

UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, APRIL 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 Teel, to approve the agenda, seconded by Supervisor Pinter. Vote: 5-0.

PART II (Public Comment received by email prior to Meeting) Chairman Bermingham Jr. read the submitted public comments, which will become part of the record.

- 1) Richard Wilford-Hunt expressed strong objection to the River Point Logistics Text Amendment proposal.
- 2) Charlie Cole understands that Lou Pektor has asked for a waiver of the requirement to present to and appear before the ZHB for asking for a variance or exception and feels this is not permitted.
- 3) Judy Henckel commented on River Pointe Logistics and their request not to go to Zoning for waivers.

PART III (Public Announcements)

Chairman Bermingham Jr. stated that this is the first time that Upper Mount Bethel Township held a virtual meeting. Chairman Bermingham Jr. read the statistics of the COVID-19 Pandemic and how it has affected the lives of so many. Chairman Bermingham Jr. asked for a moment of silence for those who have passed due to this deadly disease.

Chairman Bermingham Jr. thanked Dr. Ron Raso for his COVID-19 weekly updates that he has been providing to the Township. Chairman Bermingham Jr. also thanked Lee McDonald for volunteering his time for the filming of the interviews.

Chairman Bermingham Jr. mentioned the Emergency Notification System and urged residents to sign up.

Chairman Bermingham Jr. stated that all the Supervisors have been volunteering their time handing out meals at the Township Building to those in need and thanked

Hardball Cider, Rustica Catering, volunteers that have been shopping for the elderly/compromised immune systems, our Firefighters, Suburban Ambulance and others that have made donations.

#### PART IV (Approve the Minutes)

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

#### PART V (Subdivisions)

1. Comunale Minor Subdivision/Lot Line Adjustment-Preliminary Final Approval-Solicitor Karasek stated that this has been reviewed by the Planning Commission and have recommended that the Board grant Conditional Preliminary Final Approval. **MOTION** by Supervisor Teel to approve the Comunale Minor Subdivision/Lot Line Adjustment, seconded by Supervisor Due. Vote: 5-0.
2. Frable Waiver Request-Solicitor Karasek discussed the waiver request, do not comply with the SALDO. Solicitor Karasek stated that the Board of Supervisors granted them Conditional Use after a Hearing last year. **MOTION** by Supervisor Teel, to approve the Frable Waiver Request, seconded by Supervisor DeFranco. Vote: 5-0.

#### PART VI (Reports)

1. Financial Report-Bill List-Manager Nelson read the Bill List. **MOTION** by Supervisor Pinter, to pay the bills in the amount of \$195,537.78, seconded by Supervisor Teel. Vote: 5-0.

#### PART VII (Official Action-matters to be voted on)

1. Refuse Reductions, Application Refunds and Exonerations-**MOTION** by Supervisor Due, to approve the Refuse Reductions, Application Refunds and Exonerations, seconded by Supervisor Pinter. Vote: 5-0.
2. Bid Awards-Engineer Coyle discussed the three bids that were put out on PennBids:  
River Road Bridge 2 (Pine Tree Lane), several bids were received, the lowest bid was Kobalt Construction for \$387,221.50, Engineer's estimate was \$400,000.00. **MOTION** by Supervisor Pinter to award the River Road Bridge project to lowest bidder, Kobalt Construction, seconded by Supervisor Due. Vote: 5-0.

River Road Guiderail Project, no bids were received. Engineer Coyle recommends to re-bid. **MOTION** by Supervisor DeFranco, to wait 30 days to re-bid, seconded by Supervisor Teel. Vote: 5-0.

Roadway Sealcoating/Chip Seal Project-one bid was received, Asphalt Maintenance Solutions for \$318,099.60. Engineer Coyle recommends awarding the bid to AMS. **MOTION** by Supervisor Due, to award the Roadway Sealcoating/Chip Seal project to Asphalt Maintenance Solutions for \$318,099.60, seconded by Supervisor Teel. Vote: 5-0.

Manager Nelson discussed the three bid proposals received for aggregate material for the Hemlock Drive project: New Enterprise-\$48,750.00, Hanson-\$50,125.00 and ABE-\$43,124.00. **MOTION** by Supervisor Pinter, to award the Aggregate Material bid for the Hemlock Drive project to ABE for \$43,124.00, seconded by Supervisor Due. Vote: 5-0. Manager Nelson stated two bids were received for materials. Hanson Aggregates and Eureka Stone Quarry. Hanson Aggregates for #2B Stone only, was the lowest bid, unit price delivered \$18.50/\$9,250.00 (500 tons). **MOTION** by Supervisor Due, to award the bid for #2B Stone, delivered for \$18.50/\$9,250.00, to Hanson Aggregates, seconded by Supervisor Teel. Vote: 5-0. Manager Nelson read the bids for the remaining materials (Superpave, #2A Stone, Antiskid). Eureka Stone Quarry was the lowest bid on these materials. **MOTION** by Supervisor Due, to award the bid to Eureka Stone Quarry, seconded by Supervisor Pinter. Supervisor DeFranco asked if the quotes were for delivery and if there were plans for paving this year. Manager Nelson stated yes, quotes are for delivery and they are planning on doing some paving. Vote: 3-2. Supervisor DeFranco and Supervisor Pinter voting no. Manager Nelson stated one bid proposal was received for fuel: Reimer Bros.- Diesel fuel, \$1.349, heating oil, \$1.339 and unleaded gasoline, \$1.668 (proposals are delivered quotes). **MOTION** by Supervisor Pinter, to award the fuel bids to Reimer Bros., seconded by Supervisor Due. Vote: 5-0. Manager Nelson stated two bid proposals were received for the 2020 Line Painting: Alpha Space Control for \$87,700.80 and DeAngelo Brothers for \$119,592.00. **MOTION** by Supervisor Pinter, to award the 2020 Line Painting to the lowest bidder, Alpha Space Control for \$87,700.80, seconded by Supervisor Teel. Vote: 5-0.

3. Steering Committee/Emergency Services-Supervisor Teel discussed the establishment of a Steering Committee, Supervisor Teel, Lindsey Manzi and Jim Potter. Supervisor Teel stated this Committee would be for the Fire Companies to come to for any discussion, dispute or requests from the Township, which would then be brought to the Board of Supervisors. Supervisor Pinter expressed concerns in regards to holding meetings. After further discussion, Supervisor Teel stated he will continue his position as the Emergency Services Liaison and at this time, no committee will be established.

4. Hire Andrew Constable and Don Diana-Part-Time Non-CDL Employees-Manager Nelson discussed the hiring of two part-time employees. Supervisor Due stated these part-time positions will be on an "as needed" basis. **MOTION** by Supervisor Due, to hire Andrew Constable and Don Diana, seconded by Chairman Bermingham Jr. Supervisor Due rescinded his motion and Chairman Bermingham Jr, rescinded his second. **MOTION** by Supervisor Due, to hire Andrew Constable and Don Diana, part-time, as needed, per union contract, not to exceed 25 hours a week, \$16.00 an hour, seconded by Chairman Bermingham Jr. Vote: 3-2. Supervisor DeFranco and Supervisor Pinter voting no.
5. New Window in Vestibule-Manager Nelson discussed a new window he would like to be installed in the vestibule of the Township office. The new window would have a speaker and a cashier drawer, for the safety of everyone. Manager Nelson stated the cost is approximately \$3,200.00, installed. Supervisor DeFranco stated that if the window is bullet proof then the whole wall should be replaced and be bullet proof as well. Manager Nelson stated the window would be covered under the Pandemic, but he is not certain the wall would be. Manager Nelson will get a quote on replacing the wall and window and provide that to the Board at the April 27<sup>th</sup> meeting.
6. Signatories on Checks-Manager Nelson would like the Board's approval of reducing the number of signatories on checks from three to two, due to having difficulties getting three signatures at times. **MOTION** by Supervisor Pinter to change the number of signatories on checks under \$20,000.00 from three to two and checks above \$20,000.00, three signatures will be required, seconded by Supervisor Teel. Vote: 5-0.
7. Lake Minsi Dr.-Traffic Control-Supervisor Due stated he has received several calls from concerned citizens regarding the speeding on Lake Minsi Dr. The current speed limit is 40 MPH and would like to have it lowered to 30 MPH. Manager Nelson stated speed radar signs will be put up to study the data received.
8. River Pointe Logistics, LLC-Text Amendment-Solicitor Karasek discussed the current Zoning Ordinance Use Class 8 and River Pointe Logistics LLC proposal to amend the I-2 Zone (100 acres or more) and the I-3 Zone (50 acres or more). Solicitor Karasek stated in order for this Text Amendment to move forward, it will need to be reviewed by the Township Planning Commission and the Lehigh Valley Planning Commission before the Board can act on the Amendment. Chairman Bermingham Jr. stated the purpose of this Amendment is so that River Pointe Logistics does not have to go before the Zoning Hearing Board every time they ask for a Variance. **MOTION** by Supervisor DeFranco to send the Text Amendment to the Township Planning Commission, the Lehigh Valley Planning

Commission and the Zoning Hearing Board Solicitor for review, seconded by Supervisor Due. Vote: 5-0.

PART VIII (New Business)

1. Planning Commission Members-Supervisor DeFranco stated that there are two open seats and at this time there are two letter of interests, Supervisor DeFranco and Terry Abramson. Supervisor Teel stated his opinion is that that two Supervisors should not be on the Planning Commission. Supervisor DeFranco stated he has experience and is confident that he would bring something to the table. Chairman Bermingham Jr. stated his thoughts are to leave the positions open for a little while longer to see if anyone else submits a letter of interest. Solicitor Karasek stated that the Ordinance that established the Planning Commission should be reviewed. Chairman Bermingham Jr. requested this be on the April 27<sup>th</sup> meeting.

PART IX (Public Comment received by phone call in during this Meeting)

Charles Cole commented on the proposed Text Amendment and would like to see it available to be viewed as soon as possible. Charles commented that having another agency amend our Zoning Ordinance is a mistake. Charles commented that having two Supervisors on the Planning Commission is a mistake.

Manager Nelson commented that along with the meals being provided, there is also food available at the Township Building for those in need. Donations are welcomed.

Chairman Bermingham Jr. thanked the moderator for the Township's first Live Streamed Meeting.

PART X (Adjournment)-**MOTION** by Supervisor Teel to adjourn the meeting at 9:18 pm, seconded by Supervisor DeFranco. Vote: 5-0.

\*All Public Comments submitted by email prior to the Meeting will be available as part of these Meeting Minutes and are available for the Public to view.

Respectfully Submitted by Cindy Beck-Recording Secretary