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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS WORK SESSION MEETING MINUTES  
MONDAY, MAY 22, 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.

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

**II.**

**APPROVE THE AGENDA**

**MOTION** by Supervisor Teel to approve the agenda, seconded by Supervisor Due.  
Vote: 5-0.

**III.**

**PUBLIC COMMENT**

Michael Onufrak, Summerfield Dr., commented on the proposed well monitoring item on the agenda. Chairman Pinter stated Engineer Coyle will be discussing this.

Steve Couples, Sunrise Blvd., commented on the noise violations from Kevin Correll/Allegheny Creek and the continuous disruption of peace. Steve would like to just make sure that this is being addressed. There was a discussion on the noise ordinance and decimals.

Chris Finan, Apache Dr. stated that Mike Bruneio and Josh Kulp have extensive EMS knowledge and recommends speaking with them before any contracts are signed for ambulance service in the Township.

Mark Mezger, Scenic Ct., commented on finances, the \$93k discrepancy in the budget, an unauthorized paving agreement, and a \$3,000 fee for special council to incorporate a wastewater authority.

#### **IV.**

#### **ANNOUNCEMENTS**

Manager Nelson stated he had a conversation with the State Police in regard to response times in the Township. They suggested that residents call the State Police Barracks directly, but in the case of an emergency still call 911, but there still may be a delay in the response time. Manager Nelson stated he and Engineer Coyle met with PEMA and a report will be sent to the Township on the changes the Township will have to enforce in the flood plain. Manager Nelson stated that those that live in the flood plain need to focus on making sure their properties are cleaned up, no debris that can float away. This could possibly affect flood insurance across the board for the Township if efforts are not made to clean up. The Township will be responsible for enforcing the changes and, in some cases, handling the clean ups. Chairman Pinter asked if the Township will be liable for any costs. Engineer Coyle stated that he did not see that to be the case. It could possibly be six months until the Township receives the report.

Supervisor Due announced the Liberty Water Gap Trail Alliance is requesting an updated letter of support. Chairman Pinter asked for this to be on the agenda for the next meeting. Supervisor Due stated there have been reports of seismic activity in the Gap.

Supervisor Bermingham congratulated the Bangor Baseball team on their recent victory. Supervisor Bermingham stated he will be rescheduling the umbt cleanup day. Supervisor Bermingham asked for an update on the garbage bill. Manager Nelson stated they will be going out tomorrow. Supervisor Bermingham asked Manager Nelson if he had an update on available grants for the NBFC. Manager Nelson stated that he does not recall them looking for that information, Supervisor Bermingham will follow up with them.

Secretary Cindy Beck announced that trash pickup will be delayed by one day next week due to the Memorial Day Holiday.

Supervisor Bermingham announced that the American Legion will be having a Memorial Day service.

Supervisor Teel announced that he and his wife attended the Murder Mystery dinner at the MBFH and stated it was very well done.

## V.

### TABLED ITEMS

1. Approval of the April 24, 2023, WS Meeting Minutes-**MOTION** by Supervisor Due to approve the April 24, 2023, WS Meeting Minutes, seconded by Chairman Pinter. Vote: 4-0.
2. Material Bids-Chairman Pinter stated he had for some updated information, which was provided. Manager Nelson discussed the bids received, Eureka Stone and Heidelberg. Manager Nelson stated this is the same format that is used each year and recommends awarding all bids. Steve Ott commented on stockpiling some material. **MOTION** by Supervisor Friedman to accept all material bids, seconded by Supervisor Bermingham. Vote: 5-0.
3. Hemlock Rd. Project Mini Bid-Manager Nelson stated the bids received are all COSTAR prices. Manager Nelson stated that this is a Dirt and Gravel grant from the County and that we get reimbursed for all expenses, so there is no cost for the Township. There was a discussion on pick-up and delivery costs. **MOTION** by Supervisor Teel to table, seconded by Supervisor Bermingham. Vote: 5-0.

## VI.

### ACTION ITEM

1. Full Time Road Crew-Manager Nelson stated there is member of the Road Crew that is retiring; therefore, there is a full-time position available. Manager Nelson is recommending Tom Rinehart to fill that full-time position. **MOTION** by Supervisor Bermingham to hire Tom Rinehart as a full-time employee of the Road Crew, as of May 28<sup>th</sup>, and paid as stated in the Teamsters Union Contract, seconded by Supervisor Due. Vote: 5-0. Supervisor Due stated he works very well with everyone and is a hard worker. Supervisor Bermingham asked who is in charge of the Road Crew. Chairman Pinter stated that Manager Nelson is in charge of the Road Crew.

## VII.

### SUBDIVISIONS

1. Page Lot Line Adjustment-Solicitor Karasek stated this is a simple lot line adjustment with no proposed development or earth moving, it is simply to combine two lots into one. This plan was reviewed by the Planning Commission and the LVPC. The Planning Commission recommended this plan for Conditional Final Plan Approval. **MOTION** by Supervisor Bermingham to approve the Page Lot Line Adjustment for Conditional Final Plan Approval, seconded Supervisor Teel. Vote: 5-0.
2. Shepherd's Hill Lot Line Adjustment-Solicitor Karasek stated this is a simple lot line adjustment with no proposed development or earth moving. This plan was reviewed by the Planning Commission and the LVPC. The Planning Commission recommended this plan for Conditional Final Plan Approval. **MOTION** by Supervisor Friedman to approve the Shepherd's Hill Lot Line Adjustment for Conditional Final Plan Approval, seconded by Supervisor Teel. Vote: 5-0.

## VIII.

### OLD BUSINESS

1. Dry Hydrants-Supervisor Teel stated that Engineer Coyle prepared a feasibility study for Dry Hydrants throughout the Town, Lake Minsi, Tuscarora, RPL East, and Island Dr. Engineer Coyle discussed the study performed at each site. The Lake Minsi site has two existing boat ramps, which were potential access points for fire vehicles. It is recommended to have further discussion with the Friends of Minsi Lake. The Tuscarora site had limited access and significant elevation differences, this site was ruled out. The RPL East site has an existing boat ramp with poor access. It is recommended to have further discussion with RPL East to pursue a dry hydrant installed at the property. The Island Dr. has satisfactory access, maneuverability, and met the elevation change requirements. It is recommended the Township contact the affected property owners to determine if an access easement would be favorable. Chief Finan stated his opinion is that Lake Minsi does not need one, but certain other areas he recommends looking into. Jeff Manzi stated if needed, his boat ramp can be used. Engineer Coyle stated a rough estimate to put in a dry hydrant is \$30,000, which does not include any easement costs. Supervisor Teel stated he would like to see one put in at RPL East and have the developer pay for it. He would also like to see one put in at Sandy Shore. Supervisor Teel would like to pursue. Manager Nelson stated a face-to-face meeting would be beneficial to discuss the easement at Sandy Shore. **MOTION** by Supervisor Teel to table, seconded by Supervisor Birmingham. Vote: 5-0.
2. Hallett Paving Bill-Supervisor Friedman would like to know the status of the Hallett Paving situation and the letter to the District Attorney. Solicitor Karasek stated that he did not receive a reply. Supervisor Due discussed the three bids received. **MOTION** by Supervisor Friedman to tabled since he has not had a chance to review the bids, seconded by Supervisor Birmingham. Chairman Pinter stated he would like Supervisor Due to go over each bid received. Supervisor Friedman withdrew his motion. Supervisor Due stated that Hallett was \$109.50 (9.5mm) per ton, and \$98.25 (19mm). Papillon & Moyer, \$154.85 per ton. Lehigh Valley Paving, \$111.06 per ton. Total project cost for Lehigh Valley was \$483,453.41. Total project cost for Hallett was \$457,186.77. Total cost for Papillon & Moyer was \$638,689.66. **MOTION** by Chairman Pinter to pay the other to half to Hallett, based on the bids that were received, seconded by Supervisor Teel. Supervisor Birmingham stated this just isn't right, asking for bids that they aren't going to win. Supervisor Due stated that is not correct, these are bids that were put out for this year, that we wanted to use them, based on tonnage, for 2023. Vote:4-1. Supervisor Birmingham voting no. Supervisor Friedman asked about the letter of reprimand for Manager Nelson. Chairman Pinter stated that he needs to ask the office Liaison, Supervisor Due. Supervisor Due stated he will get it done.

## **IX.**

### **NEW BUSINESS**

1. Proposed Private Well Monitoring Program-Engineer Coyle discussed the Proposed Private Well Monitoring Program that he prepared. The proposed program would consist of having a PADEP-certified drinking water lab collect and analyze samples from wells in certain areas of concern. There are nine areas of concern, with approximately 855 parcels. The primary area of concern appears to be the RPL area, 70 wells. The Base Program-RPL wells only, costs range up to \$14,400, approximately \$200 per well. The Base Program-20% of the areas of concern parcels, range up to \$38,800. The areas of concern: 611 Corridor, Stone Church, North Bangor, Mapo Hollow, Slateford, Echo Lake, Reimer/Wildon, and Sandy Shore. Engineer Coyle recommends reaching out to RPL to see what they are proposing to do for monitoring wells as well as DEP to see what they will require. Supervisor Teel stated the other area of concern he feels is the VIP property in East Bangor, which is also in the Township. Charles Cole stated the Supervisor Due's brother, who lives on N. Broad St., had his water tested and nothing showed up at his location. Supervisor Bermingham asked Engineer Coyle if the 70 wells in the RPL area are more critical, should they get tested sooner rather than later. Engineer Coyle stated that if DEP is not going to require an RPL visit and if the Township wants to be proactive, then yes. Charles Cole stated that the samples at the RPL site should be taken from a raw source. Chris Finan asked if the Township would be liable if a well is already contaminated. There was a discussion on the liability of the Township if a well is already contaminated. Solicitor Karasek stated that just the testing of wells would not put any liability on the Township. **MOTION** by Supervisor Bermingham to put this on the agenda for the June 26<sup>th</sup> meeting, for an update on the private well monitoring program, seconded by Supervisor Friedman. Vote: 5-0.

## **X.**

### **REPORTS**

1. SEO-no report.
2. Zoning-Tina Serfass was not present to discuss her monthly report, which included applications received, reviewed, and issued. Nick Graziano's property maintenance report is included.
3. Accounting/Bookkeeper-Diann Eden monthly report was submitted to be reviewed.
4. Open Space Advisory Board-Laura was not present to discuss her monthly.
5. Economic Development Committee-no report.
6. Manager-Manager Nelson did not submit a monthly report but will send a written one out in the morning.
7. Engineer-Engineer Coyle discussed his monthly, which included applications reviewed, prepared the well monitoring program, dry hydrant investigation, and attended the PEMA meeting.
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, ongoing garbage toter/bills calls, working on a grant for Eastern Garage, issuance of yard sale/moving permits, the approval of a County Grant of \$25,000 for the feasibility study for the Lake Minsi/Portland trail, and preparing the agendas and minutes.
10. Park/Rec-Stavros Barbounis discussed his monthly activity, looking for volunteers, park development, sports programs, upcoming community events, with radio coverage. Supervisor Birmingham stated the 4<sup>th</sup> of July is moving forward and will provide insurance coverage.
11. IT/Telecom-Stavros Barbounis discussed his monthly report, routine maintenance, website updates, live streaming of the meetings, and resolving issues with Freedom Systems.
12. Well Committee-Supervisor Friedman reported they are going through the ordinance page by page and making comments. They hope to have in the future the PADCNR well driller and ground water information system, a UMBT well head protection program set up, a state water plan and master well owner specialist program, possibly incorporated into the ordinance.
13. Planning Commission-Supervisor Teel reported the Planning Commission meets the third Wednesday of the month. A special meeting is scheduled for June 15<sup>th</sup> on water and sewer.
14. Supervisors
  - Supervisor Due reported on the closure of Rt. 611 in the Gap, possibly doing a one-way light and the impact it may have on the 911 Liberty Water Gap Trail.
  - Manager Nelson reported the State Police have been more present in the Township.

Recess to Executive Session at 9:17 pm to discuss legal matters regarding litigation and Right-to-Know requests.

## **XI.**

### **EXECUTIVE SESSION**

The meeting reconvened at 9:28 pm

1. Legal-Chairman Pinter stated legal matters regarding litigation and Right-to-Know requests were discussed in Executive Session and at this time, there is no action to be taken.

## **XII.**

### **ADJOURNMENT**

**MOTION** by Supervisor Teel to adjourn the meeting at 9:29 pm, seconded by Supervisor Friedman. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary