

**BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR PUBLIC MEETING  
JANUARY 15, 2024**

**MEMBERS PRESENT** John J. Merhottein, President  
John K. Gallagher, Vice President  
Jan Beatty, Commissioner  
Michael D. Hudak, Commission  
DeAnn L. Lawrence, Commissioner

**OTHERS PRESENT** Jim Broughal, Township Solicitor  
Ron Gawlik, Township Engineer  
Doug Bruce, Township Manager  
Andy Freda, Finance Director  
Amanda Jensen, Community Development Director

**CALL TO ORDER** Mr. Merhottein called the meeting to order at 7:00 p.m. and led those assembled in the Pledge of Allegiance.

Mr. Merhottein said there were two changes to the agenda: the draft minutes of the December 4 public meeting were not available and the Chrin V7 residential development sketch plan had been pulled from the agenda at the request of the developer.

**COURTESY OF THE FLOOR**

**RICHARD FOGEL  
3370 ALLEN STREET** Mr. Fogel believes he should be compensated for the gas he purchased to clear the road of snow an extra 50 feet on his street. He said elderly people live on that road and need access for emergency vehicles. Mr. Fogel also noted that the condition of the road is deplorable. Mr. Merhottein directed staff to follow up.

**MARIA SILVA  
RESIDENT** Ms. Silva said she observed people measuring her road for possible sidewalks and gas lines. Mr. Gawlik said the area was being surveyed for placement of the emergency signal on 9<sup>th</sup> Street and no sidewalks were involved. Mr. Hudak said they need better line of sight on 9<sup>th</sup> Street for emergency vehicles.

**APPROVAL OF MINUTES** Upon motion (Gallagher-Beatty), the Board of Commissioners voted by voice vote to approve the December 4, 2023, regular public meeting minutes as presented. Mr. Hudak abstained.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve the January 2, 2024, regular public meeting minutes as presented.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted by voice vote to approve the October 17, 2023, budget hearing meeting minutes as presented. Mr. Hudak abstained.

**SUBDIVISIONS AND  
LAND  
DEVELOPMENT**

**RESOLUTION R020-24 A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL  
LAND DEVELOPMENT PLAN APPROVAL OF FREEMANSBURG  
INDUSTRIAL (1600 FREEMANSBURG AVENUE)**

Ms. Jensen said the plans propose an 866,350 square foot warehouse at 1600 Freemansburg Avenue in both Bethlehem Township and Freemansburg Borough. The site is zoned General Industrial and the use is permitted. The Planning Commission expressed concerns regarding the project's impact on the intersection of Willow Park Road and Freemansburg Avenue. At the planning commission meeting, a motion was made and seconded to reluctantly recommended plan approval. The motion failed in a 3-4 roll call vote. Ms. Jensen said the applicant is willing to pay the \$274,000 open space fee.

John Pollack, Trammel Crow, thanked the board for considering their application. Attorney Kate Durso gave a summary of the plan and said it meets all of the ordinance requirements and has been before PennDOT.

Mr. Hudak asked if the EPA has looked at the Nancy Run. Jason Engelhardt, Langan Engineering, said the stream is regulated by the state. Mr. Merhottein noted three of the five intersections studied for traffic impact purposes are not in township. He said he is concerned about truck traffic. Mr. Gallagher said this is a speculative warehouse with a 24-hour operation. He said he was most concerned with pedestrian safety, pollution, and worsening the condition of the roads. Mr. Gallagher said with all the noted concerns, this project won't make it easy for the residents. Attorney Durso disagreed and said the use is permitted by right and the developers have in hand a favorable determination letter from the Zoning Officer. Mr. Gallagher said without a tenant, it is all speculation.

**TOM KEEFER  
3803 CARTER RD.**

Mr. Keefer said the proposed warehouse with its increased traffic "is a death waiting to happen." He believes the board should reject it, just as the Palmer Township board recently rejected a warehouse plan. Attorney Durso said the Palmer Township proposal was a conditional use and this one is a by-right permitted use.

**LORRAINE LIDON  
3136 HODLE AVE**

Ms. Lidon said she doesn't understand how traffic counts are done and asked why the studies didn't include the intersections closest to the Route 33 interchange and the hospital.

**BARRY ROTH  
4323 CHETWIN TERR.**

Mr. Roth believes PennDOT's traffic numbers are incorrect.

**BILL TRIEBEL  
6070 LIMBERG ST.**

Mr. Triebel said most township residents don't know what is being developed in the township until it is built.

**GLENN KRIER  
3942 KENRICK DR.**

Mr. Krier believes the traffic study didn't include many of the surrounding developments.

**COLLEEN LIDON  
3136 HODLE AVE**

Ms. Lidon said she was most concerned about traffic and was opposed to the plan.

