

approved

**LOWER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS  
WORKSHOP MINUTES  
MAY 17, 2021 @ 7:00 P.M. VIA ZOOM**

**CALL TO ORDER** - The May 17, 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 7:15 p.m. In attendance were M. DeBerardinis, S. Disidore, S. Newman, J. Mauser, S. Burns, J. Snook, J. Smethers, Twp. Manager and M. Mastrogiovanni, Twp. Secretary. There were 2 members of the audience present on the webinar. The Pledge of Allegiance was recited.

**EXECUTIVE SESSION** There was an Executive Session held from 6:00 p.m. – 7:15 p.m. for Legal matters. No action was taken.

**APPROVAL OF MINUTES – May 3, 2021. MOTION** by J. Mauser, second by S. Disidore to approve the minutes of May 3, 2021 as submitted. Roll Call: S. Newman – aye; J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; S. Disidore – aye; S. Burns – aye.

**COURTESY OF THE FLOOR – None.**

**OLD BUSINESS**

**1.Fire Co. Land Development Update** – George Russo, Jeff Larrison & Nick Alfero were present on the Zoom. G. Russo gave an update on the status of the building addition and HOP permit. They have B. Isset as their engineering firm now. He explained the issues they had last year with multiple rescue calls on the River and having to use UTV for search and rescue; however it takes longer to answer these calls because the rescue boat is at Station 2 on Foul Rift. They indicated the permit is taking way too long, and asked the Board to help move along the HOP permit or possibly consider waiving the requirement for the HOP permit. J. Smethers noted the HOP permit is in Penn DOT’s hands, that’s the only requirement left for them to meet. G. Russo asked if we can ask the Township Engineer and Solicitor if this requirement can be waived. Public Comment by Rich Grucela – they might want to reach out to Mario Scavello and Joe Emrick to see if they can contact Melissa at Penn DOT to put pressure on the Secretary of Transportation & Fire Commissioner. G. Russo mentioned other municipalities (Bushkill Twp. and others) have waived the requirement for the HOP permit The Board asked them to provide information on what municipalities have waived that requirement and details.

**2.Zoning Ordinance Updates** – J. Snook was present on the Zoom. John reviewed his email questions & Comments with the Board. At a prior meeting, S. Disidore had asked about problems of no riparian buffers for “CAPZO” (agricultural) properties. J. Snook suggested, rather than create another definition and applicability for a reduced width riparian buffer, you might wish to consider applying regulation of “Zone One: Inner Riparian Buffer” only to properties larger than 12 acres and continue to exclude them from regulation of “Zone Two: Outer Riparian Buffer.” J. Snook explained the difference between Zone one and Zone Two. J. Snook suggested Zone 1; or leave it alone and address it in the future.

S. Newman discussed AG. property being converted in all one swoop to Industrial; we might want to consider not doing that all at once and proceed at a slower pace. P. McInerney indicated we need to make sure we have Industrial growth where we want it to be; keep development on the riverside of Martins Creek Belvidere Hwy. The PC will review this at their meeting Tuesday, May 18<sup>th</sup>.

J. Snook indicated at a prior meeting; Sandra Newman had suggested an annual fee for operation of a Mobile Home Park. John suggested adding this as a requirement for annual renewal of a use and occupancy permit. The reference to a fee is stated as “any required fees for such permit that may be adopted by resolution of the Board of Supervisors have been paid.” John indicated he added similar language to the annual permit requirements for “Accessory Agricultural Commercial Uses or Agritourism,” “Bed & Breakfast,” “Heliport or Helipad,” “Short Term Lodging Facilities,” “Special Event Venue,” and “Temporary Event.” Such language was already included for “Campground.” P. McInerney said it seems reasonable and likes the consistency for all. The Board agreed.

J. Snook referred to a recent Zoom BOS meeting he attended, at which the Board agreed to limit any increase in the area devoted to a nonconforming use to no more than 25 percent above its original size. He made this change in Section 1604.A. He asked the Board if they want to change a similar provision for “nonconforming structures” in Section 1605.A, which is still set at 50%; John suggested making these provisions consistent. The Board agreed.

J. Snook indicated we refer somewhat interchangeably to “zoning permits” and “use and occupancy permits.” Should we be consistent? He explained the only difference is that some zoning permits are for temporary activities such as “Temporary Event.” Most others still deal with use and occupancy on a more than temporary basis, including “Accessory Agricultural Commercial Uses or Agritourism,” and “Special Event Venue.” The Board agreed. P. North asked that Article XV111 - ZHB is consistent with Article 17 – Special Use Provision. J. Snook indicated the last things he needs to do are put all articles in corrected format and do all final references.

J. Snook reviewed with the Board literature he provided on The Adaptive Re-Use of Resource Depleted Quarries. He indicated our currently zoning language is very broad. S. Newman asked J. Snook about the Federal Government and PA State passing a depleting plan for quarries. J. Mauser indicated Quarries need to put another use; its easy to turn them into Fishing and Boating quarries. He mentioned an ongoing problem at an East Bangor Quarry with dirty fill being brought in from New York & New Jersey. Finding compatible uses is extremely important. Stabler found a viable use; Crane is problematic, but could be re-used. J. Snook indicated all quarries are required by DEP to have a plan for re-use.

**3.Leaf Vac** – S. Newman updated the Board on the leaf vac. She indicated we were unaware the bidding process was changed from 3 bidders to 2 (Plainfield and Wind Gap put in a joint bid) and asked the Board’s support to ask the COG to reconsider the price. **MOTION** by S. Disidore, second by J. Mauser to ask the COG to reconsider their decision-making process for the sale of the 2-leaf vacs in light of the fact the number of interested bidders had changed. Also, ask the COG to revise our bid to an equal sum similar to the other bid they received. S. Newman can negotiate on behalf of the Township. Roll Call: S. Newman – aye; J. Mauser – aye; S. Burns – aye; S. Disidore – aye; M. DeBerardinis – aye. Vote: 5-0.

## **NEW BUSINESS**

**1.Appointment of ASA Committee Members** – J. Smethers indicated the EAC members agreed to also be the ASA committee (Bill Humphries, Pat McInerney & Bill Richards agreed, the other 2 were not at the meeting). Those 3 will submit their letters of interest. We can also post on the website if anyone else is interested. The Board agreed to do a Resolution establishing 5 members. We don’t need to appoint members for the current application submitted (Klein / Newman). Jen will prepare the Resolution for approval at the June 7<sup>th</sup> BOS meeting.

**2.Resolution 2021-07** – A Resolution Setting Forth Procedures to be Utilized in the Selection of Individuals for Professional Service Contracts pursuant to Act 44 of 2009 (The Municipal Pension Plan Funding Standard and Recovery Act). **MOTION** by S. Newman, second by S. Burns adopting Resolution 2021-07 Roll Call: S. Newman – aye; J. Mauser – aye; S. Burns – aye; S. Disidore – aye; M. DeBerardinis – aye; S. Disidore – aye. Vote: 5-0.

**3.Resolution 2021-08** – A Resolution Appointing the Township Manager as the Chief Administrative Official of the Non-Uniformed Pension Plan. **MOTION** by J. Mauser, second by S. Disidore adopting Resolution 2021-08. Roll Call: S. Newman – aye; J. Mauser – aye; S. Burns – aye; M. DeBerardinis – aye; S. Disidore – aye. Vote: 5-0.

**4.Amendment #2** – Non-Uniformed Employee’ Money Purchase Pension Plan, Employee Contribution Limits. **MOTION** by J. Mauser, second by S. Disidore amending Page V (1), Article V, Section 5.1 Employee Contributions. Roll Call: S. Newman – aye; J. Mauser – aye; M. DeBerardinis – aye; S. Burns – aye; M. DeBerardinis – aye; S. Disidore – aye. Vote: 5-0.

**5.Covid-19 Reopening Discussion** – J. Smethers indicated the Governor’s Emergency Disaster Declaration Expires on May 19<sup>th</sup>, however according to PSATS, municipalities can have stricter rules. **MOTION** by M. DeBerardinis, second by J. Mauser effective June 1<sup>st</sup>, we open the Centerfield Building, Gym, Welcome Center restrooms and go back to in person meetings. **MOTION** amended by M. DeBerardinis, second amended by J. Mauser effective June 1<sup>st</sup>, we also go back to all normal activities. Roll Call: S. Newman – aye; J. Mauser – aye; S. Disidore – aye; M. DeBerardinis – aye; S. Burns – aye. Vote: 5-0.

**APPROVAL OF THE BILLS - MOTION** by M. DeBerardinis, second by S. Disidore to pay the bills in the amount of \$37,338.72. Roll call: S. Newman – aye; J. Mauser – aye; S. Disidore – aye; M. DeBerardinis – aye; S. Burns – aye. Vote: 5-0.

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

## **REPORTS**

**Chairman’s Report**– M. DeBerardinis had no report.

### **Board Members Reports**

**J. Mauser** – John Mauser reported there are ongoing negotiations with M. Jackson of Talen regarding the pavilion. The survey is complete and shows a Subdivision is needed. They are agreeable to do the subdivision.

**S. Newman** – Sandra will keep the Board updated the status of the leaf vac. There is a June 7<sup>th</sup> meeting scheduled for an update on the Rt. 80 Rockwall Mitigation project.

**S. Disidore** – No report.

**S. Burns** – No report.

**Township Manager Report** – J. Smethers indicated we received our annual letter from the Martins Creek Athletic Association. They are requesting \$1,700 for the 2021 season for mowing the field; the money is already allocated in the budget. M. DeBerardinis asked about the mowing contract. R. Grucela said cost depends on the number of cuttings. The Board was ok with keeping the budget the same and pay the grass cutting bills up to \$1,700.00. R. Grucela indicated they are going to be doing fundraising; their first game is scheduled for 5/23/21.

J. Smethers indicated the Fire Dept. budget for legal costs of their Land Development plan is depleted; \$10,000 was allocated, but now it's negative \$1,114.05. **MOTION** by M. DeBerardinis, second by J. Mauser to add \$4,500.00 to the Fire Company Land Development budget; \$2,500 to be taken from the Capital Reserve undesignated funds – line item 48.347.00. Roll Call: S. Newman – aye; J. Mauser – aye; S. Disidore – aye; M. DeBerardinis – aye; S. Burns – aye. Vote: 5-0.

J. Smethers updated the Board on the online payments and the PSATS American Rescue Plan. She asked the Board about buying a small laptop for online payments and also for meetings. The Board agreed. Jen indicated the newsletter was mailed.

J. Mauser reported we received positive comments regarding The Meadows. S. Newman asked R. Grucela for an update on the last IDA meeting. R. Grucela responded there are ongoing negotiations with the developer. The next IDA meeting is in July in person. S. Newman asked R. Grucela if the agreement will be ready to vote on at the next meeting. Rich said it won't be ready. Rich mentioned it could bring in a million dollars in school tax relief.

**Road Department Report** – No report.

**PUBLIC COMMENT** – Rich Grucela asked about getting and putting up on 611 4 signs that say “Village of Martins Creek”. Community members are willing to pay for the signs. M. DeBerardinis will find out what were allowed to do on state roads.

**ADJOURNMENT** – The Board of Supervisors Workshop meeting was adjourned at 9:30 p.m.

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