

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
JUNE 21, 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

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

**SHIRLEY FREY
3722 CHRSTIAN
SPRING ROAD** Mrs. Frey said that Christian Spring Road is still being used by tractor trailers as an access to Industrial Park. She said the road is a carriage road and traffic concerns are ignored. Vehicles continue to make a left turn onto Nazareth Pike. She is concerned for her safety as there are no crosswalks. Mr. Hudak reassured Mrs. Frey and said the township is doing everything it can do. Mr. Hudak asked if truck restrictions were placed. Mr. Bruce said truck traffic is prohibited on that road except for local deliveries.

**ROXANNE NELSON
3710 CHRSTIAN
SPRING ROAD** Mrs. Nelson said the traffic on Christian Spring Road is out of control. Her parked car was hit, garbage is thrown into her yard, her fence was damaged, and there is graffiti. She said she doesn't see police patrolling in her area and asked the board to install a camera. Mr. Hudak said the streets are patrolled but the area cannot have an officer posted 24 hours a day. He said he will speak with the solicitor to see if more can be done.

**TOM KEEFER
3808 CARTER RD.** Mr. Keefer said fireworks have been going off for the past 2 ½ weeks straight. He has called the police twice but officers have not responded.

**MARIA SILVA
1825 9TH STREET** Mrs. Silva said that her neighbors have been dumping pool water onto her property for the past five years and she has repeatedly asked them to stop. Her trees are rotting as a result. Mrs. Silva believes that the property owner is in violation of the stormwater ordinance. She said the Zoning Officer went out to the property but didn't see any violations. Mr. Hudak asked if the board could overrule the Zoning Officer's decision. Solicitor Broughal said the board does not have the authority to overrule the decision. He said Mrs. Silva could go before the Zoning Hearing Board and appeal his decision. If the matter pertains to stormwater runoff damage, then it becomes a private matter and she would have to get a lawyer, Mr. Broughal said. Ms. Raudenbush said she would reach out to Mrs. Silva to further explain the process. Ron Gawlik, Township Engineer, said the stormwater ordinance would have to be reviewed to see if it applies to this particular situation.

BARRY ROTH
4323 CHETWIN TERR.

Mr. Roth asked if the trees around the electronic sign board could be trimmed. He was not able to see the messages from Easton Avenue. Mr. Roth asked if the pool was fully staffed with lifeguards. Mr. Bruce said yes.

STEVE GRECO
3540 COLEMAN ST.

Mr. Greco asked for an update regarding the mask mandate. Mr. Hudak said masks are being required at this time. Solicitor Broughal said the governor will announce new criteria regarding social distancing and masking on June 28th.

SHIRLEY FREY
3722 CHRISTIAN
SPRING ROAD

Mrs. Frey asked why speed bumps could not be installed on Christian Spring Road. Solicitor Broughal said they can only be authorized by the board after a traffic study is done. The board would have to direct the Township Engineer to do the study to determine if speed bumps are warranted. Mrs. Frey requested to meet her commissioner to discuss further. Ms. Davis said she is the Commissioner At-Large and could arrange a time to meet with her in the lobby of the township building.

APPROVAL OF
MINUTES

Mr. Gallagher said that on page four of the minutes, it was unclear how many years T&M Associates served as the Township's Stormwater Engineer. Ms. Davis said it was five years.

Upon motion (Davis-Gallagher), the Board of Commissioners voted by voice vote to approve the minutes of the June 7, 2021 regular public meeting in virtual format as amended. Mr. Merhottein was absent.

SUBDIVISIONS &
LAND DEVELOPMENT

RESOLUTION R029-21 A RESOLUTION GRANTING CONDITIONAL SITE PLAN APPROVAL OF ST. LUKE'S EMERGENCY DEPARTMENT RELOCATION

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to untable Resolution R029-21 granting conditional site plan approval of St. Luke's emergency department relocation. Mr. Merhottein was absent.

Mr. Hudak said the applicant has agreed to close off some of the drainage ports of the detention basins which would allow more water to pond and slow down the discharge rate. Ms. Davis thanked the applicant for their consideration in doing this as the township has a lot of flooding problems in the area.

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R029-21 granting conditional site plan approval of St. Luke's emergency department relocation. Mr. Merhottein was absent.

RESOLUTION R031-21 A RESOLUTION GRANTING CONDITIONAL PRELIMINARY LAND DEVELOPMENT APPROVAL OF LVIP VI, LOT 44 (FAIRFIELD INN & SUITES)

Ms. Raudenbush said this development is a four-story, 107-room hotel on a 3.4-acre parcel zoned Light Industrial Office Campus off of Emrick Boulevard. It would be served by public water and sewer. The Planning Commission recommended approval at their May 24, 2021 meeting. Mr. Gallagher said the plot plan was not in their packet. Mr. Bruce said it was in their packet on the Google Drive. Ms. Davis asked what items were waived. Ms. Raudenbush said the following waivers were recommended for approval:

1. §230-30.E.10 – Requiring the approximate locations of existing features
- 06-21-2021

- within 200 feet of the boundaries of the site as shown
2. §230-67.C and Township Standard Construction Details Typical Roadway Cross Section (Connector Street) – Requiring sidewalk to be placed 7 feet from the cartway. Sidewalk is proposed 2 feet behind the curb, consistent with the existing sidewalk in the vicinity

They also recommended for approval two Stormwater Management Ordinance waivers:

1. §218-31.A – Requiring the minimum diameter of any cross-drainage or culvert pipe to be 15 inches (10 inches proposed)
2. §218-31.D – Requiring manholes or inlets to be used at all changes in horizontal alignment, at changes of vertical grade and at all pipe intersections (45 degree bends proposed on roof drain system)

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R031-21 granting conditional preliminary land development approval of LVIP VI, Lot 44 (Fairfield Inn & Suites). Mr. Merhottein was absent.

RESOLUTION R032-21

A RESOLUTION GRANTING CONDITIONAL SUBDIVISION PRELIMINARY /FINAL PLAN APPROVAL OF LEHIGH VALLEY ACADEMY SUBDIVISION

Mr. Hudak said the plan is not for the building plans but for the subdivision of three lots. Ms. Raudenbush said this was due to contractual deadlines the applicant was trying to meet. The applicant is proposing to subdivide two lots into three lots on the northeast corner of Hecktown Road and Route 22. Ms. Davis said the only thing they are voting on is the lot line adjustment and nothing else. Ms. Raudenbush confirmed.

Upon motion (Davis-Sourbeck), the Board of Commissioners voted by voice vote to approve Resolution R032-21 granting conditional subdivision preliminary /final plan approval of Lehigh Valley Academy subdivision. Mr. Merhottein was absent.

MOTION

A MOTION APPROVING IMPROVEMENT SECURITY RELEASE CERTIFICATION #1, IN THE AMOUNT OF \$296,837.44, FOR RIVER HILL ESTATES

Mr. Hudak said that River Hill Estates is the new development going in at the southern end of Farmersville Road. Mr. Gawlik said the improvements are primarily for the site grading for roads and basins. Mr. Hudak said they are doing a fantastic job of keeping the road clean.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion approving Improvement Security Release Certification #1, in the amount of \$296,837.44, for River Hill Estates. Mr. Merhottein was absent.

RESOLUTIONS OF THE BOARD OF COMMISSIONERS

RESOLUTION R030-21

A RESOLUTION APPROVING THE EXPENDITURE OF \$98,925.00 FOR A 2021 DODGE RAM 5500 SINGLE-AXLE DUMP TRUCK WITH PLOW AND SPREADER, AND AUTHORIZING THE EXECUTION OF A CERTAIN

MASTER LEASE PURCHASE AGREEMENT WITH BANK CAPITAL SERVICES

Mr. Hudak said this truck will be replacing one of the larger trucks in Public Works and is a budgeted item.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R027-21 approving the expenditure of \$98,925.00 for a 2021 Dodge Ram 5500 single-axle dump truck with plow and spreader, and authorizing the execution of a certain master lease purchase agreement with Bank Capital Services. Mr. Merhottein was absent.

MOTION OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION AUTHORIZING THE ADVERTISEMENT OF AN ORDINANCE AMENDING CHAPTER 170 OF THE CODIFIED CODE OF 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

This motion was pulled from the agenda.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH HRG TO PROVIDE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROGRAM MANAGEMENT THROUGH JUNE 30, 2024

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with HRG to provide Municipal Separate Storm Sewer System (MS4) program management through June 30, 2024. Mr. Merhottein was absent.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH HRG TO DEVELOP A CAPITAL IMPROVEMENT PLAN, INCLUDING A FEASIBILITY STUDY OF FLOOD REDUCTION IN THE AREA OF EASTON AVENUE/WILLOW PARK ROAD

Mr. Hudak said he was glad to see this study moving forward. It was several years ago that a young woman was pulled into a drain and tragically died, he said. Mr. Sourbeck asked if part of the intersection belonged to the City of Bethlehem. Mr. Hudak said the City of Bethlehem owns the property further up on Santee Road. Mr. Bruce said there are 21 basins located in that area. Eight are in the township and the rest belong to the City of Bethlehem. He said that in the future there would have to be some coordination with the City of Bethlehem to discuss how to work together to address the problem. Ms. Davis said this study will provide a schedule of activities and the cost would be covered by the stormwater fee. Mr. Hudak said they will look at downstream to see how it is impacted based on the improvements done.

Upon motion (Davis-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with HRG to develop a capital improvement plan, including a feasibility

study of flood reduction in the area of Easton Avenue/Willow Park Road. Mr. Merhottein was absent.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH CAMPBELL, RAPPOLD & YURASITS FOR SERVICES RELATED TO THE AMERICAN RESCUE PLAN ACT OF 2021

Mr. Bruce said the township will be receiving \$2.5 million dollars from the American Rescue Plan Act; half at the end of this month and the other half next year. Mr. Bruce said he discussed this with Andy Freda, Finance Director, and Jim Broughal, Township Solicitor, and they agreed that it would be a good idea to bring in the auditors to determine exactly what revenue was lost due to the pandemic. That is one of the major categories that the money could be used for. Mr. Bruce said the cost for the auditors to do the work is \$1,600.00.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with Campbell, Rappold & Yurasits for services related to the American Rescue Plan Act of 2021. Mr. Merhottein was absent.

MOTION

A MOTION APPOINTING A ZONING OFFICER

Ms. Raudenbush said that due to some staff turnover, and because of the requirements in the Municipalities Planning Code, she requested that the board appoint her as Zoning Officer. She also requested that the board appoint Barry Isett & Associates to help with the position until a new Zoning Officer is appointed. Ms. Davis asked what Barry Isett & Associates will be doing. Ms. Raudenbush said they will be taking care of the smaller zoning applications.

**STEVE SZY
3630 CHURCH ROAD**

Mr. Szy asked if Matt Lubitz will remain the Zoning Officer. Ms. Raudenbush said he will remain until the first week of July. She said she will make sure that Mr. Lubitz informs the Zoning Hearing Board of his departure.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth asked how that would involve their current case. Ms. Raudenbush said Mr. Lubitz would still be involved with the case involving 4011 Wilson Avenue.

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion appointing Amanda Raudenbush and Barry Isett & Associates as temporary Zoning Officer. Mr. Merhottein was absent.

**APPROVAL OF BILL
AGENDA OF
JUNE 16, 2021**

Upon motion (Gallagher-Sourbeck), the Board of Commissioners unanimously voted by voice vote to approve the Bill Agenda of June 16, 2021. Mr. Merhottein was absent.

**APPROVAL OF
PURCHASE ORDERS**

PO 20211116 – Nazareth Ford – Police – \$3,509.32
PO 20211230 – Old Dominion Brush Co. – PW – \$2,195.77
PO 20211231 – U.S. Municipal Supply – PW – \$9,382.38
PO 20211232 – Chemung Supply – PW – \$4,907.00
PO 20211233 – Joao & Bradley Construction – PW – \$5,629.00

Upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice to approve Purchase Orders 20211116, 20211230, 20211231, 20211232, and 20211233 as presented. Mr. Merhottein was absent.

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

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

**ZONING HEARING
BOARD MEETING OF
JUNE 30, 2021**

By consensus, the board directed the Township Solicitor to represent them at the Zoning Hearing Board Meeting of June 30, 2021, for Appeal 09-2021 of PC Land, LLC.

MONTHLY REPORTS

All monthly reports were accepted.

ADJOURNMENT

There being no other business, upon motion (Sourbeck-Davis), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 7:56 p.m. Mr. Merhottein was absent.

Respectfully submitted,

Laura G. Zapata
Recording Secretary