



CITY OF BETHLEHEM
OFFICE OF THE CITY SOLICITOR

INTEROFFICE MEMORANDUM

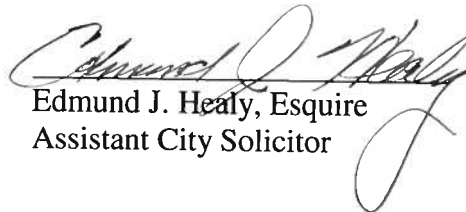
To: Louise M. Kelchner, City Clerk
CC: The Honorable Robert J. Donchez, Mayor; W. Alexander Karras, Chief of Staff
From: Edmund J. Healy, Esquire, Assistant City Solicitor
Re: proposed Resolution to rename Gilchrist Drive cul-de-sac , Lehigh Valley Industrial Park VII
Date: December 22, 2016

Please find attached a resolution to change the name of the cul-de-sac on Gilchrist Drive in Lehigh Valley Industrial Park VII, along with the building number of a certain unimproved 61.16 acre tract of land. At present, the cul-de-sac bears the name of Gilchrist Drive itself, but is proposed to be changed to Maloney Circle. Therefore, if the Resolution is approved by City Council, the new street address for the unimproved tract at 1019 Gilchrist Drive would be 1000 Maloney Circle. Before and after the name change, Gilchrist Drive and Maloney Circle have been, and will remain, public roads of the City of Bethlehem,

The Petition to Rename was submitted by Ruhle & Kerr Associates, LLC, record owners of the above property. The only other abutting property owner is Triple Net Investments XXXV LP which owns 1025 Feather Way. Triple Net has submitted, by and through its operating manager, its sworn consent and Joinder in/to the Petition to Rename. Though technically not required, Lehigh Valley Industrial Park, Inc. (LVIP) has expressed its consent and support for the proposed name change for the cul-de-sac.

City Council Resolution 12,787 applies to this request. A copy of this Resolution and the Petition to Rename are also attached to this Memorandum. Subject to City Council's approval, which is discretionary, the Petitioner complies with the requirements of section 2 of Council Resolution 12,787 which requires the consent of all abutting property owners potentially affected by the name change and the creation of no confusion or discontinuity in the street network as a result of the name change. Mayor Donchez has approved the name change request for presentation to City Council.

In the past, City Council has referred street name change requests to the Public Works Committee for preliminary consideration.


Edmund J. Healy, Esquire
Assistant City Solicitor

Attachments: proposed resolution
CC Resolution 12,787
Petition to Rename

RESOLUTION NO.

RESOLUTION TO CHANGE TO NAME OF GILCHRIST DRIVE CUL-DE-SAC TO MALONEY CIRCLE AND APPROVE MAILING ADDRESS TO 1000 MALONEY CIRCLE

WHEREAS, Gilchrist Drive is a street dedicated to the City of Bethlehem running from Commerce Center Boulevard in Lehigh Valley Industrial Park VII ("LVIP"), in a southeast direction terminating at a small circle with a driveway servicing only the property currently known as 1019 Gilchrist Drive (Parcel ID # P7 22 2-4C-4 0204);

WHEREAS, a Petition to Re-Name Portion of Gilchrist Drive to Maloney Circle and Change Mailing Address was submitted to the City of Bethlehem by Petitioners, which are the owners and tenants of the above-referenced property;

WHEREAS, Petitioners seek to rename the above-referenced circle on Gilchrist Drive in honor of late Attorney Thomas J. Maloney, calling the circle "Maloney Circle" and changing Petitioner's mailing address to 1000 Maloney Circle;

WHEREAS, the remainder of Gilchrist Drive would not be changed or affected;

WHEREAS, Petitioners have established good and sufficient reasons supporting their requests;

WHEREAS, Petitioners have demonstrated that the renaming and change of address would not create confusion or discontinuity in the street network;

WHEREAS, Petitioners have established that no parties will suffer any adverse consequence as a result of the renaming and change of address;

WHEREAS, the only other abutting property owner has submitted its sworn Consent and Joinder in/to the Petition to Rename; and

WHEREAS, though technically not required, Lehigh Valley Industrial Park, Inc. (LVIP), the developer of the overall industrial park, has expressed its consent and support for the proposed name change for the cul-de-sac.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bethlehem that the circle at the southeast end of Gilchrist Drive, situated in the LVIP VII in the City of Bethlehem, is hereby renamed "Maloney Circle" and the property currently identified at 1019 Gilchrist Drive, Bethlehem, Northampton County Pennsylvania at Parcel ID # P7 22 2-4C-4 0204, shall hereby have the address of 1000 Maloney

Circle. The remainder of Gilchrist Drive shall continue to be identified as Gilchrist Drive, and no other property owners addresses will be affected or changed hereby.

