



Upper Mount Bethel Township

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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
WEDNESDAY, AUGUST 26, 2020 @ 6:00 PM
AT THE COMMUNITY PARK
1535 POTOMAC ST. MT. BETHEL PA 18343

*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 6:00 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Present were Chairman Bermingham Jr., Supervisor Due, Supervisor Teel, Supervisor DeFranco, Supervisor Pinter, Township Manager Nelson, Township Solicitor Karasek, and Township Engineer Coyle.
4. Approve the Agenda-Chairman Bermingham Jr., amended the agenda, adding to PART VI # 3, I-80 Rockfall PAG invitation. **MOTION** by Supervisor Teel to approve the amended agenda, seconded by Supervisor DeFranco. Vote: 5-0.

PART II (Public Comments-email received prior to the meeting)-Secretary Cindy Beck read the submitted public comments, which will be become part of the record.

1. Ashley Thomas commented on a recent video that has surfaced on social media about a call where members of the North Bangor Fire Company are heard using racial slurs and one member claiming to be intoxicated and would like to know how the Township is going to handle this situation. Supervisor Teel stated the Township does not condone this behavior and a meeting has been scheduled to discuss this incident.
2. Kyle Schaarschmidt commented on the RPL Text Amendment and the safety concerns for the fire companies, the height of the buildings and the space between the buildings, as the fire companies are not equipped for such emergencies.
3. James Poliskiewicz Jr. commented on the proposed zoning changes and how he has lived in this area all his life and is asking the Board to vote against any proposed zoning change.
4. Judith Henckel commented on the support of farm preservation and open space conservation.
5. John Gorman commented on following the proper protocol on how decisions are made in our Township.

Cheryl Mintz commented on her disapproval of the Text Amendment.

Marty Mintz commented on his disapproval of the Text Amendment.

Nina Amoroso commented on keeping UMBT rural.

Nick Pugliese commented on protecting our homes.

Charles Cole commented on the zoning changes and impact studies.

Dave Philips commented on deed restrictions and how are they enforced.

Dave Friedman commented on deed restrictions and safety concerns for the Fire Companies. Richard Wilford-Hunt commented on how the beautiful park will go away, the Supervisors are pushing this through too fast.

Charles Kull commented on the next newsletter and asked if there are any new projects/future plans at the Park.

Judy Henckel asked if the text amendment gets approved, when does it go into effect.

Solicitor Karasek stated once adopted, five (5) days.

PART III (Announcements)

Chairman Bermingham Jr. announced that Thursday he will be having office hours from 7-8:30pm.

The Neighborhood Watch Committee hopes to have a ZOOM meeting soon.

The UMBT Seniors Club will be meeting sometime in September at the Park.

The Halloween Parade may possibly take place, more details to follow.

PART IV (Subdivisions)

1. Tishuk to McCabe, et al.-Lot Line Adjustment-Time to take action expires 8/31/2020.

Solicitor Karasek stated he received an Extension of Time letter. **MOTION** by Supervisor Pinter to table, seconded by Supervisor Teel. Vote: 5-0.

PART V (Reports)

1. Financial-Interim Bill-Solicitor Karasek stated that this is his bill, which was not prepared in time for the August 10th meeting. **MOTION** by Supervisor Teel to approve and pay Solicitor Karasek's bill, seconded by Supervisor Due. Vote: 5-0.

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

1. Stavros Barbounis Resignation-Chairman Bermingham Jr. discussed a letter of resignation received from Stavros Barbounis, resigning his position as Chairman of the Planning Commission, a member of the EDC, and also the Park/Rec Committee. Chairman Bermingham Jr. stated that Stavros is a true asset to the Township and thanked him for his dedication. **MOTION** by Chairman Bermingham Jr. to accept Stavros Barbounis's resignation, seconded by Supervisor Teel. Vote: 5-0. Chairman Bermingham Jr. stated that there is now an open seat on the Planning Commission and if anyone is interested they can submit a letter of interest to the Township Secretary.
2. Matt Frangos-Flagpole at Park-Manager Nelson discussed an Eagle Scout Project that Matt Frangos would like to do at the Park. Matt would like to do a patio around the existing Flagpole, which will be done at his cost. **MOTION** by Supervisor DeFranco to approve Matt Frangos Eagle Scout Project, seconded by Supervisor Due. Vote: 5-0.
3. I-80 Rockfall PAG Invitation-Chairman Bermingham Jr. discussed the request from the NJ Dept. of Transportation to have representatives from the surrounding communities to provide input. There will be a press conference at the Park on September 16, 2020. Scott Minnich gave a brief summary of the project. **MOTION** by Chairman Bermingham Jr. to appoint John Donahue to represent Upper Mount Bethel Township in addition to two (2) Upper Mount Bethel residents, seconded by Supervisor Teel. Vote: 5-0.

PART VII (Public Comment)

Sharon Duffield commented on limited access to all the Supervisors, more information is needed.

Nancy Hunt commented on the truck traffic on Rt. 611, something needs to change.

Cori Eckman commented residents are feeling unprotected.

Georgiana Frostick commented on keeping Upper Mount Bethel rural.

Cheryl Mintz commented on what is the hurry on the vote.

Diane Thompson commented on her love for the area.

Richard Wilford-Hunt commented on how the Board holds the power, listen to the residents.

Charlie Cole commented on the studies that need to be done.

Jane Tampellini commented on the planning of the Township for the future.

PART VIII (Adjournment)

MOTION by Supervisor Teel to adjourn the meeting at 7:55 pm, seconded by Chairman Bermingham Jr. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Hello, my name is Ashley I reside in Upper Mount Bethel Twp. My concern for public comment tonight is that a recent video has surfaced to social media about North Bangor Fire Company at a call when it looks to be them leaving the call. Several members in that video had rascal slurs talking about N****R music and then stated the N word again several times. Then one member says he's drunk. I want to know if the township supervisors are acting upon this situation. And I would ultimately like to express my opinion knowing how big this could get. My opinion is to pretty much disband the North Bangor Fire Company since you as the supervisors have the right to decide who is providing fire protection in our township and let Mount Bethel take over and open a sub station on the North Bangor side. Lastly as a township resident I do not feel safe having North Bangor Fire Company members coming to my needs for emergencies if they are drunk and using the N word. I want this situation resolved as soon as possible. Thank you again.

Ashley Thomas

I would like to point out the issue of the building spacing in the current amendment. If this is passed "as is" the buildings can be 100ft tall plus the additional structures on top and only spaced 25ft apart. If the fire company had a ladder truck to reach the roof (which we don't) doing the simple geometry the ladder will have to be 105ft tall with the base of the ladder 36ft off the building. So if we had a truck to reach the roof with the current spacing it will never be possible to use. another issue would be if a fire happened and the walls collapsed while fighting the fire it would be very dangerous for our firefighters. The board asked the fire chiefs for input on the spacing of the building and they said it should be the height of the building plus 25ft. If the board decides to not fix this part of the amendment before voting on it they are showing complete disrespect for the input of the fire company along with their safety. The simple geometry shows the spacing won't work out and that's not considering the safety part of this issue. This is one of many issues with this amendment getting passed "as is". I don't understand why it would make sense to pass this amendment with several known issues that are not minor.

Thank you Kyle

Dear Board of Supervisors,

With regard to the proposed zoning changes being voted on this evening, I ask that you vote against any proposed zoning change. I was born and raised in this township. I still live here today and those who know me know I make it a point proudly tell others where I am from. Growing up, I remember my late father pointing out home after home as we drove around. He would say "I remember when that was a cornfield, I remember when this was all woods" or "I used to bale hay in that field before the houses". I thought I would never understand that feeling, but at just thirty years old I find myself saying the same things. I hate the thought of any more buildings or homes going up in our area. That should be left to the Poconos and the not so beautiful parts of the Lehigh Valley. Nevertheless, I understand that this property has been bought by a private entity, and that this entity has the right to do what they want with the property. I can accept that.

What I cannot accept is why this board would entertain changing any current zoning for a company that is not from this area, has no loyalty to our township and whose plans are against the wishes of an overwhelming majority of your constituents. At the last meeting, it was said the reason for changing the zoning is to avoid River Point Logistics building warehouses. They are obviously going to build something. I do not want warehouses either, but I would rather have warehouses, which comply with all current zoning, than to allow any kind of buildings that are up to one million square feet or up to one hundred feet high. What if one of your constituents, a resident of the township, asked for a slew of zoning changes on their residential property? Would you willingly change zoning for each of us and allow us to build whatever we want on our property? I do not think that would be a good idea for a resident, let alone an outside company who obviously is using our resources for their gain. If you allow these zoning changes for River Point Logistics, where can it end? Zoning changes could allow any company to now come in and do as they please with our landscape. This could set an unchangeable precedent that destroys our home and leaves our once beautiful landscape resembling our misguided neighboring communities to the north and the south. Have we not learned from them?

The Lehigh Valley Planning Commission criticized this proposal up and down. When this was brought up at the last meeting, many supervisors became defensive as if the planning commission does not want businesses in the northern part of the county. If that is true, your constituents do not care. Let them keep their businesses that ruined their areas. Before you become defensive of their intentions, remember what the rest of this area has done to itself and remember that the people of this township prefer to be left out of the massive build up that is going on everywhere else. As our elected officials, you should be echoing the wishes of the township residents. Regardless of the board's feelings about the LVPC's agenda for Upper Mount Bethel Township, they pointed out several very concerning issues with the proposed zoning changes. I wanted to hear the board's plans to address this and not just their personal grudge against the LVPC.

The most concerning issue brought up at the last meeting was the opinions of the fire chiefs. The fire chiefs related their concerns regarding increased difficulty in fighting a fire at the buildings being proposed. These valid safety concerns would be brought about by the proposed zoning changes. Ignoring these concerns will increase the risk to our fire fighters and their equipment. I saw Chairman Bermingham attempt to address these concerns, only to have the rest of the board push this through for today's meeting with the excuse that we may lose some interested companies if the decision was delayed any further. Please remember that you do not answer to those companies. You answer to your

constituents. Especially when your volunteer firefighters, who are residents of this township, are asking you to reevaluate issues concerning their safety.

We do not want any companies. So if we lose some, in the name of safety, let them go. They provide no benefit to the township or its residents. Tax revenue is the only thing they can provide. That will have to go toward upgrading the roads, infrastructure and fire departments. A very costly endeavor when you consider the price of their garments all the way up to their vehicles. And obviously we will need bigger vehicles to reach one hundred foot tall buildings. So there is an immediate need for this upgrade. So immediate money from tax revenue. Meanwhile, any company that moves into this LERTA area will be getting an enormous break on taxes for the first ten years. We wont be able to wait ten years to upgrade the fire equipment, and when I called in at the conclusion of the last meeting, I was assured the fire departments would be ready. I now ask how. Where is that money going to come from? The treasurer's report at that meeting indicated that we may finish in the red this year. I admit that I haven't crunched the numbers or priced the equipment, but it seems concerning to me. The only other option is to raise everyone's taxes. All for the zoning changes that they were against. The residents of Upper Mount Bethel Township will not be the ones lining up for jobs at this place. We already have jobs and are hard workers. We live here because these kinds of things stay out of our area. If it is warehouses, let them build warehouses. This so called "light industry" will provide just as much, if not more, traffic than warehouses. Especially buildings of that size. Please do not change any zoning to appease River Point Logistics and set a devastating precedent for the next parasite company. Please listen to your first responders, the LVPC and the overwhelming majority of we the people. Please protect our home.

Sincerely,

James P. Poliskiewicz Jr.

Comment for Supervisor August 24, 2020 meeting – Judith Henckel

For decades Upper Mount Bethel Township residents have overwhelmingly supported farm preservation and open space conservation in their ordinances, and by forming an Environmental Advisory Council and an Open Space Advisory Board. Planned, sustainable economic development, on a small scale or home based to fit our river-ridge, vernal pool woodlands, is viewed favorably. Not so this urban scale oversized industrial manufacturing and warehousing in the I-2 and I-3 zones, accompanied by polluting increased truck traffic that will significantly change the character of our region.

This is not even a submitted development plan that follows the process that every resident complies with. This is a concept to wipe away annoying environmental, traffic and community impact studies and shift regulatory oversight from the Township to outside authorities that are also being stripped at higher levels of their effectiveness to regulate in order to cut costs to do business. This will serve the developers profit margin.

We have several manufacturing companies, Ultra Poly, Lamtec, Custom Laminating and Voltaix/Air Liquid, who are under 150,000 square feet in building size who followed the zoning land development process. After changing zoning building size to 300,000 a few years ago, why now make 800,000 to 1,000,000 acceptable? And where in our Township is there a building over three stories? Now along the scenic river we can have 10 stories (100 feet) with another 20 feet for air conditioning, towers or possibly lights for air safety, regulations that are not in our street lighting ordinances. So much for rural dark skies and astronomy.

Every administrative maneuver was used to keep the public from seeing the text amendment changes while Township officials negotiated for hundreds of hours to claw back some of the regulations. It has been about a month for the public to find and view the manuscript.

The question I put to you for the public meeting next Monday August 31 is how much time will you give your constituents to comment on this text amendment? And if you answer, you have given time before two Supervisor meetings (about 3 hours) and at the Chairman's office hours with the Township Engineer this past month, to their credit, not the Board as a whole (a guess of 10 hours). As a resident, I feel slighted that Supervisors spent so much more time with the developer than reaching out to their constituents a year or more ago as the process began, to see what the community valued to keep or give away. We live here, pay taxes and will bear the burden of loss of our quality of life.

Or, if Supervisors are right, we will share the successful addition of jobs and a tax base. But wasn't what those above-mentioned companies were about? The Township over the years has seen a small group of powerful individuals shape our destiny and stamp down reasonable discussion. When does the tide change? After we have been paved over and pushed onto a cluster of houses alongside mega highways? Please listen with an open mind.

Thank you for your time,

Judith Henckel

Dear supervisors ,

Hear are points I made in my comment at the last meeting that were either not addressed or the answers given were incorrect.

Why is the normal process of having a community impact study, traffic study and environmental study being bypassed at the request of the developer until AFTER the plans and addendum are approved?

This process is in place and used by all townships in the country to enable their elected officials and the public to see a complete picture of how their community will be impacted.

Why are we not following proper protocol on how these decisions are made in our township?

One answer I heard was the developer claims to have a company that wants to move in right away and will leave if we don't pass this addendum right away. Are we that Naïve that we will change the regulatory laws of our township for the promise of a carrot by a developer?

I hope not.

The current draft allows 100' + buildings to be built 50' from residential properties. This is highly inadequate.

The required open space that in this draft can be purchased by the developer for \$2000 a unit could be used to remove the possibility of building between the park and the residential properties along 611 protecting their quality of life and property values.

Allowing the affluent water from the on site industrial waste water treatment plant to be dumped on the site is of great concern for local air and water pollution. Why would you allow this and what impact studies do you have to base your judgment on?

Have you taken into consideration this site is in the special protected waters of the Delaware River basin?

Changing the grade of slopes that can be built on.

What impact studies on this property do you base your decision on?

My request to put this addendum up for referendum in November was answered incorrectly at the last meeting.

Your response was that this could not be done because the developer has the right to build on this site.

At no time did I question that right. Putting the question of, if our township residents want this addendum to our laws written by a developer for his self interests passed into law, is what needs to be voted on by the people.

Raising the height restrictions by 50'.

The answer by the board was that this "in layman's terms would allow us to bring in ford motors". This again is a carrot from the developer. Building higher is much more cost affective for a developer and raises his profit margins. When this developer bought this land he was aware of the current restrictions and knew he could make money building under them. Whatever changes that is made now at his request is gravy for him.

Also. All of your responses saying that warehousing is not being build is incorrect.

Under this addendum there is no restrictions saying warehouses can not be built. The addendum Also says the Plans can be changed at any time without resubmitting. What is your reasoning for allowing this?

Trying to rush this through in the middle of a pandemic without all the facts is highly irresponsible.

Thank you for your attention to this matter, John Gorman

Sent from my iPhone