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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS WORK SESSION MEETING MINUTES
MONDAY, SEPTEMBER 26, 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.

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

II.

APPROVE THE AGENDA

MOTION by Supervisor Teel to amend the agenda, adding the Ross's situation. Chairman Pinter stated this will added to Section VI, New Business, seconded by Supervisor Friedman. Vote: 4-0

III.

PUBLIC COMMENT

Alan Manicke, Echo Lake Drive, commented on the well isolation waiver request made for 462 Echo Lake Drive and at this time they have all agreed to share the cost of the testing of the wells. Should any problems occur in the future, he asks that all parties involved work for a common solution in remediating and correcting the problem. Solicitor Karasek stated he will be preparing the release indemnification and waiver agreement.

Eleanor Shelton, Heiden Road, commented on a recent article on truck traffic pollution, which will be forwarded to each Board member.

Supervisor Teel announced that a Special Planning Commission Meeting will held on Wednesday, October 12th at 7pm on traffic and all concerns will be addressed. This

meeting will be advertised. **MOTION** by Supervisor Teel to advertise the Special Planning Commission Meeting, seconded by Supervisor Bermingham. Vote: 4-0.

Francis Visicaro, N. Delaware Drive, commented on an article about truck traffic pollution being linked to cancer, which will be forwarded to each Board member.

Charlie Cole, Riverton Road, commented on the upcoming Special Planning Commission Meeting on traffic.

IV.

ANNOUNCEMENTS

Traffic Light Update-Manager Nelson provided an update on the multimodal grant for the Rt. 611/512 traffic light. There was a question regarding the Engineering Costs, which has been addressed. We received notification from DEP of the approval of the Park Septic System.

Parks/Recreation Updates-Chairman Pinter stated that Stavros will be providing an update on the upcoming events in his report. Chairman Pinter asked the Board members to consider repurposing their donation that was originally to the VFW, to the Parks/Recreation, for the First Responders Picnic to be held on Saturday, October 1, 2022.

Manager Nelson announced that some residents in the Crystal Terrace area are receiving a letter asking them to look at the trees on their property that are low hanging and trim where needed (15 ft above the curb). This will assist the road crew when snow plowing season begins, so they do not block the path.

Supervisor Teel thanked everyone involved in the Senior Forum. With the donations, we were able to give out 116 vouchers to families for fuel oil.

V.

ACTION ITEM

1. Gravel Hill Easement Agreement-Solicitor Karasek stated he is in receipt from the property owner, the signed Temporary Construction and Maintenance Easement Agreement and stated that once executed by Township Officials, they will be ready to begin. **MOTION** by Supervisor Bermingham to approve the Agreement, seconded by Supervisor Teel. Vote: 4-0. Engineer Coyle stated that they estimate the completion time at 4-6 weeks. The Township Road Crew will be moving material off the road.

Public Comment-Catherine Buehler-Mill Creek Rd. stated the speed radar sign is not working

VI.

NEW BUSINESS

1. Ross Property-Supervisor Teel asked for this to be on the agenda this evening. Ruth and John Ross are here to discuss their situation on their property. They went to the ZHB and were denied building because of an easement issue. Solicitor Karasek stated he has investigated this matter and apparently an appeal was filed by the neighbors of the zoning and building permits that were

issued in August 2021. As a result of the appeal, there was a hearing before the Zoning Hearing Board and the Board unfortunately revoked the permits based upon various property lines, easements, etc. That matter is presently on appeal by the Ross's who filed an appeal to that decision. Solicitor Karasek stated he spoke with the ZHB Solicitor, Mark Minotti, who stated that if the Ross's filed for a variance, there is a good chance they might be granted that variance. Tina Serfass, Township Zoning Officer, stated that she issued the permits for them to construct their house. They wanted to utilize the "alley" for access to their property. The Zoning Ordinance states that you cannot use an alley as your primary access to your property. The previous Zoning Officer issued a new address to be Sunrise Blvd., therefore, she issued the permits. The neighbor wants sole access over the Ross's property to her property and does not want the Ross's to use their own property to access their house. The Ordinance states that you need street access, which they do have off Sagen Dr., but they are building up on the top of the hill. John Ross stated the Farmland Preservation said they cannot put the driveway through the agricultural property. John stated that they own the road going into their property and the neighbor is saying they cannot use the road they own. Solicitor Karasek stated there is an easement that was put in many years ago to allow access to the neighbors' farm, over the Ross's property. Supervisor Teel stated he is just looking for some relief for the Ross's to be able to build their house. Solicitor Karasek stated that the BOS cannot interfere with the judicial system of the ZHB, you can however suggest that they consider taking various steps, but they should seek legal advice from their attorney. Solicitor Karasek clearly stated that if they go for a variance, there is no guarantee it will be granted.

VII.

TABLED ITEMS

1. Upper Mount Bethel Township Community Park Foundation-**MOTION** by Supervisor Teel to table to 10/10 meeting, seconded by Supervisor Friedman. Vote: 4-0.
2. Parks/Rec Rental Agreement/Rules & Regulations-Solicitor Karasek stated that he has reviewed the documents and will provide his comments to the Board. **MOTION** by Chairman Pinter to table to 10/10 meeting, seconded by Supervisor Teel. Vote: 4-0.
3. Eastern Industries Building-Manager Nelson stated this was covered in announcements.
4. Township Fire Marshall-Chris Finan-**MOTION** by Supervisor Bermingham to table to 10/10 meeting, seconded by Supervisor Teel. Vote: 4-0.

IX.

REPORTS

1. SEO-Scott Policelli was not present to discuss his monthly report, which included permits issued, inspections completed, and complaints addressed.
2. Zoning-Tina Serfass was present to discuss her monthly report, which included applications received, reviewed, and issued. Tina stated that Nick's report is included as well.

3. Accounting/Bookkeeper-Diann Eden was not present to discuss her monthly report, which included daily activities. Chairman Pinter asked Manager Nelson to go over the Parks/Rec budget with Diann.
4. Open Space Advisory Board-Supervisor Friedman stated that Laura's report basically talks about the first steering committee meeting for the master plan with Simone Collins, which he feels was a great success.
5. Economic Development Committee-Scott Cole was not present to discuss his monthly report, which provided details on a meet and greet and 2023 goal planning. Supervisor Birmingham stated he attended the last meeting and stated that there are open seats on the committee and three of the member's terms expire this year.
6. Manager-Manager Nelson discussed the monthly activity of the road crew, oil & chip has been completed, road profiling, pipe repairs. Manager Nelson stated the meetings attended, completed registration for SAM. Supervisor Birmingham asked Manager Nelson to put his monthly activity in a written report.
7. Engineer-Engineer Coyle discussed his monthly report, plan reviews, coordinating with contractor for the Riverton Rd Slope Stabilization project, traffic engineering study for posting of large trucks/tractor trailers on Township roads, assisted with grant application for funding of traffic signalization project.
8. Solicitor-Solicitor Karasek discussed his monthly report, the completion of the Gravel Hill Easement Agreement, meetings attended, subdivisions/land/zoning development matters and misc. office matters.
9. Secretary-Cindy Beck discussed her monthly report, website maintenance, codification has been completed on the Township's end, submitted Multimodal grant application 2019 CIPP grant allocation, electronic recycling event on 10/28-10/29 and monthly agendas and meeting minutes.
10. Park/Rec-Stavros Barbounis discussed his monthly report, governance, park development, bathroom project, the rental agreement/rules regulations to be approved by the BOS, capital campaign to highlight major projects, community events (movie nights, Halloween Party-October 30th , Veterans Day-November 12th) and the community wide yard sale was a positive event. Volunteers are always needed/welcomed.
11. IT/Telecom-Stavros Barbounis discussed his monthly report, routine maintenance, website updates, live streaming meetings.
12. Planning Commission-Supervisor Teel stated Planning Commission will be having a traffic meeting on October 12th, and the regular meeting on the 19th. Supervisor Teel is working with RPL and their projects to limit traffic and get good tenants.
13. Supervisors
 - Supervisor Teel thanked all involved in the Senior Forum, and that he is working on another endeavor that he will announce shortly.
 - Supervisor Friedman stated there is still an open seat for an Alternate Zoning Hearing Board Member. Charlie Cole gave an update on the 1st Well Ordinance Ad-Hoc Committee Meeting. All members were present, the next meeting is October 20th, they are working on a mission statement, public was present and had comments, a stenographer was present (member Jeff Manzi arranged and paid for). Charlie is asking

that the Township supply copies for committee members. The Board does not have a problem with that.

- Supervisor Bermingham stated Kyle Schaarschmidt contacted him for an update. Manager Nelson stated he has had five meetings with Frontier and is dealing with Frontier issues throughout the Township. **MOTION** by Supervisor Bermingham to have Solicitor Karasek send a letter to Frontier urging them to get the wires fixed, seconded by Chairman Pinter. Vote: 4-0. Supervisor Bermingham stated there was another accident on Ridge Rd and Fox Gap. Manager Nelson does not have any other suggestions. Supervisor Bermingham and Supervisor Friedman have been working together on another fundraiser for children who suffer from SLC6A1, October 8th 1-8 pm at Hardball Cider. All proceeds go to SLC6A1 Connect. Supervisor Bermingham and Supervisor Friedman are also working together on the Brady Ferguson fundraiser, November 9th 5-10 pm at The Chelsea Sun. Brady is currently diagnosed with cancer. All proceeds will go towards Brady's medical expenses. Supervisor Bermingham met with Steve Couples and James Howard and stated they are working together on a solution. Supervisor Bermingham announced he has office hours this Wednesday 7-8, guest will be our Constable, Nick Graziano. Supervisor Bermingham thanked Jen, from Rustica, and Terry Teel, for helping with the elderly gentleman that needed a place to stay. Thank you to Tuscarora for having a place for Larry to stay until the end of October.

X.
ADJOURNMENT

MOTION by Supervisor Teel to adjourn the meeting at 8:40 pm, seconded by Supervisor Friedman. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary