

**UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS  
WORK SESSION MEETING MINUTES  
MONDAY JULY 23, 2018 @ 7:00 P.M.**

1. Call to order-Chairman Bermingham Jr. called the meeting to order @ 7:00 pm. Tonight is a non-voting meeting. Present in addition to Chairman Bermingham Jr. were Supervisor Teel, Supervisor Due, Supervisor DeFranco, Supervisor Pinter, Township Manager Rick Fisher, and Solicitor Karasek. The Pledge of Allegiance was recited. MOTION to approve the agenda by Supervisor Due, seconded by Supervisor Teel. Vote 5-0.

2. Public Comment - 3 minutes

Jeff Manzi - asked for a copy of the sewage map, Township Manager Rick Fisher is going to provide at the end of the meeting. Mr. Manzi also asked about an update in regards to the parking situation at TK's Bar. Supervisor Teel commented that he has spoken with the owner of TK's and they are willing to look at a couple of different options to help the community. Chairman Bermingham Jr. commented that our Engineer did a traffic study for stop lights at the intersection of Potomac Street and Route 611 and the intersection of Route 512 and Route 611. We satisfied the conditions for Penn DOT for the 512/611 intersection, and we are moving forward to get a stop light there. We did not meet minimum standards for a traffic light at Potomac Street and Rt. 611. Mr. Manzi asked how we were making out with Police coverage. Chairman Bermingham Jr. responded that we are getting offers and once all options have been presented and we get feedback from the public, then the Board will decide if we want to go with one of the offers or just stay with State Police coverage. Mr. Manzi commented that the State Police coverage is a joke. We need local police. He also wanted to know how we are making out with Penn DOT and the maintenance agreements. Township Manager Rick Fisher met with Jeff Roebeck from Penn DOT and explained we still have issues with certain roads.

Charlie Cole - has responses to Rick's statements but three minutes is not enough time. Chairman Bermingham Jr suggested that Charlie provide the Board with his written responses in a document for the Supervisors to review for the next meeting when the Engineer is here. Charlie commented on sanitation and the costs involved. Supervisor Teel commented on the survey and the citizens that will be affected.

Adam Howard commented on the State Police response time not being acceptable. He wanted to personally thank the Board of Supervisors, the Zoning Board, Zoning Officer Ryan Engler, and Building Code Officer Tina Serfass, for all their help and support during the process of rebuilding his home after it was destroyed. Adam commented on the noise ordinance, shooting issues have to be addressed. He has concerns regarding surrounding neighbors and feels the Zoning Officer is not a police officer. He wanted to submit a complaint document for Solicitor Karasek to review. Chairman Bermingham Jr. suggested that since the complaint is already in the hands of Judge Zito, then he should continue with that process and just provide us an update.

3. Discussions

a. Noise Complaints - Noise Ordinance

Township Manager Rick Fisher provided the Board of Supervisors with a packet containing information regarding the Noise Ordinance for them to review and discuss. Zoning Officer Ryan Engler summarized his review of our current Noise Ordinance. Chairman Bermingham Jr. asked Zoning Officer Ryan Engler to provide the Supervisors with what he needs to do the job better to enforce the Noise Ordinance. Chairman Bermingham Jr. suggested to bring in Professor Everbach to discuss the cost of amending the

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ordinance. Chairman Bermingham Jr. suggested that each one of the Supervisors come up with concerns on what they would like to see in the Ordinance and also ask the public to reach out to the Supervisors to give us feedback. Solicitor Karasek commented that our Noise Ordinance is a strong one and that we should get away from decimal levels and go to time frames. Chairman Bermingham Jr. suggested the Noise Ordinance be on the August 13th BOS meeting to be voted on how to move forward. Brian Fox expressed concern about the hours of restrictions. He is following Game Commission Rules. Marie Kearney has concerns regarding the gun fire, shooting gallery, in a residential area and who is supervising? Sean Kearney said it is more than just a noise issue, it is a safety issue and it is disturbing and affecting a lot of people. Solicitor Karasek commented that he understands the residents would like to see the township assist, but they do have the right to bring private claims against those making the disturbances. Supervisor Due said it boils down to respect. Adam Howard commented that he has to call the fire department to burn, why not call the police to shoot guns? Kathleen Kovalt commented that the decimal level is a health issue. It's not just timing. How to enforce the level is a concern. Supervisor Pinter knows the tools Ryan needs and is working on providing equipment for a trial run.

#### b. Zoning Ordinance

Manager Rick Fisher discussed the R-2 Zone. He asked the Supervisors to review what might or might not work. Supervisor Teel commented, without sewer or water, nothing will work. Supervisor Teel commented that the EDC joined the Planning Commission meeting and they are coming up with good ideas for the Board to review. Chairman Bermingham Jr. asked for the ideas from the Planning Commission to be put on the Agenda for the August Work Sessions Meeting. Chairman Bermingham called for a 2 minute recess @ 8:30pm so Supervisor Due could go to his car and get his maps for the next area of discussion. Chairman Bermingham Jr. made a public comment to remind everyone this Saturday at the Community Park- Saturday in the Park, also first movie night in the park before the recess.

#### c. Environmental Center-Eastern Industries

Supervisor Due discussed preserving Eastern Industries property, using the existing building as an Environmental Center and we would be looking for the county as a partner. Supervisor Due is looking into for ways of obtaining funding, for the BOS support overall and to possibly get the state involved.

#### 4. Public Comment-3 minutes

Rich Klinge commented that when the township bought Eastern Industries, the original plan was to move the township building there, not for an environmental center! Supervisor Due commented that zoning changed after the purchase. Judy Henckle cannot recall specifically the purpose of the purchase. Township Manager Rick Fisher commented that the building on Eastern Industries was not maintained and is in very poor condition.

Paul Taylor expressed his concern about a police force. He feels we have sufficient coverage. Speeding signs seem to be very effective. In regards to the shooting issue, we should be relying on the Game Commission Regulations. Supervisor DeFranco commented he called them and they responded that it is not their jurisdiction. The noise ordinance should agree with the time people should be shooting as stated in the Game Commission Rules. Legalizing fireworks added problems with everyone dealing with noise issues. Paul stated that there are far more car accidents than shooting accidents. Chairman Bermingham Jr. commented that he has received many complaints regarding fireworks.

Jeff Manzi stated that the reason he needed a copy of the sewage map was to try to get funding. Township Manager Rick Fisher said the speed limit signs are working.

Paul Taylor commented that public comment time should be fair for everyone and that everyone be kept to their three minutes.


5. Adjournment-MOTION to adjourn meeting @ 9:02 pm by Supervisor Teel, seconded by Supervisor Pinter. Vote 5-0

Respectfully Submitted,

Cynthia Beck

Recording Secretary

Upper Mount Bethel Township



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