



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 SPECIAL MEETING MINUTES
FRIDAY, OCTOBER 25, 2024 – 7:00 PM**

*This meeting was held in person and live streamed through resident Chris Callie's youtube channel.

I.

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

The Pledge of Allegiance was recited.

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

II.

APPROVE THE AGENDA

MOTION by Supervisor Friedman to approve the agenda, seconded by Supervisor Eckman. Vote: 3-0.

III.

PUBLIC COMMENT

IV.

ACTION ITEMS

1. Professional Service Agreement between UMBT and Portland Borough-
Solicitor Karasek gave a summary of the agreement. The agreement is at the request of UMBT, a review of the Lamtec project, to obtain sewer services from Portland Borough's public sanitary sewer system, initiated by Lamtec. Portland Borough is willing to review and evaluate the Township's request. An escrow account will be established to pay for expenses incurred by Portland Borough, engineering, legal counsel, and other professional consultants. Solicitor Karasek stated that the agreement meets his approval provided the Township is aware of the following:
-The sewage discharge does not include industrial waste or other prohibited discharge.

- The expenses for which the Township will pay are for fees incurred by the Borough's engineering, and legal counsel services and other professional consultants.
- The Township must deposit with Borough an amount of \$10,000, and to be replenished when the balance goes below 50%, any unused portion will be returned to the Township.
- All of Portland's fees and costs must be paid in full.
- The Township may terminate the agreement upon 30 days' written notice
- The Township cannot assign the agreement with the express written consent of Portland Borough.
- The agreement does not establish either a joint venture/partnership with Portland Borough for this project.
- The agreement does not guarantee the sale of sanitary sewer capacity. If capacity is decided to be provided, a Bulk Service Agreement will need to be prepared and signed.

Solicitor Karasek stated that he sees no reason why this matter cannot be approved and moved off the agenda.

MOTION by Supervisor Friedman to approve the Professional Service Agreement between UMBT and Portland Borough as outlined by Solicitor Karasek, seconded by Supervisor Eckman. Discussion: Marty Pinter, Lindsey Lane, asked why did a special meeting have to be called for this evening when there is a regular meeting on Monday. Supervisor Bermingham stated that they are trying to get this Portland on Monday during the day for their meeting Monday evening. Marty stated that the Sewer Authority is still in effect until they hear back from the courts and any agreement made should have been made through the Sewer Authority. Solicitor Karasek stated he has not been involved in that litigation, involving the Township and the Authority. An argument could be made that it should be run through or past the Authority, however, he does not believe the time frames that the Township has been given affords that luxury, however, the Township was instructed by Portland to have this done so they would have it for their meeting on 10/28/2024. Vote: 3-0.

2. Christ Evangelical Lutheran Church Proclamation-Supervisor Bermingham read the Proclamation, recognizing Christ Evangelical Church has been serving the community for 250 years. **MOTION** by Supervisor Friedman to approve the Christ Evangelical Lutheran Church Proclamation, seconded by Supervisor Eckman. Vote: 3-0.

V.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the special meeting at 7:10 pm, seconded by Supervisor Eckman. Vote: 3-0.

Respectfully Submitted by Cindy Beck, Recording Secretary