



Upper Mount Bethel Township

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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, DECEMBER 14, 2020 @ 7:00 PM

*This meeting was held virtually and 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 virtually were Chairman Bermingham Jr., Supervisor Teel, Supervisor Due, Supervisor Pinter, Supervisor DeFranco, Township Manager Nelson, Township Solicitor Karasek, and Township Engineer Coyle.
4. Approve the Agenda-**MOTION** by Supervisor Due to approve the agenda, seconded by Supervisor Teel. Vote: 5-0.

PART II (Public Comment) There was a discussion on comments that are received via email, comments that exceed the 500 word limit and whether they should be read into record or posted on the Township website for anyone to read. Chairman Bermingham Jr. stated that the agenda will be posted on the Tuesday prior to the meeting the following Monday, in order to give the residents sufficient time to submit their public comment. Public comments are accepted from Wednesday 7 am up to 4 pm Friday and then will be posted on the website Monday morning for anyone to view prior to the meeting. The comments will become part of the official record. If the agenda gets amended, residents will have the opportunity to comment, prior to any official action to be taken. **MOTION** by Supervisor DeFranco to post the agenda on the Township website by the Tuesday prior to following Monday meeting, to give residents from Wednesday 7am to Friday 4pm to submit emailed public comment, which will then be posted on the Township website Monday, any amendments to the agenda, Part II public comment will be allowed for that change only, seconded by Supervisor Pinter. Vote: 5-0.

PART III (Announcements)

Sherman Labarre-Chairman Bermingham Jr. read an article that was written by Michael Ortoski and was posted in the Blue Valley Times to honor Sherman Labarre, who ran the Portland Food

Pantry. Chairman Bermingham Jr. asked for a moment of silence in remembrance of Sherman Labarre.

PART IV (Approve the Minutes)

1. Meeting Minutes-November 9, 2020-**MOTION** by Supervisor Pinter to approve the November 9, 2020 Meeting Minutes, seconded by Supervisor Teel. Vote: 5-0.
2. Meeting Minutes-November 23, 2020-**MOTION** by Supervisor Pinter to approve the November 23, 2020 Meeting Minutes, seconded by Supervisor Teel. Vote: 5-0.

PART V (Reports)

1. Financial-Bill List-Manager Nelson read the bill list. **MOTION** by Supervisor Pinter to pay the bills in the amount of \$148,229.66, seconded by Supervisor Teel. Vote: 5-0.
2. Manager's Report-Manager Nelson stated he will have his report for the next meeting.
3. Engineer's Report-Engineer Coyle discussed his monthly report, which included finalizing River Rd FEMA, 611/512 traffic light, National Park Dr. roadway and bridge, and Slateford Rd. bridge.
4. Solicitor's Report-Solicitor Karasek discussed his monthly report, which included meetings attended, subdivision/land development/zoning matters, and outstanding litigation and misc. administrative matters.
5. Supervisor's Report-
 - a. Supervisor Teel reported Planning Commission will hopefully be meeting on Wednesday if the weather permits and nothing to report on the Emergency Services.
 - b. Supervisor Due reported the Comprehensive Plan is on hold until Spring.
 - c. Supervisor DeFranco reported Scott Cole will be reporting on the EDC.
 - d. Supervisor Pinter reported the 2021 proposed budget will be discussed later.
 - e. Chairman Bermingham Jr. reported that the Santa ZOOM call will be on December 18th, and on December 19th, Santa and his elves will be at the Community Park for a drive through visit with Santa, also on the 19th, there will be a fundraiser held from 10-12, where we will be collecting donations to support the bartenders and servers at the local businesses. Supervisor Pinter asked how the funds are going to be distributed. Chairman Bermingham Jr. stated the funds are for restaurant workers in the Mount Bethel area. Chairman Bermingham Jr. stated he would like to draft a letter from Upper Mount Bethel Township to Governor Wolf on the restrictions set forth on the local businesses. Chairman Bermingham Jr. reported the Fire Companies have received their new QRS trucks.

