

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING
DECEMBER 5, 2022**

MEMBERS PRESENT John J. Merhottein, President
John K. Gallagher, Vice President
Jan Beatty, Commissioner
Dale A. Sourbeck, Commissioner
Luke A. Verdes, Commissioner

OTHERS PRESENT James Broughal, Township Solicitor
Doug Bruce, Township Manager
Amanda Raudenbush, Planning Director

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

EXECUTIVE SESSION Solicitor Broughal announced that on Monday, December 5, 2022, the Board of Commissioners met in executive session at approximately 6:30 p.m. to 6:55 p.m. to discuss personnel issues pursuant to Section 708a of the Pennsylvania Sunshine Act.

COURTESY OF THE FLOOR

**DAVID BUCHERER
4220 NICHOLAS ST.** Mr. Bucherer said he attended the last Planning Commission meeting but was unable to attend the Zoning Hearing Board meeting. He believes the township is becoming a metropolis: a maximum density transient town. Mr. Bucherer believes a moratorium should be put on new developments. He also believes there is a lack of communication between the Board of Commissioners and other township boards.

**ROY ROTH
4323 CHETWIN TERR.** Mr. Roth commended the construction department for taking care of his concerns about a house under construction without permits, but added it should have never gotten that far. Mr. Roth said the stormwater fee was implemented this year and asked how much work has been done and if there was a plan in place. Mr. Merhottein said they are in the engineering phase right now through 2023. Mr. Gallagher added that the Stormwater Committee gets updates from the stormwater engineer. He said they won't know the exact cost of the repairs until the engineering is done. Mr. Gallagher said he would be willing to sit with Mr. Roth to explain further. Mr. Roth asked how much it cost to run the recycling center. Mr. Bruce said he didn't know.

**TOM KEEFER
3803 CARTER RD.** Mr. Keefer asked the board to figure a way to differentiate the Township of Bethlehem from the City of Bethlehem. He said Kay Builders' commercials refer to the developments in the township as being in Bethlehem, Pennsylvania. Mr. Merhottein said they don't control marketing by developers.

**DON WRIGHT
2815 HOPE RIDGE DR.** Mr. Wright asked if trucks and recreational vehicles were permitted park at Lowes on Southmont. Ms. Raudenbush said notices of violations were sent out to the property owner. Mr. Wright commented that if the Public Works building ever gets developed on Hope Road to keep in mind that there will

be an entrance on the V7 tract and that traffic control would need to be coordinated with the developers.

APPROVAL OF MINUTES Upon motion (Beatty-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the November 21, 2022 regular public meeting as presented.

PUBLIC HEARING **REQUEST OF FLAMING CRAB CAJUN SEAFOOD, C/O TIAN GUIZHANG, FOR AN ECONOMIC DEVELOPMENT LIQUOR LICENSE, FOR THEIR FACILITY LOCATED AT 3296 NAZARETH PIKE, SUITE 12-14, BETHLEHEM, PA 18020 PURSUANT TO THE PENNSYLVANIA LIQUOR CODE 47 P.S. § 1-101, AS AMENDED**

Solicitor Broughal explained that the Economic Development licenses are typically only issued once an applicant can show that he or she has exhausted all other reasonable means of acquiring a liquor license within the county. Because the state map shows no KOZ/EZ areas in the township, it defaults to township approval. According to the Liquor Code, the following is required:

1. The municipality will hold at least one public hearing on the applicant's request for an economic development license
2. The municipality shall, within 45 days of a request for approval, render a decision by ordinance or resolution to approve or disapprove the applicant's request for an economic development license.
3. If the municipality find that the issuance of the license would promote economic development, it may approve the request. The municipality shall refuse the request if it finds that the approval of the request would adversely affect the welfare, health, peace and morals of the municipality or its residents.
4. If the receiving municipality denies the applicant's request for approval of an economic development license, the applicant may appeal the decision of the municipality to the court of common pleas in the county in which the proposed licensed premises is located.

The hearing and testimony were recorded by Mr. Ted Rewak.

The board will render a decision at the December 19, 2022 meeting.

PRESENTATION

**PUBLIC WORKS
MASTER PLAN – MKSD
ARCHITECTS**

Mr. Merhottein said the presentation was postponed until the meeting of January 3, 2023.

**SUBDIVISION & LAND
DEVELOPMENT**

WAIVER REQUEST

**BETHLEHEM AREA VOCATIONAL TECHNICAL SCHOOL –
CONCRETE PAD WAIVER REQUEST**

Ms. Raudenbush said the applicant proposes the installation of a concrete pad for a new exterior walk-in refrigerator/freezer. They are requesting a waiver from the SALDO Section 230-9.D which would allow review and

approval to be handled administratively rather than involving the Planning Commission and the Board of Commissioners for the review and approval processes. Ms. Raudenbush said she had no objections to the request.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve the Bethlehem Area Vocational Technical School – concrete pad waiver request.

MOTIONS OF THE BOARD OF COMMISSIONERS

MOTION

A MOTION ADOPTING A REVISED POLLUTANT REDUCTION PLAN (PRP)

Mr. Bruce said the board had previously voted to advertise the plan, plan was properly advertised, and one public comment was received. The plan was revised to reflect that comment.

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion adopting a revised pollutant reduction plan (PRP).

MOTION

A MOTION AGREEING WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION'S PLAN TO ESTABLISH AN ALL-WAY STOP AT THE INTERSECTION OF BETHMAN AND CHURCH ROADS, AND ADDITIONALLY AGREEING TO INSTALL THE CORRESPONDING TOWNSHIP-OWNED SIGNAGE

Upon motion (Sourbeck-Beatty) the Board of Commissioners voted unanimously by voice vote to approve a motion agreeing with the Pennsylvania Department of Transportation's plan to establish an all-way stop at the intersection of Bethman and Church roads, and additionally agreeing to install the corresponding township-owned signage.

APPROVAL OF PURCHASE ORDERS

PO 20222679 – TRANE USA – PPIS – \$8,452.00

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice to approve Purchase Orders 20222679 as presented.

DISCUSSION ITEM

COMMITTEE APPOINTMENTS

Mr. Gallagher said the late Commissioner Davis served on the Stormwater Committee, the ARCHIE Project, and the Fire Relations Committee. The board needs to appoint someone to fill the vacancies.

Mr. Gallagher nominated Mr. Merhottein to serve on the Fire Relations Committee as he has an established relationship with both fire companies. By consensus, the board appointed Mr. Merhottein to serve on the Fire Relations Committee.

Mr. Gallagher nominated Mr. Verdes to serve on the Stormwater Committee. By consensus, the board appointed Mr. Verdes to serve on the Stormwater Committee.

COMMENT

Mr. Merhottein thanked staff for putting together the Veteran's Day event and Mr. Gallagher for serving as emcee.

ADJOURNMENT

Mr. Sourbeck made a motion to adjourn the meeting at 7:46 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary