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Attorney for Petitioner

BOROUGH OF BATH, Petitioner,	:	IN THE COURT OF COMMON PLEAS
	:	NORTHAMPTON COUNTY,
	:	PENNSYLVANIA
v.	:	CIVIL DIVISION
MICHAEL LONG, Respondent.	:	
	:	NO. C-48-CV-2024-01039

**PETITIONER’S RESPONSE TO RESPONDENT’S MOTION FOR LEAVE TO
SUPPLEMENT THE RECORD AND FOR IN-CAMERA REVIEW
(INCLUDING METADATA CONFIRMATION)**

AND NOW COMES Petitioner Borough of Bath (“Petitioner” or “Borough”), who, by and through its undersigned legal counsel, files this Response to Respondent’s Motion For Leave To Supplement The Record And For In-Camera Review (Including Metadata Confirmation), averring as follows:

INTRODUCTION

This is a second request of Respondent Michael Long (“Respondent”) to supplement the record in this appeal to add the Respondent proffered Declaration of Mark Saginario dated November 3, 2024, to the record. On September 10, 2024, Respondent filed a Motion of Protective Order, Sanctions, and Injunctive Relief and, on September 12, 2024, Respondent filed a Motion for Appointment of Court Experts requesting the Court appoint a forensic financial auditor to perform an unspecified audit of Bath’s financials and a forensic computer specialist to perform an unspecified review of electronic financial records of the Borough. On October 23, 2024, the Honorable John M. Morganelli denied Respondent’s Motion of Protective Order,

Sanctions, and Injunctive Relief and Respondent's Motion for Appointment of Court Experts.

On November 5, 2024, Respondent filed a Motion for Reconsideration of the October 23, 2024, Order. Via his Motion for Reconsideration, Respondent requested the record be supplemented to add Respondent's proffered Declaration of Mark Saginario dated November 3, 2024, to the record. By Order dated November 12, 2024, the Honorable Judge Morganelli denied Respondent's Motion for Reconsideration.

Please also note that Respondent was *sanctioned* by this Court due to his baseless Motion of Protective Order, Sanctions, and Injunctive Relief and Motion for Appointment of Court Experts, as, on December 9, 2024, Judge Kassis issued an order imposing sanctions on Respondent "based upon the Respondent's frivolous, vexatious and bad faith filing of" Respondent's Motion of Protective Order, Sanctions, and Injunctive Relief and Motion for Appointment of Court Experts which were, among other things, irrelevant and unsupported by legal authority.

Respondent's instant Motion once again seeks to supplement the record before this Court to add Respondent's proffered Declaration of Mark Saginario dated November 3, 2024, to the record. Because this is yet another misguided attempt seeking to supplement the record, this Court should deny the Motion for that reason alone. However, the Motion is also barred by this Court's September 24, 2024 scheduling order. Specifically, due to the repeated frivolous motions filed by Respondent and the Borough's interest in having this matter resolved, the Borough sought a pre-trial conference, and, on September 24, 2024, this Court issued an order setting forth various deadlines for the purpose of bringing this matter to a final resolution. The September 24, 2024 Order provides that "this matter shall be decided on the certified record developed by the Office of Open Records, the briefs of the parties and argument" and set forth a

schedule for the parties to submit briefs. As Respondent's instant Motion seeks to, instead, have the case decided with additional evidence, Respondent's Motion should be denied because it is barred by this Court's September 24, 2024 Order and for the reasons set forth below.

**RESPONSE TO RESPONDENT'S MOTION FOR LEAVE TO SUPPLEMENT THE
RECORD AND FOR IN-CAMERA REVIEW
(INCLUDING METADATA CONFIRMATION)**

1. Admitted in part and denied in part. It is admitted that this matter is the Borough's appeal involving a Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 *et seq.*, request ("Request") submitted by Respondent Michael Long ("Respondent") on or around May 17, 2023. The Request, however, is a writing that speaks for itself, and any characterization thereof is specifically denied. By way of further answer, a copy of the Request is included within the Certified Record lodged by the Office of Open Records ("OOR") at Exhibit 1, pages 53 thru 55.

2. Admitted in part and denied in part. It is admitted that the Borough, on June 23, 2023, issued a response to Respondent's Request in accordance with the RTKL; however, this response is a writing that speaks for itself, and any characterization thereof is specifically denied. By way of further answer, a copy of Borough's response is included within the Certified Record lodged by the OOR at Exhibit 1, pages 7 thru 46.

3. Admitted in part and denied in part. It is admitted that the Borough submitted the Attestation of Borough Manager Bradford T. Flynn dated July 24, 2023 (OOR Ex. 4 at pages 19 thru 26), Affidavit by Solicitor James Kratz dated July 24, 2023 (OOR Ex. 4 at pages 13 thru 18), and Affidavit by Solicitor James Kratz dated October 4, 2023 which Affidavit included the Exemption Log requested by OOR (OOR Ex. 15). It is specifically denied that "the Borough's narrative shifted" in any way, and, as the materials submitted by the Borough are writings that speak for themselves, any characterization thereof is specifically denied.

4. Admitted in part and denied in part. It is admitted that the Borough's Exemption Log, at Record 5, states that the Borough sought legal advice on October 3, 2021 concerning the potential resignation of a member of Borough Council. However, Attorney Kratz has re-checked Record 5 and the date of October 3, 2021, is a typographical error. The date of Record 5 is October 19, 2021. This typographical error is also obvious as Record 5 is part of the "Email Exchange in October 2021" (See ¶¶ 27 thru 32 of the Affidavit by Solicitor James Kratz dated October 4, 2023) that took place on October 19, 2021, as evidenced by ¶¶ 27 thru 32 of the Affidavit by Solicitor James Kratz dated October 4, 2023 and the Borough's Exemption Log at Records 2 thru 4 and 6 thru 12. See OOR Ex. 15. The remaining averments are specifically denied, as Respondent's proffered Declaration of Mark Saginario dated November 3, 2024 is a writing that speak for itself. Also, during Borough Council's executive session on October 4, 2021, Mr. Saginario did not announce that he was resigning from Council effective immediately. On this point, please note that Respondent's proffered Declaration of Mark Saginario dated November 3, 2024, conflicts with Mark Saginario's resignation letter dated December 31, 2021, where Mr. Saginario clearly states that his resignation from Borough Council was "effective Friday, December 31, 2021". A copy of Mr. Saginario's resignation letter dated December 31, 2021 is found at OOR Ex. 1, Page 36 (which is Attachment "B"-1 to the Borough's June 23, 2023 Response starting at Page 7 of OOR Ex. 1). Also, during the October 4, 2021 executive session, Mr. Saginario did not state that his "new employment schedule would make it impossible to commit to Bath borough business due to conflicting meeting schedules". Mr. Saginario stated that he was concerned about his new employment schedule and had apprehension regarding how he would handle Bath borough business by remaining on Borough Council in light of his new employment schedule. Attached hereto as **Exhibit "A"** is a copy of

Mr. Saginario's email on November 7, 2021 from his Bath Borough email account whereby he states his intention to attend the Bath Borough Council meeting on November 8, 2021 because he was still a member of Bath Borough Council. Also, during the October 4, 2021 executive session, Mr. Saginario did not state a 'potential conflict of interest as both municipalities might compete for similar funding or grants'. Further, Mr. Saginario's Bath borough email access was not terminated within approximately two weeks of his alleged verbal resignation during executive session on October 4, 2021. October 28, 2021 is approximately two weeks after October 4, 2021. Mr. Saginario's Bath borough email access was terminated after December 31, 2021. Attached hereto as **Exhibit 'B'** is a copy of Mr. Saginario's email on December 16, 2021 from his Bath Borough email account whereby he responds to an email from Elizabeth Bolstad, the Regional Director for Coalition Against Bigger Trucks, and informs her that he is no longer President of Bath Council which does not mean that he was no longer a member of Bath's Council; just not the President of Bath's Council. See also Exhibit "A" which shows that Mr. Saginario also used his Bath borough email account on November 7, 2021 and planned to attend the Bath Council meeting as a Bath Council person on Monday, November 8, 2021. In sum, Respondent's proffered Declaration of Mark Saginario dated November 3, 2024 is not credible and not relevant to the legal questions raised by the Borough's appeal via the Borough's Brief In Support of Petition For Review filed on November 22, 2024, in accordance with this Honorable Court's September 24, 2024 Order.

5. Admitted in part and denied in part. It is admitted that the Borough identified the JFK 4-21-22 Email Exchange #1 (identified as Records 13 thru 15 in the Borough's Exemption Log) between Flynn and Attorney Kratz as a courtesy to Respondent (because said emails fell outside of Respondent's Request) in an effort to motivate Respondent to not make another RTKL

request. See ¶¶33(a) thru 42 of the Solicitor Kratz Affidavit of October 4, 2023 (OOR Ex. 15 at pages 9 thru 10 and Exemption Log attached thereto). It is also admitted Records 13 thru 15 were withheld by the Borough because said emails are attorney-client privileged (Id.) and said privilege was also recognized by OOR via OOR's Final Determination Upon Reconsideration. Also, Manager Flynn never claimed that the JFK 4-21-22 Email Exchange #1 did not exist. Via his Attestation made on July 24, 2023, Manager Flynn stated that his search (conducted with the Borough's IT vendor) for emails "between Manager Flynn, Fiorella Mirabito, Michele Ehrgott, Phyllis Andrews, Barry Fenstermaker **and** James Kratz from September 20, 2021, to May 15, 2022" did not reveal any emails concerning Mayor Mirabito's prospective employment. Emphasis added via bold typeface. See ¶¶ 7 thru 13 of the Manager Flynn Attestation made on July 24 2023 at OOR Ex. 4, pages 22 thru 24. Manager Flynn's foregoing search would not identify emails between Manager Flynn and Attorney Kratz only. Manager Flynn's foregoing search for emails "between Manager Flynn, Fiorella Mirabito, Michele Ehrgott, Phyllis Andrews, Barry Fenstermaker **and** James Kratz from September 20, 2021, to May 15, 2022" was determined by OOR via its Final Determination Upon Reconsideration to be the correct interpretation of the relevant part of Respondent's RTKL Request. Respondent is fully aware of the foregoing via OOR's Final Determination Upon Reconsideration. Thus, Respondent's averment #5 is frivolous and vexatious. The remaining averments of this paragraph are specifically denied, especially where Respondent is once again seeking to supplement the evidentiary record despite this Court's September 24, 2024 Order.

6. Admitted in part and denied in part. It is admitted that the Borough sent a response to Respondent's Request on June 23, 2023 and provided responsive public records. See

Borough's June 23, 2023 Response at OOR Exhibit 1, pages 7 thru 46. As the Borough's response is a writing that speaks for itself, any characterization thereof is specifically denied.

7. Denied. Via his Attestation made on July 24, 2023, Manager Flynn stated that his search (conducted with the Borough's IT vendor) for emails 'between Manager Flynn, Fiorella Mirabito, Michele Ehr Gott, Phyllis Andrews, Barry Fenstermaker **and** James Kratz from September 20, 2021, to May 15, 2022" did not reveal any emails concerning Mayor Mirabito's prospective employment. Emphasis added via bold typeface. See ¶¶ 7 thru 13 of the Manager Flynn Attestation made on July 24 2023 at OOR Ex. 4, pages 22 thru 24. Manager Flynn's foregoing search would not identify emails between Manager Flynn and Attorney Kratz only. Manager Flynn's foregoing search for emails 'between Manager Flynn, Fiorella Mirabito, Michele Ehr Gott, Phyllis Andrews, Barry Fenstermaker **and** James Kratz from September 20, 2021, to May 15, 2022" was determined by OOR via its Final Determination Upon Reconsideration to be the correct interpretation of the relevant part of Respondent's RTKL Request. Respondent is fully aware of the foregoing via OOR's Final Determination Upon Reconsideration. On another note, contrary to Respondent's assertion, ¶29(a) of the Solicitor Kratz Affidavit of July 24, 2023, clearly identifies the JFK 4-21-22 Email Exchange #1 between Flynn and Attorney Kratz wherein Flynn sought legal opinions regarding the prospective employment of Ms. Mirabito as a part-time office clerk of the Borough and where Attorney Kratz provided legal advice regarding same. See ¶29(a) of the Solicitor Kratz Affidavit of July 24, 2023 at OOR Ex. 4, page 17. Respondent's averment #7 is frivolous and vexatious.

8. Denied. ¶10 of the Manager Flynn Attestation made on July 24 2023 at OOR Ex. 4, pages 23 thru 24, is a writing that speaks for itself and Respondent's characterization thereof is specifically denied.

9. Admitted in part and denied in part. It is admitted only that, on October 4, 2023, then Solicitor Kratz filed a second Affidavit with the Borough Exemption Log in response to OOR's request for same and the Exemption Log identified attorney-client privileged withheld emails from April 21, 2022, with Record #13 and Record #15 labeled as authored by Manager Flynn with the subject matter labeled "[I]legal advice regarding the prospective employment of Fiorella Mirabito as a part-time office clerk for the Borough and form of compensation". It is denied that the foregoing disclosure contradicts Respondent's alleged prior sworn statement by Manager Flynn that no such emails existed because that is not the sworn statement made by Manager Flynn via his Attestation made on July 24, 2023. The Borough's answer to averment #5 above is incorporated herein by reference.

10. Admitted in part and denied in part. It is admitted only that the Borough believes that Record 5 is subject to the attorney-client privilege because the Borough sought legal advice from its Solicitor regarding prospective resignation of Councilmember Mark Saginario, prospective vacated Council seat and general process to appoint a person to vacated Council seat. The remaining averments are specifically denied as the Borough incorporates by reference its answer to averment #4 above.

11. Denied. The declaration purported to have been executed by Mark Saginario is a writing that speaks for itself, and any characterization thereof is specifically denied. In addition, the Borough incorporates its answer to averment #4 above.

12. Denied. The declaration purported to have been executed by Mark Saginario is a writing that speaks for itself, and any characterization thereof is specifically denied. In addition, the Borough incorporates its answer to averment #4 above.

13. Denied. As an initial matter, the authenticity of the alleged declaration is unknown and purports to make various representations concerning activities in 2021 –years prior to the OOR’s adjudication. While Respondent could have presented testimony from Mr. Saginario as part of the appeal before the OOR, Respondent chose not to do so. By way of analogy, in the context of post-conviction relief proceedings, a party seeking relief based on newly-discovered evidence must establish that (1) the evidence has been discovered after trial and it could not have been obtained at or prior to trial through reasonable diligence; (2) the evidence is not cumulative; (3) it is not being used solely to impeach credibility; and (4) it would likely compel a different verdict. *See Commonwealth v. D’Amato*, 856 A.2d 806, 823 (Pa. 2004). Here, Respondent has not made any showing that Mr. Saginario’s testimony could not have been presented during proceedings before the OOR, that it is ‘not being used solely to impeach [the] credibility’ of the Borough’s affiants or that the consideration of the purported declaration would compel a different result by the OOR. Accordingly, the declaration should not be considered for the first time on appeal.

14. Denied as a conclusion of law to which no responsive pleading is required. By way of further answer, while additional evidence may be considered under this Court’s plenary scope of review, courts are not required to consider additional evidence on appeal. *Office of Open Records v. Center Twp.*, 95 A.3d 354, 370 (Pa. Commw. 2014) (‘[R]eviewing courts and appeals officers serve as concurrent and concordant fact-finders, and reviewing courts may adopt the findings of fact and conclusions of law of an appeals officer when appropriate’). Here, this Court’s September 24, 2024 Order specifically limited the evidence to that contained within the Certified Record provided by the OOR, and Respondent’s prior dilatory motion seeking to supplement the record has been denied.

15. Denied. The Borough's answers to averments #4, #13 and #14 above are incorporated herein by reference.

16. Denied as a conclusion of law to which no responsive pleading is required.

17. Denied. The Borough incorporates by reference its answers to averments #4, #5 and #7 above. By way of further answer, the OOR, as reflected in the underlying Final Determination Upon Reconsideration, agreed that the Borough met its burden of proof for all information, other than possibly a portion of content within the identified attorney-client privileged email communications. The latter part being appealed by the Borough in the instant matter.

18. Denied. The Borough's affidavits and Exemption Log are not undermined by the declaration purported executed by Mark Saginario. The Borough incorporates by reference its answers to averments #4, #5 and #7 above. The remainder of this averment is a conclusion of law to which no response is required. By way of further answer, the cases cited here by Respondent (*Office of the Governor v. Davis*, 122 A.3d 1185 (Pa. Commw. 2015) and *Office of Open Records v. Center Twp.*, 95 A.3d 354 (Pa. Commw. 2014)) have absolutely nothing to do with the premise asserted here by Respondent. Quite simply, neither case has anything to do with "newly discovered evidence" whatsoever.

19. Denied. The Borough incorporates by reference its answer to averment #18 above. By way of further answer, Respondent previously sought the appointment of a "qualified Digital Forensics Specialist" to "analyze .metadata" as part of his prior, September 12, 2024 Motion for Appointment of Court Experts, and such motion was previously denied. Although Respondent sought reconsideration of the order denying his Motion for Appointment of Court Experts, this Court also denied his motion for reconsideration. In other words, the instant motion

seeking “metadata confirmation” is his second attempt to obtain the same information that was previously denied and is dilatory in nature. *See In re Doyle*, 304 A.3d 1091, 1116 (Pa. 2023) (stating that conduct is “dilatory” where the record demonstrates “a lack of diligence that delayed proceedings unnecessarily and caused additional legal work”).

20. It is admitted that Respondent seeks relief; however, it is specifically denied that Respondent is entitled to any of the relief sought. As set forth above, Respondent’s prior motion to supplement the record has been denied, and the September 24, 2024 Order in this matter defines the complete evidentiary record here. By way of further answer, the Borough’s answer to averment #14 above is incorporated herein by reference.

21. It is admitted that Respondent seeks relief; however, it is specifically denied that Respondent is entitled to any of the relief sought. By way of further answer, the Borough’s answers to averments of Paragraphs 13-14 and 19 above are incorporated herein by reference.

22. It is admitted that Respondent seeks relief; however, it is specifically denied that Respondent is entitled to any of the relief sought.

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,

SCHNEE LEGAL SERVICES, LLC



By: _____
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chadwick@schneelegal.com

Dated: January 8, 2025

From: Mark Saginario <mark.saginario@boroughofbath.org>
Sent: Sunday, November 07, 2021 6:11 PM
To: Carol Bear-Heckman; Bradford Flynn; Anthony Kovalovsky; Barry Fenstermaker; Fiorella Reginelli-Mirabito; Frank Hesch; Michele Ehrgott; Phyllis Andrews
Cc: Ron Madison; Kratz, James F.; Marena Rasmus; Tanya Lamparter
Subject: Re: November Council Meeting Agenda & Packet

Thank you, see you on Monday

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From: Carol Bear-Heckman <checkman@boroughofbath.org>
Sent: Saturday, November 6, 2021 8:45:29 AM
To: Bradford Flynn <bradford.flynn@boroughofbath.org>; Anthony Kovalovsky <akovalovsky@boroughofbath.org>; Barry Fenstermaker <bfenstermaker@boroughofbath.org>; Fiorella Reginelli-Mirabito <mayor@boroughofbath.org>; Frank Hesch <fhesch@boroughofbath.org>; Mark Saginario <mark.saginario@boroughofbath.org>; Michele Ehrgott <mehrgott@boroughofbath.org>; Phyllis Andrews <pandrews@boroughofbath.org>
Cc: Ron Madison <ron.madison@colliersengineering.com>; Kratz, James F. <james.kratz@stevenslee.com>; Marena Rasmus <marena.rasmus@boroughofbath.org>; Tanya Lamparter <tanya.lamparter@boroughofbath.org>
Subject: Re: November Council Meeting Agenda & Packet

Hi Marena,

Thank you for sending out minutes.

In the amended minutes for sept 8 I have 2 changes. Under the Community and Economic Development Committee I discussed the Norco Round 2 Grant and told council that I had increased the amount requested for the historic district from 10,000 to 20,000. Also, after executive session, it is my recollection that I made the motion to apply for the Norco grant for 20,000 for the historic district with all changes suggested by solicitor Kratz and Mark seconded.

Thank you for all you do!
Carol

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From: Bradford Flynn <bradford.flynn@boroughofbath.org>
Sent: Thursday, November 4, 2021 12:04:34 PM
To: Anthony Kovalovsky <akovalovsky@boroughofbath.org>; Barry Fenstermaker <bfenstermaker@boroughofbath.org>; Carol Bear-Heckman <checkman@boroughofbath.org>; Fiorella Reginelli-Mirabito <mayor@boroughofbath.org>; Frank Hesch <fhesch@boroughofbath.org>; Mark Saginario <mark.saginario@boroughofbath.org>; Fiorella Reginelli-Mirabito <mayor@boroughofbath.org>; Michele Ehrgott <mehrgott@boroughofbath.org>; Phyllis Andrews <pandrews@boroughofbath.org>
Cc: Ron Madison <ron.madison@colliersengineering.com>; Kratz, James F. <james.kratz@stevenslee.com>; Marena Rasmus <marena.rasmus@boroughofbath.org>; Tanya Lamparter <tanya.lamparter@boroughofbath.org>
Subject: November Council Meeting Agenda & Packet

Good afternoon, Mayor, Council, and our Professional Service Providers,

Please find attached the November 8, 2021, Council Meeting Agenda and Council Packet.

Here is a summary of packet information:

- We have an Emergency Contract to Award under New Business concerning the road paving of Easter Terrace and Independence. Jamie and I will discuss further in Executive Session.
- We have the Final 2022 Budget ready for Council's Adoption. This includes a Tax Increase Ordinance for the Fire Tax only. We've also included a 3-Year Capital Road Plan for your review. The road plan does not have estimated costs to complete the work. Those figures were being calculated over the fall. There was also a late recommended change by the Water Authority, asking Council to consider moving Broad Street repairs from 2023 to 2022 since the Authority is planning on doing a water line replacement project. Long in the short of it, the Road Plan is for your review and if you have any other revisions, comments, etc., to the plan. It's something Council can formally accept by motion by the December meeting, if you desire.
- Jamie and I have received the Cable Franchising Agreement by the Cohen Law Firm. We'll be working together to ensure its ready for transmission to Council. It's likely Council could adopt the new Cable Franchise Agreement by the December Meeting.
- There are three (3) ordinances to adopt (Zoning Amendments, Stop Signs, and Fire Tax Increase; however, the Zoning Ordinance Amendments have not met certain procedural advertising requirements. Adoption of the Zoning Amendments will need to be tabled until December. We'll have a deeper discussion on this item with Jamie and Ron.
- There are two (3) ordinances for advertising consideration; first, an Ordinance that would authorize real estate taxes installment program, and second, an Ordinance that amends the 'Weeds' law requiring grass, weeds, dirt, debris and impediments be removed by property owners and/or tenants along sidewalks and street gutters. Third and finally, we need to advertise the new Tax Collector Rate of Compensation Law for years 2022, 2023, 2024, and 2025.

As always, if there are any questions, please don't hesitate to reach out.

Have a wonderful weekend. We'll see you on Monday night!

Best,

Bradford T. Flynn, MPA, CBO

Borough Manager

Borough of Bath

121 S. Walnut Street

Bath, PA 18014

Main Office: 610.837.6525 Fax: 610.837.8989

Manager's Office: 484.281.3451



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From: Mark Saginario <mark.saginario@boroughofbath.org>
Sent: Thursday, December 16, 2021 3:05 PM
To: Elizabeth Bolstad CABT
Subject: Re: Coalition Against Bigger Trucks (CABT) meeting request

Good afternoon,

While I would love to sit down and speak with you, I am no longer the President of Council. However, I am now the Borough Manager of a neighbor community which is having the same issues as Bath. My email address is msaginario@tatamypa.com.

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From: Elizabeth Bolstad CABT <ebolstad@cabt.org>
Sent: Tuesday, December 14, 2021 12:28:40 PM
To: Mark Saginario <mark.saginario@boroughofbath.org>
Subject: Coalition Against Bigger Trucks (CABT) meeting request

Council President Saginario,

I am the Regional Director for Coalition Against Bigger Trucks (CABT), a non-profit coalition of local government, law enforcement, public works, and Fire/EMS officials that opposes legislation to increase commercial truck size and weight on local streets and roads in Pennsylvania.

I am coming to your area on Tuesday, January 11th and Wednesday, January 12th and wanted to see if you might be able to sit down and have a quick chat (10 minutes max) while I am in town to discuss the current proposals at both the federal and state levels and the potential impact in your area. I am also available for a phone or Zoom meeting anytime the week of January 10th as well. This is simply a quick informational meeting, and my only request would be for you consider reaching out to your representatives about opposing bigger truck legislation.

Look forward to meeting with you!

P.S. – I am fully vaccinated, will test prior to site visit, comply with any mask regulations or requests, and have my vaccination card on me while traveling.

Best,

Liz

Elizabeth Bolstad
State Director
cell: 703-201-7565
ebolstad@cabt.org

VERIFICATION

I, James F. Kratz, Esq., hereby verify that the factual statements made in the attached Petitioner's Response to Respondent's Motion For Leave To Supplement The Record And For In-Camera Review (Including Metadata Confirmation) are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.



James F. Kratz, Esq.

Date: January 8, 2025

BOROUGH OF BATH,	:	IN THE COURT OF COMMON PLEAS
Petitioner,	:	NORTHAMPTON COUNTY,
	:	PENNSYLVANIA
v.	:	CIVIL DIVISION
MICHAEL LONG,	:	
Respondent.	:	NO. C-48-CV-2024-01039

CERTIFICATE OF SERVICE

I, J. Chadwick Schnee, Esq., certify that, on this 8th day of January, 2025, I have served a true and correct copy of the attached Response to the person listed below via First Class Mail:

Michael Long
220 Creek Road
Bath, PA 18014
Respondent, pro se



J. Chadwick Schnee, Esq.