

**LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES
May 3, 2021 @ 7:00 P.M. VIA ZOOM**

CALL TO ORDER - The May 3, 2021 regular meeting of the Lower Mount Bethel Township Board of Supervisors was held via webinar. The meeting was called to order by Chairperson DeBerardinis at 7:00 p.m. In attendance were M. DeBerardinis, S. Disidore, S. Newman, J. Mauser, S. Burns, J. Zator, J. Smethers, Twp. Manager and M. Mastrogiovanni, Twp. Secretary. There were 2 members of the audience present on the webinar. The Pledge of Allegiance was recited.

EXECUTIVE SESSION There was an Executive Session held from 6 p.m. - 7:05 p.m. for Legal matters. No action was taken.

APPROVAL OF MINUTES – April 5, 2021. One correction to last paragraph- BACAIDA. **MOTION** by J. Mauser, second by S. Newman to approve the minutes of April 5, 2021 as amended. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Disidore – aye; S. Newman – aye. Vote: 5-0.

COURTESY OF THE FLOOR. R. Grucela was present. S. Newman thanked R. Grucela for following up with her questions regarding the IDA. R. Grucela had no report for this month.

SUBDIVISIONS / ZONING – None

OLD BUSINESS

1.Public Hearing - SALDO Amendment – Ordinance to Provide Simplified Procedures for Lot **Line Adjustments and Mergers (Consolidations)**. J. Zator called the Public Hearing to order at 7:07 p.m. J. Zator announced this is an ordinance amending Chapter 22 – Subdivision and Land Development of the Township of Lower Mount Bethel Code of Ordinance to provide simplified procedures for Lot Line Adjustments and Merger (Consolidations). The Township has complied with all the rules of the MPC and Sunshine Act. The PC and LVPC have all received copies. The Ordinance was sent to the Express Times and the Northampton Co. Law Library by April 14, 2021, and the public notice of the proposed Ordinance and the hearing to consider it was advertised on April 16 and April 23, 2021. There was no public comment. The Public Hearing was closed at 7:12 p.m. **MOTION** by S. Newman, second by S. Disidore to adopt Ordinance No. 2021-01. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns -aye; S. Disidore – aye; S. Newman – aye. Vote: 5-0.

2.ASA – Klein / Newman – Verbal Referral to LMBT PC, LVPC & EAC (ASA Comm. is non-existent). The proposal has already been reviewed by the Township Engineer. The public notice of the proposal was published in the April 13, 2021 Express Times, and the required postings of the public notice was done on April 19, 2021 and the 15 days has run out for Public Comment. **MOTION** by J. Mauser, second by S. Disidore to include the modification to delete the parcel in Upper Mount Bethel Township (Parcel E11-11-10-0131), from the proposal, and refer the Klein / Newman ASA application to the LMBT Planning Commission, Lehigh Valley Planning Commission & Environmental Advisory Committee for a recommendation. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Disidore – aye; S. Newman – abstained. Vote: 4-0-1.

3. Award of 2021 Road Paving Project – Jen indicated we received the bids; the lowest bidder was Grace Industries in the amount of \$213,770.91(Main bid \$136,846.43 & Option \$80,782.80). M. DeBerardinis asked J. Zator if we must award to the lowest bidder. J. Zator responded you are obligated to award the bid to the lowest responsible bidder if they have met all the bidding document requirements **MOTION** by S. Newman, second by J. Mauser to award the Road paving bid to the lowest bidder Grace Industries in the amount of \$213,770.91(Main bid \$136,846.43 & Option \$80,782.80). Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye. S. Disidore – aye. Vote: 5-0.

4. Talen Pavilion Agreement of Sale – J. Mauser discussed with the Board acquiring a 20-foot easement vs. possibly requesting additional land be sold to the township since the pavilion was built directly on the lot line. John noted it would be a perpetual easement and suggested we secure the parking lot and pavilion asap. He recommended we talk to Talen and see if they would subdivide part of the property, but there are costs involved. Of the two options – 1. easement or 2. subdivision – Solicitor Zator commented that #1 is a seldom used approach and questioned how it would be treated by the County in terms of taxes. He felt that #2 would be a cleaner option. The Board agreed a meeting can be set up with M. Jackson, J. Smethers, J. Mauser, S. Newman and P. McInerney to work on possibly a subdivision with the Township. We would also like to clarify with Talen what their solar plans are. J. Coyle had suggested in his email a boundary survey and survey sketch of the property and location of the existing pavilion, survey cost will be about \$1,500 - \$2,500. The Board agreed to do the survey. S. Newman said maybe we can use Open Space Funds for the survey. **MOTION** by J. Mauser, second by M. Deberardinis to have the parcel surveyed by Carroll Engineering asap. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye. S. Disidore – aye. Vote: 5-0.

5. Resolution 2021-06 Time Extension for LMBT/Sandts Eddy Fire Co. Plans. **MOTION** by S. Disidore, second by S. Burns to adopt Resolution No. 2021-06 granting a one-year time extension until May 3, 2022 for recording of the LMBT Sandt’s Eddy Fire Co. Land Development Plan. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye. S. Disidore – aye; Vote: 5-0.

NEW BUSINESS

1.Mason Dump Truck – The Board discussed selling the 2005 Mason Dump Truck. M. Deberardinis indicated it needs work as the bed is rusted. **MOTION** by S. Disidore, second by J. Mauser to authorize sale of the old Mason Truck pending confirmation from F. Heitzman if any accessories are included with the sale. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye. S. Disidore – aye. **MOTION** amended by S. Disidore, second amended by J. Mauser that the Road Master and Road Foreman F. Heitzman come up with a reasonable bid to list it for. M. DeBerardinis confirmed it includes the plow. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye. S. Disidore – aye. Vote: 5-0.

2.Sanitation Settlement Offer - G9-14-4B. J. Smethers indicated a suit has been filed in Magisterial District Court and a hearing is scheduled for June 7th. The Debtor responded to our complaint offering to pay the full suit amount of \$468.50. The debtor is refusing to pay the \$116.30 in costs expended. Amato Keating is recommending the township accept the \$468.50 to settle thereby avoiding a lawsuit requiring witnesses to appear for trial. **MOTION** by M. DeBerardinis, second by J. Mauser to accept the settlement. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye. S. Disidore – aye. Vote: 5-0.

APPROVAL OF THE BILLS - MOTION by J. Mauser, second by S. Burns to pay the bills in the amount of \$100,460.42. Roll call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye; S. Disidore – aye. Vote: 5-0.

CORRESPONDENCE- All Correspondence is located in the Township office.

REPORTS

Township Engineer Report – J. Coyle reported on the status of Upper Mud Run Road. He met onsite with the contractor about plans for addressing the wall collapse, and is putting together plans and specs to advertise for bids for road repairs on two areas of Upper Mud – the upper portion would comprise the base bid and the lower portion the option. **MOTION** by J. Mauser, second by S. Newman to authorize the Township Engineer to put the plans out to bid and see how things work out. Roll call: J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman – aye; S. Disidore – aye. Vote: 5-0. J. Coyle indicated he met with J. Mauser and F. Heitzman at the deteriorating culvert on Gravel Hill Rd., the lower half is in decent shape however it would be best to replace the entire culvert, not just make repairs, and would recommend putting in an elliptical pipe from one end to the other. This is something they can look at doing next year. For now, Jersey barriers will be installed and the project placed on hold until the other issues are resolved.

Township Solicitor Report - J. Zator indicated his written report was submitted. He spoke about the situation with Gravel Hill Enterprises; their Engineering firm had objected to use of their plans by the township. J. Coyle has rectified the plan to address their concern and sent that modification out today to Zator/Tom Harper to be forwarded to George White.

J. Coyle and J. Zator left the meeting at 7:53 p.m.

Chairman’s Report – M. DeBerardinis will report under the Road Department Report.

Board Members Reports

S. Burns - Samantha reported she’s been in contact with Tracy Oscavich at the LVPC to coordinate a meeting regarding the Front Street traffic issues. She has also reached out to Senator Scavello and been in touch with Penn DOT (she will include J. Coyle) to figure out why Penn DOT is giving us a hard time in taking back the road or doing a swap. A meeting is scheduled for May 24th. S. Newman asked S. Burns if she heard back from Susan Wild. S. Burns responded Senator Scavello is now involved and will be invited to the meeting. She hopes Joe Emrick attends the meeting also, but he typically doesn’t respond. Samantha reported all the plants for the Rec. Board plant sale have been started and are in the office.

J. Mauser – John Mauser reported Mr. Budihas a long-term resident picked up 20 bags of garbage along The Meadows and F. Heitzman has picked up the bags. The Delaware River Sojourn has rescheduled their stop at Riverton for Friday August 12th 11-12:30 p.m. and will be using the pavilion. There will be about 75 people. The Delaware River Sojourn is providing lunch. There are no financial obligations to be assumed by the township for this event. All COVID protocol will be followed and masks will be required. The Board was in agreement.

S. Newman – Sandra reported on Earth Day, April 17th. LMBT and UMBT residents picked up litter on Riverton Rd., Deer Run Rd., Mill Creek Rd., Shady Lane, Hartzell Ferry and River Rd. The UMBT Road Crew picked up all the bags. Sandra gave a COG report. We were the highest bidder for 1 of the leaf vacs. Our bid was \$15,000 and we get 1st pick. Plainfield and Wind Gap put in a joint bid for the other leaf vac. of \$12,000, they should have let us know that they were doing a joint bid. We thought there were 3 municipalities bidding on 2 machines, so we put in a higher bid. F. Heitzman is going to check out the one being stored in Plainfield. There is a zoom meeting scheduled for tomorrow regarding the Rt. 80 Rockwall Mitigation project. Sandra indicated the COG would like to purchase a camera for the Sewer Jetty and would like to have an opinion from the Road Dept. about what model they would recommend.

S. Disidore – No report.

Township Manager Report - J. Smethers reported the Street Light bills went out and payments are already coming in. She is working on putting the link on our website for online payments. In 2 weeks, we should have the machine and online payments should be up and running. Jen also reported the Glidepath ZHB decision was fully executed and mailed out on 4/29/21. They have 30 days to file an appeal. S. Newman indicated the new Zoning Ordinance might want to address quarry closures so they don't become waste sites as has been occurring in neighboring communities. She mentioned that in a few years the Waste Management Plant in Plainfield will be closing. S. Newman will reach out to J. Snook for input on this subject.

J. Mauser indicated to have a quarry become a landfill, it must be lined. J. Smethers will reach out to J. Snook and see if he's available to attend our May 17th Workshop to answer some of these questions.

Road Department Report – M. DeBerardinis indicated he and Fred met with the Tirrell's – 2055 Lafayette Ave. and came up with a solution for their flooding problem. They are going to blacktop the curbing and clean out the drainage pipe. If that doesn't work, they can look into putting in a culvert. S. Burns asked if the Road Crew can look at the French Drain on Front St. and Hutchison, it's almost filled to the top. M. DeBerardinis will have F. Heitzman take a look at it. M. DeBerardinis asked J. Smethers the status of the tractor trailer issue on Ann Ave. J. Smethers will ask A. DeSantis, our Zoning Officer, to follow up tomorrow.

Zoning Officer Report – No report.

PUBLIC COMMENT – R. Grucela commented on the quarries, they might have to reclaim the land.

ADJOURNMENT –The Public Meeting was adjourned at 8:20 p.m.

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