



**Upper Mount Bethel Township**  
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**UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, AUGUST 12, 2024 – 7:00 PM**

\*This meeting was held in person, at the Community Park Pavilion, 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.

Supervisor Bermingham asked for a moment of silence for the passing of Jim Kenna. Jim was the commander of the American Legion Post 216. Jim served in the US Air Force and was a member of Portland Hook & Ladder. Jim participated in many Upper Mount Bethel events and will be sadly missed.

**II.**

**APPROVE THE AGENDA**

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

**III.**

**PUBLIC COMMENT**

Frances Visicaro, N. Delaware Dr. thanked Supervisor Bermingham, Bob Teel, and Manager Nick Graziano, for their persistence in getting her mailbox on the same side of her home, she will longer have to cross Rt. 611 to get her mail.

Presentation-Tara Mezzanotte, PennDOT and NJDOT Liaison, stated that she will give her presentation at the next meeting. Tara stated the good news is that PennDot and the National Park Service have agreed to the permit scope. They will be putting up fence attached to a barrier attached to the road through the whole area. This will take 8-

10 weeks and if everything goes as planned, the road should be open by mid to the end of October. Meetings and site visits will be occurring throughout the project. **MOTION** by Supervisor Friedman to have our Liaison, Tara Mezzanotte, present at all job meetings pertaining to the Rt. 611 Rockfall and possibly Manager Graziano or another Board member be present as well, seconded by Supervisor Erler

#### IV.

##### **CONSENT AGENDA**

1. July 8, 2024, Meeting Minutes
2. July 22, 2024, WS Meeting Minutes
4. Exonerations/Refunds

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

#### V.

##### **FINANCIALS**

1. Bill List-Manager Graziano read the bill list, totaling \$606,736.13. **MOTION** by Supervisor Friedman to pay the bills, in the amount \$606,736.13, seconded by Supervisor Albert. Vote: 5-0.

#### VI.

##### **ACTION ITEMS**

1. Embassy Bank-Manager Graziano discussed the CD's that coming due, the Fire Truck Fund and the Capital Funds accounts and the rates/terms Embassy is offering 12, 18, and 24 months. Manager Graziano and Supervisor Friedman recommend laddering both accounts. **MOTION** by Supervisor Friedman to allocate the funds as prescribed by Manager Graziano, 12, 18, and 24 month CDs with Embassy Bank for the Fire Truck Fund and the Capital Fund, seconded by Supervisor Albert. Vote: 5-0.
2. Well Isolation Waiver Requests/Fraunfelder and Rabinowitz-Solicitor Karasek discussed the well isolation distance that is less than what is normally required between a water well and sanitary sewer system, which is normally 100' distance however, sometimes, our SEO does the inspection and says that it is impossible to meet those distances. The Township gives the property owner an agreement that says that a claim will not be made later against the Township for granting a permit. Once the Board grants the waiver requests, Solicitor Karasek will prepare a Release, Indemnification and Hold Harmless agreements for the property owners to sign. **MOTION** by Supervisor Friedman to grant the Well Isolation Waiver requests for Fraunfelder and Rabinowitz, seconded by Supervisor Eckman. Vote: 5-0.
3. See item #2.
4. Resolution No. 2024-15 MBFH Emergency Shelter LSA Grant-Supervisor Birmingham stated that a new Resolution was needed that would match the amount requested for the Mt. Bethel Fire House Emergency Shelter. The original resolution adopted was for \$500,000. The grant application stated \$560,000, so the Resolution has to match the amount requested. Supervisor

Birmingham read the Resolution. **MOTION** by Supervisor Albert to adopt Resolution 2024-15, seconded by Supervisor Friedman. Supervisor Erler asked Solicitor Karasek if an emergency was declared by the state and with us using the state grant monies, would the state be able to dictate the use of our emergency shelter. Solicitor Karasek stated that if the grant outlines how and what the use is of the emergency shelter, the state would be hard pressed to dictate the use of the emergency shelter. Supervisor Erler stated that his concerns are that if we accept the grant funds, the state could dictate the use of the emergency shelter. Supervisor Birmingham will look into this. Supervisor Erler stated that he did meet with MBFC and NBFC and their main structure that houses their equipment is in disrepair. Supervisor Birmingham stated they are looking to break ground in mid-October. Supervisor Birmingham called for a vote to adopt Resolution No. 2024-15. Vote: 5-0.

5. Parks/Recreation Recommendations-Manager Graziano stated Parks/Recreation Board recommended Orion Barbounis as a member of the Parks/Recreation Board. Manager Graziano read Orion's letter of interest. **MOTION** by Supervisor Birmingham to appoint Orion Barbounis to the Parks/Recreation Board, seconded by Supervisor Friedman. Vote: 5-0.

## VII.

### TABLED ITEMS

1. 537 Plan-Supervisor Birmingham stated this is on the agenda to see what the Supervisors would like to do. Supervisor Friedman recommends to table it. **MOTION** by Supervisor Friedman to table, seconded by Supervisor Albert. Vote: 4-1. Supervisor Erler voted no.

## VIII.

### NEW BUSINESS

1. TAC Proposal-Supervisor Birmingham stated that this proposal was submitted by Jeff Williams. Jeff stated that TAC stands for Traffic Advisory Committee/Council. He was not certain as to whether this was a committee or council. Solicitor Karasek stated that he would need to know more details to make that determination. Supervisor Birmingham stated that the purpose of the committee/council is to figure out alternatives or solutions for the traffic coming up and down Rt. 611 and even throughout the Township and then make recommendations to the Board of Supervisors. Solicitor Karasek stated that as with any other committee, a Resolution will need to be adopted outlining what they can or cannot do. There was a discussion on many members should be on the committee. Jeff stated filling 3 seats might be easier than 5 seats. Anyone interested in filling a seat on the TAC may send a letter of interest to Jeff or the Township Secretary.
2. 2024 Budget-Manager Graziano stated that before they begin working on the 2025 budget, they need to make some adjustments/budget transfers. Manager Graziano stated that they are moving \$60k out of the Highway Department and \$25k out of the zoning officer professional and moving to various line items. **MOTION** by Supervisor Friedman to approve of the transfers as outlined by Manager Graziano, seconded by Supervisor Eckman. Vote: 5-0.
3. Broadband Letter-Supervisor Birmingham stated that this letter is needed for the Township's submission for a grant for the antenna system, better internet/cell phone service throughout the Township. John Howard, a resident of Upper

Mt. Bethel Township, has been diligently working on this for the Township, at no charge. **MOTION** by Supervisor Friedman to submit the Broadband Letter to Mr. John Howard, seconded by Supervisor Erler. Vote: 5-0.

## **IX. PUBLIC COMMENT**

Mark Mezger, Scenic Ct. commended the Board for being proactive in starting to work on the 2025 budget. Mark asked if the program that Manager Graziano uses can be put out in an excel file to be uploaded to the website where he can have the ability to sum up the input.

Judy Henckel, Robin Hood Rd., commented on the beauty of all the peacefulness and to enjoy it now before the industrial development comes in.

## **X. ANNOUNCEMENTS**

Supervisor Erler announced he started working on the process of getting solar power for the Municipal Building. The Mayor of East Bangor stated that they are hosting a hands-on CPR (non-certified) and Stop the Bleed course on October 1<sup>st</sup> 6-7pm and would be happy to help us get it set up as well. Supervisor Erler met with both the MBFD and NBFD to see what their standings are right now, both companies are looking for volunteers.

Supervisor Bermingham announced the UMBT yard sale will be September 28<sup>th</sup> and 29<sup>th</sup>. August 23<sup>rd</sup>, ZOOM meeting with Ann Flood regarding the LSA grant. Free electronics recycling day is August 18<sup>th</sup>, 1-4, at the MBFH. Supervisor Bermingham will come up with a couple of dates and topics for the next town hall meeting. Meetings continue with Cetronia Ambulance. Supervisor Erler announced August 24<sup>th</sup>, 11am-4pm, there is a Food Truck/Craft Show event at the Community Park. Supervisor Bermingham asked that Trick or Treat dates be on the next meeting agenda.

Manager Graziano announced that the road crew is paving Laurel Hill Rd., and next week they will be on River Rd. A request has been sent into Chad (PennDOT) for the Jake brake study and the 25-mph speed sign. Manager Graziano stated that he has been getting calls from farmers about third party companies soliciting residents to install solar panels on their farms. Supervisor Friedman stated that solar panels are not allowed on farmland preserved land. There is a very dangerous tree on Rt. 611 that needs to come down. The resident cannot get anyone to take it down.

## **XI. EXECUTIVE SESSION**

Recess to Executive Session at 8:25 pm to discuss legal matters.

The meeting was reconvened at 8:44 pm.

Supervisor Bermingham stated that discussed in executive session was the Municipal Authority lawsuit that is currently in place, also discussed were attorney client privileged

information legal matters, and a RTK matter with attorney client privileged information. There are no actions to be taken regarding the discussions.

**XII.**

**ADJOURNMENT**

**MOTION** by Supervisor Albert to adjourn the meeting at 8:46 pm, seconded by Supervisor Eckman. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary