

Upper Mount Bethel Township
387 Ye Olde Highway
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www.umbt.org

UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MONDAY, JUNE 9, 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 Engineer Coyle, Township Solicitor Karasek, and Township Manager Graziano.

II.

APPROVE THE AGENDA

Supervisor Albert would like to amend the agenda, adding the Bangor Proclamation under New Business.

Supervisor Erler would like to amend the agenda, adding Supervisor Conduct after Public Comment.

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

III.

PUBLIC COMMENT

Supervisor Friedman stated that he owed everyone an apology for the gesture he made at the last meeting. It was uncalled for, unprofessional, and everything that has been said about it. He takes full responsibility for his actions. It was an act of frustration more than anything. Something has come up about him representing the township for any meetings and he agrees, with any dealings we should have, the consultant should be in all the meetings, that is why we're paying him. He has no problem with anyone not wanting him to attend any meetings with any future tenant.

Robert Teel, N. Delaware Dr., commented on Supervisor Friedman's behavior. He is demanding his resignation.

Lisa Pektor, RPL representative, thanked the Board for their letter supporting data centers, it has gone a long way, and they are starting negotiations. Moving forward, they would like to do things more efficiently, have better communications, have more of the Supervisors involved, as well as using Solicitor Karasek and the consultant. Lisa would like to collect the thoughts of committee chairs to find out what they want.

Charles Baltic, Laurel Hill Rd., read his letter to the BOS about the actions of Supervisor Friedman. This letter will be part of the official minutes.

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 has not had a chance to review the documents yet. Supervisor Bermingham asked him if he could make it a priority and have an update for the July 28th meeting.

Tara Mezzanotte commented on the study on sections of the Delaware River and tributaries located in Upper Mount Bethel Township. She would like to present the results of the study at the July 28th meeting. Tara also commented on the letters supporting the Explore Act from Congressman Ryan Mackenzie and County Executive Lamont McClure.

Judith Henckel, Robin Hood Rd., commented on the Plan Slate Belt Comprehensive Plan that is on the agenda and is respectfully asking that this be tabled until they get more information.

Ron Angle, Million Dollar Hwy., commented on data centers. Amazon had \$20 billion earmarked for PA for data centers. We lost Amazon because of a couple of people in the township that got greedy.

SUPERVISOR CONDUCT

Supervisor Erler stated that he prepared a public statement, in which he read and will be part of the official minutes. His statement spoke of Supervisor Friedman's lack of professional judgement to the residents. Supervisor Erler referenced four letters written by elected officials or appointed officials condemning Supervisor Friedman's ongoing reprehensible actions and would also ask for them to be part of the official minutes. His actions should not be overlooked. At this time, Supervisor Erler would like to make a **MOTION** of censure against Supervisor Friedman for his most recent action, noting, this is second time he has made this motion this year, seconded by Supervisor Albert. Supervisor Bermingham stated that he did not praise Supervisor Friedman, he said he reacted in a peaceful way, and he does not condone his behavior. Vote: 3-1. Supervisor Bermingham voted nay. Supervisor Erler asked Solicitor Karasek to prepare a resolution censure for our next meeting. Solicitor Karasek stated that he can do that, but

understand that the motion that was made was not on the agenda earlier and he is not sure of any possible legal effect will come from that. The agenda was amended to add Supervisor Conduct, not to add a motion to censure. Supervisor Erler stated that he did ask Supervisor Bermingham to include this on the agenda prior to the meeting but was denied. Supervisor Bermingham stated that he denied it because it's personnel matter and should be discussed in executive session first. Supervisor Erler stated that after the resolution is drawn up, we can revote it.

IV.

ANNOUNCEMENTS

Supervisor Erler announced that he was part of a phone call with Rep. Ann Flood who is interested in setting up a workshop meeting for township supervisors given by LVEDC. Manager Graziano will get more information. Supervisor Erler is in the process of organizing a second committee chair meeting and the next one will be open to the public.

Supervisor Friedman stated that he would like to put Amazon discussion on the agenda for the next meeting to discuss some of the misinformation that's been out there. Supervisor Friedman is withdrawing from his position as the liaison for the TAC.

Manager Graziano read a thank you letter from Joe Torre and family to the road crew, for the work they did on Institute Dr. Manager Graziano gave an update on the Regional Ambulance study. The paver and roller were sold today on Municibid. The paver sold for \$4,102 and the roller sold for \$7,200. Thank you to Troy Bartron, Jimmy Potter, and Todd Pinto for saving truck 29 and for saving the township a lot of money.

Supervisor Bermingham announced the 8th annual 4th of July parade will be on July 4th, at 11am. It will be the route. Parks/Recreation will be having their annual fireworks event on July 5th, park opens at 5pm, with food trucks, games, music, and fireworks. The Chelsea Sun is hosting a firefighter appreciation day, July 25th at 6pm. More information will follow. Supervisor Bermingham would like to put the Slate Belt Museum on the agenda for the June 23rd meeting.

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. May 12, 2025, Meeting Minutes
4. Exonerations/Refunds

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

VI.

FINANCIALS

1. Bill List-Manager Graziano read the bill list, totaling \$230,570.03. **MOTION** by Supervisor Albert to pay the bills in the amount of \$230,570.03, seconded by Supervisor Friedman. Supervisor Erler asked about the Gross McGinley bill that is still outstanding, as well as other Gross McGinley bills, which he will discuss in Executive Session. Supervisor Erler asked Supervisor Bermingham if he had any information on where the zoning board appeal is. Supervisor Bermingham stated that he did not but will get an update from Adrian. Vote: 5-0.

VII.

LAND DEVELOPMENT

1. Cloverleaf Saddle Club New Equestrian Facility
 - a. SALDO Waiver Request 298.14-to allow the plan to be reviewed and approved as a preliminary/final plan. Solicitor Karasek this waiver was recommended for approval by the Planning Commission. Engineer Coyle stated that he recommends approval of the waiver. **MOTION** by Supervisor Erler to grant the SALDO Waiver request, seconded by Supervisor Bermingham. Vote: 5-0.
 - b. Conditional Preliminary/Final Plan Approval-Solicitor Karasek stated the Planning Commission has recommended agreement for conditional preliminary/final plan approval at their May 21st meeting. The agreement was signed by Matt Evans. Solicitor Karasek read through the conditions. **MOTION** by Supervisor Albert to grant conditional/final plan approval, seconded by Supervisor Bermingham. Vote: 5-0.

VIII.

ACTION ITEMS

1. Parks/Rec SALDO Expenditures-Manager Graziano discussed the list of expenditures that the Parks/Rec wish to purchase with the SALDO funds, which are funds received from properties that pay a park/recreation fee of \$2,000. The current balance is \$20,330.47. The expenditures total \$15,527.97. Supervisor Erler would rather see them spend less in case other needs come up. Marty Pinter, Lindsey Lane, stated that he is not on Parks/Rec but spends a majority of his time volunteering and feels this equipment is needed. Orion Barbounis, Secretary of Parks/Rec, stated that all the equipment they are looking to purchase is absolutely needed. **MOTION** by Supervisor Bermingham to approve the purchase of the equipment needed, a total expenditure of \$15,527.97, seconded by Supervisor Erler. Vote: 5-0.

IX.

TABLED ITEMS

1. Plan Slate Belt Comprehensive Plan-Supervisor Erler stated that at the last meeting he made a motion to pull out of the Plan Belt entirely, but the motion was amended to table in order for the Board to review our past comprehensive plan. Supervisor Eckman would like some more time to finish reviewing the past comprehensive plan. **MOTION** by Supervisor Erler to table to the June 23rd meeting, seconded by Supervisor Albert. Vote: 5-0.

X.

NEW BUSINESS

1. Bangor Proclamation-Supervisor Albert stated that Bangor is celebrating their 150th anniversary and thought it would be neighborly of Upper Mount Bethel Township to congratulate them on their 150th anniversary. **MOTION** by Supervisor Albert to adopt the Bangor Proclamation, seconded by Supervisor Erler. Vote: 5-0.
2. TAC Sign Recommendation-Supervisor Erler read a recommendation letter from TAC. Jeff Williams, Chairman of TAC, stated that the permits to place the "Local Deliveries Only" signs to locations that made no sense. The locations were reviewed by the Manager and the Engineer, and the result was that the Ordinance (2024-04) would need to be re-written. TAC recommends leaving the Ordinance as is.
3. Ian Haddad Conservation Easement-Solicitor Karasek discussed the conservation easement agreement with the Township, Heritage Conservancy, and Ian Haddad. **MOTION** by Supervisor Erler to approve the Ian Haddad Conservation Easement, seconded by Supervisor Eckman. Vote: 5-0.

XI.

EXECUTIVE SESSION

Recess to Executive Session at 8:22 pm to discuss legal matters.
The meeting reconvened at 8:58 pm.

Solicitor Karasek stated that discussed in Executive Session were personnel matters with respect to a road crew employee and his actions over the last week. **MOTION** by Supervisor Albert that Manager Graziano take the appropriate disciplinary action against the employee, seconded by Supervisor Erler. Vote: 5-0.

XII.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 9:00 pm, seconded by Supervisor Albert. Vote: 5-0.

Cindy Beck

From: Nicholas Graziano
Sent: Thursday, June 5, 2025 11:42 AM
To: Cindy Beck
Subject: FW: BoS behavior

From: John Bermingham <supervisorbermingham@umbt.org>
Sent: Tuesday, May 13, 2025 11:13 PM
To: scott Cole <Whatleyhomes@outlook.com>; David Friedman <supervisorfriedman@umbt.org>
Cc: Bill Hall (External) <williamhall8383@gmail.com>; Ray Higgins (External) <subaruray.rh@gmail.com>; Geoff Deen (External) <hardballcider@gmail.com>; Stavros Barbounis (External) <reachme@stavrosbarbounis.com>; Anthony DeFranco (External) <bigantdefranco@gmail.com>; mlpinter@gmail.com; Jonathan Erler <supervisorerler@umbt.org>; Nicholas Graziano <townshipmanager@umbt.org>
Subject: Re: BoS behavior

Scott,

I have to respectfully take issue with this. You were not at last night's meeting and did not see what those couple of people in the audience did to Supervisor Friedman before he made his gesture. They mocked him and laughed at him because his motion did not go through as planned which I knew about his motion and supported because I seconded his motion.

His motion made sense, we will give a letter of support in good faith to work with RPL and they should drop the lawsuits in good faith on their part. The other supervisors disagreed and I respect that. I can understand why Supervisor Friedman went back at them in a peaceful way by sticking up his finger. He has First Amendment rights as well. It was an emotional reaction and I understand sometimes the pressure gets tough. I have lost it before as well.

Supervisor Friedman gives the most time in a Supervisor role and is consistently at other meetings and events that us other supervisors cannot be at due to work, family and other commitments. He goes above and beyond.

None of us are perfect. However, Supervisor Friedman did vote yes on the Data Center Support letter and I applaud him for that. He voted in the best interests of Upper Mount Bethel Township regardless of his motion being amended.

There is a saying that you should criticize softly and praise loudly. I will praise Supervisor Friedman loudly hear, he does what he thinks best for Upper Mount Bethel Township and his vote last night to approve the Data Center Support letter was just that - even though his motion was amended.

There is so much Supervisor Friedman does that is not recognized. I thank him for his service and I thank you and all our volunteers of UMBT for your service. Now let's go get a data center and put this behind us. We have to be in this together and I all think we all want the same end result.

Best regards,

John

From: scott Cole <Whatleyhomes@outlook.com>

Sent: Tuesday, May 13, 2025 3:06 PM

To: David Friedman; John Bermingham

Cc: Bill Hall (External); Ray Higgins (External); Geoff Deen (External); Stavros Barbounis (External); Anthony DeFranco (External); mlpinter@gmail.com; Jonathan Erler; Nicholas Graziano

Subject: BoS behavior

Mr. Friedman,

Your behavior at last night's BoS meeting was a complete embarrassment, and your actions reflect poorly on every one of us who work and volunteer for UMBT. Many of us work so hard to make our township better and make it a respectable place to live. Yet we have you sticking up middle fingers to members of the audience - tax paying residents - who don't agree with your beliefs and unethical ways of doing business. You truly are an embarrassment to all of us. Shame on you for acting in such an unprofessional manner. The residents, employees, and committee members of UMBT deserve better behavior!

Scott Cole

Friday, May 16, 2025

Mr. Friedman,

At the most recent Upper Mount Bethel Township Board of Supervisors' meeting, your attempt to demand that RPL drop all lawsuits in exchange for a letter of support for datacenters was both short-sighted and highly inappropriate.

If that was not enough, you 'flipped the bird' to a member of the public, a taxpayer, a resident, a previous supervisor, and county council member, among others. What you really did is flip off the Township as a whole. You demonstrated in that one moment that you could care less about this Township, its residents or how your actions affect us.

Upper Mount Bethel Township would not be dealing with lawsuits if it were not for the deliberate actions of certain BoS members, including yourself. Your request to drop lawsuits primarily benefits you and the BoS, and I would argue that the context your request was made in would constitute another ethical violation. It is my understanding that you are also being sued personally. Your demand to drop the lawsuits would, in fact, benefit you financially.

The Township residents are not to blame for the lawsuits or the loss of Amazon. We did not cause the lawsuits; you did. We are, however, the ones paying the price for YOUR actions.

The failure to leverage assistance from individuals on Township boards, commissions, or councils; of whom have direct industry, business, financial or logistics knowledge and experience, further demonstrates a lack of reason and deliberate intent to delay the development of much-needed industry within the township.

Considering all the things happening in our community today, one would expect our Township officials to bring clarity, unity and focus to the issues we face. The elected Supervisors of Upper Mount Bethel Township are to represent the best interests of UMBT and that should be the sole focus, not their own personal agenda. They should conduct themselves in a manner that both provides and demands respect.

It is my belief that YOU were a key factor to the outcome of the Amazon deal that fell through.

It is my belief that YOU are not acting in the best interests of the Township.

It is my belief that YOU are unfit to represent the Township and its residents.

It is my request that you do not take part in any future negotiations, planning, discussions, decisions or otherwise as it pertains to the potential RPL development opportunities, especially as it pertains to datacenters.

Sincerely,

Stavros Barbounis

May 16th, 2025

Mr. Friedman,

It is not often that I pen letters to the BoS and certainly less often with a major complaint. I hope you understand how important what I have to say is.

I attended the BoS meeting on 5/12 and was witness to one of the most unprofessional displays from a supervisor I've seen to date. Verbally arguing with the crowd is understandable and sometimes expected. We don't always show the respect due to our elected officials.

However, a double bird gesture is just over the top- and you did it twice.

I rewatched the recording so that I was certain of what the context was and I have to say- that was uncalled for. I understand that this gesture was in response to earlier comments from the audience and based on how you voted for the motion on the floor- that is no excuse. You could have made a sarcastic verbal remark that would have been much less offensive in this context.

I expect more from you. You are under the microscope for past actions. You know everyone is watching.

My only conclusion is that you don't care what anyone thinks. I can understand that-

BUT!

You publicly represent UMBT. We expect professionalism and we expect that you will represent us respectfully and treat us respectfully.

This situation leads me to the Amazon/data center negotiation.

I believe we've been lied to. I believe that your negotiations with Amazon were not done in good faith, and you may be the reason they decided not to deal with UMBT. I believe that your actions at the BoS meeting show that you should not be representing us with RPL. I have personally stopped working with long time vendors because of ethical concerns based on the behavior of their sales representatives. YOU are our representative!

Any data center company who sees this video, checks the local media or asks residents about you will find that you might not be trustworthy to work with. This is a major problem for UMBT.

I have ask, please, do not involve yourself with any future negotiations regarding the RPL property or any tenants.

UMBT needs a solid tenant on the RPL property.

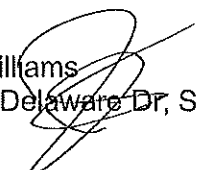
UMBT does not need supervisors who lash out at the audience. Justified or not.

UMBT needs supervisors who we are proud to have represent us.

I appreciate all the work you do and will continue to do, but I must insist that other supervisors be involved with RPL. Your work within the township is great, however, for things like RPL, I must ask you to step back from that.

Thank you for your time.

Jeff Williams
732 S Delaware Dr, Stone Church



Charles V. Baltic III
971 Laurel Hill Road
Mt. Bethel, PA 18342

June 6, 2025

Via E-Mail

Upper Mt. Bethel Supervisors
c/o John Birmingham, Chairman
387 Ye Olde Highway, PO Box 520
Mt. Bethel, PA 18344

Dear Messrs. Birmingham, Albert, Erler and Ms. Eckman:

I am writing in a personal capacity as a resident and as an elected official in reference to the May 12, 2025 Upper Mt. Bethel Township Board of Supervisors Township Meeting and the actions of Supervisor Friedman at that meeting. His actions were grossly inappropriate and evidence a complete disdain for and disregard of the dignity of the elected office of Supervisor and the responsibility of that office to the residents of UMBT.

Regardless of the nature of any verbal – and constitutionally protected – provocation of any particular resident of UMBT during the meeting, it can never be appropriate for a Supervisor, acting in his / her official capacity, from the rostrum of the Supervisors, during an official, public Township proceeding, to make an obscene gesture directed toward the audience of that meeting, most of whom are UMBT residents, whether in person or online.

Such action by Mr. Friedman evidences a complete lack of awareness of the role and responsibility of the elected position of Township Supervisor, a lack of professional judgement, and a failure of public character. It also demeans and degrades the process of governing Upper Mt. Bethel Township. Finally, it brings regional embarrassment and opprobrium on the Township throughout Northampton County and the Lehigh Valley. (See <https://lehighvalleyramblings.blogspot.com/2025/05/umbt-government-is-crazy-supervisor.html?m=1>)

This action should be roundly and immediately condemned by the other four elected Supervisors, through a formal motion of censure at the June 9th public Board of Supervisors Meeting. This type of statement of the remaining Supervisors is I believe necessary to maintain / restore the confidence of the residents of UMBT in the governance of the Township. Our Township is a good and great place to live, greatly valued by its residents. It is made up overwhelmingly of good, ethical and hard-working people invested in the freedom, well-being and welfare of their neighbors and their community. It deserves to have an elected Township government and officers worthy of it.

To be clear, this is in no way relevant or related to Mr. Friedman as a person. It relates entirely to his professional responsibility as an elected Township official – an office he ran for - and is paid to perform by the tax dollars of all of the residents of UMBT. The remaining Supervisors should see this issue as such: you each owe your sole duty - a duty of loyalty and a duty of care as elected officials - not to Mr. Friedman in a personal capacity, but solely to the Township and its residents. Those duties should guide your decision.

Finally, I am personally and professionally concerned by the proposed resolution by Supervisor Friedman at the May 12th meeting to tie the proposed issuance of a Supervisors letter expressing support for a data center development in the best interest of the Township to a release of litigation against the Township that may also relieve the individual Supervisors, and particularly Supervisor Friedman, of personal legal scrutiny and / or liability. I believe this is a potential ethical concern involving a conflict of interest that should be investigated and evaluated by the township Solicitor for possible further action.

Sincerely,
Charles V. Baltic III
Chairman, Board of Auditors of Upper Mt. Bethel Township

-May 12th 2025 Supervisor Conduct response-

Mr Chairman,

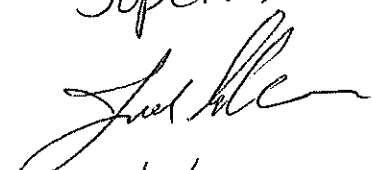
At the last meeting Supervisor Friedman demonstrated another lack of professional judgement to our residents. In the year and a half since I have taken this seat, he was not only found guilty of ethics violations but also has repeatedly mislead our residents, promises given 3 separate times, to resign if found guilty. Since then he has verbally accused at least 2 residents of considerable violations without providing evidence. Supervisor Friedman has threatened me personally, in the company of this Board, with filing ethics charges against me merely for performing a core function of a township Supervisor [of investigating the facts and circumstances of matters before the Township]. And again he may have just violated the ethics code and his oath of office with his motion to resolve a lawsuit he is a defendant in. He continues to demean his seat, including our own reputations by connection and tolerance for his antics, as well as the residents of our township by presenting both middle figures- twice at our last public meeting.

I would like to now reference the four letters written by elected or appointed Township officials condemning Supervisor Friedman's ongoing reprehensible actions into the meeting minutes, and including your response defending the actions and praising him in one case. Those letters were not only written by our residence but from those who volunteer their time and energy to the betterment of our township and its peoples. I will not allow their voices and frustrations to go unheeded without public accountability.

Supervisors Friendmans actions should not be overlooked as they show an ongoing disdain for the office held, not only as a township supervisor but the Vice Chairman of this board, and the residents we are sworn to represent. I personally no longer have confidence in his conduct and judgement in the representation of this Township.

There are only so many times we can "move past this" or "put this behind us" without taking a stand against this and enforce repercussions.

It is at this time I would like to make yet another *MOTION* of censure against Supervisor Friedman for his most recent action.

Supervisor Erler

6/9/2025

Charles V. Baltic III
971 Laurel Hill Road
Mt. Bethel, PA 18342

June 6, 2025

Via E-Mail

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c/o John Birmingham, Chairman
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Sincerely,
Charles V. Baltic III
Chairman, Board of Auditors of Upper Mt. Bethel Township

