund. The proposed 2024 budget is posted on-line to be reviewed. A reminder that the garbage bills are due at the end of December.

VI.

TABLED ITEMS

1. Code Adoption Ordinance-Solicitor Karasek stated the Ordinance will need to be reviewed by the LVPC and the Planning Commission due to the changes in the Township Zoning Ordinance and the SALDO. **MOTION** by Supervisor Friedman to table until December 29th, seconded Supervisor Bermingham. Vote: 4-0.
2. NIDMA Cooperation Agreement-Attorney Matt Bolewitz and Attorney Julia Wu were also present via phone for discussion. Attorney Karasek stated that Attorney Bolewitz is the Attorney for the Township with respect for this matter, therefore, all he has done is read the Cooperation Agreement to make sure it meets proper format etc. This agreement is to assist the Township, having the money necessary to meet what appears to be the requirements of the RPL projects, fire services, ambulance services, road maintenance, street lighting, etc. Attorney Bolewitz discussed where we are with the NIDMA and stated that there are two important topics, 1) a general overview of where we are 2) how the NIDMA is going to guide the NID. At this point, it is largely administrative. There are still agreements that need to be negotiated down the road. Supervisor Bermingham stated he is not comfortable at this time approving the NIDMA agreement, he still has questions and would like to meet with Attorney Bolewitz to go over his comments with him. Supervisor Friedman stated his concerns are the contractual agreements the Township will have with the developer. Chairman Pinter explained the reason for the contractual agreements. Supervisor Bermingham and Supervisor Friedman would like to meet with Attorney Bolewitz. **MOTION** by Supervisor Bermingham for himself and Supervisor Friedman to meet with Attorney Bolewitz to discuss their concerns and table until the meeting on December 11th, seconded by Supervisor Friedman. Vote: 4-0. Attorney Wu who represents the NIDMA, reiterated what she stated at the last meeting was that this is a straightforward agreement. What this agreement does is memorialize what is in the NID Plan

and adds more protection for the Township. The main part of getting the agreement approved is to start getting money for the Township.

3. Simon Collins Grant Writing Proposal-Manager Graziano stated Simon Collins made the suggested changes. There was a discussion on a few concerns that Supervisor Bermingham had in section #16 and #20 of the proposal. **MOTION** by Supervisor Bermingham for Solicitor Karasek to make the changes and have Manager Graziano send back to Simon Collins for his review on the changes, seconded by Supervisor Teel. Vote: 4-0.

VII.

ACTION ITEMS

1. Transfer funds to Open Space for Cameras-Supervisor Friedman stated that the Open Space Board would like to be refunded \$27,300 for the cameras that were purchased out of the Open Space fund without approval. **MOTION** by Supervisor Bermingham to transfer \$27,300 to Open Space Fund from an account TBD by the Treasurer and Bookkeeper to reimburse the Open Space account, seconded by Supervisor Friedman. Chairman Pinter stated it will be coming out of the General Fund. Vote:4-0.
2. Million Dollar Highway One-Lane Bridge-Manager Graziano stated he spoke with PennDOT, who is giving us two options on the bridge. One option being they would give us \$75k to fix the bridge and they give the bridge to the Township. The second option is they would change the bridge to a two-lane bridge, and they would keep the bridge. Engineer Coyle provided an estimate back in May 2023 of \$524k to fix the bridge. Solicitor Karasek stressed that it is an expense to take over a bridge. Engineer Coyle stated that due to the condition of the bridge and what would need to be done to bring it up to the current standard/code, and the responsibility of the maintenance of it, he does not recommend taking it over for \$75k. The Township could persuade PennDOT to keep it a one-lane bridge. Chairman Pinter stated that the Township cannot put a weight limit on it because it is State Bridge and the Sand Pit Rd is still out, which is owned by the County, and they do not have the funds to fix that bridge. With two bridges out, this will limit the people who travel on these roads as well the access to the Preserve. Chairman Pinter would like to keep a one-lane bridge. Chris Finan stated that putting a weight limit on the bridge will not stop trucks going over it. **MOTION** by Supervisor Teel to table until January, seconded by Supervisor Bermingham. Vote: 1-3. Motion fails. **MOTION** by Supervisor Friedman to have Manager Graziano contact PennDOT to see if they would fix the bridge and keep it a one-lane bridge. Supervisor Friedman rescinded his motion. Public Comment-Jeff Williams, S. Delaware Dr. on whether PennDOT will keep it a one-lane bridge. Ron Angle stated he would be happy if PennDOT kept it a one-lane bridge. **MOTION** by Supervisor Teel to table and have Manager Graziano reach out to PennDOT to see if they would repair it and keep it a one-lane bridge, seconded by Supervisor Friedman. Vote: 4-0.

VIII.

NEW BUSINESS

1. Fee Schedule for Cancelled Meetings-Supervisor Teel stated that after a conversation with Solicitor Karasek, he reframes from discussing this evening. His concerns are that a lot of work goes into scheduling a meeting and for it to get cancelled, costs the Township money. **MOTION** by Supervisor Teel to table until January, seconded by Supervisor Bermingham. Discussion- Supervisor Friedman stated that agendas need to be approved and posted in a timely manner. Supervisor Teel stated the Township needs further advance notice of a meeting be cancelled, if not, there should be a fee incurred. Vote: 4-0.

IX.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 9:00 pm, seconded by Supervisor Teel. Vote: 4-0.