

**REGULAR PUBLIC MEETING
VIRTUAL FORMAT
JUNE 7, 2021**

MEMBERS PRESENT Michael Hudak, President
Malissa Davis, Vice President
John Gallagher, Commissioner
John Merhottein, Commissioner
Dale Sourbeck, Commissioner

OTHERS PRESENT Jim Broughal, Solicitor
Anthony Giovaninni, Solicitor
Amanda Raudenbush, Planning Director
Brad Smith, Township Engineer
Doug Bruce, Manager

CALL TO ORDER Due to the pandemic, the meeting was held virtually with Zoom technology. Mr. Hudak called the meeting to order at 7:00 p.m.

**COURTESY OF THE FLOOR
(NON-AGENDA ITEMS)**

**TOM KEEFER
3803 CARTER ROAD** Mr. Keefer said the township property at Oakland and Hecktown roads is filled with signs on the weekends and they should be removed.

**STEPHEN SZY
3630 CHURCH ROAD** Mr. Szy said he had seen road closure signs posted for Church Road and asked when the closure would begin and why it was happening. Mr. Bruce said the closure was related to a sewer infrastructure project and the date of closure had not been set yet. Mr. Szy also asked if the board's next meeting on June 21 would be in-person as well as virtual. Mr. Hudak said yes.

APPROVAL OF MINUTES

Mr. Gallagher said the draft minutes were in error – the vote on Resolution R028-21 regarding the Youwakim property was not 5-0, but rather 4-1 with Mr. Gallagher voting no.

Upon motion (Gallagher-Davis), the Board of Commissioners voted unanimously by voice vote to approve the May 17 meeting minutes, as amended by Mr. Gallagher.

PRESENTATION Bruce Hulshizer, an engineer from Herbert, Rowland, and Grubic Inc., the township's appointed stormwater utility and fee

consultant, presented an update from the township's stormwater advisory committee. Mr. Hulshizer said the township's consideration of a stormwater utility and fee was necessitated by increased unfunded federal and state mandates requiring MS4 (Municipal Separate Storm Sewer System) improvements. He said the township has 95 miles of stormwater pipes and 4,500 stormwater inlets, which are required to be monitored and improved. Mr. Hulshizer said the township has also determined a need for substantial flood mitigation projects. As such, he said the township will be considering a stormwater fee to support both MS4 and flood mitigation construction projects. A fee – which is paid by all property owners, including those owning otherwise tax-exempt land – is a more equitable way to pay for stormwater improvements than property taxes, he said.

Mr. Merhottein asked what the annual cost of a stormwater utility would be and how that would relate to a residential stormwater fee. Mr. Hulshizer said the current estimated stormwater budget would be \$2.4 million per year and would require a residential stormwater fee of \$5 to \$15 per month. Mr. Merhottein said those numbers were high and asked if the budget could be scaled back. Mr. Hulshizer said the budget could be scaled back, but then fewer MS4 and flood mitigation projects would be planned.

Mr. Hudak said a residential stormwater fee of \$15 per month was high.

Ms. Davis said the board had directed the stormwater advisory committee to consider a tiered approach for the residential stormwater fee – larger houses and properties would have higher fees than smaller houses and properties.

As the presentation was an update on the process, the board took no formal action on the matter.

PUBLIC HEARING

Ordinance No. 05-21 adding Chapter 213, Special Events; Section 213-1, Short Title; Section 213-2, Definitions; Section 213-3, Applicability; Section 213-4, Permitting; and Section 213-5, Violations to the Code of Ordinances to establish provisions for regulating special events located within the Township of Bethlehem.

Mr. Hudak said this ordinance was proposed to create a formal permitting process for special events that required certain municipal services.

Upon motion (Merhottein-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Ordinance No. 05-21 as presented.

SUBDIVISIONS AND LAND DEVELOPMENTS

RESOLUTION

Resolution R029-21 granting conditional site plan approval of St. Luke's emergency department relocation. (currently tabled)

Upon motion (Merhottein-Davis), the Board of Commissioners voted unanimously by voice vote to untable the resolution.

Mr. Hudak asked the St. Luke's representatives how much additional stormwater was being added to the site with the increased amount of impervious cover.

Scott Pasterski, an engineer with Keystone Consulting Engineers Inc., representing St. Luke's University and Health Network, said he did not have an exact number of the amount of impervious cover being added. However, he said, the site plan met all of the township's stormwater regulations.

Township engineer Brad Smith of ARRO Engineering presented stormwater flow numbers in a graphic shown at the meeting. The graphic showed the project would increase the amount of stormwater flow on the property, but the new total flow was still within township regulations.

Ms. Davis asked if the on-site stormwater system could be improved, since the common perception is it is not working properly. Mr. Smith said, yes, the system could be improved.

Mr. Hudak asked if the new parking lot was above and beyond the expected full build-out of the site. Mr. Pasterski said there is a lot more impervious coverage foreseen in the full build-out.

Mr. Hudak said this project was adding more stormwater to an existing problem and he'd like to see something done about that. Mr. Merhottein and Ms. Davis agreed.

Mr. Pasterski said St. Luke's wants to be a good neighbor and would be willing to take a further look at the stormwater situation. He said since the project meets all current stormwater regulations, he would respectfully ask for the board to approve the resolution tonight.

Mr. Hudak asked Solicitor Broughal what options the board had. Mr. Broughal said the board could either table the resolution again or approve it, but he said there were no grounds to deny the resolution. Mr. Broughal said the board might consider approving this phase of St. Luke's development, then wait for the next phase to examine the stormwater situation more closely – or the board could consider changing its stormwater regulations.

Ms. Raudenbush noted the board had to take action on this resolution by July 5.

Zachary Appleby, St. Luke's project manager, said the hospital was committed to being a good neighbor and would make a good-faith effort to solving any stormwater problems.

Mr. Merhottein asked if the stormwater calculations presented by township engineer Mr. Smith were actually happening in real life and whether the current system on site was working as expected. Mr. Smith said his calculations were based on computer modeling and did not necessarily reflect what happens on site during a real rainstorm. Mr. Smith said one of the conditions of resolution approval requires St. Luke's to check that the system is working and that its drainage basins have been surveyed properly.

Upon motion (Davis-Gallagher), the Board of Commissioners voted unanimously by voice vote to table the resolution.

MOTIONS OF THE BOARD OF COMMISSIONERS

MOTION

A motion authorizing the township manager to terminate the agreement with T&M Associates as the township's stormwater engineer.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to terminate the agreement with T&M Associates as the township's stormwater engineer.

Ms. Davis thanked T&M Associates for its work over the past five years as the township's stormwater engineer.

MOTION

A motion authorizing the township manager to enter into an agreement with Herbert, Rowland, & Grubic Inc. as the township's stormwater engineer.

Upon motion (Gallagher-Merhottein), the Board of Commissioners voted unanimously by voice vote to authorize the township

manager to enter into an agreement with Herbert, Rowland, & Grubic Inc. as the township's stormwater engineer.

PURCHASE ORDER

1. PO 20211045 – Larry McCullion & Son LLC – PPIS – \$5,200.00

Mr. Hudak said the purchase order involved changing the electrical service to the public works building from below ground to above ground. He asked why this was being done. Mr. Bruce said he did not have a definite answer. He said internal emails on the matter suggested above-ground electrical service would be easier to service and maintain.

Upon motion (Merhottein-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve PO 20211045, but asked for further clarification on the matter of above-ground versus below-ground electrical service.

ADJOURNMENT

There being no further business, upon motion (Merhottein-Sourbeck) the Board of Commissioners voted unanimously by voice vote to adjourn the meeting at 7:47 p.m.

Submitted,

Doug Bruce
Manager