

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
JULY 19, 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
Anthony Tallarida, Township Engineer

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

**DONALD JEAN
3580 WESTWOOD DR.** Mr. Jean said he had concerns with his neighbor of 38 years, the Northampton Country Club. He said that in the last couple of years, he has had problems with golfers trespassing on his property and using profanity. Mr. Jean said he paid to put in trees and no trespassing signs on his property. Solicitor Broughal said trespassing on private property is a private matter. If it is a matter of maintaining setbacks, then the township can look into the matter further, Mr. Broughal said. As for the profanity used by the golfers, the township has no regulations by which to cite them for, Mr. Broughal said.

**TOM KEEFER
3808 CARTER ROAD** Mr. Keefer asked for an update about parking at the memorial park located on 10th Street and Carter Road which was discussed at the last meeting. Mr. Hudak informed Mr. Keefer that he needs to contact the police so that they can witness it and ticket accordingly.

**BARRY ROTH
4323 CHETWIN TER.** Mr. Roth said that the memorial park on 10th Street and Carter Road is township park land and the police officers should be ticketing those illegally parked on the property. Mr. Hudak said the police chief is aware of the situation.

APPROVAL OF MINUTES Upon motion (Sourbeck-Davis), the Board of Commissioners voted by voice vote to approve the minutes of the July 6, 2021, regular public meeting as amended, noting Chief Pancoast did not attend the meeting. Mr. Merhottein was absent.

PRESENTATION

**2020 AUDIT –
CAMPBELL, RAPPOLD
& YURASITS LLP** Melissa Grube of Campbell, Rappold & Yurasits LLP reported the 2020 audit went very well. She thanked the board for bringing the company back and staff for their cooperation. Mr. Gallagher asked Ms. Grube how the township did. Ms. Grube said the township’s finances, specifically the net position was very good given the circumstances. Mr. Hudak thanked Mr. Freda and Mr. Bruce for a job well done.

**SUBDIVISIONS &
LAND DEVELOPMENT**

**4406 EASTON
AVENUE- SKETCH
PLAN**

Attorney Stan Margle requested that the sketch plan presentation be tabled. Solicitor Broughal informed Attorney Margle that no official action is required by the township.

**RESOLUTION R034-21 A RESOLUTION GRANTING CONDITIONAL FINAL LAND
DEVELOPMENT PLAN APPROVAL OF GRACE CHURCH**

Ms. Raudenbush said that the Planning Commission recommended approval of this plan at their meeting of June 28, 2021. Ms. Davis asked what the split was between Lower Nazareth Township and Bethlehem Township. Nicole Gallo, project engineer, said only two acres are in Lower Nazareth Township and the rest of the property is in the township. Mr. Hudak noted that there were ten conditions for the approval which were discussed and agreed upon.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R034-21 granting conditional final land development plan approval of Grace Church. Mr. Merhottein was absent.

**RESOLUTIONS OF
THE BOARD OF
COMMISSIONERS**

**RESOLUTION R035-21 A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN
MUNICIPAL PUBLIC RECORDS PURSUANT TO THE SCHEDULES AND
PROCEDURES APPROVED BY THE LOCAL GOVERNMENT RECORDS
COMMITTEE IN ACCORDANCE WITH THE PENNSYLVANIA
MUNICIPAL RECORDS ACT**

Mr. Hudak said this resolution authorizes the purging of old records. He asked that a representative of the township go to ensure that the records are properly disposed of due to personal information.

Upon motion (Gallagher-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R035-21 authorizing the disposition of certain municipal public records pursuant to the schedules and procedures approved by the Local Government Records Committee in accordance with the Pennsylvania Municipal Records Act. Mr. Merhottein was absent.

**MOTION OF THE
BOARD OF
COMMISSIONERS**

MOTION

**A MOTION AUTHORIZING AND APPROVING AN AGREEMENT
BETWEEN NORTHAMPTON COUNTY AND BETHLEHEM TOWNSHIP,
BY WHICH BETHLEHEM TOWNSHIP REMAINS A PART OF THE
“URBAN ENTITLEMENT” FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM FOR FISCAL YEARS 2022-24**

Mr. Bruce said the township is a part of Northampton County’s entitlement program which is federally funded. The purpose of this program is to expand economic opportunities and to provide decent housing and living environment for people of low and moderate income. Mr. Bruce said this was the first time the county is asking the township to sign a formal contract to that effect. The contract was

reviewed by the township solicitor. Mr. Gallagher asked why the township has not used this grant in the past. Mr. Bruce said they never had a project that qualified.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing and approving an agreement between Northampton County and Bethlehem Township, by which Bethlehem Township remains a part of the "Urban Entitlement" for the Community Development Block Grant program for fiscal years 2022-24. Mr. Merhottein was absent.

**APPROVAL OF BILL
AGENDA OF
JULY 14, 2021**

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve the Bill Agenda of July 14, 2021. Mr. Merhottein was absent.

**APPROVAL OF
PURCHASE ORDERS**

PO 20211304 – JETS LANDCARE – PPIS – \$9,800.0
PO 20211310 – TIMBER RIDGE EQUIPMENT – PW – \$2,056.6
PO 20211406 – HIGH-TECH SECURITY ALARMS – PPIS – \$3,548.9
PO 20211215 – CORE & MAIN – PPIS – \$2,035.56
PO 20211441 – BRITE – BTPD – \$5,788.00
PO 20211442 – WATCH GUARD – BTPD – \$11,238.00
PO 20211443 – KOCH 33 FORD TOYOTA – BTPD – \$1,000.00

Mr. Hudak asked why mowing was being outsourced instead of being done by the Public Works department. Mr. Bruce said PPIS has always taken care of its properties, specifically the pump stations and some of the conveyance areas. Public Works is being stretched thin especially this summer with only two summer hires instead of the normal five to six hires. PPIS is also stretched thin and is unable to mow their properties. Ms. Davis asked how many mows are covered by the \$9,800. Mr. Bruce said this is a blanket order which means the township will not be paying the entire amount upfront. Mr. Hudak added that there was a specific amount for each property and the work would be documented.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice to approve Purchase Orders 20211304, 20211310, 20211406, 20211215, 20211441, 20211442, and 20211443 as presented. Mr. Merhottein was absent.

**APPROVAL OF
TREASURER'S
REPORT OF
JUNE 30, 2021**

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve the Treasurer's Report of June 30, 2021 as presented, subject to audit. Mr. Merhottein was absent.

**ZONING HEARING
BOARD MEETING OF
JUNE 28, 2021**

Ms. Raudenbush said there is only one item on the Zoning Hearing Board Meeting agenda of June 28, 2021 which is a continuance of the Mill Creek property.

**MONTHLY REPORTS
DISCUSSION ITEMS**

All monthly reports were accepted. Mr. Gallagher noted that the statistics on the police report are up at pre-pandemic levels.

BTMA AGREEMENT

Mr. Bruce said the Bethlehem Township Municipal Authority (BTMA) is in the process of also becoming the township's stormwater authority, assuming the board moves forward this year with creating a stormwater utility and collecting a stormwater fee. The BTMA recently hired a legal firm that specializes in this field to handle the transition, Mr. Bruce said All BTMA funds are segregated in the sewer fund and there are no funds currently available to pay these legal fees, he said. The BTMA is requesting the township guarantee the payments until the stormwater fee is secured. Solicitor Broughal informed the board that they are not making an

agreement with the law firm. He said once the stormwater fee is set up, the BTMA will reimburse the township.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners unanimously voted by voice vote to approve a motion authorizing the township to cover the cost of the legal fees for the Bethlehem Township Municipal Authority until such time stormwater fees come in to the Municipal Authority at which time the BTMA will immediately reimburse the township. Mr. Merhottein was absent.

CHRISTIAN SPRING ROAD

Mr. Sourbeck read from a presentation he handed out to the commissioners which served as a follow up to his July 6, 2021, report. Mr. Sourbeck said he spent an additional ten plus hours and recorded 224 traffic violations which included illegal left turns onto Route 191, driving straight across to the village shops, and trucks and vans illegally using the road. Mr. Sourbeck said he observed that speeding was not an issue. He said he believes the commissioners' goal should be to change the drivers' behavior and suggested the police assign unmarked cars in the village shops in order to catch those in violation. He said in his opinion, police patrols are excellent, but he believes people who see the police are less likely to break the law.

Mr. Hudak said in 2006 when they were developing Housenick Park, there were complaints about trucks speeding, which were addressed by signage. He said he is not opposed to looking for ways to improve the traffic as long as it is done on all other township roads with similar complaints. Mr. Hudak said that there are people who will break the law no matter how many signs are posted or how often police patrol. In 2010, he suggested closing Christian Spring Road at Route 22 overpass but received pushback from the fire companies.

Ms. Davis said trucks are using the road as a shortcut to Brodhead Road and said a gate would be a better solution. Mr. Hudak said he was open to the idea of putting up a gate but would need to look into the cost and get a legal opinion. Solicitor Broughal said that all the property owners on Christian Spring Road bought their property fully aware that they have access to Brodhead Road and Route 191. He said if the township cuts off access to either one of the roads, it could invoke a de facto condemnation for the loss of the access. He said the township would have to get the consent of all the property owners to close the road.

Mr. Gallagher said he would like to find a way to close the road with a barrier at the 22 overpass and/or making it a "local deliveries only" to make it clear that it is not a truck street. Mr. Hudak said he would be willing to put more signs. Mr. Sourbeck said he would not support closing Christian Spring Road. Vehicles, van and box trucks are the main violators, he said. He didn't see tractor trailers entering the road. Mr. Sourbeck asked the board consider his report and come up with a solution.

ADJOURNMENT

There being no other business, upon motion (Davis-Sourbeck), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 8:35 p.m. Mr. Merhottein was absent.

Respectfully submitted,

Laura G. Zapata
Recording Secretary