

**LOWER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING MINUTES – FEBRUARY 4, 2019**

CALL TO ORDER - The February 4, 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 6:55 p.m. In attendance were Supervisor Disidore, Supervisor Burns, Supervisor Newman, Supervisor Ascani, J. Zator and M. Mastrogiovanni, Twp. Secretary. Absent: J. Smethers, Twp. Manager There were 10 people in the audience. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

1.RE-ORGANIZATION - JANUARY 7, 2018 @ 6:30 P.M. Correction on Page. 3, McInerney. **MOTION** by S. Disidore, second by S. Newman to approve the minutes as amended. Vote: 5-0.

2.REGULAR MONTHLY MINUTES – JANUARY 7, 2018 @ 7 P.M. MOTION by S. Newman, second by S. Burns to approve the minutes. Vote: 5-0.

PRESENTATIONS: NONE

COURTESY OF THE FLOOR:

Jennifer Carnicelli from the Garden Club requested permission to plant 2 small rosebushes at the Scotch Ireland Presbyterian Church Cemetery next to the museum. They will plant sometime in spring and will take care of maintaining. The BOS had no objection.

Michelle Szoka – Little Creek Road. The storm sewer on Rt. 611 is clogged and 5 feet of water came into her basement. Penn DOT came out today and is coming back tomorrow. She asked if the Township knows who owns the pipe. F. Heitzman explained typically any pipe on a Penn DOT road is Penn DOT’s responsibility. There was mention of an inlet there. Jenny Leggett spoke about the status of the bridges and the GPA. S. Newman gave an overview of the last GPA meeting as follows:

- Bridge 202 will get final approval once two repairs are completed.
- GPA dismayed by lack of final approvals of the bridges replaced or repaired in 2018, pressure put on Kriger
- There may have been violations of bylaws; GPA business not conducted with quorum in public forum
- Norris McLaughlin (former GPA law firm) alleged by the County to have acted improperly behind the scenes

Sandra indicated they paid out 7.5 million dollars with another 2.5 million to be paid out

M. Szoka indicated she spoke to Charles Dertinger about the bridges. He told her there are 3 Little Creek bridges still in negotiation with Kriger for removal from the P3 program. It has been alleged that there were illegal appointments to the GPA. Norris McLaughlin also spoke about the conflict of having paid county employees on GPA. There was discussion with J. Zator about him sending a letter to the Attorney General re: investigating the legality of appointments to the GPA.

Next GPA meeting is 2/5/19 at 8:15 p.m.

SUBDIVISIONS: None

1.PUBLIC HEARING – ADOPT ORDINANCE NO. 2019-01. Intergovernmental Cooperation Agreement / Participation in the Delaware Valley Health Trust. J. Zator opened the public hearing at 7:15 p.m. The Board mentioned J. Smethers did an excellent job acquiring better health coverage for

the staff and saving the township money. There was no public comment. J. Zator closed the public hearing at 7:30 p.m.

2.Exhibit A - DVHT Trust Agreement with Lower Mount Bethel. MOTION by S. Newman, second by D. Ascani to adopt Ordinance No. 2019-01 with “Exhibit A” and approve the MOU between LMBT and the Teamsters Local 773. No Comments. Vote: 5-0. **MOTION** by M. DeBerardinis, second by S. Disidore to approve J. Smethers as voting delegate for DVHT. No Comments. Vote: 5-0.

3.PUBLIC HEARING – ADOPT ORDINANCE NO. 2019-02 Board of Supervisors Compensation.

J. Zator opened the public hearing at 7:35 p.m. D. Ascani asked about the Supervisors having the option of obtaining health insurance. J. Smethers is looking into getting an answer.

The public hearing was closed at 7:45 p.m. **MOTION** by S. Disidore, second by S. Burns to adopt Ordinance No. 2019-02 establishing compensation for the Supervisors in accordance with the Second-Class Township Code providing a maximum salary for Supervisors in Townships with a population of not more than 4,999 of \$1,875.00. No Comments. Vote: 5-0.

OLD BUSINESS

1.Driveway Ordinance Amendments - J. Coyle, Twp. Engineer reviewed the Draft Driveway Ordinance Amendments with the BOS. These revisions have been discussed in length with the PC, J. Coyle and P. North; this proposed draft includes their recommendations. M. DeBerardinis asked about the grade and if this matches our SALDO and noted a lot of our properties in the Township have a steep grade. J. Coyle indicated our SALDO includes a 12% grade. S. Newman indicated the driveway ordinance was re-visited because of the Kitzmiller Subdivision and a safety issue with their driveway. The BOS discussed Pg. 3(iii) grade was changed from 15% to 12%. S. Newman said she didn’t have a problem with the grade in the current driveway ordinance. J. Coyle noted driveways need to be shown on Subdivision plans whether paved or dirt. The underlying factor is safety; it needs to be a durable surface and mud free for emergency vehicles to access. The BOS discussed Pg. 3 (iv, v) and Y (1 & 2). There was discussion about driveway materials and depth in inches. J. Coyle suggested we look at the driveway ordinance for adjoining municipalities such as UMBT, Plainfield Twp. and Washington Twp. He also mentioned they need a NPDES permit due to driveway requirements of the township. The Board tabled the Driveway Ordinance Amendments.

NEWBUSINESS

1.Detour for Northampton County Bridge 215 Replacement of Bridge 215 on Rasley Hill – This was also discussed earlier. We received notification from Jeffrey Curran, Engineer for GPI that there will be a detour during the replacement of Bridge 215 on Rasley Hill Road. J. Coyle explained the 6-mile detour starting in June which will last 4-6 weeks. He reviewed with the Board the sketch from Northampton County and the detour route.

2.Bridge 195 Single lane bridge replacement – S. Newman discussed the information she has received from the GPA. She would like to see Bridge 195 remain a single lane bridge. J. Coyle said that would depend upon the amount of traffic on that bridge and Penn DOT’s standard specs. The BOS discussed and asked J. Coyle to send a letter of recommendation that the bridge be reconstructed with the existing roadway and keep as a one lane bridge. S. Newman stated it’s a scenic byway, that can’t be ignored. M. DeBerardinis will co-sign the letter as Roadmaster. J. Coyle mentioned the detour on Little Creek Road and asked the Board to decide if the detour should be the red route or the blue route as depicted on the map. The Board took no action.

3. LMBT Elected Auditors - Authorize J. Zator to petition the Court of Common Pleas.

J. Zator explained the time has expired for the Vacancy Board to appoint replacements within the allotted timeframe. At this point, the township would need to petition the Court of Common Pleas.

S. Newman asked what the cost would be and how long it would take. J. Zator responded about \$2,000 or less, but not sure how long the process would take, it would depend on if it could just be handled as a motion or if it would require a court appearance.

The Board discussed their options and whether they should just wait until the 2019 election. The Board asked that J. Smethers contact the Court Administrator do get further information. No action taken.

4.Slate Belt COG – Animal Control Officer – S. Newman reported Plainfield, Bangor, Washington and Upper Mount Bethel Township have pulled out of the Animal Control program. The COG is in the process of looking for a new Executive Director and they are trying to figure out a solution. They have issued refund checks and at this point we do not need to do anything further.

5. Slater Baseball Association 2019 season approval to Waive fees for use of Kiefer field – The Board annually approves this request. **MOTION** by S. Newman, second by D. Ascani to approve Slater Baseball Association use of the Kiefer field for the 2019 season. **MOTION** and second amended to include approval waiving the fees for use of the field and coordination of the schedule to be arranged with the Township office. Vote: 5-0.

6.APPROVAL OF THE BILLS – M. DeBerardinis read the Invoices totaling \$135,197.49; this included payments from the Capital Reserve to Best Line Equipment for \$30,000.00 and Weiss Construction for \$28,057.50 and \$45,637.80. S. Burns noted her dissatisfaction of how the Centerfield Kitchen floor was installed. S. Burns and J. Smethers are scheduled to meet with the Randy the Project Manager. The Board discussed withholding payment to Weiss Construction for the floor until they rectify the situation. Without excusing himself from the meeting in progress, Supervisor Ascani went to look at the kitchen. Meeting proceeded with **MOTION** by S. Disidore and second by M. DeBerardinis to approve the bills in the amount of \$135,197.49, however payment to Weiss Construction for the floor will be pending outcome of the meeting with the Project Manager. Vote: 4-0. (D. Ascani was in the kitchen area when vote was taken).

CORRESPONDENCE - All Twp. Correspondence is available in the Township Office.

REPORTS

a. Chairman's Report - M. DeBerardinis had no report.

b. Board Members Reports – S. Newman indicated she is attending the GPA meeting tomorrow. She attended the pre-construction meeting held by the NCCD (Northampton County Conservation District) for final review and approval of the E&S plans for the PPL's Martins Creek substation expansion. They are starting construction today and are hoping to complete by Memorial Day. If we have any issues that required immediate attention, the township can issue a stop order if need be.

S. Newman reported the status of the Rockwall Project. She received communication from Kevin Duffy and Adele Starrs. On 1/25/19, there was a big meeting and NJDOT agreed to conduct additional public meetings. After 3 attempts, NJDOT agreed to provide heavily redacted rockfall data to Mayor Starrs. The accident data provided indicates that between 2001 and 2016 they have been 9 rockfall events with one fatality from milepost 1.0 to milepost 1.5. They will continue to reach out to the press to keep this issue in front of the public. They are asking we submit the form requesting consulting party status to the Commission office and copy individuals on the list. The Board had no objection to submitting the form and staying on the list.

Supervisor Disidore and Supervisor Burns had no report.

D. Ascani reported on the broken line in the Recreation room at Centerfield. The steam from the broken line caused the fire alarms to go off. Fox alarm was trying to reach the contacts on the list. He

tried to reach M. DeBerardinis and S. Burns with no luck and reached S. Disidore. The Fire Company does not have keys to the building and requested they get a set of keys to access the building in case of a fire or emergency. The BOS discussed and decided the Fire Department should not get a set of keys; in the event of an emergency they can get in the building by breaking a window or door to get in.

Township Manager Report (not attached) M. Mastrogiovanni reported on the status of the website. J. Smethers would like permission to move forward with updating the website. We looked into some companies and obtained price quotes. The recommendation would be for NA Studios; their quote is for \$4,850.00. They do some of our surrounding municipalities, we checked their references and they were very positive. S. Newman indicated she was at the presentation and it seems like a reputable company. They will give us full training and she will be included in the training sessions.

Township Solicitor Report - J. Zator mentioned the Monaghan Lot 4 Driveway Norfolk Southern RR proposed private crossing agreement. Research did not find any 1880' deed to railroad and asked how the Board would like to proceed or do nothing. J. Mauser suggested the Board ignore it and do nothing. The gate is locked and secure and there is no access from the public. The Board agreed to take no action.

J. Zator reported on IEC (Talen) New Building Land Development – he had a discussion with Marc Jackson on December 21, 2019 re: Townships Land Development review (limited to location and traffic generation information) stormwater management review and review of code compliance. We are still waiting on plans, documents and information since then.

c. Township Engineer Report – None.

d. Zoning Officer Report – None.

e. Road Department Report – Fred Heitman reported on the storms - they have been treating roads for snow and ice. Someone drove on field at Riverton and did some damage. They are looking to rent a milling machine.

PUBLIC COMMENT– None

EXECUTIVE SESSION & ADJOURNMENT – M. DeBerardinis recessed for Executive Session to discuss Personnel and adjourned the Public Meeting at 9:55 p.m.

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