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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS WORK SESSION MEETING MINUTES  
MONDAY, JULY 24, 2023 – 7:00 PM

**I.**

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

The Pledge of Allegiance was recited.

Present were Chairman Pinter, Supervisor Friedman, Supervisor Bermingham, Supervisor Teel, Township Manager Nelson, Township Engineer Coyle, and Township Solicitor Karasek. Supervisor Due was absent.

Chairman Pinter announced that tonight's meeting will not be live streamed due to equipment failure.

**II.**

**APPROVE THE AGENDA**

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

**III.**

**PUBLIC COMMENT**

Todd Pinto, Chief NBFC, asked if there was an insurance update for when their pick-up truck hit a deer. Todd stated that if anyone is in need of any type of pumping, contact him. Secretary Beck will put the number on the website. Raffle tickets are on sale for a \$500 shopping spree, drawing to be held on November 14<sup>th</sup>.

Chris Finan, Apache Dr., commented on a recent commercial fire, the Township is in need of someone inspecting commercial buildings for fire safety. There was a discussion on the Building Codes Officer and if this is part of their inspections.

Joseph Steele, Million Dollar Hwy., asked what publication the Township uses for public notices and commented on the garbage totes/costs. Manager Nelson will contact Joseph in the morning to discuss his comments on the garbage.

Andy Mahan, Kovar Lane, commented on the 25 mph speed limit zone on River Rd., that is not properly marked.

Gary Smith, Jacoby Creek Rd., commented on the water that collects behind his house, from the railroad bed and from the Portland Trailer Park. Manager Nelson will be meeting with Mr. Smith to discuss mitigation.

John Howard, Alexandra Circle, commented on the difficulties of pulling out onto Rt. 611 at TK's, due to cars parking in the front. John discussed grants available for cellular towers. John has identified three areas in the Township that lack cellular coverage and would like the opportunity to present a proposal. **MOTION** by Supervisor Bermingham to move forward with a proposal, seconded by Chairman Pinter. Vote: 4-0.

Sharon Duffield, Potomac St., commented on the RPL representatives calling the shots, protocols, and she is not happy how people are treated during meetings.

Supervisor Bermingham made a few announcements before he had to leave. The next clean up day is scheduled for August 5, where they will be cleaning up Boulder Dr., office hours will be August 7<sup>th</sup>, at TK's 6-7:30, the retirement of the colors is on August 20<sup>th</sup>, and congratulations to Bangor Library for being nominated for the 2024 National Medal for Museum and Library.

Supervisor Bermingham excused himself from the meeting at 7:45 pm.

Charles Cole, Riverton Rd., commented on case law that attorneys cite from time to time.

Judith Henckel, Robin Hood Rd., commented on setting the date and time for the Conditional Use Hearing.

#### **IV. ANNOUNCEMENTS**

Manager Nelson announced storm related damages throughout the Township. Shady Lane/Allegheny had a considerable amount of damage done.

#### **V.**

##### **TABLED ITEM**

1. Joinder Deed Boulder Dr./Jacoby Creek Rd.-Solicitor Karasek discussed his review of the paperwork received for the Joinder Deed. There seems to be a discrepancy in the amount of acres of each property. Engineer Coyle discussed his review of the Joinder Deed. He recommends a Lot Annexation Plan. **MOTION** by Supervisor Friedman to table for clarification, seconded by Supervisor Teel. Vote: 3-0.

## VI.

### ACTION ITEM

1. Simone Collins Final Master Plan-Peter Simone stated that he is before the Board tonight looking for final approval of the Master Plan. Supervisor Friedman stated that the Master Plan can be changed, the approval is to facilitate the approval of grants. Peter stated that he would like to send the Board a proposal for writing the grants. **MOTION** by Supervisor Friedman to approve the Final Master Plan, seconded by Chairman Pinter. Vote: 3-0.
2. Ordinance 2023-01-Amending the Applicability of Existing Floodplain Regulations-Solicitor Karasek discussed the proposed Ordinance amending the applicability of existing floodplain regulations to fences within the AE area without floodway the A area and the floodway. A special exception use shall not be required for "open-type" fences (such as pipe, split-rail or corral) proposed within the flood fringe, however, such open-type fences shall still require approval and a permit issued by the Flood Plain Administrator. Solicitor Karasek stated that this will require two (2) advertisements, LVPC review, and Planning Commission review, before adopting the Ordinance. Solicitor Karasek this does not apply to anything in the Floodway, this deals with Zone AE or AE without the Floodway. **MOTION** by Supervisor Friedman to adopt Ordinance 2023-01, seconded by Supervisor Teel. Vote: 3-0.
3. Declaration of Disaster Emergency-Manager Nelson stated that he notified all the Supervisors that the Township should open a Declaration of Emergency, which goes into effect July 14<sup>th</sup>. Manager Nelson presented a power point presentation of damaged areas throughout the Township. Manager Nelson stated that if anyone has had any damage to their personal property contact the Township. **MOTION** by Chairman Pinter to move forward with the passage of the Declaration of Disaster Emergency for July 14, 2023, seconded by Supervisor Teel. Vote: 3-0.

## VII.

### NEW BUSINESS

1. Set date for PRL Conditional use Hearing-Solicitor Karasek discussed the procedure for a Conditional Use Hearing. Conditional use is a permitted use, which conditions can be attached. The applicant has to show to the Board that it meets specific requirements of the Ordinance. The hearing must be held 60 days from the filing date, June 16, 2023, therefore the time to have the public hearing will expire on August 15, 2023, unless the applicant agrees to an extension. Solicitor Karasek suggests the hearing be held on Monday, August 14, 2023, before the regular meeting. The hearing will require a stenographer. Chairman Pinter discussed the time and place for the Hearing to be held. **MOTION** by Chairman Pinter to hold the Conditional Use Hearing on Monday, August 14, 2023, at the Mt. Bethel FH, 5:00 pm – 7:00 pm, with the regular meeting starting at 7:30 pm, provided everyone that would like to speak, gets the chance, if not, it can be continued, seconded by Supervisor Friedman. Vote: 3-0.

## VIII. REPORTS

1. Zoning-Tina Serfass was not present to discuss her monthly report, which included applications received, reviewed, and issued.
2. Property Maintenance-Nick Graziano gave a brief summary of his monthly report. Nick discussed the issues with the Jacoby Creek property and the mitigation. Manager Nelson stated this will be a costly project, which involves the railroad and obtaining permits. **MOTION** by Chairman Pinter to obtain the permits to move forward with Middle Village Rd. project, seconded by Supervisor Teel. Vote: 3-0.
3. Open Space Advisory Board-Laura Bocko thanked the BOS for approving the Final Master Plan. Laura provided her monthly report. No discussion.
4. SEO-Scott Policelli was not present, but his monthly report was provided.
5. Economic Development Committee-no report.
6. Manager-Manager Nelson submitted his monthly activity report. Supervisor Friedman asked that he provide a notation on his reported activity.
7. Engineer-Engineer Coyle discussed his monthly, which included many plans reviewed.
8. Solicitor-Solicitor Karasek discussed his monthly report, which included meetings attended, subdivision/land development/zoning matters, and miscellaneous office matters.
9. Secretary-Cindy Beck discussed her monthly report, website maintenance, normal daily functions, assisting residents, working with Berkheimer on garbage bills, enrolling residents to CodeRed, reviewing several plan submittals for completeness, prepared ZHB packets, issuance of yard sale/moving permits, preparation of minutes and agendas.
10. Park/Rec-Stavros Barbounis discussed his monthly activity, looking for volunteers, park development, bathroom project update, sports programs, upcoming community events, guidance from the BOS on his recent email in regard to Ordinances and PNRB functions. Chairman Pinter would like a meeting with Stavros, Solicitor Karasek and Manager Nelson to go over the Ordinance.
11. IT/Telecom-Stavros Barbounis discussed his monthly report, routine maintenance, website updates, live streaming of the meetings, and resolving internet issues at Eastern Industries. Stavros discussed security cameras at the Park as well as the condition of the pavilion. Chairman Pinter asked Engineer Coyle to take a look at it.
12. Bookkeeper-Diann Eden submitted her monthly report. No discussion.
13. Well Committee-Supervisor Friedman reported they are finalizing the final draft and the Committee is requesting another hydrogeology survey be done to get a better feel of the water situation. Supervisor Friedman stated that once the final draft of the Well Ordinance is completed, he would like permission to submit it to Engineer Coyle and Solicitor Karasek for review. **MOTION** by Supervisor Friedman to have Engineer Coyle and Solicitor Karasek review the final draft of the Well Ordinance, seconded by Chairman Pinter. Vote: 3-0.
14. Planning Commission-Supervisor Teel reported that he allows everyone the opportunity to speak at the Planning Commission Meetings. The Commissioners have recommended to the BOS, conditional final plan

approvals for RPL. Supervisor Teel stated that Engineer Coyle, Solicitor Karasek, and the recording secretary, Cindy Beck, do an outstanding job.  
15. Supervisors-no reports.

**IX.**

**EXECUTIVE SESSION-No need.**

**X.**

**ADJOURNMENT**

**MOTION** by Supervisor Friedman to adjourn the meeting at 9:05 pm, seconded by Supervisor Teel. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary