

**REGULAR PUBLIC MEETING
FEBRUARY 5, 2018**

MEMBERS PRESENT Thomas Nolan, Vice-President
Malissa Davis, Commissioner
John Gallagher, Commissioner

MEMBERS ABSENT Michael Hudak, President
John Merhottein Commissioner

OTHERS PRESENT James Broughal, Township Solicitor
Melissa Shafer, Township Manager
Doug Bruce, Acting Township Manager

CALL TO ORDER Vice President Nolan called the meeting to order at 7:03 p.m., and led those in attendance in reciting the Pledge of Allegiance.

EXECUTIVE SESSION Solicitor Broughal announced that the Board of Commissioners met in Executive Session on February 5, 2018 at 6:00 p.m. to discuss contract and personnel matters pursuant to Section 708a of the Pennsylvania Sunshine Act.

COURTESY OF THE FLOOR

**KAREN BERRY
3505 DARTMOUTH DR.** Mrs. Berry thanked Mrs. Shafer for her stellar work as Township Manager and being responsive to the residents. She wished her the best.

**BARRY ROTH
4323 CHETWIN TERR.** Mr. Roth thanked Mrs. Shafer for a job well done and gave her kudos for getting the easement. He wished her the best.

APPROVAL OF MINUTES Upon motion (Davis-Gallagher), the Board of Commissioners voted by voice vote to approve the minutes of the January 15, 2018 regular public meeting as presented. Mr. Hudak and Mr. Merhottein were absent.

PUBLIC HEARINGS

ORDINANCE 02-18 **AN ORDINANCE AUTHORIZING THE INTERGOVERNMENTAL COOPERATION WITH THE TOWNSHIP OF BETHLEHEM, TOWNSHIP OF PALMER, THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY, AND THE CITY OF BETHLEHEM, IN ENTERING INTO AN AMENDMENT TO AN INTERMUNICIPAL COOPERATION AGREEMENT FOR PARTS OF PHASES I, II, AND III OF OLD ORCHARD STONES CROSSING IN PALMER TOWNSHIP FOR TRANSPORTATION OF SANITARY SEWAGE THROUGH BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY LINES AND FOR TREATMENT AT THE CITY OF BETHLEHEM TREATMENT PLANT**

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to adopt Ordinance 02-18 authorizing the intergovernmental cooperation with the Township of Bethlehem, Township Of Palmer, the Bethlehem Township Municipal Authority, and the City of Bethlehem, in entering into an amendment to an intermunicipal cooperation agreement for parts of Phases I, II, and III of Old

Orchard Stones Crossing in Palmer Township for transportation of sanitary sewage through Bethlehem Township Municipal Authority lines and for treatment at the City of Bethlehem treatment plant. Mr. Hudak and Mr. Merhottein were absent.

ORDINANCE 03-18

AN ORDINANCE AUTHORIZING THE ENTERING INTO AN INTERMUNICIPAL SEWER SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF BETHLEHEM, THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY, AND THE TOWNSHIP OF PALMER, FOR THE TRANSPORTATION OF SANITARY SEWER THROUGH LINES OWNED OR TO BE OWNED BY PALMER TOWNSHIP AND THEN TRANSPORTED TO SANITARY SEWER LINES OWNED BY THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY AND OPERATED BY BETHLEHEM TOWNSHIP FOR TREATMENT OF CERTAIN LOTS IN THE RAU LANE SUBDIVISION, PALMER TOWNSHIP

Upon motion (Gallagher-Davis), the Board of Commissioners voted by voice vote to adopt Ordinance 03-18 authorizing the entering into an intermunicipal sewer service agreement between the Township of Bethlehem, the Bethlehem Township Municipal Authority, and the Township of Palmer, for the transportation of sanitary sewer through lines owned or to be owned by Palmer Township and then transported to sanitary sewer lines owned by the Bethlehem Township Municipal Authority and operated by Bethlehem Township for treatment of certain lots in the Rau Lane subdivision, Palmer Township.

ORDINANCE 04-18

AN ORDINANCE AMENDING ORDINANCE 01-12, THE CODE OF THE TOWNSHIP OF BETHLEHEM, BY ADDING CHAPTER 60, TAX COLLECTOR, TO SET THE POWERS, DUTIES, COMPENSATION, AND BONDING REQUIREMENTS FOR THE TAX COLLECTOR AND REVISING ANY PROVISIONS OF THE CODE OF THE TOWNSHIP OF BETHLEHEM INCONSISTENT THEREWITH

Upon motion (Davis-Gallagher), the Board of Commissioners voted by voice vote to adopt Ordinance 04-18 amending Ordinance 01-12, the Code of the Township of Bethlehem, by adding Chapter 60, Tax Collector, to set the powers, duties, compensation, and bonding requirements for the tax collector and revising any provisions of the Code of the Township of Bethlehem inconsistent therewith.

**SUBDIVISIONS &
LAND DEVELOPMENT**

RESOLUTION R026-18

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE NORTHAMPTON COUNTRY CLUB TERRACE EXPANSION SITE PLAN

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to approve Resolution R026-18 granting conditional approval of the Northampton Country Club terrace expansion site plan. Mr. Hudak and Mr. Merhottein were absent.

RESOLUTION R027-18

A RESOLUTION AUTHORIZING THE ATTENDANCE OF CORPORAL JEREMY ANDERSON AND OFFICER PATRICK BREHM AT THE TASER CONDUCTED ELECTRICAL WEAPON BASIC INSTRUCTOR COURSE FEBRUARY 19-20, 2018, IN HERSHEY, PENNSYLVANIA

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve Resolution R027-18 authorizing the attendance of Corporal Jeremy Anderson and Officer Patrick Brehm at the Taser Conducted Electrical Weapon Basic Instructor Course February 19-20, 2018, in Hershey, Pennsylvania. Mr. Hudak and Mr. Merhottein were absent.

**RESOLUTIONS OF THE
BOARD OF
COMMISSIONERS**

RESOLUTION R024-18 A RESOLUTION APPOINTING A PATROL OFFICER TO THE BETHLEHEM TOWNSHIP POLICE DEPARTMENT

Upon motion (Davis-Gallagher) the Board of Commissioners unanimously voted by voice vote to approve Resolution R024-18 appointing Zachary Malkin to the Bethlehem Township Police Department. Mr. Hudak and Mr. Merhottein were absent.

RESOLUTION R025-18 A RESOLUTION AUTHORIZING THE ATTENDANCE OF FISCAL TECHNICIAN DAWN WAGNER AT THE 2018 BENECON HEALTH BENEFITS SEMINAR APRIL 5-6, 2018, IN LANCASTER, PENNSYLVANIA

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to approve Resolution R024-18 authorizing the attendance of fiscal technician Dawn Wagner at the 2018 Benecon Health Benefits Seminar April 5-6, 2018, in Lancaster, Pennsylvania. Mr. Hudak and Mr. Merhottein were absent.

RESOLUTION R028-18 A RESOLUTION APPOINTING AN ACTING TOWNSHIP MANAGER

Vice-President Nolan stated that when Mrs. Shafer was interviewed four years ago, she said she was prepared to take the township to the next level. He said she has done that with transparency and citizen engagement. He presented her with a plaque on behalf of the Board of Commissioners. Mrs. Davis said Mrs. Shafer has a fantastic job and thanked her. Mr. Gallagher said it was a pleasure to work with her and wish her the best.

Vice-President Nolan said he has worked with Mr. Bruce for 15 years and believes that he is a competent and excellent choice for the position. He said Mr. Bruce will continue to move the township forward and that his appointment is effective immediately.

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to approve Resolution R024-18 appointing Doug Bruce as Acting Township Manager. Mr. Hudak and Mr. Merhottein were absent.

**MOTIONS OF THE
BOARD OF
COMMISSIONERS**

MOTION

A MOTION APPROVING CHANGE ORDER 21 FOR BRACY CONSTRUCTION FOR THE COMMUNITY CENTER RENOVATION PROJECT

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to untable a motion approving Change Order 21 for Bracy Construction for the community center renovation project. Mr. Hudak and Mr. Merhottein were absent.

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion approving Change Order 21 for Bracy Construction for the community center renovation project as amended. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION APPROVING CHANGE ORDERS 23-24 FOR BRACY CONSTRUCTION FOR THE COMMUNITY CENTER RENOVATION PROJECT

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion approving Change Orders 23-24 for Bracy Construction for the community center renovation project. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION APPROVING CHANGE ORDER 11 FROM H.T. LYONS FOR THE COMMUNITY CENTER RENOVATION PROJECT

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to table a motion approving Change Order 11 from H.T. Lyons for the community center renovation project. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION APPROVING CONTRACT MODIFICATION REQUEST NO. 6 FROM ENTECH ENGINEERING FOR THE COMMUNITY CENTER RENOVATION PROJECT

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to untable a motion approving Contract Modification Request No. 6 from Entech Engineering for the community center renovation project. Mr. Hudak and Mr. Merhottein were absent.

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion approving Contract Modification Request No. 6 from Entech Engineering for the community center renovation project. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION APPROVING A REQUEST FOR PAYMENT FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES FROM ALLIED BUILDING CORP. FOR THE COMMUNITY CENTER RENOVATION PROJECT

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to table a motion approving a request for payment for additional construction management services from Allied Building Corp. for the community center renovation project. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH T&M ASSOCIATES FOR MS4 STORMWATER CONSULTING SERVICES FOR 2018

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion authorizing the township manager to enter into an agreement with T&M Associates for MS4 stormwater consulting services for 2018. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION APPROVING A MODIFICATION OF STORMWATER CONSULTING SERVICES PROVIDED BY T&M ASSOCIATES, INCLUDING AN ADDENDUM TO THE ORIGINAL CONSULTING AGREEMENT

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion approving a modification of stormwater consulting services provided by T&M Associates, including an addendum to the original consulting agreement. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH BCE PLANNING & ENGINEERING FOR STORMWATER MODELING SERVICES

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion authorizing the township manager to enter into an agreement with BCE Planning & Engineering for stormwater modeling services. Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION AUTHORIZING THE TERMINATION OF A DISABILITY RETIREMENT BENEFIT TO JAMES BONNER FROM THE POLICE PENSION FUND IN THE AMOUNT OF \$2,805.33 PER MONTH FOR LIFE, EFFECTIVE JANUARY 1, 2018 (PER HEARING OFFICER LARRY FOX'S DECEMBER 13, 2017 RULING)

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to approve a motion authorizing the termination of a disability retirement benefit to James Bonner from the Police Pension Fund in the amount of \$2,805.33 per month for life, effective January 1, 2018 (per Hearing Officer Larry Fox's December 13, 2017 Ruling). Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION APPROVING THE SINGLE AUDIT REPORTING PACKAGE (FOR THE YEAR ENDING DECEMBER 31, 2016)

Upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve a motion approving the Single Audit Reporting Package (for the year ending December 31, 2016). Mr. Hudak and Mr. Merhottein were absent.

MOTION

A MOTION AUTHORIZING CORRESPONDENCE FROM THE BOARD OF COMMISSIONERS TO PENNEAST PIPELINE

Upon motion (Gallagher-Davis), the Board of Commissioners unanimously voted by voice vote to approve a motion authorizing correspondence from the Board of Commissioners to PennEast Pipeline. Mr. Hudak and Mr. Merhottein were absent.

**APPROVAL OF
PURCHASE ORDERS**

PO 20180183 – Signal Service Inc. – Police – \$10,185.00
PO 20180184 – Golden Equipment Co. Inc. – Public Works – \$10,000.00
PO 20180207 – Koch 33 Ford Toyota – Police – \$41,795.39
PO 20180208 – Koch 33 Ford Toyota – Police -- \$51,506.39
PO 20180209 – Motorola Solutions Inc. – Police – \$6,331.20
PO 20180220 – G&L’s Sign Factory – Planning – \$2,225.00
PO 20180221 – TuWay Communications – Planning – \$5,061.14
PO 20180222 – Koch 33 Ford Toyota – Planning – \$47,147.34
PO 20180223 – Signal Service Inc. – PPIS – \$5,276.00
PO 20180224 – Hydra-Numatic Sales – PPIS – \$3,023.82
PO 20180225 – Signal Service Inc. – PPIS – \$3,766.00
PO 20180226 – RGC Development LP – PPIS -- \$2,780.00
PO 20180227 – Triad Truck Equipment Inc. – Public Works – \$6,163.25
PO 20180228 – Maintenance Connection – PPIS -- \$4,138.16
PO 20180230 – Palmer Township – PPIS – \$6,727.25

Vice-President Nolan said that the Casino Authority meets the 4th Monday of the month and that the township has been successful in receiving grant money for one police car every year. He asked that Purchase Order 20180207 be tabled until next month when the grant money will be awarded.

Upon motion (Gallagher-Davis), the Board of Commissioners voted unanimously by voice vote to approve Purchase Orders PO 20180183, PO 20180184, PO 20180208, PO 20180220, PO 20180221, PO 20180222, PO 20180223, PO 20180224, PO 20180225, PO 20180226, PO 20180227, PO 20180228 and PO 20180230 as presented. Purchase Order PO 20180209 was approved for \$3,165.60 which was equipment for 1 police car. Purchase Order PO 20180207 was tabled. and Mr. Hudak and Mr. Merhottein were absent.

ADJOURNMENT

There being no other business, upon motion (Davis-Gallagher), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 8:12 p.m. Mr. Hudak and Mr. Merhottein were absent.

Respectfully submitted,

Laura Zapata
Recording Secretary