Sponsored by _____

ADOPTED by Council this day of , 201 .

President of Council

ATTEST:

City Clerk

RESOLUTION NO. 12,787

BE IT RESOLVED by the Council of the City of Bethlehem that the following policy regarding the naming and renaming of streets is adopted:

1. Naming of streets for persons, places, or events will occur only when there is a new street opened or when there is a major change in land use or circulation of traffic.
2. Council will only change an existing street name under the following circumstances:
 - (a) if there is confusion or discontinuity in the street network that may be corrected by a name change; or
 - (b) if all property owners owning real estate along a City street sign a Petition directed to City Council to rename such City street, City Council may approve the renaming of the subject City street if Council finds that there are good and sufficient reasons to rename the street, and if the renaming of the street will not create confusion or discontinuity in the street network.

BE IT FURTHER RESOLVED that this Resolution supersedes Resolution 9772 adopted July 5, 1983.

Sponsored by /s/ Michael Loupos

/s/ James S. Gregory

ADOPTED by Council this 21st day of October, 1997.

/s/ James A. Delgrosso
President of Council

ATTEST:

/s/ Cynthia H. Biedenkopf
City Clerk

CITY OF BETHLEHEM, PENNSYLVANIA

Petitioners: REEB MILLWORK CORPORATION; RUHLE & KERR ASSOCIATES, LLC; THOMAS R. KERR; JOHN H. RUHLE, JR.; SCOTT F. KERR; ESTATE OF THOMAS R. KERR, II; JOHN R. KERR; KARIN A. KERR; J. TALLEY RUHLE; AND JOSHUA H. RUHLE

**PETITION TO RE-NAME
PORTION OF GILCHRIST DRIVE TO MALONEY CIRCLE
AND CHANGE MAILING ADDRESS**

AND NOW COME the above-referenced Petitioners, by and through attorney, Daniel M. O'Donnell, Esq. of The Law Offices of Maloney Danyi & O'Donnell, of Bethlehem, Pennsylvania, and allege as follows:

1. Petitioner Ruhle & Kerr Associates, LLC ("RKA") is the record owner of real estate located in the Lehigh Valley Industrial Park VII ("LVIP"), identified as tax parcel # P7 22 2-4C-4 0204 currently with a mailing address at 1019 Gilchrist Drive, Bethlehem, Northampton County, Pennsylvania.
2. Petitioner REEB Millwork Corporation ("REEB") is the tenant at the above-referenced real estate, and shares several common owners with RKA.
3. Petitioner REEB has been in business in the Lehigh Valley for over 100 years, with the last thirty-six (36) years being under current ownership by the Ruhle and Kerr families.
4. The individual Petitioners are members of the Ruhle family and Kerr family, and are associated with RKA and REEB.
5. The Petitioners were all dear friends and clients of Attorney Thomas J. Maloney for several decades.
6. Thomas J. Maloney was born and raised in Fountain Hill, Pennsylvania, and lived his entire adult life in Bethlehem, Pennsylvania, where he also operated a law practice for over fifty (50) years, until his recent passing in December of 2015.
7. Attorney Maloney graduated from Bethlehem Catholic High School, obtained his Bachelor's Degree from St. Joseph's University and his J.D. from Temple University Law School. Thereafter, he commenced his practice of law in Bethlehem, Pennsylvania, where he remained for his fifty (50) year career.
8. During that time, among other things, Attorney Maloney was active with the Bethlehem Kiwanis Club, the Bethlehem United Fund Drive, American Cancer Society, the local Boys Club of America, and Bethlehem Jaycees. Attorney Maloney taught Constitutional Law as an assistant professor at Moravian College. He likewise served in several municipal and government positions including service as Northampton County Public Defender, solicitor to the Bethlehem Housing Authority, solicitor to the Bethlehem Education Association, and elected Representative in the Pennsylvania House of Representatives. Attorney Maloney was awarded

Bethlehem's Outstanding Man of the Year Award, the M.L. Jacobs Award by the Boys Club for outstanding service to Bethlehem, a Keystone Award by the Boys Club of America, and the Boy Scouts of America Silver Beaver Award.

9. Petitioners recognize that Attorney Maloney was a generous and devoted contributor to his community and many good causes, and was highly regarded and respected in the Lehigh Valley.

10. Petitioners also recognize that in his professional and devoted representation of the Petitioners, Attorney Maloney was a significant contributor to the success and expansion of REEB, as well as having a significant influence of REEB's decision to construct a new office and warehouse facility of approximately 425,000 square feet and relocate to LVIP VII in the City of Bethlehem.

11. REEB's current mailing address is 1019 Gilchrist Drive in LVIP, Gilchrist Drive having been recently dedicated to the City of Bethlehem.

12. Gilchrist Drive runs from northwest to southeast, starting at its northwest end at Commerce Center Boulevard, and running southeast for approximately 1,400 feet, where it terminates in a small traffic circle measuring roughly 50 feet across, from which a driveway extends to Petitioner REEB's facility. Two overhead views of the circle and surrounding area are attached hereto and incorporated herein at Exhibits A-1 and A-2.

13. Petitioners wish for the circle to be named "Maloney Circle," in honor of Attorney Maloney.

14. Petitioners only request the naming of the circle, with no change to the name of the remainder of Gilchrist Drive.

15. No other landowners have a driveway or entrance on the circle/cul-de-sac, and no other landowners would be affected by the requested name change.

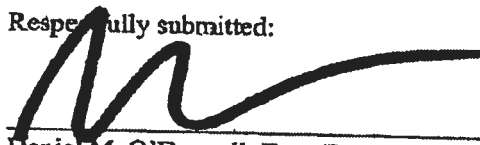
16. The only other landowner with real estate that touches upon the circle (although it does not have a property entrance located on the circle) is Triple Net Investments XXXV LP, which organization consents to this petition and the relief sought herein. Triple Net Investment XXXV LP asserts its consent by signing the attached Consent and Joinder in Petition, attached hereto and incorporated herein at Exhibit B.

17. Prior to Gilchrist Drive recently being dedicated to the City of Bethlehem by land developer LVIP, that organization's Board met at which meeting Martin Gilchrist, after whom Gilchrist Drive is named, was likewise present as a Board member. The Board expressed its consent to the renaming of the circle to "Maloney Circle," and LVIP has expressed its support of the renaming of the circle by correspondence from LVIP President Kerry A. Wrobel, and again by phone call with undersigned counsel on October 18, 2016. A copy of the LVIP correspondence is attached hereto and incorporated herein at Exhibit C.

18. A proposed Resolution accomplishing the re-naming and re-numbering is attached hereto and incorporated herein at Exhibit D.

WHEREFORE, Petitioners respectfully request that the City Council for the City of Bethlehem resolve to re-name the circle at the southeast end of Gilchrist Drive to be named Maloney Circle, and to cause the mailing address of the above-referenced parcel number P7 22 2-4C-4 0204 to be changed to 1000 Maloney Circle.


Respectfully submitted:



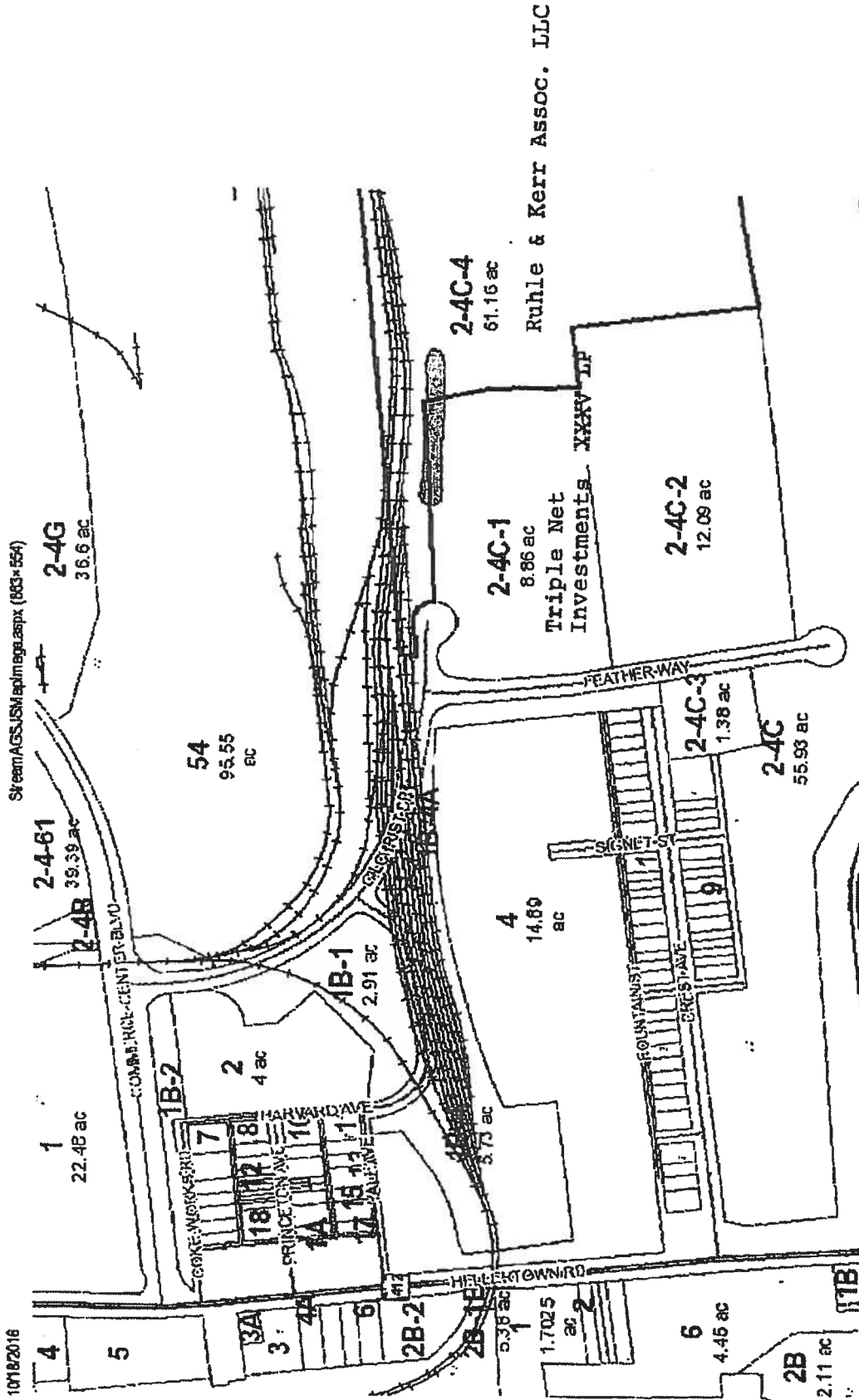
Daniel M. O'Donnell, Esq. (Pa. I.D. 89961)
Maloney Danyi & O'Donnell
901 West Lehigh Street
Bethlehem, PA 18018
Ph. 610.691.3450
Fax 610.691.7659
Counsel For Petitioners

VERIFICATION

I, Scott F. Kerr, individually and on behalf of Ruhle & Kerr Associates, LLC and REEB Millwork Corporation, do hereby depose and say that the facts and averments as set forth in preceding Petition are true and correct to the best of my knowledge, information and belief; and that this verification is subject to the penalties of 18 Pa. Cons. Stat. § 4904 relative to unsworn falsification to authorities.

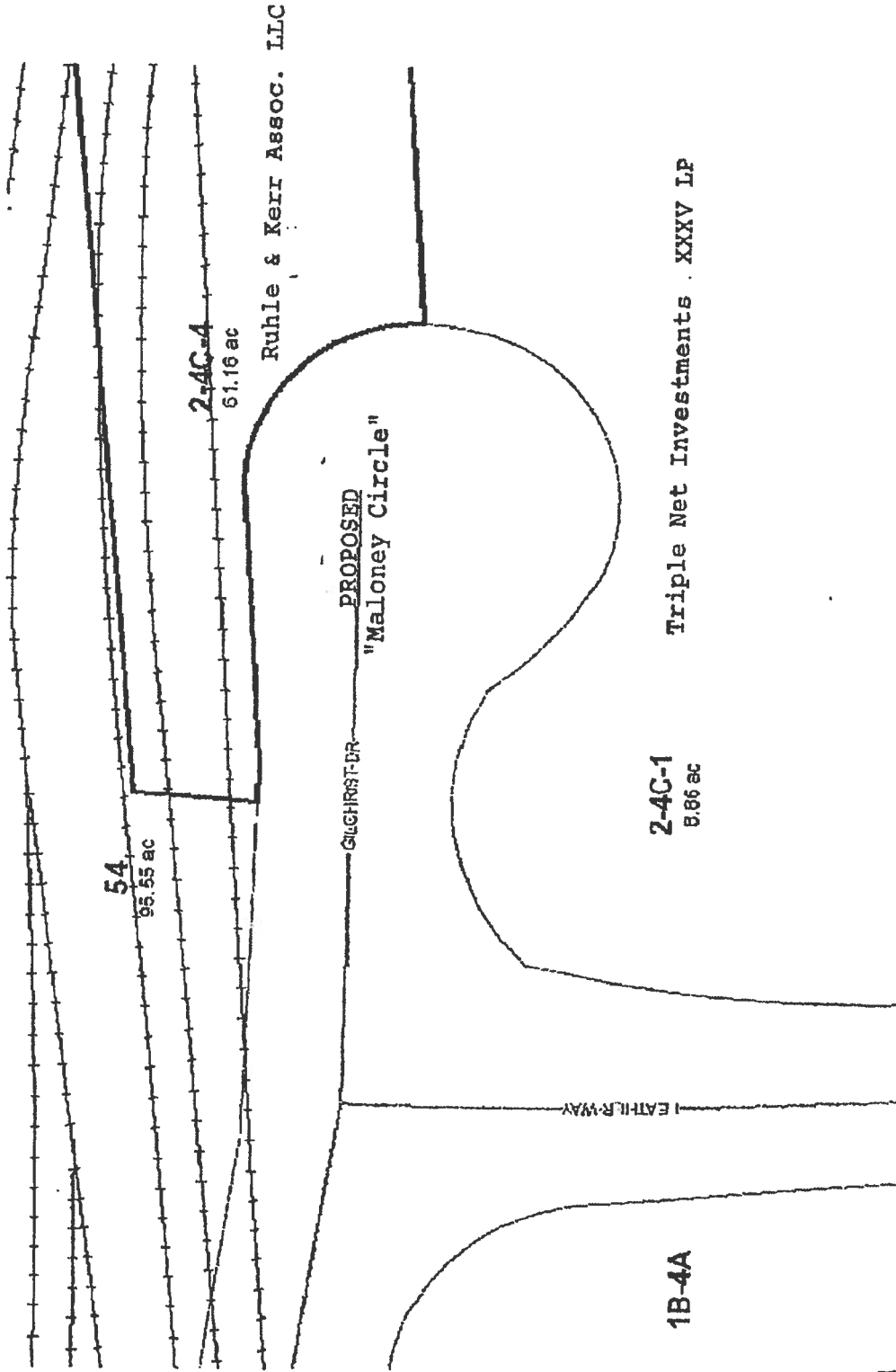


Scott F. Kerr, individually and on behalf of
Ruhle & Kerr Associates, LLC
and
REEB Millwork Corporation



10/18/2016

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CONSENT AND JOINDER IN PETITION

Triple Net Investments XXXV LP is the owner of real estate at 1025 Feather Way, Bethlehem, Northampton County, Pennsylvania (Parcel ID # P7 22 2-4C-1 0204).

Triple Net Investments XXXV LP has reviewed the preceding Petition to Re-Name Portion of Gilchrist Drive to Maloney Circle and Change Mailing Address, pertaining to a street abutting its above-referenced property, and understands same will be presented to the City of Bethlehem's City Council as the entity have jurisdiction to provide the requested change of name of the circle at the southeast end of Gilchrist Drive to "Maloney Circle" and to change the address of Petitioner's address, currently 1019 Gilchrist Drive, to "1000 Maloney Circle."

Triple Net Investments XXXV LP, as a property owner touching on the circle, does hereby consent to the Petition and joins in the request for relief set forth therein.

BY AND FOR:

Triple Net Investments XXXV LP

Print name and title

Date

[Signature]
JAMES C. BETHUNE, OPERATIVE MAN
11/29/16

Sworn and subscribed to me, a notary public, this 29 day of Nov, 2016.

Notary Public

MICHAEL H. SCHWERTFEGER
NOTARY PUBLIC OF NEW JERSEY
I.D. # 2338117
My Commission Expires 9/28/2020



From: Kerry Wrobel [mailto:kwrobel@lvip.org]
Sent: Friday, February 12, 2016 1:46 PM
To: Rohrbach, Amy B <ARohrbach@bethlehem-pa.gov>
Cc: Scott Kerr <SKerr@Reeb.com>
Subject: Maloney Circle in LVIP VII

Amy,

This e-mail will confirm LVIP's support for the creation of Maloney Circle in LVIP VII, while still maintaining Gilchrist Drive and Feather Way. Maloney Circle consists of the cul-de-sac in front of the Reeb parcel.

I have communicated our support to Scott Kerr of Reeb.

If you have any questions, please contact me.

Thank you,

Kerry

Kerry A. Wrobel
President
LVIP

610-866-4600

