

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
AUGUST 16, 2021**

MEMBERS PRESENT Michael D. Hudak, President
Malissa K. Davis, Vice President
John K. Gallagher, Commissioner
Dale A. Sourbeck, Commissioner

MEMBERS ABSENT John J. Merhottein Commissioner

OTHERS PRESENT James L. Broughal, Township Solicitor
Anthony Giovannini, Township Solicitor
Doug Bruce, Township Manager
Amanda Raudenbush, Planning Director
Ron Gawlik, Township Engineer
Ted Rewak, Court Reporter

CALL TO ORDER President Hudak 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

**RYAN POSH
2499 WILLOW PARK
RD.** Mr. Posh said he had questions regarding plans for 3022 Easton Avenue. Mr. Hudak said there is a public hearing on tonight and asked Mr. Posh to make his comments at that time.

APPROVAL OF MINUTES Mr. Gallagher said the wording of the last sentence on page one regarding Mr. Merhottein's comment needed correction.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted by voice vote to approve the minutes of the August 2, 2021 regular public meeting as amended. Mr. Hudak abstained. Mr. Merhottein was absent.

PUBLIC HEARINGS

ORDINANCE 06-11 **AN ORDINANCE AMENDING CHAPTER 170 OF THE CODIFIED CODE OF THE TOWNSHIP OF BETHLEHEM "CODIFIED ORDINANCES," BY AMENDING CERTAIN PROVISIONS OF CHAPTER 170 (PARKS AND RECREATION AREAS) DEALING WITH HORSES ON THE BETHLEHEM TOWNSHIP TOWPATH/CANAL TRAIL AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH**

Mr. Hudak said by consensus, this ordinance was pulled and will be placed on the next agenda.

ORDINANCE 07-21 **AN ORDINANCE AMENDING CHAPTER 275 OF THE CODIFIED CODE OF THE TOWNSHIP OF BETHLEHEM "CODIFIED ORDINANCES," BY AMENDING CERTAIN PROVISIONS OF CHAPTER 275 (ZONING), ARTICLE II, ARTICLE XII, ARTICLE XIII, AND ARTICLE XXVII, DEALING WITH DELIVERY VEHICLES IN PARKING LOTS AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH**

Mr. Hudak said the ordinance was properly advertised and pertains to Amazon and other delivery vans. Solicitor Broughal noted for the record that he received

correspondence from the Lehigh Valley Planning Commission with comments. Ms. Raudenbush said parking of delivery vans as a primary use was not allowed in the township. This ordinance would permit the parking as a primary use in the General Industrial and Light Industrial Districts, with conditions that must be fulfilled. The ordinance pertains to the zoning requirements.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to adopt Ordinance 07-21 amending Chapter 275 of the Codified Code of the Township of Bethlehem "Codified Ordinances," by amending certain provisions of Chapter 275 (Zoning), Article II, Article XII, Article XIII, and Article XXVII, dealing with delivery vehicles in parking lots and repealing all ordinances inconsistent therewith. Mr. Merhottein was absent.

ORDINANCE 08-21

AN ORDINANCE AMENDING CHAPTER 230 OF THE CODIFIED CODE OF THE TOWNSHIP OF BETHLEHEM "CODIFIED ORDINANCES," BY AMENDING CERTAIN PROVISIONS OF CHAPTER 230 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE II TERMINOLOGY, SECTION 230-22 DEFINITIONS, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH

Mr. Hudak said this ordinance ties in with the previous ordinance and follows the SALDO requirements. Ms. Raudenbush said this ordinance ensures that the definitions match the ones in the zoning ordinance.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to adopt Ordinance 08-21 amending Chapter 230 of the Codified Code of the Township of Bethlehem "Codified Ordinances," by amending certain provisions of Chapter 230 (Subdivision and Land Development), Article II Terminology, Section 230-22 Definitions, and repealing all ordinances inconsistent therewith. Mr. Merhottein was absent.

CONDITIONAL USE HEARING

HARVEST OF NORTHEAST PA, LLC

HARVEST OF NORTHEAST PA, LLC FOR THE FIT OUT OF A MEDICAL MARIJUANA DISPENSARY IN AN EXISTING COMMERCIAL BUILDING AT 3301 EASTON AVENUE

Solicitor Broughal said this is a continuance of a previous hearing as the applicant had to go before the Zoning Hearing Board to request a variance. Solicitor Broughal informed the board that they must render a decision at their next meeting on Tuesday, September 7, 2021. Mr. Bruce said Monday, September 6th is Labor Day.

WINDRIFT REAL ESTATE ASSOCIATES, LLC

WINDRIFT REAL ESTATE ASSOCIATES, LLC FOR THE CONSTRUCTION OF A 220-UNIT APARTMENT COMPLEX AT 3022 EASTON AVENUE

Dave Ronca, on behalf of Windrift Real Estate Associates, LLC requested a continuance to November 15, 2021. Solicitor Broughal asked the audience to reserve their comments and concerns until then. Mr. Rewak swore in the audience members that offered testimony and recorded the hearing.

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to continue the Windrift Real Estate Associates, LLC for the construction of a 220-unit apartment complex at 3022 Easton Avenue to November 15, 2021. Mr. Merhottein was absent.

**SUBDIVISIONS &
LAND DEVELOPMENT**

**MEDICAL OFFICE
BUILDING, SW
CORNER OF EASTON
AVENUE &
FARMERSVILLE RD-
SKETCH PLAN**

Ms. Raudenbush said the applicant is proposing to construct a 2-story medical office building on the southwest corner of Easton Avenue and Farmersville Road. The site is zoned Planned Commercial with both the Commercial Enhancement and Streetscape Enhancement Overlay Districts. Steve Nave, Tri-State Ventures, LP, presented the plan which includes an urgent care facility. Ms. Davis said she attended the pre-application meeting and believes this plan provides a much better orientation of the building. She said she lives in the neighborhood, and she and her neighbors agree that this plan is much better than what is currently out on the site. She said traffic on Easton Avenue and Farmersville Road is a major concern, especially with the proposed plan for a convenience store and apartments directly across the street. Ms. Davis said she would also like to see the bus stop shielded a bit more from the traffic. Mr. Nave said they will coordinate with PennDOT and also do a traffic study. Ms. Davis asked what the hours of operation of the urgent care would be. Mr. Nave said it may be 9:00 a.m. to 8:00 p.m. Mr. Hudak shared Ms. Davis' traffic concerns. He said that perhaps certain improvements can be made such as widening the streets to alleviate traffic. Mr. Hudak said he liked the layout of the building. Mr. Nave said he is unsure if a traffic light would be warranted. Mr. Gallagher noted the considerable grade change and asked how it was being handled. Mr. Nave said it was best to have the building away from the road. Mr. Gallagher said he would like to see it closer to the road. Ms. Davis and Mr. Hudak agreed that the building should be away from the road and that aesthetics is very important. Mr. Hudak said this is a sketch plan and that the applicant is there to get the boards' comments.

No action taken as this was a sketch plan.

MOTION

**A MOTION APPROVING IMPROVEMENT SECURITY RELEASE
CERTIFICATION #5, IN THE AMOUNT OF \$452,882.43, FOR NANCY RUN
ESTATES PHASES 7-10**

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion approving Improvement Security Release Certification #5, in the amount of \$452,882.43, for Nancy Run Estates Phases 7-10. Mr. Merhottein was absent.

MOTION

**A MOTION APPROVING IMPROVEMENT SECURITY RELEASE
CERTIFICATION #5, IN THE AMOUNT OF \$1,789,098.30, FOR
TRADITIONS OF AMERICA AT GREEN POND**

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion approving Improvement Security Release Certification #5, in the amount of \$1,789,098.30, for Traditions of America at Green Pond. Mr. Merhottein was absent.

**RESOLUTIONS OF
THE BOARD OF
COMMISSIONERS**

RESOLUTION R039-21

**A RESOLUTION AUTHORIZING APPLICATIONS TO THE
NORTHAMPTON COUNTY HOTEL TAX GRANT PROGRAM**

Mr. Bruce said he is proposing the township apply for two grants, with \$5,000 towards support of Community Days and \$9,000 towards open houses at the

Housenick Estate. The township was awarded similar grants in 2019 but both events were canceled in 2020 because of the pandemic. The money was returned to the county.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R039-21 authorizing applications to the Northampton County Hotel Tax Grant Program. Mr. Merhottein was absent.

RESOLUTION R040-21 A RESOLUTION AUTHORIZING CORPORAL JEREMY ANDERSON TO ATTEND THE PENNSYLVANIA NARCOTICS OFFICER ASSOCIATION CONFERENCE AUGUST 25-27, 2021, IN HARRISBURG, PENNSYLVANIA

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R040-21 authorizing Corporal Jeremy Anderson to attend the Pennsylvania Narcotics Officer Association conference August 25-27, 2021, in Harrisburg, Pennsylvania. Mr. Merhottein was absent.

MOTION OF THE BOARD OF COMMISSIONERS

MOTION A MOTION AUTHORIZING THAT ABE HOFFNER BE GRANTED AN EARLY RETIREMENT WITH 50% JOINT AND SURVIVOR BENEFIT FROM THE TEAMSTERS PENSION FUND IN THE AMOUNT OF \$1,027.05 PER MONTH FOR LIFE, EFFECTIVE AUGUST 1, 2021

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing that Abe Hoffner be granted an early retirement with 50% Joint and Survivor benefit from the Teamsters Pension Fund in the amount of \$1,027.05 per month for life, effective August 1, 2021. Mr. Merhottein was absent.

MOTION A MOTION APPOINTING A ZONING OFFICER

Ms. Raudenbush asked the board to appoint Samantha Smith as Primary Zoning Officer. Mr. Sourbeck thanked Ms. Raudenbush for all her hard work and effort.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice vote to appoint Samantha Smith as Zoning Officer. Mr. Merhottein was absent.

APPROVAL OF BILL AGENDA OF AUGUST 11, 2021

Ms. Davis asked what the \$28,425 reimbursable expenses paid to the City of Bethlehem was for. Mr. Bruce said he didn't know and would get an answer to her.

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve the Bill Agenda of August 11, 2021. Mr. Merhottein was absent.

APPROVAL OF PURCHASE ORDERS PO 20211591 – JETS LANDCARE – MOTOROLA SOLUTIONS – POLICE – \$7,096.80

Upon motion (Gallagher-Sourbeck), the Board of Commissioners unanimously voted by voice to approve Purchase Order 20211591 as presented. Mr. Merhottein was absent.

**APPROVAL OF
TREASURER'S
REPORT OF
JULY 31, 2021**

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve the Treasurer's Report of July 31, 2021 as presented, subject to audit. Mr. Merhottein was absent.

**ZONING HEARING
BOARD MEETING OF
AUGUST 25, 2021**

Ms. Raudenbush said there is only one item on the Zoning Hearing Board Meeting agenda of August 25, 2021 which Appeal 03-2021, the continuance of the appeal of Steve J. Inc.

MONTHLY REPORTS

Mr. Gallagher noted that on page 34 of the Finance Monthly Report, the year-to-date of the engineering non-reimbursable in the Parks & Rec department was much more than was budgeted. Mr. Bruce said he would get the information to him. Mr. Gallagher said the information on the Pedal for the Future in the police monthly report is good news and asked Mr. Bruce to post it on the township's website, Facebook page and newsletter.

ADJOURNMENT

There being no other business, upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 8:00 p.m. Mr. Merhottein was absent.

Respectfully submitted,

Laura G. Zapata
Recording Secretary