

**Approved LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES NOVEMBER 1, 2021 at 7:00 P.M.
CENTERFIELD SCHOOL**

CALL TO ORDER - The November 1, 2021 regular meeting of the Lower Mount Bethel Township Board of Supervisors was held at 6984 S. Delaware Drive, Martins Creek, Pennsylvania, 18063 (formerly known as Centerfield School), Martins Creek, PA, 18063. The meeting was called to order by Chairperson DeBerardinis at 7:00 p.m. In attendance were M. DeBerardinis, S. Disidore, S. Newman, J. Zator, J. Coyle, J. Smethers and M. Mastrogiovanni. J. Mauser and S. Burns were absent. There were 4 members of the audience present. The Pledge of Allegiance was recited.

EXECUTIVE SESSION – None.

APPROVAL OF MINUTES – OCTOBER 4, 2021. The following revisions were made in bold: Pg. 3 – Manager’s report – add **Bangor**, Pg. 4 – 3rd paragraph should be **Little Creek**. **MOTION** S. Newman, second by S. Disidore to approve the minutes as amended. Vote: 3-0.

COURTESY OF FLOOR

Martha Posner, Rec. Board Chair. Event schedule. Martha indicated the Recreation Board is requesting approval for the following event schedule: Christmas Tree Lighting – Saturday, December 4, 2021 6-7:30 p.m., Plant Sale – Saturday, May 21, 2022, 10 a.m. - 2 p.m., Community Day – Saturday, June 11, 2022 1-5 p.m. Rain Date, Sunday, June 12th. Martha mentioned we will have food trucks, no vendors except Big Foot Press and any other make and take vendors. She thanked all the people that baked and helped with the bake sale for the car show. \$367.00 was raised and is being donated to the Fire Company. Martha also mentioned since 2019, the Rec. Board has raised more than \$7,000 for the Fire Company. These figures came directly from them and she is very pleased about that. She would like to see us organize more events at Centerfield including a lending library for donated books and would like to get some book shelves.

Martha thanked J. Smethers for completing the Hotel Tx Grant, we were awarded \$5,000 for Community Day and can start using the funds as of November 1st. Martha asked for permission to make purchases in time for the tree lighting; tents, popcorn machine (Fred tried to fix it, but it’s broken) and fake snow making machine. The Board approved the dates and purchases.

M. DeBerardinis announced that Martha was chosen to receive an award for Northampton County’s Outstanding Volunteer. The Board of Supervisors thanked her and the Committee for everything they have done. S. Newman mentioned since the inception, the Rec. Board has never raised that much money for the Fire Company.

OLD BUSINESS

1.Baggitt Minor Subdivision – 10087 Richmond Rd. F11-8-2C. Ratify Resolution 2021-12 Declaration of Restrictive Covenant. **MOTION** by S. Disidore adopting Resolution No. 2021-12 ratifying the grant of Conditions Final Approval to the Baggitt Minor Subdivision, second by S. Newman. Vote: 3-0.

2.Burkholder ASA – MOTION by S. Disidore, second by S. Newman to refer the Alvin & Jane Burkholder Agricultural Security Application to the LMBT PC, LVPC and ASA Committee for review. Vote: 3-0.

3.CF AM Holdings, LLC – C-48-CV-2019-10564 – Settlement of Tax Assessment Appeal. J. Zator explained we are seeing a lot of these appeals in PA because of covid, hopefully once we're past covid, we will see increase in values. **MOTION** by M. DeBerardinis, second by S. Newman to authorize J. Zator to enter into the settlement agreement. Vote: 3-0.

4.Ardent Mills, LLC – C-48-CV-2019-10563 - Settlement of Tax Assessment Appeal – This is same situation as the CF AM Holdings, LLC. **MOTION** by M. DeBerardinis, second by S. Disidore to authorize J. Zator to enter into the settlement agreement. Vote: 3-0.

5.H&K Group Public Notice –At the October 19th PC meeting, Justin expressed a concern and request that H&K comply with the Township's Act 167, etc. Stormwater Management Plan, especially for release rates, etc. even though they're not required to. P. North suggested that concern be submitted as a comment to DEP as part of the mining permit amendment for the block plant expansion. The comment period expires Friday, November 12th. **MOTION** by S. Newman, second by S. Disidore to authorize J. Coyle to submit a letter to PA DEP regarding the H&K building expansion addressing the township concerns with stormwater controls and overall design for expansion of H & K. Vote: 3-0.

2.Resolution No. 2021-16 - A Resolution Amending Resolution 2021-13 of July 12, 2021 authorizing the application for Northampton County Local Share Account Funds for the Supplemental Road Study for Front Street and Lower Mud Run Road. J. Smethers explained DCED reached out to her and said in order to ensure we get full funding, they recommended changing the Resolution to request the full \$9,500. She has reviewed and approved the wording for the attached resolution. **MOTION** by M. DeBerardinis, second by S. Newman adopting Resolution No. 2021-16. Vote: 3-0.

3.Resolution No. 2021-17 - A Resolution Amending Resolution 2021-13 of July 12, 2021 authorizing the application for Monroe County Local Share Account Funds for the Supplemental Road Study for Front Street and Lower Mud Run Road. J. Smethers indicated this is the same situation as Resolution No. 2021-16, but for Monroe County. **MOTION** by S. Disidore, second by S. Newman adopting Resolution No. 2021-17. Vote: 3-0.

NEW BUSINESS

1.Resolution No. 2021-18 – A Resolution Appointing Anthony DiSante as Building Code Official. J. Smethers explained A. DiSante has received his BCO certification. This is to appoint Anthony in place of J. DeCusatis. **MOTION** by M. DeBerardinis, second by S. Disidore adopting Resolution No. 2021-18 appointing A. DiSante as the Building Code Official. Vote: 3-0.

2.Award Audit Services Contract. J. Smethers indicated we received (3) three proposals for fiscal year ending 2021 with the option to audit fiscal years 2022 and 2023. Jen recommended, the slight difference in cost between the two lowest Campbell, Rappold & Yurasits, LLP (our current auditor) and Frey & Company, it would be worth the cost difference to go with Campbell, Rappold & Yurasits given their familiarity with the township operations. **MOTION** by M. DeBerardinis, second by S. Newman to appoint Campbell, Rappold & Yurasits, LLP, our current auditor for 2021 - \$9,500, 2022 - \$9,850 and 2023 - \$10,200. Vote: 3-0.

3.Brewer Farmland Preservation – J. Smethers indicated this is for additional acres that the Brewers are in the process of purchasing and they want to preserve. The request from the township will be approximately \$183,282.00, in addition to the original \$198,000.00. According to my records, we have a commitment balance of \$317,575. The first easement is for \$198,054 which leaves a balance of \$119,521.

The BOS asked J. Smethers to reach out to Marie Bentzoni to clarify what our balance is in our Open Space Fund with the County. They also recommended the Open Space Committee do a site visit and ranking. R. Marinelli indicated the Open Space Committee is revising the checklist. They will provide that list to the BOS for their Workshop meeting on 11/15/21.

APPROVAL OF THE BILLS. MOTION by S. Disidore, second by S. Newman to pay the bills in the amount of \$108,924.35. J. Smethers noted this includes a payment to JPS Construction for \$47,120.13 and Mitchel Knorr Contracting for \$14,716.75. Also there is a check payable to the Fire Company in the amount of \$367.00 the Rec. Board raised from the bake sale. Vote: 3-0.

CORRESPONDENCE - All Correspondence is located in the Township office.

REPORTS

Engineer's Report – Justin reported the final paperwork has been completed for Upper Mud Run Road. He has been working on the Del Haven stormwater project and contacted Penn DOT regarding the stormwater problems on Martins Creek Belvidere Hwy. Justin indicated he and Fred Heitzman inspected the stormwater problems at 3rd Ave. and Lafayette, it's hard to tell if they need to investigate the pipe further. There was a PC meeting on 10/19/21 regarding H & K and they will be meeting on 11/16/21 to review H & K's new submission.

Solicitor's Report – Written report submitted. J. Zator added that Glidepath Venture appeal is in the court process. They asked if the Township is willing to negotiate a compromise. He also mentioned there is another company interested in submitting an application for a solar farm.

S. Disidore indicated she is not in favor of solar farms in our prime Ag Zoning district. The Board agreed they are not interested in a compromise. S. Newman mentioned she met with Laura Cyphers and she explained what she would be faced with if solar farms went in around her property.

Chairman's Report – M. DeBerardinis said he will report under Road Department.

Board Members Reports

S. Disidore - No report.

S. Newman – Sandra reported she attended the COG meeting on Wednesday, they were awarded a matching grant from Northampton County in the amount of \$31,600.00 for a portable inspection camera system to go on the sewer jetty. There will be extensive training session for the camera. F. Heitzman indicated this is not designed for culvert pipes, only sewer pipes.

S. Newman mentioned J. Smethers, our Township Manager's outstanding performance monitoring our legal expense accounts for over \$100,000 in savings. Also, we have been awarded \$467,000 in grants she applied for. The Zoning ordinance has been completed; this will be on the BOS agenda 11/15/21 to see how they want to proceed. P. McNerney will attend that meeting. It was recommended J. Smethers make to hard copies for the BOS and put the document on Drop Box.

Township Manager Report - J. Smethers reported she wrapped up the budget.

Township Secretary Report – Written report submitted.

Road Department Report – M. DeBerardinis reported on stormwater issues in the Village at 3rd Ave, Lafayette and Abruzzi, he looked at the pipe and it's more that a simple redesign. It's a project they will look into for next year.

Zoning Officers Report – Written report submitted.

PUBLIC COMMENT PUBLIC COMMENT – R. Marinelli asked if an appeal can be filed with the Office of Public Records regarding the bridge report for the 611 Little Creek Rd bridge in Martins Creek. Regina indicated it's a major bridge on a Penn DOT road, we need to know how unsafe that bridge is and the County report has blacked out the information. S. Newman also mentioned the bridge in Washington Township on Rt. 611. J. Coyle recommended J. Smethers send a letter to Camlish Ashar, District 5 Engineer at Penn DOT, requesting the information on the bridge, condition and critical nature. The deficiency rating was a 53% 5 years ago, it's on the rehabs cusp and would need replacing in the next 5 years.

ADJOURNMENT - The Board of Supervisors Regular monthly meeting was adjourned 8:13 p.m.

Respectfully Submitted, Melissa Mastrogiovanni, Township Secretary / Planning Administrator
Lower Mt. Bethel Township