

UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISOR MEETING MINUTES  
MONDAY, JANUARY 13, 2020 @ 7:00 PM

*PART I*

1. Call to Order-Chairman Bermingham Jr. called the meeting to order at 7:03 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Present in addition to Chairman Bermingham Jr. were Supervisor Due, Supervisor Teel, Supervisor DeFranco, Manager Nelson, Solicitor Karasek and Engineer Coyle. Supervisor Pinter was absent.
4. Approve the Agenda-Manager Nelson amended the agenda, adding more description to Part VII #6, 1- Seasonal CDL, 2- Part-Time CDL, and 1- Full-Time CDL. **MOTION** by Supervisor Due, seconded by Supervisor Teel, to approve the amended agenda. Vote: 4-0.

*PART II (Public Comment-3 minutes)*

Chief Chris Finan stated he received a call from Daniel Williams from ERM, working with the sale of the GenON site, questioned whether a fire suppression system is required. Chief Finan and Engineer Coyle recommend it.

Manager Nelson commented on his appreciation for the donation of the blankets for the Veterans.

Judy Henckel commented on where the Township was in the purchase of the Jewel property and the cost of building a road for the Fire Company to use as emergency access. Solicitor Karasek stated the agreement of sale has been prepared but has not been finalized. Manager Nelson will contact the Jewels.

Chairman Bermingham Jr. read a letter from Richard Wilford-Hunt in lieu of him not being present at the meeting. In the letter, Richard asked which Supervisors have communicated with Lou Pektor or Business Associates and what was discussed. The letter commented on transparency and rebuilding trust to the residents of UMBT.

*PART III (Public Announcements)-None*

*PART IV (Presentations)-None*

*PART V (Approve the Minutes)*

1. Meeting Minutes-December 23, 2019-**MOTION** by Supervisor Teel, seconded by Supervisor Due, approve the December 23, 2019 meeting minutes. Vote: 4-0.
2. Final 2020 Budget Meeting Minutes-December 30, 2019-**MOTION** by Supervisor Due, seconded by Supervisor Teel, to approve the Final 2020 Budget meeting minutes, December 30, 2019. Vote: 4-0.
3. Meeting Minutes-December 30, 2019-**MOTION** by Supervisor Teel, seconded by Supervisor Due, to approve the December 30, 2019 meeting minutes. Vote: 4-0.

*PART VI (Reports)*

1. Financial Report-Bill List-Manager Nelson read the Bill List. **MOTION** by Supervisor Due, seconded by Supervisor Teel, to pay the bills in the amount of \$90,470.55.  
Vote: 4-0.
2. Monthly Reports
  - a. Manager's Report-Manager Nelson discussed his monthly report, which included the monthly activity of the Road Department, research on investing Open Space Funds, research on Zoning Officer requirements, installation of humps on Potomac St., and meetings that were attended. Manager Nelson discussed the need and bidding for 10 turn-out gear for the North Bangor Fire Company. **MOTION** by Chairman Birmingham Jr., that if they can get the price under \$11,300.00, the Township will pay for 5 turn-out gear, seconded by Supervisor Teel. Vote: 4-0. Manager Nelson stated that a Budget Meeting should be scheduled and the date for Tax Notices to be mailed. **MOTION** by Chairman Birmingham Jr., seconded by Supervisor Teel, to have a Budget Meeting and a Voting Meeting on January 27, 2020 at 6:00 pm. Supervisor Due stated that we should have a letter from the County stating the conversation that Manager Nelson had with them. Chairman Birmingham Jr. rescinded his motion, Supervisor Teel rescinded his second. **MOTION** by Chairman Birmingham Jr., to reopen the Budget on January 27, 2020 at 6:00 pm as a voting meeting with the stipulation we receive a letter from the County indicating we are handling this the correct way, seconded by Supervisor Due. Vote: 4-0. **MOTION** by Supervisor Teel, seconded by Supervisor Due, for Tax Notices to be mailed out on March 1, 2020. Vote: 4-0.
  - b. Engineer's Report-Engineer Coyle discussed his monthly report, which included site improvements at the Park, corresponding with FEMA concerning River Rd., Act 537 Plan Update (176 responses have been given to the Board of Supervisors to be reviewed), permits for flashing lights on Rt. 611 in Stone Church, 611/512 traffic signal project and the review of plans for the Planning Commission. Engineer Coyle and Manager Nelson discussed the feasibility of Impact Fees. Manager Nelson stated he met with Senator Scavello and discussed the possibility of amending Act 13 (Impact Fee). Solicitor Karasek stated it is a process and can be costly. Public comment-Charles Cole commented on the Engineers Report on the Act 537 Plan Update in regards to the 176 responses and the process for public review and submission to the DEP. Public comment-Jeff Manzi commented on the Impact Fee and stated he thinks it's a good idea. Public comment-Ron Angle commented on the Impact Fee and stated it may be more beneficial to deal with the company/developer individually. Public comment-Judy Henckel commented on the Impact Fee and stated it is a

User Fee. Public comment-Jim Potter commented on the Impact Fee and stated it is the price of doing business in the Township.

- c. Solicitor's Report-Solicitor Karasek discussed his monthly report, which included meetings attended, subdivision/land development/zoning matters, and outstanding litigation and misc. administrative matters.
- d. Supervisor's Report

Supervisor Due commented on Air Liquide and their generous charitable donation of \$21,000 to the school, 50% of which goes to sciences. Supervisor Due commented on the recent robberies that have occurred in North Bangor.

Supervisor Teel stated the Planning Commission meets on Wednesday night for their Re-Organization Meeting.

Supervisor DeFranco had no report.

Chairman Bermingham Jr. reported that Select Ambulance is interested in servicing Upper Mount Bethel Township and would like to meet to discuss. Chairman Bermingham Jr. commented on the speeding throughout the Township and stated the State Police will be increasing their coverage. Chairman Bermingham Jr. stated he will have office hours on Saturday, January 25<sup>th</sup>, 1-3. Chairman Bermingham Jr. stated he spoke with a couple of citizens who would like to establish a senior citizen center. Chairman Bermingham Jr. stated he spoke with the family of Andy Nester informing them that the Flagpole at the Park will be named in his honor. Public comment-Ron Angle commented on naming the Flagpole after Andy Nester and would have liked to have seen something more significant named after him. Chairman Bermingham Jr. stated that he felt it was appropriate due to the fact that he was a Veteran. Chairman Bermingham Jr. is working with the State Police on doing a Risk Assessment of the Township Building.

*PART VII (Official Action-matters to be voted on)*

1. Refuse Reductions, Application Refunds and Exonerations-**MOTION** by Supervisor Due, seconded by Supervisor Teel, to approve the Refuse Reductions, Application Refunds and Exonerations. Vote: 4-0.
2. Potomac Street Traffic-Manager Nelson stated he will have more information for the January 27<sup>th</sup> meeting.
3. Resolution #2020-03 School Choice Week-Chairman Bermingham Jr. read Resolution #2020-03, School Choice Week. **MOTION** by Supervisor Teel, seconded by Supervisor Due, to pass Resolution #2020-03. Vote: 4-0.
4. Impact Fee for New Development Ordinance-previously discussed.
5. Part-Time Zoning Officer-Manager Nelson stated that after a skill list has been created for a Zoning Officer, he would like to advertise for the position. **MOTION** by Supervisor Teel, seconded by Supervisor Due, to advertise for a Part-Time Zoning Officer. Vote: 4-0.
6. Part-Time CDL (1-Full-Time, 1-Seasonal, 2-PartTime)-Manager Nelson stated that he would like to advertise for one (1) Full-Time CDL, one (1) Seasonal CDL, and two (2) Part-Time CDL. **MOTION** by Supervisor Due, to advertise for 1-Full-Time CDL, 1- Seasonal CDL and 2-Part-

Time CDL. Supervisor Due rescinded his motion. **MOTION** by Supervisor Due, to hire 1-Seasonal CDL, 2-Part-Time CDL, and 1-Full-Time CDL on condition the current Full-Time employee submits a letter of resignation, salaries per union contract, seconded by Supervisor Teel. Vote: 4-0.

7. Appoint Zoning Hearing Board Member (1)-Chairman Bermingham Jr. stated a letter of interest was submitted by Jeff Manzi. **MOTION** by Supervisor Teel, seconded by Supervisor Due, to appoint Jeff Manzi as a member of the Zoning Hearing Board. Vote: 4-0. Public comment-Ron Angle stated that Jeff has been on the Zoning Hearing Board for a number of years and does a great job. Public comment-Jeff Manzi thanked the Board for their trust and stated that he has never taken any pay for his position on the Zoning Hearing Board.
8. Appoint Planning Commission Member (1)-Supervisor Teel stated that a letter of interest was submitted by Frank Klein and Jeff Ackerman. **MOTION** by Supervisor Teel, his recommendation is to appoint Frank Klein as a member of the Planning Commission, seconded by Supervisor Due. Vote: 4-0.

*PART VIII (Old Business)*-Solicitor Karasek stated that as he is preparing the Jewel property agreement, he would like confirmation that the Township is paying the 2% transfer tax. Solicitor Karasek stated the contract has two conditions 1) it must have the additional funds added by Lou Pektor 2) Township Engineer has to confirm that a road can be put in. **MOTION** by Chairman Bermingham Jr. to pay the 2% transfer tax on the total purchase price. Chairman Bermingham Jr. rescinded his motion. **MOTION** by Supervisor Teel stated that as a Second Class Township, we are only paying half the appraised price, the other half is a donation/gift and the 2% transfer tax, seconded by Supervisor Due. Vote: 4-0.

*PART IX (New Business)*-None

*PART X (Public Comment)*

Solicitor Karasek commented on a letter that Manager Nelson provided to him from the Federal Community Defenders Office. The letter stated they are requesting any records, 911 reports, police reports, etc., regarding the death of a Rusti Keet (sp) in a power line injury on May 16, 1981 in Mt. Bethel. Chief Finan stated he received the same request and stated there are no records. Solicitor Karasek stated that an affidavit will have to be prepared stating that no records exist.

Jeff Manzi commented on the Impact Fee and stated it is very important the Board sits down with the developer to discuss, instead of going through the process.

Janet Pearson commented that it would be nice to have the floor in the barn at the Park fixed for a senior citizen center.

Ron Angle commented on the 700+acres (Marshfield) and whether it all can be developed.

Manager Nelson commented on the 60ft of that property (700+ acres) along River Rd., which is owned by the Township and will do some research as to when and why it was deeded to the Township.

Chief Finan stated that since little funds were spent out of the Fire Tax Fund, Mt. Bethel Fire Company is planning on buying and building a new engine and hopes the Board will approve.

*PART XI (Executive Session)-None*

*PART XII (Adjournment)-MOTION* by Supervisor Teel, seconded by Supervisor Due, to adjourn the meeting at 8:45 pm. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary