

**REGULAR PUBLIC MEETING
OCTOBER 2, 2017**

MEMBERS PRESENT Thomas Nolan, Vice President
Malissa Davis, Commissioner
Howard Kutzler, Commissioner

MEMBERS ABSENT Michael Hudak, President
Pat Breslin, Commissioner

OTHERS PRESENT Wendy Nicolosi, Township Solicitor
Brian Dillman, Pidcock Associates (Township Engineer)
Doug Bruce, Assistant Township Manager

CALL TO ORDER Mr. Nolan called the meeting to order at 7:03 p.m.

**COURTESY OF THE FLOOR
(NON-AGENDA ITEMS)**

**RALPH CARACIO
2847 HOPE RIDGE DRIVE** Mr. Caracio asked for an update on the PennEast pipeline and its proximity to the Hope Ridge development. Mr. Nolan said the Board of Commissioners did not have any new information on the pipeline. Mr. Bruce said he also did not have updated information on the matter.

Mr. Caracio said Hope Ridge property owners are very concerned about the pipeline project and said the township and board should be making these resident concerns a priority. Mr. Nolan said the pipeline had long been a township priority. Ms. Davis agreed and said the township unfortunately “doesn’t have any real authority” on the matter, which is controlled by FERC (the Federal Energy Regulatory Commission). Ms. Davis said residents should express their concerns and “make some noise” with elected officials above the township level.

**JAMES DAILEY
1942 GRIGIO PLACE** Mr. Dailey, a member of the Planning Commission, said he recommends Peter Chase for the appointment to the vacant position on the commission. Mr. Dailey said he based this recommendation on Mr. Chase’s professional training and experience.

**TOM KILEY
2809 HOPE RIDGE DRIVE** Mr. Kiley said it was his understanding the board must issue a permit to allow the PennEast pipeline to cross through the township. Mr. Nolan said the township had “no control over anything” regarding the pipeline, which is being reviewed by the federal government. Mr. Kiley said he hoped the board would do everything in its power to change the pipeline route. Mr. Nolan said that would certainly be the case.

**PHYLLIS WERTMAN
2817 HOPE RIDGE DRIVE** Ms. Wertman said she was also concerned about the pipeline and its proximity to her neighborhood. She said she was disappointed the board and the township administration were saying there was nothing they could do about the situation. She said she was especially concerned because of the prevalence of sinkholes in the area. Mr. Nolan said the board and township would do “as much as we can.”

Ms. Wertman said a recent newspaper article said a township permit was required to allow the pipeline. Ms. Nicolosi said that information was incorrect, as federal oversight of pipeline projects supersedes the township's jurisdiction.

**DON WRIGHT
2815 HOPE RIDGE DRIVE**

Mr. Wright said the concerned residents would appreciate the township's help and support in writing letters to elected officials concerning the PennEast pipeline. He said the township could use its website as a coordination point for information on the matter.

**MARY BAUER
2884 HOPE RIDGE DRIVE**

Ms. Bauer asked who gave permission for the pipeline to cross township land. Mr. Nolan said no such permission was given. Mr. Nolan said: "We can't stop it. We can shout we don't want it here, but they will do what they want."

Ms. Bauer said there were approximately 89 township families directly affected by the pipeline and the township should be very strongly working on behalf of those families.

**DAVE HUTCHINSON
4104 BIRCH DRIVE**

Mr. Hutchinson said he was speaking to express support for the township remaining a member of the Bethlehem Area Public Library system.

**JIM GOLINSKI
2923 LARKSPUR LANE**

Mr. Golinski said he too was concerned about the proximity of the proposed pipeline to his neighborhood. He requested the township set up a meeting between PennEast representatives and concerned residents. Mr. Nolan and Mr. Kutzler said they would attempt to set up such a meeting.

**MATT VRABEL
4129 WILSON AVENUE**

Mr. Vrabel said he runs a bed-and-breakfast on Wilson Avenue and that he and his guests appreciate the work done by the township on the road. He said the township's road crew had been particularly helpful in cleaning up material dumped in the area.

**GENE BOYER
2332 FARMERSVILLE ROAD**

Mr. Boyer asked for an update on the community center construction project. Mr. Bruce said the project was originally scheduled for completion by October 24, but there have been delays caused by extra design and construction done to remediate problems discovered from the building's original construction. Mr. Bruce said the project is approximately three weeks behind schedule and is now expected to be completed by mid-November.

**KENN EDINGER
5030 FREEMANSBURG AVENUE**

Mr. Edinger, who recently resigned from the planning commission, said any new planning commissioners should be encouraged to take the introductory courses offered by the Lehigh Valley Planning Commission. Mr. Nolan said he agreed.

RECOGNITION

RESOLUTIONS

**RESOLUTION R069-17 RECOGNIZING FREEDOM HIGH SCHOOL'S
50th ANNIVERSARY CELEBRATION**

**RESOLUTION R070-17 RECOGNIZING THE 50th ANNIVERSARY
CELEBRATION OF NORTHAMPTON COMMUNITY COLLEGE**

Mr. Nolan said Freedom High School and Northampton Community College are both celebrating their 50th anniversaries this school year and the township wanted to recognize these anniversaries.

Upon motion (Kutzler-Davis), the Board of Commissioners voted 3-0 by voice vote to approve Resolution R069-17 recognizing Freedom High School's 50th anniversary celebration and Resolution R070-17 recognizing the 50th anniversary celebration of Northampton Community College.

APPROVAL OF MINUTES

Upon motion (Davis-Kutzler) the Board of Commissioners voted 3-0 by voice vote to approve the minutes of the regular public meeting of September 18, 2017, as presented.

SUBDIVISIONS AND LAND DEVELOPMENT

MOTION

A MOTION AUTHORIZING THE START OF THE MAINTENANCE PERIOD FOR FREEMANSBURG DENTAL LAND DEVELOPMENT.

Mr. Nolan said planning director Nathan Jones, in a memo dated today, recommended conditioning the start of this maintenance period and release of associated security on a provision that proper security for streetscape enhancements remain withheld until their installation based off the calculations of the township engineer.

Ms. Davis said the board had considered a five-year sidewalk deferral for the project but tabled the matter in 2015. She said the board should revisit the deferral. Mr. Dillman and Ms. Nicolosi said the board can "call in" such a deferral at any time. Mr. Kutzler agreed and said he supported the motion based on the conditions outlined in Mr. Jones' memo.

Upon motion (Kutzler-Davis), the Board of Commissioners voted 3-0 by voice vote to approve a motion authorizing the start of the maintenance period for Freemansburg Dental Land Development, conditioning the start of this maintenance period and release of security associated with it on a provision that proper security for streetscape enhancements remain withheld until their installation based off the calculations of the township engineer.

RESOLUTIONS OF THE BOARD OF COMMISSIONERS

RESOLUTION

RESOLUTION R067-17 AUTHORIZING THE TOWNSHIP MANAGER TO UTILIZE MUNCIBID ON-LINE GOVERNMENT AUCTION SERVICE FOR THE SALE OF TOWNSHIP-OWNED PERSONAL PROPERTY AND TO TRANSFER THE TITLES OF TOWNSHIP-OWNED VEHICLES SOLD ON MUNCIBID.

Mr. Kutzler asked if there was any remaining utility to the two vehicles being proposed for on-line auction. Mr. Nolan said, according to a memo from public works director Richard Grube, the two vehicles were a 2002 GMC dump truck, which could not pass inspection because of a rusted frame, and a 2002 BMW car, which had 174,000 miles on it. Mr. Nolan said he was confident the vehicles had no further utility to the township.

Upon motion (Kutzler-Davis), the Board of Commissioners voted 3-0 by voice vote to approve Resolution R067-17 authorizing the township manager to utilize Muncibid on-line government auction service for the sale of township-owned

personal property and to transfer the titles of township-owned vehicles sold on Municibid.

RESOLUTION

RESOLUTION R068-17 APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP PLANNING COMMISSION.

**JAMES DAILEY
1942 GRIGIO PLACE**

Mr. Dailey, a member of the planning commission, said again he supported the appointment of Peter Chase to the commission.

Mr. Nolan said there were three applicants for the vacant position on the planning commission. Ms. Davis said she would like to table the matter since only three commissioners were present at the meeting. Mr. Kutzler said he agreed.

Upon motion (Davis-Kutzler), the Board of Commissioners voted 3-0 by voice vote to table Resolution R068-17 appointing a member to the Bethlehem Township Planning Commission.

MOTIONS OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION AUTHORIZING A REQUEST FOR PROPOSALS (RFP) FOR PROFESSIONAL FINANCIAL AND ADMINISTRATIVE AUDITING SERVICES.

Upon motion (Davis-Kutzler), the Board of Commissioners voted 3-0 by voice vote to approve a motion authorizing a request for proposals (RFP) for professional financial and administrative auditing services.

MOTION

A MOTION ADOPTING A PUBLIC ACCESS INTERNET USE POLICY.

Mr. Bruce said the township is planning to install public access computers in the municipal building and community center, to help residents and customers access on-line services on site. He said the township staff was proposing an Internet use policy, based on a similar policy in place at the Bethlehem Area Public Library. Mr. Kutzler said the public-access computers were a good idea.

Upon motion (Kutzler-Davis), the Board of Commissioners voted 3-0 by voice vote to approve a motion adopting a public access Internet use policy.

PURCHASE ORDER, BILL, AND CHECK REGISTER APPROVAL

PURCHASE ORDERS

Upon motion (Davis-Kutzler), the Board of Commissioners voted 3-0 by voice vote to approve purchase orders as presented.

DISCUSSION ITEMS

IMPROVEMENTS TO THE ROUTES 191/22 INTERSECTIONS

Mr. Nolan said there have been longstanding traffic problems around the intersection of Route 191 and Route 22. He said the township engineer had been asked to look into the problems and had suggested some traffic-improving changes. Mr. Nolan said the first step in the process would be conducting traffic counts around the intersection, and the township had received a quote of \$4,830 from Tri-State Traffic Data of Coatesville to do the count.

Mr. Kutzler said the intersection had been "plaguing us for a long time." He asked Mr. Dillman if there were any immediate changes to traffic signal timing

that would help. Mr. Dillman said the traffic signal timing in the area is “already optimized.” Mr. Dillman said the biggest problem in the area is the “underutilized” right-turn-only lane on northbound Route 191. The goal is to re-establish two lanes moving through that area, Mr. Dillman said.

BARRY ROTH
4323 CHETWIN TERRACE

Mr. Roth said the intersection has a lot of problems and needs another traffic light. Mr. Roth, who operates a car-towing business, said he “damn near died” recently while loading an out-of-service car in the intersection.

Mr. Dillman said the Tri-State Traffic Data quote was dated and perhaps not valid. He suggested, if the board decided to move forward with a traffic count, it should set a limit of \$5,000 for the work.

Ms. Davis said the counts would have to wait until Brodhead Road construction is finished.

Mr. Dillman said the first step of improving the intersection is conducting traffic counts, followed by data analysis and consideration of timing issues, then moving to long-term solutions, which may include property and right-of-way assessments.

Upon motion (Davis-Kutzler), the Board of Commissioners voted 3-0 by voice vote to direct the township manager to enter into an agreement with Tri-State Traffic Data for traffic counts of the Routes 191/22 intersection, with a limit of \$5,000 for the work.

SPILLMAN FARMER RE-BID COST FOR HOUSENICK MANSION

Mr. Nolan provided some brief background on this matter: The board recently rejected the lone bid (for \$1.3 million from the Bracy construction company) for the exterior stabilization project at the Housenick mansion and was now considering how and whether to re-bid the project. Mr. Nolan said Spillman Farmer Architects of Bethlehem, the project’s architectural consultant, was asking for approximately \$4,000 to re-work and re-bid the project. Mr. Nolan said the question before the board was whether to direct the township manager to enter into an “extended” contract with Spillman Farmer for this new work.

WAYNE KRESGE
4349 CHETWIN TERRACE

Mr. Kresge asked what the board would do if it spent \$1 million to fix the outside of the building, then didn’t have \$2-3 million to spend on the inside? Mr. Kresge said the building could become a “money pit.”

Ms. Davis said the board was following a “different project execution strategy” this time around. “We aren’t going to spend \$1.3 million of taxpayers’ money,” Ms. Davis said. “If that happens, you can throw me in jail.” Ms. Davis said the interior work would require funding from outside grants and private donations.

Upon motion (Davis-Kutzler), the Board of Commissioners voted 3-0 by voice vote direct the township manager to enter into an extended agreement with Spillman Farmer Architects to re-bid the exterior stabilization of Housenick mansion.

GARBAGE COLLECTION

Mr. Kutzler said he had received complaints from several residents about the hours of garbage collection in the township. He said it was his understanding trash haulers could begin collections at 5:30 a.m., but many were starting earlier than that. Mr. Kutzler said he would like to see the garbage collection starting time moved to 6 a.m. and be strictly enforced.

Mr. Nolan said it was his understanding the township's solid waste ordinance allowed collection as early as 5 a.m. Mr. Nolan said he was also concerned with the licensing provisions of the ordinance. Mr. Kutzler said he was concerned mainly with the hours of collection and would not support "mission creep" regarding licensing.

Ms. Davis asked what other municipalities had set as garbage collection times. Mr. Kutzler said he was concerned with Bethlehem Township only. Mr. Kutzler said his understanding was the collection start time had been 6 a.m. for a long time until a recent change in the ordinance. "Let's change it back," he said.

Upon motion (Kutzler-Davis), the Board of Commissioners voted 3-0 by voice vote to direct the manager and solicitor to prepare an ordinance amendment setting the permitted hours for garbage collection as 6 a.m. to 8 p.m.

DON WRIGHT
2815 HOPE RIDGE DRIVE

Mr. Wright said he had concerns about garbage trucks idling on Hope Road.

ADJOURNMENT

Upon motion (Davis-Kutzler), the Board of Commissioners voted 3-0 by voice vote to adjourn the meeting at 8:32 p.m.

Submitted,

Doug Bruce
Assistant Manager