



**Upper Mount Bethel Township**  
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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, DECEMBER 13, 2021 – 7:00 PM

\*This meeting was held in person and live streamed through the Upper Mount Bethel Township Facebook page.

I.

Chairman Pinter called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Present were Chairman Pinter, Supervisor Teel, Supervisor Due, Supervisor DeFranco, Supervisor Bermingham, Township Manager Nelson, Township Engineer Coyle, and Township Solicitor Karasek.

Public Comments:

Fran Visicaro, N. Delaware Dr., read her public comment, which will become part of the official record. Fran commented on Act 130, the NID and the properties that surround River Pointe Industrial Park.

Larry Reagle, Sunrise Blvd., commented on the damage that was done to his lawn and black top driveway and asked when it was will fixed. Manager Nelson stated the Township will be out on Sunrise Blvd next week.

Charles Cole, Riverton Rd., commented on agenda item Portland Borough Authority and would like to remind the Supervisors that GEO Services did an extensive study of ground water in the Township, Slateford Watershed, where Portland's water comes from and was found to have limited water supply.

Stavros Barbounis, Potomac St., commented on recent comments that have been made regarding his absence at the last meeting. Stavros stated that he had a family emergency which prevented him from attending the meeting to live stream the meeting. Stavros stated he has live streamed over one hundred meetings and has not missed one, until the last meeting.

Richard Wilford-Hunt, Shady Lane, read his public comment, which will become part of the official record. Richard described the BOS and the Planning Commission as a shill for Pektor. The elections spoke loud, re-electing Supervisor Bermingham and getting

David Friedman on the Board, two individuals that are cautious of the developer's intent, concerned about loss of control and listening to the concerns of the residents and it is time for the rest of the Board to do the same. Richard stated the members of the community have donated nearly \$45,000 to date to stop the Text Amendment.

Judy Henckel, Robin Hood Rd., suggested to the Board to take a step back, re-think, what does the community want, work together with Mr. Pektor.

Gary Hilliard, Slateford Rd., commented on the ongoing water issue at his properties. Gary was disappointed that Supervisor Due did not reach out to him. Chairman Pinter stated that he, Supervisor Due, Engineer Coyle, and Manager Nelson, will sit down with him after the meeting to discuss the issue. He would like immediate action taken. Manager Nelson stated that he did promise Mr. Hilliard we would fix this somehow, but it has not been determined as to what can actually be done, it is a difficult problem to resolve.

## **II. ANNOUNCEMENTS**

Manager Nelson announced that Allegheny Creek and UMBT will be co-hosting a Christmas Party on Sunday, December 19<sup>th</sup> 5-8 pm at the Allegheny Creek Event Center. Movie, food, and pictures with Santa. Manager Nelson is collecting blankets for homeless vets and will also be sending out Christmas cards to residents serving in the service.

Supervisor Bermingham announced the fund-raising event for Ashton Dunbar will be held on December 21<sup>st</sup> 5-8 at the Chelsea Sun. Supervisor Bermingham will be having office hours on either December 21<sup>st</sup> or December 23<sup>rd</sup>, which he will be discussing Eminent Domain. The Fire Dept will be hosting Santa delivery on December 18<sup>th</sup> and 19<sup>th</sup>, thank you to all who donated money and gifts. On January 20, 2022, the County Council will be discussing the adoption of a Resolution to fix the s-curve, which he will be attending.

## **III. CONSENT AGENDA**

1. Approval of the November 8, 2021, Meeting Minutes.
2. Approval of the November 22, 2021, Meeting Minutes.
3. Refuse Reductions, Application Refunds and Exonerations.

**MOTION** by Supervisor Teel to approve the Consent Agenda, seconded by Supervisor Due. Vote: 5-0.

## **IV. FINANCIALS**

1. Bill List-Manager Nelson read the bill list. **MOTION** by Supervisor Teel to pay the bills in the amount of \$411,614.42, seconded by Supervisor Due. Vote: 5-0.

## V.

### PLANNING MODULE

1. 303 Demi Rd. Planned Industrial Park Facilities-Engineer Coyle discussed the Planning Module (sanitary/water facilities). This being one of the conditional items for the land development plans. This is reviewed by the Township SEO for technical review, then to the LVPC for review, and then to DEP for review and approval. Scott Policelli stated in his final review, there are some administrative items to be cleaned up, a Resolution to be drafted, DEP file #, a letter from Portland Water, and LVPC letter signing off. Scott recommends approval if all conditions have been addressed. **MOTION** by Supervisor Teel for conditional approval of the 303 Demi Rd. planning module based on Scott's comments, seconded by Supervisor DeFranco. Vote: 5-0.

## VI.

### TABLED ITEM

1. Trucks/Equipment-Manager Nelson discussed the lease purchase of a John Deere Excavator, with a seven-year payback. Purchase price of \$137,900.00, annual payment of \$21,948.96. This will replace the large excavator we currently have. Solicitor Karasek stated that if the Board decides to move forward with a loan, it needs to be approved by DCED because of it being over the threshold of \$125k. **MOTION** by Supervisor DeFranco to move forward with the purchase the JD Excavator for \$137,900.00, annual payments of \$21,948.96 back to the Township, seconded by Supervisor Bermingham. Vote: 5-0. Manager Nelson discussed the purchase of two trucks, one tandem and one triaxle. There was a discussion on the size and need of the trucks. Supervisor DeFranco stated a triaxle is too big. Chairman Pinter stated his opinion is to go with two tandems this year. **MOTION** by Supervisor DeFranco to purchase two Mack tandems for \$296,686.20, seconded by Supervisor Due. Vote: 5-0. **MOTION** by Supervisor Due to purchase upfits from E.M. Kutz for \$103,383.00 per truck, seconded by Supervisor Teel. Vote: 5-0.

## VII.

### NEW BUSINESS

1. Portland Borough Authority-Solicitor Karasek stated he spoke with Attorney Steven Goudsouzian, Portland Borough Solicitor, regarding the Demi Rd. project. Attorney Goudsouzian stated the Authority is willing to provide fire suppression services to the project, however, the Authority would need the Township's approval as the services are outside the Special Services area. Solicitor Karasek stated he would not want the Board to vote on the matter until Attorney Goudsouzian can attend a meeting to discuss exactly what he is looking for. Jimmy Potter, president of the Authority, stated the reason Attorney Goudsouzian is looking for the Township's approval is because when Portland Industrial Park was built, this lot (303 Demi Rd.) was not in the Industrial Park. Current Special Services members, Lamtec, Custom Laminating, Air Liquide, Ultra Poly I and Ultra Poly II, are willing to let 303 Demi Rd. come in as long as the Township approves it. Attorney Irv McLain, representing the developer, stated a substantial amount of research has been done to determine how the Special Services area was created. The Zoning

Hearing Board allowed the construction of the tank in the Township, the creation of the Special Service area was by a function between the Municipalities because there was some property that was in UMBT that was included in that Special Service area. Attorney McLain agrees with Attorney Goudsouzian that there needs to be an agreement between UMBT and the Authority to allow 303 Demi Rd. to be placed in the Special Services area. Solicitor Karasek stated they if the Township approves of Fire Suppression Services being provided then there must be an Intermunicipal Agreement and Ordinance adopted approving of the Intermunicipal Agreement. Jimmy Potter stated that "legally" the Portland Borough Authority cannot service 303 Demi Rd. with fire protection without the Township's approval. Engineer Coyle stated his recommendation is to have it in writing. Supervisor Bermingham recommends waiting to hear from Attorney Goudsouzian before any making any decisions. Jimmy Potter stated PBA will provide if they can, but if they cannot, then it will up to the developer to work that out. **MOTION** by Supervisor DeFranco is to approve of the Intermunicipal Agreement for Portland Borough Authority to provide Fire Suppression service to 303 Demi Rd., seconded by Supervisor Teel. Vote: 3-2. Chairman Pinter and Supervisor Bermingham voting no.

Supervisor Bermingham announced he has received multiple complaints from residents on the speeding on Ridge Rd. Manager Nelson stated there was an accident recently at the intersection of Fox Gap and Ridge Rd., the stop sign was repositioned, and reflector tape was placed on the sign, rumble strips are going to be placed as well. Manager Nelson stated PennDOT will be working with the Township on the speeding issue. Supervisor Bermingham stated he heard the FEMA money was reduced; Manager Nelson stated he has not heard that information. Supervisor Bermingham would like the Supervisors to consider allocating some of those funds to local businesses who were hit hard from the Pandemic. Manager Nelson asked Supervisor Bermingham to provide him with a list of businesses that could use some help and if any of those businesses received prior financial assistance from the Government.

## **VIII. ADJOURNMENT**

**MOTION** by Supervisor Teel to adjourn the meeting at 8:37 pm, seconded by Supervisor Bermingham. Vote: 5-0.

Public Comment. – UMBT BOS Mtg. Dec 13 2021

*You have*  
This board and the Planning Commission are a sham – rubber stamping <sup>ed</sup> approvals ~~on everything~~ <sup>and</sup>, hardly questioning anything that Pektor has put in front of you...the text amendment, the land development plans and the planning module for 303 Demi Rd. LLC (the first 420,000SF warehouse/distribution center in the industrial park), the neighborhood improvement district and its ~~soon to be realized~~ “authority” to float loans and issue bonds on our backs (the taxpayers) to finance <sup>his</sup> infrastructure improvements, and RPL East LLC’s financing scheme using the BASD to put more warehouses/distribution centers in the I-3 Zone.

*Needed*  
In other words you are a shill for Pektor. For those who do not know what a shill is. Webster’s Dictionary defines a shill as “one who poses as a satisfied customer to dupe bystanders into participating in a swindle”. The residents of UMBT are the bystanders and we are being ~~swindled~~ <sup>swindled</sup> by the very officials we elected to protect us and by a developer who does not give a damn about the damage his industrial park will do to our environment and ~~way of life~~ <sup>quality</sup>. His motive is ~~greed and~~ money.

*And*  
How much of our taxpayer money has been spent by Teel using our twsp. engineer and solicitor to “make it

work" words used by Teel as chair of the planning commission in pushing the industrial park. And why did the planning commission double up on meetings in Nov and Dec? The answer is obvious. They are pushing as hard and fast as they can to pass the developers agenda before the tenor of this board changes in January.

*Richard Bes  
save him  
do do so?*

The residents of UMBT spoke loud and clear at the elections in re-electing John and getting David Friedman on the board. Two individuals that are cautious of the developers intent, concerned about loss of control and are listening to the concerns of the residents. It is time for the rest of the board to do the same.

Members of this community have donated nearly \$45,000 to date to stop the ~~proposed industrial park from happening~~. Shouldn't this mean something to you?

*Teel amendment*

*And none of this would have happened if you only made the developer follow our existing zoning - like the rest of us have do.*

Richard Wilford-Hunt  
2012 Shady Lane  
Mt. Bethel, PA

Where is  $\mathcal{R}_a$

Marshfield bridge ??

Dec 13, 2021

To the Board of Supervisor.

I found an added page to River-Pointe-Neighborhood-District-Final-Plan-11/2/21, that was on the UMBT website. It was a map of the boundary of the RP-NID by streets.

The street that this map included were the street that surround the River-Point Industrial Park.

I am very concerned with this.

We were told that only Lou Pektor properties would be in the NID.

Now you seem to be trying to follow the act 130 to a point.

The act 130 doesn't say that you can say only for-profit property would be applied to the NID. There also are other for-profit properties in the NID boundaries that are not own by Lou Pektor

The act 130 section 5 says "A copy of everything required under this section, as well as the date, location and time of any public hear required by this act, shall be provided by the municipal corporation to all property owners and leasees of property located in the NID at least 30 days prior to the first public hearing required by this section."

I have not received any formal information that my property would be include in the NID boundaries. Has anyone else in the NID boundary received any information.

My concern is that if the Board of Supervisor passing the NID without asking all who are in the NID, that this could lead to a bad outcome for the property owners that are in the NID boundary.

I pray our supervisors wake up before our town is ruined by developer.

Thank you



Frances Visicaro

3001 North Delaware Drive

Mount bethel, PA