

**REGULAR PUBLIC MEETING  
MAY 6, 2019**

**MEMBERS PRESENT**

Michael Hudak, President  
Malissa Davis, Vice President  
Kristine Blake, Commissioner  
John Gallagher, Commissioner  
John Merhottein, Commissioner

**OTHERS PRESENT**

James Broughal, Township Solicitor  
Doug Bruce, Township Manager

**CALL TO ORDER**

Mr. Hudak called the meeting to order at 7:00 p.m.

**COURTESY OF THE FLOOR  
(NON-AGENDA ITEMS)****BARRY ROTH  
4323 CHETWIN TERRACE**

Mr. Roth said there was buckle in the panel on the right side of the new bathroom trailer and asked for this matter to be checked.

Mr. Roth said there were problems with the partial closure of Brodhead Road for construction. He said the “do not enter” signs on Route 191 at Brodhead Road were not sufficient and needed to be improved because several vehicles were still entering there and going the wrong way on Brodhead.

**ALLAN ROBERTSON  
3600 CHIPMAN ROAD**

Mr. Robertson said the detention pond fence at the Chrin Community Center had been down since last fall and needed to be checked.

Mr. Robertson asked what was being done about fixing the broken sidewalks along Easton Avenue near Willow Park Road. Mr. Broughal said the township is pursuing legal action to compel the property owners to fix the sidewalks, but there have been several delays related to procedural problems with the township’s adoption of the International Property Maintenance Code.

Mr. Robertson thanked the police department for its professionalism and service in providing notice to him about a recent event involving his family.

**APPROVAL OF MINUTES**

Upon motion (Gallahger-Merhottein) the Board of Commissioners voted 4-0 by voice vote to approve the minutes of the regular public meeting of April 15, 2019, as presented. Mr. Hudak abstained.

**MOTIONS OF THE BOARD OF COMMISSIONERS****MOTION**

**A MOTION AUTHORIZING AND APPROVING AN AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE FOR WORK ON TOWNSHIP-OWNED AILANTHUS ALTISSIMA (TREE OF HEAVEN) TREES RELATED TO SPOTTED LANTERNFLY INFESTATION.**

Mr. Gallagher said the Ailanthus altissima stand of trees in Housenick Park was leafing, which meant last fall's treatments did not kill the trees. He asked if these trees could be added to those covered in the agreement under question. Mr. Bruce said he would pursue this addition to the agreement.

Upon motion (Gallagher-Blake), the Board of Commissioners voted 5-0 by voice vote to authorize and approve an agreement with the Pennsylvania Department of Agriculture for work on township-owned Ailanthus altissima (Tree of Heaven) trees related to spotted lanternfly infestation, with the addition of Housenick Park trees to the agreement.

#### **MOTION**

#### **A MOTION AUTHORIZING AND APPROVING AN OPERATIONS AGREEMENT BETWEEN BETHLEHEM TOWNSHIP AND THE BETHLEHEM TOWNSHIP ATHLETIC ASSOCIATION (BTAA) RELATED TO THE PORTABLE RESTROOM TRAILER.**

Mr. Gallagher said the agreement did not appear to give the township the right to use the bathroom as needed for non-BTAA events. Mr. Broughal said the agreement did in fact give the township exclusive rights to use the trailer for other events.

Upon motion (Merhottein-Blake), the Board of Commissioners voted 5-0 by voice vote to authorize and approve an operations agreement between Bethlehem Township and the Bethlehem Township Athletic Association related to the portable restroom trailer.

#### **MOTION**

#### **A MOTION AUTHORIZING AND APPROVING A PIPELINE RIGHT-OF-WAY AGREEMENT BETWEEN BETHLEHEM TOWNSHIP AND PENNEAST PIPELINE COMPANY LLC.**

Mr. Merhottein said the agreement was concluded after long negotiations between the two parties and was bittersweet because the township had not gotten everything it wanted. The negotiations led to the pipeline being moved slightly west away from the Hope Ridge development, but not so far that the entire development would be out of the "blast zone," he said. Mr. Merhottein said the township had also negotiated several important safety improvements related to type, depth, and inspections of the pipe, as well as adding a berm and trees on top of the pipe. He thanked the township solicitor, Joe Kelly of State Senator Lisa Boscola's office, and State Representative Marcia Hahn for their work on the negotiations.

Mr. Gallagher noted PennEast was still having legal difficulties getting the pipeline's New Jersey portion approved. He asked if the agreement would create any obligations for the township if the pipeline was delayed or blocked in New Jersey. Mr. Broughal said his understanding was PennEast plans to build the Pennsylvania portion of the pipeline, regardless of what happens in New Jersey, and the company would still be obligated under any circumstances to pay the township for right of way.

Ms. Davis said the township's negotiating team tried to get the pipeline moved as far away as possible from Hope Ridge, to the point of offering the rights-of-way for free. She said the negotiations led to significant safety improvements on the pipeline that will cross township land.

#### **DON WRIGHT 2815 HOPE RIDGE DRIVE**

Mr. Wright thanked the board for working in support of Hope Ridge residents. He said he had written to PennEast requesting more trees be planted to protect the development.

**JIM GOLINSKI**  
**2923 LARKSPUR LANE**

Mr. Golinski asked how the pipeline construction would affect the existing berm on the township's property. Ms. Davis said the berm would be moved east. Mr. Golinski asked if the pipeline would be marked with signage. Mr. Broughal said signage is probably required by federal statutes and the township had no jurisdiction on that matter. Mr. Golinski asked what the timeline was for pipeline construction. Mr. Broughal said he had no idea.

Upon motion (Davis-Merhottein), the Board of Commissioners voted 5-0 by voice vote to authorize and approve a pipeline right-of-way agreement between Bethlehem Township and PennEast Pipeline Company LLC.

**MOTION**

**A MOTION APPROVING AND ACCEPTING A DEED OF DEDICATION FROM EBENEZER BIBLE FELLOWSHIP CHURCH FOR HECKTOWN ROAD RIGHTS-OF-WAY.**

Mr. Broughal gave a brief explanation of this matter. Upon motion (Davis-Blake), the Board of Commissioners voted 5-0 by voice vote to approve and accept a deed of dedication from Ebenezer Bible Fellowship Church for Hecktown Road rights-of-way.

**MOTION**

**A MOTION AUTHORIZING AND APPROVING A LICENSE AGREEMENT BETWEEN BETHLEHEM TOWNSHIP AND THE BETHLEHEM AREA PUBLIC LIBRARY (BAPL) RELATED TO THE COOLIDGE BUILDING SATELLITE LIBRARY.**

Ms. Davis, one of the township's members on the BAPL Advisory Board, said township and library had been working since last year to create the first satellite library in Bethlehem Township. The township will provide a renovated building and the library will provide staffing, computers, furniture, books, and other items for circulation, she said. To start, the library will be open three days a week, three or four hours a day, she said.

Mr. Merhottein, the other township member of the BAPL Advisory Board, said a township library has been talked about for decades and now will finally open in a great location, next to a township park and playground. He thanked the staff of both organizations for their work on the project. He said the library is expected to have a July 1, 2019, "soft opening."

Upon motion (Merhottein-Gallagher), the Board of Commissioners voted 5-0 by voice vote to authorize and approve a license agreement between Bethlehem Township and the Bethlehem Area Public Library related to the Coolidge Building satellite library.

## **PURCHASE ORDER, BILL, AND CHECK REGISTER APPROVAL**

### **PURCHASE ORDERS**

Mr. Gallagher asked about PO 20190954 (\$8,360 to If It's Water Inc.), specifically why the company was not warranting plaster work where the waterline tile was previously located. Mr. Bruce said he did not have an answer.

Upon motion (Gallagher-Davis), the Board of Commissioners voted 5-0 by voice vote to table PO 20190954 pending further warranty information.

Upon motion (Merhottein-Davis), the Board of Commissioners voted 5-0 by voice vote to approve POs 20190966, 20190967, 20190971, 20190998, and 20191003, as presented.

## **DISCUSSION ITEMS**

### **LETTERS OF COLLABORATION – STORMWATER GRANTS**

Mr. Bruce said the stormwater committee had received a request from Lehigh University engineering professor Dr. Yi-Chen Ethan Yang to collaborate with the township on two grant applications (one federal and one state) with the titles: “Evaluate the Effect of Green Infrastructure with an Agent-based Model in the Bethlehem Township, Pa.” and “Become a stormwater smart municipality via the Internet of Things-based green infrastructure network and a coupled Agent-Based Modeling approach.” The stormwater committee had recommended the Board of Commissioners support this potential collaboration, as it could provide improved stormwater services in the township with no additional costs.

Upon motion (Davis-Gallagher), the Board of Commissioners voted 5-0 by voice vote to direct the township manager to provide the letters of collaboration requested by Dr. Yang.

### **WILLIAM PENN HIGHWAY/HOPE ROAD INTERSECTION**

Ms. Davis said she had asked the staff for information on accidents and possible signage changes at this intersection of two state roads. She said she supported extra signage on westbound William Penn Highway, warning of the traffic light at Hope Road. Ms. Davis wanted to direct the township engineer to draft a letter to PennDOT requesting additional signage and tree-trimming at the intersection.

Mr. Hudak said PennDOT had not been very helpful to the township in such matters.

#### **ALLAN ROBERTSON 3600 CHIPMAN ROAD**

Mr. Roberston said another problem at this intersection involved eastbound vehicles on William Penn Highway using the road shoulder to expedite right turns onto Hope Road. Mr. Robertson said perhaps the engineer’s letter could include a request to prohibit turns from the shoulder, as on northbound Route 191 at Oakland Road.

#### **BARRY ROTH 4323 CHETWIN TERRACE**

Mr. Roth said he agreed with Mr. Robertson’s comments about turns from the road shoulder. He said another problem at this intersection is sun glare.

#### **KEVIN KALMAN 1451 THIRD STREET**

Mr. Kalman said he disagreed with Mr. Hudak’s statement that PennDOT was unhelpful. He said he had worked with PennDOT several years ago to post signs warning of flood-prone areas on Easton Avenue and had found PennDOT handled the matter quickly and professionally. Mr. Hudak said he stood by his opinion that PennDOT was not helpful, based on many instances. Mr. Merhottein said he had led an effort to request PennDOT put a four-way stop at Bethman and Church roads and PennDOT said no.

Upon motion (Davis-Blake), the Board of Commissioners voted 5-0 by voice vote to direct the township engineer to draft a letter to PennDOT requesting increased signage and tree-trimming at the intersection of Hope Road and William Penn Highway.

## **ADJOURNMENT**

Upon motion (Blake-Davis), the Board of Commissioners voted 5-0 by voice vote to adjourn the meeting at 7:50 p.m.

Submitted,

Doug Bruce  
Manager