

LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES – SEPTEMBER 9, 2024 @ 7:00 P.M.

CALL TO ORDER - The September 9, 2024, regular meeting of the Lower Mount Bethel Township Board of Supervisors was held at 6984 S. Delaware Drive, Martins Creek, Pennsylvania, 18063 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, C. Cook, D. Ascani, J. Mauser, J. Smethers, M. Mastrogiovanni, J. Zator, & C. Briglia from Carroll Engineering. There were approximately 8 members of the audience present. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES – August 5, 2024. Edit to page 2, #2 – remove J. Mauser’s name, he did not attend the meeting. **MOTION** by J. Mauser, second by D. Ascani to approve the minutes as revised. Vote: 5-0.

COURTESY OF THE FLOOR

Howard Klein – Welcome Center Gardens signage. H. Klein indicated a lot of work has been done at the Jerry Brunetti building and butterfly garden. Howard shared pictures of the signage there and signs from the UMBT park. The rules signs by the playground area at the lower section are very worn out and need replacing. There are no signs at the top about keeping dogs on a leash. He would also like to put on the sign no cutting of the flowers and an additional doggie bag station placed at the top by the building. The Board had no objection to getting new signs.

Martha Posner – Bio-solids & Display Case at Centerfield. M. Posner shared an article with the BOS regarding PFAS in bio-solids. Martha mentioned how serious of an issue this is considering our township is all wells and there is no way to get it out of our water system. Martha talked about the Rec. Board working with the museum to have a locked display case at Centerfield with heirlooms & artifacts. The BOS would need more information and expressed concern with renting out the Centerfield Building for parties and protecting these valuable items from getting damaged. H. Klein noted a letter will be coming from B. Humphries, EAC. S. Disidore suggested maybe coordinating with other Municipalities to set up a meeting for collaborate sending letter to state reps.

SUBDIVISIONS / ZONING

1. Bush Lot Line Adjustment – R. Dentith, Stateline Engineering. Ryan reviewed the plan with the BOS. The applicant proposes to consolidate 1.1603 acres from an existing 50.47 acre parcel (F11-10-4) with an existing 1.985 acre parcel (F11-10-2), creating a 3.1453 acre lot. The existing 50.47-acre parcel will decrease to 49.31 acres and remain as an agriculture field. There is no proposed construction at this time. Ryan reviewed the Engineers letter with the BOS. They are seeking (2) two waivers, but withdrawing 22-403.2H which requires the location map be at a scale of 1”+ 1,000’ or larger; 2nd waiver 22-403.2.O. The Planning Commission gave Conditional Approval of the plan, pending a favorable review by the Alternate SEO and compliance with #8 of the Township Engineer’s review letter pertaining to the preservation easement exclusion area, in which they have provided a copy of the plan.

The Alternate SEO has recommended it's in the Township's best interest to perform additional soils testing to verify that there is a replacement system on the expanded lot. There was discussion about this requirement and whether the Township should grant the waiver for additional testing of a secondary or reserve on-lot sewage treatment facility.

J. Zator discussed with the BOS a deferral option, that any building permit submitted or enlarging of the home could require a secondary septic system and testing, before any permit would be issued, and also noted that a deferral can be called in at any time by the Township.

MOTION by J. Mauser, second by D. Ascani to grant Conditional Approval of the Bush Lot Line Adjustment contingent upon the map being re-drawn showing the appropriate scale; and deferral being show on the plan that any building permit submitted for expansion of home could require, in the discretion of the Board of Supervisors, additional testing for a secondary septic system and/or at the discretion of the elected officials, the deferral could be called in, at any time; additionally approval is based upon the review letter of the Township Engineer dated 8/13/24. Vote: 5-0.

OLD BUSINESS

1. Resolution 2024-12 – Amending the Fire Apparatus and Vehicle Use Agreement with LMB/Sandt's Eddy Volunteer Fire Company adding the new Silverado QRAS truck.

MOTION by M. DeBerardinis, second by J. Mauser approving Resolution 2024-12. Vote: 5-0.

2. Discussion/Authorize Township Solicitor to Amend Ordinance 2011-06 to Add Act 115

Revisions –J. Smethers reached out to Lorne Possinger and he believes Act 115 was meant for properties acquired with EIT, however it's still a grey area that our Open Space ordinance doesn't address. Jen also reached out to S. Coburn from PSATS but didn't hear back from him. According to the act, we could use up to 25% of the annual revenue to develop, improve, design, engineer and maintain property acquired pursuant to this act for open space benefits. The Road Department time sheets would need to be more specific for payroll every week. J. Zator reviewed his opinion with the BOS regarding Act. 115. J. Mauser noted we should follow Act 155 for only what's its intended for. **MOTION** by M. Deberardinis, second by S. Disidore to authorize the Township Solicitor to amend Ordinance 2011-111 adding Act 115 revisions. Vote: 5-0.

3. Pension Administrator Appointment – Jen indicated we only received one proposal and it is from PSATS. Jen had many questions for the rep. which have been answered and she is comfortable moving our pension accounts to PSATS. **MOTION** by J. Mauser, second by S. Disidore to appoint PSATS as the township pension administrator effective in the new calendar year 2025. We will need a resolution and have J. Zator review the final pension documents. Vote: 5-0.

4. Centerfield Park Benches - The paint is peeling off the benches at the Centerfield School. J. Mauser indicated he had planned on replacing all the benches. There was discussion about maintenance of the benches or replacement. To be discussed further during J. Mausers presentation under reports.

NEW BUSINESS

1. Resolution 2024-13 – A Resolution Establishing Policies for Anonymous Right to Know Requests - MOTION by M. De Berardinis, second by C. Cook approve Resolution 2024-13 Establishing Policies for Anonymous Right to Know Requests. Public Comment – anonymous resident. Right to know is required to redact names and addresses for Judges and Law Enforcement Officers. J. Smethers indicated she follows that redaction requirement and if unsure about something, she refers to the Township Solicitor for his opinion. Vote: 5-0.

2. Approval of Right to Know Policy Including Fees – J. Smethers indicated this policy addresses the requirement for all requests and establishes the fees which are per the state guidelines. **MOTION** by J. Mauser, second by D. Ascani to approve the Right to Know Policy Including Fees. Vote: 5-0.

3. Approval of Land Use Indemnification Agreement – J. Smethers indicated this is the agreement with NESL allowing the township to use Pacchioli Field for Movies in the Park and she took care of the insurance requirements. **MOTION** by M. DeBerardinis, second by J. Mauser to Approve the Land Use Indemnification Agreement with NESL. Vote: 5-0.

4. Discussion/Approval WM Automated Recycling Requiring Toters for All Residents – Waste Management is requesting that the township approve recycling collection all automated. All residents would need to have a recycling toter. There are about 150 residents that would need a recycling toter and WM would supply them at no cost to the residents or the township, they have 96, 64 and a few 32-gallon toters that they could distribute. M. DeBerardinis asked if there are any cost savings to us? J. Smethers will reach out to WM and ask them. Tabled.

5. MMO Announcement – This is the annual announcement of the estimate pension plan contribution for 2025. **MOTION** by S. Disidore, second by M. DeBerardinis to acknowledge and announce the estimated pension plan contribution for 2025. Vote: 5-0.

6. Resolution 2024-14 - Approving Updates and Revisions to the Emergency Operations Plan. MOTION by M. DeBerardinis, second by C. Cooke to adopt Resolution 2024-14. Vote: 5-0. The BOS will review the EOP and NARM at a Workshop.

7. Cell Phone Tower at Public Works Garage Discussion - J. Smethers indicated she met with Larry Romanowski, the owner of P3 Tower to discuss interest in placing a cell phone tower at the garage. Jen discussed the details of their proposal and the revenue it could bring in. There was discussion about the location, space and frequency waves causing any risks of cancer. The Board indicated they are not interested.

8. Approval to Send 2024 Street Light Delinquencies to Collection - J. Smethers noted there are 20 residents that are currently unpaid. **MOTION** by M. DeBerardinis, second by S. Disidore to send the 2024 Street Light Delinquencies to collection. Vote: 5-0.

9. Trick or Treat Date - The BOS discussed what date to set Trick or Treat Sunday, October 27th or Thursday, October 31st – set the date. **MOTION** by M. DeBerardinis, second by S. Disidore to approve Trick or treat for Thursday, October 31st from 5-7 p.m. Vote: 5-0.

CORRESPONDENCE- All Correspondence is located in the Township office.

APPROVAL OF THE BILLS- MOTION by J. Mauser, second by C. Cook to pay the bills in the amount of \$209,614.13. Vote: 5-0.

REPORTS

Township Solicitor Report – Written report submitted, no further comments.

Township Engineer Report - C. Briglia reported they met at the Martins Creek Belvidere Hwy. culvert crossing with the Township, Penn DOT and Northampton County Conservation District on August 22nd; it was a very productive meeting. Penn DOT will be doing a temporary repair with a pipe larger in diameter. A box culvert needs to be constructed at some point and coordinated with the Township and application needs to be made to the Township, Northampton Conservation District and neighboring property owners. Jen will be doing the paperwork to get the township on the TIP list.

Chairman’s Report – None.

Board Members Reports

J. Mauser – J. Mauser did a power point presentation. Slides showed pictures of the Welcome Center and Butterfly Gardens.

- Centerfield benches – They need painting and possibly replacing. The Garden Club sold sponsorships to various residents and we are unsure how much money the Garden Club collected. J. Pilyar stated he can’t recall what money they collected, but the money was used for the fence around the playground. J. Mauser had collected \$500.00 for a memory bench. 4 benches need to be replaced; but we are in a dilemma with those plaques placed on those benches. D. Ascani suggested we paint and maintain; the Garden Club had stepped away from maintenance of the benches and Centerfield Park. J. Mauser suggested they be on a base and possibly move some of the locations; but not before winter we can deal with this in the spring. S. Disidore suggested we remove the plaques and transfer them over to the new benches.
- Riverton – Signage should be painted signs vs cut letter signs. A Baylor should be installed and parking at the 1st spot is an issue with vehicular traffic and pedestrian traffic. Would like to see parking lot re-paved and re-striped.
- Sycamore pipe storm water run off to Delaware River; agreed is wetland area, less than \$6,000 for building and wetland signs.
- Dirt pile has been moved, Shannon and Mark did a great job.
- Slides presented of vegetation at parking lot barriers, Welcome Center gardens, roof vegetation and butterfly gardens. There is a small sinkhole at the pathway.

D. Ascani - Dave asked to schedule a road trip with the Supervisors and Zoning Officer to ride around township roads to look at various issues. J. Smethers will tentatively schedule for Thursday, 10/24/24.

Chairman’s Report - M. DeBerardinis reported somebody paved a swale on 3rd Ave and Abbruzzi by the stop sign next to the 3rd home.

C. Cook – No report.

S. Disidore – No report.

Township Manager Report - J. Smethers asked the Board to pick a color for the cinder shed. Jen indicated she had a risk assessment meeting with the insurance company, and it went well, staff just needs to watch sexual harassment videos. Jen had a conference call with Gov. Shapiro's office regarding repair of Little Creek Rd., Upper Mud Run Rd. and Old Franklin Hill Rd. Camera's are going in at Gravel Hill Rd. some time this week.

Jen, John & Dave attended the check presentation with Lamont McClure and Sherry Acevedo for the grant we received in the amount of \$75,000 for the LMBT Trail System Storm Drainage Reconstruction Project.

Traffic control for Election Day – Jen is looking into renting digital signs and ask Penn DOT's permission to put them up on 611. The Fire Dept. is not interested, it's way too dangerous. The State Police said they will travel through. Dave will get contact for Traffic Control Services.

Road Department Report – F. Heitzman reported they repaired the Ford, moved the dirt pile, dug out the entrance at the pickleball court and blacktopped, dug out the bocce ball area that was overgrown, and did maintenance of the JMT and Meadows.

PUBLIC COMMENT – J. Matthews commented on the biosolids topic. DEP should be called regarding air and quality issues. DEP sets the perimeters for testing and should be contacted.

ADJOURNMENT – The regular monthly meeting of the Board of Supervisors was adjourned at 9:40 p.m.

Respectfully submitted,
Melissa Mastrogiovanni, Township Secretary - Lower Mount Bethel Township