

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
AUGUST 2, 2021**

- MEMBERS PRESENT** Malissa K. Davis, Vice President (virtual)
John K. Gallagher, Commissioner
John J. Merhottein Commissioner
Dale A. Sourbeck, Commissioner
- MEMBERS ABSENT** Michael D. Hudak, President
- OTHERS PRESENT** James L. Broughal, Township Solicitor
Anthony Giovannini, Township Solicitor
Doug Bruce, Township Manager
Andy Freda, Finance Director
Ron Gawlik, Township Engineer
Gregory Gottschall, Police Captain
Steve Hunsberger, PPIS Director
- CALL TO ORDER** Mr. Merhottein called the meeting to order at 7:00 p.m. and led the audience in the Pledge of Allegiance.
- COURTESY OF THE FLOOR**
- PATRICIA MAGANN
4461 FAIRWAY DR.** Ms. Magann read from a letter on behalf of the residents in her neighborhood describing the condition of the road and requesting that it be repaved.
- JASON ANASCAVAGE
4400 FAIRWAY DRIVE** Mr. Anascavage agreed with Ms. Magann and asked if the five-year paving project plan include their street.
- BRIAN CAWLEY
4401 FAIRWAY DRIVE** Mr. Cawley said he was astounded at the condition of the road and was amazed to learn that the road is not on the five-year paving project list. He added that his neighborhood is well cared for by the residents.
- STEVE MIGA
4011 WILSON AVE.** Mr. Miga said there are several issues related to his property that are subject to Zoning Hearing Board appeals. He said he sent a letter to Mr. Bruce about Commissioner Hudak and the work done on Mr. Hudak's home without the proper permits or inspection but did not get a response. Solicitor Broughal said the township was in receipt of the complaint and it is currently being reviewed by staff. He said the township 's zoning officer left recently and that may have caused a delay. Solicitor Broughal informed Mr. Miga that he will receive a response from the township. Mr. Miga said he did not agree with the Zoning Officer's decision related to his property. Solicitor Broughal informed Mr. Miga that he has the right to appeal the decision.
- COMMISSIONER
MERHOTTEIN** Commissioner Merhottein informed the residents at Fairway Drive that he would drive over to their neighborhood to see the condition of the road. He also said that he would check the paving schedule to see if their street was included.
- COMMISSIONER
SOURBECK** Mr. Sourbeck said that a fireman had recently retired and said it would be nice to recognize his service to the community in the newsletter.
- APPROVAL OF
MINUTES**

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the July 19, 2021 regular public meeting. Mr. Hudak was absent.

**RESOLUTIONS OF
THE BOARD OF
COMMISSIONERS**

RESOLUTION R036-21 A RESOLUTION DIRECTING NORTHAMPTON COUNTY TAX CLAIM BUREAU NOT TO COLLECT DELINQUENT REAL ESTATE TAXES ON BEHALF OF THE TOWNSHIP OF BETHLEHEM

Mr. Freda said that Portnoff Law Associates does a good job of collecting the township's delinquent sewer bills and believes they will do the same collecting real estate taxes. Mr. Gallagher asked if this process would be faster. Mr. Freda said the account holder would be given a notice saying they have 30 days settle their bill or face legal action. He said Portnoff Law Associates is very successful with collection of delinquent sewer bills.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R036-21 directing Northampton County Tax Claim Bureau not to collect delinquent real estate taxes on behalf of the Township of Bethlehem.

RESOLUTION R037-21 A RESOLUTION AWARDED THE CONTRACT FOR THE COMMUNITY PARK SWALE RESTORATION PROJECT

Mr. Sourbeck asked if this project was budgeted for. Mr. Bruce said yes, but the low bid came in higher than expected. Mr. Bruce said the project is largely grant-funded, but accepting the low bid would require the township spend about \$30,000 more than expected from its funds. Mr. Gallagher asked what the estimate was for the projected and if there was anything that could be removed to bring the cost down. Mr. Gawlik said the numbers were in line with what Pidcock had estimated for the project. Solicitor Broughal said the project was bid and the township cannot go back and unilaterally make changes. Mr. Bruce said there is the possibility of an extension request for state grants received to fund the project. Mr. Merhottein said he was concerned about the price increase if they were to rebid the project. Mr. Sourbeck asked why it wasn't budgeted. Mr. Bruce said they applied for a grant and hoped it would cover the entire cost but the bids came higher than anticipated.

**TOM KEEFER
3808 CARTER RD.**

Mr. Keefer commented that if they rebid the project, the cost will be considerably higher.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth suggested splitting the money between the General Fund and the Recreation Fund since the swale is located in a recreation area. Mr. Merhottein said that perhaps the money could come from the Stormwater fee. Mr. Sourbeck said that rebidding the project could come back more expensive.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R037-21 awarding the contract for the Community Park Swale Restoration project to the low bidder Bi State Construction. Mr. Hudak was absent.

RESOLUTION R038-21 A RESOLUTION AWARDED THE CONTRACT FOR THE COMMUNITY CENTER IMPROVEMENTS PROJECT

Mr. Merhottein said that this project was for the repair of the gym roof and glass panels. Mr. Bruce said the project's original cost estimate, done several years ago, was \$145,000. The low bidder withdrew its bid due to a mathematical error and the next lowest bid came in at \$464,000, he said. The project was scheduled to take start last year but was postponed due to the pandemic, he said. Mr. Bruce said the construction materials would not be available until early 2022. Ms. Davis said this is not an opportune time and would like to see if deferred another year. Mr. Merhottein and Gallagher agreed.

**TOM KEEFER
3808 CARTER RD.**

Mr. Keefer agreed that the project should be put off another year. Mr. Sourbeck asked if the resolution could be tabled. Solicitor Broughal said it can't be tabled for a year and that the board must vote to award or reject the bid.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to reject Resolution R038-21 awarding the contract for the Community Center Improvements project and to reject all bids for the project. Mr. Hudak was absent.

**MOTIONS OF THE
BOARD OF
COMMISSIONERS**

MOTION

A MOTION AUTHORIZING THE ADVERTISEMENT OF AN ORDINANCE APPROVING COLLECTION PROCEDURES, APPOINTMENT OF SOLICITOR, INTEREST ASSESSMENT, CREDIT CARD AND DEBIT CARD CHARGES, AND FEES AND COSTS TO BE ADDED TO THE AMOUNT COLLECTED AS PART OF UNPAID REAL ESTATE TAXES AND MUNICIPAL CLAIMS FOR DELINQUENT ACCOUNTS

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted by voice vote to approve a motion authorizing the advertisement of an ordinance approving collection procedures, appointment of solicitor, interest assessment, credit card and debit card charges, and fees and costs to be added to the amount collected as part of unpaid real estate taxes and municipal claims for delinquent accounts. Mr. Hudak was absent.

MOTION

A MOTION APPROVING IMPROVEMENT SECURITY RELEASE CERTIFICATION #4, IN THE AMOUNT OF \$940,197.95, FOR NANCY RUN ESTATES PHASES 7-10

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion approving Improvement Security Release Certification #4, in the amount of \$940,197.95, for Nancy Run Estates Phases 7-10. Mr. Hudak was absent.

MOTION

A MOTION APPROVING IMPROVEMENT SECURITY RELEASE CERTIFICATION #2, IN THE AMOUNT OF \$631,206.10, FOR RIVER HILL ESTATES

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion approving Improvement Security Release Certification #2, in the amount of \$631,206.10, for River Hill Estates. Mr. Hudak was absent.

**APPROVAL OF
PURCHASE ORDERS**

**PO 20211465 – T.M. FITZGERALD & ASSOCIATES – FINANCE – \$2,441.45
PO 20211466 – HERBERT, ROWLAND & GRUBIC INC. – PPIS – \$12,238.50**

PO 20211493 – U.S. MUNICIPAL SUPPLY INC. – PW – \$7,594.62
PO 20211509 – LARRY MCCULLION & SONS INC. – PPIS – \$3,200.0
PO 20211510 – WENRICH PAINTING INC. – PPIS – \$19,832.00
PO 20211549 – US MUNICIPAL SUPPLY INC. – PW – \$102,660.00

Mr. Gallagher asked, regarding the Wenrich Painting purchase order, if it was a drywell or a drywall that was being painted. Mr. Hunsberger said it was a typo and clarified that it was a concrete drywell.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice to approve Purchase Orders 20211465, 20211466, 20211493, 20211509, 20211510 and 20211549 as presented. Mr. Hudak was absent.

DISCUSSION ITEM

CHRISTIAN SPRING ROAD

Mr. Sourbeck asked the board if they had any suggestions on how to address the violations. Mr. Merhottein said they asked the police chief to step up patrols and they did so for two weeks and that perhaps they can ask again. Mr. Bruce said the township engineer reviewed all the signage and proposed changes and shared the updates with the board. By consensus, the board directed the solicitor, engineer and manager to proceed with the proposed signage changes.

“NO PARKING ON GRASS” SIGNS AT THE MEMORIAL PARK ON CARTER ROAD

Mr. Gallagher said he would like to see “no parking on grass” signs posted on all three streets surrounding the Veterans’ memorial. Solicitor Broughal said the signs would be enforceable but without an ordinance the police would not be able to issue citations. Mr. Bruce said the cost of the signs would be a few hundred dollars. Captain Gottschall said there has only been one documented violation at that site in the past three years. Ms. Davis said she would like to see an ordinance prohibiting parking on the grass at all the municipal parks.

BARRY ROTH 4323 CHETWIN TERR.

Mr. Roth said there are plenty of violations that don’t get enforced. He said it was very disrespectful that people parked on the grass by the monument.

Commissioner Sourbeck said he never notice the memorial and perhaps people were not aware. He said the one at the community center has flags and is in plain sight. Captain Gottschall said he would support the signs as long as they are not obtrusive to the memorial. He said he wasn’t not happy the way things were handled on July 4th and that it was disrespectful to park on the memorial grounds. Captain Gottschall spoke to his officers and informed the board that in the future anyone parked on township park property will be asked to move their vehicles immediately. By consensus, the board directed the solicitor to determine the necessary steps for placing the signs.

ADJOURNMENT

There being no other business, upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 8:24 p.m. Mr. Hudak was absent.

Respectfully submitted,

Laura G. Zapata
Recording Secretary