

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Tuesday, April 21, 2015 – 7:00 PM

INVOCATION

Reverend Debra K. Hess, of the St. Thomas UCC Church, offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Reynolds called the meeting to order. Present were Bryan G. Callahan, Eric R. Evans, Michael D. Recchiuti, Cathy Reuscher, Louis N. Stellato, Adam Waldron, and J. William Reynolds, 7.

2. APPROVAL OF MINUTES

The minutes from March 17, 2015 and April 7, 2015 were approved.

3. PUBLIC COMMENT

None.

4. OLD BUSINESS.

A. Members of Council

None.

B. Tabled Item

1. Bill No. 17 – Amending Article 1306.01(a) of the Zoning Ordinance – Dimensional Regulations for the R-R Residential District, Creating Maximum Impervious Coverage in the R-R and R-S Districts

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Director of Parks and Public Property – Recommendation for Award – Earthborne, Inc.*

The Clerk read a memorandum from Ralph Carp, Director of Parks and Public Property, recommending a contract with Earthborne, Inc. to purchase an Avant Compact Wheel Loader and attachments. The term of the contract is 90 days from Notice to Proceed. The estimated cost is \$80,000.

President Reynolds stated Resolution 9 A is on the agenda.

B. *Director of Water and Sewer Resources – Recommendation for Award – WeCare Organics, LLC*

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources, recommending a contract with WeCare Organics, LLC for a lease of a centrifuge unit to dewater biosolids for disposal. The term of the contract is July 26, 2015 to December 31, 2016. The estimated cost is \$340,000.

President Reynolds stated Resolution 9 B is on the agenda.

C. *City Solicitor – Use Permit Agreement – Celtic Fest, Inc. dba Celtic Cultural Alliance – Lehigh Valley HopsFest*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. attached to which is a proposed Resolution and associated Use Permit Agreement for the Lehigh Valley HopsFest. The

Permittee is Celtic Fest, Inc. dba the Celtic Cultural Alliance. The duration of the agreement is June 11-15, 2015. The location is the grass island bordered by Spring, Conestoga, Main and Lehigh Streets.

President Reynolds stated Resolution 9 C is on the agenda.

*D. City Solicitor – Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association – Tunes at Twilight*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. attached to which is a proposed Resolution and associated Use Permit Agreement for Tunes at Twilight. The Permittee is the Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association. The duration of the agreement is various days in May, June and July, 2015. The location is Nevin Place (adjacent to the Sun Inn Courtyard).

President Reynolds stated Resolution 9 D is on the agenda.

*E. City Solicitor – Use Permit Agreement – Holy Infancy Roman Catholic Church – Holy Infancy Annual Block Party and Portuguese Heritage Celebration*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. attached to which is a proposed Resolution and associated Use Permit Agreement for the Holy Infancy Annual Block Party and the Portuguese Heritage Celebration. The Permittee is Holy Infancy Roman Catholic Church. The duration of the agreement is June 5-6 and June 12-13, 2015. The location is Webster Street between Fourth Street and the Greenway.

President Reynolds stated Resolution 9 E is on the agenda.

*F. Director of Water and Sewer Resources – Recommendation for Award – Hanover Engineering Associates, Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources, recommending a contract with Hanover Engineering for land surveying services. The term of the contract is April 9 – December 31, 2015. The total estimated cost is \$6,500.

President Reynolds stated Resolution 9 F is on the agenda.

*G. Mayor – Request to Fill Vacancy – Parks and Public Property – Maintenance Worker I*

The Clerk read a memorandum from Mayor Robert J. Donchez requesting to fill the position of a Maintenance Worker I in the Parks and Public Property Department. The budgeted salary is \$41,565.

President Reynolds stated Resolution 9 G is on the agenda.

*H. Mayor Request for Resolution – 9-1-1 Centers*

The Clerk read a memorandum from Mayor Robert J. Donchez to which is attached a Resolution regarding the recent legislation considered by the Pennsylvania House of Representatives concerning 911. The Resolution is in support of keeping Bethlehem and Allentown's 911 Centers independent and operational.

President Reynolds stated Resolution 9 H is on the agenda.

*I. Director of Planning and Zoning – Proposed Zoning Ordinance Amendment Article 1318.28 – Tree Conservation; Proposed SALDO Amendment Section 1347.10C – Recreation Fees.*

The Clerk read a memorandum from Darlene Heller, Director of Planning and Zoning attached to which is a proposed Zoning Ordinance Amendment regarding Article 1318.28 – Tree Conservation. The amendment limits the tree conservation requirements in most areas of the City, but retains the current provisions for outlying areas. The proposed SALDO Amendment – Section 1347.10.C – Recreation Fee, reflects the provisions in the Pennsylvania Municipalities Planning Code that was recently revised to allow for a broader use of recreation fees collected from developer contributions.

President Reynolds stated he would accept a motion to schedule a Public Hearing on Tuesday, June 2, 2015 at 7 pm in Town Hall on this subject.

Mr. Recchiuti made the motion to schedule a Public Hearing on Tuesday, June 2, 2015 at 7pm in Town Hall and Mr. Callahan seconded the motion.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 7. The motion passed.

President Reynolds stated the Ordinance can be placed on the June 16, 2015 agenda for First Reading.

6. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Attorney Christopher Spadoni – Redevelopment Authority*

Mayor Donchez appointed Attorney Christopher Spadoni to the Redevelopment Authority effective through March, 2020. Mr. Stellato and Mr. Evans sponsored Resolution 2015 – 88 to confirm the appointment.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

C. *Finance Committee*

Mr. Recchiuti, Chairman of the Finance Committee, gave an oral report of the meeting held on Tuesday, April 21, 2015 at 6:00 pm in Town Hall. Chairman Recchiuti stated they received a First Quarter Budget update and various reports from the Administration. He added there was no action taken by the Committee.

7. ORDINANCES FOR FINAL READING

A. *Bill No. 20 – 2015 – Amending Non-Utilities Capital Budget*

The Clerk read Bill No. 20 – 2015 – Amending Non-Utility Capital Budget, on Final Reading.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 20 – 2015 now known as Ordinance 2015-19, was adopted on Final Reading.

B. *Bill No. 21 – 2015 – Amending Liquid Fuels Fund Budget*

The Clerk read Bill No. 21 – 2015 – Amending Liquid Fuels Fund Budget, on Final Reading.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 21 – 2015 now known as Ordinance 2015-20, was adopted on Final Reading.

C. *Bill No. 22 – 2015 – Amending General Fund Budget*

The Clerk read Bill No. 22 – 2015 – Amending General Fund Budget, on Final Reading.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 22 – 2015 now known as Ordinance 2015-21, was adopted on Final Reading.

8. NEW ORDINANCES.

A. *Bill No. 23 – 2015 - Amending Article 117, Officers and Employees*

The Clerk read Bill No. 23 – 2015 – Amending Article 117 – Officers and Employees, sponsored by Mr. Stellato and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 117, OFFICERS AND EMPLOYEES  
OF THE CODIFIED ORDINANCES OF THE CITY OF BETHLEHEM.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 23 – 2015 was passed on First Reading.

B. *Bill No. 24 – 2015 – Amending Article 531, Parking Generally*

The Clerk read Bill No. 24 – 2015 – Amending Article 531 – Parking Generally, sponsored by Mr. Stellato and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA,  
AMENDING ARTICLE 531 OF THE CODIFIED ORDINANCES  
ENTITLED PARKING GENERALLY.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 24 – 2015 was passed on First Reading.

C. *Bill No.25 – Intergovernmental Service Territory Agreement – City of Bethlehem and The Northampton Borough Municipal Authority*

The Clerk read Bill No. 25 – 2015 – Intergovernmental Service Territory Agreement – City of Bethlehem and the Northampton Borough Municipal Authority, sponsored by Mr. Stellato and Mr. Callahan and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING  
AN AGREEMENT FOR INTERGOVERNMENTAL COOPERATION  
KNOWN AS THE “INTERGOVERNMENTAL SERVICE TERRITORY  
AGREEMENT” BETWEEN THE CITY OF BETHLEHEM AND  
THE NORTHAMPTON BOROUGH MUNICIPAL AUTHORITY.

Mr. Recchiuti queried if Edward Boscola, Director of Water and Sewer, could give Council more detail about the agreement.

Mr. Boscola mentioned this is the so called FedEx agreement. He affirmed that it involves the territory that is currently undeveloped north of the Airport along Willowbrook Road. Mr. Boscola stated there currently is no water infrastructure and no development other than our transmission main which runs down Willowbrook Road. Mr. Boscola added the FedEx developers approached the City asking for us to provide water service. The area is technically outside of our PUC certified territory so we approached Northampton Borough Municipal Authority, who is the adjacent water authority, and they also do not have any infrastructure in this area. Mr. Boscola mentioned they reached an accommodation where the City will serve customers on the east side of Willowbrook Road with FedEx and any other developments in that area. He continued to say that Northampton Borough would serve any future customers on the west side of Willowbrook Road.

Mr. Recchiuti asked if there is any monetary component to this contract. Mr. Boscola replied no.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 25 – 2015 was passed on First Reading.

9. RESOLUTIONS

A. *Authorizing Contract – Earthborne, Inc. – Avant Model 635 Compact Wheel Loader*

Mr. Stellato and Mr. Evans sponsored Resolution No. 2015-89 that authorized the execution of a contract with Earthborne, Inc. to purchase an Avant Compact Wheel Loader and attachments.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

B. *Authorizing Contract – WeCare Organics, LLC – Centrifuge Unit Lease*

Mr. Stellato and Mr. Evans sponsored Resolution No. 2015-90 that authorized the execution of a contract with WeCare Organics, LLC for a lease of a centrifuge unit to dewater biosolids for disposal.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

C. *Authorizing Use Permit Agreement – Celtic Fest, Inc. – Lehigh Valley HopsFest*

Mr. Stellato and Mr. Evans sponsored Resolution No. 2015-91 that authorized a Use Permit Agreement with Celtic Fest, Inc. for June 11 – 15 for the Lehigh Valley HopsFest.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

D. *Authorizing Use Permit Agreement – GLV Chamber/DBA – Tunes at Twilight*

Mr. Stellato and Mr. Evans sponsored Resolution No. 2015-92 that authorized a Use Permit Agreement with the GLV Chamber/DBA for the Tunes at Twilight Concert Series during the months of May, June and July.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

E. *Authorizing Use Permit Agreement – Holy Infancy Annual Block Party and Portuguese Heritage Celebration*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-93 that authorized a Use Permit Agreement with the Holy Infancy Roman Catholic Church, June 5 and June 6, and June 12 and June 13 for the Holy Infancy Annual Block Party and Portuguese Heritage Celebration.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

F. *Authorizing Contract – Hanover Engineering Associates, Inc. – Land Surveying Services*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-94 that authorized the execution of a contract with Hanover Engineering Associates, Inc. for land surveying services.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

G. *Approve Hiring – Parks and Public Property – Maintenance Worker I*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-95 that approved the filling of the position of Maintenance Worker I in the Bureau of Parks and Public Property.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

H. *9-1-1 Centers*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-96 that approved a Resolution

requesting the restoration of language that allows the Cities of Bethlehem and Allentown to receive funding and maintain control of their respective 911 Centers.

Mr. Callahan queried if there is any update involving the 911 Center.

Mayor Donchez reported he spoke to State Representative Peter Schweyer twice last week and believes that the House will be voting on the Bill tomorrow. He noted, it was the intent in the earlier part of the week to offer amendments. Since Representative Schweyer is a freshman, and being a minority Member of House, Mayor Donchez would say that he is not that optimistic about the House keeping Allentown and Bethlehem in the Bill. Mayor Donchez pointed out if the Bill were to pass as is based on what came out of Committee, then it would obviously go to the Senate. He added, hopefully, Senator Lisa Boscola and Senator Pat Brown will be supportive.

Mr. Evans addressed Mayor Donchez and recognized his previous experience as Chief of Staff for former State Representative Joseph Brennan and working with Harrisburg, and wondered what the timeline would be moving the Bill from the House of Representatives to the Senate if this vote moves through tomorrow.

Mayor Donchez stated he believes President Reynolds would agree, because he was Chief of Staff for Representative Steve Samuelson, that if the Bill moves from the House to the Senate, it really depends on the Chair of the Committee and how fast they want to move the Bill. Mayor Donchez mentioned the Chair could pigeonhole it or, it could be part of the budget process. Mayor Donchez believes Senator Brown will be a key player simply because of his role and leadership on the Republican side, which he believes is 30 to 20 in favor of the Republicans in the Senate. Mayor Donchez pointed out it is hard to predict the outcome.

President Reynolds added the best argument we have from a practical point of view, is that we are the only City that straddles the two Counties. Whatever we can say about the financial benefit, as far as why should we would be any different, and also the City's willingness in the past to put forth the fact that we are not asking for 100% of the money to come from Harrisburg, is important. President Reynolds mentioned we are willing to put forth our fair share to keep the level of service for our unique situation.

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

*I. Certificate of Appropriateness – 534 Main Street*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-97 that granted a Certificate of Appropriateness to renovate the Walnut Street façade of the building at 534 Main Street. (McCarthy's Red Stage Pub & Whiskey Bar).

Voting AYE: Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. The Resolution passed.

10. NEW BUSINESS.

None.

11. PUBLIC COMMENT.

*Police Presence*

Mary Galvan, 636 Atlantic Street, mentioned she was at the City Council Meeting two weeks ago. Ms. Galvan pointed out within the past two weeks she has seen some Police activity and that may be due to a shooting in the park. Ms. Galvan added another time her street was blocked so no traffic could pass by. Ms. Galvan knows that Mayor Donchez was the President of City Council and he has known her concerns about the need for more Police in this area. She continued, it is the Spring time, and once the weather gets warm everyone will come out of their houses. Ms. Galvan would like to know what the Mayor is doing about the situation.

President Reynolds mentioned all of the questions need to come through the Chair for the Mayor.

Ms. Galvan affirmed Mayor Donchez has known about this situation for a long time, and former Mayor Callahan was familiar, as well. She added some of the new City Council Members may not know about this and she is at City Council tonight to state she wants more protection and more Police in her neighborhood. Ms. Galvan stated there are never Police in Yosko Park and wonders why there isn't a patrol. She added she pays taxes but queried whether her taxes not good enough. She informed she has been asking for more patrols in this area for a long time, and believes this summer will be even worse than previous years. Ms. Galvan stated Council may wonder why she is still living in the south side of Bethlehem and mentioned it is for financial reasons. She continued that will soon change because she does not want to be in an area that is not safe for her family. Ms. Galvan mentioned Council should come to the 600 block of Atlantic Street and look at the situation late in the summer evenings and on weekends when it is the worst. She sees people selling drugs in front of her house, and has to tolerate this year after year. Ms. Galvan related when she bought her house in 1993-1994, there was a senior population at that time and some Lehigh University students in her neighborhood, but that is not the situation today. The home next to her property at 638-640 Atlantic Street is an apartment complex, where all the drug dealers are living on the second floor. Ms. Galvan noted these kids are in their 20's and they will do nothing except sell drugs and hang out, thinking her home is a playground. She mentioned she does verbally fight with them because she does not want anyone on her property and noted she is verbally attacked, as well. She has been asking for a Police presence in her neighborhood for a long time and has not seen anyone step up to the plate.

12. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

ATTEST:  
City Clerk