

Approved

**LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES
July 13, 2020 @ 7:00 P.M. VIA ZOOM**

The July 13, 2020 meeting of the Lower Mount Bethel Township Board of Supervisors was held via Zoom. 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, Twp. Solicitor, J. Smethers, Twp. Manager and M. Mastrogiovanni, Twp. Secretary.
The Pledge of Allegiance was recited.

APPROVAL OF MINUTES – June 15, 2020. MOTION by J. Mauser, second by S. Burns to approve the minutes as presented. Roll call: M. DeBerardinis – aye; S. Disidore – aye; S. Newman – aye; S. Burns – aye; J. Mauser – aye. Motion passed 5-0.

EXECUTIVE SESSION – July 13th 6:30 – 7:00 p.m. to discuss Legal matters. No action was taken.

COURTESY OF THE FLOOR

1. Joe Guest – He sent a letter regarding ongoing traffic issues on Front Street, its not on the agenda. M. Deberardinis indicated it will be on the next meeting agenda.

2). Richard Wilford Hunt – He lives in UMBT and is on the safety committee working on the Traffic issues. R. Hunt mentioned 750 acres has been purchased by a developer on 611 in Mt. Bethel, they are proposing to put in 3 warehouses in excess of 800 sq. ft. each. Truck traffic will be an increased problem to clear the site, during the development of, and after completed. It will be the operation of a massive industrial park that will be traveling through LMBT.

J. Guest responded that's information he included in his letter; this is a huge ongoing regional issue and needs support of the LMBT BOS to protect the community and rural way of life. S. Disidore asked the status of the project approval. J. Guest responded the developer is in the process of requesting approval of the text amendment from LVPC. That would allow the developer to override the local ordinances. There is a lot of controversy from UMBT residents.

J. Guest indicated he will be attending NC Council agenda this Thursday to discuss truck traffic and LVPC Committee meetings are 7/28/20 & 7/30/20 to consider the text amendment.
The Developer is trying to not do an outside traffic study, but rather it be done in house.

S. Disidore mentioned these are the types of issues they are working on in the Multi-Municipal Comp. Plan, it engages all neighboring communities and zoning.

J. Mauser agreed, the Multi-Municipal Comp. Plan is an ideal tool. J. Zator noted the ultimate decision on the text amendments is exclusively up to the UMBT Supervisors. J. Mauser mentioned the text amendment addresses steep slopes; it's currently 15%, the developer is asking for 25%; that's a significant change. Public Comment by Howard Klein – He suggested the Township write a letter to UMBT reminding them of the settlement agreement we have in place with GHE; that agreement includes a designated truck traffic route.

PRESENTATIONS

1. Bridges / Delaware River Valley Scenic Byway (M. Szoka). She reviewed with the BOS the informal summary of what the bridge inspector found.

- Bridges chosen to be in the project are to be structurally deficient and functionally obsolete.
- The County identified 33 replacements and 5 rehabs based on these criteria.
- Bridge 41 does not meet those criteria, so doesn't know why it's on the list.
- Based upon the bridge inspection done by Penn DOT in 2018, the bridge inspector validates the 71% sufficiency rating; nothing is worse than fair conditions, and the fair conditions is probably because of the crack, which can be easily mitigated by cutting it out and reinforcing it.
- He has seen bridges that are brand new that don't meet the 71% sufficiency rating.
- The scenic by-way designation used County and State funds.

Public Comment by Quentin Carnicelli – He mentioned his attendance at all GPA meetings. Quentin asked if the Township would step in and do something. The Little Creek Road residents have done everything they can. He also mentioned the Rasley Hill Rd. Bridge and all the trees being removed. S. Newman mentioned the residents of Little Creek Rd. have voiced their concerns and the window is closing to do anything. S. Newman would like find out the results from the conference call between Greenman-Peterson and DEP and also the meeting with the County Conservation District. Bridge 195 final design has been reviewed and re-submitted. Public Comment by Jenny Leggett – She would like to see our Solicitor fight for us. S. Disidore asked about the Township's options. Jenny also mentioned that Federal funds were used for the Corridor Management Plans. J. Zator spoke about options the Township might have as far as a demand letter or possible investigation and litigation, but not sure how successful the Township would be at this point. J. Mauser suggested himself and S. Newman meet with Lamonte McClure. **MOTION** by J. Mauser, second by S. Newman to authorize J. Zator to investigate the matter with a cap of spending \$3,000? M. DeBerardinis said if we're going to expend Township funds, we should discuss that in Executive Session. The Board recessed for Executive Session at 8:00 p.m. to discuss further. Re-convened at 8:40 p.m. **MOTION Withdrawn.** J. Mauser explained the Township's financial situation and the probability of being successful is unlikely. The Board decided not to proceed with our Solicitor doing any investigation and incurring any legal fees. The Board needs to support the entire Township and would still suggest a meeting with the County Executive.

M. Szoka asked to present to the BOS a "to do list" to see what can be done. J. Zator mentioned the scenic byway and environmental aspects; the Township might want to ask the County for a compromise as to the design standards of Bridge 195.

SUBDIVISIONS / ZONING - None

OLD BUSINESS - None

NEW BUSINESS

1. Martins Creek Siltation Letter – Pat McInerney indicated the EAC met on June 8th and they are requesting the township send the chronicle of effects of the heavy siltation that occurred in Martins Creek due to the Flicksville bridge replacement project work to the Northampton County Conservation District, the Pennsylvania Fish and Boat Commission, the Pennsylvania D.E.P., and Kriger Construction. The Board agreed to send the document.

2.Resolution Establishing the Delaware River Valley Scenic By-way Advisory Committee.

MOTION by S. Newman, second by J. Mauser to establish a Scenic Byway Advisory Board consisting of 5 members. J. Smethers will post the request for members on the Website and Facebook page. Roll call: M. DeBerardinis – aye; S. Disidore – aye; J. Mauser – aye; S. Newman – aye; S. Burns – aye. Motion passed 5-0.

3.UMBT Softball Request to Use Riverton Field and Waive the Fees. This is their annual request.

J. Zator indicated individual waivers are good to have in addition to their certificate of insurance. J. Smethers indicated she has some examples of waivers; we can choose one for individual players to fill out in addition to the Rental agreement and COVID-19 waiver. **MOTION** by S. Disidore, second by J. Mauser to approve UMBT’S Softballs request to use Riverton Field and waive the fees with the contingency they fill all the paperwork out as required including the COVID-19 waiver and individual waiver per player and provide Certificate of Insurance. Roll call: M. DeBerardinis – aye; S. Disidore – aye; J. Mauser – aye; S. Burns – aye, S. Newman – aye. Motion passed 5-0.

4.Sanitation Contract – The Board will hold an Executive Session on August 3rd before the meeting to discuss. Tabled.

OLD BUSINESS

1.Fire Company Annual Car Show at Riverton. Darlene Mowrey was present on Zoom. She indicated there are over 150 cars in the show, plus vendors, they would be most likely be over the 250 people guidelines, however they are not all there at one time. There was discussion about modifying the event this year with guidelines to be set such as 1). Limit cars registered, 2). One person per car, 3). Fire Dept. provide all food, no vendors. J. Guest suggested putting together a Health & Safety plan similar to Easton Market; limit people one way in - one way out, keep track of people with a clicker, monitor field and a strategy for social distancing, mandatory masks required and spread cars out. Public Comment by Phil Landry – He agreed with a safety plan in place, maybe they could pre-register, keep track of number of people and enforce masks. The Board asked D. Mowrey her thought on modifying the event this year, if they would be inclined to scale it down and do it differently this year with guidelines in place. Darlene said it would be hard to modify the event and restrict the number of cars / people. Also, the Fire Dept. cannot cook all the food for that many people, they would need the vendors.

MOTION by J. Mauser, second by S. Disidore to postpone the Car Show for 2020 due to COVID-19. The Board suggested the Fire Dept. hold alternate fundraisers. Roll Call: M. DeBerardinis – aye; S. Disidore – aye; J. Mauser – aye; S. Newman – aye; S. Burns – aye. Motion passed 5-0.

2.Easement Agreement 5888 Upper Mud Run Road – Joe Guest and Amy Roth. Joe Guest was present on Zoom. M. DeBerardinis asked J. Guest if he has reviewed the Easement Agreement and if it’s acceptable. J. Guest said “yes “and it’s acceptable as written. **MOTION** by J. Mauser, second by M. DeBerardinis to approve the Easement agreement between Joe Guest / Amy Roth and Lower Mount Bethel Township. Roll Call: M. DeBerardinis – aye; S. Disidore – aye; S. Newman – aye; S. Burns – aye; J. Mauser – aye. Motion passed 5-0.

3. 2020-2021 Hunting Permit – J. Mauser indicated 200 permits were given out for last year and 20 deer were reported as harvested. There were no issues with the permitting process with Talen and the Township. Talen is willing to continue to partner with LMBT. J. Mauser recommended to the Board that LMBT continue this partnership.

MOTION by M. DeBerardinis, second by S. Newman that we continue the Martins Creek, LLC (Talen Energy) & Lower Mount Bethel Township Joint Archery Hunting Permit allowed at the JMT, and Meadows at Martins Creek. M. DeBerardinis asked J. Mauser to see if we could add one Sunday, November 15th. John said he will check into it. Roll Call: S. Disidore – aye; S. Newman – aye; S. Burns – aye; J. Mauser – aye; M. DeBerardinis – aye. Motion passed 5-0.

APPROVAL OF THE BILLS – J. Smethers read the bill list totaling \$37,125.23. **MOTION** by J. Mauser, second by M. DeBerardinis to approve paying the bills. Roll call: M. DeBerardinis – aye; S. Disidore – aye; J. Mauser – aye; S. Newman – aye; S. Burns aye. Motion passed 5-0.

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

REPORTS

Chairman’s Report – M. DeBerardinis reported the Fairview Ave. project is underway. J. Coyle, Twp. Engineer has been overseeing the project and is moving smoothly. Road Dept. is doing good.

Board Members Reports – S. Newman spoke to P. Landry about Angle driveway; he is making headway with Dean Ritter’s Environmental Engineer – David Matcho. S. Newman mentioned the Bi-State Summit Rockwall Mitigation, meeting is scheduled for July 22nd. The Township has asked for information regarding truck routes and traffic coming down Route 611 from Route 80.

J. Mauser – No report.

S. Disidore – No report.

S. Burns – She suggested a box food sale as a fund raiser for the Fire Dept. with the Rec. Boards assistance. We can front the money and then reimburse the Rec. Board.

Township Manager Report – Written report attached. The County is opening up another grant for COVID-19 reimbursement. The Board gave J. Smethers permission to apply.

Township Solicitor Report – Written report attached.

Township Engineer Report – Written report attached.

Zoning Officer Report – Written report attached. The Board discussed Kaplin’s request to have an in-person Zoning Hearing Board meeting. J. Zator indicated if their willing to give a continuance, then they shouldn’t force Kaplin to have a virtual meeting.

Road Department Report – M. DeBerardinis reported under Chairman’s report.

PUBLIC COMMENT – None.

ADJOURNMENT – The meeting was adjourned at 10:23 p.m.

Respectfully Submitted

Melissa Mastrogiovanni, Township Secretary - Lower Mount Bethel Township