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UPPER MOUNT BETHEL TOWNSHIP
PLANNING COMMISSION SPECIAL MEETING MINUTES
THURSDAY, JUNE 15, 2023 – 7:00 PM

I.

Chairman Teel called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Present were Chairman Teel, Commissioner Crane, Commissioner Sarisky, Commissioner Potter, Commissioner Klein, Recording Secretary Cindy Beck, Township Engineer Coyle, and Township Solicitor Karasek.

Public Comments

Frances Visicaro, N. Delaware Dr., asked if questions will be allowed during the presentation. Fred Ebert stated it would be best to wait until after the presentation.

Sharon Duffield, Potomac St. commented on the water and sewer agreement that is posted on the Township's website and quoted some statements in the agreement.

Judy O'Brien, Corey Circle, commented on the LVPC study of the number of vehicles. Judy stated that she did some calculations on the number of employees and the amount of water usage. Chairman Teel asked Ms. O'Brien where she is employed. Judi stated she works for the Township of Mine Hill NJ.

Michael Onufrak, Summerfield Dr., commented on the drip irrigation field location, which is near his property, the legality of it, and his concerns of the health and well being of his family.

Richard Wilford-Hunt, Shady Lane, read his public comment, which will be part of the official record. Richard commented on protecting the health, safety and welfare of the residents, and the water and sewer authority.

Mark Mezger, Scenic Court, commented on the water and sewer authority agreement, and have the Commissioners done their due diligence on reading it and understanding it and who is benefiting. The residents do not want it.

Judith Henckel, Robin Hood Rd. referenced the 2016 Act 12, regarding water and sewer authorities.

DISCUSSION

River Pointe Logistics Center-Water and Sewer

Frederick Ebert, Ebert Engineering gave a presentation of the proposed RPL Sanitary Sewer and Water Systems. In his presentation he gave a general description of the Sanitary Sewer System, estimated flows, approval process, design overview, similar facilities, sanitary user rate methodology, initial allocation of capacity, the role of authority, the waste water treatment plant, and an overview of the drip irrigation system/fields. Fred discussed operations and maintenance costs, capital reserve/replacement costs, ten year cash flow summary, and user fee calculations. Fred discussed the Water System. Wells, storage tank, distribution system. The approval process of the water system: PA DEP Sanitary Survey, PA DEP Pumping Test/Monitoring, Delaware River Basin Commission Water Allocation Docket/Permit/Operations Permit, PA DEP Public Water Supply Permit. The role of the Water Authority is basically the same as the Sewer Authority.

Chairman Teel asked if the Commissioners had any questions.

Commissioner Klein asked about treatment and odors.

Commissioner Crane asked how many Authorities he (Mr. Ebert) has assisted with setting up, has he factored in inflation, finances, feasibility study.

Commissioner Sarisky asked about the salaries and about how many home would 30,000 gallons (the amount proposed to be allocated to the Park) cover. Mr. Ebert stated 120.

Chairman Teel asked Mr. Ebert if this presentation was for RPL only at this time, Mr. Ebert stated yes. Chairman Teel wanted to clarify that the Park is not part of this. Mr. Ebert stated that is correct. It will be up to the Township to be part of this. Chairman Teel stated the Township will have to find another way to get water/sewer to the areas of concern.

Steve Walsh, Dynamic Engineering, stated they were here tonight for two waivers to be recommended for approval. SALDO 600.4.6.1, "if there is no existing centralized public sewage disposal system within the growth area and for all other subdivisions or developments outside of the growth area, sewage disposal shall be by a privately owned on-lot system located and designed as per Section 600.4.5.2. and 600.4.7.1." "if there is no existing centralized public water system within the growth area and for all other subdivisions or developments outside the growth area, water shall be by a privately owned on-lot water supply system".

MOTION by Chairman to recommend approval of SALDO waivers,

Public Comment-Charles Cole commented on industrial waste going into a drip irrigation system and moving water from one watershed to another.

Mark Mezger commented on Mr. Eberts chart of cash flows.

Frances Visicaro, commented on estimated flows, estimated employees, and acquiring grants.

Nick Pugliese, commented on the allowance of industrial waste on a drip irrigation system, is there a waiver required. Solicitor Karasek stated the developer has filed for a special exception with the ZHB. Attorney Erv McLain stated a waiver is not required to discharge industrial wastewater.

Fred Clark asked, why the Angle property for the drip irrigation. Mr. Ebert stated the soils were much better on Potomac West (Angle Property).

Michael Onufrak, commented on Tina's ZHB notice for the RPL hearing. Solicitor Karasek read Tina's notice of May 15, 2023, to clarify her position with respect to the sewage facilities issue.

Judy O'Brien commented on the cost chart on salaries and has the developer put down a performance bond.

Solicitor Karasek stated there was a motion on the floor and there needs to be a second. Commissioner Sarisky seconded Chairman Teel's motion to approve the waiver requests.

Engineer Coyle stated that one of his concerns is a feasibility study. He did not have the opportunity to review Mr. Ebert's presentation prior to the meeting. Other concerns are the Water and Sewer Agreement, (which appears to be in the process of being changed), the 25% of project costs to be reimbursed to the developer, the drip irrigation field capacity, and the main concern is to give the opportunity to expand, to grow beyond control of the Township. The Board of Supervisors would be giving the control to the Authority. Engineer Coyle stated that the Planning Commission should be given the opportunity to review the revised agreement, that should be one of the conditions if the waivers are granted. At this time, nothing has been submitted for the water system design. Mr. Ebert stated the agreement is being modified to remove the 25% reimbursement. Solicitor Karasek stated the Supervisors have fully read the Resolution that was prepared and adopted, signifying the Township's intent to organize and establish a Municipal Authority. The purpose of the Authority is to provide sanitary sewer, water, solid waste, and related utility services but where the Township will retain the right to approve of any plan of the Authority.

There was a discussion on granting the waivers with conditions, putting a limit on the amount of the gallons per day (140,000), and the Township remains in control.

Solicitor Karasek clarified the motion, to grant the waivers on four conditions, 1) to view and approve the presentation 2) to view and approve the revised Water and Sewer Agreement, 3) limit the amount of gallons per day (200,000 for the plant, 140,000 for the drip irrigation), and 4) that the Township will continue to approve of any plan of the Authority. Chairman Teel stated that is his MOTION. Chairman Teel withdrew his motion

II. ADJOURNMENT

MOTION by Commissioner Sarisky to adjourn the meeting at 9:50 pm, seconded by Commissioner Crane.

Respectfully Submitted by Cindy Beck-Recording Secretary

Public Comment Upper Mount Bethel Planning Commission Mtg June 15 2023

As members of the planning commission for Upper Mount Bethel Township, one of your primary responsibilities is to protect the health, safety and welfare of its residents. And ~~not just rubber stamp whatever plan comes in front of you.~~ ~~██████~~

That is a big big responsibility. And I am concerned that not enough attention or study has been given to this sewer and water plan or to the formation of a municipal authority.

Have you carefully read and do you understand what is in the sewer and water agreement written by the developer?

Have you carefully read and do you understand what is written in the by-laws for the municipal authority?

Both have been written to benefit the developer not our township. We will carry the burden.

In other words have you done your due diligence to protect this township? I hope so.

At a minimum and before you recommend these plans to our BOS you all should wait until Attorney Baulmer from SkilKenny Law has reviewed and commented on this sewer and water agreement and the by-laws for the municipal authority. And you should wait until Barry Isset Engineering has reviewed the plans.

Thank you.

Richard Wilford-Hunt

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