

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
NOVEMBER 6, 2023**

MEMBERS PRESENT

John J. Merhottein, President
John K. Gallagher, Vice President
Jan Beatty, Commissioner
DeAnn L. Lawrence, Commissioner
Luke A. Verdes, Commissioner

OTHERS PRESENT

James L. Broughal, Township Solicitor
Doug Bruce, Township Manager
Matt Miranda, PPIS Director

CALL TO ORDER

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

COURTESY OF THE FLOOR**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth expressed concern about the athletic associations' request for an increase in the annual contributions from the township. He said the amount requested by the Freemansburg Bethlehem Township Association for lighting should be done on a repayment plan.

**APPROVAL
OF MINUTES**

Upon motion (Gallagher-Verdes), the Board of Commissioners voted unanimously by voice vote to table the minutes of the October 16, 2023 regular public meeting as presented.

**RESOLUTIONS OF THE
BOARD OF
COMMISSIONERS****RESOLUTION R070-23****A RESOLUTION AWARDING THE CONTRACT FOR MADISON FARMS SNOW REMOVAL**

Mr. Merhottein said this is an annual contract for snow removal in the Madison Farms development in the event of heavy snowfall amounts. Mr. Bruce said only one bid was received.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R065-22 awarding the contract for Madison Farms snow removal to M&J Outdoor Services as presented.

**MOTIONS OF THE
BOARD OF
COMMISSIONERS****MOTION**

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH HOUGH ASSOCIATES TO COLLECT RESIDENTIAL AND COMMERCIAL RECYCLING DATA AND PREPARE THE TOWNSHIP'S APPLICATIONS FOR

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL
PROTECTION ACT 904 RECYCLING GRANT APPLICATIONS**

Mr. Merhottein said the revenues from these grants have been between \$40,000 and \$55,000 and Hough Associates has charged the township under \$10,000 for the work. Mr. Gallagher asked if the data obtained is from various haulers. Mr. Bruce said it was.

Upon motion (Lawrence-Beatty), the Board of Commissioners voted unanimously by voice vote to authorize authorizing the township manager to enter into an agreement with Hough Associates to collect residential and commercial recycling data and prepare the township's applications for Pennsylvania Department of Environmental Protection Act 904 recycling grant applications.

MOTION

**A MOTION NOMINATING A DEPUTY EMERGENCY
MANAGEMENT COORDINATOR**

Mr. Merhottein said the current Deputy Emergency Management Coordinator resigned from the position. He asked the board for nominations. Mr. Merhottein nominated Larry Resar. The nomination was seconded by Mr. Gallagher. The nominee will be considered first by the county Emergency Management Coordinator and then by the state. The governor formally appoints all Emergency Management Coordinators.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to nominate Larry R. Resar, Deputy Emergency Management Coordinator.

MOTION

**A MOTION AUTHORIZING AND APPROVING A COOPERATION
AGREEMENT BETWEEN BETHLEHEM TOWNSHIP AND NANCY
RUN FIRE COMPANY RELATED TO GRANT APPLICATIONS FOR
THE PURCHASE OF PORTABLE RADIOS**

Mr. Merhottein said this agreement is a new requirement from the state Department of Community and Economic Development for the recently submitted grant application from the township for portable radios for the Nancy Run Fire Company. Mr. Bruce added that he received word Friday afternoon from the state that this agreement is not necessary at this time, but may be needed if the township is awarded the grant.

Upon motion (Beatty-Verdes), the Board of Commissioners voted unanimously by voice vote to table the cooperation agreement between Bethlehem Township and Nancy Run Fire Company related to grant applications for the purchase of portable radios until the township is awarded the grant.

MOTION

**A MOTION ACCEPTING THE RESIGNATION OF STEPHEN SZY
FROM THE ZONING HEARING BOARD AND THANKING HIM FOR
36 YEARS OF SERVICE ON THE BOARD**

Mr. Merhottein and the board thanked Mr. Szy for his time and commitment served on the Zoning Hearing Board and wished him good health.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote accepting the resignation of Stephen Szy from the

zoning hearing board and thanking him for 36 years of service on the board.

APPROVAL OF PURCHASE ORDERS

- PO 20232647 – H.T. LYONS CONTRACTORS – PPIS – \$3,887.00**
- PO 20232693 – JOAO & BRADLEY CONSTR. – PPIS – \$16,191.20**
- PO 20232696 – DUAL TEMP COMPANY – BTCC – \$10,680.00**
- PO 20232719 – SIGNAL SERVICE – BTPD – \$9,325.00**
- PO 20232725 – E. M. KUTZ INC. – PW – \$6,173.00**
- PO 20232726 – OLD DOMINION BRUSH – PW – \$6,279.65**
- PO 20232727 – CRAFCO INC. – PW – \$3,334.80**
- PO 20240001 – CONSOLID. GRAPHIC COMM. – FINANCE – \$9,300.00**
- PO 20240002 – RECREATION RESOURCE USA – PW – \$514,585.00**
- PO 20232728 – BARWIS CONSTRUCTION – PW – \$172,274.91**

Regarding purchase order number two, Mr. Gallagher asked how many holes were covered. Mr. Miranda said there were at eight and the cost for each is \$2,000. Mr. Bruce said purchase order number nine was for the replacement of the playground equipment at the municipal park; the purchase would be paid via a \$75,000 county grant, with the remainder coming from the township’s recreation fund. He said the estimate is guaranteed by the end of December of this year and will save the township money. Mr. Merhottein and Ms. Beatty agreed that it needs to be replaced.

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

DISCUSSION ITEMS

PROPOSED UPDATE: ORDINANCE 04-23

PROPOSED UPDATE: ORDINANCE 04-23 REQUIRING THE MANDATORY RECUSAL OF PUBLIC OFFICIALS IN MATTERS THAT THEY HOLD A FINANCIAL INTEREST

Mr. Verdes said he would like the ordinance amended; changing the length of time from two years from the time they receive the contributions to the end of their term. He said Mr. Hudak’s and Mr. Murphy’s campaigns are fully funded by developers and believes the developers are buying influence. Mr. Verdes said he wants the board to be transparent and to send a clear message to developers that the commissioners are not for sale. Mr. Gallagher asked how this is better. Mr. Verdes said he wanted to ensure that the commissioners recuse themselves the entire term. Mr. Merhottein said this ordinance has no teeth and that every political candidate accepts monetary contributions from developers. Mr. Gallagher said the commissioners are already required to recuse themselves. He said the “teeth” belong to the public.

Upon motion (Verdes-Lawrence), the Board of Commissioners voted unanimously by voice to advertise the revised ordinance with the following change:

Section 4. Application of Financial Interest.

- a) A financial interest shall include the following:
 - 1) Any campaign contributions in the amount of or in excess of Two Hundred and Fifty Dollars (\$250.00) received ~~within the immediate two year period prior to the date on which official action shall be taken on the subject matter.~~ in the campaign fundraising period prior to the term of office for which the

candidate is running and extending throughout that full term of office that an official action shall be taken on the subject matter.

ADJOURNMENT

Mr. Merhottein adjourned the meeting at 7:22 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary