

**BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
AUGUST 21, 2023**

MEMBERS PRESENT John J. Merhottein, President
John K. Gallagher, Vice President
DeAnn L. Lawrence, Commissioner
Luke A. Verdes, Commissioner

MEMBERS ABSENT Jan Beatty, Commissioner

OTHERS PRESENT Jim Broughal, Township Solicitor
Doug Bruce, Township Manager
Amanda Raudenbush, Community Development Director
Ronald J. Gawlik, Township Engineer

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

EXECUTIVE SESSION ANNOUNCEMENT Solicitor Broughal announced that on Monday, August 7, 2023, the Board of Commissioners met in executive session after the board meeting for approximately 40 minutes to discuss contract negotiations and again on Monday, August 21, 2023, at approximately 6:25 p.m. for 30 minutes to discuss potential litigation pursuant to Section 708a of the Pennsylvania Sunshine Act.

COURTESY OF THE FLOOR

**WILSON LOPEZ
2505 6TH STREET** Mr. Wilson said three years ago the paper alley behind his property was vacated. He said he got a new deed but that was not enough to satisfy the requirements of the permit. The permit has a time restriction on it. Solicitor Broughal said he needs a court order to own the property. Ms. Raudenbush said that in the meantime, they will grant Mr. Lopez a time extension on the permit.

**MICHAEL QUIRK
2510 6TH STREET** Mr. Quirk was very upset with the way local government operates. He wanted to put up a particular fence but the Zoning Officer told him it was not permitted and that he could ask for a variance from the Zoning Hearing Board. Mr. Quirk said the Zoning Officer's interpretation was incorrect and he refuses to spend more money to go before the Zoning Hearing Board. Solicitor Broughal said the Board of Commissioners cannot overrule the Zoning Officer on this matter, only the Zoning Hearing Board can do that. Mr. Merhottein said he will take Mr. Quirk's concern under advisement and speak with him after the meeting.

APPROVAL OF MINUTES Upon motion (Gallagher-Verdes), the Board of Commissioners voted unanimously by voice vote to approve the August 7, 2023 regular public meeting minutes as presented. Ms. Beatty was absent.

PUBLIC HEARING

ORDINANCE 05-23

AN ORDINANCE AMENDING THE CODIFIED CODE OF ORDINANCES OF BETHLEHEM TOWNSHIP WITH THE ADDITION OF CHAPTER 220, BETHLEHEM TOWNSHIP STORMWATER MANAGEMENT, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

Upon motion (Verdes-Lawrence), the Board of Commissioners voted unanimously to adopt Ordinance 05-23 amending the Codified Code of Ordinances of Bethlehem Township with the addition of Chapter 220, Bethlehem Township Stormwater Management, and repealing all ordinances inconsistent herewith. Ms. Beatty was absent.

**SUBDIVISIONS AND
LAND
DEVELOPMENT**

RESOLUTION R058-23

A RESOLUTION GRANTING CONDITIONAL SITE PLAN APPROVAL OF REVISED FINAL PLANS FOR GREEN POND UNITED METHODIST CHURCH GAZEBO

Mr. Gallagher asked how incremental increases in impervious coverage are monitored. Mr. Gawlik said they are tracked.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Resolution R058-23 granting conditional site plan approval of revised final plans for Green Pond United Methodist Church gazebo. Ms. Beatty was absent.

MOTION

A MOTION APPROVING IMPROVEMENT SECURITY RELEASE CERTIFICATION #1, IN THE AMOUNT OF \$442,409.65, FOR 3608 NAZARETH PIKE WAWA LAND DEVELOPMENT

Mr. Merhottein asked how much security remained. Ms. Raudenbush said approximately \$800,000 is left.

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a Security Release Certification #1, in the amount of \$442,409.65, for 3608 Nazareth Pike Wawa Land Development. Ms. Beatty was absent.

MOTION

A MOTION APPROVING A SECURITY BOND RELEASE IN THE AMOUNT OF \$587,975.91 FOR THE 4217 FRITCH DRIVE LAND DEVELOPMENT, CONFIRMING THE PROJECT ENTERED INTO ITS 18-MONTH MAINTENANCE PERIOD ON AUGUST 15, 2023, WHICH WILL BE COMPLETE FEBRUARY 15, 2025

Upon motion (Gallagher-Verdes), the Board of Commissioners voted unanimously by voice vote to approve a security bond release in the amount of \$587,975.91 for the 4217 Fritch Drive land development, confirming the project entered into its 18-month maintenance period on August 15, 2023, which will be complete February 15, 2025. Ms. Beatty was absent.

**RESOLUTIONS OF
THE BOARD OF
COMMISSIONERS**

RESOLUTION R059-23 A RESOLUTION AUTHORIZING RESIDENTIAL CONSTRUCTION OFFICIAL RANDY GILLESPIE TO ATTEND THE PENNSYLVANIA BUILDING OFFICIALS CONFERENCE SEPTEMBER 20-22, 2023, IN GETTYSBURG, PENNSYLVANIA

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approved Resolution R059-23 authorizing Residential Construction Official Randy Gillespie to attend the Pennsylvania Building Officials conference September 20-22, 2023, in Gettysburg, Pennsylvania. Ms. Beatty was absent.

RESOLUTION R060-23 A RESOLUTION AUTHORIZING APPLICATIONS TO THE NORTHAMPTON COUNTY PUBLIC SAFETY GRANT PROGRAM

Mr. Bruce said they are applying for a grant for the following items:

1. Purchase of three electric bicycles and one traditional bicycle for the police department; approximate cost \$18,800; approximate grant request \$12,533.33.
2. Purchase of five portable radios for Nancy Run Fire Company; approximate cost \$19,671.20; approximate grant request \$13,114.33.
3. Purchase of five portable radios for Bethlehem Township Volunteer Fire Company; approximate cost \$19,671.20; approximate grant request \$13,114.33.

Mr. Gallagher commented he noticed police officers on their bicycles at National Night Out.

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approved Resolution R060-23 authorizing applications to the Northampton County Public Safety Grant program. Mr. Beatty was absent.

**MOTIONS OF THE
BOARD OF
COMMISSIONERS**

MOTION

A MOTION AUTHORIZING ADVERTISEMENT OF AN ORDINANCE AMENDING CHAPTER 196, REAL ESTATE; ARTICLE I, REPORT REQUIRED FOR SALE, TRANSFER, AND RENTAL OF PROPERTY; OF THE CODE OF CODIFIED ORDINANCES TO PROVIDE ADDITIONAL PROVISIONS FOR COMPLIANCE AND ABATEMENT OF VIOLATIONS AND REPEALING ALL ORDINANCES INCONSISTENT HERewith

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to advertise an ordinance amending Chapter 196, Real Estate; Article I, report required for sale, transfer, and rental of property; of the Code of Codified Ordinances to provide additional provisions for compliance and abatement of violations and repealing all ordinances inconsistent herewith. Ms. Beatty was absent.

MOTION

A MOTION AUTHORIZING ADVERTISEMENT OF AN ORDINANCE AMENDING CHAPTER 110, UNIFORM CODES, CONSTRUCTION; SECTION 110-3, AMENDMENTS TO ADOPTED CODES; TO PROVIDE FOR AMENDMENTS TO THE TOWNSHIP’S CODE OF CODIFIED ORDINANCES ADOPTING THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE’S UPDATED ADOPTION OF CERTAIN INTERNATIONAL CODES, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH

Upon motion (Gallagher-Verdes), the Board of Commissioners voted unanimously by voice vote to advertise an ordinance amending Chapter 110, Uniform Codes, Construction; Section 110-3, amendments to adopted codes; to provide for amendments to the township’s Code of Codified Ordinances adopting the Pennsylvania Uniform Construction Code’s updated adoption of certain international codes, and repealing all ordinances inconsistent herewith. Ms. Beatty was absent.

MOTION

A MOTION AUTHORIZING THE SOLICITOR TO FILE WITH THE NORTHAMPTON COUNTY COURT OF COMMON PLEAS A PETITION REQUESTING THAT THE TOWNSHIP OF BETHLEHEM BE ALLOWED TO INTERVENE IN THE MATTER OF BRUCE PETRIE AND GINGER PETRIE, ET AL. V. LOWER SAUCON TOWNSHIP, BETHLEHEM LANDFILL COMPANY & IESI PA BETHLEHEM LANDFILL CORPORATION – DECLARATORY JUDGEMENT/EQUITY

Mr. Verdes said that in February, the board passed a resolution opposing the landfill expansion and urged the board to continue their support.

**RUSS SUTTON
2133 SAUCON AVE.
18015**

Mr. Sutton said he was told in 1983 that the landfill would only be there 4-5 years. He said the land fill pollutes the river, is a health hazard, and affects many people. Mr. Sutton said he appreciates the board’s support in the matter.

**VICTORIA OPTHOF-
CORDARO
1682 WOODFIELD DR.
18015**

Ms. Opthof-Cordaro said she would like to partner with the township to protect the D&L Trail, the Lehigh River and the environment against the landfill expansion.

**GAIL PREUNINGER
4004 HUMMING BIRD
LANE**

Ms. Preuninger said the landfill will hurt the environment and urged the board for their support.

**ROBERT BLASKO
2510 REDINGTON RD
18055**

Mr. Blasko said the landfill is two miles from his house. He said growing up the family’s house was near a paper mill, and his son and brother developed asthma and his parents had cancer caused by the toxins. Mr. Blasko said the landfill is dumping into the Lehigh River. He asked the board for their help and support this motion.

Upon motion (Verdes-Gallagher), the Board of Commissioners voted unanimously by voice vote to authorizing the solicitor to file with the Northampton County Court of Common Pleas a petition requesting that the Township of Bethlehem be allowed to intervene in the matter of Bruce Petrie and Ginger Petrie, et al. v. Lower Saucon Township, Bethlehem Landfill Company & IESI PA Bethlehem Landfill Corporation – Declaratory Judgement/Equity. Ms. Beatty was absent.

MOTION

A MOTION AUTHORIZING A SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL AND BETHLEHEM TOWNSHIP

Upon motion (Lawrence-Gallagher), the Board of Commissioners voted unanimously by voice vote to authorizing a school resource officer agreement between Bethlehem Area Vocational-Technical School and Bethlehem Township. Ms. Beatty was absent.

MOTION

A MOTION ADOPTING A POLICY FOR PLANTING TREES ON TOWNSHIP PROPERTY

Mr. Gallagher said this policy was inspired by a story of a teacher who wanted to plant a tree in the township. It was a good topic for the newly formed Environmental Advisory Council to discuss and so they drafted this policy. Solicitor Broughal asked if the donor would be responsible for taking care of it and how it would be enforced.

**PAUL
WGRZYNOWICZ
4147 WALTER RD.**

Mr. Wegrzynowicz asked the board to ensure the trees are planted and cared for properly.

**BILL AGENDA OF
AUGUST 16, 2023**

Upon motion (Gallagher-Verdes), the Board of Commissioners voted unanimously by voice vote to adopting a policy for planting trees on township property. Ms. Beatty was absent.

**APPROVAL OF
PURCHASE ORDERS**

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve the bill agenda of August 16, 2023 as presented. Ms. Beatty was absent.

- PO 20232141 – PALMER TOWNSHIP – FINANCE – \$18,499.24**
- PO 20232142 – KIDS PLAY TENNIS – BTCC – \$2,829.00**
- PO 20232164 – MUNICIPAL PUBLICATIONS – ADMIN. – \$2,160.34**
- PO 20232165 – MUNICIPAL PUBLICATIONS – ADMIN – \$2,160.34**
- PO 20232166 – BARWIS CONSTRUCTION – PW – \$16,818.75**
- PO 20232176 – INDUSTRIAL COMMUNICATIONS – BTPD – \$9,784.51**

Mr. Gallagher asked if they purchase order regarding tennis was a duplicate. Mr. Bruce said this was for the most recent round of tennis lessons.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth said the previous edition of the map was paid for by sponsorships. Mr. Bruce said the business model had changed.

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

**TREASURER’S
REPORT OF July 31,
2023**

Upon motion (Gallagher-Verdes), the Board of Commissioners voted unanimously by voice vote to approve the treasurer’s report of July 31, 2023, subject to audit.

**ZONING HEARING
BOARD MEETING OF
JULY 26, 2023**

Ms. Raudenbush said four hearings are on the agenda. She also mentioned that the draft Active Transportation Plan would be out soon and asked the board to please provide their comments.

MONTHLY REPORTS Mr. Gallagher thanked Mr. Bruce for the explanation of the police car purchases. Mr. Bruce said there is another grant to two cars this year. The budget for them would have to be updated as the quote increased by 14% by the time the grant was awarded. All monthly reports were accepted.

ADJOURNMENT There being no other business, Mr. Merhottein adjourned the meeting at 7:54 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary