



# DEAREST BRADFORD..

## Dearest Bradford,

You can fool some of the people some of the time, but..

I strongly disagree with your assessment in the "Notable Statements of 2024"[\[P.O.S\]](#) document regarding the appointment of Emanuel Mirabito to the Borough Council and the handling of related communications. The evidence clearly demonstrates serious issues of nepotism, conflict of interest, and potentially illegal document manipulation. These concerns are rooted in several key areas:

### Nepotism and Conflict of Interest:

The claim that the mayor had no voting power in council decisions and thus could not have had a conflict of interest in recommending her husband for the vacant council seat is demonstrably false. The mayor has undeniably exercised her voting power in the past, most notably during the April 2018 meeting, where she broke a 3-3 tie to appoint Frank Hesch to Council. This clearly proves that the mayor does indeed have voting power and has used it to influence council outcomes, directly contradicting the initial claim [\[D\]](#).

The mayor's involvement in advocating for her husband's appointment, combined with her established ability to vote on the appointment of empty council positions, presents an undeniable conflict of interest. This issue is further exacerbated by the mayor's previous actions, which suggest a pattern of leveraging her position to influence council decisions in ways that benefit her personally. Examples include:

1. In fall 2021, the mayor advocated for the appointment of a new engineering firm for the borough. Notably, this seemed to have benefited a very, very small portion of the towns populous as the Firms Representative is father of her son's wife. Following this change, residents celebrated the significant increase in the cost of engineering services, rising from \$118/hr to \$180/hr for any project requiring such expertise.
2. In April 2022, when Marena quit, the mayor was given the job as clerk without public announcement. To this day, the borough only refers to that position as "the clerk" and never mentions that it's also the mayor herself.

The lack of transparency regarding the replacement of a council member, especially when contrasted with how the same individuals handled the very same situation in 2018, raises serious concerns about the integrity of the appointment process.

The email dated October 28, 2021 [\[A\]](#) clearly shows that Mayor Fiorella Mirabito was advocating for her husband's appointment to the council vacancy somehow months before it even known to be happening. This use of insider information to promote a family member's interests is a clear example of nepotism and conflicts with the PA Mayors Handbook's definition of conflict of interest [\[B\]](#). These connections between her personal interests and official responsibilities further solidifies the conflict of interest in this situation.

## Misuse of Confidential Information and Inconsistent Process:

The email dated October 28, 2021 [A] not only demonstrates that Mayor Mirabito was discussing the council vacancy behind closed doors, but it also highlights a troubling inconsistency in how the Borough handled public disclosure compared to past practices. In this email she CC'd Brad, all council as well as both Tanya and Marena. Both of whom were neither authorized to participate in executive session, yet the mayor shared such sensitive information with them.

So while you make mention that IF Mark had told me he had resigned that day, you are quick to suggest that IF he had, it would've been a violation of the sunshine act. This is true, but I then ask you which is it, did he resign on October 4, 2021 or December 31, 2021 [C] (because it's easier with the taxes)? You can't have it both ways. Plus I'm not suggesting that HE leveraged such knowledge to his advantage, but I'm showing you, that she did!!!

## COURT:

Which, funny enough, leads us right into why we're in court to begin with, not because of me, no, that's just some more false narrative the borough loves to push. But rather, it's because you two have spared no expense trying to keep these emails under wraps. But now, after getting slapped down not just once, then hiring the best RTK lawyer in the state and hoping two lawyers were better than one, only to be disappointed for a second time by the OOR, who ordered you to crack open those so-called "privileged" emails and spill any non-exempt facts, instead you decided to piss away even more money and went running to the courts. Not one, not two, but three separate appeals filed! Only to have the first two be premature, but that hasn't stopped you from letting those lawyers keep filing more and more paperwork into cases that are DOA. I wonder if this desperate legal scramble that doesn't seem to be going so well, has anything to do with the Solicitor suddenly bailing on municipal law and you having to interview replacements on Monday? Quite the coincidence, don't you think?

It doesn't help that during the OOR appeal, the borough needed three versions of the affidavit, sworn to under penalty of perjury, regarding these privileged emails. Because someone messed up and mentioned that an email on 12/3[F] was related to Manny's impending seat on council. A full month before anyone supposedly even knew it would be available. Although the first hint should've probably been that Mark never attended another council meeting after October 4th.

Now, I'm sure you're insisting that I'm wrong about everything, but.... I'm not. You keep telling the council, "We have to do this because it's our duty to correct this great injustice," and "Long did it all, I hold no responsibility, he made me spend \$150,000." Nope..... No I didn't, and in court, your lawyer didn't even want to say that nonsense because he knew it would make you look bad to the judge, just as claiming such a thing does. But the lawyers like easy money, so they support your claims of this great impending victory. But... It's ... not.... coming. "We will get all our money back." Still... Nada... Nope! You're probably going to have to pay me, actually! But I'm just some idiot living in my mom's basement.

You're so sure you're going to win in court and figure I'll have to defend against a seasoned attorney with real time arguments in court against the guy who wrote the literally book on RTK law, and you would've had a good chance,.. MAYBE!

But I have a feeling that the judge won't take to kindly when he realizes that you tried to claim a conversation between you and Kratz was privileged regarding Marks resignation. One you have no legal reason to hold privilege as you are not involved in the process of choosing a replacement, you don't have a vote and thus no legal standing to require privilege.

I'm sure you and Kratz would argue against this. But it wouldn't matter because even after making multiple amendments to the affidavit already, you failed to even realize that you claimed this for a conversation on October 3, 2021[E] that you clearly wanted to ensure was kept in the dark.

But guess what... Mark didn't know and no one on council knew till about 7:30pm on October 4th. Plus I have more surprises which will be more than enough to trigger the Fraud-Crime exemption and require an in person review of those emails.

## 180°:

What should be concerning to everyone is the 180° shift in how the council handled public disclosure between 2018 and 2021. In 2018, with the exact same individuals present as per Roll Call, the council operated with far greater transparency, allowing for public knowledge and participation in the process. However, in 2021, this same group chose to withhold critical information from the public until mere moments before announcing Emanuel Mirabito's appointment. This stark inconsistency suggests a deliberate effort to manipulate the outcome while keeping the public in the dark, a move that not only undermines public trust but also violates the principles of open governance.

The conversation in the October 2021[A] email gives the impression that the mayor believes she knows better than the public who should be in office, as evidenced by her clear opposition to the idea of a write-in candidate—a sentiment that further illustrates a disregard for the democratic process.

By withholding information and exerting influence behind the scenes, the mayor and the council members involved subverted the very transparency and accountability that are supposed to guide their actions. Really makes you wonder what changed so much over a few short years.

I wonder if it had anything to do with all the extra cash the borough saved by dropping CRPD and taking the free option. I mean at the end of 2018 Brad grossed \$68k[G] and by the end of 2021 it was over \$90k[H]. At the end of 2018 the Mayor budget expense was \$3,386.36 and at the end of 2021 it over \$23k, she had her husband set for a seat on council and flipped the engineering firm contract to her Daughter in Laws Father. Plus when you consider the claims I've been making for last 18 months and reread that email, the mayors words take on a very different context and hit just a little bit different.

## ..this time, your only fooling yourself!

### Referenced Documents:

- [A] Email thread dated October 28, 2021.

 [Dissertation .pdf](#) 823.4KB

- [B] PA Mayors Handbook excerpt on conflict of interest.

 [Exerpt from PA Borough Mayors Manual - Ethics.pdf](#) 101.6KB

- [C] October 4, 2021, and January 3, 2022 Borough Council meeting minutes.

 [October 4, 2021, and January 3, 2022 Borough Council meeting minutes.pdf](#) 252.0KB

- [D] March and April 2018 Borough Council meeting minutes.

 [March and April Minutes 2018.pdf](#) 376.3KB

- [E] Redaction log provided by the Borough.

 [Exemption Log.pdf](#) 407.6KB

- [F] Borough Solicitor's first affidavit.

 [JFK First Affidavit 7-24-23.pdf](#) 4419.4KB

- [G] 2018 Payroll Data

 [2018 brad Payroll.pdf](#) 2090.6KB

- [H] 2021 Payroll Data

 2021 Brad Payroll.pdf 2242.3KB

- [P.O.S]

 Notable Statements of 2024 – Borough of Bath.pdf 190.1KB

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## P.S.

If you're like me and also wondered where the message went that obviously missing from the email chain. Well I'll say that from the context of the conversation is highly likely that what Brad said was related to the his conversation with the Solicitor. One of those 'Privileged' heart to hearts.

By Brad disclosing such in that email he would be waiving his right (if he had any) to privilege. As the email chain itself isn't protected, it seems someone deliberately removed a part. But one, that's illegal and hence a crime and two no one from your upstanding borough would do such a thing. I mean it's not like they have anything to hide, they've ensured you all that I just have a grudge and I'm just a big meanie.