

APPROVED

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

CALL TO ORDER - The March 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 7:00 p.m. In attendance were Supervisor Disidore, Supervisor Burns, Supervisor Newman, J. Zator, J. Coyle, J. Smethers and M. Mastrogiovanni. Absent: Supervisor Ascani. There were 9 people in the audience. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

1. REGULAR MONTHLY MINUTES – February 4, 2019 @ 7 P.M. Minutes were presented for review and approval. **MOTION** by S. Disidore, second by S. Newman to approve the minutes. Vote: 4-0.

PRESENTATIONS

1.LVPC – Slate Belt Multi-Municipal Comprehensive Plan. Becky Bradley, LVPC and Steven Reider, Slatebelt Rising were present. Ms. Bradley reviewed the draft scope of work and cost estimate for the creation of the Multi-Municipal Comprehensive plan for the 10 communities in the Slate Belt. B. Bradley explained \$45,000 is a combined funding source for Phase I. Total contribution will be \$190,300.00. Each municipality will contribute a percentage based upon population. LMBT’s contribution will be \$5,396.72. (based upon 8.6% of 3101 population).

S. Newman mentioned the Slate Belt COG is without momentum and several communities are pulling out. She asked how relevant this will be when developing the Intermunicipal Agreement. S. Reider noted a lot of municipalities have lost faith in the COG, but are working on keeping it intact. B. Bradley included in the handouts a draft “Exhibit A” Intermunicipal Agreement. S. Disidore asked how would this Multi-Municipal Comprehensive Plan impact individual town ordinances. J. Zator explained that while joint zoning typically aligns with a Multi-Municipal Comp. Plan, we are not obligated to make our zoning corroborate. B. Bradley said each municipality can still maintain their own zoning ordinance. They also do a zoning analysis of all communities, that’s included in Part. 6 of the scope.

M. DeBerardinis asked what do they need from LMBT. B. Bradley said there is going to be a multi-municipal meeting on 3/20/19 7:00 p.m. at Weona Park in Pen Argyl and would ask a representative from each municipality to attend. They also need a deliverable document by September, not necessarily approved, but a memorialized document.

2.Laura Miller, Slate Belt YMCA. She is requesting permission to bring services to the LMBT community. She met with the Recreation Board and the consensus was to have a silver sneakers program during the day / during the week and possibly an evening program of Yoga or Zumba to be held at the Centerfield location. Cost would be \$5.00 for a drop-in fee or \$15.00 per month with a 4-week commitment and free to current YMCA members. The YMCA will take care of the registration and will provide proof of insurance naming LMBT as an additional insurer. L. Miller mentioned Washington Twp., UMBT, and Plainfield will also be participating in providing outdoor activities in which LMBT residents can participate. The Board agreed to moving forward with the program. The target date to start will be May. 1st, class dates and times to be arranged through the LMBT office.

3. S. Calluori, Zoning Officer –She asked the BOS for directions re: 7796 Martins Creek – Belvidere Hwy. removal of the railroad ties; if a complaint should be filed at Northampton County Court of Common pleas seeking a court ordered injunction forcing the owners to remove the railroad

ties and provide evidence of clean or remediated soil. There was discussion about the costs and if they are going through foreclosure proceedings.

The BOS asked J. Zator to check on that and if they are going through foreclosure, are they required to remediate the problem. **MOTION** by M. DeBerardinis, second by S. Newman to authorize S. Calluori to move forward with filing a complaint at Northampton County as long as they are not currently in foreclosure proceedings, she will collaborate with J. Zator. Vote: 4-0. S. Newman mentioned an article on Bangor and requirements the owner maintain blighted properties and Jennifer can probably get that article from Nate Dystrand, Bangor Borough Manager.

S. Calluori discussed B. Kiefer's request to build an SFD in the AG Zoning District. This is a permitted use; however, a site plan review is required by the PC for all permitted uses. He is asking (according to SALDO) that the PC grant a waiver that the site plan recommendation go directly back to the Zoning Officer; that the BOS does not need to address. J. Zator agreed; according to SALDO a site plan goes from PC to Zoning Officer and the PC is authorized to grant the waiver. P. McInerney was present to verify this would be the correct way to proceed and to specify each matter is case by case, not to show precedence or put the township in any danger. This waiver will go on the PC agenda in March.

COURTESY OF THE FLOOR:

1. **Regina Marinelli** – She spoke about dirty trucks coming from Eastern Industries New Enterprise. The mounds of dirt and mud on the trucks are making Front Street very dirty, residents already put up with truck traffic and noise. She asked that the township set up a meeting with them to discuss cleaning the road and entrance way. Some quarries hose down their trucks; maybe that can be asked or if trucks should be tarped. J. Zator suggested we contact DEP re: sedimentation. The Board agreed to set up a private meeting.

2. **Howard Klein** – (Township liaison for biosolids) UMBT hired an environmental attorney to look at their ordinances to tighten them up. They have spent a lot of money on the environmental review. He mentioned at the UMBT meeting Robert Teel asked for a copy of our draft ordinance from 2013 on Class B sludge. J. Smethers said she spoke to Scott Coburn about release of this draft ordinance. He said we can make an exception and give it out to an elected official if they ask for it. It could be to our benefit working with another municipality on the same issue. **MOTION** by M. DeBerardinis, second by S. Disidore to share the draft ordinance with our neighboring township. **MOTION** amended, second amended to state LMBT will share this draft ordinance with an elected official, not a public document for release. J. Smethers will draft a cover letter accompanying the draft ordinance. Vote: 4-0. H. Klein recommended neighbors take pictures of the excessive amount of mud and proximity of house to state highway, especially if property values go down

SUBDIVISIONS: None

OLD BUSINESS

1. **Evans Farmland Preservation.** Approve signer for closing documents. **MOTION** by M. DeBerardinis, second by S. Burns to approve S. Newman as signer and S. Disidore as alternate in the event S. Newman is unavailable. **MOTION** amended by M. DeBerardinis, second amended by S. Disidore to approve J. Smethers as alternate signer. Vote: 4-0. J. Zator asked if needed that Township Secretary provide certification of minutes. **MOTION** by S. Disidore, second by S. Newman that the Township Secretary provide certified minutes if necessary. Vote: 4-0.

2.Financing for Bobcat through Wells Fargo – Resolution No. 2019-05. M. DeBerardinis read Resolution No. 2019-05 a municipal lease agreement with Best Line Leasing Inc. will be assigned to Wells Fargo Vendor Financial Service, LLC. **MOTION** by S. Newman, second by S. Disidore to approve Resolution No. 2019-05. Vote: 4-0.

Township Engineer report - J. Coyle submitted the letter to Northampton County he prepared for the BOS to review re: Bridge No. 195 Little Creek Road. The letter explains the Township's position to retain the current bridge width and reasons why. He recommended we put up the speed sign for 1 week to obtain traffic counts on Little Creek Road, thereafter can be discussed further once we have those numbers. J. Zator mentioned he contacted Randy Leggett's attorney twice with no response.

NEW BUSINESS

1.Zoning Ordinance Updates – Brandywine Conservancy termination of contract. We received a letter from Brandywine Conservancy to consider terminating contract and continue working with J. Snook as a private consultant to complete the Zoning Ordinance update. S. Disidore mentioned Brandywine was a very fair and good company to work with and enjoyed many years working with them. **MOTION** by M. DeBerardinis, second by S. Burns to approve termination of the contact with Brandywine Conservancy.

2.J. Snook's request to continue as private consultant. The BOS reviewed J. Snook's letter requesting to continue as private consultant to complete the Zoning Ordinance updates. His hourly rate will be \$85.00 per hour for additional meetings and any new topics such as Tenttr and Air B & B, and any additional time which may be necessary to work with P. North / Zator Law to fine tune Article IV which incorporates CAPZO. P. McNerney stated this is a fair way to move this forward and wrap this up relatively quickly and asked the BOS to accept Snook's proposal. S. Newman agreed. **MOTION** by S. Disidore, second by S. Newman to accept John Snook's proposal to continue as private consultant for LMBT to continue drafting and updating the Zoning Ordinance per letter dated February 28, 2019. J. Smethers will draw up a service agreement and execute a letter to Brandywine Conservancy ceasing their service. Vote: 4-0.

3.Approve \$350.00 for Easter Bunny candy purchase for Easter Egg hunt. **MOTION** by S. Disidore, second by M. DeBerardinis to approve \$350.00 for the Easter Bunny candy purchase. Vote: 4-0.

4.Sanitation billing for vacant properties – Policies and Procedures. J. Smethers explained there is no policy / procedures for billing vacant properties. Past practice followed has been if there's no kitchen they are not billed. J. Smethers would like to establish a Policy / Procedure that a \$25.00 annual fee be assessed to these properties to have S. Calluori inspect and make sure the property is actually vacant annually; that way everyone is treated the same. The Board agreed. J. Smethers will draw up a formal policy and amend the fee schedule to include this annual \$25.00 fee. J. Zator suggested no refunds if the property becomes vacant / inhabitable mid-year.

APPROVAL OF THE BILLS – M. DeBerardinis read the Invoices totaling \$128,839.18; this includes \$76,217.70 paid from Open Space funds for Evan Farmland Preservation. **MOTION** by M. DeBerardinis, second by S. Disidore to pay the bills. Vote: 4-0.

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

REPORTS

Chairman's **Report** - M. DeBerardinis mentioned residents are asking about the tennis courts and would like to look into raising money or grants. J. Smethers said she will look into grants.

M. DeBerardinis mentioned a bamboo ordinance drafted 3 years ago, but never passed. He would like us to look into passing one, since Bamboo is a big problem J. Smethers said they passed one in Williams Township and she will look into it.

Board Members Reports

Susan Disidore said the Road crew did a great job plowing the roads.

S. Burns – reported on the kitchen and the letter we received from Randy, Alloy’s project manager regarding the floor. Problems he noted were the floor slab was extremely cold when the adhesive was laid and tiles were set and slab temperature since it has been laid remains very cold. He suggested making no changes until the slab temperature rises and recommends, we wait to put the adhesive down; also, to see how the floor holds up as the temperature rises. He recommends we wait and hold a retainer on the contractor to fix it properly should he decide to walk away. S. Burns reported the Recreation Board had their first meeting. They are going to be working on putting together a “Community Day” on June 15th and budget money for hotdogs, lemonade. R. Marinelli will be making a donation. K. Burns and J. Pilyar will be fixing up the Bocce court. The Rec. Board will also be looking at cleaning up the entrance hall at Centerfield.

S. Newman submitted her written report. There is no update on Little Creek Road.

P3 Project –she attended the meeting Tuesday, 2/5/19 and there is another meeting tomorrow, she doesn’t know if she will attend. Update: she received a follow up call from Charles Dertinger from the County. He indicated Kriger has not been forthcoming with the bridge financials, so movement on removing bridges hasn’t progressed. The county has decided to do a master contract change rather than request change orders for each bridge. Negotiations continue with meetings every two weeks. Mr. Dertinger reiterated that Lamont McClure is dedicated to getting Bridges 43, 44, and 185 out of P3. Dertinger also mentioned the GPA always had board members who have held paid county positions. The apron on #195 will be appropriate, however there is no way it can be changed; powder coated rails are 3 times more expensive and the county will let us paint them. The search still continues for an Executive Director for the COG. Pen Argyl gave notice of their withdrawal for 2020 and Washington Township never attends. Several municipalities have hired Piddles & Paws and UMBT have hired Christine Cahill who seems to have a place for dogs now.

Road Department Report – Fred Heitzman reported 2 trucks have been inspected and 2 tires were put on the 250 truck. They have had 2 snow storms and 60 mph winds which took some cleaning up. M. DeBerardinis asked Fred to look at the hole in front of Michelle’s house, there’s a huge dip.

Township Manager Report – J. Smethers reported she contacted Werner on getting an estimate for scoping the well. She contacted PSATS regarding deleting recordings of public meetings. The Board discussed the policy they would like implemented. **MOTION** by S. Newman, second by M. DeBerardinis to delete the recordings of the minutes once the minutes are approved. Vote: 4-0.

Township Solicitor Report –J. Zator submitted his written report. He noted IEC (Talen) New Building Land Development are moving forward with the project. Just waiting for plans to be submitted.

PUBLIC COMMENT– None

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

