

# APPROVED

## LOWER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS MINUTES JUNE 3, 2019

**CALL TO ORDER** - The June 3, 2019 Regular Monthly 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). The meeting was called to order by Chairman Michael DeBerardinis at 7:00 p.m. In attendance were Supervisor Disidore, Supervisor Burns, Supervisor Newman, Supervisor Ascani, J. Zator, J. Coyle, J. Smethers and M. Mastrogiovanni. There were 18 people in the audience. The Pledge of Allegiance was recited.

### APPROVAL OF MINUTES

**REGULAR MONTHLY MINUTES – MAY 6, 2019 @ 7 P.M.** Minutes were presented for approval. No further corrections were needed. **MOTION** by S. Newman, second by S. Burns to approve the minutes. Vote: 5-0.

### SUBDIVISIONS: None

**Presentation Suburban EMS** – Jeff Young, Brian Hoff, and Don Derangus were present on behalf of Suburban EMS. Jeff Young explained they have 152 employees and service 14 communities in Northampton County and 5 in Monroe County. D. Ascani asked if they bill in addition to the subscription. Mr. Young indicated “yes” there is a high deductible and still bill \$500.00 per emergency trip. M. Posner asked about if they provide CPR training, the Recreation Board is interested in CPR training. Mr. Derangus said they do, instructors go out to the community. J. Mauser noted it’s a valuable service for the community.

### COURTESY OF THE FLOOR

**Jack Cook** – He spoke about the Martins Creek Baseball League still in existence since 1946 and thanked the Board for their continued support in the past and this upcoming year. They rely on support from the Township and local contributions. Mario Capriotti still provides grass cutting of the field. In the past, the township has provided \$2,400.00 annually in financial support for grass cutting. Last year the cost was \$3,400.00. He explained they have 15 home games from mid-April-October. They took down some trees and demolished the bleachers and are getting new bleachers donated from Bethlehem School District. The field is usable and in playing condition. He asked for the Board’s continued support for this year.

**John Mauser** – He reported on progress of the Tekening trails. The blue trail has been marked and cleared, but needs some additional work, there is compacted soil and vernal pools. The Road Dept. has done a great job, despite the weather conditions. The orange trail is also marked. We will continue to discuss partnership with Talen re: hunting and would invite the Board to attend the negotiations. Last year Talen registered hunters at the site and we will have a list and maps. Hopefully something will be in place by the fall. The Board discussed getting the word out to the public. M. DeBerardinis said to make sure the Game Commission and Talen are all in agreement. There was further discussion about areas open to the public and safety zones. J. Mauser will email the Board to arrange the meeting.

**Howard Klein** – He furnished the Board with a letter addressed to some Democratic voters dated May 17, 2019 and asked that the letter be made part of the minutes and included as a public record. The letter Subject: Primary Election Day May 21 and request for your vote for L.M.B.T Supervisor. The letter is signed by Jacqueline Lamberton and David Ascani. H. Klein read portions of the letter and noted the allegations made are false and misleading and that he has never witnessed any of the alleged actions, including cronyism and nepotism, by the Board. H. Klein indicated he was a Township Supervisor for 8 years. He continues to attend Board meetings frequently and noted this Board is very cautious of expenditures and costs, does not ignore key township issues, and takes care to properly evaluate issues from a legal and regulatory perspective. He commended Supervisors Disidore, Deberardinis, Newman and Burns for their dedication and hard work. (See attached letter.)

**Bonnie Reider** – She asked that the funds being held in escrow from her subdivision be released. Everything has been completed with the Subdivision. J. Smethers said there were still bills coming in from Zator’s office. The Board asked J. Zator to check if everything is complete and that no further bills will be forthcoming. Once confirmed the escrow money can be released to her.

**Joe Pilyar** - He reported on the Garden Club. They are doing an exceptional job with the memorial garden and would like to accept donations for trees in honor of lost loved ones. They will put plans together and Ray DiFebo is donating his services with no cost to the Township. The Board discussed various options, the status of and existing plans for the Veterans Memorial, and the trees that had been previously planted in dedication to service men.

**Regina Marinelli** – She thanked the Board about contacting the quarries about dirtying the roads. The street cleaner has been coming through 2x per week. She asked if there’s an update re: the wash station. J. Smethers indicated she will contact Rusty to get the status. M. DeBerardinis mentioned the work being done on Front Street – berm repair / rip-rap. R. Marinelli’s asked about the cost to fix the tennis courts. M. DeBerardinis explained it’s in disrepair and all needs to be replaced. S. Burns mentioned she got a price quote to refurbish for \$25,000 and could look into grants through the Tennis Association. M. DeBerardinis suggested we look at replacement options, planning and funding.

**Melba Toliver** – She spoke about the same letter she received addressed to the Democratic voters, even though she’s not a Democrat. She asked what was the purpose of the letter, was it to educate voters? She would like to see more time spent greeting people in the community. M. Toliver applauded all the Supervisors for doing a great job. S. Newman thanked her for coming.

**Gina Monaghan – Good Road problems.** She explained she has brought this to the Board’s attention before. The water is running into the field after the road was re-paved, it all runs into her front yard and is causing erosion. M. DeBerardinis indicated he has been out there 4 times during a rainstorm. He and Fred have also been out there with Penn DOT. They will continue to work on a solution.

**Township Engineer's report** – Update on Gravel Hill Enterprises. J. Coyle provided the Board with Site location map and “Readers Digest version” summarizing the key points of the Settlement Agreement, what Gravel Hill Enterprises needs to do operationally as well as the monitoring required.

They are going thru the permit process and waiting to hear back re: a public meeting with DEP. S. Newman asked about an operational time frame. J. Coyle said probably next year and the township could ask DEP for a public hearing. To do so, a letter from the township should be submitted to Dean Ritter, it could also help to get letters from residents. There was discussion about the map and stormwater basin and concern with wetlands, and bank collapse along the Delaware River. J. Coyle said DEP should address that issue. The Board asked J. Zator and J. Coyle to review application, then the Board can provide input of any concerns.

J. Coyle recommended an environmental assessment be done. J. Zator stated that the Township is free to raise any concerns it has, but LMBT cannot be inconsistent with or attempt to undermine what the Township has agreed to in the settlement with Gravel Hill. There was discussion about the consent agreement signed in 2015 and whether the 25 years to operate began in 2015; J. Zator is to confirm. J. Zator and J. Coyle will collaborate to see if Land Development plan is needed and make a list of issues and concerns.

**Fairview Avenue Drainage Improvements** – J. Coyle provided the Board with a diagram showing the recommended improvements to be done. The improvements will include removing existing inlets and adding Type inlets, 18” perforated HDPE pipe He noted this is the worst area for stormwater management in the Township. D. Ascani noted there is a natural ravine at the top of Fairview. M. DeBerardinis indicated they need to identify the source; farming practices have changed. J. Mauser suggested contacting PA Dept. of Agriculture to look at the farm fields and determine if they are farming up to standards. **Township Solicitor's report** – Written report attached. S. Newman recognized J. Zator's being awarded the NESA Outstanding Eagle Scout Award at the Minsi Trails Council Court of Honor on May 21<sup>st</sup>.

## **TOWNSHIP BUSINESS**

**1.Award Bid** - Upper Mud Run Road retaining wall installation and slope stabilization – J. Coyle reviewed the 5 bids received and recommended the Board award the bid to the low bidder J.P.S Construction Company. **MOTION** by M. DeBerardinis, second by S. Newman to award the low bid to JPS Construction in the amount of \$139,000.00. Vote: 5-0.  
J. Coyle left the meeting at 8:10 p.m.

**2.Resolution #2019-08 - Code of Ethics & Conduct Applicable to all Elected and Appointed Officials.** J. Zator submitted 3 versions and reviewed his suggestions with the Board. Pg. 3 #7 – is a reasonable restriction. He explained the difficulty with 1<sup>st</sup> amendment issues and suggested it's a question of using one's own judgement in the best interest of the community. The Board discussed the Resolution. J. Zator said it's at the discretion of the Board to make the decisions. D. Ascani asked if other townships have this type of Code of Ethics & Conducts Resolution and Supervisor Burns replied yes, other townships do. D. Ascani agreed with J. Zator about 1<sup>st</sup> amendment issues and stated he opposes the Resolution; we are looking for trouble. There was discussion about approving a Code of Ethics not as detailed as this one is.

It was discussed further and the majority of the Board was in agreement with establishing a code of conduct after making revisions and removing duplications. D. Ascani mentioned the 3-minute public comment not being followed.

The Board will decide what language they are comfortable with. Tabled for further review. The Board will provide comments to each other. J. Zator will get a copy of South Whitehall's Code of Conduct. Tabled.

**3.Resolution #2019-09** – Policy for the Disposal of Audio Recordings of Public Meetings. The Board discussed whether or not to continue to record meetings. **MOTION** by M. DeBerardinis, second by S. Burns to cease audio recording the meetings. Vote: 4-1, D. Ascani voted “no”.

J. Zator left the meeting at 8:40 p.m.

**4.Community Day change date to June 22, 2019** –Martha Posner, Chair. of the Recreation Board gave an update. The Fire Department asked the date be changed; they have an annual camping trip scheduled for June 15<sup>th</sup>. Also, Elaine Pivinski from Franklin Hill Winery offered to come as a vendor and sell sangria. She has all the permits, but alcohol is not permitted on township property. The pet parade is cancelled because the area the pets were supposed to be in -the tennis courts - were determined to be unsafe. The Board agreed to change the date of Community Day to June 22, 2019.

**5.Resolution #2019-10 – Refuse Collection Fee Exemption Policy for Vacant Dwellings.** This was discussed at a prior Board meeting to establish a fee for Vacant Dwellings. **MOTION** by M. DeBerardinis, second by S. Disidore to adopt Resolution #2019-10. Vote: 5-0.

**6.Resolution #2019-11 – Revised Fee Schedule for Facility Use Rentals** – This is an update to the fee schedule with the new rates for the Lower Level of Centerfield approved at a previous meeting and includes the Vacant Dwelling Sanitation Inspection Fee. **MOTION** by S. Disidore, second by S. Newman to adopt Resolution #2019-11. Vote: 5-0.

**7.Resolution #2019-12 - Naming of Monaghan Meadow** - Resolution to name what has been referred to as Monaghan Meadows to “Meadows at Martins Creek”. There is one typo, 3<sup>rd</sup> paragraph capitalize The. **MOTION** by S. Newman, second by S. Burns to adopt Resolution #2019-12. Vote: 5-0. S. Newman gave a special thanks to J. Mauser for all his help with the acquisition of The Meadows.

**APPROVAL OF THE BILLS** – J. Smethers read the Bill List totaling \$57,222.00. **MOTION** by S. Disidore, second by S. Newman to approve paying the bills. Vote: 5-0.

**CORRESPONDENCE** – All correspondence are on file in the Township Office.

## **REPORTS**

a. Chairman's Report – M. DeBerardins reported that he and Fred have been working on a lot of problems and projects in the Township.

**b. Board Members Report** – S. Burns reported she has been working with the Recreation Board on Community Day.

S. Newman reported UMBT is doing a clean-up day. She would also like to see us clean up trash and debris in the township. With the program we are now involved in - “Keep PA Beautiful”- we must do 2 clean up events per year. She mentioned cleaning up portion of Martins Creek Belvidere Highway with the Fire Department. S. Newman indicated she would like to have new signs - one at the Centerfield School, one at the Township Office, and one on the garage - all similar to the Riverton sign. There was also discussion about signage at the Monaghan property. J. Mauser noted we can use Open Space money for signage, maintenance and upgrade. J. Mauser suggested coming up with a plan and proposal for Washington Township for security at the small parking area inside entrance gate, they said they are willing to work with us. J. Mauser mentioned himself and J. Smethers will be attending the tax exemption hearing for The Meadows at Martins Creek on June 11<sup>th</sup>.

**c. Township Manager Report** – Allocate GF year-end balance. J Smethers provided the Board with the Capital Reserve Fund balance. Total is \$510,716.69. There is \$158,364.26 in the General Fund. She asked the Board to review and decide where to allocate the money. J. Smethers mentioned they approved the Slatebelt Comprehensive Plan and incorporated all the changes we requested. The audit is completed and copies will be provided to the Board. The website is moving forward nicely.

**d. Zoning Officer Report** – Written report attached.

**e. Road Department Report** – F. Heitzman reported he has been blacktopping berms and patching 2<sup>nd</sup> ave. They have been working at The Meadows, spraying trails at Tekening, mowing and weeding all the parks. They did a roof repair at Centerfield. They have placed 2 radar devices on Del Haven and Howell Rd.

D. Ascani suggested a radar device on Lower Mud Run Road.

**PUBLIC COMMENT** – Regina Marinelli mentioned the quarry and using it as a firing range. She asked this is a zoning issue and is it permitted? The Board instructed her to check with the Zoning Officer.

**ADJOURNMENT** - The meeting was adjourned at 9:50 p.m.

*Respectfully Submitted,  
Melissa Mastrogiovanni, Township Secretary  
Lower Mount Bethel Township*