

**REGULAR PUBLIC MEETING
JUNE 21, 2010**

MEMBERS PRESENT

Arthur Murphy, President
Paul Weiss, Vice President
Jerry Batcha, Commissioner
Michael Hudak, Commissioner
Thomas Nolan, Commissioner

OTHERS PRESENT

Jon Hammer, Township Manager
Leo DeVito, Township Solicitor
Brian Dillman, Pidcock Associates (Township Engineer)
Howard Kutzler, Director of Planning and Economic Development
Daniel Pancoast, Police Chief
George Boksan, Police Captain
Gregory Gottschall, Police Sergeant
Daryl LaPointe, Police Sergeant
Doug Bruce, Assistant Township Manager

CALL TO ORDER

Mr. Murphy called the meeting to order at 7:11 p.m.

EXECUTIVE SESSION

Mr. DeVito said the Board of Commissioners met in executive session prior to the regular public meeting to discuss issues subject to litigation and to interview candidates for a vacancy on the Zoning Hearing Board. Mr. DeVito said the board would meet again tonight in executive session, at the end of the regular public meeting, to discuss contract negotiations with collective bargaining units.

PRESENTATION

RESOLUTION R039-10 HONORING THE OUTSTANDING SERVICE, DEDICATION, PROFESSIONALISM, AND PUBLIC TRUST PROVIDED TO BETHLEHEM TOWNSHIP AND ITS RESIDENTS BY ALBINA DASILVA DURING HER 33 YEARS AS A SCHOOL CROSSING GUARD.

Mr. Hammer read the resolution and presented a ceremonial copy to Albina DaSilva.

Upon motion (Nolan-Weiss), the Board of Commissioners voted unanimously by voice vote to approve Resolution R039-10 honoring the outstanding service, dedication, professionalism, and public trust provided to Bethlehem Township and its residents by Albina DaSilva during her 33 years as a school crossing guard.

Chief Pancoast, Captain Boksan, Sergeant Gottschall, and Sergeant LaPointe left the meeting after the presentation.

COURTESY OF THE FLOOR

There were no comments from the audience during courtesy of the floor.

APPROVAL OF MINUTES

Mr. Nolan suggested one change to the proposed minutes of the June 7, 2010, regular public meeting, noting it was Mr. Murphy, not Mr. Weiss, who called the meeting to order. Upon motion (Nolan-Hudak), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the regular public meeting of June 7, 2010, as amended by Mr. Nolan.

RESOLUTION

RESOLUTION R037-10 AUTHORIZING PREPARATION AND SUBMISSION OF A DECLARATION OF TAKING AND RELATED DOCUMENTATION FOR THE CONDEMNATION OF A TRAFFIC

SIGNAL EASEMENT ON LAND FOR ROADWAY IMPROVEMENTS TO FREEMANSBURG AVENUE.

Mr. DeVito said the resolution had been proposed by St. Luke's Hospital and Health Network to expedite roadway improvements to Freemansburg Avenue in the area of the St. Luke's project. Mr. DeVito said there was a small parcel of land held by the Southmont shopping center owners and needed for completing the roadway improvements. However, the Southmont owners could not provide clear title to the land, Mr. DeVito said. Therefore, he said, St. Luke's was proposing the township condemn the land and had agreed to reimburse the township for all expenses.

Upon motion (Weiss-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Resolution R037-10 authorizing preparation and submission of a declaration of taking and related documentation for the condemnation of a traffic signal easement on land for roadway improvements to Freemansburg Avenue.

RESOLUTION

RESOLUTION R038-10 AUTHORIZING SERGEANT DARYL LAPOINTE AND OFFICER DAVID RYAN TO ATTEND THE PENNSYLVANIA STATE POLICE ACCIDENT RECONSTRUCTION TRAINING SEMINAR, SEPTEMBER 28-30, 2010, IN STATE COLLEGE, PENNSYLVANIA.

Upon motion (Nolan-Batcha), the Board of Commissioners voted unanimously by voice vote to approve Resolution R038-10 authorizing Sergeant Daryl LaPointe and Officer David Ryan to attend the Pennsylvania State Police Accident Reconstruction Training Seminar, September 28-30, 2010, in State College, Pennsylvania.

RESOLUTION

RESOLUTION R040-10 APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP ZONING HEARING BOARD.

Upon motion (Batcha-Hudak), the Board of Commissioners voted unanimously by voice vote to approve Resolution R040-10 appointing Richard Pelizzoni to the Zoning Hearing Board, to fill the remainder of a five-year term expiring December 31, 2014.

MOTION

A motion authorizing the township manager to advertise an ordinance amending Ordinance No. 3-93, "The Bethlehem Township Air Pollution Control Ordinance," by providing additional regulations relating to open burning.

Mr. Hudak said that, after reading the information provided by Hough Associates, the township's recycling consultant, he was satisfied the revised ordinance would "cover" the township with regard to remaining eligible for state recycling grants. Mr. Hudak moved to approve the motion.

Mr. Batcha asked if the revised ordinance would allow the use of fire pits and chimineas. Mr. Kutzler said the answer was yes, if these devices are used to burn wood only and the users meet setback requirements.

Mr. Hudak asked if the revised ordinance still included exceptions for farmland. Mr. Kutzler said the answer was yes.

Mr. Nolan said there would be a need to communicate this proposed ordinance revision to residents. Mr. Nolan said the revised ordinance would basically

outlaw open burning in the township. He said this should not represent a major change, because most residents can't legally burn yard waste now under the current ordinance. Mr. Nolan said the revised ordinance would make the township eligible for state recycling grants. However, Mr. Nolan said, for him the issue had never been about grant money, but rather about pollution.

Mr. Batcha noted the revised ordinance would take effect five days after adoption. He said this did not give the township sufficient time to notify residents. Mr. Batcha said the best way to notify residents is through the township's newsletter. He said it might be necessary to delay the effective date of the revised ordinance until the next newsletter is distributed.

Mr. Kutzler said the township could give out warnings, as opposed to citations, for open burning violations until a certain agreed-upon date.

Mr. Hammer said, since the board was only being asked to authorize public advertisement of the ordinance, as opposed to adopting the ordinance, the effective date of the ordinance could still be amended along the lines suggested by Mr. Batcha.

Mr. DeVito said the township could consider a 30-day warning-only period of enforcement, as the cities of Allentown and Bethlehem did for their bans on using cell phones while driving.

Upon motion (Hudak-Weiss), the Board of Commissioners voted unanimously by voice vote to approve the motion authorizing the township manager to advertise an ordinance amending Ordinance No. 3-93, "The Bethlehem Township Air Pollution Control Ordinance," by providing additional regulations relating to open burning.

MOTION

A motion authorizing the township engineer and solicitor to begin the engineering and right-of-way identification/acquisition for improvements of the intersection of Freemansburg Avenue and Washington Street.

Upon motion (Batcha-Hudak), the Board of Commissioners voted unanimously by voice vote to authorize the township engineer and solicitor to begin the engineering and right-of-way identification/acquisition for improvements of the intersection of Freemansburg Avenue and Washington Street.

ZONING HEARING BOARD AGENDA

There were no comments about the agenda for the Zoning Hearing Board meeting scheduled for June 30, 2010.

PURCHASE ORDER, BILL AND CHECK REGISTER APPROVAL

Mr. Batcha asked about the disposition of the insurance bill that had been removed from the bill agenda a month ago. Mr. Hammer said he would check on the status of the bill. Mr. Batcha said he would like the bill to be added to this month's bill agenda.

Mr. Batcha noted several bills from Thomas Comitta Associates Inc. for plan reviews. Mr. Batcha asked if it was still necessary for Mr. Comitta to be reviewing plans for the township and whether Mr. Comitta was just duplicating the efforts of the township staff and engineer. Mr. Kutzler said Mr. Comitta conducted only aesthetic reviews of major projects, such as St. Luke's Hospital and Field of Dreams. Mr. Kutzler said Mr. Comitta was not duplicating the efforts of the township staff or engineer.

Upon motion (Batcha-Weiss), the Board of Commissioners voted unanimously by voice vote to approve the bill agenda, as amended by Mr. Batcha to include the insurance bill that was removed from the prior month's bill agenda.

TREASURER'S REPORT

Upon motion (Weiss-Hudak), the Board of Commissioners voted unanimously by voice vote to accept the Treasurer's Report as presented.

MONTHLY REPORTS

There were no comments about the monthly departmental reports.

ADJOURNMENT

Upon motion (Weiss-Hudak), the Board of Commissioners voted unanimously by voice vote to adjourn the meeting at 7:32 p.m.