

**BOARD OF COMMISSIONERS  
REGULAR PUBLIC MEETING  
MARCH 7, 2022**

**MEMBERS PRESENT**

John J. Merhottein, President  
Malissa K. Davis, Vice President  
Jan Beatty, Commissioner  
John K. Gallagher, Commissioner  
Dale A. Sourbeck, Commissioner

**OTHERS PRESENT**

James L. Broughal, Township Solicitor  
Doug Bruce, Township Manager  
Amanda Raudenbush, Planning Director  
Anthony Tallarida, Township Engineer  
Steve Hunsberger, PPIS Director

**CALL TO ORDER**

President Merhottein called the meeting to order at 7:00 p.m., and led those in attendance in reciting 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 (Davis-Gallagher), the Board of Commissioners voted unanimously by voice vote to add the Fire Police oath to the agenda.

**FIRE POLICE OATH**

Mr. Merhottein administered the oath to Lester Walter as member of the Special Fire Police for Bethlehem Township.

**COURTESY OF THE  
FLOOR**

**TOM KEEFER  
3808 CARTER RD.**

Mr. Keefer asked the board, as the representatives of the people, to consider them when they vote on agenda items.

**KEN KISTY  
4670 PHEASANT RUN CT.**

Mr. Kisty said the split rail fence that leads to the park needs to be repaired. He said that perhaps it could be replaced with shrubs. Mr. Merhottein said he will relay the message to public works.

**APPROVAL OF MINUTES**

Upon motion (Sourbeck-Beatty), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the February 21, 2022 regular public meeting.

**SUBDIVISIONS & LAND  
DEVELOPMENT**

**MOTION**

**A MOTION GRANTING CONDITIONAL USE OF GARDEN APARTMENTS TO THIRTY22 GARDEN APARTMENTS (3022 EASTON AVENUE), CONDITIONED ON THE APPLICANT COMPLYING WITH ALL OTHER APPLICABLE SECTIONS OF TOWNSHIP ORDINANCES AND WITH ALL OUTSTANDING ISSUES AS LISTED IN THE TOWNSHIP ENGINEER'S REVIEW LETTER DATED JANUARY 20, 2022**

Solicitor Broughal explained that there was a conditional use hearing on February 21, 2022 where testimony was given and the public had an opportunity to speak. He said the board must now vote on the matter. Ms. Davis asked Ms.

Raudenbush to read the conditions for the benefit of the public. Ms. Raudenbush reminded the board that they are only voting on the conditional use.

Upon motion (Davis-Gallagher), the Board of Commissioners voted by voice vote to approve a motion granting conditional use of garden apartments to Thirty22 Garden Apartments (3022 Easton Avenue), conditioned on the applicant complying with all other applicable sections of township ordinances and with all outstanding issues as listed in the township engineer's review letter dated January 20, 2022. The motion passed 4 to 1. Mr. Sourbeck opposed.

**RESOLUTION R032-22**

**A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL LAND DEVELOPMENT PLAN APPROVAL OF THIRTY22 PLACE**

Ms. Raudenbush said the plan proposes 220-unit Garden Apartment Complex at the former Bethlehem Drive-In in the Commercial Enhancement Overlay District. The Planning Commission recommended approval of the Conditional Use at their meeting on July 26, 2021. Ms. Raudenbush said the applicant received a permanent easement. Mr. Tallarida said the plan shown has not been updated but will need to be revised before they can be recorded. Ms. Raudenbush read the six waivers requested:

1. §218-28.B(5) – Waiver from the requirement for the edge of a detention basin grading to be within the subject property (the applicant has obtained a 50-foot wide easement from the adjacent property to provide space to complete the proposed basin grading)
2. §218-28.C – Waiver of the maximum allowable inside slope (4:1) for a detention basin. A basin inside slope of 3:1 is proposed.
3. §230-30.C(6) – Waiver to sign and seal a Plan Preparer's Statement on each sheet
4. §230-30.B(3) – Waiver of 1"=100' scale Key Maps; 1"=200' scale Key Maps are provided
5. §230-29.A – Waiver to allow a Preliminary/Final Plan review/approval process in lieu of separate Preliminary and Final Plan approval processes
6. §230-30.E(10) – Waiver from the requirement to provide the approximate locations of the following within 200 feet of the boundaries of the site: existing and proposed streets, buildings, detention basins, common open spaces, lots, drainage channels

Ms. Davis asked if they had elevation drawings. Keith Lawler, Keystone Engineers, representing the developer, said they haven't any detail for the building. Mr. Gallagher said he was surprised. Mr. Ronca said he will provide the board with something.

**DANA SNYDER  
WILSON AVENUE**

Ms. Snyder said the new apartments will bring more traffic on a road with heavy traffic and asked if they have plans to mitigate traffic. Ms. Raudenbush said it is a PennDOT road and the developer is working with them. Mr. Tallarida said a traffic study was done and found that the plan doesn't produce a lot of traffic. He said PennDOT also did an analysis. There are plans to stripe the road for a right-in lane going northbound. Mr. Sourbeck said he watched the traffic on Easton Avenue, near the pet store, and said it was a nightmare. He asked how many vehicles are allowed to park. Mr. Lawler said there are 450 parking spaces.

**LINDA SHANNON**  
**2615 WILLOW PARK RD**

Ms. Shannon said she too is concerned with the amount of new traffic this development will bring. Mr. Merhottein said it is a PennDOT road and the board is unable to make any modifications.

**DAVID WONG**  
**4108 GINGER LN**

Mr. Wong asked how does this plan impact stormwater and how will the newly created stormwater fee be applied. Mr. Lawler said there is a detention basin onsite. They also have to get approval from the Lehigh Valley Planning Commission and meet all the regulations and criteria in order to get an NPDES permit. Mr. Tallarida agreed and said he is still reviewing the application.

**TOM KEEFER**  
**3808 CARTER RD.**

Mr. Keefer believes that the traffic study is incorrect and traffic will increase significantly.

Solicitor Broughal said that according to the Municipal Planning Code, the board must state chapter and verse that the developer failed to meet in order to deny the plan. He said the board cannot deny it because they don't like it. If it is denied without the proper reason, the court can deem them approved without any conditions. Mr. Merhottein added that the Municipal Planning Code (MPC) is regulated by the state. Ms. Beatty asked what NPDES stood for. Mr. Lawler said National Pollutant Discharge Elimination System.

Upon motion (Davis-Beatty), the Board of Commissioners voted by voice vote to approve Resolution R032-22 granting conditional preliminary/final land development plan approval of Thirty22 Place. The motion passed 3-1-1. Mr. Sourbeck opposed. Mr. Gallagher abstained.

**RESOLUTION R033-22**

**A RESOLUTION GRANTING SITE PLAN APPROVAL OF 2685 OPUS WAY**

Upon motion (Sourbeck-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R033-22 granting site plan approval of 2685 Opus Way.

**RESOLUTION R034-22**

**A RESOLUTION AMENDING THE BETHLEHEM TOWNSHIP FEE SCHEDULE FOR: APPLICATIONS, PERMITS, INSPECTIONS, APPEALS, AND OTHER ACTIVITIES REQUIRED BY LAW AND/OR ORDINANCE OF THE BETHLEHEM TOWNSHIP PLANNING, ZONING, AND CONSTRUCTION DEPARTMENT**

Ms. Raudenbush said the fee schedule hasn't been updated in a few years. Ms. Davis asked what the cost per improvement is based on. Ms. Raudenbush said it is based on average size of house as a fairer way to assess. Mr. Sourbeck thanked Ms. Raudenbush for putting the updated fee schedule together.

**STEVE KRENTLER**  
**1315 FARMERSVILLE RD.**

Mr. Krentler asked for clarification on the inspection fees and what work on the home requires an inspection.

Upon motion (Gallagher-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R034-22 amending the Bethlehem Township fee schedule for: applications, permits, inspections, appeals, and other activities required by law and/or ordinance of the Bethlehem Township planning, zoning, and construction department.

**RESOLUTIONS OF THE  
BOARD OF  
COMMISSINERS**

**RESOLUTION R026-22**

**A RESOLUTION APPOINTING A POLICE OFFICER TO THE  
BETHLEHEM TOWNSHIP POLICE**

Upon motion (Beatty-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R026-22 appointing Jacob Farrell to the Bethlehem Township Police Department.

**RESOLUTION R027-22**

**A RESOLUTION APPOINTING A POLICE OFFICER TO THE  
BETHLEHEM TOWNSHIP POLICE**

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R027-22 appointing Amanda Stonehouse to the Bethlehem Township Police Department.

**RESOLUTION R028-22**

**A RESOLUTION APPOINTING A POLICE OFFICER TO THE  
BETHLEHEM TOWNSHIP POLICE**

Upon motion (Davis-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R028-22 appointing Ryan Bevan to the Bethlehem Township Police Department.

**RESOLUTION R029-22**

**A RESOLUTION AUTHORIZING A LOCAL SHARE ASSESSMENT  
(STATEWIDE) GRANT APPLICATION TO THE COMMONWEALTH  
FINANCING AUTHORITY**

Mr. Bruce said he proposes applying for a grant to cover the cost of a new ambulance for the Bethlehem Township Volunteer Fire Company. This is a budgeted item.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R029-22 authorizing a Local Share Assessment (Statewide) grant application to the Commonwealth Financing Authority.

**RESOLUTION R030-22**

**A RESOLUTION AUTHORIZING A REDUCTION IN THE  
CONTRIBUTIONS TO THE BETHLEHEM TOWNSHIP POLICE  
PENSION FUND BY PLAN PARTICIPANTS FOR THE 2021, 2022, 2023,  
2024, 2025, AND 2026 CALENDAR YEARS**

Mr. Bruce said that the police contribute 4% into their pension fund. For auditing purposes, anything under 5% has to be reported. Mr. Bruce said this is a financial housekeeping item.

Upon motion (Davis-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R030-22 authorizing a reduction in the contributions to the Bethlehem Township Police Pension Fund by plan participants for the 2021, 2022, 2023, 2024, 2025, and 2026 calendar years.

**RESOLUTION R031-22**

**A RESOLUTION AWARDING THE CONTRACT FOR THE BETHLEHEM TOWNSHIP COMMUNITY CENTER IMPROVEMENT PROJECT**

Upon motion (Beatty-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve Resolution R031-22 awarding the contract for the Bethlehem Township Community Center Improvement Project to Budget Renovation & Roofing Inc. for \$428,279.00.

**RESOLUTION R035-22**

**A RESOLUTION AUTHORIZING CORPORAL JEREMY ANDERSON AND INVESTIGATOR EDWARD FOX TO ATTEND THE PENNSYLVANIA NARCOTICS OFFICERS' ASSOCIATION ANNUAL TRAINING CONFERENCE MARCH 30-APRIL 1, 2022, IN HARRISBURG, PENNSYLVANIA**

Upon motion (Sourbeck-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R035-22 authorizing Corporal Jeremy Anderson and Investigator Edward Fox to attend the Pennsylvania Narcotics Officers' Association annual training conference March 30-April 1, 2022, in Harrisburg, Pennsylvania.

**RESOLUTION R036-22**

**A RESOLUTION AUTHORIZING CORPORAL KIRK HARRYN TO ATTEND THE PENNSYLVANIA LAW ENFORCEMENT ACCREDITATION ANNUAL TRAINING CONFERENCE MARCH 21-23, 2022, IN HARRISBURG, PENNSYLVANIA**

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve Resolution R036-22 authorizing Corporal Kirk Harryn to attend the Pennsylvania Law Enforcement Accreditation annual training conference march 21-23, 2022, in Harrisburg, Pennsylvania.

**MOTIONS OF THE BOARD OF COMMISSIONERS**

**MOTION**

**A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES FOR BETHLEHEM TOWNSHIP TO BECOME AN ACTIVE VENDOR WITH THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM (LIHWAP) IN PENNSYLVANIA**

Mr. Hunsberger said the Low-Income Household Water Assistance Program (LIHWAP) is a temporary emergency program to help low-income families pay overdue water bills. Mr. Sourbeck asked if there were residents that were behind on their water bill. Mr. Bruce said the Pennsylvania Department of Human Services asked the township to participate. Mr. Gallagher said the residents need to know that this program is available. Mr. Hunsberger said it could be added to the website. The information on it is very detailed. Mr. Merhottein said the information could be added with the bill for those that do not have internet.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with the Pennsylvania Department of Human Services for Bethlehem Township to become an active vendor with the Low-Income Household Water Assistance Program (LIHWAP) in Pennsylvania.

**A MOTION APPROVING THE STORMWATER CAPITAL IMPROVEMENT PLAN PREPARED BY HERBERT, ROWLAND & GRUBICK INC., TOWNSHIP STORMWATER ENGINEER**

Mr. Hulshizer said the plan provides a priority ranking and a path forward to proceed with engineering, design, financing and construction of the necessary improvements to address known areas of flooding.

**DAVID WONG  
4108 GINGER LN**

Mr. Wong thanked the board and said this is a very good step forward.

Upon motion (Gallagher-Davis), the Board of Commissioners voted unanimously by voice vote to approve a motion approving the Stormwater Capital Improvement Plan prepared by Herbert, Rowland & Grubick Inc., township stormwater engineer.

**MOTION**

**A MOTION AUTHORIZING THE ADVERTISEMENT OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 50, ENTITLED BETHLEHEM TOWNSHIP TEAMSTERS EMPLOYEES PENSION PLAN (THE "PLAN") IN ORDER TO CHANGE THE PENSION BENEFIT FORMULA UNDER THE PLAN**

Upon motion (Sourbeck-Beatty), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the advertisement of an ordinance amending the Code of Ordinances, Chapter 50, entitled Bethlehem Township Teamsters Employees' Pension Plan (the "Plan") in order to change the pension benefit formula under the Plan.

**MOTION**

**A MOTION IN SUPPORT OF A LOCAL SHARE ASSESSMENT (STATEWIDE) GRANT APPLICATION TO THE COMMONWEALTH FINANCING AUTHORITY BY THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY**

Mr. Bruce said this is the same grant program the township will apply to for the ambulance. The stormwater engineer is applying for a grant on behalf of the Bethlehem Township Municipal Authority for \$1 million for the Easton Avenue Flood Mitigation Project. He recommended that the board support the Municipal Authority. Mr. Merhottein said he would rather apply for a police car. Ms. Davis said this is a motion in support of an application. Mr. Gallagher said if they were awarded this grant, less money would come out of the sewer fund which leaves money to do more. Mr. Merhottein said this could possibly affect the application for the ambulance. Mr. Bruce said this a new program, so it is difficult to assess how the grants will be made. The range of grants awarded is \$25,000 to \$1 million and there is \$140 million to give away.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion in support of a Local Share Assessment (Statewide) grant application to the Commonwealth Financing Authority by the Bethlehem Township Municipal Authority

**MOTION**

**A MOTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT BETWEEN BETHLEHEM TOWNSHIP AND STEVEN J. INC. REGARDING ZONING AND ORDINANCE CONFORMITY AT 4011 WILSON AVENUE**

Solicitor Broughal said once the agreement is signed, it is subject to Right To Know.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing and approving a settlement agreement between Bethlehem Township and Steven J. Inc. regarding zoning and ordinance conformity at 4011 Wilson Avenue.

## **MOTION**

### **A MOTION APPROVING AN AGREEMENT BETWEEN TEAMSTER LOCAL 773 AND BETHLEHEM TOWNSHIP FOR THE YEARS 2022-2026**

Mr. Bruce said in the new contract, a 3.3% average annual wage increase was negotiated as well as the removal of two union positions.

Upon motion (Beatty-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion approving an agreement between Teamster Local 773 and Bethlehem Township for the years 2022-2026.

## **APPROVAL OF PURCHASE ORDERS**

**PO 20220426 – STOTZ & FATZINGER OFFICE – CD – \$3,689.33**  
**PO 20220448 – ENTECH ENGINEERING – PPIS – \$10,000.00**  
**PO 20220450 – NANCY RUN FIRE COMPANY – FINANCE – \$174,200.00**  
**PO 20220451 – BT VOLUNTEER FIRE CO. – FINANCE – \$327,300.00**  
**PO 20220452 – MIRACLE LEAGUE – FINANCE – \$5,000.00**  
**PO 20220453 – FBTA – FINANCE – \$36,000.00**  
**PO 20220454 – BTAA – FINANCE – \$40,000.00**  
**PO 20220455 – AXON ENTERPRISES – BTPD – \$8,112.00**  
**PO 20220457 – JOHN DEERE SHARED SERVICES – PW – \$5,822.00**  
**PO 20220467 – BERKHEIMER ASSOCIATES – FINANCE – \$40,676.19**  
**PO 20220473 – DBM CONSULTING – BTPD – \$5,050.00**

## **ROY ROTH 4323 CHETWIN TERR.**

Mr. Roth said he would like to see definitions for clarification. Mr. Sourbeck said the information is on the website. Mr. Bruce said the agenda and all supporting documentation is on the lobby board in the municipal building. He also provided Mr. Roth with his direct phone number.

Upon motion (Sourbeck-Beatty), the Board of Commissioners unanimously voted by voice to approve Purchase Orders 20220426, 20220448, 20220450, 20220451, 20220452, 20220453, 20220454, 20220455, 20220457, 20220467, and 20220473 as presented.

## **DISCUSSION ITEMS**

### **HOUSENICK MANSION STATUS**

Ms. Davis said Janet Johnston Housenick willed the estate to the township in 2010. The first two phases of the park trails improvement have been completed and phase three is scheduled this year. Ms. Davis said Mr. Johnson was a Lehigh University graduate and the first mayor of the City of Bethlehem. She said the history is quite interesting. Ms. Davis said in order to apply for grants to rehabilitate the mansion, the use needs to be determined. SCFArchitecture, LLC prepared a report and analysis on the potential uses. The ARCHIE Foundation hosted a tour last fall and over 500 people showed up just to see the first floor of the building. As part of the tour, they distributed a questionnaire to see what the public would like the uses to be. Ms. Davis said she hopes to have the first floor at least completely up to code in order and apply for funding.

Mr. Gallagher thanked Ms. Davis for the report. He believes short term goals would enable them to move forward sooner rather than waiting for funding for

the bigger projects. Mr. Gallagher said he and Ms. Davis will put something together for the board for the next meeting.

**ADJOURNMENT**

There being no other business, upon motion (Sourbeck-Davis), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 8:39 p.m.

Respectfully submitted,

Laura G. Zapata  
Recording Secretary