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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, JULY 8, 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 Eckman, Supervisor Erler, Supervisor Friedman, Supervisor Albert, 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 Eckman. Vote: 5-0.

**III.**

**PUBLIC COMMENT**

Stavros Barbounis, Potomac St., commented on his recent resignation from the Parks/Rec Board and the reasons that led him to make that decision.

Ron Angle, Million Dollar Hwy., commented on how Supervisor Bermingham likes getting all the glory and recognition.

Judith Henckel, Robin Hood Rd., commented on the effects of development, pollution, heat waves, draughts, and the quality of life that will affect our community.

#### IV.

##### CONSENT AGENDA

1. June 10, 2024, Meeting Minutes
2. June 24, 2024, WS Meeting Minutes
3. June 27, 2027, Special Meeting Minutes
4. Exonerations/Refunds

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

#### V.

##### FINANCIALS

1. Bill List-Manager Graziano read the bill list. Manager Graziano stated that a bill for Ott's Landscaping in the amount of \$6,400 is to be included. **MOTION** by Supervisor Friedman to pay the bills in the amount of \$303,720.79, seconded by Supervisor Eckman. Vote: 5-0.

#### VI.

##### ACTION ITEMS

1. Ordinance 2024-01 Vacating Marshfield Dr.-Solicitor Karasek stated this matter was heard and a decision was rendered on December 29, 2023. At that time, there were various conditions that were made in the motion to be part of the Ordinance. Solicitor Karasek read the conditions. Supervisor Friedman asked if there has been any feedback from Custom Laminating. Solicitor Karasek stated that they were notified and there has been no feedback from them. Supervisor Bermingham wanted to confirm that the conditions are part of the Ordinance. Solicitor Karasek stated that they are. **MOTION** by Supervisor Friedman to adopt Ordinance 2024-01, Vacating Marshfield Dr., seconded by Supervisor Erler. Vote: 5-0.

#### VII.

##### TABLED ITEMS

1. Feasibility Study/Act 537 Plan-Supervisor Bermingham stated that he has the on the agenda to see what they want to do at this time. Supervisor Friedman stated that he would like to see Engineer Coyle start looking into moving forward but no action to be taken until the lawsuits are settled. Engineer Coyle recommends putting together an AD HOC committee to review the prior draft and look to update the 537 Plan, as well as having a sewer committee. Engineer Coyle will draft a letter of recommendation on how to move forward. **MOTION** by Supervisor Friedman to move forward with the Act 537 plan and get a letter of recommendation from Engineer Coyle on what he would like to see to move forward on this plan, seconded by Supervisor Erler. Vote: 5-0.
2. Municipal Building Security-Manager Graziano stated that the access control system for the building needs to get resolved, due to noncompliance and outdated hardware. Manager Graziano stated that the cameras can be done at a later time, but the access controls need to be addressed now. The quote received from Cooper is \$5,250 to only have the access controls upgraded. There was a discussion on the possibility of recouping any funds spent on the current system. Solicitor Karasek stated that we would need an expert in this

business to say that this person who installed this stuff before did something wrong. Manager Graziano stated that Cooper mentioned the issues in his quote. **MOTION** by Supervisor Friedman to accept Cooper's bid of \$5,250 to have the access security system upgraded, seconded by Supervisor Erler. Marty Pinter asked Solicitor Karasek that if we as a town, were to fight this, what do you believe the cost would be. Solicitor Karasek stated to get to the 1<sup>st</sup> level trial hearing, probably around \$5,000-\$7,500. Northampton County requires cases under \$50,000 to go to arbitration. Supervisor Bermingham called for a vote. Vote: 5-0.

## VIII.

### NEW BUSINESS

1. Power Outages/Met-Ed-Manager Graziano stated that due to the recent power outages, Met-Ed had a 3-year project that has been pushed to get completed and this is mainly due to the fact of people calling and reporting their outages, which he highly recommends doing as soon as their power goes out. What Met-Ed is going to be doing is move the whole structure out of the woods onto Million Dollar/Heiden Rd. Manager Graziano stated the numbers to call 1-888-LIGHTSS, text 54487, or email, which is on their website, [www.firstenergycorp.com](http://www.firstenergycorp.com). Ron Angle stated that we are using more energy than we are generating.
2. National Night Out-Supervisor Bermingham stated that he would like to have a discussion on this and whether the Supervisors would want to host a National Night Out. This is a yearly event where police officers are recognized for all they do. The date would be August 6<sup>th</sup>. Supervisor Bermingham will look into this further.
3. Alternate Constable Cruiser-Supervisor Erler stated that he would like to make a MOTION to acquire an alternate constable cruiser for the township. The purpose is to have an auxiliary marked township vehicle for use or to park in someone's driveway. Supervisor Bermingham asked if there is a second to Supervisor Erler's motion. No second, motion dies.
4. First Aid Classes for Mt. Bethel Residents-Supervisor Erler stated that this stems from the ambulatory meetings with the local municipalities and would like to discuss establishing first aid classes for Mt. Bethel residents. Supervisor Erler has been trying to contact Cetronia but has not had any luck. Jim Potter reached out to him and asked him to contact Supervisor Erler. These classes may not get someone certified.

## IX.

### PUBLIC COMMENT

Karyn Pinter, Lindsey Lane, addressed Supervisor Bermingham and commented on the recent resignation of the Parks/Rec Chairman, Stavros Barbounis. The Parks/Rec is a Board, not a committee. Karyn thanked Stavros for all he has done for the Community.

## **X. ANNOUNCEMENTS**

Manager Graziano thanked Stavros for all the work he puts into the Township, especially the 4<sup>th</sup> of July event. Manager Graziano also thanked the Posts for their generous donation for the fireworks, and all those who made it happen.

Supervisor Friedman agreed with Manager Graziano on the success of the 4<sup>th</sup> of July event. The well ordinance has been presented to the LVPC as well as the Township Planning Commission for review.

Supervisor Eckman thanked the Parks/Rec Board for allowing her and Jen to be involved and all those involved in making it a great 4<sup>th</sup> of July event. Supervisor Eckman would like to see what the stipulations are on bringing new members in, which she would ask the Parks/Rec Board to vet any letter of interest submitted.

Supervisor Bermingham thanked Lee McDonald for filming the 4<sup>th</sup> of July parade and RM Drone who provided a view from above the parade. Supervisor Bermingham stated that he spoke to Congresswoman Susan Wild's office about the mailboxes on Rt. 611. They have put him in contact with the congressional liaison at the US Postal Service, this is a work in progress. Saturday, July 27<sup>th</sup>, 10am-1pm, Charlie Hentz will be giving a presentation on Refuse to be a Victim.

Secretary Cindy Beck thanked Manager Graziano for doing a great job at the 4<sup>th</sup> of July event.

## **XI. EXECUTIVE SESSION**

Recess to Executive Session at 8:23 pm to discuss legal matters.

The meeting reconvened at 8:46 pm.

Supervisor Bermingham stated that legal matters were discussed, and no action will be taken at this time. Ron Angle asked for more information on the legal matters that were discussed. Solicitor Karasek stated that they discussed the three pending RPL Lawsuits and what may or may not be covered by the Township's position with respect to some of those cases. At this time, there are two actions, on action filed by RPL for a denial to approve the ordinance to revoke the Municipal Authority but has not been served. And a recent filing against the Township, all the Supervisors, and the Township Engineer.

## **XII. ADJOURNMENT**

**MOTION** by Supervisor Friedman to adjourn the meeting at 8:48 pm, seconded by Supervisor Erler. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary