



Upper Mount Bethel Township

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**UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, OCTOBER 14, 2024 – 7:00 PM**

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

I.

Supervisor Birmingham called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

In attendance were Supervisor Birmingham, Supervisor Eckman, Supervisor Erler, Supervisor Friedman, Supervisor Albert, Township Solicitor Karasek, Township Engineer Coyle, and Township Manager Graziano.

Supervisor Birmingham wanted to send thoughts and prayers to those who have been affected by the recent hurricanes.

II.

APPROVE THE AGENDA

MOTION by Supervisor Friedman to approve the agenda, seconded by Supervisor Albert. Vote: 5-0.

III.

PUBLIC COMMENT

Jim Merklinger, Creek Rd., commented on his recent complaints regarding certain properties throughout the Township that he brought to the attention of the Board in June. Nothing was done. The Township needs to be cleaned up. Property owners need to be fined. Put the money towards the Park. Solicitor Karasek stated the Property Maintenance Code is in effect and Tina is the one to enforce it. Manager Graziano stated that Tina did send the Day Care a letter, she has not gotten a response back from them.

IV.

CONSENT AGENDA

1. September 9, 2024, Meeting Minutes
2. September 23, 2024, WS Meeting Minutes
4. Exonerations/Refunds

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

V.

FINANCIALS

1. Bill List-Manager Graziano read the bill list, totaling \$562,674.25. **MOTION** by Supervisor Friedman to pay the bills, in the amount \$562,674.25, seconded by Supervisor Eckman. Vote: 5-0.

VI.

ACTION ITEMS

1. Resolution No. 2024-22 Disposition of Records-Supervisor Friedman stated the procedure to dispose of records needs to be done by Resolution. Supervisor Friedman read the Resolution, which included the records to be disposed of: accounts payable-2009-2016, payroll 2011-2018, zoning hearing refunds 2006-2012, banking receipts/deposits 2011, 2014-2017, zoning hearing board & planning commission accounting 2015, road dept files 2009-2011, and zoning permits 2015-2016. There was a discussion on the zoning permits listed to be disposed of. Solicitor Karasek does not recommend disposing of the zoning permits. Supervisor Friedman stated that he would like to amend the Resolution, removing the zoning permits from the files to be disposed of. **MOTION** by Supervisor Friedman to adopt Resolution No. 2024-22, with the removal of the zoning permits 2015-2016, seconded by Supervisor Bermingham. Vote: 5-0.
2. Gate at Community Park-Manager Graziano discussed the three proposals he received for the gate at the park. Three proposals were received, Lehigh Valley Fence, \$18,520, Tri-Boro Fencing, \$25,560, and American Fence, \$43,840. Manager Graziano recommends the lowest proposal from Lehigh Valley Fence of \$18,520. **MOTION** by Supervisor Friedman to award the bid to Lehigh Valley Fence for \$18,520, seconded by Supervisor Eckman. Vote: 5-0.
3. Well Isolation Waiver-Walker/McCabe Property-Solicitor Karasek discussed the waiver request, which is a routine matter to be approved. **MOTION** by Supervisor Albert to approve of the Well Isolation Waiver, seconded by Supervisor Friedman. Vote: 5-0.
4. Kilkenny-Baumler Legal Fee-Solicitor Karasek discussed the fees incurred by the Township by Alex Baumler, in respect to the Incorporation of the Municipal Authority. The Township BOS approved a fee of \$3,000 to be paid (April of 2023), which \$2,740 was paid, with a remaining balance due \$240, however Mr. Kilkenny states that additional work was required, and that additional work is \$4,374.44. These bills are after the Township paid \$2,760. Marty Pinter stated that in regard to the conversation with Kilkenny, there was going to be a little bit of overage, not \$4,000 worth of overages, going back and forth on the

Authorities drafts, the Municipal Authority has no problem paying that overage. Supervisor Bermingham stated that \$3,000 has already been approved, we will pay the remaining balance due of \$240. No motions needed.

VII. SUBDIVISIONS

1. Ott/Race Minor Subdivision-Solicitor Karasek stated that this plan has been reviewed and recommended for approval by the Planning Commission. Two SALDO waivers to be approved:
 - i. SALDO Section 302.4.7.8 and 400.2.8-Roadway Dedication-**MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Erler. Vote: 5-0.
 - ii. SALDO Section 600.4.6.2-Reserve Septic Site Testing-**MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Eckman. Vote: 5-0.
2. Conditional Preliminary/Final Plan Approval-Solicitor Karasek went through the Conditions outlined in the Agreement for Conditional Plan Approval. **MOTION** by Supervisor Friedman to grant Conditional Preliminary/Final Plan Approval, seconded by Supervisor Albert. Vote: 5-0.

VIII. LAND DEVELOPMENT

1. Lamtec Expansion-Solicitor Karasek stated the following are waiver requests to be approved. These have been reviewed and recommended by the Planning Commission. They are not quite to the point of Preliminary/Final Plan Approval. Waivers to be approved.
 - i. SALDO Section 304 Plan Review Preliminary/Final-**MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Albert. Vote: 5-0.
 - ii. SALDO Section 304.3.4.3.4 Existing Man-made features, this is a partial waiver. **MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Albert. Vote: 5-0.
 - iii. SALDO Section 4.704 Man-made Slopes-**MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Albert. Vote: 5-0.
 - iv. Stormwater Ordinance Runoff Calculations-**MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Eckman. Vote: 5-0.
 - v. Stormwater Ordinance Final Contours-**MOTION** by Supervisor Friedman to approve this waiver, seconded by Supervisor Albert. Vote: 5-0.

IX. NEW BUSINESS

1. 2021 IPMC-Solicitor Karasek discussed the request by Tina Serfass, the Township's Zoning and Building Codes Officer, to adopt the new 2021 International Property Maintenance Code (IPMC). She is currently using the 2006 IPMC. Solicitor Karasek will need to prepare an Ordinance. Supervisor Friedman would like the Board members to have a copy of it to be reviewed and make comments. Solicitor Karasek will send the Board members a copy of it. **MOTION** by Supervisor Bermingham to table, seconded by Supervisor Friedman. Vote: 5-0.

2. Mt. Bethel Fire Dept. Truck-Manager Graziano stated that after meeting with the Mt. Bethel Fire Dept. it was determined that the Township is on the hook for buying another truck. Their current truck is 20 years old, and their engine is in bad shape. The Township needs to come up with \$865,400 by March or April of 2025. Manager Graziano stated that he spoke with the former Manager, Rick Fisher, who dealt with the North Bangor truck, and it was stated then that Mt. Bethel didn't need a truck at that time. There are three payments left on the NB fire truck. Manager Graziano stated that he has communicated with the current leasing company and has been receptive to leasing the MB truck, at a rate of 4.8%. MB will be applying for a PEMA loan for \$318,881 and this will be used for the first payment of the fire truck lease. Solicitor Karasek stated that if the Township applies for a loan over \$125,000, DCED needs to approve it. Chief Finan gave a summary of the status of their apparatuses. **MOTION** by Supervisor Friedman to have Manager Graziano prepare the applications required, seconded by Supervisor Eckman. Vote: 5-0.
3. Traffic Study-Engineer Coyle gave a summary of the roadway traffic study on Potomac St. and Railroad Ave at the intersection of Rt. 611. The purpose of the study was to evaluate the existing conditions and then see if a load posting was justifiable/warranted and then use this in junction with an ordinance to be drafted by Solicitor Karasek, to post this stretch of roadway. Engineer Coyle stated that Potomac St. & Railroad Ave are eligible to be posted for weight restrictions between the intersections of Million Dollar Hwy/Jacoby Creek Rd and Sunrise Blvd. Engineer Coyle recommends that the Township implement a weight restriction of 10 tons on the corridor. **MOTION** by Supervisor Friedman to authorize Solicitor Karasek to draft an ordinance on weight restrictions as recommended by Engineer Coyle's roadway traffic study, seconded by Supervisor Erler. Vote: 5-0.
4. Traffic Advisory Committee (TAC)-Solicitor Karasek stated that a Resolution is appropriate for establishing the TAC. **MOTION** by Supervisor Friedman for Solicitor Karasek to draft a Resolution forming a Traffic Advisory Committee, seconded by Supervisor Eckman. Vote: 5-0.
5. Road Crew Personnel-Supervisor Friedman stated that he has a letter of recommendation from Manager Graziano and Lindsey Manzi, Road Crew Foreman, that Brock Pearson receive a salary increase amount to \$27.92 an hour. Brock is doing a great job and deserves to be rewarded. **MOTION** by Supervisor Friedman to increase Brock Pearson's salary to \$27.92, retaining all the benefits implemented in the Union Contract, seconded by Supervisor Albert. Vote: 5-0. Supervisor Friedman stated that he would like to recommend hiring Grant Hanby as a part-time road crew member, up to 25 hours a week at a rate of \$20.35 an hour, no benefits. Manager Graziano and Lindsey Manzi both recommend hiring him. Grant does have a Class A CDL. **MOTION** by Supervisor Friedman to hire Grant Hanby at a rate of \$20.35 an hour, not to exceed 25 hours, seconded by Supervisor Albert. Manager Graziano stated that he will be a great addition to the highway department. Vote: 5-0.

X.

PUBLIC COMMENT

Ron Angle, Million Dollar Hwy, commented on wondering about the existing Board members priorities, looking into the future, and wasting thousands of dollars. Ron would like to see the Board members working in the same direction for the betterment of the Township.

Judith Henckel, Robin Hood Rd., stated that today is Indigenous People's Day. They were here long before our relatives, probably traversing along the river, Rt. 611 etc, so she hopes that with development in the Township, the Board is paying attention to the cost of the benefits. Judy commended the Board and Manager Graziano for doing a good job.

Marty Pinter, Lindsey Ln., stated that as a financial guy, he is concerned about the Township flipping a bill for \$900k, which is 30% of the general fund. There needs to be financial discipline.

Charles Cole, Riverton Rd., stated that the Board is doing a great job, trying to change direction, looking out for the residents' health, welfare and safety, and looking at cost and benefits.

Jim Potter, Audubon Dr., stated that St. Luke's hospital pulled their ambulance out of Knowlton Township, which will affect UMBT because they did assist at times.

Mark Mezger, Scenic Ct., stated that a little long-term strategic planning probably would be a good thing and should start now.

XI.

ANNOUNCEMENTS

Manager Graziano announced that the 25-mph speed reduction and Jake brake proposals were turned down by PennDOT. Ann Flood is hosting a clean up day, Riverton Rd. and River Rd. on October 26th 10am-12pm. A reminder that garbage bills are due on or before December 31st. If you are planning on burning (leaves, etc), call John Bocko for permission to burn, 570/688-6191. Manager Graziano thanked all the fire companies for all their efforts in putting out illegal burns on Orchard Rd. Special thanks to Jimmy Potter for leading and commanding everyone.

Supervisor Erler announced that the Stop the Bleed event went well and would like to look into the Township having the event as well with the assistance of the Fire House. Supervisor Erler asked if anyone is interested in being a representative of Wild & Scenic River, please send in your letter of interest.

Supervisor Friedman announced the Shred Event is on October 26th, 9am-noon. Residents that are hauling down to the Township dumpsters can be put out for bulk pickup day, with the exception of electronics. Waste Management will not pick up electronics.

Supervisor Eckman announced the Veterans Day Fire Works Event at the Park is on Saturday, November 9th, 4pm-6pm.

Supervisor Bermingham announced the community wide yard sale went very well. A community wide town hall meeting will be held in the future to discuss the proposal from Cetronia ambulance. Family & Friend Home Care is having a contest for a free house power wash to a Veteran. October 27th, Mt. Bethel Pharmacy is having a trunk or treat at the Park, 12pm-3pm. Township trick or treat, 2pm-5pm. Thank you to everyone who donated for those affected by hurricane Helene and to McIntyre Tree Service and Image Fuels who delivered all the donations to North Carolina.

XII.

EXECUTIVE SESSION

Recess to Executive Session at 9:08 pm to discuss personnel matters.

The meeting reconvened at 9:42 pm.

Supervisor Bermingham stated that legal matters were discussed in Executive Session and there will be no action taken. Solicitor Karasek stated that although the agenda stated "personnel" it was a legal matter based on personnel regarding litigation and who was going to be representing the Township.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 9:45 pm, seconded by Supervisor Albert. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary