



Upper Mount Bethel Township
387 Ye Olde Highway
P.O. Box 520
Mount Bethel, PA 18343-5220
Phone: (570) 897-6127 Fax: (570) 897-0108
www.umbt.org

UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MT. BETHEL FIRE HOUSE, 2341 N. DELAWARE DR.
MT. BETHEL, PA 18343
MONDAY, SEPTEMBER 11, 2023 – 7:30 PM

*This meeting was held at the Mt. Bethel Fire House and live streamed through the Upper Mount Bethel Township Facebook page.

I.

Chairman Pinter called the meeting to order at 7:40 pm.

The Pledge of Allegiance was recited.

In attendance were Chairman Pinter, Supervisor Due, Supervisor Friedman, Supervisor Bermingham, Supervisor Teel, Township Solicitor Karasek, and Township Engineer Coyle.

II.

APPROVE THE AGENDA

MOTION by Supervisor Friedman to move Executive Session to Section III, seconded by Supervisor Bermingham. Vote: 5-0.

Recess to Executive Session at 7:42 pm to discuss personnel matters.

III.

EXECUTIVE SESSION

The meeting reconvened at 7:50 pm.

Chairman Pinter stated that personnel matters were discussed in Executive Session. Discussed was the letter of resignation from Ed Nelson, who resigned on Wednesday.

MOTION by Supervisor Friedman to accept Ed Nelson's letter of resignation and appoint Nick Graziano as the interim manager until the first of the year, he will be at will, seconded by Supervisor Teel. Vote: 5-0.

IV. PUBLIC COMMENT

Judith Henckel, Robin Hood Rd., commented on the Municipal Authority and finding the right members to serve on the Board. Ms. Henckel discussed previous phases of the Act 537 plan.

Regina Onufrak, Summerfield Dr., read her public comment, which will be made part of the official record. Ms. Onufrak commented on volunteer firefighters and how they are going to handle the construction of the development.

Howard Klein, Riverton Rd., stated he feels as though the residents would like to know more about Nick Graziano as the interim manager. Mr. Klein would like an update on the demand letter that Solicitor Karasek sent to the Auditor. Mr. Klein commented on the yearly audit which is due April 1. Mr. Klein commented on Chairman Pinter's letter to the editor attacking Dr. Charles Cole.

Fred Clark, Crystal Terr., submitted his public comment for the Board to review. This will be made part of the official record.

Secretary Cindy Beck read a public comment from Charles Cole, which will be made part of the official record. Mr. Cole commented on an authority being a risky venture for UMBT.

Rich Klingle, Totts Gap Rd., commented on Supervisor Teel voting on anything to do with RPL due to Teel Realty working with RPL.

V. ANNOUNCEMENTS

Supervisor Bermingham thanked those who participated in the 911 Memorial. September 23 is the community wide yard sale. Thank you to the Bangor Library for inviting him to the farm jubilee, where he read his book on the Upper Mount Bethel Road Crew. Office hours will be October 5th at the Chelsea Sun, 6:30 pm, Congresswoman Susan Wilde will be there.

Supervisor Friedman stated the Well Ordinance has been submitted to the Engineer for review it will then go to the Solicitor to review.

Supervisor Teel announced Planning Commission meets on September 20th at the Township Building.

Chairman Pinter announced the Bangor Girls soccer will be having a childhood cancer awareness game on September 20th in support of Team Tommy, Tommy Stackhouse, who was diagnosed with acute leukemia, and sadly passed away on May 26, 2022. The team is collecting gift cards for the families of pediatric children to offset meals or

necessities that they may have. Team Tommy is to keep Tommy's legacy alive. Thank you to Karyn Pinter who is the President of the Booster Club for organizing the event.

Secretary Cindy Beck announced the Township will be hosting a Shredding event on Saturday, October 14th, 9am-11am, at the Township Building. The Township will also be having an Electronics Recycling Event on Saturday, October 21st 8am-12pm.

VI.

CONSENT AGENDA

1. Approval of the August 28, 2023, Meeting Minutes
2. Refuse Reductions, Application Refunds, and Exonerations

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

VII.

FINANCIALS

1. Bill List-Chairman Pinter read the bill list, totaling \$241,288.76. **MOTION** by Supervisor Teel to pay the bills in the amount of \$241,288.76, seconded by Supervisor Due. Vote: 5-0.

VIII.

ACTION ITEMS

1. Proposed Resolution to Establish a Municipal Authority-Solicitor Karasek stated the Resolution was read at the beginning of the Public Hearing and is on the meeting agenda for official action. **MOTION** by Supervisor Friedman to table, seconded by Supervisor Birmingham. Vote: 2-3, motion fails. Chairman Pinter stated the discussion on the Hearing, public comments were heard, comments from Mr. Myers of Barry Isett, who answered questions from the residents/Board. Chairman Pinter open it up for further discussion from the Board. Supervisor Birmingham stated pros/cons/risks, still have not been determined, there is no feasibility study, which we need. The use of the buildings still has not been disclosed. Too many unknowns at this time, we need to take our time. Engineer Coyle stated it is premature at this time and it appears as though it will primarily serve the RPL subdivision and the RPL East site, it does not look it is intended to serve any offsite area/Township residents. **MOTION** by Supervisor Birmingham to create an engineer technical review, costs, pros/cons, seconded by Supervisor Friedman. Vote: 2-3. Motions fails. Supervisor Due stated that he heard tonight that we never had a committee, no research/engineering studies were done. He was on the EDC committee from 2010-2013, the Supervisors at that time gave them \$15,000 to do a study on sewer and water to go up Rt. 611 to Potomac St., nothing was done. The Engineering firm was Urban Research and Development. **MOTION** by Supervisor Due to move forward with the Municipal Authority, seconded by Supervisor Teel. Vote: 3-2.
2. Joinder Deed-Wilson/Gately –Solicitor Karasek discussed the Joinder Deed that has been requested to consolidate three lots, totals acreage of 98.430. The procedure/application has been properly submitted, however it does state review letters from the Township Zoning Officer and Township SEO be

provided, they have not. Solicitor Karasek recommends this to be tabled. MOTION by Supervisor Friedman to table based on the Solicitor's recommendation, seconded by Supervisor Teel. Vote: 5-0.

3. Manhattan Bookkeepers-Chairman Pinter stated that at the request of our Auditors to go back to QuickBooks, they are asking the Board to consider hiring Manhattan Bookkeepers to assist with that transfer. They are looking to complete this before the New Year begins. The value of this service is \$10, 625.00. **MOTION** by Chairman Pinter to hire Manhattan Bookkeepers, seconded by Supervisor Teel. Vote: 5-0.
4. Resolution No. 2023-08-Tax Levy-Solicitor Karasek stated that although it is not required, it is recommended that the Township adopt a Resolution that established a Real Estate Millage change, from 6.5 mils to 8.5 mils, for the 2023 year. **MOTION** by Supervisor Friedman to adopt Resolution 2023-08, based on Solicitor Karasek's recommendation, seconded by Chairman Pinter. Vote: 4-1. Howard Klein stated that it might be a good idea, while going through the transition of books, to keep the new manager in the loop, especially for budgeting purposes, as well as the new Auditors.

IX.

NEW BUSINESS

1. Fire Tax Correction-Nancy Finan, appointed Treasurer of the Mt. Bethel Fire Company for 2023. Ms. Finan stated that she decided to do her own audit for the year 2022. Ms. Finan stated that there is now 50/50 split between NBFC and MBFC of the Fire Tax Fund that occurred in 2023. Ms. Finan stated that she found a discrepancy in September 2022. Ms. Finan stated that NBFC pumper truck payment was taken out of the Fire Tax Fund, before the 50/50 split, thus shorting MBFC \$39,770.86. At this time, Ms. Finan is asking for two things, 1) that it be put in writing that MBFC was not and is not liable for any payments for the pumper truck purchased by the Township for NBFC and that the pumper truck payment be deducted from the NBFC 50% allocation of the Fire Tax Fund and 2) that the correction be made from the Township to MBFC in the amount of \$39,770.86 for monies withheld for the pumper truck payment that was made in September 2022. Chairman Pinter discussed the spreadsheet prepared by the Township that shows that NBFC received \$89,825.69 in September 2022 and MBFC received \$184,455.66. Chairman Pinter stated that from 2018 to 2023, NBFC received a total of \$588,389.10 and MBFC received \$728,900.28. Jason Miller, President MBFC, stated that at this point they just want to make sure going forward the payments are split 50/50 and the pumper truck for NBFC come out of their portion. Chairman Pinter stated that we lease the pumper truck to NBFC. Mr. Miller stated that he would like to request a full Fire Tax audit back to 2018.

X.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 9:10 pm, seconded by Supervisor Teel. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

11-23

Regina Onufrak
43 Summerfield Dr Mount Bethel

1. Chief Finan is aware that volunteer firefighters have been a huge part of my life. My father was a volunteer before I came into this world and served for about 40 years in Selden, NY as well as Equinunk, Pa. Following in my father's footsteps my older brother currently has 63 years of service. As well as many other family members to long a list to mention.
2. Listening to Chris Speak at the last meeting prompted me to contact two of the many friends I still have in this department.
3. I was curious as to how they handle new construction of the commercial/industrial sort and what the process might entail.
4. I sent them as much information as I could on the RPL project, which included building layout and dimensions. And information on our Mount Bethel fire department.
5. Between these 2 friends they have 89 years of volunteer service. I asked Bill Xikis who is currently serving a 4 yr term as a Fire Commissioner for the district, what would be the process and involvement of the fire District for such construction. He replied that after the process of building permits going before the town building department, zoning board and Fire Marshalls for approval. Prior to build the F.D. and Fire Marshalls would require information on what type of business would occupy the building, what type of materials would be on the premises such as hazardous materials, chemicals, oxygen tanks, propane

and if applicable cleaning materials. Based on this information they would speak to the builder or project manager on topics related to the Fire Department such as hydrants, road width, sprinklers, and sandpipe systems. He said our concerns are usually met with zero pushback and worked into office site plans

6. I asked him, based on your experience facing a project like this, what would the Fire Department feel they needed.
7. His punch list included a large piece of apparatus, ladder truck, new engine with a large pump, training on warehouse fires and large area search, breathing apparatus, and radio communication equipment and the F. D. would have to establish an extensive mutual aid policy. He noted that just a new ladder truck could cost in the realm of two million dollars.
8. I expressed my concern for the safety of the firefighters, he agreed and added and the residents, in the end you will suffer the most.
9. The other person I spoke to Vinny Ammirati asking him for some background on Selden F.D. he responded that the town is approximately 12 square miles. There are a little over 100 volunteers, but they also employ para medics, certainly more than the approximately 30 volunteers UMBT has.

10. In terms of equipment housed in their 14-bay fire house they have 4 fire engines, 3 rescue trucks, 5 ambulances, 2 fire police vehicles, 1 ladder truck (note the tallest building is 4 stories) 4 first responders (used by the paid para medics who work side by side with the volunteer EMTS), a gator – utility vehicle, 2 mini brush trucks and a large GI brush truck.

11. UMBT Fire Department probably does not need this many vehicles, but who is going to pay for all the department's future needs ???

11-23
305

Good evening, Fred Clark, Crystal Terrace, Upper Mount Bethel. Thank you for the opportunity to speak.

First, I would like to thank supervisors Pinter and Due for taking time to talk with me about the challenges they see for Upper Mount Bethel township that undergird their support for development of the RPL property and establishment of a municipal authority. While I agreed with their concerns about the issues confronting the township and intelligent development of the RPL property, we agreed to disagree on the topic of establishing a municipal authority and using a residential neighborhood to solve RPL's sewage disposal problem.

Today, I would like to discuss the Proposed Resolution to Establish a Municipal Authority.

The key statement in the notification is *"The Township has determined that there is a need for water distribution and treatment, wastewater collection and treatment and solid waste collection and disposal in the I-2 and I-3 (Industrial) Zoning Districts resulting from the proposals for a planned industrial park for these districts; and, the Township desires to organize a Municipal Authority for those purposes."* The part of the statement that uses the language *"the Township desires"* seems debatable, depending on one's position on who the "Township" is.

In the July 10, 2023 Board of Supervisors Meeting I offered the following comment, paraphrased, about Township supervisors responsibilities from the PA Township

Supervisors Handbook: “While township supervisors are elected to **serve** their residents and taxpayers, they are not obligated to represent popular public opinion in their decision-making.” In the eyes of Pennsylvania state governance, the **desires** of Upper Mount Bethel township are officially voiced by its’ five supervisors, not its’ approximate 6300 residents.

Now it is left to the 6300 to try to convince the five what is in the best interests of the town regarding tonight’s proposed Resolution. If you have something to say, please come to the podium.

For my part, I will offer the following:

- The Resolution makes no mention of Act 537 compliance as a reason for establishing a Municipal Authority or coordinating solving the Act 537 compliance issue with the formation of the Authority. Surely the oath to serve the long-term needs of the 6300 takes precedence over the near-term needs of the developer. Develop an Act 537 plan first and integrate the authority into it, if necessary.
- Moving this forward at this time does not align with the logical process presented by your engineer at earlier meetings.
- Since I seem to remember the developer indicating he could solve the water and sewer needs with or without a Municipal Authority, why has there been no robust comparison presented between these alternative

solutions and a Municipal Authority *prior* to this Resolution? A simple set of pros and cons on paper could help validate this is the best course of action.

- Since the need to solve the water and sewer problem is identified as an RPL problem, and the Resolution explicitly states the organization of a Municipal Authority is for *those purposes*, why isn't a drip irrigation solution on the industrial properties being considered by the developer or the Board of Supervisors? If I remember correctly, the developer's engineer stated that he did not even consider the RPL I-2 and I-3 industrial zoned properties as possible sites for drip irrigation fields.
- Anecdotally, I have heard that an experienced local municipal authority may have released raw sewage into the Delaware River recently. Help me to understand why I should believe this proposed startup municipal operation will be inherently more reliable than an experienced authority and my well will be safe.
- The Allegheny Creek watershed is the second largest in Upper Mount Bethel. It is the one that contains the RPL West (Angle) property and is the most likely watershed to receive the full 400,000 gallons per day of effluent from the Municipal Authority at the full buildout of RPL.
 - How many residents are at risk for well contamination in the event of an industrial accident at the Municipal Authority?
 - Has the town notified these residents that they could be at risk in such an event?

- What are their options if their wells are contaminated by the municipal authority? Will affected residents only recourse be to buy water from the authority that polluted their wells or sell their homes?

I recognize that this town has problems that must be solved, and the developer needs closure on the water and sewer issue, but that does not mean that this plan has been adequately vetted and needs to be rushed. Regardless of what your vote is today, in my humble opinion this plan is not even close to being ready for prime time.

For the health and safety of township residents, please give each step in the process going forward the time and consideration it is due.

Thank you.

Comment – Charles A. Cole

An authority is a risky venture for UMBT.

Professionals who I have spoken to reinforce my feelings that it is not needed!

Where is the analysis which was to be done by outside neutral parties. One should only be considered in conjunction with an act 537 update, which looks at water/wastewater needs of the whole township. That hasn't been done.

And why would the BOS want to choose authority members when the authority doesn't exist and we don't know if it will exist?

This exercise seems like a mad rush to having one before need has been proven.

Charles Cole

9-11-2023 by email