

**BOARD OF COMMISSIONERS  
REGULAR PUBLIC MEETING  
FEBRUARY 5, 2024**

**MEMBERS PRESENT** John J. Merhottein, President  
John K. Gallagher, Vice President  
Jan Beatty, Commissioner  
Michael D. Hudak, Commissioner  
DeAnn L. Lawrence, Commissioner

**OTHERS PRESENT** James L. Broughal, Township Solicitor (via Zoom)  
Anthony Giovannini, Township Solicitor  
Doug Bruce, Township Manager  
Amanda L. Jensen, Community Development Director  
Ron Gawlik, Township Engineer

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

**COURTESY OF THE FLOOR**

**REVEREND FRANS J. BERKHOUT**  
**1870 1<sup>ST</sup> STREET** Reverend Berkhout thanked the board for voting no on the 1600 Freemansburg Avenue project.

**ROBERT GAUTHIER**  
**4215 FARMERSVILLE ROAD** Mr. Gauthier said some of the signages and addresses in his area are incorrect and he is concerned that emergency vehicles will not be able to arrive in time. Mr. Merhottein directed Mr. Bruce to speak with Public Works.

**STEVE HUNT**  
**2197 COOK DRIVE** Mr. Hunt thanked the public works department for an excellent job of removing snow. He also said that police have been ticketing those parked on the street in Madison Farms and believes the situation is improved. Mr. Hunt said that the shopping center has plowed the snow, filled with debris and sediment, and dumped it on the northeast corner where the retention pond is located. He asked if the township could get the owner to remove it. Mr. Merhottein directed staff to look into the matter.

**APPROVAL OF MINUTES** At the request of staff, the draft minutes of the January 15, 2024, meeting were pulled from the agenda.

**SUBDIVISIONS & LAND DEVELOPMENT**

**MOTION**

**A MOTION APPROVING A WAIVER REQUEST FROM THE DEVELOPER OF 3806 NAZARETH PIKE (WAWA) TO ALLOW A REVISED FINAL PLAN APPROVAL FOR A MINOR MODIFICATION TO SHEET C301, GRADING AND UTILITY PLAN, TO REMOVE THE FIRE DEPARTMENT CONNECTION (FDC) FROM THE PLAN WITHOUT GOING TO THE PLANNING COMMISSION AS REQUIRED BY SECTION 230-9**

Ms. Jensen explained that the fire code does not require the installation of a sprinkler system but the sprinkler was included in the plan that was approved. The developer would like to remove that from the plan and it would normally require them to go before the Planning Commission. Terry DeGroot, Terraform Engineering, representing the developer, said it was a minor revision. Mr. Hudak said he understood that the extra step in going before the Planning Commission would not be necessary. Mr. Gallagher agreed that it should not be in the plan if there isn't such a requirement. Solicitor Broughal informed the board that they are only approving the waiver process. It would still need to be vetted by the township professionals and come before the board for an approval.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve the waiver request only from the developer of 3806 Nazareth Pike (Wawa) to allow a revised final plan approval for a minor modification to Sheet C301, Grading and Utility Plan, to remove the Fire Department Connection (FDC) from the plan without going to the Planning Commission as required by section 230-9.

**RESOLUTIONS OF  
THE BOARD OF  
COMMISSIONERS**

**RESOLUTION R020-24 A RESOLUTION AMENDING THE 2017 COMPREHENSIVE PLAN OF BETHLEHEM TOWNSHIP, ADDING A NEW SUBSECTION, "BETHLEHEM TOWNSHIP ACTIVE TRANSPORTATION PLAN," TO SECTION 6, TRANSPORTATION, CIRCULATION, AND TRAFFIC, WHEREBY ADOPTING SAID BETHLEHEM TOWNSHIP ACTIVE TRANSPORTATION PLAN FOR THE BENEFIT OF THE TOWNSHIP OF BETHLEHEM**

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R020-24 amending the 2017 Comprehensive Plan of Bethlehem Township, adding a new subsection, "Bethlehem Township Active Transportation Plan," to Section 6, Transportation, Circulation, and Traffic, whereby adopting said Bethlehem Township Active Transportation Plan for the benefit of the Township of Bethlehem.

**ROBERT GAUTHIER  
4215 FARMERSVILLE  
ROAD**

Mr. Gauthier asked if the comprehensive plan amendment would affect sidewalk requirements. Ms. Jensen said it would not.

**RESOLUTION R021-24 A RESOLUTION AUTHORIZING THE ATTENDANCE OF INVESTIGATOR PATRICK BREHM AT THE AMERICAN ASSOCIATION OF POLICE POLYGRAPHERS ANNUAL SEMINAR MARCH 18-22, 2024, IN CHEROKEE, NORTH CAROLINA**

Upon motion (Lawrence-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R024-24 authorizing the attendance of Investigator Patrick Brehm at the American Association of Police Polygraphers annual seminar

March 18-22, 2024, in Cherokee, North Carolina.

**RESOLUTION R015-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL**

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to untable Resolution R015-24.

Mr. Merhottein asked for nominations. Mr. Hudak nominated Colleen Lidon.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R015-24 appointing Colleen Lidon to the Bethlehem Township Environmental Advisory Council.

**RESOLUTION R016-24 A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL**

Mr. Merhottein asked for nominations. Mr. Hudak said he would like more time to find a more suitable candidate and made a motion to table Resolution R016-24. The motion was not seconded and failed. Mr. Gallagher nominated Eric Rich.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to untable Resolution R016-24.

Upon motion (Gallagher-Hudak), the Board of Commissioners voted 4-1 by voice vote to approve Resolution R016-24 appointing Eric Rich to the Bethlehem Township Environmental Advisory Council. Mr. Hudak opposed.

**RESOLUTION R022-24 A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PUBLIC RECORDS PURSUANT TO THE SCHEDULES AND PROCEDURES APPROVED BY THE LOCAL GOVERNMENT RECORDS COMMITTEE IN ACCORDANCE WITH THE PENNSYLVANIA MUNICIPAL RECORDS ACT**

Mr. Hudak asked that staff send someone to make sure all the records are destroyed properly. Mr. Bruce said the City of Bethlehem no longer provides this service. He said a commercial shredder will be utilized. Mr. Gallagher asked if they went through the vendor process. Mr. Bruce said they don't meet the bidding threshold to do that.

**STEVE HUNT  
2197 COOK DRIVE**

Mr. Hunt asked if it was appropriate to destroy civil service files. Mr. Bruce said the township follows the state schedule and rules for record keeping and destroying.

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R022-24 authorizing the disposition of certain municipal public records pursuant to the schedules and procedures approved by the Local Government Records Committee in accordance with the Pennsylvania Municipal Records Act.

**MOTION OF THE  
BOARD OF  
COMMISSIONERS**

**MOTION**

**A MOTION APPROVING AND AUTHORIZING A FUNDING**

**COMMITMENT LETTER TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY FOR THE FIRST PHASE OF THE EASTON AVENUE FLOOD MITIGATION PROJECT**

Upon motion (Gallagher-Lawrence), the Board of Commissioners voted unanimously by voice vote to approve and authorize a funding commitment letter to the Federal Emergency Management Agency and the Pennsylvania Emergency Management Agency for the first phase of the Easton Avenue flood mitigation project.

**MOTION**

**A MOTION APPROVING CHANGE ORDER #2, IN THE AMOUNT OF \$13,000, FOR THE HECKTOWN ROAD AND OAKLAND ROAD PEDESTRIAN CROSSING IMPROVEMENT PROJECT**

Upon motion (Lawrence-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Change Order #2, in the amount of \$13,000, for the Hecktown Road and Oakland Road pedestrian crossing improvement project.

**APPROVAL OF PURCHASE ORDERS**

**PO 20240199 – ARCHIE PROJECT – FINANCE – \$8,000.00**  
**PO 20240200 – BT ATHLETIC ASSOCIATION – FINANCE – \$45,000.00**  
**PO 20240201 – FBT ATHLETIC ASSOC. – FINANCE – \$53,000.00**  
**PO 20240202 – MIRACLE LEAGUE OF NC – FINANCE – \$5,000.00**  
**PO 20240203 – BT VOLUNTEER FIRE CO. – FINANCE – \$395,950.00**  
**PO 20240204 – NANCY RUN FIRE COMPANY – FINANCE – \$166,235.00**  
**PO 20240205 – POWERTON GENERATORS – FINANCE (NRFC) – \$84,394.00**  
**PO 20240208 – SILVER BIRCHES – BTCC – \$2,430.00**  
**PO 20240210 – HI-TECH SECURITY ALARMS – PPIS – \$22,500.00**  
**PO 20240213 – VORTEX INTERNATIONAL – BTCC – \$27,093.20**  
**PO 20240223 – TRIUS – PW – \$2,422.44**  
**PO 20240268 – BRIGHTLY SOFTWARE – PPIS/CD – \$57,845.56**  
**PO 20240270 – GROFF TRACTOR & EQUIPMENT – PW – \$98,927.27**  
**PO 20240271 – AMCHAR WHOLESALE – BTPD – \$3,068.45**  
**PO 20240272 – CITY OF ALLENTOWN – BTPD – \$30,000.00**  
**PO 20240273 – AXON ENTERPRISES – BTPD – 3,368.00**  
**PO 20240274 – INDUSTRIAL COMMUNICATIONS – BTPD – \$8,868.01**  
**PO 20240275 – ELITE VEHICLE SOLUTIONS – BTPD – 15,160.33**

Mr. Hudak said he spoke with the solicitor, who believes it is appropriate to use the money in the recreation fund to pay for purchase order 20240199. Solicitor Giovannini said the money in recreation fund can be utilized since the mansion is contained within the township park.

**BARRY ROTH  
4323 CHETWIN TERR.**

Mr. Roth asked if the \$53,000 going to the Freemansburg-Bethlehem Township Athletic Association is be repaid. Mr. Merhottein said it is a donation. Mr. Roth suggested the organization charge rent for the vehicles parked on their property to offset costs.

Upon motion (Hudak-Beatty), the Board of Commissioners voted unanimously by voice vote to pay purchase order 20240199 related to the ARCHIE Project from the Recreation Fund.

Upon motion (Hudak- Beatty), the Board of Commissioners voted unanimously by voice vote to approve all the purchases orders as presented.

## **DISCUSSION ITEMS**

**POTENTIAL ZONING ORDINANCE CHANGE – PAPER ALLEYS** Mr. Hudak asked for this discussion item to be pulled from the agenda as he needed to do a bit more research on the matter.

### **FIRE COMPANY APPARATUS REPLACEMENT SCHEDULE**

Mr. Bruce said: “As of the beginning of last year, the firetruck replacement schedule included a new truck for Nancy Run Fire Company (NRFC) in 2024 and new trucks for both NRFC and Bethlehem Township Volunteer Fire Company (BTVFC) in 2028. Early in 2023, both fire companies said they would need to order the 2028 firetrucks by 2026, due to the deteriorating condition and high maintenance costs of their current trucks. Additionally, with BOC support, NRFC’s 2024 purchase was made in the fall of 2023 with a 1,000-day delivery schedule and a cost of \$1.1 million. The township paid 50 percent of purchase cost up front (qualifying for a \$40,000 discount) from the fire tax fund.”

“This year both fire companies have asked if they could also make early purchases of the firetrucks now scheduled to be purchased in 2026 – again due to the condition and maintenance costs of the current trucks, but biw also because of the long build and delivery times (between two and three years) for new trucks. NRFC is asking the board for a decision now on early purchase of the 2026 truck, so the company can piggyback off its current purchase with the same vendor. And at last week’s fire relations committee meeting, BTVFC asked for an expedited purchase of its 2026 truck and said it could be ready to purchase that vehicle by the third quarter of this year. Purchase prices for each new truck are estimated at \$1.2 million.”

“The fire tax fund (based on the annual fire tax of 0.15 mills) currently has a balance \$221,000, with annual revenues of \$159,000 expected this year. Obviously, this is not enough to cover the cost of nearly \$3 million in firetruck purchases over the next three years (\$550,000 due upon delivery of NRFC’s 2023 purchase and \$2.4 million in combined costs if the two new trucks are purchased this year).”

“If the board chooses to move forward with accelerated purchase of the two new trucks, Andy Freda and I would recommend paying the costs from cash reserves in the general fund, as opposed to borrowing the money. At the end of 2023, the general fund balance was nearly \$7.5 million, including a \$1.1 million operating surplus for 2023 alone. Additionally, as you may recall from the budget hearings in October and November, we expect the township’s general fund debt service to decrease substantially over the next few years as we retire old debt (and assuming we avoid new general fund borrowing). Logistically, we would have to annually move fire tax revenues into the general fund to pay back the purchase costs.”

Dave Stapinski of BTVFC said that due to the time it takes to spec out, sign the contract, and build the fire truck, the fire companies need to start the process now to save money. The longer they wait, the more money it will cost, he said.

Mr. Bruce said that the Nancy Run Fire Company needs an answer tonight if they are to move forward with their expedited purchase. Mr. Hudak said he supports the fire companies and would like to see the options for cost savings, optimized.

**GLENN KRIER**  
**3942 KENRICK DR.**

Mr. Krier asked if the township gets anything for the old trucks. Mr. Merhottein said they are posted on Municibid and sadly get hardly any money for them.

By consensus, the Board of Commissioners approved moving the purchase of two firetrucks (one each for Nancy Run Fire Company and Bethlehem Township Volunteer Fire Company) from 2026 to 2024 using general fund cash reserves. The board directed staff to optimize payment schedule regarding discounts and interest considerations. Ms. Beatty was absent during the discussion item.

**ADJOURNMENT**

There being no other business, Mr. Hudak adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Laura G. Zapata  
Recording Secretary