



Upper Mount Bethel Township
387 Ye Olde Highway
P.O. Box 520
Mount Bethel, PA 18343-5220
Phone: (570) 897-6127 Fax: (570) 897-0108
www.umbt.org

UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, JULY 22, 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 7:05 pm.

The Pledge of Allegiance was recited.

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

II.

APPROVE THE AGENDA

Supervisor Friedman stated that he would like to amend the agenda, adding Executive Session to section IV.

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

III.

PUBLIC COMMENT

Tara Mezzanotte, UMBT Liaison to PennDOT and NJDOT for Rt. 611 and the I-80 matter, gave a brief update on the Rt. 611 closure. The press release that came out from Congressman Cartwright stated that Rt. 611 is going to hopefully be opening 8-10 weeks after they get the special use permit to put up road level fences. Barriers and fences will be put up and two lanes open. In her opinion, the Federal Highway Administration did not do their part to bring the Tribes in when they should have. This was not PennDOT or National Park's responsibility. Tara would like to do a presentation next month and what is next in 2025. Supervisor Bermingham asked for this to be on the agenda for the next meeting.

Ron Angle, Million Dollar Hwy., commented on the legal bills and how many lawyers the Township has. At the last ZHB meeting, there were two lawyers present from Gross McGinley's office, and who authorized them to attend. Supervisor Bermingham stated that he was not aware of two attorneys attending and Manager Graziano will review the bill when it comes in. These attorneys are acting against the Township, not for the Township. The money that is being spent on attorney fees could be spent on getting a grocery store, a police department, maybe an ambulance, and the removal of ash trees.

Michael Onufrak, Summerfield Dr., stated that the Township is not suing the ZHB, it is himself and two other residents that hired Attorney Doug Blazey to stop the ZHB from giving RPL the right to put a drip irrigation field on the farm that somebody sold to RPL.

Sharon Duffield, Potomac St. stated that according to her notes, in attendance at the last ZH was Mark Kaplan, Elliot Greenleaf by Doug Blazey, and Jason Ulrich from Gross McGinley.

Marty Pinter, Lindsey Lane, commented on the H1 Financials, and asked if anyone has looked at them. Marty commented on being behind on collecting garbage fees, we are now the bank. Where in the budget is the money coming from to cover legal costs and he hopes it is not coming from the sale of the trucks.

IV. EXECUTIVE SESSION

The Board recessed to Executive Session to discuss legal matters at 7:17 pm. The meeting reconvened at 7:55 pm. Supervisor Bermingham stated legal matters were discussed that are attorney client privileged and no action will be taken.

V. ACTION ITEMS

1. Embassy Bank CDs-Manager Graziano stated the CDs are about to mature and would like to know what the Board would like to do with them. One CD is the Mt. Bethel Fire truck account and one is the township capital fund. The bank is offering up to 5% for up to a year. Funding is not needed at this time. MOTION by Supervisor Friedman to move the CD's to 6mo., seconded by Supervisor Albert. Marty Pinter commented on the term of the CD, if MB fire doesn't need the funds, go for a longer term, make the most of our money, split the funds up. Supervisor Friedman withdrew his motion, Supervisor Albert withdrew his second. MOTION by Supervisor Friedman to have Manager Graziano look into splitting and laddering the funds, seconded by Supervisor Eckman. Vote: 5-0.

VI. NEW BUSINESS

1. Text Amendment-Conditional Use-Supervisor Friedman stated that he would like to confer with our Township Solicitor and Township Engineer as to what we could actually do with Conditional Use with the Text Amendment as it is.

Supervisor Bermingham asked for this to be on the agenda for August 12th. **MOTION** by Supervisor Friedman to table, seconded by Supervisor Albert. Vote: 4-1. Supervisor Erler voted no.

2. Truck Staging-Supervisor Friedman stated that when he attended PSATS Convention, he attended a seminar on trucking. With the expectation of truck traffic at 3700 per day at full build out, there is no place to stage trucks. Forks Township has a staging Ordinance and would like Solicitor Karasek to review and comment on it. Supervisor Bermingham asked for this to be on the agenda for August 12th.
3. Powerhouse Update-Supervisor Friedman attended the IDA meeting and one of the members asked RPL for a monthly report on how things are going at the Powerhouse property. Supervisor Friedman suggested asking our representative, Mr. Manzi, for a copy of the report and perhaps invite him to a meeting to provide an update. There was a discussion on a fuel oil tank which has a foam system that is out of action. Jim Potter said that it has been empty for years. The power company should be contacted for more information. Supervisor Friedman will follow up.
4. Term Limits-Supervisor Bermingham discussed the current Board of Supervisors term limits of six (6) and some residents feel as though six years might be too long of a term and what is the feasibility of it being a shorter term. Solicitor Karasek feels as though the Second-Class Township Code establishes the terms at 6 years and is not certain they can be changed but he will do some research and come back to the board with his findings. There was a discussion on "Home Rule", where we can locally govern ourselves, except where it is forbidden by state law. Ron Angle, commented on Home Rule, some counties that went with it wished they didn't and those that didn't go were glad they never did.
5. Park and Rec Board-Supervisor Bermingham stated that a letter of resignation was received from Anthony DeFranco. **MOTION** by Supervisor Friedman to accept Anthony's resignation, seconded by Supervisor Erler. Vote: 5-0.
6. National Night Out-Supervisor Bermingham stated that National Night Out is where we recognize first responders, police officers, etc, but we don't have enough time to plan it for this year but will have it planned for next year. Supervisor Bermingham suggested having pizza for the State Police that patrol our area.

VII. PUBLIC COMMENT

Marty Pinter, Lindsey Ln., commented on Anthony DeFranco's letter of resignation, the Parks/Rec Board did not accept/vote on Anthony's resignation. Solicitor Karasek will review the Parks/Rec by-laws to determine if they need to accept it before the BOS.

Ron Angle, Million Dollar Hwy., commented on the Gross McGinley legal bills, working against the Zoning Hearing Board and supporting the private council of the citizens that they hired. Supervisor Bermingham stated that Gross McGinley is here to defend and represent the Supervisors, who look out for the best interest of the people of Upper Mount Bethel Township. Ron asked Supervisor Albert and Supervisor Erler if they agree with paying lawyers to advise people who are appealing with the ZHB in a decision that

has not been made yet. Do they feel that is right for the taxpayers? Supervisor Albert does not have a problem with it. Supervisor Erler does not have a problem with it.

Michael Onufrak, Summerfield Dr., stated no one is suing the ZHB, they are supporting the ZHB's initial decision, that it is not appropriate use in the field.

VIII. ANNOUNCEMENTS

Supervisor Erler stated that he would like to yield his time to one of the members of the Municipal Authority to provide an update. Marty Pinter stated that he will not answer that since the lawsuit that was put against the Municipal Authority. Supervisor Erler stated that it has been 132 days since this Board voted for the dissolution of the Municipal Authority.

Supervisor Bermingham announced that he and Chief Potter are working with the municipalities and Cetronia Ambulance. Supervisor Bermingham continues to work with the Post Office to get some mailboxes along Rt. 611 on the same side as their home. Charlie Hentz will be giving a presentation on Refuse to be a victim, Saturday 10am-1pm. Supervisor Bermingham is looking to schedule a town hall meeting on Home Rule and another one on the RPL development. There is a free electronics recycling event on August 18th, 1-4, at the Mt. Bethel FH, all donations will be going to SLC6A1 Connect. The MBFH is moving forward with the emergency shelter, breaking ground this fall.

IX. ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 8:40 pm, seconded by Supervisor Bermingham. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary