

**REGULAR PUBLIC MEETING
MARCH 15, 2010**

- MEMBERS PRESENT** Arthur Murphy, President
Paul Weiss, Vice President
Jerry Batcha, Commissioner
Michael Hudak, Commissioner
Thomas Nolan, Commissioner
- OTHERS PRESENT** James Broughal, Township Solicitor
Jon Hammer, Township Manager
Doug Bruce, Assistant Township Manager
Howard Kutzler, Director of Planning & Economic Development
Brian Dillman, The Pidcock Company – Township Engineer
Joseph Piperato, Special Counsel
- CALL TO ORDER** President Murphy called the meeting to order at 7:00 p.m. and led those in attendance in reciting the Pledge of Allegiance to the Flag.
- COURTESY OF THE FLOOR** There were no comments or questions from those in attendance during Courtesy of the Floor.
- APPROVAL OF MINUTES** Upon motion (Nolan-Weiss), the Board of Commissioners unanimously voted by voice vote to approve the minutes of the March 1, 2010 regular public meeting as presented.
- RESOLUTION R030-10** **A RESOLUTION GRANTING CONDITIONAL PRELIMINARY PLAN APPROVAL OF THE SKYVIEW LLC 3200 EMRICK BOULEVARD SUBDIVISION (LVIP VI, LOT 25)**
- Mr. Kutzler explained that this plan provides for the subdivision of Lot 25 in LVIP VI into two lots. Lot 1 will contain the existing Outback Steakhouse, with no development proposed for Lot 2. The lots will share an access drive.
- Upon motion (Batcha-Weiss), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R030-10 as presented, granting conditional preliminary plan approval of the Skyview LLC 3200 Emrick Boulevard Subdivision.
- RESOLUTION R031-10** **A RESOLUTION GRANTING CONDITIONAL FINAL APPROVAL OF THE CENTRAL MORAVIAN CHURCH SUBDIVISION NAZARETH PIKE AND OAKLAND ROAD BOUNDARY LINE ADJUSTMENT PLAN**
- Mr. Kutzler explained that Central Moravian Church is proposing a boundary line adjustment to transfer acreage between their property and property owned by the Leckonbys with no proposed development at this time. Mr. Nolan questioned whether there would still be sufficient room to extend Oakland Road and allow for another access to the Housenick property. Mr. Kutzler responded that this plan does not preclude that and in fact makes it a bit easier to accomplish that goal.
- Upon motion (Hudak-Nolan), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R031-10 as presented, granting conditional final approval of the Central Moravian Church Subdivision Nazareth Pike and Oakland Road Boundary Line Adjustment Plan.

RESOLUTION R025-10

A RESOLUTION AUTHORIZING PREPARATION AND SUBMISSION OF A DECLARATION OF TAKING AND RELATED DOCUMENTATION FOR THE CONDEMNATION OF LAND FOR ROADWAY IMPROVEMENTS TO FREEMANSBURG AVENUE (S.R. 2018)

Attorney Piperato explained that the Township will use its eminent domain power to condemn certain land along Freemansburg Avenue for roadway improvements pertaining to the Birchwood Commons Development.

Upon motion (Weiss-Hudak), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R025-10 as presented, authorizing preparation and submission of a Declaration of Taking and related documentation for the condemnation of land for roadway improvements to Freemansburg Avenue.

RESOLUTION R026-10

A RESOLUTION AWARDED THE CONTRACT FOR THE COLD-IN-PLACE ASPHALT RECYCLING PROJECT TO E.J. BRENEMAN INC.

Mr. Weiss questioned how the bid price fits in with the budget. Mr. Hammer responded that the recycling project is paid through Liquid Fuel funds and should be within budget.

Upon motion (Batcha-Nolan), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R026-10 as presented, awarding the contract for the cold in-place asphalt recycling project to E.J. Breneman, Inc. at a cost of \$272,333.10.

RESOLUTION R027-10

A RESOLUTION AWARDED THE CONTRACT FOR THE VEGETATION MANAGEMENT PROJECT TO MOYER INDOOR OUTDOOR

Upon motion (Weiss-Batcha), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R027-10 as presented, awarding a 3-year contract for vegetation management to Moyer Indoor Outdoor for a total cost of \$8,980.20.

RESOLUTION R028-10

A RESOLUTION APPOINTING A SERGEANT IN THE BETHLEHEM TOWNSHIP POLICE DEPARTMENT

Upon motion (Weiss-Nolan), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R028-10 as presented, appointing Daryl LaPointe as Sergeant in the Bethlehem Township Police Department.

RESOLUTION R029-10

A RESOLUTION APPOINTING A CORPORAL IN THE BETHLEHEM TOWNSHIP POLICE DEPARTMENT

Upon motion (Hudak-Weiss), the Board of Commissioners unanimously voted by voice vote to adopt Resolution R029-10 appointing Mark Conway as Corporal in the Bethlehem Township Police Department.

MOTION

A MOTION AUTHORIZING A TIME EXTENSION TO RECORD THE “WILLOW PARK SELF STORAGE LAND DEVELOPMENT FINAL PLAN” AT THE NORTHAMPTON COUNTY RECORDER OF DEEDS OFFICE NO LATER THAN FEBRUARY 21, 2011

Mr. Kutzler stated that a letter has been received from the applicant’s attorney requesting a time extension until February 21, 2011 to record the Willow Park Self Storage Land Development Final Plan at Northampton County Courthouse.

Upon motion (Weiss- Hudak), the Board of Commissioners unanimously voted by voice vote to authorize a time extension to record the Willow Park Self Storage Land Development Final Plan at the Northampton County Recorder of Deeds Office no later than February 21, 2011.

MOTION

A MOTION ACCEPTING THE RESIGNATION OF TREASURER ROBERT BIRK

Upon motion (Nolan-Weiss), the Board of Commissioners unanimously voted by voice vote to accept the resignation of Treasurer Robert Birk.

RESOLUTION R032-10

A RESOLUTION APPOINTING A RESIDENT OF THE TOWNSHIP OF BETHLEHEM TO FILL THE VACANCY OF THE OFFICE OF TOWNSHIP TREASURER

Upon motion (Nolan-Batcha), the Board of Commissioners unanimously voted by roll call vote to appoint Thomas G. Rutherford as Township Treasurer.

Solicitor Broughal stated that Mr. Rutherford would serve as Treasurer until the January reorganizational meeting of 2012; however the residents would vote for a new treasurer in the municipal elections in November 2011.

PURCHASE ORDER APPROVAL

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

APPROVAL OF BILL AGENDA

Upon motion (Batcha-Weiss), the Board of Commissioners unanimously voted by voice vote to approve the bill agenda of March 12, 2010 as presented.

APPROVAL OF TREASURER'S REPORT

Upon motion (Weiss-Nolan), the Board of Commissioners unanimously voted by voice vote to approve the Treasurer's Report as of February 28, 2010, subject to audit.

ACCEPTANCE OF MONTHLY REPORTS

Mr. Murphy noted monthly reports from the Finance Department, Police Department, Community Center, Public Works and Planning Department.

Mr. Kutzler noted a typographical error on page 2 of his report regarding "New Home Sprinkler Requirements" and stated that as of December 31, 2009 all new attached housing is to be fully sprinklered. Mr. Kutzler also noted that as of January 1, 2011 all new single homes will need to be sprinklered. Mr. Kutzler indicated that his department has already spoken to local builders regarding these requirements and they are not happy. Solicitor Broughal added that the Builders Association filed an injunction regarding the requirement and the courts denied the injunction, the law stands.

Mr. Weiss questioned who would review the plans for the Township. Mr. Kutzler responded that Dennis Smith just completed a two-day seminar on the new residential sprinkler requirements and he will be reviewing the plans with the help of Fire Code Official Steve Gallagher.

Mr. Broughal stated that there are a number of bills before the State House of Representatives to change the requirements but he does not know the status of those bills. Mr. Kutzler emphasized that this requirement is state law, not a Township requirement.

ADJOURNMENT

There being no other business, upon motion (Weiss-Nolan), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Judy Todaro
Recording Secretary