

LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES – SEPTEMBER 11, 2023 @ 7:00 P.M.

CALL TO ORDER - The September 11, 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). 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, and M. Mastrogiovanni. There were 12 members of the audience present. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES – AUGUST 21, 2023. There was one revision – remove the courtesy of the floor paragraph. MOTION by J. Mauser, second by S. Burns to approve the minutes as revised. Vote: 5-0.

SUBDIVISIONS / ZONING – None.

OLD BUSINESS

1. Slate Belt Multi-Municipal Comprehensive Plan – S. Disidore reported the steering committee met last Thursday. B. Bradley presented the 3rd draft and schedule of how they will be moving forward. There was no information regarding the intermunicipal agreement, but that would be signed after the adoption of the plan. S. Newman noted Plainfield was not happy with the draft. They are concerned with what is included in future land use map regarding expansion of the landfill. Plainfield wants to make sure the intermunicipal agreement is passed before the plan is approved. A vote was taken to forward the new draft to all municipalities and school Boards once the 45-day comment starts on September 18th. J. Zator explained it's more feasible to expand an existing landfill as in Plainfield, rather than starting from scratch. Plainfield is having their monthly meeting on Wednesday and their 3 Steering Committee members are going to recommend that their Board not sign the plan. S. Disidore noted tentatively the Board of Supervisors along with the Planning Commission can have a Public Hearing on November 20th if so desired.

NEW BUSINESS

2. Gravel Hill Road and Otts Drive –Justin provided the Board with a diagram and photographs of the properties affected by the July flooding event. Justin, Mike, Fred and John have all looked at the road several times and do not see a problem. J. Coyle indicated the Township has done what they need to do as far as drainage, there is no impervious surface, and nothing has changed other than the overlay of the road. F. Heitzman mentioned they paved that road 5 years ago. J. Mauser noted the McEwen property at the site consists of gravel and cobble and that the Huberts put in a drainage system on the East side. There is an ongoing issue with this watershed. J. mentioned the culvert under Richmond Road can handle a 20-year storm, but not storms of greater intensity. M. DeBerardinis mentioned the drainage areas of our infrastructure can't handle it and we have done everything we can possibly do. S. Newman indicated the flow comes over Richmond Rd. and Penn DOT should look into doing something about the undersized pipes. J. Mauser also mentioned this affects residents on Martins Creek Belvidere Hwy. Jen will contact L. Boscola and Ann Flood's office regarding these issues.

3. Completion of Substantial Damage FEMA Assessments – Justin, Anthony, Sandra, Samantha, John and Jen attended a zoom meeting with FEMA/PEMA. They indicated that the township needs to complete Substantial Damage Assessments on the properties that were damaged during the flood that could have over 50% damage.

These assessments need to be completed to ensure that when the properties are being repaired, if they were severally damaged (over 50%), they are fixed according to the new flood ordinance guidelines. Justin, as the Floodplain Administrator, can complete the assessments at a cost of \$3,000 to \$5,000. Justin mentioned it's just the homes, not the outside structures or property. Justin agreed to do the assessments. **MOTION** by J. Mauser, second by s. Newman authorizing J. Coyle to complete the assessment of substantial damage for FEMA. Vote: 5-0.

J. Coyle left the meeting at 7:35 p.m.

4. Martha Posner – Rec. Board Chair. Tabled.

5. Suburban EMS – Letter requesting funding for 2024. Jeff Young, Executive Director for Suburban EMS, submitted their proposal. Mr. Young indicated they have been financially struggling since 2017 and then COVID turned them upside down. They can't get enough EMTs to do transport work. Nursing homes are not full, and they can't get staff. They are living off their reserves and only have about 2-3 more years they can do that. LMBT has a 3-6% call volume, and our contribution is based upon that call volume, and would be \$19,000. He asked that this contribution be considered for our 2024 budget.

Courtesy of the floor

Ron Angle – Richmond Rd. & Ott Dr. – Mr. Angle explained he tried to fix the flooding situation on the road 3 times and spent over \$60,000. There is a crown in the road when paved and there is nowhere for the water to run. The Gabian baskets have held up, but a broader swale would help. Penn DOT put in too small of a pipe and the water has nowhere to go. He is willing to give the township a right-of way to fix the situation. S. Disidore noted homes / roads in the stream banks and the bottom of the stream valley all got hit with torrential flooding. J. Smethers will reach out to State Rep. Ann Flood and Senator Boscolo to see if anything can be done and possibly an engineer can come out. She will update R. Angle if she hears anything.

Jeffrey Matthews – Mr. Matthews asked to discuss 3 topics. He stated he respects the Fire Company and suggested the fire tax go on the ballot for a vote. J. Zator noted we're past the time frame for putting anything on the ballot for the November election. Municipalities can implement a fire tax for fire equipment, or a general tax increase for the Fire Company. Mr. Matthews suggested the township look into grants, donations and possibly check with the power plant if they would be willing to buy a fire truck like they did in the past.

Tax freeze - Mr. Matthews asked about the status of his request to look into a tax freeze for senior citizens. He reached out to our State Representative which gave him information regarding House Bill No. 510, 868, & 91 and State Bill No. 156. These house bills would require the resident to live at least 5 years in the Municipality and be 65+ years of age. J. Smethers did some research before the flood damage, and will research these bills as well. Our Solicitor's opinion was that it's not feasible for a municipality to do this.

Street Lights – Mr. Matthews asked if the \$1,000 that's transferred annually from the St. Light Fund to the General Fund be kept in the St. Light fund. Mr. Matthews presented a petition from his neighborhood to have the 2 post lights that supply Turnquist Estates (Gravel Hill Rd., Mill Rd. and Geraldine Court) be removed so there would be no further billing.

Georgann Clamp – Ms. Clamp mentioned her parents live on 611 and pay for 6 streetlights. J. Smethers indicated the cost is based on frontage. G. Clamp asked about the storm drain on her property and debris and personal items that went into the river. M. DeBerardinis said he is working on the storm drain and will assist in removing debris from the river.

6. Waiver Request of Delinquent Sanitation Fees – J. Smethers explained the family that purchased 8088 N. Delaware Dr. from a Sheriff Sale is requesting a waiver from the delinquent sanitation fees in the amount of \$878.85 (Keystone did not report this to the County before the sale) to be included in the Schedule of Distribution. Jen had contacted Keystone and they indicated they did not have a record of it being sent to the County as she requested but that the buyers are still responsible under the principle of caveat emptor (“buyer beware”).

J. Zator mentioned that before closing, the title company should have all those charges included as part of the Sheriff sale. **MOTION** by M. DeBerardinis, second by S. Disidore to waive the delinquent sanitation charges for 8076 N. Delaware Dr. per the information provided and the fact that the error was made by Keystone Collection. Vote: 5-0. J. Smethers will check our contract with Keystone to see if we have any recourse.

7. Approval of Tennis/Pickleball Court Fencing – J. Smethers indicated we received an estimate from Tri-Boro Fencing Contractors, a Costars Vendor, for the pricing. Justin agrees the estimate was an accurate price. **MOTION** by M. DeBerardinis, second by J. Mauser to award the fence estimate to Tri-Boro Fencing for the Tennis Courts / Pickleball Courts in the amount of \$30,373. J. Smethers asked that a color be picked (black or green). **MOTION** amended by M. DeBerardinis, second amended by J. Mauser that a color to be determined. J. Smethers can move forward with the contract once the color is chosen. Vote: 5-0.

8. Approval to File Suits for 2022 Street Light Delinquencies – J. Smethers noted there are 8 residents that are on the list of unpaid 2022 Street Lights. **MOTION** by M. DeBerardinis, second by S. Disidore to have Amato Keating file the 2022 Street Light Delinquencies. Vote: 5-0.

9. Approval to Sign and Submit EWP Sponsorship Letter – J. Smethers indicated the deadline to submit the letter is September 13th. Per Mark Buckwalter from USDA this letter does not commit us to provide the funding. Jen is still waiting for acceptance from NRCS. She submitted 2 letters to the Board: the 1st one is the model that the NRCS would like us to use, the 2nd one prepared by J. Smethers includes more detail and is worded better to protect the township. **MOTION** by S. Disidore, second by J. Mauser to sign the 2nd letter that J. Smethers recommends and that does not include any commitment of funds or resources by the Township. Vote: 5-0.

10. Approval of Resolution 2023-08 – J. Smethers explained this is a Resolution Authorizing the Application for Northampton County Local Share Account Funds for the purchase of a 2024 4X4 Ram Pickup for the LMB/Sandt’s Eddy Volunteer Fire Company in the amount of \$88,252.00. There will also be another round of LSA grants of up to a million dollars and she can apply for the \$350,000 to use for the truck. There was one typo in the Resolution to be corrected. **MOTION** by S. Disidore, second by S. Newman authorizing J. Smethers to apply for the NORCO LSA grant for the LMB/ Sandt’s Eddy Volunteer Fire Company. Vote: 5-0.

11. Approval of Resolution 2023-09 – A Resolution Authorizing the Application for Northampton County Local Share Account Funds for the Construction of a New Cinder Shed. J. Smethers mentioned this is not enough to cover the cinder shed, but that she will also be putting in for the NORCO grant. **MOTION** by M. De Berardinis, second by S. Disidore authorizing J. Smethers to apply for the NORCO LSA grant for the construction of a new cinder shed. Vote: 5-0.

12. Approval of Resolution 2023-10 – A Resolution Authorizing the Application for Monroe County Local Share Account Funds for the Construction of a New Cinder Shed. **MOTION** by J. Mauser, second by S. Newman authorizing J. Smethers to apply for the MC LSA grant for the construction of a new cinder shed. Vote: 5-0.

13. Trick or Treat – Sunday, October 29th 4-6 p.m. **MOTION** by M. DeBerardinis, second by J. Mauser to set the date for Trick or Treat on Sunday, October 29th 4-6 p.m. Vote: 5-0.

14. MMO Announcement – **MOTION** by S. Disidore, second by S. Burns to acknowledge and announce the estimated pension plan contribution for 2024. Vote: 5-0.

15. Township Website Updates - B. Smith – PC member asked the BOS to consider putting PC agendas & minutes up on the website. We got a cost estimate in the amount of \$900.00 to add all committees to the website to be considered for the 2024 budget. **MOTION** by M. DeBerardinis, second by S. Newman to consider this for the budget. Vote: 5-0.

16. Resolution No. 2023-07 – Amendment to Resolution No. 2012-03 – removing paragraph no. 3 – Courtesy of the Floor. M. DeBerardinis asked to pass this Resolution that would take out Courtesy of the Floor and just have public comment at the end. **MOTION** by M. DeBerardinis to approve Resolution No. 2023-07. S. Newman disagreed with taking Courtesy of the Floor off the agenda, it allows the resident to talk at the beginning instead of waiting until the end of the meeting but stick to the 3 minutes time frame. S. Disidore agreed. M. DeBerardinis agreed if we try to stick to the 3-minute time limit, so we don't hold up the agenda. M. DeBerardinis withdrew his motion.

CORRESPONDENCE - All Correspondence is located in the Township office.

APPROVAL OF THE BILLS – J. Smethers mentioned the bill list is a little higher because of the flood damage; a payment of \$60,509.17 for the sink hole on Del Haven to Charlie Nansteel Excavating and \$40,789.96 includes extra charges for the dumpsters. **MOTION** by J. Mauser, second by S. Disidore to pay the bills in the amount of \$150,092.10. Vote: 5-0. M. DeBerardinis mentioned we will explore opening the road between Del Haven and Hillendale at a later date. J. Smethers is looking into grants for damage to our roads.

REPORTS

Township Solicitor Report – J. Zator discussed House Bill 782; a modification to the Municipal Planning Code which would give regulatory ability to municipalities to address issues and impacts of developments of regional significance. Local governments would have more control over asking for analyses and studies from developers There would be public hearings and mitigation plans, and municipalities could make this a condition of approval. This could force developers to fix future damage and if enacted would be a dramatic change to the MPC.

Chairman's Report – M. DeBerardinis reported Ann Ave. residents are fixing their properties and have been directed to Chris Kulike at PA DEP for permits. On Front Street past Franklin Hill there is a deep ditch on the side of the road. The dumpster on Main Street is full and can be picked up. On Little Creek Rd. the dumpster can't be placed in the road while they are working on the bridge. We need to remind Kirk they cannot block the sides by the guiderails. The Road Dept. is cleaning up behind the Centerfield Building and taking down the fencing.

Board Members Reports

S. Newman – Sandra reported she is still receiving complaints from residents regarding speeding and going thru the stop sign at Richmond Rd. & Ott. Dr. A resident did report this to the State Police, but there has been. Sandra asked if we could get a speed sign approved from Penn DOT. Sandra also asked Jen about the status of the cameras at Gravel Hill. Jen hasn't heard anything and will follow up.

S. Burns – The Recreation Board met and is working on the budget.

S. Disidore – Susan asked about the American Rescue money - when those funds need to be used. J. Smethers noted we have \$211,000 that needs to be spent by the next calendar year. We will discuss allocation during budget discussions. The first budget meeting will be held in October.

J. Mauser – John reported a resident on Alpha Ave. is going to get an emergency permit and has a backhoe to do the work. He will be meeting there with F. Heitzman on September 18th. Darlene Mowrey would like a tree removed by her house on Main Street; no emergency permit is needed. Darlene can use a winch and get permission from the neighboring property owner.

Road Department Report – F. Heitzman reported they have been very busy blacktopping the Garr Rd. intersection, blacktopping Rasley Hill and have placed modified ditches on Little Creek Rd. but haven't yet put the pipe there. On Hahn Rd. Fred would like to establish where the creek bed was. On Klausz Rd. there is a water drainage issue. Fred asked to rent a track hoe to move the material out and put rocks back where they belong with a base & liner. It will take about 1 ½ weeks to clean it out. M. DeBerardinis mentioned we have material that will cut down on our expenditures; the county gave us all the dredging from under the first bridge. Fred will get prices from Plasterer, Bestline and ORE for the rental. J. Smethers can check with Co-star vendors. **MOTION** by S. Disidore, second by J. Mauser to authorize the track hoe rental not to exceed \$20,000. Vote: 5-0. Fred mentioned the garage generator is not working. We will contact the dealer for a technician to come out, it's under warranty.

PUBLIC COMMENT Georganne Clamp asked about incorporating the street light tax in the tax base for all residents.

LMB Fire Company – J. Larrison and George Russo Sr. spoke about the ongoing issues they have been experiencing for years with Suburban EMS and especially the response time being so long. A few years back UMBT had looked into using St. Lukes, but they didn't have enough call volume. Bethlehem Township has 5 trucks and 24/7 coverage. We might want to consider sitting down with UMBT and the Fire Companies to consider going with St. Lukes or some other EMS. S. Newman mentioned this came up at the last COG meeting. J. Larrison indicated he has 2 spare AED machines to give to the township, they just need batteries and pads.

ADJOURNMENT – The regular monthly meeting was adjourned at 9:35 p.m.

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

