

**BOARD OF COMMISSIONERS  
REGULAR PUBLIC MEETING  
MAY 1, 2023**

**MEMBERS PRESENT**

John Gallagher, Vice President  
Jan Beatty, Commissioner  
DeAnn Lawrence, Commissioner  
Luke Verdes, Commissioner

**MEMBERS ABSENT**

John J. Merhottein, President

**OTHERS PRESENT**

Jim Broughal, Township Solicitor  
Doug Bruce, Township Manager  
Matthew Miranda, PPIS Director  
Ronald J. Gawlik, Township Engineer

**CALL TO ORDER**

Mr. Gallagher called the meeting to order at 7:00 p.m. and led those in attendance in reciting the Pledge of Allegiance.

**EXECUTIVE SESSION**

Solicitor Broughal announced that on Monday, May 1, 2023, the Board of Commissioners met in executive session at approximately 6:30 p.m. to discuss litigation issues pursuant to Section 708a of the Pennsylvania Sunshine Act.

**COURTESY OF THE  
FLOOR**

**JUNE DING  
2761 KINGS VIEW AVE.**

Ms. Ding said she was concerned with the rise in crime in the township, specifically robberies and squatters. She asked if there was a shortage of police officers. Mr. Gallagher said he had not heard of any squatters in the township. Mr. Bruce said that he, too, was not aware of any. He told Ms. Ding to call the police if she sees anything suspicious. Solicitor Broughal said the law does not specifically mention squatters; he said if someone is on her property without permission it is criminal trespass and she should call the police. Regarding the concerns of police shortage, Mr. Bruce said she was informed by the Police Chief that they have the proper number of officers. Ms. Ding asked when the traffic light will be installed on Farmersville Road and Freemansburg Avenue. Mr. Gallagher said the redesign of the intersection was taken over by PennDOT and that the schedule will be set by them. Ms. Ding also said she had difficulty finding out what date and time the board met.

**TERRY HERSH  
2872 HODLE AVE.**

Mr. Hersh asked the board if he could place donations bins for non-perishable food at the municipal building and at the community center as part of his Eagle Scout project. Mr. Gallagher said it was a wonderful idea. Solicitor Broughal asked if something like this had been done before. Mr. Bruce said the township sets up boxes for Toys for Tots donations every year in the municipal building and community center. By consensus, the board agreed to allow the food drive containers at the township buildings.

**BARRY ROTH  
4323 CHETWIN TERR.**

Mr. Roth asked the board to post the meeting dates and times on the electronic board outside the municipal building. Mr. Roth said he was unable to make the last meeting when the sketch plan for Dr. Amin's property was presented. Mr. Roth said he was concerned that the stormwater from the

property would go to his neighborhood, since his home sits on the lowest point. Mr. Gallagher said it was only a sketch plan and stormwater issues would be addressed when the applicant comes before the board with a full plan.

Mr. Roth commented that PennDOT needs to look at the township's masterplan and note that William Penn Highway needs to be widened in order to handle the traffic. He suggested residents contact the State Senator and State Representatives for their help in speaking with PennDOT.

**STEVE HUNT  
2197 COOK DR.**

Mr. Hunt said he and other residents of Madison Farms do not have enough parking. He believes removing the bike lanes could provide more space. Mr. Hunt conducted a survey and discovered that most residents agreed that a bike lane was unnecessary. He also mentioned that two intersections in the development need a four-way stop sign. Mr. Gallagher said he appreciates hearing from residents and that the board is willing to listen. However, he cautioned Mr. Hunt that there are things the board can and can not do as the plan has been recorded. Mr. Verdes agreed with Mr. Gallagher and thanked the residents for coming to the meeting.

**APPROVAL  
OF MINUTES**

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the April 17, 2023 regular public meeting as amended. Mr. Merhottein was absent.

**PUBLIC HEARINGS**

**ORDINANCE 04-23**

**AN ORDINANCE DETERMINING TO INCUR DEBT IN THE PRINCIPAL AMOUNT OF \$2,490,000; AS LEASE RENTAL DEBT TO BE EVIDENCED BY A SERIES OF INDEBTEDNESS TO BE KNOWN AS GUARANTEED REVENUE NOTE, SERIES OF 2023 ("2023 NOTE" OR "NOTE") OR SUCH OTHER DESIGNATION AS MAY BE APPROPRIATE, TO BE AUTHORIZED AND ISSUED BY THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY (THE "AUTHORITY") AND GUARANTEED BY THE TOWNSHIP FOR CAPITAL IMPROVEMENTS TO BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY'S PHASE 1 POLLUTION REDUCTION PLAN PROJECT; THE 2023 NOTE BEING ISSUED THROUGH THE PENNVEST PROGRAM WHICH REIMBURSES PROJECT COSTS ADVANCED; AUTHORIZING AN INCREASE IN THE TOWNSHIP'S NONELECTORAL INDEBTEDNESS; FIXING THE FORM, NUMBER, DATE, INTEREST AND MATURITY OF THE NOTE; MAKING A COVENANT FOR THE PAYMENT OF DEBT SERVICE ON THE 2023 NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENTS WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR APPROVAL OF THE ISSUANCE OF THE DEBT; TO EXECUTE AND DELIVER (1) A CONTRACT AND LEASE OR SUCH OTHER FINANCING INSTRUMENT AND (2) A GUARANTY AGREEMENT; SPECIFYING THE LEASE RENTALS TO BE PAID BY THE TOWNSHIP PURSUANT TO SAID LEASE OR SUCH PAYMENTS MADE BY AN APPROPRIATE FINANCING INSTRUMENT AND THE SOURCE OF PAYMENT THEREOF; GUARANTEEING PAYMENT OF THE PRINCIPAL AND INTEREST ON THE NOTE; SPECIFYING THE AMOUNT OF THE**

**GUARANTY OBLIGATIONS OF THE TOWNSHIP; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP WITH RESPECT TO THE GUARANTY AGREEMENT; AND PROVIDING FOR PROPER OFFICERS OF THE TOWNSHIP TO TAKE ALL OTHER REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION WITH SAID PROJECT, SAID LEASE OR FINANCING INSTRUMENT AND SAID GUARANTY AGREEMENT; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITORY FOR THE NOTE; AUTHORIZING, EXECUTION, SALE AND DELIVERY OF THE 2023 NOTE, AND DOCUMENTS RELATED THERETO; PROVIDING CERTAIN COVENANTS AND RESTRICTIONS FOR SECURITY AND PAYMENT OF THE NOTE; ESTABLISHING CERTAIN TAX COVENANTS REGARDING USE OF THE PROCEEDS OF THE NOTE; REPEALING CERTAIN ORDINANCES OR PART OF ORDINANCES; ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE**

Ordinance 04-23 was removed from the agenda.

**RESOLUTIONS OF THE BOARD OF COMMISSIONERS**

**RESOLUTION R042-23**

**A RESOLUTION APPROVING THE EXPENDITURE OF \$235,402.69 FOR A 2024 MACK GR42B TRUCK WITH R/S GODWIN DUMP BODY AND AUTHORIZING THE EXECUTION OF A CERTAIN GOVERNMENT LEASE PURCHASE WITH THE HUNTINGTON NATIONAL BANK**

Mr. Bruce said the resolution is for a five-year lease-purchase of a large dump truck for public works and is part of the 2023 liquid fuels budget. Mr. Gallagher noted that the expenditure amount was incorrect. Solicitor Broughal will look into the matter to ensure the correct amount is noted in the resolution.

Upon motion (Verdes-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R042-23 approving the expenditure of \$235,402.69 for a 2024 Mack GR42B truck with R/S Godwin dump body and authorizing the execution of a certain government lease purchase with the Huntington National Bank. Mr. Merhottein was absent.

**MOTIONS OF THE BOARD OF COMMISSIONERS**

**MOTION**

**A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ADVERTISE FOR BID THE PEDESTRIAN CROSSING ENHANCEMENT PROJECTS ON OAKLAND ROAD AND HECKTOWN ROAD**

Mr. Gawlik said this is for the installation of flashing warning devices at pedestrian crossings at Oakland/Santee and Hecktown/Dartmouth. Mr. Gallagher asked what the cost of the project was. Mr. Bruce said the project is funded by a state grant for \$130,000 which the township received and

should come close to covering the cost.

Upon motion (Verdes-Lawrence), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to advertise for bid the pedestrian crossing enhancement projects on Oakland Road and Hecktown Road. Mr. Merhottein was absent.

**MOTION**

**A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ADVERTISE FOR BID ROOF REPLACEMENT AT THE MUNICIPAL BUILDING AND TWO PARK PAVILIONS**

Mr. Gallagher noted that this for roof replacements for the municipal building (partial), one municipal park pavilion, and the Meyer Lane pavilion.

**STEVE HUNT  
2197 COOK DR.**

Mr. Hunt asked if the board considered solar rooves. Mr. Verdes said there is federal funding but unfortunately the township does not qualify at this time.

**GLEN KRIER  
3942 KENRICK DR.**

Mr. Krier asked why the municipal building was getting a partial roof. Mr. Miranda said a part of the roof was done last year as an emergency and the rest will be done this year. Mr. Bruce said they had received at \$25,000 grant from the county for the project.

**DAVE WONG  
4108 GINGER LANE**

Mr. Wong commented that solar panels could easily be damaged by storms. They also can create electrical hazards and catch on fire, he said.

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to advertise for bid roof replacement at the municipal building and two park pavilions. Mr. Merhottein was absent.

**APPROVAL OF  
PURCHASE ORDERS**

**PO 20231101 – PITNEY BOWES – FINANCE – \$90,648.60  
PO 20231104 – ARBOR FENCE – PPIS – \$2,100.00  
PO 20231110 – TMI ALLENTOWN LLC – BTCC – \$2,500.00  
PO 20231048 – METZ INC. – BTCC – \$2,220.00  
PO 20231142 – CAMELBACK LODGE – BTCC – \$2,960.00  
PO 20231144 – FASCELLA CONSTRUCTION – PW – \$72,207.50  
PO 20231145 – HYDRA-NUMATIC SALES – PPIS – \$3,397.91  
PO 20231148 – WIND RIVER ENVIRONMENTAL – PPIS – \$5,063.91  
PO 20231157 – CHAPMAN AUTO GROUP – BTPD – \$44,036.00  
PO 20231158 – ATLANTIC TACTICAL – BTPD – \$5,719.95**

Mr. Gallagher asked how many sewer bills are sent out in a cycle. Mr. Bruce said about 9,000 to 10,000 per cycle and believes there are six cycles. He said the Pitney Bowes purchase order is for a lease and that the equipment is heavily used.

**GLEN KRIER  
3942 KENRICK DR.**

Mr. Krier asked what happens to the lease at the end of five years. Mr. Bruce said they look at a new lease with new equipment. The equipment is not purchased outright because it is so heavily and the equipment is constantly updated, he said.

Mr. Gallagher asked about the Fascella Construction purchase order and the cost estimate of the project. Mr. Bruce was uncertain. Ms. Beatty said attempts to get funding were unsuccessful. Mr. Gawlik noted that the

geotechnical consultant was overseeing the project and the D&L Trail remains open during the project.

**DAVE WONG  
4108 GINGER LANE**

Mr. Wong asked if the culvert will be widened to support future developments and stormwater. Mr. Gawlik said as properties are developed, they are required to reduce the rate of water. Mr. Gallagher added that the township stormwater engineer is currently working to reduce the flow.

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

**DISCUSSION ITEM**

**REQUIREMENT OF  
MANDATORY RECUSAL  
OF PUBLIC OFFICIALS IN  
MATTERS IN WHICH  
THEY HOLD A  
FINANCIAL INTEREST**

Mr. Verdes said he drafted an ordinance similar to the one in the City of Bethlehem requiring mandatory recusal of public officials in matters where they hold a financial interest. He said an example of why this is necessary is a recent municipal election in Lower Saucon Township in which the local landfill company spent \$80,000 on election-related spending. This would prevent similar action happening in the township, he said. Mr. Verdes said he favored a limit of \$250 total in donations over two years' time. He noted any member not complying would be reported to the State Ethics Board. This ordinance would bring to light those acting unethically, he said. Ms. Beatty said she would support such an ordinance. Ms. Lawrence said transparency is key. Mr. Gallagher asked if this ordinance would apply to all the boards and committees. Mr. Verdes said yes and reiterated that it was all about transparency.

Ms. Beatty was unsure how this ordinance would apply to the Zoning Hearing Board and the Planning Commission. Mr. Verdes said the ordinance can be amended.

**STEVE HUNT  
2197 COOK DR.**

Mr. Hunt asked if there are state regulations that do the same. Mr. Verdes said there are state laws with penalties.

**GLEN KRIER  
3942 KENRICK DR.**

Mr. Krier believes the requirement should only apply to elected officials and not those appointed.

**BARRY ROTH  
4323 CHETWIN TERR.**

Mr. Roth agreed with Mr. Krier and added that it would imply appointed members could be bought. Many of those appointed are volunteers and not paid, he said.

**DON WRIGHT  
2815 HOPE RIDGE DR.**

Mr. Wright agreed with Mr. Roth and said he has resided in the township for over 25 years and has seen many people recuse themselves.

**DAVE WONG  
4108 GINGER LANE**

Mr. Wong asked if the \$250 donation maximum meant single time or cumulative. Mr. Verdes said it was the total donation per campaign.

The board took no formal action on the matter.

**ADJOURNMENT**

Mr. Gallagher adjourned the meeting at 8:21 p.m.

Respectfully submitted,

Laura G. Zapata  
Recording Secretary