



Upper Mount Bethel Township

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UPPER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES MONDAY, JULY 13, 2020 @ 7:00 PM

*Due to COVID-19 and the Stay-at-Home Order issued by Governor Wolf of Pennsylvania, this Board of Supervisors' Meeting was a Virtual Meeting held online.

PART I

1. Call to Order-Chairman Bermingham Jr. called the meeting to order at 7:00 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Virtually present in addition to Chairman Bermingham Jr. were Supervisor Due, Supervisor Teel, Supervisor DeFranco, Supervisor Pinter, Township Manager Nelson, Township Engineer Coyle and Township Solicitor Karasek.
4. Approve the Agenda-MOTION by Supervisor Pinter to approve the agenda, seconded by Supervisor Due. Vote: 5-0.

PART II (Public Comments-emails received prior to the Meeting)

Chairman Bermingham Jr. read the submitted public comments, which will become part of the record.

1. Renee Gale commented on Manager Nelson's time frame for responding to Supervisor Pinter's request for a cost comparison of in-house vs. subcontractors for the grass cutting/paving and developing a financial plan. Supervisor DeFranco and Supervisor Pinter commented that they would like to see the numbers.
2. Judy Henckel commented the River Pointe Logistics Text Amendment.
3. Loren Rabbat commented the River Pointe Logistics Text Amendment and the importance of having a Public Hearing to hear feedback from the community.
4. Supervisor Pinter commented on the video interview that Chairman Bermingham Jr. had with Township Engineer Coyle on the River Pointe Text Amendment was very well done and informative. Chairman Bermingham Jr. stated the video is available on his Facebook page.

PART III (Announcements)-Chairman Bermingham Jr. announced that it is Supervisor Pinter's Birthday.

1. Lake Minsi-Nothing to announce.
2. UMBT Seniors Club-Chairman Bermingham Jr. announced that the UMBT Seniors will be having a virtual meeting on August 3, 2020 at 7:00 pm.

3. Clean-Up UMBT Program-Chairman Bermingham Jr. announced the he would like to start the clean-up program again but would like to first get Dr. Raso's medical opinion on whether it would be wise to be picking up garbage.
4. Chairman Bermingham Jr. announced he will be having office hours on Wednesday, July 15th from 6-7 pm at the Township Building for anyone who would like to come in to discuss the River Pointe Text Amendment.
5. Chairman Bermingham Jr. announced that Wednesday, July 15, will be the last meal distribution.
6. Chairman Bermingham Jr. announced that the 4th of July Parade was very successful.
7. Manager Nelson announced that the gate into the Park will be locked at dusk and will be re-opened in the morning.

PART IV (Approve the Minutes)

1. Meeting Minutes-June 8, 2020-**MOTION** by Supervisor Pinter to approve the June 8, 2020 Meeting Minutes, seconded by Supervisor Teel. Vote: 5-0.
2. Meeting Minutes-June 22, 2020-**MOTION** by Supervisor Pinter to approve the June 22, 2020 Meeting Minutes, seconded by Supervisor Teel. Vote: 5-0.
3. Special Meeting Minutes-July 2, 2020-**MOTION** by Supervisor Pinter to approve the July 2, 2020 Special 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 \$148,756.39, seconded by Supervisor DeFranco. Vote: 5-0. Supervisor Pinter asked about the outstanding balance due on the Cartwright Cobra. Manager Nelson stated he has personally contacted Mr. Cartwright three times. He stated he is not well and is aware of the outstanding balance.

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. River Pointe Logistics LLC Text Amendment-Public Hearing-There was a general discussion on the River Pointe Text Amendment on whether to set a date for a Public Hearing or to wait for comments from LVPC and the Township Planning Commission. Solicitor Karasek stated the Planning Commissions have 30 days to review and comment, which means they should be coming back in or around August 6th and at that point if there are any revisions to be made, the Text Amendment will have to be re-submitted to the Planning Commissions for review again. Manager Nelson stated he received confirmation from the LVPC that they are having their Committee Meeting on July 28th and the Board is meeting on July 30th. There was further discussion on setting a hearing date and the advertising process. Supervisor DeFranco stated if a date was to be set and it had to be rescheduled maybe the applicant would pay for the advertisement. **MOTION** by Supervisor DeFranco to schedule a public hearing for August 24th contingent upon River Pointe paying for the advertisement if it has to be rescheduled, seconded by Supervisor Teel. Vote: 5-0. **MOTION** by Supervisor DeFranco to hold the meeting at the Mt. Bethel FH and for it to be live-streamed, seconded by Supervisor Teel. Vote: 5-0.

3. Community Park Sidewalk-Payment Request No. 2-Engineer Coyle discussed his review and recommends approval of payment to ISG, LLC in the amount of \$2,155.50. Engineer Coyle stated he hopes the project will be completed by end of July. Supervisor Pinter asked if there was a time stated in the contract as to when the project should be completed by. Chairman Bermingham Jr. asked Engineer Coyle what the liquidated damages are. Engineer Coyle stated he believes \$200 a day, but will check the contract. **MOTION** by Supervisor Pinter to have Engineer Coyle (Carroll Engineering) send a letter to ISG stating the job is to be completed by July 31st and if not completed, liquidated damages will be assessed on the sidewalk construction project starting August 1st, seconded by Supervisor DeFranco. Vote: 5-0.
4. Fire Arms Ordinance-There was a general discussion on the Fire Arms Ordinance from the Township of Stroud, PA in Monroe County that Solicitor Karasek provided to the Board to review and to see if the Supervisors would like to adopt a similar ordinance. Solicitor Karasek stated this can be amended as to how the Township would like it to be written. Supervisor Pinter stated he would like more time to review and maybe look at other municipalities' Firearms Ordinances. Chairman Bermingham Jr. asked for this to be on the August 10th meeting agenda.
5. Rustica Resolution-Chairman Bermingham Jr. discussed a Resolution to be adopted signifying and thanking Rustica Artisan Catering for providing 6,000+ meals for the residents of Upper Mount Bethel and neighboring communities during the Coronavirus Pandemic. **MOTION** by Supervisor Pinter to draft a Resolution recognizing Rustica Artisan Catering, seconded by Supervisor Teel. Vote: 5-0. Chairman Bermingham Jr. stated that everyone that has donated will be recognized.

Supervisor Pinter wanted to address some of the Facebook Live comments regarding the Firearms Ordinance before it gets out of hand. Supervisor Pinter stated that the Township is not going to make an Ordinance that confiscates firearms.

PART VII (Old Business)-None

PART VIII (New Business)

1. Manger Nelson stated he needed a motion to add his name as the contact person for FEMA/PEMA. **MOTION** by Supervisor Pinter to add Manager Nelsons' name as the contact person to replace Rick Fisher for FEMA/PEMA, seconded by Supervisor Due. Vote: 5-0.

PART IX (Public Comments received by calling in during this meeting)

William Smith commented on the PA General Code and how the Township is going to pass an Ordinance due to the noise from the use of firearms and how are they going to handle it. Supervisor Pinter stated he will know when he hears from the lawyers.

Richard Wilford-Hunt commented on the cost of advertising and the River Point Text Amendment and the Public Hearing.

Charles Cole commented on what the impact of the Firearms Ordinance will have on residents who have large parcels of land. Charles commented on the River Pointe Text Amendment and the Public Hearing advertising. Solicitor Karasek stated how and when the advertisement will be posted. Chairman Bermingham Jr. stated that it will also be posted on the Townships' website.

Supervisor Teel commented on Knowlton Township's Mayor Starrs being on Channel 69 News and how the State is threatening to take away funds because of her ongoing efforts to stop the Rockwall in the Gap. Chairman Bermingham Jr. stated he will reach out to Mayor Starrs to lend our support.

Richard Klinge commented on Supervisor Pinter's statement regarding the Facebook comments and how he was only commenting on what he heard during the discussion of the Stroud Township's Ordinance and the seizure of firearms by law enforcement. Chairman Bermingham Jr. stated this Ordinance is not about taking away the 2nd Amendment which we cannot do, it's more about safety and protecting those who live close by to someone who does the shooting in a residential neighborhood.

PART X (Executive Session)-None

PART XI (Adjournment)

MOTION by Supervisor Teel to adjourn the meeting at 8:50 pm, seconded by Supervisor Due. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Good evening gentlemen,

I am requesting the following information on behalf of a couple of residents, so if you don't mind, I would like an answer given publicly tonight to myself and the others who will also be listening into the meeting.

1. At the May 11th BOS meeting, Manager Nelson asked for 3 part-timers on a "as needed basis" for grass cutting/paving. Supervisor Pinter asked for a spreadsheet containing cost comparisons of inhouse help versus hiring subcontractors. The motion was tabled to May 22nd to give Nelson time to prepare a plan and job costs for each job. The motion was again tabled to June 22nd because Nelson still did not present the board with the plan and job specific costs comparing the two options. We are now in peak season for the grass cutting, and liquid fuels monies can only be used through October 31st so the window on paving is closing. If memory serves me correctly, DeFranco was concerned public works employees cost us more than having outside firms complete the jobs. The cost of salaries, insurances, fuel, wear and tear on equipment was estimated in his experience to far outweigh the cost of subcontractors. Pinter and DeFranco have asked for a more detailed comparison for months now, and rightfully so.

Mr. Nelson, it is now July 13th. Have you submitted the cost comparison to the board? What was the board's decision based on your numbers?

2. In finance and accounting procedures, it is wise and financially responsible to develop a plan that would provide an overview of project expenditures that need attention within 5 or 10 years as well as the estimated revenue generators that will provide the means to carry out these projects. I could be wrong on the timing of this, but it may have been around the time of budget adoption in February Supervisor Pinter gave the public an overview of our budget, and its shortfalls as well as explaining the need for a 5 year plan for our community. He gave Manager Nelson the task of developing such a plan with a July timeframe.

Mr. Nelson, before you answer with your customary "I'm working on it" would you please provide us a more specific and detailed answer as to the progress of your work thus far.

Thank you for your time, and God Bless you all.

Renee' Gale

Comment for Supervisors' July 13, 2020 meeting

Thank you for posting the River Pointe Logistics text amendment on the Township website. This large property in I-2 and I-3 is described as "new industrial park".

My comment is in the form of questions for each Supervisor before or at the public hearing after getting input from our Planning Commission and the Lehigh Valley Planning Commission, both advisory.

Will you consider making changes to the draft/final amendment?

Can each Supervisor explain to their constituents their view of what kind of development they envision? Why do you believe the developer's promises for future prosperity and do you see any costs or negative factors to the community?

Why should the township give up local oversight to weakened and defunded state and federal regulators? Would our County Conservation District be our stop gap? How soon could they respond and who would call? There has been ongoing tree cutting and clearing in spots around the property.

When will residents hear of the suggested environmental proposals, some for unbuildable land?

Judy Henckel


Good morning, I would like to request that my comments/questions below are read into the record at this evening's meeting.

Appreciative that the Text Amendment document was posted. However, there seems to be some confusion with regard to submitting to LVPC. Can you please clarify what portion was retracted, and if so, what was RE-submitted? Thank you.

In addition, I am **IMPLORING** the Board of Supervisors to make the public meeting/hearing for this Text Amendment passage a truly **PUBLIC, IN PERSON HEARING**. This could take place at either the fire hall or up at the Park. If one considers the imminent changes that this will have on our community, it is incumbent upon our elected officials to allow for as much **public feedback from the constituents of this community as possible.**

Thank you,
Loren Rabbat

Facebook Comments

- Scott Mousley · 1:53:28 I am just concerned an ordinance can be used against a home owner.. that defends themselves. Police do not always arrive in time, No need to get rude
- Hannah Robinson Gaylord · 1:48:46 What about people who dont get the paper or text?
 - Jennifer Virgil Kasebier · 0:00 Exactly
- Rita Krise Bolles · 1:29:41 Oh, calm down. They never said they were coming for your guns. They just said that you can't keep shooting them when you are constantly bothering other residents!
 - Meagan Hoffman · 1:49:24 They won't seize guns....just be respectful of residents...theres a difference in shooting on 150 acres and those doing on 2.5 acres...there is a clear difference on the possibility of bothering neighbors on 2.5 acres
 - Richard B Klingle Jr · 1:33:43 That's what I heard law enforcement can come and seize your guns
- Tom Farrell · 1:48:41 Tom Farrell present
- Meagan Hoffman · 1:41:43 shooting on 150 acres is far different than in a residential area built on 2.5 acres....
- Rita Krise Bolles · 1:41:20 Yeah, in Stroud Twnshp. They have cops to do this. We don't. State police said they won't enforce something like this.
- Scott Mousley · 1:27:07 We have rampant heroin use, homes broken into, property being stolen.. and now the Township is moving in the direction to use local Ordinance to seize firearms?!
- Richard B Klingle Jr · 1:23:47 Take your guns
- Richard B Klingle Jr · 1:22:36 So the cops can come and
- Scott Mousley · 1:21:39 Seizure of firearms?!!!!!!!!!!!!!!
- Richard B Klingle Jr · 1:21:37 There goes your wright to bear arms
- Scott Mousley · 1:19:47 We need ranges for safe practice for conceal carry holders! Also discharge of firearms to protect ones property families, or themselves would be against an ordinance!
- Richard B Klingle Jr · 1:12:22 You get what you pay for
- Jennifer Virgil Kasebier · 0:00
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- Kelley Caflin · 1:05:28 Why are we trying to rush this? There obvious changes that will need to be made.
- Jim Potter · 52:23 Take it out of the escrow
- Jim Potter · 52:05 We should have an escrow account set up already
- Upper Mount Bethel Township · 40:32 Call-in information was recently updated on the UMBT website. Conference call was just tested, the audio is working.
- Trish Ann · 36:57 We do not hear anything on the call in #
- Richard B Klingle Jr · 22:01 How about you tell the people the cost
- Garv Harman · 14:36 Present

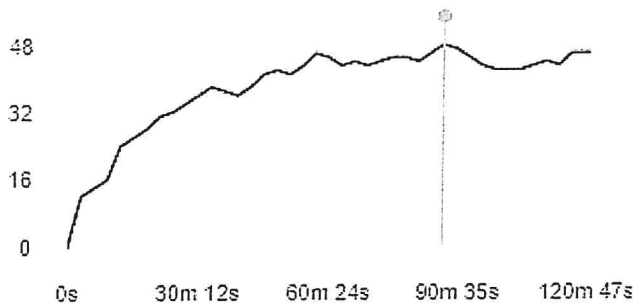
7-13-2020 BOS Meeting Post-Mortem Report and Comments

Peak Live Viewers: 48
Minutes Viewed: 3,867

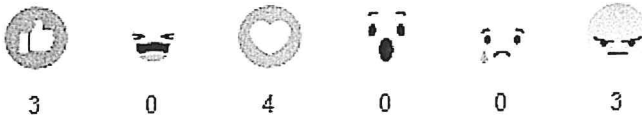
02:00:47 Broadcast



Viewers During Live Broadcast



10 Total Reactions - 0 from Shares



Jul 13 - Jul 16

3.9K Minutes Viewed 47% Men 49% Women

