

**BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
MARCH 18, 2024**

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

MEMBERS ABSENT Michael D. Hudak, Commission

OTHERS PRESENT James L. Broughal, Township Solicitor
Ron Gawlik, Township Engineer
Doug Bruce, Township Manager
Amanda Jensen, Community Development Director

CALL TO ORDER Mr. Merhottein called the meeting to order at 7:00 p.m. and led those assembled in the Pledge of Allegiance.

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

APPROVAL OF MINUTES Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve the March 4, 2024, regular public meeting minutes as presented. Mr. Hudak was absent.

PUBLIC HEARING

ORDINANCE 01-24 **AN ORDINANCE AMENDING THE CODE OF CODIFIED ORDINANCES, CHAPTER 252, VEHICLES AND TRAFFIC; ARTICLE VII, SNOW EMERGENCIES; SECTION 252-45, DESIGNATED SNOW EMERGENCY ROUTES, TO REVISE CERTAIN SNOW EMERGENCY ROUTES; AND AMENDING SECTION 252-49, TICKETING OF VEHICLES, TO PROVIDE INCREASED PENALTIES FOR VIOLATIONS OF SECTION 252-46, PARKING PROHIBITED AND DRIVING MOTOR VEHICLES RESTRICTED ON CUL-DE-SAC ON SNOW EMERGENCY ROUTES DURING SNOW EMERGENCIES WITHIN THE TOWNSHIP OF BETHLEHEM**

Mr. Merhottein said the ordinance corrects the name of Westbrook Drive to Westwood Drive and increases the penalties for parking violations in snow emergency routes from \$5-\$10 to \$10-20 dollars.

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to adopt Ordinance 01-24 amending the Code of Codified Ordinances, Chapter 252, Vehicles and Traffic; Article VII, Snow emergencies; Section 252-45, Designated Snow Emergency Routes, to revise certain snow emergency routes; and amending Section 252-49, Ticketing of Vehicles, to provide increased penalties for violations of Section 252-46, Parking Prohibited and Driving Motor Vehicles Restricted on Cul-De-Sac on Snow Emergency Routes During Snow Emergencies within the Township of Bethlehem. Mr. Hudak was absent.

**SUBDIVISIONS AND
LAND
DEVELOPMENT**

**CONDITIONAL USE
HEARING**

**ST. LUKE'S HOSPITAL REQUESTING RELOCATION OF THE INTERIM
HELIPAD AT THE ANDERSON CAMPUS**

Attorney Steven Boell said the board approved the plan for Wing 3 of the hospital last October and granted Conditional Use approval. The plans were revised to reconfigure the loop road and move the temporary helipad 211 feet. Mr. Merhottein said one flight path hasn't changed and the other moved 211 feet. Solicitor Broughal asked how long will it be in use before the permanent one is operational. Zack Appleby, St Luke's Planning Construction Director, said about two years.

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to grant St. Luke's Hospital requesting relocation of the interim helipad at the Anderson Campus. Mr. Hudak was absent.

RESOLUTION R026-24

**A RESOLUTION GRANTING REVISED CONDITIONAL
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN APPROVAL OF
ST. LUKE'S CAMPUS WING 3**

Ms. Jensen said the board previously approved the plan last October but due to minor revisions, the plans needed approval. Mr. Gallagher asked if it was a 5-story building. Mr. Appleby confirmed that it was.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R026-24 granting revised conditional preliminary/final land development plan approval of St. Luke's Campus Wing 3. Mr. Hudak was absent.

MOTION

**A MOTION APPROVING A HOLD-HARMLESS AGREEMENT
BETWEEN BETHLEHEM TOWNSHIP AND KAREN AND KEITH
FOLLWEILER PERMITTING A FENCE TO BE PLACED IN AN
EASEMENT AT 1758 CHARLEY LANE**

Ms. Jensen said similar the agreement was similar to previously approved hold harmless agreements. They owners want to install a fence in the stormwater easement, and as per policy, the township engineer reviews it to make sure it doesn't impede the flow of stormwater.

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve a hold-harmless agreement between Bethlehem Township and Karen and Keith Follweiler permitting a fence to be placed in an easement at 1758 Charley Lane. Mr. Hudak was absent.

MOTION

**A MOTION APPROVING IMPROVEMENTS SECURITY RELEASE #12,
IN THE AMOUNT OF \$ 206,435.10, FOR RIVER HILL ESTATES**

Mr. Merhottein said this was a standard security release. Ms. Jensen added that it was primarily for the installation of sidewalks. She said the remaining security balance is \$1,305,751.19.

Upon motion (Lawrence-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Improvements Security Release #12, in the amount of \$ 206,435.10, for River Hill Estates. Mr. Hudak was absent.

RESOLUTIONS OF THE BOARD OF COMMISSIONERS

RESOLUTION R024-24 A RESOLUTION APPROVING THE EXPENDITURE OF \$1,071,480 FOR TWO BENCHMARK 100 BOILERS WITH ALL ATTACHMENTS AND ACCESSORIES; TWO COMMERCIAL INTELLIPAK ROOFTOP UNITS WITH ALL ATTACHMENTS AND ACCESSORIES; ONE COMMERCIAL PRECEDENT ROOFTOP UNIT (RTU 2) WITH ALL ATTACHMENTS AND ACCESSORIES; AND ONE COMMERCIAL PRECEDENT ROOFTOP UNIT (RTU 5) WITH ALL ATTACHMENTS AND ACCESSORIES; AND AUTHORIZING THE EXECUTION OF A CERTAIN MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH FIRST COMMONWEALTH EQUIPMENT FINANCE, A DIVISION OF FIRST COMMONWEALTH BANK. (CURRENTLY TABLED.)

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to untable Resolution R024-24. Mr. Hudak was absent.

Mr. Merhottein said the expenditure is for the replacement of the HVAC units at the community center and the municipal building and is a budgeted item.

Upon motion (Beatty-Gallagher), the Board of Commissioners voted by voice vote to approve Resolution R024-24 approving the expenditure of \$1,071,480 for two Benchmark 100 boilers with all attachments and accessories; two commercial Intellipak rooftop units with all attachments and accessories; one commercial Precedent rooftop unit (RTU 2) with all attachments and accessories; and one commercial Precedent rooftop unit (RTU 5) with all attachments and accessories; and authorizing the execution of a certain master equipment lease/purchase agreement with First Commonwealth Equipment Finance, a division of First Commonwealth Bank. Mr. Hudak was absent.

MOTIONS OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION AUTHORIZING AND DESIGNATING COMMUNITY DAYS AS A “PUBLIC CELEBRATION.”

Mr. Merhottein said this has been done this in previous years. The motion allows the board to waive the noise ordinance for the fireworks display during Community Days. Mr. Gallagher asked if dates were available. Mr. Merhottein said the festival runs from June 12th to June 15th. Mr. Bruce added that this motion also waives the requirement for the fire company to notify nearby neighbors of the fireworks.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to authorize and designate Community Days as a “public celebration.” Mr. Hudak was absent.

MOTION

A MOTION APPROVING THE BETHLEHEM TOWNSHIP VOLUNTEER FIRE COMPANY’S APPLICATION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD FOR A SPECIAL OCCASION PERMIT FOR THE COMMUNITY DAYS FESTIVAL

Mr. Merhottein said this motion memorializes the board’s support of the fire company’s application to receive a Special Occasion Permit for the festival. He thanked the Bethlehem Township Volunteer Fire Company for a great job as they spend a lot of time putting it together.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve the Bethlehem Township Volunteer Fire Company’s application to the Pennsylvania Liquor Control Board for a Special Occasion Permit for the Community Days festival. Mr. Hudak was absent.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH EARTHRES GROUP FOR DETERMINATION OF CLEAN FILL FOR THE 9TH STREET/FREEMANSBURG AVENUE EMERGENCY TRAFFIC SIGNAL PROJECT

Mr. Merhottein said the township is required to meet the Pennsylvania Department of Environmental Protection mandates regarding clean fill and must contract with a certified provider of such services.

Upon motion (Lawrence-Beatty), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to enter into an agreement with Earthres Group for determination of clean fill for the 9th Street/Freemansburg Avenue emergency traffic signal project. Mr. Hudak was absent.

MOTION

MOTION APPROVING TASK ORDER #1 OF THE INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE JOINT IMPLEMENTATION OF STORMWATER PROJECTS BETWEEN THE CITY OF BETHLEHEM AND BETHLEHEM TOWNSHIP, RELATED TO THE EASTON AVENUE FLOOD MITIGATION PROJECT – PHASE 1

Mr. Merhottein said this is an addendum to the stormwater agreement with the township and the City of Bethlehem to mitigate flooding by Keystone. Mr. Bruce added that work is being done on two basins near East Boulevard that feed into the township.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted 4-0-1 by voice vote to approve Task Order #1 of the Intergovernmental Cooperation Agreement for the Joint Implementation of Stormwater Projects between the City of Bethlehem and Bethlehem Township, related to the Easton Avenue Flood Mitigation project – Phase 1. Mr. Hudak was absent.

BILL AGENDA OF MARCH 13, 2024

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve the bill agenda of March 13, 2024 as amended. Mr. Hudak was absent.

PURCHASE ORDERS PO 20240599 – Deep Run Aquatic Services – BTCC – \$2,112.00
PO 20240609 – Seagrave Fire Apparatus – NRFC – \$1,160,489.00
PO 20240641 – Chemung Supply – PW – \$4,052.78
PO 20240689 – TK Elevator – BTCC – \$3,616.93
PO 20240691 – Industrial Communications – BTPD – \$31,737.50

Mr. Gallagher noted that the fire truck purchase is 50% down this year and 50% on delivery in approx. 3 years.

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve the purchase orders as presented. Mr. Hudak was absent.

**TREASURER'S
REPORT OF
FEBRUARY 29, 2024**

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve the treasurer's report subject to audit. Mr. Hudak was absent.

**ZONING HEARING
BOARD MEETING
OF FEBRUARY 28,
2024**

Ms. Jensen said there were four items on the agenda and nothing that staff objects to. Mr. Bruce requested that the solicitor be present to advise staff.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to direct the township solicitor to attend the Zoning Hearing Board meeting of February 28, 2024. Mr. Hudak was absent.

MONTHLY REPORTS All monthly reports were accepted as presented.

DISCUSSION ITEM

**REPAIR OF
PORTABLE
BATHROOM TRAILER**

Mr. Merhottein said the trailer was purchased about five years ago for the Bulldogs. Mr. Bruce said the trailer requires \$2,100 in repairs. He said the trailer is opened April through October all day and that the Bulldogs were responsible for nightly cleaning. Mr. Bruce said he wanted the board to be aware of the situation and that port-a-johns were used prior to 2019. Mr. Bruce said he and staff are concerned about the increased vandalism. Mr. Merhottein said they are not blaming the Bulldogs. Mr. Gallagher asked where the damage was. Mr. Bruce said it is interior damage mainly to the toilets. Mr. Merhottein said he spoke with the president of the Bulldogs and the organization might be interested in using port-a-johns again as they are spending too much money cleaning the trailer. Mr. Gallagher recalled that the benefit of having the trailer was to use at other functions such as Community Days or anywhere else needed. The community center used it for summer programs. Mr. Merhottein said trailer is not meant for everyday use and he will speak with Bulldogs further about the matter.

**HOUSENICK PARK
TRAILS**

Mr. Gallagher said Mr. Hudak asked to pull the this item off the agenda.

ADJOURNMENT

Mr. Merhottein adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary