

**BOARD OF COMMISSIONERS
BIENNIAL REORGANIZATIONAL MEETING
JANUARY 2, 2024**

MEMBERS PRESENT John J. Merhottein, President
John K. Gallagher, Vice President
Jan Beatty, Commissioner
Michael D. Hudak, Commissioner
DeAnn L. Lawrence, Commissioner

OTHERS PRESENT James L. Broughal, Township Solicitor
Doug Bruce, Township Manager
Amanda L. Jensen, Planning Director, AICP
Matthew J. Miranda, PPIS Director
Ron Gawlik, Township Engineer

CALL TO ORDER Solicitor Broughal called the meeting to order at 7:00 p.m. and following the Pledge of Allegiance.

OATH OF OFFICE President Judge Jack Panella of the Pennsylvania Superior Court administered the Oath of Office to Commissioner Elect DeAnn Lawrence. Matthew Miranda, the township's PPIS director and a notary public, administered the Oath of Office to Commissioners Elect John Gallagher and Michael Hudak.

ELECTION OF OFFICERS Solicitor Broughal welcomed the newly elected Commissioners and explained the process for the election of officers. Solicitor Broughal then called for nominations for President of the Board of Commissioners. Mr. Gallagher nominated Mr. Merhottein. There were no other nominations. By unanimous voice vote, Mr. Merhottein was elected President of the Board of Commissioners.

Solicitor Broughal turned the meeting over to Mr. Merhottein. Mr. Merhottein thanked the board and welcomed Commissioner Gallagher, Commissioner Hudak, and Commissioner Lawrence.

Mr. Merhottein called for nominations for Vice President of the Board of Commissioners. Mr. Merhottein nominated Mr. Gallagher. There were no other nominations. By unanimous voice vote, Mr. Gallagher was elected Vice-President of the Board of Commissioners.

COURTESY OF THE FLOOR There were no comments or concerns during Courtesy of the Floor.

APPROVAL OF MINUTES Upon motion (Beatty-Gallagher), the Board of Commissioners voted by voice vote to approve the minutes of the December 18, 2023, regular public meeting as presented. Mr. Hudak abstained.

RESOLUTIONS & AGREEMENTS

RESOLUTION R001-24 A RESOLUTION APPOINTMENT A TOWNSHIP MANAGER

Mr. Hudak nominated Doug Bruce. By unanimous voice vote, the Board of Commissioners approved Resolution R001-24 appointing Doug Bruce as Township Manager.

RESOLUTION R002-24 A RESOLUTION APPOINTING A TOWNSHIP SOLICITOR

Mr. Hudak nominated Broughal & DeVito, LLP.

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Resolution R002-24 appointing Broughal & DeVito LLP as Township Solicitor.

RESOLUTION R003-24 A RESOLUTION APPOINTING AN ASSISTANT TOWNSHIP SOLICITOR

Mr. Gallagher nominated Attorney David Backenstoe.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Resolution R003-22 appointing David M. Backenstoe as Assistant Township Solicitor.

RESOLUTION R004-24 A RESOLUTION APPOINTING A LABOR COUNSEL

Mr. Gallagher nominated Attorney John S. Harrison.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R004-24 appointing John S. Harrison of Broughal & DeVito LLP as Labor Counsel.

RESOLUTION R005-24 A RESOLUTION APPOINTING A TOWNSHIP ENGINEER

Ms. Beatty nominated The Pidcock Company.

Upon motion (Hudak-Gallagery), the Board of Commissioners voted unanimously by voice vote to approve Resolution R005-24 appointing The Pidcock Company as Township Engineer.

RESOLUTION R006-24 A RESOLUTION APPOINTING AN ASSISTANT TOWNSHIP ENGINEER

Mr. Gallagher nominated ARRO Consulting Inc.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Resolution R006-24 appointing ARRO Consulting Inc. as Assistant Township Engineer.

RESOLUTION R007-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP PLANNING COMMISSION

Mr. Gallagher nominated Jim Daley.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Resolution R007-24 appointing Jim Daley to

the Bethlehem Township Planning Commission.

RESOLUTION R008-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP RECREATION COMMISSION

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to table Resolution R008-24.

RESOLUTION R009-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP RECREATION COMMISSION

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to table Resolution R009-24.

RESOLUTION R010-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP ZONING HEARING BOARD

Mr. Hudak nominated Don Wright. Ms. Beatty nominated Luke Verdes

By roll call vote, Board of Commissioners voted to approve Resolution R010-24 appointing Don Wright to the Bethlehem Township Zoning Hearing Board. The motion passed 3-2. Mr. Hudak, Mr. Gallagher and Mr. Merhottein voted for Mr. Wright. Ms. Beatty and Ms. Lawrence voted for Mr. Verdes.

RESOLUTION R011-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP VACANCY BOARD

Mr. Gallagher nominated Frank Pologruto.

Upon motion (Beatty-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Resolution R012-24 appointing Frank B. Pologruto to the Bethlehem Township Vacancy Board.

RESOLUTION R012-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM AREA PUBLIC LIBRARY ADVISORY BOARD

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to table Resolution R012-24.

RESOLUTION R013-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM AREA PUBLIC LIBRARY ADVISORY BOARD

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to table Resolution R013-24.

RESOLUTION R014-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY

Mr. Gallagher nominated Robert Szakos.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Resolution R014-24 appointing Robert Szakos to the Bethlehem Township Municipal Authority.

RESOLUTION R015-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to table Resolution R015-24.

RESOLUTION R016-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to table Resolution R016-24.

RESOLUTION R017-22 A RESOLUTION APPOINTING A TOWNSHIP TREASURER

Mr. Gallagher nominated John Petro.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R017-24 appointing John Petro as Township Treasurer.

RESOLUTION R018-24 A RESOLUTION AUTHORIZING AND APPROVING A GRANT APPLICATION TO THE REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM (RACP) OF THE OFFICE OF THE BUDGET, COMMONWEALTH OF PENNSYLVANIA

Mr. Hudak asked if this was a matching grant. Mr. Bruce said the grant required a 50 percent local match and the maximum grant award was \$1 million. Mr. Gallagher said he would support this resolution without the cost of the sprinkler system. Mr. Merhottein said the match would have to come from ARCHIE and the trust. He added that they would not have to accept the grant if it was awarded to the township. Ms. Lawrence asked how much money the ARCHIE Foundation had. Mr. Gallagher said about \$25,000 which is being used to cover the cost of the professional fundraiser. Mr. Merhottein said the mansion does not have a municipal function. Mr. Gallagher said it had a cultural function much like the community center.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth said the township already received money from the trust which has to be paid back.

**MARIA SILVA
RESIDENT**

Ms. Silva believes the mansion is a part of history and should not be knocked down.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted 4-1 by voice vote to approve Resolution R017-24 authorizing and approving a grant application, based on the cost estimate provided by the project architect, to the Redevelopment Assistance Capital Program (RACP) of the Office of the Budget, Commonwealth of Pennsylvania. Mr. Hudak opposed.

**MOTION OF THE
BOARD OF
COMMISSIONERS**

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH BRIGHTLY SOFTWARE INC. TO IMPLEMENT SMARTGOV, AN ON-LINE MANAGEMENT SOLUTION

FOR PERMITTING, PLANNING, INSPECTIONS, CODE ENFORCEMENT AND BUSINESS LICENSING

Ms. Jensen this agreement of service was approved in the 2024 budget. Mr. Gallagher asked if this software would make it easier to enforce complaints. Ms. Jensen enforcing complaints is done by staff but there would be an improvement to the way complaints are logged and managed.

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to enter into an agreement with Brightly Software Inc. to implement SmartGov, an on-line management solution for permitting, planning, inspections, code enforcement and business licensing.

APPROVAL OF PURCHASE ORDERS

PO 20233113 – JOAO & BRADLEY CONST.– PPIS – \$26,752.56

Mr. Merhottein said the money to pay for this purchase order comes out the sewer fund.

Upon motion (Hudak-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Purchase Order 20233113 as presented.

DISCUSSION ITEMS

ZONING HEARING BOARD APPEAL #25-2023

Dan Rowley, representative for the appellant, said he would like to proceed with the appeal without legal opposition from the board. Mr. Merhottein said the board will take it under advisement.

ZONING HEARING BOARD APPEAL #24-2023 DECISION

Solicitor Broughal said that matter is regarding a solid fence in the storm drainage easement which is prohibited in the stormwater ordinance. He asked the board to authorize him to appeal the decision. Mr. Gallagher said that type of fence would obstruct the flow of stormwater and create other problems.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted by voice vote to authorize the township solicitor to appeal the decision. The motion passed 4-0-1. Mr. Hudak abstained.

ADJOURNMENT

There being no other business, Mr. Merhottein adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary