

**LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES
April 5, 2021 @ 7:00 P.M. VIA ZOOM**

CALL TO ORDER - The April 5, 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 3 members of the audience present on the webinar. The Pledge of Allegiance was recited.

Executive Session – April 5th – potential litigation/legal matters. There was an Executive Session held from 6:30 p.m. – 7:00 p.m. for Personnel matters. No action was taken.

APPROVAL OF MINUTES – March 1, 2021 Meeting. Revisions in bold: Courtesy Pg. 1 – Courtesy of the floor, rain date of **August 28th**, Pg. 2 - J. Mauser said he's in favor of online payments and even electronic invoices that can be received from businesses that service the Township. **MOTION** by S. Newman, second by J. Mauser to approve the minutes as amended. Roll call: S. Burns – aye; J. Mauser – aye; S. Newman – aye; M. DeBerardinis – aye; S. Disidore – aye. Vote: 5-0.

COURTESY OF THE FLOOR – – Rich Grucela was present to provide an update on the Bangor Area Commercial and Industrial Development Authority. He reported they just had their 1st meeting since October. Rich gave some background information on the Committee. The Solicitor for the Committee, Ed Andrews, is seeking a grant for an Environmental cleanup of the Reliant brownfield. If the Committee decides to participate with the developer in a joint venture, RPL would finance the project with the IDA holding title and serving as a conduit to get grant money. The intent is to knock down the substation after cleaning up. There is no financial commitment and all fees would be paid by the developer. We will know more in May when the final draft proposal is presented. S. Newman asked about the development project with L. Pektor and asked about talking to the IDA. Rich mentioned the above project being along the River; the other property is on the Westside at the Marshfield property; the committee is not involved with that. There was further discussion about that project and it potentially being the largest warehouse on the East Coast. Rich indicated traffic would probably not come this way, that most traffic from the 3 manufacturing plants in the Industrial Zone would go to Rt. 80.

The Board addressed the letter from the BACAIDA to UMBT that supports various economic development initiatives being pursued by the UMBT Board of Supervisors and the BACAIDA. S. Newman indicated each municipality has a representative on that committee who should be representing the township. R. Grucela explained the role and perimeters that members have on this committee. Rich explained there is nothing we can do as far as UMBT; any objections should be made directly to UMBT. The Board mentioned that LMBT in fact did send a letter to UMBT opposing the warehouse project being proposed on the old Marshfield property and are not in favor of the project.

The Board also mentioned to R. Grucela that outside people should not call our Solicitor, they should contact J. Smethers. J. Smethers explained the policy is everything should go through her to decide whether or not to contact our Solicitor; this allows us to stay within our budget. R. Grucela indicated he will have Ed Andrews reach out to J. Smethers. Rich indicated the next BACAIDA meeting is scheduled in person for May 11th.

NEW BUSINESS

1.Talen Pavilion Acquisition (Depues Ferry Rd) – Mark Jackson from Talen was present. The appraisal for the property came in at \$33,000. J. Mauser indicated this parcel abuts the property we purchased from Talen a few years ago. M. Jackson indicated Talen does not have a need for the 2 ½ acre parcel; but asked the Township to structure an agreement of rights to Talen, of 1st refusal if the Township in the future wouldn't want it. M. Jackson asked to include language specifying laydown area for emergency purposes. Talen and the BOS will work out the details of the agreement. Al Sutter was present and stated he is retiring in a month and Chris Early will be taking over. Al reported the refurbishment of the Talen plant as a result of the fire; unit 4 construction has been completed and rebuilt. **MOTION** by J. Mauser, second by S. Newman that Zator Law draft the Agreement of Sale and forward to Talen for review. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Newman – aye. S. Burns – aye; S. Disidore - aye. Vote: 5-0.

OLD BUSINESS

1.SALDO Amendment – Ordinance to Provide Simplified Procedures for Lot Line Adjustments and Mergers (Consolidations). At the Planning Commission meeting held on 3/16/21, the Commission gave a favorable recommendation of the draft ordinance to proceed to the Board of Supervisors and LVPC. We received the LVPC review letter dated March 26, 2021. **MOTION** by J. Mauser, second by S. Newman to advertise the Ordinance for a public hearing to be held on May 3, 2021. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Disidore – aye; S. Burns – aye; S. Newman – aye. Vote: 5-0.

Courtesy of the Floor cont'd - Martha Posner, Rec. Bd. Chair. Martha discussed events the Rec. Board is working on. She mentioned last year the Board approved samples of wine and bottles to be sold at Community Day, but the event was cancelled. **MOTION** by J. Mauser, second by S. Burns to approve Franklin Hill to allow samples and sale of bottles of wine at Community Day this year being held on August 21st providing Franklin Hill has provided the Township with proof of liability insurance documents. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Newman – aye. S. Disidore – aye; S. Burns – aye. Vote: 5-0.

SUBDIVISIONS / ZONING – None

NEW BUSINESS – Cont'd.

1.Emily Kline, UMBT Softball request to use the Riverton Field April – July 2021. This is their annual request. They have submitted their application and COVID 19 Return to Play Plan and asked that the fees be waived. **MOTION** by S. Newman, second by S. Disidore to grant UMBT Softball request for use of the Riverton field and waive the fees for the April – July 2021 season. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Newman – aye. S. Burns – aye; S. Disidore - aye. Vote: 5-0.

2.Brian Pysher, Slater Baseball Association request to use Kiefer field April – July 2021. This is their annual request to use the Kiefer field. They have submitted their application and COVID 19 Return to Play Plan and asked the fees be waived. **MOTION** by S. Disidore, second by S. Burns to grant Slater Baseball Associations request for use of the Kiefer field and waive the fees for the April – July 2021 season. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Disidore – aye; S. Burns – aye; S. Newman – aye. Vote: 5-0.

3.ASA application - Klein / Newman – We received an ASA application from Howard Klein and Sandra Newman to include 70.68 acres into the Lower Mount Bethel Township Agricultural Security Area. The Board needs to acknowledge the application to allow the Solicitor to move forward with the process. **MOTION** by S. Disidore, second by S. Burns to acknowledge receipt of the ASA application submitted by H. Klein and S. Newman and authorize J. Zator to move forward with the process. Roll Call: J. Mauser – aye;

S. Disidore – aye; M. DeBerardinis – aye; S. Burns – aye; S. Newman abstained. Vote: 4-0-1

4.2020 Audit Approval – J. Smethers indicated the audit is complete. **MOTION** by S. Newman, second by S. Burns to approve the 2020 Municipal Annual Audit and Financial Report. Roll Call: J. Mauser – aye; M. DeBerardinis – aye; S. Disidore – aye. S. Newman – aye; S. Burns – aye. Vote: 5-0.

5.COG Leaf Vac –S. Newman indicated the COG decided to sell their 2 leaf vacs. There are 3 municipalities interested, so they are accepting closed bids. They suggested the revised starting bid be \$11,000. and bids are due by noon on April 27th. M. DeBerardinis indicated the cost for a new leaf vac is in the mid \$40,000 range. He is comfortable bidding 50% of the value (\$13,000 - \$16,000 range). Sandra indicated she is still waiting for confirmation from the COG. Once we hear back an Executive Session will be scheduled with the Board to discuss.

6.Approval of 2021 Road Paving Project – J. Smethers asked the Board to advertise the 2021 Road Paving Project as follows: Main Bid: Gravel Hill, Mill Creek & Geraldine Ct. Geraldine Court (T733) 35ft width and 825 length, Gravel Hill Road (T667) 24ft width and 932 length, Mill Creek Road (T665) 20 ft width and 1955 length, Alternate Bid: Fairview Avenue (T710) 35ft width and 1970 length (start at SR1015 stop at T709), School Street (T709) 35ft width and 230 length (start at T710 stop at T647), Hutchison Avenue (T647) 35ft width and 330 length (start at T709 stop at SR1002). Mandatory pre-bid meeting will be held at 9:00 a.m. on Friday, April 23, 2021 at the Centerfield Building. Bids will be opened on Friday, April 30th at 3:15 p.m. for award at the May 3rd Board of Supervisors Meeting. **MOTION** by J. Mauser, second by M. DeBerardinis to advertise the 2021 Road Paving bids next Monday, April 12th, and Friday, April 16, 2021. Roll call: S. Burns – aye; J. Mauser – aye; S. Newman – aye; M. DeBerardinis – aye; S. Disidore – aye. Vote: 5-0.

7.Spring Newsletter – Articles due to Melissa Monday, April 26th. Newsletter will be printed and mailed the week of May 10th.

APPROVAL OF THE BILLS: MOTION by M. DeBerardinis, second by S. Newman to pay the bills in the amount of \$99,362.84. Roll call: J. Mauser – aye; M. DeBerardinis – aye; S. Disidore – aye; S. Burns – aye; S. Newman – aye. Vote: 5-0.

CORRESPONDENCE - All Correspondence is located in the Township office.

REPORTS

Township Solicitor Report – J. Zator indicated his written report was submitted. No further comments.

Township Engineer Report – J. Coyle reviewed his written report with the Board. Justin met with M. DeBerardinis and F. Heitzman regarding the Gravel Hill Road culvert failure restoration. The head wall and wing wall collapsed. They will put together an estimate and have a follow up site meeting. J. Coyle asked the status of the letter sent to DEP re: Gravel Hill Enterprises regarding the proposed Fire Protection and Response Plan. J. Zator has not received a response, but will follow up. J. Zator and J. Coyle left the meeting at 8:25 p.m.

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

Board Members Reports

J. Mauser – John reported the road crew did an excellent job at the Welcome Center. Fred, Shannon and Mark cleaned up the butterfly garden and flower garden, weeded and put mulch down and cleaned up the parking lot strip. Mark swept the parking lot and Fred blew off all the debris. Mark & Fred also replaced the guardrail that was broken. John indicated Monday, April 12th via zoom Jason Smith will be giving a presentation on the official map at the EAC the Open Space Advisory Board and Planning Commission are also invited to attend.

S. Burns – Samantha indicated the supplies were bought for the plant sale and the Rec. Board will be starting the seedlings next week at the office. Samantha indicated she dropped the packets off at S. Wild's office regarding the Front Street traffic issues. A copy was forwarded to LVPC. Samantha indicated she spoke to Chris Spadoni about an EM Services Grant, we were not listed as applying, but the grant might be still available if we want to look into it. It's a \$10,000 matching grant. Samantha asked if we can get new dirt & mulch for the flower beds in front of the office to plant some flowers. Sandra said Fred can call Howard to get some mulch from him. The Rec. Board will do the work cleaning up the flower beds at the office.

S. Newman – Sandra reported on the status of the Rt. 80 Rockfall Mitigation Project. S. Wild sent a letter to the Federal Highway Administration with questions she asked to have answered. S. Newman reviewed the questions with the Board. She will update the Board next month if she has any answers.

S. Disidore – No report.

Township Manager Report –J. Smethers reported she and S. Newman attended the PSATS webinar on the American Rescue Plan; \$305,000 is LMBT allocation. The webinar explained what we can and cannot use the money for. We have until the end of 2024 to use the money. We can also recoup losses such as staffing costs and might be able to use some of those funds towards loss of rentals and recreation. M. DeBerardinis would like to see if we could refurbish the tennis courts. We can make budget adjustments coming and going out. J. Smethers asked the Board about opening up the Centerfield Building for rentals and the gym. The Board asked to keep things status quo and remain closed. Jen mentioned the Express Bill payment should be up and running in mid-May; not in time when the street light bills go out, but will be available before the bills are due.

Zoning Officer Report – Written report submitted.

Road Department Report – M. DeBerardinis indicated the Road crew has been mulching the playgrounds and getting them ready and should start mowing shortly. They have also been looking at various road issues including the Gravel Hill Road culvert failure restoration.

Public Comment – None.

Adjournment – The Public Meeting was adjourned at 8:47 p.m.

Respectfully Submitted, Melissa Mastrogiovanni, Township Secretary, Lower Mt. Bethel Township