

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, August 18, 2015 – 7:00 PM

INVOCATION

Reverend Rick Sergi, Emmanuel E.C. 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 R. Waldron, and J. William Reynolds, 7.

2. APPROVAL OF MINUTES

The Minutes of August 4, 2015 were approved.

3. PUBLIC COMMENT

President Reynolds stated Council received a Communication from Purchasing Director Sandra L. Steidel regarding the addition of a vehicle to the 2015 auction and he will accept public comment on that matter.

The Clerk read a memorandum from Purchasing Director Sandra L. Steidel dated August 18, 2015 requesting to include the following truck to be listed on the list of auction items from the previous correspondence: 2001 Ford 4x4 pickup truck.

None.

4. OLD BUSINESS.

A. Members of Council

None.

B. Tabled Items

None.

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Director of Purchasing – List for City 2015 On-Line Auction*

The Clerk read a memorandum dated July 16, 2015 from Sandra L. Steidel, Director of Purchasing to which was attached a list for the items to be sold at the On-Line Auction that will be held within the next 60 days. Council will be advised when the date is confirmed.

President Reynolds mentioned if Council has no objections to the property listed the same may be added to the on-line auction. If Council would like to discuss a specific item, the same shall be removed from the list and discussed at the next Council meeting on September 1, 2015. President Reynolds queried if any Member of Council would like to discuss a specific item, have it removed from the list, and discussed at the next City Council Meeting on Tuesday, September 1, 2015. Seeing no objections, a memo will be sent to the Purchasing Director that

City Council has no objections to the property listed.

B. Director of Water and Sewer Resources – Recommendation for Award – Maser Consulting, P.A.

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Maser Consulting, P.A. for the engagement of professional consulting services for the existing non-potable water system at the Wastewater Treatment Plant. The contract will run from the Notice to Proceed until December 31, 2015. The fee for the contract is \$9,500.

President Reynolds stated Resolution 9 B is on the agenda.

C. Director of Water and Sewer Resources – Recommendation for Award – Ace Electric

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Ace Electric for the replacement and upgrade of the existing well and pump system to meet PA DEP requirements. The contract will run 180 days from the Notice to Proceed. The fee for the contract is \$45,000.

President Reynolds stated Resolution 9 D is on the agenda.

D. Director of Water and Sewer Resources – Recommendation for Award – Bellview Pump, LLC

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Bellview Pump, LLC for the replacement and upgrade of the existing well and pump system to meet PA DEP requirements. The contract runs 180 calendar days from the Notice to Proceed. The fee for the contract is \$239,400.

President Reynolds stated Resolution 9 C is on the agenda.

E. Director of Water and Sewer Resources – Recommendation for Award – Larson Engineering, Inc.

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Larson Engineering, Inc. for professional structural engineering services that are needed to design reinforcement for the mixer platforms in the aeration basin at the Wastewater Treatment Plant. The contract will run from the Notice to Proceed until December 31, 2015. The fee for the contract is \$4,800.

President Reynolds stated Resolution 9 E is on the agenda.

F. Mayor – Request to Fill Vacancy – Parks and Public Property

The Clerk read a memorandum from Mayor Robert J. Donchez requesting to fill the position of Maintenance Worker 1 in the Parks Maintenance Bureau. The budgeted salary is \$34,574.75.

President Reynolds stated the Resolution will be listed on the September 1, 2015 agenda.

G. 9-1-1 Director – Recommendation for Award – MCM Consulting Group, Inc.

The Clerk read a memorandum from Robert J. Haffner, 9-1-1 Director recommending a contract with MCM Consulting Group, Inc. for a strategic plan for Bethlehem, Allentown, and the counties of Lehigh and Northampton that reviews and analyzes current and future communications systems equipment capabilities, facilities, and staffing needs, including exploring the feasibility of regional shared services agreements and consolidation of services. The term of the contract is September 1, 2015 until January 31, 2016. The fee for the contract is \$9,750.

President Reynolds stated Resolution 9 F is on the agenda.

H. *Deputy Director of Community and Economic Development – Resolution Request –
NCDCED CIPP Grant – Habitat for Humanity and Promise Neighborhoods*

The Clerk read a memorandum from Justin Poremba, Deputy Director of Community and Economic Development attached to which is a Resolution of municipal support as required by the County of Northampton, for a grant application to Northampton County through the Community Investment Partnership Program, on behalf of Habitat for Humanity of the Lehigh Valley and Promise Neighborhoods of the Lehigh Valley, requesting funds from Northampton County Department of Community and Economic Development in the amount of \$10,000 to hire a shared Neighborhood Builder.

President Reynolds stated Resolution 9 G is on the agenda.

I. *Deputy Director of Community and Economic Development – Resolution Request –
NCDCED CIPP Grant –Hispanic Center Lehigh Valley*

The Clerk read a memorandum from Justin Poremba, Deputy Director of Community and Economic Development attached to which is a Resolution of municipal support as required by the County of Northampton, for a grant application to Northampton County through the Community Investment Partnership Program on behalf of the Hispanic Center Lehigh Valley requesting funds from Northampton County Department of Community and Economic Development in the amount of \$50,000 for the Fowler Hispanic Community Wellness Center.

President Reynolds stated Resolution 9 H is on the agenda.

J. *Deputy Director of Community and Economic Development – Resolution Request –
NCDCED CIPP Grant – LV Public Telecommunications Corporation WLVT-TV 39*

The Clerk read a memorandum from Justin Poremba, Deputy Director of Community and Economic Development attached to which is a Resolution of municipal support as required by the County of Northampton, for a grant application to Northampton County through the Community Investment Partnership Program, on behalf of LV Public Telecommunications Corporation WLVT-TV Channel 39 (dba PBS39), requesting funds from the Northampton County Department of Community and Economic Development in the amount of \$10,000 for the Early Childhood Education Initiative.

President Reynolds stated Resolution 9 I is on the agenda.

K. *Deputy Director of Community and Economic Development – Resolution Request –
NCDCED CIPP Grant – Moravian Development Corporation*

The Clerk read a memorandum from Justin Poremba, Deputy Director of Community and Economic Development attached to which is a Resolution of municipal support as required by the County of Northampton, for a grant application to Northampton County through the Community Investment Partnership Program, on behalf of the Moravian Development Corporation, requesting funds from Northampton County Department of Community and Economic Development in the amount of \$29,500 for the purchase and installation of a new audio video theatre system for the Northampton County Senior Center located at 720 Old York Road.

President Reynolds stated Resolution 9 J is on the agenda.

L. *Deputy Director of Community and Economic Development – Resolution Request –
NCDCED CIPP Grant – YWCA*

The Clerk read a memorandum from Justin Poremba, Deputy Director of Community and Economic Development attached to which is a Resolution of municipal support as required by the County of Northampton, for a grant application to Northampton County through the Community Investment Partnership Program, on behalf of the YWCA of Bethlehem requesting funds from the Northampton County Department of Community and Economic Development in the amount of \$10,000 for TechGYRLS, an after school technology education program for low to moderate income elementary and middle school girls.

President Reynolds stated Resolution 9 K is on the agenda.

6. REPORTS

A. *President of Council*

1. *Councilmanic Appointment – Marilyn D. Kelly – Human Relations Commission*

President Reynolds appointed Marilyn D. Kelly to membership on the Human Relations Commission to fill the unexpired term of Chelsea Hahalis who resigned. This appointment is effective until March, 2016. Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-196 to confirm the appointment.

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

B. *Mayor*

Musikfest

Mayor Donchez reported that regarding Musikfest he wanted to commend all of the City staff, and mentioned they have been planning this for a year with monthly meetings with ArtsQuest. He also recognized the cooperation they received from the County agencies in the State and the Federal Government, and the business community. Mayor Donchez added they had a very good plan for Main Street and Broad Street. There were 22 arrests, which is a 47% decrease from last year. Mayor Donchez remarked that everyone deserves credit and informed they will continue meeting monthly with ArtsQuest.

C. *Finance Committee Meeting*

Mr. Recchiuti, Chairman of the Finance Committee, presented an oral report of the meeting that was held on Tuesday, August 18, 2015 at 6:00 pm. The Committee voted to recommend the following: Amending General Fund – City Health and Escrow – MCH Initiative and Equipment – Police, Amending Non-Utility Capital Budget – FEMA/PEMA Reimbursement – FEMA/PEMA – Parks, Transfer of Funds – General Fund – Equipment, Transfer of Funds – Water Capital Fund – East Allen/Shady Lane Well, Transfer of Funds – Sewer Capital Fund – Bar Screen-Detritus Room, Transfer of Funds – CDBG – Various. The Administration provided a second quarter financial review to the Committee.

7. ORDINANCES FOR FINAL READING

None.

8. NEW ORDINANCES

None.

9. RESOLUTIONS

A. *Authorizing 9-1-1 Funding*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-197 that authorized the receipt of 9-1-1 subscriber and consumer fees for local use as provided by 35 Pa.C.S. §5306.1 of Chapter 53 of Title 35 of the Pennsylvania Consolidated Statutes.

President Reynolds mentioned this is for our acceptance of our 9-1-1 funding for 2015.

Police Chief Mark DiLuzio stated that is correct. The State law mandates a Resolution must be passed to accept the funds. It governs the guidelines of how you spend those funds when you accept them from the State. This is a procedural item because it is a new law.

President Reynolds queried if we know how much money we will be receiving for 2015.

Police Chief DiLuzio replied yes.

President Reynolds mentioned last year there was the expectation, through no fault of the City, that we thought we were getting a certain amount, but because of everything going on with the State we ended up getting a different amount of funding. President Reynolds remarked as the budget process played out we knew that was where part of the short fall was. He then asked whether or not we will be receiving the amount of money we were expecting to fund our 9-1-1.

Business Administrator David Brong stated thus far we are. The good news for 2016 is that we should overachieve what we have been receiving in the most recent past. Mr. Brong noted that will be included in our budget submit.

President Reynolds mentioned when we look at the total cost in the last two years to run our 9-1-1 system we can see a decrease in the funds received to run our 9-1-1. He referenced we have gone from receiving 75% on the average to run the center to 55-56% range of funds for the 9-1-1 operation. President Reynolds queried whether the Administration has an idea of the percentage that we will receive from the State relevant to the total cost this year to operate our 9-1-1 center.

Police Chief DiLuzio stated he would not know that but estimates it may be 62% based on conversations with Robert Haffner, 9-1-1- Director. This Resolution is just to accept the funds. We spend it accordingly under the Act and we do not do anything else with that money.

President Reynolds asked if it would be possible within the next week or two to have Mr. Haffner send a memo to Council regarding what the City will be receiving.

Police Chief DiLuzio informed he will check with Mr. Haffner in the morning and get back to Council.

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

B. Authorizing Contract – Maser Consulting, P.A.

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-198 that authorized the execution of an agreement with Maser Consulting, P.A. for a Waste Water Treatment plant non-potable water system evaluation.

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

C. Authorizing Contract – Bellview Pump, LLC

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-199 that authorized the execution of an agreement with Bellview Pump, LLC for the Shady Lane Well System Pump House (General Construction Contract).

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

D. Authorizing Contract – Ace Electric

Mr. Stellato and Mr. Recchiuti sponsored Resolution No. 2015-200 that authorized the execution of an agreement with Ace Electric for the Shady Lane Well System Pump House (Electrical Contract).

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

E. Authorizing Contract –Larson Engineering, Inc.

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-201 that authorized the execution of an agreement with Larson Engineering, Inc. for Structural Engineering for the Waste Water Treatment Plant Aeration Basin Mixer Platform Reinforcement.

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

F. *Authorizing Contract – MCM Consulting Group, Inc.*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-202 that authorized the execution of an agreement with MCM Consulting Group for a proposal for a strategic Plan – 9-1-1.

Mr. Recchiuti remarked this is a shared contract with Allentown, and Lehigh County and Northampton County.

Mayor Donchez replied that is correct.

Mr. Recchiuti queried if the other entities are in agreement with this selection.

Mayor Donchez stated to the best of his knowledge, yes.

Mr. Recchiuti asked if they will pay for their share.

Mayor Donchez replied yes.

Mr. Evans remarked this is a critical study. It will be an interesting and important project we will be talking about over the next couple of years because the clock now is ticking. Mr. Evans noted with the last few audits we identified an issue with the 9-1-1. We knew that early on. Last year it hit us front and center when we put the budget together and had to address the 9-1-1 shortfall. Mr. Evans pointed out the writing was on the wall when the State started talking about it, but in the end gave us a continuance and also a deadline of four years. Mr. Evans stated there will be some interesting times as we work our way through this study.

Mayor Donchez pointed out there are two options for us. Option number one is to review the possibility to come in with recommendations of the pros and cons of Bethlehem merging with Northampton County and Allentown merging with Lehigh County. The second option is a regional 9-1-1 Center.

Mr. Evans noted it would not include Allentown and Bethlehem going together unless it was all four in a regional merge.

Mayor Donchez stated that is correct.

Mr. Evans recognized there is much ahead of us and the time will move quickly. He continued, before we know it that four year window will be closing. The amount of work that needs to be done with operations, technology, facilities and the movement of the staff is critical of the function. Mr. Evans noted we need to continue to keep this on the forefront. He mentioned we had talked a little bit about having quarterly Public Safety meetings to discuss the 9-1-1 situation. Mr. Evans inquired if there will be monthly meetings.

Police Chief DiLuzio mentioned this contract is the first step and once we get through this there will probably be weekly or biweekly meetings because they have to move on this issue. We have a four year timeframe for this but four years will go quick.

Mr. Evans mentioned on page 7 of the contract, it speaks about interviews for 9-1-1 personnel, EMA personnel, the Mayor's and some City Councilmen and the Chiefs of the different departments, but he thinks it would be also critically important to include our Business Administrator and the Director of Budget and Finance. This is because of how intertwined it is and what it means to us with the capital and operations.

Mayor Donchez remarked that the Business Administrators are involved and are members of the Committee.

Police Chief DiLuzio added that since they began meeting on this matter, the Business Administrators from the cities and counties have been present at the meetings.

Mr. Evans inquired whether the other three entities have moved forward with the contract.

Mayor Donchez stated he does not know if it was approved yet by them.

Mr. Evans remarked although this might not have as much of an impact on this year's budget, there is quite a bit involving personnel and leadership, and he would like to continue to receive updates and outcomes of the study. Mr. Evans hopes we get very clear directions and options. He added, we can then go from there and the four entities will have to sit down and come up with some answers.

Mayor Donchez stressed they will keep Council informed.

Mr. Evans stated he would appreciate whether the Administration would provide an update for the third quarter, which would be during budget season, or shortly after the new year.

President Reynolds asked if they will study the costs of what it would take for us to maintain our own 9-1-1, even if it is something we are unlikely to do.

Police Chief DiLuzio stated yes. The stand alone will be included in this study as an option. There will be an amount of what it would cost the taxpayers to run an independent 9-1-1 and keep our own Center.

President Reynolds mentioned that would be with zero percent State funding.

Police Chief DiLuzio replied yes, if we do that we would cut all State funding.

President Reynolds noted that is what was called for in the legislation that was passed.

Police Chief DiLuzio stated yes.

President Reynolds queried as to the process by which MCM Consulting Group was selected.

Police Chief DiLuzio informed that was done by Mr. Haffner, but the individuals with MCM Consulting Group were on the 9-1-1 Board in the State. They built and constructed 9-1-1 Centers throughout the State for different Counties, and regionalized 9-1-1. He added this is one of the leading consulting groups in 9-1-1 systems in the eastern part of the Country.

President Reynolds mentioned he is sure they will do a great job. His only concern is that our interest in the 9-1-1 study and the future of 9-1-1 is somewhat different from both Northampton County and Lehigh County. He noted for a while they wanted the City of Bethlehem system. President Reynolds feels that going forward we should all be aware that our own self-interest and the interest of the Counties may not be the same. He continued, when you look through the references in the paragraphs and what is included in here it is a lot of how they have consolidated, consolidated, consolidated. President Reynolds knows we are a little bit on our own in the State, as far as the 9-1-1 service provided by the City, and he is not saying that we should not look at the benefits of consolidation. He does think at this stage it is important to keep all of the options open, even if it is coming back with a number. President Reynolds continued, if it comes time to consolidate we can say to the residents of Bethlehem this is what we would be looking at if we decide to go down that road.

Police Chief DiLuzio agrees and noted we do have unique 9-1-1 needs in the City as compared to the needs in the suburbs. We have different issues. It is like comparing apples and oranges, and we have to understand that.

President Reynolds noted that is the information, not just what it will cost to consolidate, which he knows is Option A for most people throughout the State and Counties and this consulting group. He continued it is not necessarily what we have heard from the citizens or the Administration or from Council and so as this goes forward we need to make sure we get as many of those questions answered as possible. He added he has nothing but the utmost faith.

Police Chief DiLuzio noted this is our first step in the process.

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

G. *Resolution – NCDECD CIPP Grant – Habitat for Humanity and Promise Neighborhoods*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-203 that authorized a Resolution in support of a grant application on behalf of the Habitat for Humanity of the Lehigh Valley and Promise Neighborhoods of the Lehigh Valley from Northampton County DCED in the amount of \$10,000 to hire a shared Neighborhood Builder in the City of Bethlehem.

President Reynolds remarked he has a question about the five Resolutions because this is the first time we have seen any type of this request. He noted these are all worthy organizations and he will support the Resolutions, but wanted an explanation of this process. President Reynolds remarked that it seems odd that Council has to vote on these.

Alicia Karner, Director of Community and Economic Development stated they have asked Northampton County to come and speak to why they have determined it is necessary for the municipal entities to pass a Resolution. Ms. Karner remarked Mark Hartney, County of Northampton Department of Community and Economic Development Administrator was at the meeting and could provide the information.

Mr. Hartney informed the reason they are requiring this is just to make Council aware of the projects that are going on in your City and make sure that you are generally supportive of projects that we are going to consider under a competitive process.

President Reynolds queried as to the total amount of money they are giving that is in this current pool this year.

Mr. Hartney advised this is the first year and we have about half a million dollars budgeted for the program. They received forty-three notices of intent to apply, and about \$1.3 million in funding requests. We may have an opportunity to fund more, but we have to take this through the process of vetting and ranking of the proposals.

President Reynolds stated the five projects are all from long time respected organizations, but theoretically, either in the City, surrounding townships or boroughs, you can have an organization where there might not be a lot of information about them.

Mr. Hartney mentioned maybe the municipality has plans for an initiative that conflicts with what they are doing and so we just want to make sure that the municipality is on board with projects.

President Reynolds inquired if at some point in the future, the Administration or Council did not think a particular project was good and voted it down, would that be the end of the application. He was not referring to the current applicants before Council this evening.

Mr. Hartney informed they would still consider it, but that would weigh considerable in the application process.

President Reynolds queried if any of the municipalities have passed these Resolutions yet.

Mr. Hartney replied yes, Bangor and some of the townships. He added that the City of Bethlehem has already passed some Resolutions for applications that the City has submitted.

President Reynolds noted, but not for outside third party entities.

President Reynolds queried if someone applies for \$50,000 can the County decide to just allocate \$25,000 to an applicant.

Mr. Hartney stated that could be a possibility. County Council will ultimately approve the funding recommendations. This is very similar to CDBG for the City of Bethlehem. We have a review committee comprised of LVDEC, the Planning Commission, and they are trying to have someone from the PADCED participating on the committee. We are taking a very objective look at this and then we will present our rankings and recommendations to County Council.

President Reynolds noted that County Council will have the final say.

Mr. Recchiuti mentioned the source of this funding is the table games money.

Mr. Hartney stated that is correct.

Mr. Recchiuti noted we have other members on that Board for Northampton County and inquired if this going through that Board.

Mr. Hartney informed there are separate State laws for the slots revenue and the table games revenue. The table games revenue does not run through the Gaming Authority; a portion of that gets diverted directly to the County.

Mr. Recchiuti mentioned they are giving that as grants and asked if the County Council approved this method.

Mr. Hartney replied yes.

President Reynolds remarked for the slots revenue the Authority exists for it and Mr. Hartney replied yes.

President Reynolds asked why the County decided to go through a different process for this rather than the Authority.

Mr. Hartney informed it is the way it is set up legislatively. The law dictates that the slots money runs through the Gaming Authority, and then the law dictates that the table games revenue comes directly to the County.

President Reynolds queried if the Administration stands in support of all five projects.

Mayor Donchez replied yes.

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

H. Resolution – NCDECD CIPP Grant – Hispanic Center Lehigh Valley

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-204 that authorized a Resolution in support of a grant application on behalf of the Hispanic Center Lehigh Valley from Northampton County DCED in the amount of \$50,000 for the Fowler Hispanic Community Wellness Center.

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

I. Resolution – NCDECD CIPP Grant – LV Public Telecommunications Corp. WLVT-TV Channel 39

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-205 that authorized a Resolution in support of a grant application on behalf of the LV Public Telecommunications Corp. WLVT-TV Channel 39 from Northampton County DCED in the amount of \$10,000 for the Early Childhood Education Initiative.

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

J. Resolution – NCDECD CIPP Grant – Moravian Development Corp.

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-206 that authorized a Resolution in support of a grant application on behalf of the Moravian Development Corp. from Northampton County DCED in the amount of \$29,500 for the purchase and installation of a new audio video theatre system for the Northampton County Senior Center located at 720 Old York Road.

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

K. Resolution – NCDECD CIPP Grant – YWCA of Bethlehem

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-207 that authorized a Resolution in support of a grant application on behalf of the YWCA from Northampton County DCED in the amount of \$10,000 for TechGYRLS.

President Reynolds noted a clerical error on the Council agenda that reads YMCA and clarified that the Resolution is for the YWCA.

Mr. Callahan queried if the YMCA applied for anything because he knows that last year they asked Council to go on a tour and we had made some suggestions.

Mr. Hartney informed he just met with them this week. They did not come in and apply for this program this year. We did review what options are available to them through the County and he expects they will apply next year.

President Reynolds mentioned before they vote he would like to say a thank you to the different members of the organizations that came out to this meeting tonight in case there were any questions. He is certainly appreciative of the representation at this evening's meeting.

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

Motion – Considering Resolutions 9 L through 9 O as a Group – Certificates of Appropriateness

Mr. Waldron and Mr. Recchiuti moved to consider Resolutions 9 L through 9 O as a group.

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

L. Certificate of Appropriateness – 222 East Market Street

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-208 that granted a Certificate of Appropriateness to replace old shingles with GAF Slateline shingles at 222 East Market Street.

M. Certificate of Appropriateness – 512 Main Street

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-209 that granted a Certificate of Appropriateness to repaint the front of the building at 512 Main Street.

N. Certificate of Appropriateness – 234 East Wall Street

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-210 that granted a Certificate of Appropriateness to reroof the front porch at 234 East Wall Street.

O. Certificate of Appropriateness – 236 East Wall Street

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-211 that granted a Certificate of Appropriateness to reroof the front and rear porch at 236 East Wall Street.

Voting AYE on Resolutions 9 L through 9 O: Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, Mr. Evans, Mr. Recchiuti and Mr. Reynolds, 7. The Resolutions passed.

10. NEW BUSINESS

Railroad and Saucon Park Reports

Mr. Stellato advised he wanted to publicly thank Mr. Frank Barron for a very comprehensive report on two important issues. One is regarding the railroads and the transportation between the Lehigh Valley and Philadelphia and New Jersey/New York, and also the second report on Saucon Park. If any Council Members have not read these reports, these are very well written and easily understood. He added, we do not have to agree or disagree with this but it is there for our use and he just wanted to thank Mr. Barron.

Adding Resolution 9 P-Maintenance Worker-Parks Bureau

Mr. Evans remarked he was hoping to take a look at Communication 5 F which is a request to fill a vacancy of a Maintenance Worker 1 position in the Parks Bureau. Mr. Evans queried if the Resolution to fill this vacancy could be added to the Agenda as 9 P if he made the motion. His concern is that this does deal with the Parks and Public Property Department, which we know at this time are overworked and outmanned. The request came on August 7 right after the last Council Meeting. He understands that the typical standing is that it is a Communication at one meeting and listed as a Resolution at the following Council meeting. Mr. Evans believes this is time sensitive similar of the other Resolutions that we have dealt with tonight. His hope is to make a motion, whether the support is there from other members of Council, to add Resolution 9 P to the agenda and request a vote on the Resolution.

President Reynolds stated we are able to add the Resolution, although the Clerk does not have a Resolution to read at this meeting. Mr. Evans can make the motion to add this to the agenda.

Mr. Evans queried to Council Solicitor Spirk if he is correct to request to do this because this deals with our hiring freeze. The department is a little short on personnel and my goal would be to vote on approval to fill the vacancy tonight.

Solicitor Spirk stated procedurally it is in order to make a motion like that.

Mr. Evans apologized for not bringing this up before the meeting. He looked at this late and it would have been more prudent to work with the City Clerk earlier on this to create a formal Resolution to add this to the agenda.

Mr. Evans made the motion that Council add Resolution 9P to approve filling the vacancy of a Parks Bureau Maintenance Worker I, as requested in Communication 5F on the agenda. Mr. Callahan seconded the motion.

Mr. Waldron asked if this is the will of the Administration to move this to a vote.

Mayor Donchez replied yes.

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

President Reynolds remarked that 9P is added as a request to fill the vacancy of the Parks Maintenance Worker 1.

9. P – Request to Fill Vacancy – Parks Maintenance Bureau Worker 1

Mr. Evans and Mr. Callahan sponsored Resolution 2015-212 that approves the filling of the position of Maintenance Worker 1 in the Parks Bureau.

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

Road Conditions

Mr. Callahan informed he wanted to thank Michael Alkhal, Director of Public Works for the memo he sent to Therese Decker regarding her concern about road conditions on East Spruce Street and East Union Boulevard. Mr. Callahan remarked this is the second memo they received in their packets about our roads. He can assure that he rides a substantial amount of hours around the City. He understands budgets are tight, but remarked at some point we have to start putting some extra money into the account to take care of our roads. Mr. Callahan believes this is something we need to talk about during the upcoming budget season. He knows that it could cost a total of \$15 million to fix our roads which we will obviously not be able to do, but we cannot keep falling behind on our roads. At some point we have to start to put more money into that fund.

Musikfest

Mr. Evans wanted to take the opportunity to congratulate ArtsQuest on the great week we had for Musikfest and all of the aspects. It was a terrific success for the organization and for the City of Bethlehem. He also wanted to thank all the volunteers and residents that worked all week and many throughout the year to make this event happen. Mr. Evans also thanked the Administration. He expressed last year we had a few hiccups and some caught a lot of attention. This year, because of the number of people working together, we had great improvement. Mr. Evans thanked the Department Heads, Fire, Police and EMS that worked hard and recognized many of the men and women worked long hours these past 10 days. The weather was good for the event and we can look back on this as being a success for 2015.

11. PUBLIC COMMENT

Rail Agency

Kirk Raup, 818 West Union Boulevard stated he once again wanted to ask about getting the rail issue back on the Council agenda for discussion. He was unable to attend the last meeting but was able to meet with Mayor Donchez last Monday and also read the Article that Lynn Olanoff wrote regarding the Mayors pursuing rail service. Mr. Raup understands that the Mayors of Allentown, Bethlehem and Easton have talked with the Governor and the Secretary of Transportation in Pennsylvania and this is a good thing. This involves local agencies that reach out but he wanted to ask again for the proposal he made a year and a half ago to be added back to the agenda because this we have been talking about this for a very long time. He would like to get some traction behind this and move this forward. Mr. Raup noted it is conceivable if we put our heads together we can actually create a rail agency by the end of the year and begin a new year with pursuing this effort. Mr. Raup queried if Council is open to put this back on the agenda for public discussion.

President Reynolds remarked he would not speak for anyone else on City Council, and added we all have read the article, as he did, about the Mayors sitting down and looking at the next steps. President Reynolds pointed out that Mayor Donchez provided an update at the last Council Meeting and what they are working on regarding this subject. President Reynolds noted as we have shared in the past that kind of group regional approach from the three Mayors is an easier process on a practical level than it is for Bethlehem City Council to create one aspect of the Authority.

Mr. Raup would ask how it is conceived that this will happen this way because the system is not set up to be handed down from the Governor or the Secretary of State. Mr. Raup inquired how all this will come together without our taking action as I proposed. He remarked he would just like to have a discussion. Mr. Raup mentioned he is not looking for anyone to guarantee anything; he is just asking to get this to a discussion so that everyone knows what he has been asking for. He added there have been many misconceptions about what he has been asking for and what the risks are, if any, to the Cities, and whether or not we should investigate drawing the three cities together. Mr. Raup noted he does not see the process going anywhere with the approach we are taking. He continued, as important as that is, it does not happen that way. It doesn't happen with a top down approach. This is a local effort that is responded to by PennDOT, and the FDA, and that is why he is trying to establish a local agency. Mr. Raup stated on the other hand LANTA does not intend at this point to do anything regarding rail.

President Reynolds expressed he does understand. It is generally the position that we will wait for the lead from the three Administrations for them to come up with something regionally and then it would come to Council. We have had this conversation before but it is a situation by which it is hard for us to be the ones to lead this. If the three Mayors have stated in that article they are getting together and talking about the next steps at this point, today, that is the way we are looking to go.

Zoning Amendment for West Market Street

Bruce Haines, 63 West Church Street commented that the minutes from the last meeting on page 3 during the Mayor's report do not reflect the question that Mr. Recchiuti asked the Mayor with regard to the status of the zoning amendment for West Market Street when he asked when that would be coming to City Council. Mr. Haines stands a bit mystified as to why Mr. Recchiuti is pushing for this and would like him to explain the reasons because this was a zoning amendment that failed to pass the Planning Commission two times. Mr. Haines remarked this is a zoning amendment proposal that the governing body for the Historic District Homeowners Association is on record as not supporting and this is a zoning amendment that the Downtown Business Association governing body is on record to Council and the Mayor as not supporting. Mr. Haines mentioned it would seem to him that it is a little strange that he would be requesting something that clearly does not have public support at least from the constituents that would be impacted by this, nor one that even got passed the Planning Commission. Mr. Haines would request a response as to why this is being pressed by Mr. Recchiuti.

President Reynolds remarked that Mr. Recchiuti asked Mayor Donchez a question about what the status was regarding the amendment. He does not want to get into a back and forth here but that was the question posed to the Mayor. President Reynolds stated Mayor Donchez answered the question by saying that it is under review, so that is the status of the amendment. It was an amendment created by the Administration that went to the advisory board, which is the Planning Commission, and has not come to City Council. The Administration said it is under review. It was not created by Mr. Recchiuti or anyone on City Council.

Mr. Haines is wondering why we are even trying to pursue something like this.

President Reynolds informed Mr. Recchiuti asked the question about what was the status of the amendment. He did not say anything about when are they going to send it to Council or could they please send it to Council. President Reynolds noted the question would be with the Administration about what the future of the amendment is; not with City Council.

Mr. Haines reiterated that the minutes do not reflect what the actual question was so he would ask they review the recording of the minutes from the last meeting to verify that this in fact was the question asked.

Zoned Garbage Hauling, Condition of City Parks

Anne Evans, 464 Montclair Avenue stated she wanted to address two items and the first is the zoned garbage pickup. Ms. Evans would like to thank the people who voted in favor of the zoned garbage pickup and chastise those who did not. She was not at the meeting because she thought it was an easy pass, and she found out the next morning in the newspaper that it was not. She does not know what the procedure would be next, but she urges Council to rethink this. It was only listed as a trial and the 5 a.m. start should not hold back this program. Ms. Evans remarked there is a serious problem with picking up garbage in the City of Bethlehem and she thinks that this is honestly one of the first attempts to do something about this issue. She suggested that perhaps there is a way that this could come back on the agenda. There is no other way to police trash pickup other than having zoned areas because trash is out every day. Ms. Evans noted that nine trash haulers pickup on her street on five different days of the week. Ms. Evans mentioned the second thing has to do with the Parks Department. She is hoping that another maintenance worker in the Parks Department will help our city parks. They are in incredibly disappointing shape this year. Ms. Evans stated there is essentially no mulch underneath the play areas at Martin Luther King Park and Westside Park. Ms. Evans stated she has called and asked for mulch because the cement parts from equipment are protruding. This is dangerous. She continued, little children use those parks all of the time. The same is true of Ullman Park on Sassafra Street. Ms. Evans pointed out the City has its own

mulch facility so that should not be a problem. Ms. Evans inquired that when the grass is cut, which is done regularly, why trash is not picked up before it is torn apart by the mowers. The trash then gets blown around and neighbors end up picking it up. Ms. Evans remarked that Saucon Park has its problems but it seems to her that the Police Department is the group that is handling the problems at Saucon Park; not the Parks Department. There is no thinking out of the box for handling these things. Closing a pool and closing off the creek, not having the bathrooms open and having a porta-potty, are short-term solutions. We have wonderful parks in Bethlehem and we should be maintaining them and doing a better job of taking care of the parks. Ms. Evans noted Bethlehem was always the crown jewel of the Lehigh Valley and now Allentown and Easton are starting to catch up a little bit. Ms. Evan expressed she still believes that Bethlehem is the crown jewel of the Lehigh Valley, but maybe we need to work harder to retain our status. Ms. Evans remarked that our parks are an important asset in our City and she is concerned that they are not getting the attention that they really need. She personally thinks that having no flower barrels throughout the City really made a difference. She remarked the barrels made our City look friendly and pleasant. There is only one planter outside of our City Hall. Ms. Evans noted these are just some things to think about.

City Hall Requirement to Show Identification

Severin Johnson, Watkins Street is at this meeting because he has tried to go through every single channel to address a policy that is going on in City Hall. Mr. Johnson noted that every channel has either been ignored or agreed with him. He has been denied access to City Hall on three different occasions, two of which are on video. Mr. Johnson remarked that these videos have almost gone viral at this point. He works for an organization that teaches people their rights and gives a voice to victims of government corruption. He added to him our rights are very important, not a joke and not a laughable topic that some people in City Hall have directly said to him while he was protesting. Mr. Johnson reported the policy is that you cannot enter that building without an ID. City Hall is a public space paid for by taxpayers and we had no say in this policy and City Council had no say in this policy. Mr. Johnson noted that this policy was ad hocked out to the Parks Department. He continued Parks Director, Ralph Carp met him at the door and denied him access to the building when he stated what he was there for, which was a legitimate purpose to check on a right to know request. Mr. Johnson related this request was filed anonymously and he never left his name and address, and that is allowed by Pennsylvania State law. For a policy to be in place that directly contradicts is a very serious issue in his opinion. Mr. Johnson has the utmost respect for his City. He loves Bethlehem and worked for a long time to be able to afford to move to the nice area of Bethlehem and is raising a family in this town, and cares about this town. Mr. Johnson pointed out he had a very nice meeting with the Chief of Police, Mark DiLuzio. He sat down and had a very civilized conversation and that is all he asks for from the Administration, who has denied that. The story has been reported on the local news twice and been ignored. So far nothing has changed at all about the policy. Mr. Johnson informed the newspaper has been told twice that the policy is being changed and he has been told numerous times by the City Solicitor that the policy is being worked on. This policy is something that was enacted after September 11, 2001 but this is 15 years later. Mr. Johnson stated this is not something that is constitutional. We have a right to enter our own City Hall and if he chooses not to carry ID with him, he should not have to turn around and go home, or be denied access to City Hall because he simply does not have ID. Mr. Johnson informed that Allentown and Easton do not have a policy like this, and their crime rate is astronomically higher than Bethlehem. If you are a registered gun owner and are allowed to carry it, you are allowed in City Hall with that gun. It has been voted on in Pennsylvania. Mr. Johnson asked what is being tried to protect by taking our ID's at the door. This is a frivolous policy meant to just create more government invading our lives. He feels that this needs to be addressed now at City Council because he has tried every other channel and it is not being addressed. Mr. Johnson wondered if anyone has any comment on this or if they have seen the stories in the newspapers. He has tried every other channel and he has held back. He is also sitting on the Board for the Lehigh Valley ACLU who has advised him that this is not a good policy. Mr. Johnson noted the Department of Parks and Public Property is the business card that Mr. Carp gave to him. He continued we pay for public space. He queried if he walks through a park would he be required to hand an ID? The same requirement should be there for City Hall, and it is not. Mr. Johnson is asking Council to please look at this and see what is happening to numerous people while he was protesting, who were turned away from our City building. He continued numerous people have been turned away for not having ID. The entire south side is poor and many of them have no ID. They cannot afford it and there are elderly in

this town that cannot afford an ID. Mr. Johnson remarked, we do not need an ID to vote for them, but we need an ID to go see them and ask questions, and that is absurd.

President Reynolds noted before he adjourned he wanted to state that the City Clerk pointed out that under New Business on Page 10 of the minutes of the Meeting on August 4th it does reflect Mr. Recchiuti's question about the zoning Amendment for Market Street that was posed to Mayor Donchez.

12. ADJOURNMENT

The meeting was adjourned at 8:07 p.m.

ATTEST:

City Clerk