

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
AUGUST 5, 2024**

- MEMBERS PRESENT** John J. Merhottein, President
John K. Gallagher, Vice President
Jan Beatty, Commissioner
DeAnn L. Lawrence, Commissioner
Michael D. Hudak, Commissioner
- OTHERS PRESENT** James L. Broughal, Township Solicitor
Doug Bruce, Township Manager
Samantha Smith, Community Development Director
Ronald J. Gawlik, Township Engineer
- CALL TO ORDER** Mr. Merhottein called the meeting to order at 7:00 p.m. and following the Pledge of Allegiance.
- EXECUTIVE SESSION ANNOUNCEMENT** Solicitor Broughal announced that an executive session was held on July 23, 2024 for 20 minutes to discuss contract negotiations and again on August 5, 2024 for 30 minutes to discuss personnel issues and contract negotiations pursuant to Section 708a of the Pennsylvania Sunshine Act.
- COURTESY OF THE FLOOR**
- SHADWICK YODER
3116 CHESTER AVE.** Mr. Yoder said any problems at Traditions of America-Green Pond are the result of the board’s “bad decision” to approve the project. He said it would be irresponsible of the township to use taxpayers’ money to repair sidewalk and drainage issues at the development. Mr. Merhottein said township is responding as it would to any other such problem.
- APPROVAL OF MINUTES** Upon motion (Gallagher-Lawrence) the Board of Commissioners voted 4-0-1 by voice vote to approve the July 15, 2024 meeting minutes as presented. Mr. Hudak abstained.
- PRESENTATION**
- 2023 AUDIT** Melissa Grube of Campbell, Rappold & Yurasits LLP (CR&Y) reported the 2023 audit went very well. She thanked the board for bringing the company back and staff for their cooperation. Paul Mack of CR&Y presented the highlights of the audit. Mr. Gallagher asked if the township was financially in good shape. Mr. Mack said it was a clean audit and the township’s finances were in good standing. Mr. Merhottein thanked Mr. Freda and Mr. Bruce for a job well done.
- GLEN KRIER
3942 KENRICK DR.** Mr. Krier asked the board if they would consider moving from defined contribution to 401K pension plans. Mr. Bruce said the board voted more than 10 years ago to change from defined-benefit to defined-contribution pensions for new hires in AFSCME, Teamsters, and non-union positions. He said state law requires police officers to received defined-benefit pensions.
- PUBLIC HEARINGS**
- ORDINANCE 03-24** **AN ORDINANCE AMENDING THE CODE OF CODIFIED ORDINANCES OF THE TOWNSHIP OF BETHLEHEM, CHAPTER 187, PROPERTY,**

ABANDONED AND FORECLOSED; PROVIDING AMENDMENTS TO SECTION 187-2, DEFINITIONS, AND SECTION 187-9, VIOLATIONS AND PENALTIES; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

Mr. Merhottein said this ordinance would revise the definition of a vacant property and increase fines.

Upon motion (Lawrence-Hudak), the Board of Commissioners voted unanimously by voice vote to adopt Ordinance03-24 amending the Code of Codified Ordinances of the Township of Bethlehem, Chapter 187, Property, Abandoned and Foreclosed; providing amendments to Section 187-2, Definitions, and Section 187-9, Violations and Penalties; and repealing all ordinances inconsistent herewith.

ORDINANCE 04-24

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE INSTALLATION, INSPECTION, AND ON-GOING MAINTENANCE OF ON-LOT SEWAGE DISPOSAL SYSTEMS; REQUIRING REGISTRATION OF SEPTAGE PUMPER/HAUER AND CERTIFIED INSPECTION BUSINESSES WITH BETHLEHEM TOWNSHIP; AND FURTHER, PROVIDING FOR IMPOSITION OF PENALTIES FOR NONCOMPLIANCE AND APPEALS FOR HARDSHIP SITUATIONS

Upon motion (Beatty-Gallagher), the Board of Commissioners voted unanimously by voice vote to adopt Ordinance 04-24 establishing regulations for the installation, inspection, and on-going maintenance of on-lot sewage disposal systems; requiring registration of septage pumper/hauler and certified inspection businesses with Bethlehem Township; and further, providing for imposition of penalties for noncompliance and appeals for hardship situations.

**SUBDIVISIONS &
LAND
DEVELOPMENT**

RESOLUTION R048-24 A RESOLUTION GRANTING SITE PLAN APPROVAL OF DEIBEL LABORATORIES, 3708 FREEMANSBURG AVENUE

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R048-24 granting site plan approval of Deibel Laboratories, 3708 Freemansburg Avenue as presented.

MOTION

A MOTION TO EXTEND THE DEVELOPER'S OBLIGATION TO COMPLETE IMPROVEMENTS, PURSUANT TO THE DEVELOPMENT AGREEMENT, FOR THE 2300 HIGHLAND AVENUE PARKING EXPANSION (LEHIGH VALLEY HEALTH NETWORK), TO JULY 14, 2025

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to extend the developer's obligation to complete improvements, pursuant to the development agreement, for the 2300 Highland Avenue Parking Expansion (Lehigh Valley Health Network), to July 14, 2025.

MOTION

A MOTION TO EXTEND THE DEVELOPER'S OBLIGATION TO COMPLETE IMPROVEMENTS, PURSUANT TO THE DEVELOPMENT AGREEMENT, FOR THE MOWRER ROAD DELIVERY VAN PARKING LOT (J.G. PETRUCCI COMPANY) TO SEPTEMBER 19, 2025

BARRY ROTH

4323 CHETWIN TERR. Mr. Roth believes the board should encourage applicants to keep the project moving forward once their plan is approved.

Upon motion (Hudak-Lawrence), the Board of Commissioners voted unanimously by voice vote to extend the developer's obligation to complete improvements, pursuant to the development agreement, for the Mowrer Road Delivery Van Parking Lot (J.G. Petrucci Company) to September 19, 2025.

REQUEST FOR REZONING

NORTHAMPTON COMMUNITY COLLEGE REQUESTS THE REZONING OF THE "AGRICULTURAL" PROPERTY AT THE SOUTHEASTERN CORNER OF THE NORTHAMPTON COMMUNITY COLLEGE CAMPUS, TO ALIGN WITH THE ZONING AT THE REMAINDER OF THE CAMPUS

Attorney Piperato said they are requesting to rezone the 'agricultural' property at the southeastern corner of the Northampton Community College campus, to align with the zoning at the remainder of the campus. A recent notice of violation prompted this change. Mr. Gallagher said it makes sense to make it part of the campus. Ms. Smith said the request has not gone before the Planning Commission.

No action taken.

RESOLUTIONS OF THE BOARD OF COMMISSIONERS

RESOLUTION R047-24 A RESOLUTION APPROVING A WINTER MAINTENANCE SERVICES AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR STATE ROUTES 2011 (FARMERSVILLE ROAD) AND 2028 (OAKLAND ROAD AND GREEN POND ROAD) AND AUTHORIZING THE TOWNSHIP MANAGER TO SIGN THE AGREEMENT

Mr. Bruce said this is a five-year agreement with PennDOT paying the township to maintain the state roads during the winter. Mr. Hudak asked if that included snowplowing. Mr. Bruce said it did.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R048-24 approving a winter maintenance services agreement with the Pennsylvania Department of Transportation for State Routes 2011 (Farmersville Road) and 2028 (Oakland Road and Green Pond Road) and authorizing the township manager to sign the agreement.

MOTION OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION AUTHORIZING ZACHARY WASILICK BE GRANTED A LUMP-SUM PAYMENT FROM THE BETHLEHEM TOWNSHIP EMPLOYEES DEFINED CONTRIBUTION PLAN, EFFECTIVE AUGUST 1, 2024

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to grant Zachary Wasilick a lump-sum payment from the Bethlehem Township Employees Defined Contribution Plan, effective August 1, 2024.

MOTION

A MOTION APPOINTING A BETHLEHEM TOWNSHIP COMMISSIONER TO THE INTERNAL HOUSENICK COMMITTEE

Mr. Merhottein asked for nominations. Mr. Hudak nominated himself.

Upon motion (Hudak-Merhottein), the Board of Commissioners voted 4-1 by voice vote to appoint Commissioner Hudak to the internal Housenick committee. Mr. Gallagher opposed.

MOTION

A MOTION AUTHORIZING ADVERTISEMENT OF AN ORDINANCE AMENDING ORDINANCE NO. 8-97, THE BETHLEHEM TOWNSHIP ZONING ORDINANCE; CHAPTER 275, ZONING, OF THE TOWNSHIP OF BETHLEHEM CODE OF ORDINANCES, AS AMENDED; BY AMENDING VARIOUS SECTIONS TO RESOLVE INCONSISTENCIES IN TERMS OF FORMATTING AND RESOLVING CONFLICTS, AND REPEALING ALL ORDINANCES INCONSISTENT HERE WITH

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to advertise an ordinance amending ordinance No. 8-97, the Bethlehem Township Zoning Ordinance; Chapter 275, Zoning, of the Township of Bethlehem Code of Ordinances, as amended; by amending various sections to resolve inconsistencies in terms of formatting and resolving conflicts, and repealing all ordinances inconsistent here with.

MOTION

A MOTION AUTHORIZING AND APPROVING A GRANT AGREEMENT BETWEEN THE HOUSENICK MEMORIAL FOUNDATION AND BETHLEHEM TOWNSHIP TO SUPPORT INTERIOR RENOVATION OF THE ARCHIBALD JOHNSTON MANSION

Mr. Merhottein said this is a one-year grant agreement under which the township could seek up to \$130,000 in grant reimbursements from the foundation for projects at the mansion/park.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to authorize and approve a grant agreement between the Housenick Memorial Foundation and Bethlehem Township to support interior renovation of the Archibald Johnston mansion.

APPROVAL OF PURCHASE ORDERS

- PO 20241762 – NAZARETH FORD – PW – \$6,194.46**
- PO 20241794 – GLICK FIRE EQUIPMENT – BTVFC – \$21,633.65**
- PO 20241795 – BOUND TREE MEDICAL – BTVFC EMS – \$19,320.51**
- PO 20241797 – A-1 TRAFFIC CONTROL – PW – \$33, 279.60**
- PO 20241798 – SNOWSCAPES TREE REMOVAL – PW – \$3,625.00**
- PO 20241824 – MOTOROLA SOLUTIONS – BTPD – \$12,701.00**
- PO 20241825 – CHAPMAN AUTO GROUP – BTPD – \$95,492.00**
- PO 20241826 – INDUSTRIAL COMMUNICATIONS – BTPD – \$18,444.50**

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve all the purchases orders as presented.

ADJOURNMENT

There being no other business, Mr. Merhottein adjourned the meeting at 7:32 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary