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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, MAY 13, 2024 – 7:00 PM

\*This meeting was held in person and live streamed through the Upper Mount Bethel Township Facebook page.

**I.**

Supervisor Bermingham called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

In attendance were Supervisor Bermingham, Supervisor Friedman, Supervisor Eckman, Supervisor Albert, Supervisor Erler, Township Solicitor Karasek, Township Engineer Coyle, and Township Manager Graziano.

**II.**

**APPROVE THE AGENDA**

**MOTION** by Supervisor Friedman to approve the agenda, seconded by Supervisor Albert. Vote: 5-0.

**III.**

**PUBLIC COMMENT**

Ron Angle, Million Dollar Hwy., commented on appointing the Alternate Solicitor to represent the BOS involving the municipal water/sewer authority and why is he present at the Zoning Hearing Board Meetings representing the Township when the ZHB already has a Solicitor. Supervisor Bermingham stated that he is the BOS outside counsel.

**IV.**

**CONSENT AGENDA**

1. April 8, 2024, Meeting Minutes
2. April 22, 2024, WS Meeting Minutes
3. April 29, 2024, Special Meeting Minutes
4. Exonerations/Refunds

**MOTION** by Supervisor Friedman to approve the Consent Agenda, seconded by Supervisor Erler. Vote: 5-0.

**V.  
FINANCIALS**

1. Bill List-Manager Graziano read the bill list. **MOTION** by Supervisor Eckman to pay the bills in the amount of \$378,568.16, seconded by Supervisor Friedman. Vote: 5-0.

**VI.  
SUBDIVISIONS**

1. Lot Line Adjustment-Kyle Dutt/Jeffrey Dutt-Solicitor Karasek discussed the Lot Line Adjustment plan and stated it was reviewed and recommended for approval by the Planning Commission. Solicitor Karasek discussed the Agreement for Conditional Plan approval, which has been agreed to by the applicant. Ryan Dentith, the applicants planning official, was present. Engineer Coyle stated that the plan is recommended for conditional preliminary/final plan approval. **MOTION** by Supervisor Albert to approve the Conditional Preliminary/Final Lot Line Adjustment plan, seconded by Supervisor Friedman. Vote: 5-0.

**VII.  
ACTION ITEMS**

1. Resolution No. 2024-10 Fidelity Investment Policy-Solicitor Karasek stated that he did not prepare this Resolution. The General Investment Policy was prepared and approved and he will prepare a Resolution listing Fidelity as the investment plan financial planner. If the Board wishes to make a motion, he will prepare the Resolution for signatures. **MOTION** by Supervisor Friedman to approve Resolution No. 2024-10, seconded by Supervisor Erler. Vote: 5-0.
2. Heritage Conservancy Appraisal-Manager Graziano is looking for approval for one of the Open Space projects that is currently going on but he cannot disclose the property. The maximum amount is \$2,800, which comes out of the Open Space fund. Solicitor Karasek stated that he has not reviewed this one but has seen many over the years and it does not appear to be anything extraordinary.
3. Heritage Conservancy Contract-Manager Graziano stated this is through December 31<sup>st</sup>. Solicitor Karasek stated that the Board can approve both the Heritage Appraisal and Heritage Contract and if after he reviews them and there is something extraordinary or unforeseen unexpected provision, then it could be put back on the agenda for review/approval. **MOTION** by Supervisor Birmingham to approve to Heritage Conservancy Appraisal and the Heritage Conservancy Contract, barring no unforeseen terms that are written in the agreements, seconded by Supervisor Friedman. Vote: 5-0.

**VIII.  
TABLED ITEMS**

1. IT/Website-Supervisor Birmingham stated that the discussion tonight is whether we go with Topps Company to compare prices/services. Stavros currently maintains the website and IT department. **MOTION** by Supervisor Friedman to table this until the June 10<sup>th</sup> meeting in order to have a conversation with the

- office staff and Stavros, seconded by Supervisor Eckman. Vote: 5-0.
2. Material Bids-Manager Graziano stated that we advertised for bids for materials a second time and received only one bid for materials and one bid for fuel. Reimer Bros was only one that submitted a fuel bid. Manager Graziano recommends approving the fuel bid. **MOTION** by Supervisor Friedman to accept Reimer Bros fuel bid, seconded by Supervisor Albert. Vote: 5-0. Manager Graziano stated that Heidelberg Materials was the only one that submitted a bid for materials and even though they were the only bid, their prices are high, where we get the same material a little cheaper in Easton with COStars. Manager Graziano would like to know if we can deny the bid and purchase from COStars. Solicitor Karasek will have to review the advertisement. **MOTION** by Supervisor Friedman to table, seconded by Supervisor Eckman. Vote: 5-0.
  3. Feasibility Study/Act 537 Plan-**MOTION** by Supervisor Bermingham to table until they discuss with the outside council, seconded by Supervisor Friedman. Vote: 5-0.

## **IX.**

### **NEW BUSINESS**

1. Truck 21-Manager Graziano stated that this truck is a 2008 and was planning on replacing it with a grant. Due to grants taking over a year to get approved and funded he would like to replace it now. It will not pass inspection and not safe to drive. Manager Graziano spoke with Supervisor Friedman on five bids he received. Supervisor Friedman stated that truck 21 needs to be replaced and recommends purchasing the truck, a 2025 Chevy Silverado 3500, crew cab, with a utility body for \$70,916.00. **MOTION** by Supervisor Erler to purchase the truck as described, seconded by Supervisor Friedman. Vote: 5-0.

## **X.**

### **PUBLIC COMMENT**

Jim Potter, Audubon Dr., commented on the intent of the COSTARS program and looking into government misconduct through the ethics commission.

Ron Angle, Million Dollar Hwy., commented on using the term "outside council", how much was budgeted for outside council, and why the need for outside council to attend ZHB meetings when we already have a ZHB Solicitor.

Eleanor Shelton, Heiden Rd., commented on the legal matter around the Act 537 Plan. Supervisor Bermingham stated the RPL lawsuit.

## **XI.**

### **ANNOUNCEMENTS**

Manager Graziano stated that whoever is golfing at the Park, please pick up the golf balls.

Supervisor Albert announced the Township clean-up day went very well, thank you to all that participated.

Supervisor Friedman announced the Well Ordinance Committee had their meeting and in attendance was a well driller who came up with some good ideas that will be incorporated into the Ordinance. Also attend a ZOOM meeting on the I80 Rockfall, they are in the preliminary stages of studies.

Manager Graziano provided an update on the bathrooms at the Park. Things are moving ahead smoothly, projected to be done by June. The Liberty-Trail committee is looking for another member.

Supervisor Bermingham announced that they are in the beginning stages of planning the annual 4<sup>th</sup> of July parade, fireworks at the Park on July 6<sup>th</sup>, thank you to those who donated to Pete and Ingrid Reisen, who are temporarily living in Stroudsburg due to a fire at their home, the community wide special meeting will be held May 23<sup>rd</sup> at 6:30, discussing emergency services. Supervisor Bermingham stated that a third member needs to be picked for the Slate Belt Steering Committee. Supervisor Bermingham would like to invite Dustin Flyte, Christine Dana, and Garrett Zazolak to the June 10<sup>th</sup> meeting. They came upon a man on Jacoby Creek Road that was on fire, due to a welding accident. They immediately got out of their truck and helped the man, basically saving his life. His name is Matthew Stock. He is currently recovering in the burn unit. Supervisor Bermingham would like to prepare a Resolution for them for their heroic efforts. The final design and engineering for the Emergency Shelter will be completed this month. There is a NEPA process that needs to be completed, bidding process will begin August/September, construction to start Sept/Oct.

May 23-Community Wide Special Meeting to discuss ambulance services

May 25-1-3 pm Garbage day at the Township Dumpsters

May 29- 6-7:30 pm Office Hours at the Township Building

June 8-9- 8am-5pm-Township Community Wide Yard Sale

## **XII. EXECUTIVE SESSION**

Recess to Executive Session at 8:07 pm to discuss legal matters.

The meeting reconvened at 8:49 pm.

Supervisor Bermingham stated attorney/client matters were discussed and no action will be taken at this time.

## **XIII. ADJOURNMENT**

**MOTION** by Supervisor Friedman to adjourn the meeting at 8:50 pm, seconded by Supervisor Albert. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary