



Upper Mount Bethel Township
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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, MAY 12, 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 7:05 pm.

The Pledge of Allegiance was recited.

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

II.

APPROVE THE AGENDA

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

III.

PUBLIC COMMENT

Supervisor Bermingham made a public comment stating that he has been advised by external council not to entertain any questions on any dealings with Amazon due to the fact that the Supervisors are under litigation. We are currently negotiating with other companies.

Tara Mezzanotte commented on the Explore Act Resolution, which will be discussed at the County on Thursday and would like to know if one of the Supervisors could attend with her.

Charles Cole, Riverton Rd., commented on the BOS support of Data Centers, making certain that we have adequate resources.

Lee McDonald, Belvidere Corner Rd., asked Solicitor Karasek for an update on the Park Foundation documents that he received to review. Solicitor Karasek stated that he does not have an update. Lee commended everyone that participated in Beau's Festival and hopes to see a report as to what was raised and what was spent.

Stavros Barbounis, Potomac St., commented on what a great success Beau's Festival was. Parks/Rec hosted an electronics recycling event, in which all donations received went towards park development. Stavros stated that more events will be planned.

Ron Angle, Million Dollar Hwy., commented on the road department and the excellent job they do maintaining them. Why do they need a bucket truck, they have enough to do, they don't need to worry about taking down trees.

Judith Henckel, Robin Hood Rd., commented on data centers, get as much information as possible. Judith commented on the Comprehensive Plan.

IV. ANNOUNCEMENTS

Supervisor Erler announced that he would like to gather a beekeepers list to be available for the residents and/or all beekeepers. May 20th is the primary election and is encouraging everyone to get out and vote.

Supervisor Eckman gave thanks to all the vendors and volunteers that helped out at Beau's Festival. Thank you to the Parks/Rec for donating the Park to the Kelly family to hold Beau's Festival there.

Supervisor Albert asked what the Board would like to do for the WS meeting that is scheduled for May 26th, which is Memorial Day. Supervisor Bermingham stated that his thought is to cancel the WS meeting and if they need to schedule a meeting, it will have to be advertised 24 hours in advance. **MOTION** by Supervisor Friedman to cancel the May 26th WS meeting, seconded by Supervisor Albert. Vote: 5-0.

Supervisor Friedman announced that the TAC came up with some recommendations and will discuss them at the next meeting.

Supervisor Bermingham announced there are no final numbers on the donations received for Beau's Festival. They are trying to raise \$90k. Donna Lockwitch is in need of assistance moving wood and if anyone would like to volunteer their time to help them out just let him know. There were about 30 homes that participated in the community wide yard sale. Supervisor Bermingham is working with BASD on having a drug awareness seminar in September. The Story Shack, a free library, located at 3324 River Rd., stop in take a book, leave a book, love a book, or keep a book.

Manager Graziano thanked everyone who participated in Beau's Festival. Manager Graziano thanked the two individuals who cleaned up the nails that were scattered on Tott's Gap and National Park Dr. He would also like any feedback from the residents on having the 40-yard dumpster at the Township building.

V.

CONSENT AGENDA

1. April 14, 2025, Meeting Minutes
2. April 28, 2025, WS Meeting Minutes
3. Exonerations/Refunds

Supervisor Erler stated that the meeting minutes were not in his packet. Supervisor Bermingham stated that we will take out of the Consent Agenda the Meeting Minutes from April 14, 2025, and April 28, 2025, for the next meeting for approval and just vote on the Exonerations/Refunds. **MOTION** by Supervisor Erler to approve the Exonerations and Refunds, seconded by Supervisor Eckman. Vote: 5-0.

VI.

FINANCIALS

1. Bill List-Manager Graziano read the bill list, \$358,851.96. **MOTION** by Supervisor Friedman to pay the bills in the amount of \$358,851.96, seconded by Supervisor Albert. Supervisor Erler asked about the rental of the generator. Supervisor Erler questioned a bill for \$144 from Gross McGinley/Mandamus. Supervisor Bermingham suggested that Supervisor Erler reach out to Adrian Cousens regarding the bill. Supervisor Bermingham stated that the Gross McGinley/Mandamus bill for \$144 be removed from the bill list. Vote: 5-0.

VII.

ACTION ITEMS

1. Resolution No. 2025-12 Greenways, Trails and Recreation Program-Manager Graziano read the Resolution which is a request to apply for a \$250k GTRP grant for Phase 1 Construction at the Preserve. **MOTION** by Supervisor Erler to adopt Resolution No. 2025-12, seconded by Supervisor Albert. Vote: 5-0.
2. Community Park Softball Fields Fencing Bid Award-Engineer Coyle discussed the bids received for the Softball Fields Fencing. Six bids were received. Bids ranged from \$91k to \$174k. New Holland Chainlink LLC was the lowest bidder at \$91,857.60. Engineer Coyle recommends awarding the bid the New Holland Chainlink LLC with a total bid of \$91,857.60. There was a discussion on the gauge of fencing. Stavros asked if the cost has anything to do with the tariffs, affecting materials costs. Engineer Coyle stated that he can't answer that. Stavros pointed out that this clearly states the need for Parks/Rec funding. **MOTION** by Supervisor Friedman accept New Holland Chainlink LLCs' bid to install the fencing at the Community Park for \$91,857.60, seconded by Supervisor Eckman. Vote: 5-0.

VIII.

TABLED ITEMS

1. Holding Tank Ordinance-**MOTION** by Supervisor Bermingham to table, seconded by Supervisor Erler. Vote: 5-0.

IX.

NEW BUSINESS

1. Letter of Intent/EMS Study-Supervisor Bermingham stated this was discussed at the last Regional Ambulance meeting. In order to do the EMS study, each municipality has to have a letter of intent submitted to the governor center for local government services to request a study. There is no cost for the EMS study. **MOTION** by Supervisor Erler to approve the letter of intent, seconded by Supervisor Eckman. Vote: 5-0.
2. Ground Water Survey-Supervisor Friedman stated that it has been 13 years since the last groundwater survey was done and would like to initiate another survey to be done to bring us up to date. Supervisor Friedman would like the Boards approval to get bids. This is for the whole Township. Supervisor Friedman would like to send a letter to those that are drawing water from the Township to help pay for the survey. **MOTION** by Supervisor Erler to send out for bids for a groundwater survey, to get a cost, seconded by Supervisor Eckman. Vote: 5-0.
3. Comprehensive Plan-Supervisor Friedman stated that since we have withdrawn from the Plan Slate Belt, we are now required by State Law to align the zoning, official map and SALDO with the plan. Supervisor Friedman suggested forming a committee. There was a discussion about getting out of the Comprehensive Plan. Supervisor Erler read from Becky Bradley's letter, "Let me be very clear, the Township is still required via state law to align the zoning, official map and subdivision and land development ordinance with the plan." Supervisor Erler stated that if we were to form a committee, it would be best to redo our current comprehensive plan and be current. Solicitor Karasek stated that there is some confusion with respect to this comprehensive plan. A comprehensive plan is not a binding document; it is simply an idea as to how a municipality wants to look like in future years. If we were to pull out of the comprehensive plan completely, we would have our old comprehensive plan. Supervisor Erler stated that out of an abundance of caution, he would like to make a **MOTION** for Upper Mount Bethel Township withdraw from the Plan Slate Belt Multi-Municipal Comprehensive Plan that was adopted January 27, 2025, as Resolution No. 2024-30, seconded by Supervisor Eckman. Supervisor Bermingham's thought is to hold off getting out of the plan and to let the Supervisors review the 2011 plan. Manager Graziano stated that the DCED has a document that helps Townships with Comprehensive Plans. **MOTION** by Supervisor Bermingham to amend the motion, to hold off getting out of the plan until all the Supervisors have reviewed the old comprehensive plan, seconded by Supervisor Erler. Vote: 5-0. Supervisor Erler would like Becky Bradley's letter to be made part of the official record.
4. EAC Facebook Page-Supervisor Friedman stated that Environmental Advisory Committee (EAC) would like to start a Facebook Page. Courtney Gilmour, Morningside Dr., member of the EAC, stated they would like to have

a more isolated FB page to be used to get more information out to the people of the community. Stavros stated there is no reason not to do this, we do it for other committees.

5. Chevy 3500 Pickup Truck-Manager Graziano discussed his recommendation to purchase a 2025 Chevy Silverado 3500HD. This truck is to replace Truck 26. Supervisor Albert expressed his concerns about how many trucks we have vs how many drivers we have. Supervisor Erler asked about the LPO, Black work step (\$575). Rich Klinge, Totts Gap Rd., commented on why the need for another truck. Manager Graziano stated that we are not adding another truck, we are replacing one. Supervisor Erler and Supervisor Bermingham feel they need to weigh the pros and cons. Ron Angle stated that Manager Graziano is correct, you need certain equipment to do certain jobs. Supervisor Bermingham stated that he got enough information on why we need this truck, the pros outweigh the cons. **MOTION** by Supervisor Bermingham to take the necessary actions to order/purchase the Chevy 3500 pickup truck, seconded by Supervisor Friedman. Vote: 3-2.
6. Bucket Truck-Supervisor Erler discussed a possible need for a bucket truck, not a tree truck, we are not looking to get into the tree business. This could facilitate hanging limbs or hanging banners. Supervisor Bermingham stated that we have an agreement with East Bangor and it's been working out good for years. Supervisor Bermingham feels it is not a necessity at this time. Joe Torre, Institute Rd. commented on the liability and knowing how to cut a tree.
7. Legal Advertisement Location on Township Website-Supervisor Erler stated that this was discussed at one of the classes he attended at PSATS. The cost of advertising public notices in newspapers is very expensive but it is required to do. Supervisor Erler thought maybe we could post the advertisements on our website so just in case it does happen down the road that we longer have to advertise in a newspaper, we would already have it set up on the website.
8. Letter of Support for Data Centers-Supervisor Bermingham read the letter, drafted by our external council, in support for data centers. **MOTION** by Supervisor Friedman to authorize the execution of the letter on behalf of the Board of Supervisors to River Point Logistics Center LLC expressing support for a Data Center Campus development as prepared by Township Special Land Use Council. The transmittal of the letter to RPL by the Special Land Use Council shall be conditioned upon the withdrawal or termination of all litigation against the Township initiated on or on behalf of RPL/Lou Pektor to the satisfaction of the Township Litigation Council, seconded by Supervisor Bermingham. Ron Angle asked if there were two different things before them. Supervisor Erler stated that it seems that way. Ron stated that he hopes that this time around you have hired professionals to negotiate on your behalf whatever this new data center may be. Joe Torre stated that we already have a committee, the EDC. Supervisor Eckman stated that we want to show our support for Lou but there are two separate things going on. Litigation, yes, that does need to go away, but we were asked to show our support for data centers. Supervisor Bermingham said to Supervisor Eckman that she can amend the motion. **MOTION** by Supervisor Eckman to amend the motion to just vote on the letter that Supervisor Bermingham just read, seconded by Supervisor Erler. Supervisor Erler stated that data centers are the correct way

to move forward for our community. His concern is the noise. Supervisor Bermingham called for a vote. Vote: 5-0.

X.

EXECUTIVE SESSION

Recess to Executive Session at 9:05 pm to discuss legal matters.
The meeting reconvened at 9:31 pm.

Solicitor Karasek stated that discussed in Executive Session were personnel matters which dealt with attorney/client privilege.

XI.

ADJOURNMENT

MOTION by Supervisor Albert to adjourn the meeting at 9:32 pm, seconded by Supervisor Eckman. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Becky A. Bradley

To: me, and 2 others, Cc: Robin, and 2 others · Tue, Apr 29 at 12:21 PM

Message Body

Judy (and I added Dave and John):

The Supervisors did not pull out of the comprehensive plan itself. UMBT is still in that. But the Township last night elected not to move forward with the state required zoning and official map updates. We raised county funding for the Township to do this required after action item. They also elected not to go into the implementation agreement to talk to the neighboring communities in the plan.

Again, you still have a legally-adopted multi-municipal comprehensive plan. Joey reviewed the recording of the meeting to confirm.

Let me be very clear. The Township is still required via state law to align the zoning, official map and subdivision and land development ordinance with the plan. Since the Township has pulled out of this activity the grant funding for this will not be accessible and you will still need to do the work. However, you will need have the taxpayers of the Township foot that entire bill.

If the Supervisors wish us to come back to discuss the implications of this we are happy to. It is unfortunate that misinformation and misunderstanding is causing the return of funding that could have reduced the burden to taxpayers locally. If the Supervisor's wish to reconsider we are happy to discuss this as well.

Becky

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