

**LOWER MOUNT BETHEL TOWNSHIP**  
**BOARD OF SUPERVISORS MINUTES – February 6, 2023 @ 7:00 P.M.**  
**In-Person**

**CALL TO ORDER:** The February 6, 2023, regular meeting of the Lower Mount Bethel Township Board of Supervisors was held in person at 6984 S. Delaware Drive, Martins Creek, Pennsylvania, 18063 (formerly known as Centerfield School), Martins Creek, PA, 18063. 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 (zoom), S. Burns, J. Zator, J. Smethers (zoom) and M. Mastrogiovanni. There were 21 members of the audience present. The Pledge of Allegiance was recited. M. DeBerardinis announced there was an Executive Session from 6:30 p.m. to 6:50 p.m. No action was taken.

**APPROVAL OF MINUTES – Jan. 3, 2023 - 6:30 p.m. Re-org and Jan. 3, 2023 – 7:00 p.m. Reg. Mtg. MOTION** by J. Mauser, second by S. Newman to approve the minutes as revised and submitted. Vote: 5-0.

**COURTESY OF THE FLOOR**

**LMBT/Sandt’s Eddy Fire Co.** – J. Larrison and other members of the Fire Company were present. They would like to combine fundraising activities with the rec board and garden club to work more closely together, it would be better for all of us to have nice events. S. Burns will work with J. Larrison coordinating the events.

Emergency Services – The Fire Company mentioned they would like to have an Emergency Services Advisory Council. S. Burns will get all the information she had put together. J. Mauser would like to volunteer and asked to contact other river resources to see how they handle river emergencies and other safety rescue strategies we can use at the Foul Rift area.

**M. Posner – Rec. Board Chair.** – Martha reported they are working with the Fire Company on the Easter Egg Hunt and are also considering a fundraising dance or spaghetti dinner for next year, they will coordinate these events with the Fire Company if the Rec. Board decides to move forward.

**SUBDIVISIONS / ZONING**

**OLD BUSINESS**

J. Mauser discussed the leaf vac incident with a resident’s parked car. The insurance Company will only pay \$5,280.00 for the repairs; total cost to repair is \$8,156.31 to return the vehicle to the condition it was prior to the accident. **MOTION** by J. Mauser, second by S. Newman to have the Township pay \$2,876.31 for the difference of costs to return the resident’s vehicle to the condition it was prior to the accident. Vote: 4-0-1, M. DeBerardinis abstained.

**1. MacDougall / Watts ASA – 936 Klauze Road** – P. North indicated verbal referral is needed to the LMBT PC, LVPC, EAC and ASA Committee. J. Coyle submitted his review letter on 11/28/22. The referral is to include any comments received by the close of business on (15 days period for Public Comment from date of publication - 1/14/23) The public notice of the proposal was published in the Express Times on 12/30/22 and the required postings of the public notice was completed on 1/14/23. **MOTION** by S. Disidore, second by S. Burns to refer the Mac Dougall / Watts ASA to the LMBT PC, LVPC, EAC and ASA Committee including any comments received by the Township Engineer and any comments if received by the public. Vote: 5-0.

**2.Terpstra Farmland Preservation Ranking** – R. Marinelli was present and has submitted to the Board the evaluation letter and checklist from the Open Space Committee visit. Regina noted it's a nice property bordering 3 adjacent preserved properties and the point range came in at 45. The Open Space Committee is in favor of preserving the Terpstra property.

**3.Terpstra Farmland Preservation Agreement of Sale** – The County approved \$4,220 per acre for a total approximate easement amount of \$432,677. The County will provide \$163,022.80 +/- and is requesting LMBT contribute \$271,637.20 +/- . S. Newman mentioned this site originally proposed 150-170 homes to be built. **MOTION** by J. Mauser, second by S. Newman to approve the Terpstra acquisition and have Zator law office prepare the Resolution authorizing the expenditure and Township officials to participate in the closing. S. Newman will attend the closing and sign the agreement of sale on behalf of the Township. Vote: 5-0.

**4.Howell Road No Trucks Ordinance** – J. Coyle indicated the road study was completed and everyone received a copy. Justin reviewed the study with the Board and mentioned issues such as width of road only being 19ft. wide constituting a potential safety hazard for heavy vehicle usage, severe pavement failure, deterioration & cracking, and site distance issues at intersection with Rt. 611. Justin indicated based upon the traffic study and engineering investigation he recommends restricting Howell Road with a weight limit of 10 tons to prevent further pavement deterioration and improve roadway safety. **MOTION** by S. Burns, second by S. Newman to authorizinf Zator Law to draft the ordinance restricting trucks and weight restrictions of 10 tons on Howell Road. Vote: 5-0.

**5.Front Street** – S. Burns discussed the letter we received from Penn DOT in response to our requests.

- Extending the 35 mph speed limit (starting at Franklin Hill Road instead of at Howell Road) so that the PSP can ticket those drivers that are going 40, 45 and 50+mph through the village. Currently the distance it not great enough that would legally permit them to do so. Penn DOT's response: The District will have their Traffic Unit study this possibility in the next few weeks. Any 35 mph signage would be the responsibility of the township and would need a letter from the township accepting ownership if any speed limit changes are warranted.
- Truck warning signs on the approach to Black Hill such as these. Penn DOT's response: They agree with this request, any electronic signage would be the responsibility of the township. The district can work with the township on the specifics of the signage.
- The advisory signs to the quarry drivers to stay on 611 would be for both north and south bound. Penn DOT's response: They previously agreed to this and will work with the township on the specifics of the signage.
- Permission to put in a crosswalk at the most heavily used intersection in the village, Front and Hutchison. PennDOT's response: they are not in favor of this. There are no sidewalks in this area and no large pedestrian generators.
- A jake brake restriction coming into the village placed before approaching Williams Street. Penn DOT's response: The first warrant criteria for this type of restriction is the roadway grade not exceeding 4%. Front Street has a grade exceeding 4%.

If we proceed with signage – size and placement need to go through Penn DOT and J. Coyle.  
Public Comment by M. Posner – she asked about putting up video cameras to take pictures of speeding traffic and violations. M. DeBerardinis said we would have to find out more information and if were permitted to do that.

## **NEW BUSINESS**

**1.UMBT Softball** annual request to use Riverton Field for Softball from April to July 2023 and waive the fees. Lower Mount Bethel Township has children that participate in the program.

**MOTION** by M. DeBerardinis, second by S. Burns to approve the request. Vote: 5-0.

**2.Good Shepherd Lutheran/Trinity EV Lutheran Church** –Joann Walz and Shawn Mengel Reps. from the Church were present to discuss donating the church to the Township. J. Pilyar did a power point presentation and submitted background information on the church and cost estimate. Annual estimated expenses are \$3,000 for heating oil, \$1,500 for Electric and \$2,100 for Insurance. Also future improvements that need to be made are a new roof - \$15,000 - \$20,000, well replacement - \$5,000 - \$10,000 and septic system - \$15,000 - \$20,000. There are interior updates that need to be done but can be over time as monies become available. Possibly grant opportunities can be looked into and fundraising. There may be money in the treasury that the church could turn over to the Township. J. Zator recommended in his report that a Phase 1 environmental study, a structural inspection, a title search and property survey be done, however before proceeding, we need to investigate where our not the church has authority to convey the property to the Township and determine whether or not the 501(c)3 must be conveyed to another 501(c)-3 entity. The Township is a Municipal Corporation, not a 501(c) 3. **MOTION** by S. Disidore, second by S. Newman to authorize Zator Law work with Good Shepherd Lutheran Church group to investigate and determine if the church can be conveyed to the Township. Vote: 5-0. J. Pilyar will set up a date and time for a tour of the church with J. Smethers and the Board of Supervisors.

**3.Waste Management Collection Day Change** – Waste Management is requesting to change collection to once per week for the Township. J. Smethers noted per the contract, the collector is free to schedule the days as they see fit, provided they clearly communicate to the residents the applicable days. The contract requires the collector to give each Residential Establishment 30 days' notice by brochures before the start of the contract. Waste Management will provide the residents with notice of what date the weekly collection will begin. The Board was fine with the change.

**4.Heartland Payroll** – J. Smethers indicated she met with a Representative, and he gave a proposal. Based on the comparison of what we currently pay PayChex, there is about a \$200 annual savings based upon weekly payroll for 14 people for the same services. Jen indicated she is not sure if it's worth switching companies for the minimal savings. The Board agreed not to switch and stay with PayChex.

**5.Spring 2023 Newsletter** – J. Smethers indicated the Spring Newsletter is starting to be worked on. Articles are due to Melissa no later than Friday, March 10<sup>th</sup>. The last edition, Justin asked if he could put an advertisement in the Newsletter and asked if the BOS would want to consider, would we like to offer other businesses and how much should we charge. We would need to get a price sheet together and decide how much we would charge for an advertisement and how much space to use for ads. The Board agreed to put an announcement in the Spring newsletter we are considering paid ads for the Fall newsletter.

**6.Garden Club Storage and Facility Usage** –The Board discussed criteria for waiving fees for use of the Township facilities and what constitutes Township organizations. J. Pilyar mentioned the MCAA has used the Centerfield Building for their Creeker meetings 2x per year at no charge. E. Woodruff noted the Garden Club does fundraiser to beautify and benefit the township. M. Posner explained the Rec. Board does Community events for the Township, but they are part of the township and must show a full accounting and stay within the budget.

The Township waives the fees for UMBT Softball and Bangor Baseball since they have LGBT children in the program. Private clubs pay for use of the facility.

The Board will discuss further and come up with a policy and criteria for use of the facility and when to waive the fees. F. Heitzman mentioned the outside shed at Centerfield is cleaned out for the Garden Club's storage of benches and planters. J. Pilyar will return the Rec. room key to the office.

**CORRESPONDENCE** - All Correspondence is located in the Township office.

**APPROVAL OF THE BILLS - MOTION** by M. DeBerardinis, second by S. Disidore to pay the bills in the amount of \$236,645.96. Vote: 5-0.

## **REPORTS**

**Township Engineer Report** – J. Coyle submitted his written report and reviewed with the BOS. Justin mentioned the site meeting at Gravel Hill Enterprises has not been set up yet. P. North asked J. Coyle about the status of the Del Haven Easement – M. Toliver. Justin indicated that is put on hold, he is looking at other stormwater remedies.

**Township Solicitor Report** – Written report attached. P. North discussed enactment of a policy for the sale of the Talen property (5 ½ acres of farmland) and continued process of Talens property, money funded and piggyback off the Terpstra Farmland Preservation. The Ordinance would not cost over \$1,000 and the deed restriction, when recorded would give us the same coverage, not protect state farmland. It would protect all energy work, all township parks, township properties and any future open space and parks, a blanket public trust. S. Disidore asked if we can use Open Space funds to cover the costs of the ordinance. J. Smethers will check with Loren Possinger and review the Open Space Resolution, it might need to be updated. **MOTION** by S. Newman, second by S. Disidore to authorize Zator Law to work on the ordinance to establish a public trust for all township parks, township properties and any future opens space and parks. Vote: 5-0.

**Chairman's Report – No report**

## **Board Members Reports**

**J. Mauser – No report**

**S. Disidore – No report**

**S. Burns – No report**

**S. Newman - Sandra** mentioned B. Hart's concern with traffic issues in the Township. She would like to honor his request to be addressed at the March BOS meeting. B. Hart was present and explained the truck and traffic issues being a serious problem with lack of state police presence and suggested a meeting with the Belfast barracks. There was a lengthy discussion about the cost of a police force F/T and P/T force. S. Newman indicated she attends the Slate Belt COG meetings and the municipalities that have P/T police force have a hard time keeping them, they end up leaving for F/T positions. R. Grucela mentioned the state is still considering having municipalities in Pennsylvania pay for State Police. Rich indicated there might be grants available to start up a Police force and will check with State / DCED if there is a grant to do a study.

S. Disidore mentioned the grant money is seed money, but after a few years the money is gone. J. Mauser suggested checking with PSAT's to see if they have an average of what a Police Department costs, look at the pros & cons, and possibly put it on the referendum. S. Burns mentioned she has all the studies and figures of the cost of a police department from 2006, 2012 and present. Most municipalities that have a police department the millage rate is extremely high. B. Hart stated something needs to change; it's a dangerous situation; things to take into account are trucks, dump trucks, warehouses, traffic and the affordability of a Police Department. R. Grucela though a regional Police Department would not be good for LMBT being the township is too big. R. Marinella indicated nothing dictates raising the millage, you can raise it to what you want. She suggested B. Hart get the referendum on the ballot and let the voters decide. V. Depamphilis made a statement to the BOS, she values all the efforts the Board has made.

**Township Manager Report** – Written report was submitted.

**Road Department Report** – F. Heitzman reported the Gravel Hill Road Culvert replacement is complete, they placed door sweeps at the Centerfield building per the Exterminators recommendation, they had a small snowstorm, trimmed tree's on the trail and fixed pot holes.

**PUBLIC COMMENT** – None

**ADJOURNMENT** - The Public meeting was adjourned at 9:55 p.m.

Respectfully Submitted – Melissa Mastrogiovanni, Township Secretary / Planning Administrator  
Lower Mount Bethel Township