

BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
MAY 4, 2026

- MEMBERS PRESENT** John J. Merhottein, President
John K. Gallagher, Vice President
Matthew C. Deckman, Commissioner
Michael D. Hudak, Commissioner
DeAnn L. Lawrence, Commissioner
- OTHERS PRESENT** Anthony Giovannini, Jr., Township Solicitor
Gregory J. Gottschall, Acting Township Manager
Samantha Smith, Community Development Director
Ronald J. Gawlik, Township Engineer
David Backenstoe, Township Solicitor
Richard Kanaskie, Public Works Director (via Zoom)
- CALL TO ORDER** Mr. Merhottein called the meeting to order at 7:00 p.m. and led those assembled in the Pledge of Allegiance.
- ADDITION TO THE AGENDA** In accordance with the new revisions to the Sunshine Act, the following action was taken:

Upon motion (Hudak-Deckman), the Board of Commissioners voted unanimously by voice vote to add a resolution appointing an interim township manager to the agenda.
- COURTESY OF THE FLOOR**
- STEVE HUNT
2197 COOK DR.** Mr. Hunt said people still park on the road clearly marked with no parking signs and asked who he can contact about putting up towaway signs. Mr. Gawlik said he can submit a request for road modification through the police department and change in ordinance. Ms. Smith asked Mr. Hunt to put a request together and send to her to forward.
- DAVE BUCHERER
4220 NICHOLAS ST.** Mr. Bucherer said parts of Church Road was sinking and asked who was responsible for the road. Ms. Smith responded that Traditions of America is only responsible for the portion on their frontage. The township will be doing a project and will be doing the entire road. Mr. Bucherer said the loud noise coming from his neighbor's house continues. Mr. Merhottein advised him to continue to call the non-emergency number. Mr. Hudak said this was something that needs to be enforced by the police using the meters.
- TOM KEEFER
3803 CARTER RD.** Mr. Keefer asked what happened to the speed sign on Carter Road at the turn. Chief Gottschall said he was not aware but will look into it. It may be out for repair.
- BARRY ROTH
4323 CHETWIN TERR.** Mr. Roth said he wanted a paper copy of the comprehensive plan survey which is online only. Mr. Merhottein said he will ask the survey company to mail one out to him. Mr. Roth said he did not have information on the last comprehensive plan meeting with was held virtually. Ms. Smith said she provided that information to him. Mr. Roth believes the meetings do not provide opportunity for public comment and therefore in violation of the

Sunshine Act. Solicitor Giovannini said there was no violation of the Sunshine Act.

APPROVAL OF MINUTES

Upon motion (Gallagher-Hudak), the Board of Commissioners voted by voice vote to approve the April 20, 2026 regular public meeting minutes. The motion passed 4-0-1. Mr. Hudak abstained.

SUBDIVISIONS & LAND DEVELOPMENT

MOTION

A MOTION AUTHORIZING AND APPROVING THE FARMERSVILLE ROAD CULVERT AGREEMENT BETWEEN BETHLEHEM TOWNSHIP, KAY FARMERSVILLE LLC AND THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY

Ms. Smith said the existing culvert located on Farmersville Road is included in the municipal authority's capital plan and is adjacent to the Fields at Farmerville project. Because of the proximity to the proposed development and because of ancillary impacts that improvement to the culvert would have on the Township walking path and park, Kay Builders, BTMA and the Township have negotiated an agreement to ensure improvements occur in consideration of all needs. Kay Builders will make a substantial financial contribution toward the cost of full replacement of the culvert, municipal authority will handle design and construction of the project, and Kay Builders will complete frontage improvements along Farmersville Road after the project is complete. This will require a deferral of those specific improvements by the Township, whereby deferred improvements will be secured. Solicitor Backenstoe said the developer offered a \$300,000 contribution to assist the municipal authority and cover their responsibilities. Mr. Deckman asked what the total cost of the project was. Solicitor Backenstoe said it was \$800,000 but a lot of the project is off site. Ms. Smith said the total was actually \$1.2 million. Mr. Gallagher asked if Kay Builders will complete their own requirements on the frontage. Ms. Smith said they would. Mr. Deckman asked about the timeline. Mr. Hunsberger said they hope to start the project early 2027.

STEVE HUNT COOK DR.

Mr. Hunt said he was concerned about a greater flow control rate to the development.

GLENN KRIER 3942 KENRICK DR.

Mr. Krier asked when the builder plans to start their project. Ms. Smith said they only have preliminary plan approval at the moment.

DAVE BUCHERER 4220 NICHOLAS ST.

Mr. Bucherer said the builder should contribute more. Mr. Merhotte said the contribution is \$300,000.

Upon motion (Gallagher-Hudak) the Board of Commissioners voted unanimously authorizing and approving the Farmersville Road Culvert Agreement between Bethlehem Township, Kay Farmersville LLC and the Bethlehem Township Municipal Authority.

MOTION

A MOTION APPROVING THE 3311 FARMERSVILLE ROAD MEDICAL OFFICE BUILDING (MOB) RETAINING WALL SETTLEMENT AGREEMENT. (TABLED)

Upon motion (Deckman-Lawrence), the Board of Commissioners voted

unanimously by voice vote to untable this motion.

Scott Pasterski, Keystone Consulting Engineers, Inc., asked the board to consider approving the agreement as the plan meets the spirit of the ordinance and would create no harm leaving the wall where it is. Mr. Merhottein asked if eight-foot arborvitaes could be planted in front of the wall as he wanted something taller and wider. Mr. Scheyer said Japanese Holly is proposed but said there may be potential space for the arborvitaes. Mr. Gallagher suggested ivy. Mr. Hudak asked if moving the wall back would change the distance from the sidewalk to the street. Ms. Smith said it would not and that the township was gaining more grass. Mr. Deckman added that they would be losing the trees that were planned for that location. Mr. Gallagher said the surveyor's insurance would cover the cost to rebuild the wall. Attorney Boell moving this wall is a costlier disruption and the error de minimis. Mr. Merhottein asked if there were any safety implications. Mr. Gawlik said there were no safety concerns.

**STEVE HUNT
COOK DR.**

Mr. Hunt expressed concern about snow removal along the wall and where it would go.

**GLENN KRIER
3942 KENRICK DR.**

Mr. Kreier asked how much of the wall was over the line. Ms. Smith said the wall is 9.36 inches from the right-of-way line.

Mr. Gallagher asked when was the error discovered. Ms. Smith said township personnel noticed it appeared to be closer to the street and contacted them. She said they were never told to stop. They were allowed to continue at the developer's risk.

**TOM KEEFER
3803 CARTER RD.**

Mr. Keefer said he was concerned about tractor trailers and trucks with large equipment going around the corner and possibly killing pedestrians. Mr. Merhottein said there was a lot of space in that area. Mr. Deckman said that to be fair, five feet doesn't cause those turning issues.

**DAVE BUCHERER
4220 NICHOLAS ST.**

Mr. Bucherer said the wall should be moved.

**BARRY ROTH
4323 CHETWIN TERR.**

Mr. Roth said the surveyor's calculations should be have been double checked.

**SHADWICK YODER
3116 CHESTER AVE.**

Mr. Yoder said the rules should apply to the developers as well as the residents. He believes that residents would not have the same outcome.

Mr. Merhottein said the Municipal Planning Code mentions de minimis - that's a small issue that could be overlooked and overturned by court.

Upon motion (Merhottein-Hudak), the Board of Commissioners voted by roll call voice vote to deny the 3311 Farmersville Road Medical Office Building (MOB) Retaining Wall Settlement Agreement. The motion failed 4-1. Mr. Merhottein, Mr. Gallagher, Ms. Lawrence and Mr. Deckman opposed.

MOTION

A MOTION AUTHORIZING STAFF AND SOLICITOR TO MOVE THE PROPOSED HEALTHCARE VILLAGE OVERLAY SIGN REGULATIONS – ZONING ORDINANCE TEXT AMENDMENT FOR ADOPTION, AND AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING RELATED THERETO

Upon motion (Gallagher-Lawrence) the Board of Commissioners voted unanimously authorizing staff and solicitor to move the proposed Healthcare Village Overlay Sign Regulations – Zoning Ordinance Text Amendment for adoption, and authorize advertisement of a public hearing related thereto.

**RESOLUTIONS OF
THE BOARD OF
COMMISSIONERS**

RESOLUTION R040-26 A RESOLUTION APPOINTING A TOWNSHIP MANAGER

Upon motion (Deckman-Hudak), the Board of Commissioners voted by roll call voice vote to approve Resolution R040-26 appointing Edward Hozza, Jr., as township manager with a start date of May 18, 2026. The motion carried 3 to 2. Mr. Gallagher and Ms. Lawrence opposed.

RESOLUTION R043-26 A RESOLUTION APPOINTING AN ACTING TOWNSHIP MANAGER

Upon motion (Hudak-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve Resolution R043-26 appointing Gregory J. Gottschall as acting township manager commencing May 4, 2026 to May 18, 2026.

RESOLUTION R041-26 A RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO UTILIZE MUNCIBID ON-LINE GOVERNMENT AUCTION SERVICE FOR THE SALE OF TOWNSHIP-OWNED PERSONAL PROPERTY

Mr. Merhottein said PPIS recently purchased a new CCTV truck and would like to sell the old one.

Upon motion (Hudak-Deckman), the Board of Commissioners voted unanimously by voice vote to approve Resolution R041-26 authorizing the township manager to utilize Muncibid on-line government auction service for the sale of township-owned personal property.

RESOLUTION R042-26 A RESOLUTION AUTHORIZING AND ENDORSING A SECTION 902 MUNICIPAL RECYCLING PROGRAM GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. Merhottein said this is a state grant that would cover 90 percent towards the purchase price of a new leaf machine.

Upon motion (Lawrence-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Resolution R042-26 authorizing and endorsing a Section 902 Municipal Recycling Program Grant application to the Pennsylvania Department of Environmental Protection.

**MOTIONS OF THE
BOARD OF
COMMISSIONERS**

MOTION

A MOTION TO APPROVE AN AGREEMENT WITH RESPEC COMPANY, LLC - SCOPE OF WORK AND COST ESTIMATE FOR THE DETERMINATION OF CLEAN FILL FOR THE FOR THE

BETHLEHEM TOWNSHIP - CHURCH ROAD ROADWAYS IMPROVEMENT PROJECT

Mr. Merhottein said this is a standard proposal to meet state DEP “clean fill” requirements for the scheduled repaving and reconstruction of Church Road. The proposed cost is \$2,500.

Upon motion (Gallagher-Lawrence) the Board of Commissioners voted unanimously to approve an agreement with RESPEC Company, LLC - Scope of Work and Cost Estimate for the determination of clean fill for the for the Bethlehem Township - Church Road Roadways Improvement project.

MOTION

A MOTION NOMINATING AN EMERGENCY MANAGEMENT COORDINATOR AND A DEPUTY EMERGENCY MANAGEMENT COORDINATOR

Upon motion (Merhottein-Deckman) the Board of Commissioners voted unanimously nominating Larry Resar as emergency management coordinator.

Upon motion (Merhottein-Lawrence) the Board of Commissioners voted unanimously nominating Nolan Rampulla as deputy emergency management coordinator.

MOTION

A MOTION AUTHORIZING THAT ANGELA KELLY BE GRANTED A DIRECT ROLLOVER TO AN IRA FROM THE EMPLOYEE DEFINED CONTRIBUTION PLAN

Upon motion (Gallagher-Lawrence) the Board of Commissioners voted unanimously authorizing that Angela Kelly be granted a direct rollover to an IRA from the Employee Defined Contribution Plan.

PURCHASE ORDERS

**PO 20260893 – PALMERI TRANSPORT. INC. – BTCC – \$2,017.80
PO 20260895 – SIGNAL SERVICE, INC. – BTPD – \$2,213.00**

Upon motion (Lawrence-Deckman), the Board of Commissioners voted unanimously by voice vote to approve all the purchase orders as presented.

DISCUSSION ITEM

14TH STREET PARK

Mr. Merhottein said the township received \$15,000 from a county grant to go towards the 14th Street Park project. Mr. Deckman asked how much was in the Recreation Fund. Mr. Kanaskie said there was \$1.2 million. Mr. Gallagher said he wanted to explore alternatives and modify enhancements to reduce the cost. He said he supported moving the project forward. Mr. Merhottein agreed.

By consensus, the board directed staff to convert the unused tennis court into two pickleball courts, additionally scaling back on the fencing or amenities to reduce the overall project cost. The project will be funded by utilizing the \$15,000 grant award, with the remaining balance funded through the township recreation fund.

ADJOURNMENT

There being no further business, Mr. Merhottein adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary