



Upper Mount Bethel Township

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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, NOVEMBER 9, 2020 @ 7:00 PM

*This meeting was live streamed through the Upper Mount Bethel Township Facebook page.

PART I

1. Call to Order-Chairman Bermingham Jr. called the meeting to order at 7:05 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Present were Chairman Bermingham Jr., Supervisor DeFranco, Supervisor Pinter, Supervisor Teel, Supervisor Due, Township Manager Nelson, Township Engineer Coyle, and Township Solicitor Karasek.
4. Approve the Agenda-Supervisor Pinter would like to move PART IX, Manager's Contract, to PART XI, Executive Session. **MOTION** by Supervisor Pinter to approve the amended agenda, seconded by Supervisor DeFranco. Vote: 5-0.

PART II (Public Comment)

Charles Cole commented on agenda item Advertise Amendment to the Text Amendment and if this is in reference to the Public Hearing. Mr. Cole commented on items that need to be addressed, i.e. wells and drip irrigation.

Richard Wilford-Hunt commented on listening to the citizens' concerns regarding the Text Amendment.

Mark Mezgar commented on the Text Amendment and the collection of data. Analysis and risks should be considered.

David Friedman commented on the Amendment to the Text Amendment and the Board should consider adding conditional use, to protect UMBT.

PART III (Announcements)

1. Veteran's Day-Chairman Bermingham Jr. thanked all Veterans for their service. The Veteran's Day celebration at the Park was very successful and it will be bigger and better next year. A round of applause for the generous donation from the Post Foundation for the Fireworks display. Charles Cole announced the Slate Belt Museum will be putting lights on all the Veterans tombstones in the graveyard next to the Museum.

2. Meetings/Virtual-Chairman Bermingham Jr. discussed the possibility of moving the meetings back to virtual. Chief Finan stated the Fire House is still an option for meetings.

PART IV (Approve the Minutes)

1. Meeting Minutes-October 12, 2020-**MOTION** by Supervisor Pinter to approve the October 12, 2020 meeting minutes, seconded by Supervisor Teel. Vote: 5-0.
2. Meeting Minutes-October 26, 2020-**MOTION** by Supervisor Pinter to approve the October 26, 2020 meeting minutes, seconded by Supervisor Teel. Vote: 5-0.

PART V (Subdivisions)

1. Scott Horne Minor Subdivision-Conditional Preliminary/Final Plan Approval-Solicitor Karasek discussed the Scott Horne Minor Subdivision. Solicitor Karasek stated this has been reviewed by LVPC and the Township Planning Commission who has made the recommendation for Conditional Preliminary/Final Plan Approval. Conditions being PDNI inventory to be secured, SEO review, compliance with engineer review letter of October 13th, Fees-in Lieu for two (2) lots to be paid, pins and monuments be set, plan signed and notarized. **MOTION** by Supervisor Teel to approve the Scott Horne Minor Subdivision Plan, seconded by Supervisor Pinter. Vote: 5-0.

PART VI (Reports)

1. Financial-Bill List-Manager Nelson read the bill list. **MOTION** by Supervisor DeFranco to pay the bills in the amount of \$390,108.97, seconded by Supervisor Pinter. Vote: 5-0.
2. Manager's Report-Manager Nelson discussed his monthly report on road department activity, park activity, finance, zoning/planning, administration, engineering and building.
3. Engineer's Report-Engineer Coyle discussed his monthly report on site improvements at the Park, Hemlock Drive project, traffic signal project, Planning Commission site plan review, and National Park Drive rebuild project.
4. Solicitor's Report-Solicitor Karasek discussed his monthly report on meetings attended, subdivision/land development/zoning matters, outstanding litigation, and misc. office matters.
5. Supervisor's Report
 - a. Supervisor DeFranco reported RPL gave an update at the EDC meeting. Slatebelt Rising held a ZOOM meeting, they are looking to make a local attraction out of one of the quarries.
 - b. Supervisor Pinter reported budget meetings are well under way, as well as the Freedom Systems, and the Teamsters Union Contract.
 - c. Supervisor Teel reported the Planning Commission met in October to discuss Hardball Cider site plan and they also went before the ZHB. They will be back for the November Planning Commission meeting.
 - d. Supervisor Due nothing to report.
 - e. Chairman Bermingham Jr. reported he will having office hours soon, which will include a presentation on "How Local Governments Work". A neighborhood watch

meeting will be scheduled soon. A Christmas Program to support local businesses is being discussed.

PART VII (Action Agenda-matters to be voted on)

1. Refuse Reductions, Application Refunds, and Exonerations-None
2. Kuiper Easement-Solicitor Karasek stated this matter has been resolved.
3. Community Park Sidewalk-Payment #2-Engineer Coyle recommends the approval of payment #2 in the amount of \$2,155.50 to ISG, LLC. **MOTION** by Supervisor Pinter to approve the payment of \$2,155.50 to ISG, LLC, seconded by Supervisor Teel. Vote: 5-0.
4. Kobalt Construction/River Rd Bridge No.2-Final Payment-Engineer Coyle stated this project has been completed and recommends the final payment to Kobalt Construction in the amount of \$82,751.00. **MOTION** by Supervisor Pinter to approve the final payment of \$82,751.00 to Kobalt Construction, seconded by Supervisor Teel. Vote: 5-0.
5. Christmas Tree Lighting-Manager Nelson discussed the Christmas tree lighting to be possibly be held at the Community Park.
6. Advertise Amendment to the Text Amendment-Solicitor Karasek stated this is on the agenda for the Board to consider if they want to advertise for a public hearing date. The Amendment to the Text Amendment has been reviewed by the LVPC and the Township Planning Commission. Solicitor Karasek stated that any revisions made, conditional use, the Amendment would have to be re-reviewed by the LVPC and the Planning Commission. **MOTION** by Chairman Bermingham Jr. to table this matter until the December 14th meeting, seconded by Supervisor Pinter. Vote: 5-0.

PART VIII (Old Business)

1. Sewage Fees-Township SEO, Scott Policelli discussed a proposal for a new sewage fee schedule. Scott stated there a few minor spelling errors that need to be fixed. Manager Nelson recommends, if approved, for the new fee schedule be effective January 2021. **MOTION** by Supervisor Pinter to move forward on the new sewage fee schedule contingent on Scott making the corrections, seconded by Supervisor DeFranco. Vote: 5-0.

PART IX (New Business)

1. Managers Contract-This has been moved to Executive Session.

PART X (Public Comment)

Chris Finan commented on the importance of having more options for fire protection, most importantly, fire equipment.

Richard Wilford-Hunt commented on Mr. Pektor attending the next EDC meeting to provide updates. Richard asked if there were changes to the Covenants, do they have to be re-reviewed. Chairman Bermingham Jr. stated the Covenants are a totally separate agreement. Richard stated he will be following up with Manager Nelson on budget questions.

Ron Angle commented on Upper Mount Bethel Township being a 2nd Class Township, five Supervisors form of government. Ron commended the Board for doing the right thing with the Industrial Park. Ron made a suggestion of imposing a \$.75 fee per square foot to take care of the Fire Company's need for a truck.

Mark Mezgar commented on the Industrial Park having their own fire department and security department, which would help reduce risks for the Township.

Charles Cole presented a trip generation example, from the LVPC Community Guide for the Board to review. Traffic impact studies need to be done.

Sharon Duffield wanted to clarify that the residents care about what kind of development is coming to Upper Mount Bethel Township.

Ron Angle commented that no one will know what kind of traffic there will be, at this point in time.

PART XI (Executive Session)-Recess to Executive Session at 8:25 pm to discuss a legal matter and a personnel matter. The meeting reconvened at 9:00 pm.

1. Legal-Chairman Bermingham Jr. stated that a legal matter was discussed in Executive Session and at this time, no action will be taken.

2. Personnel-Chairman Bermingham Jr. stated the manager's contract was discussed.

MOTION by Supervisor Pinter to request the managers' position and contract be extended to the end of the fiscal year (2 months) and revisit in January during the reappointment process, seconded by Supervisor Teel. Vote: 5-0.

PART XII (Adjournment)-**MOTION** by Supervisor Teel to adjourn the meeting at 9:05 pm, seconded by Supervisor DeFranco. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Public Comment – UMBT BOS Meeting Nov~~9~~ 2020

Richard Wilford-Hunt
2012 Shady lane
Mt. Bethel, PA 18343

Before the last public hearing held Sept 9th to listen to the residents of UMBT, in addition to the large gathering of people at the park who spoke against the text amendment including the township engineer and the many more email comments which were NOT read in public we collected over 500 signatures from residents who were strongly opposed to the zoning changes and disgusted with the way this board has acted and behaved.

While collecting those signatures it was sad to hear a lot of folks say “what can we do it is a done deal” or “ I was not aware this was happening.”

Well we are doing something and unfortunately it involves a lawsuit against this board. After having exhausted attempts to work with you and offer assistance from people in the community with expertise in community planning, environmental, and engineering, THIS was our only option left and it was brought on by you and your actions. Furthermore there will be an amendment to our appeal against this board to include this latest “amended text amendment”. Again, your doing.

We expect you, our elected officials, to make this developer and all developers adhere to ALL of our zoning ordinances and SALDO requirements the way they are written and followed by everybody else in this township. No exceptions.

A handwritten signature in black ink, appearing to read "R. Wilford-Hunt", with a long horizontal flourish extending to the right.