

**BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
FEBRUARY 19, 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 James L. Broughal, Township Solicitor
Ron Gawlik, Township Engineer
Doug Bruce, Township Manager
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.

COURTESY OF THE FLOOR There were no comments or concerns during Courtesy of the Floor.

APPROVAL OF MINUTES Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to approve the February 5, 2024 regular public meeting minutes as presented.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to approve the January 15, 2024 regular public meeting minutes as presented.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted 4-0-1 by voice vote to approve the October 26, 2023 budget hearing minutes as presented. Mr. Hudak abstained.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted 4-0-1 by voice vote to approve the November 2, 2023 budget hearing minutes as presented. Mr. Hudak abstained.

**SUBDIVISIONS AND
LAND
DEVELOPMENT**

**RESOLUTION R023-24 A RESOLUTION GRANTING REVISED FINAL PLAN APPROVAL OF
3608 NAZARETH PIKE (WAWA)**

The applicant left the Fire Department Connection on the originally approved plan in error as the building is not required to have a fire sprinkler system as per the Code requirements. The applicant appeared before the Board of Commissioners on February 5, 2024, and was granted the waiver from the FDC connection. Ms. Jensen said township staff reviewed the revised final plan for conformance with the township ordinances and found it acceptable.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R023-24 granting revised final plan approval of 3608 Nazareth Pike (Wawa)

WAIVER REQUEST

FIELDS OF FARMERSVILLE (MILLER TRACT, FARMERSVILLE ROAD) WAIVER REQUEST

Dave Wilson, Colliers Engineering & Design, said Hummingbird Lane will be 32' wide and Scherman Road will be reduced from 36 feet to 32 feet in width. Two other roads, the north-south Miller Road and cul-de-sac Local Court A at the project's northwestern corner, will be reduced from 32 feet to 28 feet in width. Mr. Gallagher said he prefers to keep the road width at 32 feet to provide ample space for visitors to park. Mr. Hudak said 50% of the township roads are 28 feet wide which may have been the standard at that time. Mr. Merhottein said that narrower roadways lessen the opportunity for drivers to speed through neighborhoods. Ms. Jensen said the fire marshal worked with the developer and had no issues with the narrower streets.

**PAUL
WEGRZYNOWICZ
4147 WALTER RD.**

Mr. Wegrzynowicz said there were too many regulations governing this type of development, resulting in house prices that are too high. He said this particular matter is "no big deal."

**STEVE HUNT
2197 COOK DR.**

Mr. Hunt said narrower roads "are not acceptable" and present problems, including decreased on-street parking.

**TOM KEEFER
3803 CARTER RD.**

Mr. Keefer asked who was going to enforce the no parking areas. Mr. Merhottein said the police will enforce.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth said it doesn't matter whether the roads are narrower or wider, because people drive too fast either way. He said he was concerned about the influx of traffic and asked that speed bumps be considered as a way to calm traffic.

Upon motion (Hudak-Lawrence), the Board of Commissioners voted by voice vote to grant the following waiver request for the Fields of Farmersville (Miller Tract, Farmersville Road) Preliminary Plan:

- Waiver from SALDO 230-57.F.(1) is requested for Scherman Road, Miller Road, and Local Court A. The waiver request is to reduce the required paved cartway width from 36 ft to 32 ft for Scherman Road and from 32 ft to 28 ft for Miller Road and Local Court A.

The motion passed 4 to 1. Mr. Gallagher opposed.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to grant the following waiver request for the Fields of Farmersville (Miller Tract, Farmersville Road) Preliminary Plan:

- Waiver from Stormwater Controls Ordinance SMO 218-28.C is requested for Stormwater Detention Basin A and Stormwater Detention Basin C. SMO 218-28.C requires maximum inside slope of earthen detention basin embankments to be four horizontal to one vertical. Vertical walls are proposed and three horizontal to one vertical slopes are proposed in some locations.

**MOTIONS OF THE
BOARD OF
COMMISSIONERS**

MOTION

**A MOTION APPOINTING A COMMISSIONER TO THE BETHLEHEM
TOWNSHIP STORMWATER COMMITTEE**

The position has been vacant since Commissioner Sourbeck's passing. Mr. Gallagher nominated Mr. Merhottein to serve on the committee, which meets once a month.

Upon motion (Gallagher-Merhottein), the Board of Commissioners voted 4-0-1 by voice vote to appoint Commissioner John Merhottein to the Bethlehem Township Stormwater Committee. The motion passed 4-0-1. Mr. Hudak recused himself.

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 the land is farmed by the Koehlers and is given a tax break.

Upon motion (Beatty-Lawrence), 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 AUTHORIZING THE TOWNSHIP MANAGER TO
ADVERTISE FOR BID THE 2024 COLD IN-PLACE ROAD RECYCLING
AND OVERLAY PROJECT**

Mr. Merhottein said this is the annual road paving project, and includes Millstone Development west of Santee Road and the old Knollcroft Section 1 and Fairway Acres subdivisions.

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to advertise for bid the 2024 Cold In-Place Road Recycling and Overlay Project.

MOTION

**A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO
ADVERTISE AN ORDINANCE AMENDING CHAPTER 131, FIRE
PREVENTION, OF THE TOWNSHIP OF BETHLEHEM'S CODE OF
CODIFIED ORDINANCES, ADOPTING THE 2018 EDITION OF THE
INTERNATIONAL FIRE CODE AND REPLACING ALL ORDINANCES
INCONSISTENT HERewith**

At the staff's request, this motion was pulled from the agenda.

MOTION

**A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO
ADVERTISE AN ORDINANCE AMENDING THE CODE OF CODIFIED
ORDINANCES, CHAPTER 252, VEHICLES AND TRAFFIC; ARTICLE
VII, SNOW EMERGENCIES; SECTION 252-45, DESIGNATED SNOW
EMERGENCY ROUTES, TO REVISE CERTAIN SNOW EMERGENCY
ROUTES; AND AMENDING SECTION 252-49, TICKETING OF
VEHICLES, TO PROVIDE INCREASED PENALTIES FOR VIOLATIONS
OF SECTION 252-46, PARKING PROHIBITED AND DRIVING MOTOR
VEHICLES RESTRICTED ON CUL-DE-SAC ON SNOW EMERGENCY**

ROUTES DURING SNOW EMERGENCIES WITHIN THE TOWNSHIP OF BETHLEHEM

Mr. Merhottein said this ordinance amendment corrects the name of Westbrook Drive to Westwood Drive and changes the fees for parking on snow emergency routes from \$5-10 to \$10-20.

Upon motion (Beatty-Hudak), the Board of Commissioners voted unanimously by voice vote to authorize the township manager to advertise an ordinance amending the Code of Codified Ordinances, Chapter 252, Vehicles and Traffic; Article VII, Snow emergencies; Section 252-45, Designated Snow Emergency Routes, to revise certain snow emergency routes; and amending Section 252-49, Ticketing of Vehicles, to provide increased penalties for violations of Section 252-46, Parking Prohibited and Driving Motor Vehicles Restricted on Cul-De-Sac on Snow Emergency Routes During Snow Emergencies within the Township of Bethlehem.

MOTION

A MOTION APPOINTING A CHAIRPERSON OF THE BETHLEHEM TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL

Mr. Merhottein said the Chair of the Environmental Advisory Committee recently stepped down. Per Ordinance 01-21, the chair is appointed by the Board of Commissioners.

Upon motion (Gallagher-Merhottein), the Board of Commissioners voted 4-0-1 by voice vote to appoint Eric Rich, Chairperson of the Bethlehem Township Environmental Advisory Council. Mr. Hudak abstained.

MOTION

A MOTION APPROVING CHANGE ORDER #3, EXTENDING THE CONTRACT DEADLINE FOR FINAL PAYMENT, FOR THE HECKTOWN ROAD/OAKLAND ROAD PEDESTRIAN CROSSING IMPROVEMENT PROJECT

This extends the deadline for final payment of the project from March 1 to May 1, necessitated by movement of a warning sign on Hecktown Road requested by the police department

Upon motion (Gallagher-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Change Order #3, extending the contract deadline for final payment, for the Hecktown Road/Oakland Road pedestrian crossing improvement project.

BILL AGENDA OF FEBRUARY 14, 2024

Mr. Gallagher noted the line for check number 39153 for National Fire Protection did not have an amount. Mr. Bruce said he will get that corrected.

Upon motion (Hudak-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve the bill agenda of February 14, 2024 as amended.

PURCHASE ORDERS

- PO 20240350 – Miller Municipal Supply – PW – \$19,703.70**
- PO 20240351 – Trius – PW – \$6,761.45**
- PO 20240352 – New Enterprise Stone & Lime – PW – \$3,549.74**
- PO 20240354 – Chambers & Sons Flooring – BTCC – \$48,220.00**
- PO 20240356 – Valley Industrial Rubber Products – PPIS – \$2,637.00**
- PO 20240357 – Berkheimer Tax Innovations – Finance – \$41,394.88**
- PO 20240448 – American AED – BTPD – \$4,553.00**
- PO 20240450 – M&J Outdoor Service – PW – \$23,695.00**

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

**TREASURER'S
REPORT OF
JANUARY 31, 2024**

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

**ZONING HEARING
BOARD MEETING
OF FEBRUARY 28,
2024**

Ms. Jensen said the Chrin V7 apartment project developers are requesting building height and parking space variances.

By consensus, the Board of Commissioners directed the Township Solicitor to attend the Zoning Hearing Board meeting.

MONTHLY REPORTS

All monthly reports were accepted as presented.

DISCUSSION ITEM

**SETTLEMENT OF
LOWES HOME
CENTERS, INC. V.
REVENUE APPEALS
BOARD OF
NORTHAMPTON
COUNTY, ET AL**

Solicitor Broughal said the Bethlehem Area School district filed an assessment appeal and received a settlement. He recommended the board do enter a file appearance as soon as possible so they can agree on a settlement.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to direct the township solicitor to enter a file appearance on the township's behalf and accept the settlement.

ADJOURNMENT

Mr. Merhottein adjourned the meeting at 7:47 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary