

**BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
FEBRUARY 17, 2025**

MEMBERS PRESENT John J. Merhottein, President
John K. Gallagher, Vice President
Michael C. Deckman, Commissioner
DeAnn L. Lawrence, Commissioner
Michael D. Hudak, Commissioner

OTHERS PRESENT James L. Broughal, Township Solicitor
Doug Bruce, Township Manager
Samantha Smith, Community Development Director
Matt Miranda, PPIS 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. He welcomed Boy Scouts Troop 352 to the meeting.

COURTESY OF THE FLOOR

**DAVE BUCHERER
4220 NICHOLAS ST.** Mr. Bucherer said the Zoning Hearing Board grants too many variances. He asked who they are accountable to. Solicitor Broughal said the Zoning Hearing Board is a quasi-judicial body that reviews land use applications and appeals. He said the members are appointed by the Board of Commissioners and serve five-year terms. The only active role that the Board of Commissioners can take is to direct the solicitor to oppose requested variances, Mr. Broughal said. Mr. Hudak added that the variances are approved in accordance with the law.

**GLENN KRIER
3942 KENRICK DR.** Mr. Krier said there was some discussion about a Pump Station 13 and asked where it was located and who pays for it. Mr. Miranda said it would be built on the north side of Route 22. He didn't have any other information as it is only a sketch plan.

**ROY ROTH
4323 CHETWIN TERR.** Mr. Roth said he doesn't believe a police officer is necessary at the township meetings. Mr. Merhottein said the officer isn't taken from patrol duty. The officer attending the meeting is on desk duty. Mr. Roth then asked the board to look at Palmer Township's system for recycling. He said that their public works department enforces recycling. He asked if the township enforces recycling. Mr. Merhottein said no. Mr. Roth's final concern was the stone wall closest to the resident on Farmersville Road. He said people are speeding and running into it. Mr. Roth said he would like the township to start acting like a first-class township. Mr. Hudak said the township is categorized as a first-class township based on how they are required to operate.

**BARRY ROTH
4323 CHETWIN TERR.** Mr. Roth reiterated that public works did not salt the hill near the stone wall on Farmersville Road.

APPROVAL OF MINUTES Mr. Gallagher said that at the last meeting, someone asked why the dump truck repairs were not done in-house and asked Mr. Bruce to get the information to him. Mr. Gallagher said that also at the last meeting Mr. Krier asked how much it cost the township to sell their properties on Municibid. Mr. Bruce said the seller is assessed 9% of the cost.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted by voice vote to approve the February 3, 2025 regular public meeting minutes as presented. The motion carried 3-0-2. Mr. Merhottein and Mr. Hudak abstained.

PUBLIC HEARINGS

ORDINANCE 01-25

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE BETHLEHEM TOWNSHIP ZONING ORDINANCE, CHAPTER 275 OF THE CODIFIED CODE OF THE TOWNSHIP OF BETHLEHEM, TO PROVIDE FOR THE AMENDMENT OF CHAPTER 275, SECTION 27, BY REZONING OF A CERTAIN TRACT OF LAND LOCATED ALONG GREEN POND ROAD AND CONTAINING APPROXIMATELY 43 ACRES OF LAND BY ADDING THE INSTITUTIONAL OVERLAY DISTRICT DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith; PROVIDED A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Ms. Smith said Northampton Community College is proposing a zoning map change of the 43-acre 'agricultural' property at the southeastern corner of the Northampton Community College campus, known as the East 40 property. The property is located in the Rural Residential Zoning District. The request is made to align with the zoning of the remainder of the campus, which is located in the Rural Residential and Institutional Overlay Zoning Districts. The Planning Commission unanimously recommended approval. Ted Rewak, Court Reporter, recorded the hearing.

Upon motion (Merhottein-Gallagher), the Board of Commissioners voted unanimously by voice vote to adopt Ordinance 01-25 amending the official zoning map of the Bethlehem Township Zoning Ordinance, Chapter 275 of the Codified Code of the Township of Bethlehem, to provide for the amendment of Chapter 275, Section 27, by rezoning of a certain tract of land located along Green Pond Road and containing approximately 43 acres of land by adding the Institutional Overlay District designation; repealing all ordinances or parts of ordinances inconsistent herewith; provided a severability clause; and providing an effective date.

CONDITIONAL USE HEARING

CHRIN V-7 ASSOCIATES SEEKING A CONDITIONAL USE FOR A 264-UNIT GARDEN APARTMENT COMPLEX AT 5218 WILLIAM PENN HIGHWAY

Solicitor Broughal announced the conditional use hearing will be continued and will be re-advertised.

RESOLUTIONS OF THE BOARD OF COMMISSIONERS

RESOLUTION R019-25

A RESOLUTION AUTHORIZING THE ATTENDANCE OF OFFICER AMANDA STONEHOUSE AT GRACIE SURVIVAL TACTICS LEVEL 1 INSTRUCTOR CERTIFICATION TRAINING MARCH 3-7, 2025, IN YORK, PENNSYLVANIA

Mr. Merhottein said this is a standard police training resolution.

Upon motion (Hudak-Deckman), the Board of Commissioners voted unanimously by voice vote to approve Resolution R019-25 authorizing the attendance of Officer Amanda Stonehouse at Gracie Survival Tactics Level 1 Instructor Certification training March 3-7, 2025, in York, Pennsylvania.

RESOLUTION R020-25 A RESOLUTION AUTHORIZING THE ATTENDANCE OF CORPORAL SETH WILLIAMS AT TECHNICAL COLLISION INVESTIGATION TRAINING MARCH 10-14 AND 17-24, 2025, IN STATE COLLEGE, PENNSYLVANIA

Mr. Merhottein said this is a standard police training resolution.

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R020-25 authorizing the attendance of Corporal Seth Williams at technical collision investigation training March 10-14 and 17-24, 2025, in State College, Pennsylvania.

MOTIONS OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ADVERTISE FOR BID THE 2025 COLD IN-PLACE ASPHALT RECYCLE AND OVERLAY PAVING PROJECT

Mr. Merhottein said this is for the township's annual road paving project. Mr. Bruce said two separate projects are being bid. The first is River View Estates/Overlook Estates including Timothy Lane, Quarry Road, Pheasant Lane, and Meadow Lane, and also including a portion of Sculac Road just south of Lehigh Street, area of a longstanding stormwater problem. Estimated cost: \$425,000. Second project is Windswept Acres, behind the old Christmas Barn off Easton Avenue, including Reeves Drive, Hilltop Place, and Windswept Drive, and also including a portion of Falmer Drive due to proximity and road condition. Estimated cost: \$535,000.

**GLENN KRIER
3942 KENRICK DR.**

Mr. Krier asked if the River View development was completed. Mr. Bruce the development which still has infrastructure work to do is River Hill Estates.

Upon motion (Hudak-Lawrence), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to advertise for bid the 2025 cold in-place asphalt recycle and overlay paving project.

MOTION

A MOTION AUTHORIZING THE TAX EXONERATION OF PARCELS N7-4-1 AND N7-4-4C FOR THE BETHLEHEM AREA SCHOOL DISTRICT

Mr. Merhottein said this is an annual request from Bethlehem Area School District to exempt two BASD properties from the township's real estate tax. Both properties are farmed by the Koehlers.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to authorize the tax exoneration of parcels N7-4-1 and N7-4-4C for the Bethlehem Area School District.

MOTION

A MOTION DESIGNATING SAMANTHA SMITH AS THE TOWNSHIP'S BUILDING CODE OFFICIAL AND DESIGNATING RANDY GILLESPIE, ANGELA KELLY, FRANK KREMPASKY, EMANUEL MACHADO, AND AARON STASIW AS ADDITIONAL BUILDING CODE OFFICIALS

The previous Community Development Director, Amanda Jensen held the Building Code Official (BCO) position. Zoning Officer Aaron Stasiw was appointed interim BCO by the Board on June 17, 2024, while Samantha Smith took required training and testing, which is now completed. To clarify issues with the PA Dept of Labor & Industry listing of the Township's BCO, this motion also includes appointment of all

code officials as alternate BCO (Randy Gillespie, Frank Krempasky, Angela Kelly, Emanuel Machado and Aaron Stasiw).

Upon motion (Lawrence-Deckman), the Board of Commissioners voted unanimously by voice vote designating Samantha Smith as the township's Building Code Official and designating Randy Gillespie, Angela Kelly, Frank Krempasky, Emanuel Machado, and Aaron Stasiw as additional Building Code Officials.

**BILL AGENDA OF
FEBRUARY 12, 2025**

Upon motion (Gallagher-Deckman), the Board of Commissioners voted unanimously by voice vote to approve the bill agenda of February 12, 2025.

PURCHASE ORDERS

PO 20250330 – KOCH 33 FORD – BTCC – \$29,598.00
PO 20250331 – GEORGE ELY ASSOCIATES – PW – \$40,815.00
PO 20250332 – GOLDEN EQUIPMENT CO. – PW – \$3,768.52
PO 20250390 – CITY OF ALLENTOWN – BTPD – \$12,000.00
PO 20250399 – MEDIEVAL TIMES DINNER & TOURNAMENT – BTCC – \$3,732.80
PO 20250401 – SKY ZONE EASTON – BTCC – \$2,599.00
PO 20250402 – THE DINNER DETECTIVE – BTCC – \$5,076.00
PO 20250404 – POWER DMS – BTPD – \$7,164.88

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

**TREASURER'S
REPORT OF
JANUARY 31, 2025**

Upon motion (Gallagher-Deckman), the Board of Commissioners voted unanimously by voice vote to approve the treasurer's report of January 31, 2025, subject to audit.

**ZONING HEARING
BOARD MEETING
OF JANUARY 29, 2025**

Ms. Smith said three hearings are on the agenda:

03-2025 – Bertrand KG Famawa / 3211 Highfield Circle – Property is a corner lot and the applicant is seeking a variance to allow a privacy fence along the front property line. This privacy fence was installed without a permit and Township has enforcement action against this property owner for the fence among other issues.

05-2025 – Nixa Narvaez & Rafael Rodriguez / 4105 Oliver Ct – Seeking multiple dimensional variances for structures that were erected without a permit. (1) to locate a gazebo within the rear yard setback, (2) to locate a shed within the front yard setback off of Washington St, (3) to allow for solid privacy fencing in front yards along Washington St & Oliver Ct, and (4) to increase the allowable fence height within front yards from 5 feet to 6 feet.

06-2025 – Orion Real Estate Development LLC / 4406-4418 Easton Ave (AKA ABE Auto Salvage) – Seeking a dimensional variance to increase permitted maximum building height to 4 stories from 3 stories.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote directing the township solicitor to attend the meeting to oppose Appeal 03-2025.

MONTHLY REPORTS

All monthly reports were accepted.

DISCUSSION ITEM

JOHNSTON MANSION CLEANING

Mr. Merhottein said two months ago, the board directed the manager to prepare an RFP (request for proposals) for cleaning of the mansion's second and third floors, with the goal of reopening the building for tours. He said Mr. Bruce prepared an RFP for cleaning the mansion.

Mr. Gallagher said he had issues with the RFP and that he only requested the second and third floor be cleaned, whereas the RFP proposes remediation of asbestos, lead paint, mold, and animal debris problems throughout the whole building. He said the scope of work is open-ended and contractors would look at all the work and submit a high estimate. Mr. Gallagher also said he had not heard back from SCF Architecture nor received building drawings, as requested. Mr. Hudak said the request for proposals is sent to a select group of contractors to determine how much it would cost. He said he doesn't see how that can hurt. Solicitor Broughal said a request for proposals is not a bid. He also said that no one is going back in the building until township staff deems it safe. Mr. Deckman said if the scope of work is limited, then it becomes a bid. Mr. Merhottein said one of the issues with the building is the hole in the roof, which was there for years and allowed the building to be open to the elements. Mr. Hudak said the board has been informed by staff, township solicitor, and the township insurance carrier what needs to be done in order to open it up for tours. Ms. Lawrence agreed and said this is for the safety of the public.

Mr. Gallagher made a motion to rescind the request for proposals. There was no second.

Upon motion (Merhottein-Gallagher), the Board of Commissioners voted unanimously by voice vote not to send out the request for proposals for mansion cleaning and to wait until more information is received on the matter.

ADJOURNMENT

There being no further business, Mr. Merhottein adjourned the meeting at 8:21 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary