



**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](http://www.umbt.org)

UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MEETING MINUTES  
MONDAY, JANUARY 8, 2024 – 7:00 PM

\*This meeting was held in person at the Mt. Bethel Fire House 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, Township Solicitor Karasek, Township Engineer Coyle, Township Manager Graziano, and Recording Secretary Cindy Beck.

**II.**

**APPROVE THE AGENDA**

**MOTION** by Supervisor Friedman to Approve the Agenda, seconded by Supervisor Albert. Vote: 4-0.

**III.**

**PUBLIC COMMENT-None**

**IV.**

**ANNOUNCEMENTS**

Supervisor Bermingham announced that he would like to have a Special Meeting with all the Neighboring Communities, Portland, Knowlton, Lower Mt. Bethel, to hear their thoughts/concerns on the proposed development. Supervisor Bermingham announced that he would like to schedule office hours with two Supervisors attending at a time.

Supervisor Friedman announced that he would like to invite representatives from the LVPC to the Board of Supervisors meeting on January 22<sup>nd</sup>, to discuss the Plan Slate Belt Comprehensive Plan.

Solicitor Karasek stated that he wanted to personally thank the Board of Supervisors for his re-appointment and appreciates their support.

Manager Graziano thanked Mt. Bethel FH for making the hall available for tonight's meeting. He also wanted to thank the road crew for doing a great job keeping the roads in good shape during the storm and a thank you to Clark, Mt. Bethel Auto, for coming out early Sunday morning to fix two tires. And a thank you to the Chairman, Supervisor Bermingham for providing food for the road crew on Saturday.

Supervisor Bermingham thanked Manager Graziano for doing a great job with his first snowstorm.

## V.

### **APPROVAL OF THE MINUTES-December 11, 2023**

**MOTION** by Supervisor Friedman to approve the December 11, 2023, meeting minutes, seconded by Supervisor Eckman. Vote: 4-0.

## VI.

### **FINANCIALS**

1. Bill List-Manager Graziano read the bill list, totaling \$191,810.81. **MOTION** by Supervisor Friedman to pay the bills in the amount of \$191,810.81, seconded by Supervisor Albert. Vote: 4-0.

## VII.

### **ACTION ITEMS**

1. Community Park Restrooms-Supervisor Bermingham stated that he would like to make this a priority and would like Nick to get this moving and give monthly updates. Manager Graziano stated that we are working on funding/grants.
2. Appointment of Township Supervisor-Solicitor Karasek gave a timeline of how the appointment of a Supervisor works. The Township has until January 30<sup>th</sup> to fill the vacancy. Solicitor Karasek stated that the interested party must reside in the Township and shall have resided in the Township continuously for at least one year prior to be appointed. Supervisor Bermingham asked for this to be put on the agenda for January 22<sup>nd</sup>. Cindy will post open seat on the website; letters of interest can be sent to the township secretary.
3. Seasonal Road Crew-Manager Graziano discussed the two applications received for seasonal road crew. Both are qualified CDL drivers, Todd Pinto and Brock Pearson. Supervisor Friedman and Manager Graziano met the Union Representative to verify the hiring of part-time seasonal road crew was acceptable. The rate would be \$23.77 per hour. Supervisor Bermingham asked for this to be on the agenda for the January 22<sup>nd</sup>. Manager Graziano asked if the Township has another storm, would he be able to bring them on if it's emergency. **MOTION** by Supervisor Bermingham have Todd and Brock on stand-by to bring them on for snow emergencies, at the Manager's discretion, and as long as the Union is OK with it, seconded by Supervisor Friedman. This will be on the agenda for the 22<sup>nd</sup> for a final hiring vote. Vote: 4-0.
4. Highway Equipment Loader Purchase-Manager Graziano stated that he had a discussion with Supervisor Friedman on the purchase of a loader and he agrees with Manager Graziano, there is a need for a loader. Manager Graziano stated that 6 trucks were purchased last year and it is his intent to sell one tandem, as well as the trucks that are being replaced. The cost for the new

loader is \$274,000. The current loader has 4500 hours on it, runs well, but needs to be serviced. Public comment-Marty Pinter stated this makes no financial sense. Marty discussed utilization and depreciation of Township equipment. Supervisor Friedman stated there is a truck in the NID, along with a fire truck. Manager Graziano stated he disagrees with former Supervisor Pinter's comment. Public comment-Rich Klinge stated he agrees with Marty. Do we really need another loader? Fix up the loader we already have. Supervisor Bermingham would like to have a conversation with the road crew. **MOTION** by Supervisor Bermingham to table, seconded by Supervisor Albert. Vote: 4-0.

5. Liquor License Transfer/Penn Jersey Food Mart-Solicitor Karasek stated that under the Liquor License Code, if someone wants to transfer a liquor license from one Municipality to another, the receiving municipality has to hold a public hearing in order to receive comment/recommendation from anyone that may be interested with the transfer of the license. A fee of \$3,000 and an application has been received from Cousins Holding LLC, to transfer the license to Penn Jersey Food Mart. The hearing has to be held 45 days of the submission of the application or the application is deemed approved. Starting date, 12/29/23, the 45 days brings us to 2/11/24, a day shy of the February meeting on the 12<sup>th</sup>. The Township can ask for an extension, which will go to February 26<sup>th</sup>. Solicitor Karasek will ask for an extension. **MOTION** by Supervisor Friedman to hold the hearing on February 12<sup>th</sup>, provided we get an extension, seconded by Supervisor Eckman. Vote: 4-0.
6. Township Newsletter-Supervisor Friedman discussed having only one publication of the newsletter a year. **MOTION** by Supervisor Friedman to have one publication a year of the newsletter, a spring issue, seconded by Supervisor Eckman. Vote: 4-0.
7. Live Streaming Meetings-**MOTION** by Supervisor Bermingham to table, seconded by Supervisor Friedman. Vote: 4-0.
8. Manager Graziano Agreement-Supervisor Bermingham stated that Solicitor Karasek drafted the benefits agreement for Manager Graziano. Solicitor Karasek discussed the agreement. There are a few items that need to be changed in the agreement, the Ordinance number that was adopted for the appointment of the Township Manager, Manager Graziano's address, and other than that, the agreement is ready to be approved. **MOTION** by Supervisor Friedman to approve the agreement with the changes that were mentioned, seconded by Supervisor Bermingham. Motion was withdrawn. There was a discussion on the changes. **MOTION** by Supervisor Friedman to table to the 22<sup>nd</sup> meeting, for all parties to review the agreement with changes, seconded by Supervisor Bermingham. Vote: 4-0.

## VIII.

### TABLED ITEMS

1. Appoint Alternate Township PC Solicitor-Solicitor Karasek stated that the Board appointed Attorney Spadoni as the Alternate BOS Solicitor, which is an excellent choice, and maybe he would consider the Alternate PC Solicitor position. Secretary Cindy Beck will send an email to Attorney Spadoni to see if he is interested in serving as the Alternate PC Solicitor.

2. Appoint EDC Member-Supervisor Birmingham stated that he just spoke with Joe Torre, who expressed interest of being on the EDC. **MOTION** by Supervisor Birmingham to appoint Joe Torre as a member of the EDC, seconded by Supervisor Friedman. Vote:4-0.
3. Appoint Member to Friends of Lake Minsi-Supervisor Birmingham stated that one letter of interest was submitted, Tom Gilmour. **MOTION** by Supervisor Friedman to appoint Tom Gilmour a member of the Friends of Lake Minsi, seconded by Supervisor Birmingham. Vote: 4-0.
4. Appoint Alternate Member to Friends of Lake Minsi-Supervisor Friedman stated that no letters of interest were submitted.
5. Appoint Alternate Zoning Official/Codes Officer-No letters of interest were submitted. **MOTION** by Supervisor Friedman to table, seconded by Supervisor Birmingham. Vote: 4-0.
6. Set Pay for Zoning Hearing Board Solicitor-Solicitor Karasek stated that the ZHB appoints their Solicitor, and even though one has not been appointed yet, the BOS can still set the pay. **MOTION** by Supervisor Friedman to set the pay at \$135 an hour, seconded by Supervisor Birmingham. Vote: 4-0.

## IX. PUBLIC COMMENT

Keri Horn, Lake Minsi Dr., commented on the garbage service and the increase of the fee. She stated that she puts her garbage out maybe twice a month, pays the same amount as a family that may have more than 1 family in a home. Everyone should not have to pay the same amount for the garbage service and is here tonight to ask for an adjustment in the fee, being a single household. Manager Graziano stated that he understands and is trying to work with Waste Management on options.

Rich Klinge-Totts Gap Rd., commented on Nick's benefit agreement, should there be spending guidelines outlined in the agreement.

Bill Hall, Jacoby Run Rd., commented on the appointment of Joe Torre to the EDC. Openings in the past, an interested party would submit their letter of interest and the EDC would interview them and then the EDC would make the recommendation to the BOS to appoint them. The EDC was not aware of Mr. Torre's interest of being appointed a member. Supervisor Birmingham stated that he thinks he jumped the gun on appointing Joe. Supervisor Birmingham stated that the EDC should meet with Joe and come back to the BOS with their recommendation.

Ron Angle, Million Dollar Hwy., commented on transparency. Representing all the people. Ron asked Supervisor Birmingham what he is going to do for the concerned citizens about River Pointe. Supervisor Birmingham responded, not the concerned citizens, it's the people of Upper Mount Bethel. Ron stated there is more to Upper Mount Bethel than River Pointe.

Mark Mezger, Scenic Ct., commented on the power of being a winner. No financial plan was ever asked for from the developer. Nothing should be approved for RPL until we see a financial plan.

Russ Horn, Centerville Dr., asked if the interviews of the candidates for the Supervisor seat if they will be publicly interviewed. Solicitor Karasek stated that sensitive family matters should not be discussed in the interviews publicly.

Martin Pinter, Lindsey Ln., read his public comment, which will be made part of the official record. Marty commented on leadership, financial ignorance, the NID agreement, transparency, and why would the developer want to work with any of the Board members.

Charles Cole, Riverton Rd., commented on Marty being a business leader, missing true cost benefit ratios, cost to environmental, health, safety and welfare, all have to be factored in, it's just not the dollar of profit.

## **X.**

### **EXECUTIVE SESSION**

Recess to Executive Session at 8:55 pm to discuss legal and personnel matters. The meeting reconvened at 9:14 pm.

Supervisor Bermingham stated that legal and personnel matters were discussed in Executive Session.

- 1) Personnel matters related to Lindsey Manzi attending the PSATS convention. **MOTION** by Supervisor Friedman to approve Lindsey Manzi to attend the PSATS convention, and to be reimbursed for meals/miles expenses, seconded by Supervisor Albert. Vote: 4-0.
- 2) Solicitor Karasek stated discussed was the Dennis Smith unfair labor practice lawsuit. This is tentatively resolved through a settlement where he is to receive a cash amount of \$3.500 and will resign his position as a police officer. **MOTION** by Supervisor Friedman to approve of those terms, seconded by Supervisor Bermingham. Vote: 4-0.
- 3) Solicitor Karasek discussed the lawsuit that was filed by the Township against Mr. Mezger and the Upper Mount Bethel Community Park Foundation. There was a discussion as to whether this Board wants to proceed with that action or wants to withdraw that action. **MOTION** by Supervisor Friedman to withdraw the lawsuit against Mr. Mezger and the Community Park Foundation, seconded by Supervisor Eckman. Vote: 4-0.

## **XI.**

### **ADJOURNMENT**

**MOTION** by Supervisor Friedman to adjourn the meeting at 9:15 pm, seconded by Supervisor Eckman. Vote: 4-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

I understand you are eager to make your mark, but your naivety, inexperience, and true understanding of leadership are glaring. You think you know better than previous boards, but you've barely begun to scratch the surface of the complex issues facing this township. Your overconfidence will harm us all unless you show some humility.

This township has skeletons you can't even imagine. Decades of financial mismanagement that include tax inequities. None of you have ever handled or managed a project of this magnitude. In fact, it's likely no one in this audience has ever done it. Over the course of 27 years in finance, I have been project and financial lead in well over \$54 billion in operational development and \$200 billion in Capital development. It's no easy task. There is one thing I can positively tell you and that is this board is now is financially ignorant and inept.

You all claim to oppose River Pointe because it doesn't serve residents. But your resistance reveals your simplistic understanding of what residents truly need. We require more than just listening to demands at town halls. Real leadership requires backbone to make unpopular compromises and decisions that balance interests. This is where you are lacking.

If you block River Pointe, I guarantee the consequences will be dire for this township. Our emergency services are hanging by a thread already. Where will we find the millions needed to fund these services and equipment that protects us? Grants? Loans? Asking other politicians for money? Ultimately you will be forced to raise taxes. This development is a lifeline we cannot afford to lose.

I understand the urge to start fresh, but progress depends on building on past efforts, not discarding them. You would be wise to think strategically which I believe this board does not have the capacity to do. Otherwise, you will tear down hard-won gains and put our township at risk once more. Tread carefully - you are not as wise as you think.

And John, to answer the questions posed in your op-ed:

- NID Agreement - This has been on the township's website for over 14 months. Not only did you have access, but so did every resident. Pretty transparent.
- The \$300,000 in lost revenue comes from the company that was ready to build immediately. If you understood the law, you would know that the township would have received this money as soon as the building permit was issued. But because of the delays caused and lead by Charles A. Cole, the semiconductor chip manufacturing company chose another location.

My question to you is why would the developer want to work with any of you? All of you have been extremely vocal in not wanting this development.

One of you violated state ethics standards, one of you is the former ringleader of a Facebook group where hate speech, defamation and misinformation are a prerequisite for membership and where transparency is as opaque as mud. Lastly, one of you is an ego driven politician who is fueled by likes on Facebook.

I no longer need to be silent about how I personally feel about anything as I am not behind the table. In the coming days, we are going to find out how transparent you truly are with my first right-to-know request.