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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, OCTOBER 13, 2025 – 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 Erler, Supervisor Friedman, Supervisor Albert, Supervisor Eckman, Township Solicitor Karasek, Township Engineer Coyle and Township Manager Graziano.

II.

APPROVE THE AGENDA

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

III.

CIVILIAN SERVICE AWARD PRESENTED BY NORTH BANGOR FIRE COMPANY

Tom Austin, Captain of the North Bangor Fire Department, stated that on September 30, the NBFC was dispatched to assist with a search for a missing juvenile from Upper Mount Bethel Township. While searching a wooded area off Ridge Rd., a group of local citizens who were also assisting in the search, located the missing juvenile and called 911. At this time, Tom presented Chad Riddle and Kyle Luckey with the Civilian Service Award for their performance and outstanding act of service by a civilian that contributes to the saving of a human life or substantially aiding emergency response personnel.

Lisa Hays expressed her extreme gratitude to the community for being there for her family and thanked everyone, firefighters, police, EMTs and the many, many citizens of our Township and Bangor Borough for their assistance in searching for her daughter Mary. When she got the call that Mary was found, it was an emotional moment of relief.

IV. PUBLIC COMMENT

Lisa Pektor gave a brief update on the demolition project of the power plant. Lisa stated that a couple of the Supervisors have toured the project. They met Brian, who is on sight daily, managing the project, coordinating, compliance, water testing, review asbestos management practices, reviews DEP site visits. The tour included seeing the status of the building, as well as seeing some of the demolition that was taking place. They are currently taking down the precept building because it did not have any environmental issues. They are sorting all of the materials so as much can be recycled as possible. The demolition to date is currently being done without any grant money. They have not utilized any of the grant programs or any of the grant's funds that have been awarded to the site. They are stockpiling dirt on the RPL East north lot, which has final approvals, and an NPDES permit. There is no time limit as to when they will be pulling a grading plan permit. Supervisor Friedman asked Lisa when the stacks will be coming down. Lisa stated that it is still to be determined. Supervisor Albert stated that he was one of the Supervisors that went on the tour, and it was very informative.

Tara Mezzanotte gave an update to the Gateway Communities project. There was an opportunity to submit a comment during Department of Interior request for information related to how to improve visitor experiences in the National Parks. All surrounding communities sent comments in. Tara thanked Charles Baltic for coming up with the points for Upper Mount Bethel Township. Supervisor Friedman asked about the retaining wall project. Tara stated that project is funded just like the Rockfall mitigation project. We are waiting for an update. In the point of gap, signs have been put up screaming that the light might take 5 minutes.

Charles Baltic, Laurel Hill Rd., thanked Tara for her assistance to him as the Gateway Communities Liaison. Thank you to Supervisor Friedman who provided a few good recommendations that were incorporated into the letter to the Department of Interior. Charles quoted a section of the letter: "Firstly, and importantly, we note that the DOI's exercise of its intention and discretion to improve services for U.S. residents visiting national parks should be at least equally balanced against the legitimate and important interests of the adjacent Gateway communities to those national parks." The letter is on file in the Township office and is available to anyone.

Howard Chazin, Red Fox Ln., commented on Quiet Valley Rd., after it was tar and chipped a lot of rocks were not picked up. The road is horrendous. The road has too many rocks. Manager Graziano stated that the road has been swept but he will take a ride to look at it.

V. ANNOUNCEMENTS

Manager Graziano announced that if anyone is looking to exchange the toters for the smaller ones, there is a form located on the Township's website that will need to be completed and sent in. This does not go into effect until January. Forms are also available in the office.

Supervisor Albert announced that he toured the power plant to see how the demolition is going, and it was a very interesting couple of hours seeing progress.

Supervisor Erler announced it is just about rut season, keep your eyes open for the deer. There have been some complaints about the recycle dumpster at the Township building being full all the time. Manager Graziano stated that recycle dumpster is picked twice a week at the Township building.

Supervisor Friedman announced that we are having a feasibility study done on the Township building and that they are planning an open forum, scheduled for October 20th, 7pm, to hear what the residents would like to see in a Township building. All comments/suggestions will be incorporated in the study.

Supervisor Eckman announced that the Veterans Day fireworks event at the Park will be held on November 11th, more details will be announced on Facebook and the Township website.

Supervisor Birmingham announced that the DCED will be setting up a regional ambulance zoom meeting on November 20th, 6:30 pm. Another community wide yard will be held in the spring. The classic car fundraising event for Terry Lockwitch is on November 2nd, 3 pm, at the Chelsea Sun. Mt. Bethel Pharmacy is hosting a trunk or treat October 26th, 12-3 at the Park, and Upper Mt. Bethel trick or treat will be 3-5:30 pm. Morgan Lattig, owner of Mo Sweets, is new bakery that opened in the Mt. Bethel Plaza.

Supervisor Erler announced that on November 11th, the Slate Belt Museum will be having a Veterans Day event, 10am-noon, to celebrate local Veterans and celebrate their service. Charles Baltic announced that today, October 13th, is the 250th year anniversary of the Navy and Marine Corps.

VI. CONSENT AGENDA

1. September 8, 2025, Meeting Minutes
2. September 22, 2025, WS Meeting Minutes
3. Exonerations/Refunds

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

VII. FINANCIALS

1. Bill List-Manger Graziano stated that there is a reduction of \$600 in the General Fund. The corrected amount is \$401,854.48. There was a bill that was entered and Manager Graziano realized it was an overcharge, which was confirmed with the vendor, Henry's Generator Service LLC, so instead of the bill being \$1,200, it was reduced to \$600. **MOTION** by Supervisor Friedman to pay the bills in the amount of \$837,956.71, seconded by Supervisor Albert. Supervisor Erler asked about the generator bill, Manager Graziano stated that is the bill that was reduced by \$600. Supervisor Erler asked about a kitchen oven that is on the bill list. Manager Graziano stated that the toaster oven in the kitchen was not working anymore so we bought a new one. Vote: 5-0.

VIII. PLANNING MODULE

1. Resolution No. 2025-23 Lamtec Planning Module-Township SEO, Scott Policelli stated all the details are in order, with a few administrative comments that have to do with Portland that need to be addressed. Andrew Bohl, Hanover Engineering, Project Consultant, stated that Portland Borough has acted upon the Planning Module, we are just waiting for the signature pages from them. The LVPC review letter was received. Andrew is here tonight for the Board to approve the Resolution. Once all the documents are in order, this will be advertised and available to the public to view for 30 days, then will be submitted to the DEP for approval. Solicitor Karasek has no issues with the Planning Module. Engineer Coyle has no issues with the planning module. **MOTION** by Supervisor Friedman to adopt Resolution No. 2025-23, seconded by Supervisor Albert. Vote: 5-0.

IX. ACTION ITEMS

1. Contract with Republic-The contract has already been approved by the BOS.
2. Resolution No. 2025-19 LSA Statewide Grant for Shady Lane Bridge-Manager Graziano stated that we are re-visiting the single lane bridge on Shady Lane. We were awarded \$25k from Northampton/Lehigh County LSA and \$25k from Monroe County LSA. The bridge project is estimated to be around \$220k. Manager Graziano read the Resolution requesting a Statewide Local Share Assessment grant of \$192k for the repair and rehabilitation of a single Lane located on Shady Lane. **MOTION** by Supervisor Erler to adopt Resolution No. 2025-19, seconded by Supervisor Eckman. Vote: 5-0.
3. Resolution No. 2025-20 Garbage Bill Discount-Manager Graziano stated that this Resolution was amended from the previous year, removing Waste Management's name and adding Waste Collections Contract. This Resolution establishes a discount for the payment of the annual garbage bill by April 30 of

the billable year. **MOTION** by Supervisor Friedman to adopt Resolution No. 2025-20, seconded by Supervisor Erler. Vote: 5-0.

4. Resolution No. 2025-21 LSA Statewide Grant FD Radios-Supervisor Birmingham stated this Resolution states the approval of the submission of a Statewide Local Share Statewide Assessment grant of \$297,012.92 for the North Bangor and Mount Bethel Fire Companies radio communications project, from the Commonwealth Financing Authority. Tom Austin, captain of the NB Fire Department, stated the County is going to a digital radio system, so every single piece of communications that they have on all the trucks for both fire companies will not be compliant and will not be able to be used. Tom stated that they are going to DCED for grant, and an AFG (Assistance to Firefighters) grant. Tom will be getting support letters. Supervisor Birmingham stated that the BOS will also provide a letter of support. They have hired a grant writer to assist in writing the grants. **MOTION** by Supervisor Erler to adopt Resolution No.2025-21 seconded by Supervisor Albert. Vote: 5-0.
5. Resolution No. 2025-22 The Pennsylvania State Rail Plan and Proposed Restoration of AMTRAK Passenger Rail Service between NYC and Scranton-Tara Mezzanotte stated that if Amtrak does activate rail service from NYC to Scranton, it will be a major undertaking and it will have some significant impacts. The Resolution outlines the Township's significant concerns regarding safety, quality of life and environmental impacts. The Township acknowledges the potential regional benefits of restored Amtrak service between NYC and Scranton, including the appeal of stations at Blairstown, NJ and East Stroudsburg, PA. The Township does not, by this resolution, express support or opposition to the project, but rather emphasizes serious local concerns regarding safety, noise, and environmental impacts. The Township requests that PennDOT, Amtrak, and the Federal Railroad Administration conduct an updated National Environmental Policy Act (NEPA). The Township further requests consideration of designated quiet zones, construction-period mitigation measures, and continued consultation with Upper Mount Bethel Township officials. **MOTION** by Supervisor Erler to adopt Resolution No. 2025-22, seconded by Supervisor Eckman. Vote: 5-0.
6. 2025 Line Painting Final Payment-Engineer Coyle stated that he has reviewed the final invoice and recommend approval of the final payment in the amount of \$128,907.48 to Alpha Space Control LLC. The work completed has been performed in compliance with the project manual, including specifications and special provisions of the contract. **MOTION** by Supervisor Friedman to approve the final payment to Alpha Space Control LLC in the amount of \$128,907.48, seconded by Supervisor Albert. Vote: 5-0.

X.

NEW BUSINESS

1. Clarification with Alternate Solicitor-Adrian Cousens, the Township's Alternate Solicitor was present for discussion. Supervisor Erler stated that he has three matters he would like clarified. The Mandamus bill was on hold from being paid but it got paid without any discussion amongst the Supervisors but the description in the bill with no respect to the mandamus action. Adrian stated that there are a lot of bills overlapping, all related issues, in separate lawsuits. Supervisor Erler asked how the Community Benefits Agreement (CBA) would

overlap with the Water Authority? Adrian stated that the CBA also relates to the ongoing discussions about the project at the power plant. Most of things that were billed were billed to the insurance company, as they were directly related to the lawsuits brought against the Board. Supervisor Erler asked Adrian if he was asked to look into those items specifically or did he look into them because of the overlap. Adrian asked if he was referring to the specific bills from March, Supervisor Erler stated yes, Adrian stated he does not recall. He does not believe he was specifically asked to look into them. Supervisor Erler asked Adrian about the lawsuits being put on hold. Adrian stated that they are stayed by the court. Supervisor Erler asked Adrian who asked him to stay the lawsuits. Adrian stated that he was not quite sure, the principals were directly negotiating in some fashion. Supervisor Erler stated that Adrian's email to him on September 1st stated that he was instructed to put all litigation activities on hold as per the agreement of the Supervisors. Supervisor Erler stated that this was never discussed in Executive Session or made any motions on it. Adrian stated that he spoke with Supervisor Bermingham, and his understanding was that we were not moving forward on litigation at this point. Supervisor Erler stated that he has an email from Kaplan to Adrian stating that each one of the clients have expressed to each of us that they would like to stay all legal actions regarding dispute on the continuation of the Township Water and Sewer Authority. Again, Supervisor Erler stated that he was not aware of the stay on the lawsuits. Adrian stated that Supervisor Bermingham has been his point of contact from the beginning of this to sort of represent what the Board was looking to do. Supervisor Bermingham stated that he remembered that in an Executive Session meeting, it was noted for Adrian to do what he needed to do to make the lawsuits go away. Supervisor Erler asked, "is the municipal water authority still active"? Adrian stated that it is a matter of legal perspective. He believes it has been dissolved by the Resolution. Supervisor Bermingham stated that he believes they owe the Township certain legal fees. Adrian stated there are fines and things of that nature that are accruing according to the Resolution. Supervisor Erler asked Adrian about providing his conflicts check he performed with the Township, due to the information that Solicitor Karasek discovered in the Park's Foundation and other things. Supervisor Erler stated that in an email, Adrian stated that he does an in-house conflicts check. Adrian stated that he will provide that to him.

XI.

EXECUTIVE SESSION

Recess to Executive Session at 8:20 pm to discuss legal matters.

The meeting reconvened at 8:34 pm.

Solicitor Karasek stated that discussed in Executive Session were the StineCzopoth burning matters, DEP inspections, and a court date of October 30th is scheduled.

XII.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 8:36 pm, seconded by Supervisor Albert. Vote: 5-0.

Respectfully Submitted by Cindy Beck, Recording Secretary