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UPPER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS' WS MEETING MINUTES
MONDAY, APRIL 27, 2026 – 7:00 PM

*This meeting was held in person and live streamed through the Upper Mount Bethel Township Facebook page.

I.

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

The Pledge of Allegiance was recited.

In attendance were Supervisor Erler, Supervisor Friedman, Supervisor Eckman, Township Solicitor Karasek. Supervisor Bermingham and Manager Graziano arrived at 7:20 PM. Supervisor Albert and Engineer Coyle were absent.

II.

APPROVE THE AGENDA

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

III.

PUBLIC COMMENT

Charles Baltic, Township Resident, commented on key principles to guide any data center Community Benefits Agreement. This will be part of the official record.

Clarence and Marie Ricker, Township Residents, commented on the activity that is occurring at 609 Orchard Rd., which is disrupting their quality of life. They are looking for an update as to what the Township is doing about this ongoing issue.

Tom Rinehart, Township Resident, also commented on the activity that is occurring at 609 Orchard Rd., and would like to know what the Township is doing about it.

Manny Vidal, Township Resident, also commented on the activity occurring at 609 Orchard Rd., and would like to know what the Township is doing about it.

Supervisor Friedman addressed the residents who commented on the ongoing activity that is occurring at 609 Orchard Rd. Supervisor Friedman stated that this is the same property that we had with the burning issue. This resident now states that he is looking to put in eleven greenhouses. We have visited the property with the Soil Conservation District, our Engineer (since he is moving more than an acre of dirt), our Zoning Officer explained to him what he had to do to get permits, and our Road Crew Foreman to look at the driveway he put in. We are trying to regulate and keep an eye on what he's doing. He does have certain rights that we can't interfere with, but we can monitor and do what we can to try to make him adhere to our zoning issues and anything else there. We have to work through the regulatory procedures when something goes wrong. He has not submitted any plans or applications. Solicitor Karasek stated that the Zoning Officer issued a violation notice on April 17th. Manager Graziano arrived, read the violation notice, and gave a summary of what action the Township has been taking on the issue on Orchard Rd. Solicitor Karasek stated that an Enforcement Order should be sent. This will be on the May 11th agenda for an update. Marie Ricker stated that her and husband spoke to the so called partners, Jim and Stephanie, who own a construction company in the Bronx, in which they stated the plan is to have 11 greenhouses, two wood-burning outdoor furnaces that will be heating the greenhouses, large water tanks put up behind the pole barn, tractor trailers will be going in and out, these are all concerns of the neighbors.

Rich Klinge, Township Resident, directed his question to Supervisor Friedman on whether he gave the road foreman authorization to go out and get bids for a new backhoe. Supervisor Friedman stated not to get bids but to do some research, not to purchase one. Dave Constable, road crew member, commented on the number of trucks and drivers. Supervisor Erler stated that he will provide his comment if and when a vote arises to purchase a new backhoe.

Judy Henckel, Township Resident, commented on playing by the rules. Judy spoke of Dr. Larry Rymon, who recently passed away. Dr. Rymon began to restore Ospreys back to PA, a community effort.

Ron Angle, Township Resident, commented on the benefit package from the developer. Ron stated that there are residents in the township that have the ability to negotiate with the developer. Ron commented on the township residents raising money for a forensic audit of the park foundation. Solicitor Karasek will check on the statute of limitations, if

this can be done. Supervisor Bermingham asked for this to be on the May 11th for an update

IV.

ANNOUNCEMENTS

Manager Graziano asked the residents, for safety reasons, to please not put grass clippings on the road. Manager Graziano announced the 5k race/1-mile fun walk that will be taking place on Oct 3rd at the Park, registration is \$40, day of \$50. Donations will go to the park for a gazebo. Upper Mt. Bethel Township will be hosting an election pop-up on Tuesday, May 5th, 4-7, at the township building.

Supervisor Erler announced that a meeting was held with Manager Graziano, Supervisor Bermingham and himself, with Slate Belt Holding, to discuss the process of creating a CBA (Community Benefit Agreement). Supervisor Erler will be having a Chairs to the Table meeting on May 18th, 7pm, here at the township building, with the goal of reaching out to as many people as possible to refine anything they want to present for the CBA. This will be open to the public. Supervisor Erler stated that Stavros assured him that we will be having dual streaming to FB and YouTube starting next meeting.

Supervisor Eckman reminded everyone of the 4th July event at the park on the 4th, gates open at 4. We are still looking for vendors. Recommended parking donation is \$5.

Supervisor Bermingham announced that the 4th of July parade will also be held on the 4th. The community wide yard sale was a good success. Free electronic recycling day is Saturday, May 23rd, 9-12, here at the township building. Met with Prince of Peace Church and hopes to make an announcement in a couple of weeks. The BOS meeting scheduled for May 25th will be cancelled due to it being Memorial Day.

V.

ACTION ITEM

1. Part-time Public Works Position-Supervisor Friedman stated that we have one candidate, Tom Ammerman. This part-time position is 25 hrs. per week, more hrs. if needed for paving etc., no benefits, hired at will. **MOTION** by Supervisor Friedman to hire Tom Ammerman at \$21.37, at will, part-time (25 hrs per week) or more if needed, seconded by Supervisor Eckman. Vote: 4-0.

VI.

NEW BUSINESS

1. Proclamation for Aphasia Awareness Month (June 2026)-Supervisor Bermingham stated that a few residents asked if the township would put in place a Proclamation for Aphasia, a communication disorder that typically happens to

individuals when they have a stroke and they're trying to recover. **MOTION** by Supervisor Bermingham to put in place a Proclamation for Aphasia Awareness Month, June 2026, seconded by Supervisor Friedman. Supervisor Erler asked if this was something the Township would need to be involved with. Supervisor Bermingham stated that we are just recognizing it. Vote: 3-1.

VII.

TABLED ITEMS

1. Alternate Solicitor-Supervisor Erler stated that he saw certain deficiencies with our current Alternate Solicitor as well as not providing a conflicts check. With that being said, he would like to choose a new Alternate Solicitor. We received a letter of interest from Attorney Alex Marek of Newman Williams, PC. Supervisor Bermingham stated that he would like to have an interview with him. Attorney Marek did provide a resume, which all the Supervisors received. Supervisor Bermingham stated that the rate needs to be discussed because he should not be paid more than our Solicitor. Supervisor Erler stated that Attorney Marek's originally proposed a rate of \$225 but has since lowered it to \$190 an hour. Supervisor Friedman asked if he had any Municipal experience. Attorney Marek stated that yes, he has handled Municipal Law for Boroughs and Townships. Solicitor Karasek stated that if we pay him \$190, he will consider resigning. Attorney Marek stated that he will withdraw his interest in serving as the Alternate Solicitor because right now that is the going rate.

VIII.

EXECUTIVE SESSION

Recess to Executive Session at 8:27 pm to discuss a Litigation Matter and RPL and Talen Energy.

The meeting reconvened at 8:47 pm.

Solicitor Karasek stated that the first matter dealt with attorney/client privilege information and the second matter dealt with the litigation involving Mr. Manzi and his company, the complaint is ready to be filed.

Russ Horn commented on Solicitor Karasek's compensation, stating that he is underpaid. His value is worth way more than that. Attorneys are charging \$200+.

Solicitor Karasek stated that the Township Supervisors have been very good to him over the past 30 years. He charges a little less than most attorneys because he lives in Upper Mount Bethel Township but if we pay another attorney a higher amount, then he would like the same.

X.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 8:50 pm, seconded by Supervisor Eckman. Vote: 4-0.

Respectfully submitted by Cindy Beck, Township Secretary

The BoS should develop, enumerate and publish the principles that will guide development, negotiation and agreement in any data center related Community Benefits Agreement so that the process is transparent, fair and actually benefits the community of UMBT for the long term, and does not become a grab bag of political decisions to reward narrow constituencies. The BoS, and particularly its Chair, need to demonstrate leadership and principled decision making and good decisions.

The BoS should involve the broadest possible participation of the community.

Key Principles to Guide Any Data Center Community Benefits Agreement:

- 1) Real, broad and long-term **tax relief** / benefit for UMBT Residents.
- 2) **Resources for long-term capital development projects** that will benefit generations of the entire community and that could not otherwise be funded.
- 3) Regular-way **operational costs should not be offset** through a CBA – they should continue to be funded by a disciplined, annual, taxation-based budgeting process.
- 4) A **strong emphasis on public safety and emergency response**, capabilities and activities uniquely dependent on good and foresightful governance.
- 5) **Human capital development** should also be prioritized – particularly areas like education in tangible, beneficial, and not otherwise supported training in vocational training and the trades so that our young people can support themselves and contribute long term to our community – **and stay in UMBT!**
- 6) An orientation towards funding projects / programs with **tangible and long-term revenue-generating opportunities for UMBT**, through facilities and / or human capital development.
- 7) **Environmental preservation and improvement** through open space, wetlands and woodlands preservation, protecting and enhancing water resources and resource conservation.
- 8) Support our small and family farms, but more importantly, **support our local farmers!** Thereby, reserving our history and culture that makes UMBT special.

Sincerely,

Charles Baltic,

UMBT Auditor and Chairman