

**REGULAR PUBLIC MEETING
APRIL 7, 2014**

MEMBERS PRESENT

Thomas Nolan, President
D. Martin Zawarski, Vice President
Phil Barnard, Commissioner
Michael Hudak, Commissioner
Pat Breslin, Commissioner

OTHERS PRESENT

James Broughal, Township Solicitor
Melissa Shafer, Township Manager
Doug Bruce, Assistant Township Manager
Laura Zapata, Recording Secretary

CALL TO ORDER

President Nolan called the meeting to order at 7:04 p.m., and led those in attendance in reciting the Pledge of Allegiance.

**COURTESY OF THE
FLOOR**

**DON WRIGHT
2815 OAKRIDGE DRIVE**

Mr. Wright stated that topics concerning Hope Road were brought up at the last few meetings. He thanked Doug Bruce, Assistant Township Manager for getting him the information as quickly as he did.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth requested that the sound system be put on the long term project list as a priority as it is getting worse. He said it is difficult to hear in the back row. Mr. Roth inquired as to the K9 picture that was on the wall prior to the remodeling of the meeting room. He said it was donated by a resident to be kept on the wall in that room. President Nolan stated that he will look into this.

**KAREN BERRY
3505 DARTMOUTH DR.**

Mrs. Berry stated that the ordinance concerning regulations on use in public parks is up for review and because dogs are not permitted that perhaps the focus should be on clean up. Mrs. Berry mentioned that she did not have a dog but was speaking on behalf of others residents who would like to walk their dogs at the Housenick Park. President Nolan stated that this will be discussed at discussion portion of the meeting.

**APPROVAL OF
MINUTES**

Upon motion (Zawarski-Barnard), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the April 7, 2014 regular public meeting as presented.

PUBLIC HEARING

ORDINANCE 02-14

AN ORDINANCE AUTHORIZING THE FINANCING OF CERTAIN COSTS FOR THE PURCHASE OF A LADDER FIRE TRUCK, A RESCUE TRUCK, AND A LIGHT RESCUE TRUCK; CONSTRUCTION OF A POLICE GARAGE CARPORT; IMPROVEMENTS TO THE BETHLEHEM TOWNSHIP COMMUNITY CENTER; ROADWAY

PAVEMENT IMPROVEMENTS; AND REFINANCING OF EXISTING DEBT OF THE TOWNSHIP OF BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA, BY THE ISSUE OF A GENERAL OBLIGATION NOTE IN THE AMOUNT NOT TO EXCEED \$10,000,000

President Nolan opened the public hearing and explained. Andy Freda, Director of Finance gave a brief summary and stated the General Obligation Note serves as a line of credit not to exceed \$10,000,000.00 at a rate of 2.6% for five years. Hearing no comments, President Nolan closed the public hearing.

Mr. Hudak reiterated for clarification that the \$10,000,000.00 is line of credit not loan. Mr. Nolan said that these purchases were included in the 2014 budget but would still have to go through each item for approval for the actual purchases. 1.2M Capital items that were included in the budget one being an aerial fire truck which needs to be replaced and a rescue truck in order to protect the residents accurate equipment and hopefully grants will come in to lessen the load in borrowing.

Upon motion (Barnard-Hudak), the Board of Commissioners unanimously voted by voice vote to adopt Ordinance 02-14 authorizing the financing of certain costs for the purchase of a ladder fire truck, a rescue truck, and a light rescue truck; construction of a police garage carport; improvements to the Bethlehem Township Community Center; roadway pavement improvements; and refinancing of existing debt of the Township of Bethlehem, Northampton County, Pennsylvania, by the issue of a general obligation note in the amount not to exceed \$10,000,000 as presented.

RESOLUTIONS OF THE BOARD OF COMMISSIONERS

RESOLUTION R032-14

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE PARK ACQUISITION AND DEVELOPMENT PROGRAM OF THE NORTHAMPTON COUNTY OPEN SPACE ADVISORY BOARD.

President Nolan explained that they are still within the time frame and that this resolution is a requirement for the grant application.

Upon motion (Breslin-Hudak), the Board of Commissioners unanimously voted by voice vote to authorize a grant application to the Park Acquisition and Development Program of the Northampton County Open Space Advisory Board.

RESOLUTION R033-14

A RESOLUTION AUTHORIZING PATROL OFFICER JAROD KNOUSS TO ATTEND NORTH AMERICAN STANDARD LEVEL 1 INSPECTOR CERTIFICATION TRAINING MAY 12-16, MAY 19-23, AND JUNE 2-4, 2014, IN HARRISBURG, PENNSYLVANIA

Upon motion (Zawarski-Barnard), the Board of Commissioners unanimously voted by voice vote to authorize Patrol Officer Jarod Knouss to attend North American Standard Level 1 Inspector Certification Training May 12-16, May 19-23, and June 2-4, 2014, in Harrisburg, Pennsylvania.

RESOLUTION R034-14

A RESOLUTION AUTHORIZING PATROL OFFICER ROBERT STAMETZ TO ATTEND THE PENNSYLVANIA STATE POLICE VEHICLE WEIGHING AND MEASURING COURSE APRIL 29-MAY 1, 2014, IN HARRISBURG, PENNSYLVANIA

Upon motion (Hudak-Breslin), the Board of Commissioners unanimously voted by voice vote to authorize Patrol Officer Robert StametZ to attend the Pennsylvania State Police vehicle weighing and measuring course April 29-May 1, 2014, in Harrisburg, Pennsylvania.

MOTIONS OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ADVERTISE AN ORDINANCE AMENDING, IN PART, CERTAIN PROVISIONS OF CHAPTER 240, TAXATION, ARTICLE 1, REALTY TRANSFER TAX, OF THE BETHLEHEM TOWNSHIP CODE OF ORDINANCES AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

Solicitor Broughal explained that last year the State passed Act 52 which amended certain provisions of the Realty Transfer Tax Ac. It appeared that lawyers found ways to get around transfer taxes and the state has found a way to close those loopholes. He said they are taking back those provisions and applying those provisions to the current township ordinance dealing with to be consistent with state law. Solicitor Broughal explained that when real estate changes hands, a Real Estate Transfer Tax has to be paid unless exempt by law. People found a way to buy the underline entity ownership of that corporation stock or the membership and therefore avoided paying the transfer tax.

Upon motion (Hudak-Barnard), the Board of Commissioners voted by voice vote authorizing the Township Manager to advertise an ordinance amending, in part, certain provisions of Chapter 240, Taxation, Article 1, Realty Transfer Tax, of the Bethlehem Township Code of Ordinances and repealing all ordinances inconsistent herewith. The motion passed 4 to 1in favor. Mr. Zawarski opposed.

APPROVAL OF PURCHASE ORDERS

- PO 20140780 – Trach Plumbing & Heating – PPIS – \$3,460.00**
- PO 20140838 – Motorola Inc. – Police – \$6,648.00**
- PO 20140901 – Core BITS Inc. – PPIS – \$2,000.00**
- PO 20140902 – CDW Government Inc. – PPIS – \$3,082.06**
- PO 20140903 – CDW Government Inc. – PPIS – \$11,694.00**
- PO 20140904 – Microapex Computer Systems Inc. – PPIS – \$7,390.00**
- PO 20140961 – L-Tron Corp. – Police – \$5,985.50**
- PO 20140959 – L-Tron Corp. – Police – \$3,130.38**
- PO 20140960 – L-Tron Corp. – Police – \$972.00**

Upon motion (Hudak-Breslin), the Board of Commissioners unanimously voted by voice vote to approve Purchase Order 20140780, 20140838, 20140901, 20140902, 20140903, 20140904, 20140961, 20140959 and 20140960 as presented.

DISCUSSION ITEMS

ORDINANCE 11-12

President Nolan said that a wine and cheese fundraiser at Housenick Park recently requested by State Representative Marcia Hahn was denied as the present ordinance only permits such events the municipal park. As the issue presented itself on several occasions, President. Nolan stated, perhaps it is time to revisit the ordinance to properly address it as it relates to the Housenick Estate. Mr. Zawarski stated that he is not in favor of allowing alcohol at the estate at this point in time as the Housenick Park is not finished. Mr. Hudak agreed with Mr. Zawarski. He said that alcohol is allowed with proper permits at the municipal where it is open and not secluded. Mr. Hudak stated that he does not want to start “spot approving” these functions and that he is not in favor of changing the ordinance nor is he in favor of allowing dogs there. He stated people just don't clean up after their dogs. Mr. Hudak said that he will entertain the idea of a dog park in the future. President Nolan said that there was no emergency on this per Representative Hahn. He said that this is an ideal location and doesn't want to ban too many functions and events in the future. President Nolan would like the Parks & Recreation Board's recommendation. Mr. Hudak has no problem reviewing it and stated that Housenick Park is just for passive recreation use and alcohol doesn't seem to fall under passive. Mr. Zawarski stated that he is in favor of a designated area for dogs. Mr. Barnard stated is still unclear of the purpose of the Housenick Estate and therefore doesn't know how to proceed with the park. He said the use needs to be defined first. No action was taken at this time.

NATURAL LANDS TRUST SUPPORT LETTER

Mr. Hudak stated that in his opinion, the letter does not reflect the consensus of the Board. He stated that this letter is making specific claims that the Board agrees to work with them and the Board has no idea what they mean by that. Mr. Hudak stated that he is in favor of support but disagrees with the verbiage of the letter. He would like to issue the December 4, 2013 letter which is short and to the point and does not make commitments or claims to the uses. Provide previous letter in lieu of the letter tonight. President Nolan does not see anything wrong with the letter and requested a roll call vote.

Upon motion (Hudak-Zawarski), the Board of Commissioners voted by roll call vote 3-2 in favor of sending the letter of support with the same verbiage as in the letter dated December 4, 2013 in lieu of the present letter. (Hudak, Zawarski, Barnard in favor) (Nolan, Breslin opposed).

ANNOUNCEMENT

Mr. Hudak announced one roofer submitted prices to Melissa Shafer, Township Manager and are currently awaiting two other prices.

President Nolan stated that Melissa Shafer, Township Manager and he attended 3 events in the last week or so: a ribbon cutting ceremony at Moravian Academy Athletic Center, a ground breaking ceremony at Northampton Community College and ribbon cutting ceremony at Northampton County Health Services Emrick Boulevard.

ADJOURNMENT

There being no other business, upon motion (Hudak-Barnard), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 7:44 p.m.

Respectfully submitted,

Laura Zapata
Recording Secretary