<b>REGINA FLEISHER 4491 WAGNER DR.</b>	Ms. Fleisher said she was concerned about traffic and was opposed to the plan.
<b>STEVEN MAHER 4169 WALTER RD.</b>	Mr. Maher believes the applicant found a way around the regulations and said he was opposed to the plan. Mr. Merhottein said the township staff reviews the plans.
<b>JOHN PETOCK 4134 WALTER RD.</b>	Mr. Petock said he was concerned about the environment and traffic and was opposed to the plan.
<b>BRIAN LAFLAMME 4075 ROSS ROAD</b>	Mr. LaFlamme said the ordinances are out of date and create these conditions. He believes the board has a legal right to reject the proposal.
<b>LOUANN SUBORITS 1462 LINDBERG ST.</b>	Ms. Suborits asked the board to consider the children that play at the nearby baseball field and their safety. She said she was opposed to the plan.
<b>PAUL WEGRZYNOWICZ 4147 WALTER RD.</b>	Mr. Wegrzynowicz said this was not a good idea and was opposed to the plan.
<b>RICHARD FOGEL 3370 ALLEN ST.</b>	Mr. Fogel said he has lived in the township for 70 years and has traffic and safety concerns and is opposed to the plan.
<b>SUSAN RODRIGUEZ 1750 11<sup>TH</sup> ST.</b>	Ms. Rodriguez said she has resided in the township for over 42 years and traffic is getting worse. She was opposed to the plan.
<b>FRANK DOUGHERTY 1816 BLUSH DR.</b>	Mr. Dougherty said the warehouse is in the flood plain. He has traffic concerns and was opposed to the plan.
<b>JEAN MURRAY 3950 BRUCE LN.</b>	Ms. Murray said she had traffic concerns and was opposed to the plan. She urged the board to reconsider.
<b>MARIA SILVA RESIDENT</b>	Ms. Silva said she didn't agree with the traffic study and was opposed to the plan.
<b>JOHN TALLARICO 1600 FREEMANSBURG AVE.</b>	Mr. Tallarico said he acquired the property from Bethlehem Steel in 1988 and doesn't believe the plan will cause more traffic. He said when he was in business, it was always very busy with tri-axle trucks.
<b>RACHEL ANGST 3166 WILSON AVE.</b>	Ms. Angst said her house is closest to the property and was opposed to the plan.
<b>GAIL PREUNINGER 4004 HUMMINGBIRD LN.</b>	Ms. Preuninger said the company that owns the property is a real estate company and believes they will be granted tax breaks. He was opposed to the plan.
<b>SHARON HEISNER 3812 WASHINGTON ST</b>	Ms. Heisner said the traffic study should have included intersections up to St. Luke's Hospital. She was opposed to the plan.
<b>JASON RUBERY 4106 HUMMINGBIRD LN</b>	Mr. Rubery said he had major traffic and safety concerns and was opposed to the plan. He said improving the roads will be very difficult and urged the board to deny the plan.

**ANNETTE ZITO  
4035 OLIVER AVE.**

Ms. Zito said she was opposed to the plan and asked the board to deny the plan.

**CYNTHIA  
PAUKOVITCH  
4326 MIDLAND  
CIRCLE, LOWER  
NAZARETH TWP**

Ms. Paukovitch said she was opposed to the plan from an environmental perspective. She said Allentown ranks number one in the nation for asthma and asked the board to deny the plan.

**ED MCDEVITT  
4960 CHELSEA DR**

Mr. McDevitt said the traffic study only included traffic up to Willow Park Road which is a road unable to be widened. He said he was opposed to the plan and asked the board to deny it.

The Board of Commissioners voted unanimously by roll call vote to deny Resolution R020-24 granting conditional preliminary/final land development plan approval of Freemansburg Industrial (1600 Freemansburg Avenue).

**MOTION**

**A MOTION APPROVING IMPROVEMENTS SECURITY RELEASE #4, IN THE AMOUNT OF \$372,738.73, FOR BIRCHES AT BETHLEHEM**

**TOM KEEFER  
3803 CARTER RD.**

Mr. Keefer said the developers did a tremendous job of following the township standards. Ms. Jensen said the developers were very easy to work with.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Improvements Security Release #4, in the amount of \$372,738.73, for Birches at Bethlehem.

**RESOLUTIONS OF  
THE BOARD OF  
COMMISSIONERS**

**RESOLUTION R019-24**

**A RESOLUTION AUTHORIZING THE ATTENDANCE OF INVESTIGATOR GRETCHEN KRAEMER AT THE NATIONAL CHILDREN'S ADVOCACY CENTER'S FORENSIC INTERVIEWING OF CHILDREN COURSE FEBRUARY 26-29, 2024, IN HUNTSVILLE, ALABAMA**

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Resolution R019-24 authorizing the attendance of Investigator Gretchen Kraemer at the National Children's Advocacy Center's Forensic Interviewing of Children course February 26-29, 2024, in Huntsville, Alabama.

**MOTIONS OF THE  
BOARD OF  
COMMISSIONERS**

**MOTION**

**A MOTION AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN BETHLEHEM TOWNSHIP AND THE NORTHAMPTON COUNTY CONSERVATION DISTRICT RELATED TO CONTROLLING ACCELERATED EROSION AND MINIMIZING SEDIMENT POLLUTION TO THE WATERS OF THE COMMONWEALTH OF PENNSYLVANIA WHICH MAY RESULT FROM THE CONDUCT OF EARTHMOVING ACTIVITIES WITHIN THE BETHLEHEM TOWNSHIP**

Upon motion (Beatty-Lawrence), the Board of Commissioners voted unanimously by voice vote to authorizing and approving a memorandum of understanding between Bethlehem Township and the Northampton County Conservation District related to controlling accelerated erosion and minimizing sediment pollution to the waters of the Commonwealth of Pennsylvania which may result from the conduct of earthmoving activities within the Bethlehem Township.

**BILL AGENDA OF  
JANUARY 10, 2024**

Upon motion (Hudak-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve the bill agenda as presented.

**PURCHASE ORDERS**

**PO 20240008 – PATRIOT WORKWEAR – BTPD – \$2,749.00**  
**PO 20240019 – TP TRAILERS – PW – \$8,856.25**  
**PO 20240039 – GOVCONNECTION – PPIS – \$11,277.36**  
**PO 20240040 – PROGRESSIVE K-9 ACADEMY – BTPD – \$2,125.00**  
**PO 20240059 – VERMONT SYSTEMS – BTCC -- \$14,506.23**  
**PO 20240074 – WINTER ENGINE-GENERATOR SER. – PPIS – \$9,330.00**  
**PO 20240075 – TRANE U.S. – PPIS – \$598,492.00**  
**PO 20240076 – TRANE U.S. – PPIS – \$472,988.00**  
**PO 20240087 – IWORQ – PPIS – \$16,000.00**  
**PO 20240092 – LARRY MCCULLION & SON – PPIS – \$20,750.00**  
**PO 20240107 – WITMER PUBLIC SAFETY GROUP – BTPD – \$26,623.60**  
**PO 20240108 – CHAPMAN AUTO GROUP – BTPD – \$48,584.00**  
**PO 20240109 – INDUSTRIAL COMMUNICATIONS – BTPD – \$17,884.82**  
**PO 20240110 – ELITE VEHICLE SOLUTIONS – BTPD – \$42,709.90**  
**PO 20240111 – ADVANCED ELECTRONIC DESIGN – BTPD – \$10,560.98**  
**PO 20240112 – MOTOROLA SOLUTIONS – BTPD – \$13,451.02**  
**PO 20240114 – TRIUS – PW – \$107,943.00**  
**PO 20240115 – M&J OUTDOOR SERVICE – PW – \$15,797.00**  
**PO 20240116 – POWERCO – PW – \$3,255.00**  
**PO 20240117 – TRIUS – PW – \$4,467.79**  
**PO 20240118 – TRANSEdge TRUCK CENTERS – PW – \$163,019.58**  
**PO 20240154 – METZ INC. – BTCC – \$2,253.00**

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

**TREASURER'S  
REPORT OF  
DECEMBER 31, 2023**

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve the treasurer's report subject to audit.

**ZONING HEARING  
BOARD MEETING**

Ms. Jensen briefed the board on the two appeals scheduled to be heard January 31. She said the appellants involved in Appeal #25-2023 has appeared at the Board of Commissioners January 2 meeting and requested the board end its opposition to the appeal.

Upon motion (Hudak-Beatty), the Board of Commissioners voted 4-1 not send the solicitor in opposition to Appeal #25-2023 at the January 31 zoning hearing board meeting. Mr. Gallagher voted no.

**MONTHLY REPORTS**

All monthly reports were accepted as presented.

**DISCUSSION ITEM**

**BETHLEHEM LANDFILL LITIGATION**

Solicitor Broughal said two matters related to this litigation were before the board:

- Procedural Validity Challenge
- Substantive Validity Challenge

He said the township had intervened in the litigation with St. Luke’s Hospital and the D&L Trail organizations. Both organizations were now asking the township to intervene in these two particular matters.

Upon motion (Beatty-Hudak), the Board of Commissioners voted by roll call vote to not intervene in Procedural Validity Challenge to the zoning ordinance amendment re-zoning landfill property and expansion thereto from a conditional use to a permitted use docketed at C-48-CV-2023-7174. The motion passed 4-1. Mr. Gallagher voted in favor of intervening.

Upon motion (Gallagher-Merhottein), the Board of Commissioners voted unanimously by voice vote to intervene in Substantive Validity Challenge to the zoning ordinance amendment re-zoning landfill property and expansion thereto from a conditional use to a permitted use docketed C-48-CV-2023-9455.

**ADJOURNMENT**

Upon motion (Beatty-Hudak), the Board of Commissioners adjourned the meeting at 9:28 p.m.

Respectfully submitted,

Laura G. Zapata  
Recording Secretary