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**LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
JANUARY 6, 2020 @ 7:00 P.M.**

CALL TO ORDER - The January 6, 2020 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 Chairperson DeBerardinis at 6:30 p.m. In attendance were M. DeBerardinis, S. Disidore, S. Burns, S. Newman, J. Mauser, Thomas Harper, Solicitor on behalf of Joseph Zator, J. Smethers, Twp. Manager & M. Mastrogiovanni, Twp. Secretary. There were 15 people in the audience.

APPROVAL OF MINUTES – DECEMBER 9, 2019 @ 7 P.M. There were no corrections. **MOTION** by S. Newman, second by S. Burns to approve the minutes. Vote: 5-0.

PRESENTATIONS: None

SUBDIVISIONS / ZONING

1. Well Ordinance Waiver – Christopher Straub 6392 Fourth Ave. – H10-NW3-4-4-0317. J. Coyle indicated he reviewed the request. The applicant is requesting a Well Ordinance waiver from the setback requirement in Section 26-106. He is seeking 11 ft. from right-of-way and a 14ft. waiver. J. Coyle said he has no concerns with the waiver being granted. **MOTION** by M. DeBerardinis, second by S. Burns to grant the request. Vote: 5-0.

OLD BUSINESS – None

NEW BUSINESS

1. Approve UMBT Softball – Request to use LMBT gym / waive fees – Dave Baggett and Scott Cole were present from UMBT Softball. This is their standard request to waive fees to use the gym. **MOTION** by M. DeBerardinis, second by S. Newman to approve UMBT Softball’s request to use the LMBT gym and waive the fees. They will coordinate dates of use with the office. Vote: 5-0. D. Baggett thanked the Board for continued use of the gym.

COURTESY OF THE FLOOR:

1. Karen Brewer – She spoke about the LMBT book she has been working on and mentioned J. Mauser is going to help her with the Geology section. K. Brewer discussed some history contained in the book including 1st settlements being North of Philadelphia. She asked if we can put something in the Newsletter including her contact information if residents would like to help with the book. M. DeBerardinis thanked her for all her time spent compiling the information.

2. Robin Kessler – He asked about the street light tax and if they would consider changing the collection similar to other municipalities that roll it into the taxes. M. DeBerardinis indicated the main focus going forward is to change the street lights to LED. Collection of the street light tax was addressed before by petition and the majority of the residents did not want it changed.

3. Martha Posner – Chair. Rec. Board. She gave her report on the “Community One” read held on January 4th with Author Andrew Laties. I was a great success and good turnout. The book is called “Rebel Bookseller” and is available at Book & Puppet in Easton. They will be meeting again in 3 months.

4. Dee Decker – She spoke about the Street Light Fund and the administrative costs of \$1,000 being paid; she already pays taxes and asked if this is allowed. J. Smethers explained it’s allowed and there is a lot of administrative time invested in collection of the street light tax. D. Decker said all residents use the lights and suggested the tax be spread to all tax payers to cover the \$20,000 cost.

5. Howard Klein – He spoke about the Gravel Hill meeting; the public announcement should disclose it’s the old Stine Stump Farm so people are aware. They should also notify UMBT to make a note on their website. J. Coyle indicated he is meeting with S. Newman prior to the meeting so they can go over the letter of concern and compile questions and comments together.

6. Hess Property Project (J. Mauser) – John indicated he met with Bob Vishnesky, Sandra Newman, Jim Clauser and Fred Heitzman to look at the waterway south of Martins Creek Belvidere Hwy on the Hess Farm. Mr. Vishnesky lives on the lot east of the waterway and is experiencing frequent flooding due to the sediment build up in the waterway that is pooling the stormwater into his home. J. Mauser requested to use the Road Crew for 1-2 days to try and fix this problem. He has drafted a MOU for Mr. Hess to sign to allow the township to make the improvements for the Vishnesky flooding problems. He also asked that Zator’s office review the waiver and would be applying for a grant to cover the project costs. T. Harper indicated the MOU does not cover or define indemnity and would like to memorialize access for all parties to have. Public Comment by H. Klein – He asked if there would be other expenses, other than time and labor. J. Mauser responded they would just need grass seed and he hopes to get that from the Conservation District. There was discussion about setting a precedent for other township properties that also have run off problems. J. Mauser indicated he would like to use this property as a model for others. **MOTION** by S. Newman, second by J. Mauser to authorize Zator’s office to draw up an agreement to implement and work on waterway on the Hess Farm to reduce ponding and flooding on the adjoining property owner Vishnesky. There was further discussion on other township properties being chosen and which ones to get involved with. Also, heavily sludged properties, run off could eventually go into the Delaware River. The Board discussed other properties that have flooding issues. The Board discussed establishing guidelines and criteria for the township to mitigate flooding and erosion problems for residents’ properties; when public health, safety and welfare are involved. **MOTION amended** by S. Newman, second amended by J. Mauser to table to next month and come up with guidelines and criteria and also have Zator’s office work with J. Mauser on the MOU. Vote: 5-0.

7. Authorize Advertising Ordinance No. 2020-01 Intergovernmental Agreement to Enter Delaware Valley Property and Liability Trust – J. Smethers indicated our policy went into effect on 1/1/20. Switching to DV Trust is going to save the township about \$27,000 a year. We need to advertise the ordinance for adoption at the next BOS meeting. **MOTION** by M. DeBerardinis, second by S. Newman to advertise Ordinance No. 2020-01 for adoption at the BOS February 3rd meeting. Vote: 5-0.

8. Authorize Advertising Ordinance No. 2020-02 Intergovernmental Agreement to Enter Delaware Valley Workers Compensation Trust - MOTION by M. DeBerardinis, second by S. Newman to advertise Ordinance No. 2020-01 for adoption at the BOS February 3rd meeting. Vote: 5-0.

9. Authorize Advertising Ordinance No. 2020-03 Establishing Reasonable Attorney Fees for the Collection of Delinquent Sanitation Assessments – J. Smethers indicated she is waiting for the draft ordinance from Keystone Collection Group to give to Zator’s office to review. Since it is for delinquent collection fees, this is not an immediate need. Tabled to the February 3rd meeting.

10. Resolution No. 2020-04 - 2020 LMBT Fee Schedule – J. Smethers indicated this is approval to update the township fee schedule. The only item added is a well waiver application fee of \$200. This is to cover the recording of the indemnification agreement, Shannon’s costs to review the request and Justin or Tom Noll’s time, if needed. **MOTION** by J. Mauser, second by S. Newman to adopt Resolution No. 2020-04. Vote: 5-0.

11. CF AM Holdings LLC and Ardent Mills LLC Tax Assessment Appeal Complaints – J. Smethers indicated the township needs to decide if they want to take a position regarding the Tax Assessment Appeals. They are looking to lower their taxes, which will ultimately impact the Township. Regina provided the assessment for H10-9-1-0317 - \$359,100.00, LMBT tax 2020 \$1,831.41 & H10-11-4-0117 assessed at \$1,006,200.00 – LMBT tax 2020 - \$5,131.62. H. Klein suggested J. Smethers call the County to see why they rejected the reduction. **MOTION** by M. DeBerardinis, second by S. Disidore to authorize Zator law to engage with Northampton County and School Districts and give the Township’s position in opposition to granting the Tax Assessment appeals. Vote: 5-0.

APPROVAL OF THE BILLS – M. DeBerardinis read the bill list. **MOTION** by S. Newman, second by S. Burns to pay the bills in the amount of \$34,171.07. Vote: 5-0.

CORRESPONDENCE - All correspondence are on file in the Township Office.

REPORTS:

Township Solicitor Report – Written report attached. T. Harper indicated they received the NCCD deficiency letter re: Gravel Hill Enterprises. They will be attending the DEP meeting.

Township Engineer Report -He mentioned revising the Construction cost estimate for the LMBT boat ramp, costs came back at \$416,252.50. J. Coyle mentioned he is working with J. Mauser on the survey of Monaghan lots 1, 2, & 3. They will be coordinating with Washington Township and F. Heitzman to do the work. He received the technical deficiency letter re: Gravel Hill Enterprises and there are a number of significant deficiencies. There has been no response to date and will not be doing a separate review. He will be meeting with S. Newman this week to prepare for the DEP meeting. The LMBT Sandt’s Fire Dept. expansion is going before the PC on Jan. 21st. M. DeBerardinis discussed with J. Coyle residents that experience run off and erosion problems.

Chairman’s Report – No report.

Board Members Reports:

S. Burns - She is setting up a meeting with Charlie Cole and Tatamy Borough, Forks Twp. and Palmer Twp. Re: traffic problems.

S. Newman - The signs were picked up and the Road Dept. will start installing them tomorrow. There was a pre-construction meeting for Bridge #215, 8 bridges have been started last year and still not completed. The Tatamy bridge will not be resuming until April. She suggested to the GPA they not start any more bridges until those are complete. The Board agreed, it's a good suggestion. S. Newman asked about a PA system for the DEP meeting. J. Smethers indicated Colleen will be bringing that. She also asked the website and FB page be updated that this is the Stine Farm Stump Dump. They will have to make a lot of changes based upon the technical review. J. Smethers said she will upload the Gravel Hill documents on the website.

S. Disidore – No report.

J. Mauser - The Boat Launch estimate came back much higher than expected. He asked to reserve 2 dates for the Welcome Center & Pavilion – June 25th for the Delaware River Sojourn and July 24th camping behind Welcome Center by the woods. They will get a camping permit and provide a certificate of insurance.

Township Manager Report – J. Smethers indicated she has been getting estimates for the Upper Mud Run Road repair of the retaining wall. UMRR has a conflict of interest; she is working on getting a 2nd estimate. She also mentioned our Sanitation contract is up this year with Advanced Disposal and the union contract.

Zoning Officer Report – Written report attached.

Road Department Report – F. Heitzman reported they fixed the faucets at the Welcome Center, leaking problem at Centerfield, been doing some patching and did some plowing the day of the snow storm plus usual maintenance and upkeep of equipment.

PUBLIC COMMENT – P. McInerney asked to be included in the meeting to discuss establishing guidelines and criteria to mitigate flooding and erosion problems.

ADJOURNMENT - The meeting was adjourned at 9:50 p.m.

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