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

1. Refuse Reductions, Application Refunds and Exonerations-**MOTION** by Supervisor Pinter to approve the Refuse Reductions, Application Refunds and Exonerations, seconded by Supervisor Teel. Vote: 5-0.
2. EDC Members-Scott Cole, Chairman of the EDC, discussed his recommendations to fill the open seats on the EDC. Scott stated his two recommendations are Geoff Deen, owner of Hardball Cider, and Mitch Brown, who does have zoning experience. There was a

discussion of the recommendation of Geoff Deen, who is currently dealing with zoning issues. Scott discussed his reasons for why he feels Geoff is a good candidate and how he will be an asset to the committee. **MOTION** by Supervisor DeFranco to nominate and appoint Mitch Brown on the EDC, seconded by Supervisor Pinter. Vote: 5-0. **MOTION** by Chairman Bermingham Jr. to nominate and appoint Geoff Deen on the EDC, seconded by Supervisor Due. Vote: 4-1. Supervisor DeFranco voting no.

3. CDL Drivers-Manager Nelson stated he would to hire three (3) part-time CDL drivers for snow removal. **MOTION** by Supervisor Due to hire three (3) part-time CDL drivers for emergencies only, contingent on union approval, seconded by Supervisor Teel. Supervisor Pinter wanted clarification on what constitutes an “emergency”. Manager Nelson stated snow and clean up. Vote: 5-0.
4. 2021 Proposed Budget-Manager Nelson stated the 2021 proposed budget is available for the public to review. Supervisor Pinter stated he would like to proposed budget spreadsheet to be uploaded to the Township website after he reviews it. Supervisor Pinter stated he would like one budget meeting scheduled to go over the line items. Manager Nelson stated it could be on December 21, 2021 at 5:00 pm.

PART VII (Old Business)

1. EDC Update-Discussed in PART VI.
2. Heritage Conservancy-There was a brief discussion on the letter from the Open Space Advisory Board for their reasons why they would like to retain the Heritage Conservancy for another year. Solicitor Karasek will review the contract and the letter from the OSAB and will be on the agenda for December 28th.

PART VIII (New Business)

1. Township Recycling Event-Chairman Bermingham Jr. discussed the possibility of having a recycling event due to the overwhelming requests to dispose of electronics, mattresses, etc. Manager Nelson stated it is something he already looking into and hopefully in the coming year something will be scheduled.
2. Demi Road/Portland Contract-Manager Nelson stated the contract is up and would like to know if the Board would like to renew it. There was a discussion on the maintenance of the road due to the current activity. Chairman Bermingham Jr. asked for the current contract to be sent to the Board to review.
3. Overlook-Solicitor Karasek stated he represents the resident named in this matter, therefore, if the Board decides to move forward with any action, an external attorney should review the matter before the Board makes any decisions. Chairman Bermingham Jr. asked for this to be on the agenda in January.

PART IX (Public Comment)

Secretary Cindy Beck read an emailed public comment from Richard Wilford-Hunt. Richard stated he cares about UMBT and the importance of communication with the residents.

Chris Finan, Fire Chief of the Mt. Bethel Fire Company, stated a new engine has not been ordered, regardless of what Supervisor DeFranco has heard. Chief Finan stated Supervisor Teel asked to get prices only for a new engine, which were dropped off at the office for the Board to review.

Charles Cole commented on the RPL development and the importance of completing a traffic impact study.

Nelson Albert, owner of the Overlook Restaurant and Pub, discussed the issues they are experiencing at their place of business. He is looking for a solution, possibly proposing/adopting an entertainment district. Chairman Bermingham Jr. stated an outside Attorney will review the issues and provide an opinion, due to Solicitor Karasek having a conflict of interest.

PART X (Executive Session)-None

PART XI (Adjournment)-**MOTION** by Supervisor Teel to adjourn the meeting at 9:10 pm, seconded by Supervisor Due. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Public Comment – UMBT BOS Mtg. Dec 14 2020

Submitted by: Richard Wilford-Hunt 2012 Shady Lane Mt. Bethel PA 18343

I care about the future of UMBT and I am frustrated that none of you will answer any questions. I am not here to oppose development but am gravely concerned by how you seem to have thrown out our established rules to accommodate one developer – allowing drastic zoning changes that do the opposite of protecting our community.

There is little or no communication with your constituents - the residents. You are forcing us to submit RTK Requests. This requires considerable effort from all parties and would stop with simple communication from the Supervisors. WHEN were you going to inform the residents that the developer :

- Has been meeting with PADEP?
- Will be testing the soil on 20 acres for a drip irrigation field a week before Christmas!
- Will need 200,000 to 300,000 gallons/day of water!
- Proposes to build a sewage treatment plant in a R1 zone surrounded by homes!

Just WHEN are you going to inform the residents of any of these events? Your continued silence indicates that you KNOW you are NOT representing your constituents. You are doing exactly the opposite.

Hundreds of people I have talked to share these same opinions. You are negatively impacting our property values and quality of life.

We have heard Supervisors and the Manager complaining about being inundated by RTK requests and increasing legal fees. You, the supervisors are solely responsible for that. You have not been forthright in providing information to residents and you have not followed our existing zoning ordinances and SALDO requirements. All these legal costs would end if you simply abide by our existing zoning.

So now use this time to steer the ship in the right direction and away from an industrial park whose scale will dwarf UMBT and destroy its quality of life.

Good evening Board members,

After making an appointment to review our proposed 2021 budget last week, and communicating my concerns to Supervisor Pinter afterwards, I am bringing those concerns to the whole board.

I sat at the table where there was a one sheet summary page that shows a 4.4 million dollar budget with all 5 previous budgets combined, but it did not show any accounts on either sides of the budgets. Which means I could not review what accounts are expected to receive revenue, or what accounts money will be expensed.

I understand that Supervisor Pinter and Scott Cole who both have impressive corporate financial backgrounds, worked with Ed to streamline the budget for 2021 which desperately needed to be done, and anyone in accounting knows that budgets contain account numbers. So where is the streamlined budget including account numbers that is being proposed to the public for review and the board for approval? There has got to be something else.

Ed also presented a multi page Quickbooks budget of only the General Fund which shows the exact same 3.8 million dollar budget as 2020. There is no increase for County assessed tax revenue which comes directly from NorCo each year, there is no decrease in Liquid Fuels for the estimation released from the state a couple of months ago. There are no changes in revenue accounts at all. As a matter of fact, he specifically stated he didn't want to change anything at all on the receipt side. Revenue affects every aspect of spending so why would a financial manager not want to account for changes in revenue?

I was told the new budget would have everything combined, except Liquid Fuels, Fire, and Open Space yet those expenses are still part of the overall Operating Budget regardless of what bank account pays the bills. For instance, if Open Space tax dollars can only pay Open Space expenses, the tax receipts and expenses should still be part of the overall Proposed Operating budget. Otherwise you are back in the same messy accounting where transfers are taking place but no one knows where the money is going in those other budgets because the entries are incomplete.

On the expense side, he quote un-quote "moved some things around, but the budget remains the same."

How can that be with a summary sheet showing an overall increase in budget?

Meanwhile Ed tried to explain this theory to someone who works with Municipal accounting and Budgets every day, and has been reviewing UMBT's financials for several months, so believe me when I tell you none of it makes sense and you don't need a college degree to figure that out.

Since the township is in the middle of transitioning to a different accounting database, a simple Excel spreadsheet could provide the residents with a combined Operating budget with at least the budget head account numbers on it like I had provided Supervisor Pinter a few months back.

Doesn't the township have an obligation to provide a complete Proposed Budget for the residents to review? If the board reviewing the same summary, how can you approve what you cannot see?

Is this legal to provide the taxpayers a totals summary only? I would like to know when the complete budget will be available for review.

Thank you Supervisor Pinter, and Scott Cole for volunteering their time and accounting knowledge to crunch numbers and streamline an otherwise messy accounting structure, and I think people will be pleased to know there is no proposed tax increase, but at the same time I ask that the public be given a completed budget to review before anything is adopted by the board because what I reviewed is no more complete than last years unbalanced budget.

I also thank Ed for allowing me to make the appointment after business hours since I couldn't arrive until after the offices closed.

My offer still stands to Supervisor Pinter and the township to volunteer my time, and my knowledge of Municipal Accounting and Budgets if it is desired, and if nothing else add a municipal understanding for future budget procedure discussions.

I wish everyone a Merry Christmas, Happy Holidays, and a Safe Healthy New Year.

Renee' Gale

PUBLIC COMMENT – BOS MTG. NOV 23 2020

On Nov 5th, Lou Pektor gave a presentation on The River Point Logistics Park to the Northampton County Economic Development Committee. Take note of the logistics part of that name.

During that presentation the developer said a number of things that both parties meaning members of this board and the developer have clearly discussed with one another BUT have not made public to the residents of Upper Mount Bethel. One more example of the lack of transparency demonstrated by this board.

I have listed some of the things that seem to have been discussed but not shared with the residents:

Pektor stated the target market is for a 50/50 ratio of manufacturing and warehousing. So, it seems pretty clear that those two 1 million SF and larger buildings demanded for in the text amendment are for warehousing.

Pektor stated that Marshfield Drive has been vacated and will be given to the developer to become a 40ft wide cartway. I do not think residents are aware our supervisors are giving away township acreage to private individuals. What other community assets are you giving away without telling us?

Pektor stated that the trunk road , River Rd, will be widened? How? When you have the rr tracks on the one side and Lamtec and Custom Laminating on the other. And who is going to pay for the upkeep?

Pektor stated the logistics park will be built so that truck traffic does not pass a single residence. That the trucks will simply access Rt. 80 via the Portland bridge. Be honest with us, these thousands of trucks a day will use Rt. 611 through town and through Martins Creek to the Chrin interchange at 33. Already now a huge problem!

Pektor stated that they have three companies in contract and/or under negotiation. One of which is food processing and needs 80-90 ft for part of their process. Then goes to say this is not for high cube warehousing. So what exactly is this part of the process that needs 90 ft tall buildings? And what will be the use for the other ten story high buildings?

Pektor stated he is working on designing a sewage treatment plant with excess capacity to allow UMBT to tie into for ACT 537 (sewer and water) and future development up Rt. 611. Are the residents aware a sewage treatment plant is being proposed for their residentially zoned neighborhood? I think they deserve an opportunity to comment on potential odors and traffic. Does this take into account the concern for spreading sludge on our farm fields?

Pektor was asked by one of the committee members about the lawsuit brought against the BOS by a concerned citizens group. His response was they are just a handful of folks who oppose any development . Let me set the record straight for all who are listening. The lawsuit is against this BOS and the text amendment. It is NOT against the developer or development that follows the townships comprehensive plan.

And the concerned citizens group represents hundred and hundreds of residents in this township, NOT just a handful, all who oppose the text amendment which was written by the developer, rammed through by this board and includes drastic zoning changes, the severe weakening of our SALDO requirements and environmental protections. Also, we have heard some of the supervisors spin this to say the lawsuit is costing the township money. The way to immediately eliminate these costs would be for you to fully rescind the text amendments.

Lastly, a project of this magnitude, being advertised as being the largest industrial park on the east coast , should make all of you, our elected officials, hit the "pause" button during the pandemic where communications are already difficult. Hit the pause button to allow input from all residents and concerned citizens in neighboring municipalities; to allow us to come out in person to participate in deciding what is best for our community, the future of our community and our quality of life. Hit the pause button to make the developer adhere to our existing zoning ordinances and SALDO protections. The residents want to be part of the process NOT excluded from it. We live here. The warehouse owners do not.

Richard Wilford-Hunt
2012 Shady Lane
Concerned Citizen for UMBT

