

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, September 15, 2015 – 7:00 PM

INVOCATION

Reverend Thomas Wright, III, of Grace Deliverance 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 September 1, 2015 were approved.

President Reynolds stated before he begins public comment he would like to announce that Council received two Communications from Public Works Director Michael Alkhal, one for the sidewalk maintenance and roadway lighting agreement with PennDOT and one regarding a contract with Gaver Industries DBA Barker & Barker Paving.

President Reynolds noted he would accept a Motion and a second under Agenda Item 9 – Resolutions, to add to the Resolutions to the Agenda.

Mr. Callahan and Ms. Reuscher made the motion to add Resolutions 9 K, 9 L, and 9 M to the agenda.

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

5G. *Director of Public Works – Recommendation for Award – PennDOT Fahy Bridge Rehabilitation Project*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works regarding Sidewalk and Lighting Maintenance agreements with PennDOT that related to the Fahy Bridge Rehabilitation Project. Adoption of Resolutions for both agreements is a requirement of the agreements. The agreements were recently received from the State, which is requiring the return of these documents by September 18, 2015.

5H. *Director of Public Works – Recommendation for Award – Gaver Industries*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works, recommending an amendment to a contract for 2015 Street Overlay-Curb Ramps with Gaver Industries, Inc. DBA Barker & Barker Paving to include milling and overlaying Main Street between Church Street and Broad Street. The amendment also includes additional curb ramps throughout the City and an additional 70 SY of concrete roadway repairs on West Lehigh Street. The term of the contract is 75 days from the Notice to Proceed. The additional cost for the amended contract is \$228,385.00.

3. PUBLIC COMMENT

None.

4. OLD BUSINESS.

A. Members of Council

None.

B. Tabled Items

None.

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Parks and Public Property Business Manager – Northampton County Open Space Initiative Grant Application Resolution Request – Refurbish Martin Luther King Park and Elmwood Park*

The Clerk read a memorandum from Sean P. Dobson, Parks and Public Property Business Manager attached to which is a proposed Resolution that will allow the City to apply for Northampton County Open Space Initiative grant funds that will be used to refurbish Martin Luther King Park and Elmwood Park. The required 50% match will be provided by the City capital money and CDBG funds.

President Reynolds stated Resolution 9 C is on the agenda.

B. *Parks and Public Property Business Manager – Northampton County Open Space Initiative Grant Application Resolution Request – Study of Parks and Pools*

The Clerk read a memorandum from Sean P. Dobson, Parks and Public Property Business Manager to which is a proposed Resolution that will allow the City to apply for Northampton County Open Space Initiative grant funds that will be used to perform an in-depth study of our parks and pools by a third party consulting firm. The required 50% match will be provided by the City capital money and CDBG funds.

President Reynolds stated Resolution 9 D is on the agenda.

C. *Community and Economic Development Director – Recommendation for Award - Greater Lehigh Valley Chamber of Commerce*

The Clerk read a memorandum from Alicia Karner, Director of Community and Economic Development recommending a contract with the Greater Lehigh Valley Chamber of Commerce for Marketing Services. The completion date of the contract is December 31, 2015 and the cost of the contract is \$75,000.

President Reynolds stated Resolution 9 E is on the agenda.

D. *City Solicitor – Use Permit Agreement – ArtsQuest – Papal Visit Viewing Party*

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 Papal Visit Viewing Party. The Permittee is ArtsQuest and the duration of the use is September 27, 2015 from 10:00 a.m. to 10:00 p.m. The location is First Street from Polk Street to the eastern terminus and Founders Way from Second Street to First Street.

President Reynolds stated Resolution 9 F is on the agenda.

E. *City Solicitor – Use Permit Agreement – GLV Chamber of Commerce by and through its Downtown Bethlehem Association – 2015 Harvest Fest*

The Clerk read a memorandum dated September 9, 2015 from William P. Leeson, Esq., City Solicitor, to which was attached a proposed Resolution and Use Permit Agreement between the City and the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association, for use of Nevin Place adjacent to the Sun Inn Courtyard, and Main Street from Broad Street to Church Street for 2015 Harvest Fest. The duration of the use is October 10, 2015 from 11:00 a.m. to 8:00 p.m.

President Reynolds stated Resolution 9 G is on the agenda.

F. *City Solicitor – Lease Agreement – Friends of the Bethlehem Mounted Police Unit*

The Clerk read a memorandum dated August 27, 2015 from William P. Leeson, Esq., City Solicitor, attached to which is a proposed Resolution and Associated Lease Agreement with the Friends of the Bethlehem Mounted Police Unit to lease a tract or parcel of land located south of Illick's Mill Road, as shown on the Plan or Survey, prepared by Musselman Associates, which is attached to the lease. The initial lease term is 10 years and the parties may renew the lease at five year terms thereafter. The annual rent is \$1.00. Lease conditions, Ownership of Improvements, Permitted Uses and additional terms of the agreement are contained therein.

President Reynolds stated the Resolution can be placed on the October 6th agenda.

6. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Richard Begbie – Fine Arts Commission*

David Brong, Business Administrator, read Mayor Donchez' appointment of Richard Begbie to membership on the Fine Arts Commission effective through September, 2018. Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-228 to confirm the appointment.

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

2. *Administrative Order – Hector Rosado – Fine Arts Commission*

David Brong, Business Administrator, read Mayor Donchez' appointment of Hector Rosado to membership on the Fine Arts Commission effective through December, 2017. Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-229 to confirm the appointment.

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

3. *Administrative Order – Vince Gentilcore – Fine Arts Commission*

David Brong, Business Administrator, read Mayor Donchez' appointment of Vince Gentilcore to membership on the Fine Arts Commission effective through March, 2018. Mr. Recchiuti and Mr. Evans sponsored Resolution 2015 -230 to confirm the appointment.

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

4. *Administrative Order – Theresa Shaton – Fine Arts Commission*

David Brong, Business Administrator, read Mayor Donchez' appointment of Theresa Shaton to membership on the Fine Arts Commission effective through September, 2018. Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-231 to confirm the appointment.

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

5. *Administrative Order – Sheila O'Connell – Fine Arts Commission*

David Brong, Business Administrator, read Mayor Donchez' reappointment of Sheila O'Connell to membership on the Fine Arts Commission effective through September, 2018. Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-232 to confirm the appointment.

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

Finance Committee

Chairman Recchiuti stated the Finance Committee met tonight on Tuesday, September 15, 2015 at 6:00 p.m. in Town Hall, prior to the City Council Meeting at 7:00 PM. The Committee voted to recommend the following: The Appalachian Mountain Club Sub Lease Agreement; Amending the Non-Utility Capital Improvement Fund - Northampton county Open Space Initiative - Northampton/Lehigh Footbridge - Skateplaza Shade Canopy.

7. ORDINANCES FOR FINAL READING

A. *Bill No. 32 - 2015 - Amending General Fund*

The Clerk read Bill No. 32 - 2015, Amending General Fund, on Final Reading.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, and Mr. Reynolds, 7. Bill No. 32-2015, now known as Ordinance No. 2015-31 was adopted on Final Reading.

B. *Bill No. 33 - 2015 - Amending Non-Utility Capital Budget*

The Clerk read Bill No. 33 - 2015, Amending Non-Utility Capital Budget, on Final Reading.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, and Mr. Reynolds, 7. Bill No. 33-2015, now known as Ordinance No. 2015-32 was adopted on Final Reading.

8. NEW ORDINANCES

A. *Bill No. - 34 - 2015 - Rezoning RT to I - Moravian College Parcel*

The Clerk read Bill No. 34 - 2015 - Rezoning RT to I - Moravian College Parcel, sponsored by Mr. Stellato and Mr. Recchiuti and titled:

AN ORDINANCE AMENDING PART 13 OF THE CODIFIED
ORDINANCES OF THE CITY OF BETHLEHEM, PENNSYLVANIA,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE OF THE
CITY OF BETHLEHEM, PENNSYLVANIA, BY AMENDING
THE CITY ZONING MAP

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Evans, Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, and Mr. Reynolds, 7. Bill No. 34 - 2015 was passed on First Reading.

9. RESOLUTIONS

A. *Authorizing Use Permit Agreement - LeadDog Marketing Group, Inc. - Runner's World Half Marathon and Festival and Runner's World Trail Run*

Mr. Stellato and Mr. Recchiuti sponsored Resolution No. 2015-233 that authorized the execution of a Use Permit Agreement between the City of Bethlehem and LeadDog Marketing Group, Inc. for use of First Street from Polk Street to the City's Terminus, Founders Way between Second Street and First Street, and South Mountain for the Runner's World Half Marathon and Festival and the Runner's World Trail Run for the time period October 15 to 18, 2015, according to the terms of the Agreement.

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

B. *Authorizing Use Permit Agreement - ArtsQuest - OktoberFest 2015*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-234 that authorized the execution of a Use Permit Agreement between the City and ArtsQuest for use of First Street from Polk Street to the City's Terminus and Founder's Way from Second Street to First Street

for OktoberFest 2015 on October 2 through 4, 2015 and October 9 through 11, 2015, according to the Agreement.

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

C. *Authorizing Grant Resolution – Northampton County Open Space Initiative Grant Application – Refurbishing Martin Luther King Park and Elmwood Park*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-235 that authorized the execution of a grant application for Northampton County Open Space Initiative grant funds that will be used to refurbish Martin Luther King Park and Elmwood Park.

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

D. *Authorizing Grant Resolution – Northampton County Open Space Initiative Grant Application – Parks and Pool Study*

Mr. Stellato and Mr. Recchiuti sponsored Resolution No. 2015-236 that authorized the execution of a grant application for Northampton County Open Space Initiative grant funds that will be used to perform an in-depth study of our parks and pools by a third party consulting firm.

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

E. *Authorizing Contract – GLV Chamber of Commerce*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-237 that authorized the execution of a contract with the GLV Chamber of Commerce for a Professional Services Agreement.

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

F. *Authorizing Use Permit Agreement – ArtsQuest – Papal Visit Viewing Event*

Mr. Stellato and Mr. Recchiuti sponsored Resolution 2015-238 that authorized a Use Permit Agreement with ArtsQuest for the Papal Visit Viewing Event on First Street from Polk Street to the eastern terminus and Founders Way from Second Street to First Street. The duration of the event is September 27, 2015 from 10:00 a.m. to 10:00 p.m.

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

G. *Authorizing Execution of Use Permit Agreement for Public Property – Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association – 2014 Harvest Fest*

Mr. Stellato and Mr. Recchiuti sponsored Resolution No. 2015-239 that authorized the execution of a Use Permit Agreement between the City of Bethlehem and the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association for use of Nevin Place (adjacent to Sun Inn Courtyard) and Main Street from Broad Street to Church Street for the 2015 Harvest Fest on October 10, 2015, according to the terms of the Agreement.

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

Motion – Considering Resolutions 9 H through 9 J as a Group – Certificates of Appropriateness

Mr. Recchiuti and Mr. Waldron moved to consider Resolutions 9 H through 9 J as a group.

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

H. *Certificate of Appropriateness – 27 East Church Street*

Mr. Stellato and Mr. Evans sponsored Resolution 2015-240 that granted a Certificate of Appropriateness to replace the siding in the rear of the home at 27 East Church Street.

I. *Certificate of Appropriateness – 129 East Market Street*

Mr. Stellato and Mr. Evans sponsored Resolution 2015- 241 that granted a Certificate of Appropriateness to install a new post lamp, LED ground lights and a gutter on the garage at 129 East Market Street.

J. *Certificate of Appropriateness – 404 Center Street*

Mr. Stellato and Mr. Evans sponsored Resolution 2015-242 that granted a Certificate of Appropriateness to remove existing slates and install new Ecostar imitation slate at 404 Center Street.

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

K. *Pennsylvania Department of Transportation – Sidewalk Maintenance Agreement*

Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-243 that authorized to execute the Sidewalk Maintenance Agreement related to the Fahy Bridge Rehabilitation Project.

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

L. *Pennsylvania Department of Transportation – Roadway Lighting Agreement*

Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-244 that authorized to execute the Roadway Lighting Agreement related to the Fahy Bridge Rehabilitation Project.

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

M. *Authorizing Contract – Gaver Industries Inc. – DBA Barker & Barker Paving*

Mr. Recchiuti and Mr. Evans sponsored Resolution 2015-245 that authorized the execution of a contract with Gaver Industries. DBA Barker & Barker Paving for 2015 Street Overlays – Curb Ramps.

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

10. NEW BUSINESS

None.

11. PUBLIC COMMENT

Sewer Line Collapse

Joel Pychinka, 2151 Cypress Road was at the meeting this evening to speak about an issue with his sewer line. He mentioned he has been in his home for 20 years, and between 1995-1998 he started having problems with the sewer line. He noted that he reached out to the City Forester regarding an issue with a tree as it relates to the sewer line. He continued the pipe has now collapsed because of the tree roots. He expressed that he cannot use any of the facilities in his house and the city needs to step up and correct the issue.

President Reynolds turned to Acting Mayor David Brong and remarked that someone from the Administration could speak with Mr. Pychinka after the meeting. Mr. Brong confirmed he would speak with Mr. Pychinka regarding his issue.

Saucon Park

Francine Gore, 1654 Finches Garden Road spoke about Saucon Park and thanked the City of Bethlehem for the measures taken to correct the situation at the park this year. She continued she is hopeful that closing the park over the Labor Day weekend sent a message to those from out of town and they will go elsewhere. Ms. Gore spoke about the pavilion permit fee and suggested the rental fee should be lower for residents of the City. Ms. Gore reiterated her appreciation for all the attention the City has given to the issues related to the park issues.

Dangerous Intersections/Public Street Safety

Arthur Curatola, 813 Laufer Street, noted he spoke about dangerous intersections in the past and wanted to bring up this matter again tonight. He was referring to Webster Street and mentioned most recently he saw that someone had to quickly brake because they could not see oncoming traffic due to a car parked too close to a stop sign that visually blocked the cross street. He continued people are parking too close to stop signs and crosswalks referenced the Department of Motor Vehicles law regarding this matter. Mr. Curatola stated something needs to be done for everyone's safety. Mr. Curatola also spoke about safety on our public streets. He feels no one, except the police or those with a license/permit, should be carrying a concealed gun. Mr. Curatola would like a law passed that anyone, at any time, could be searched for a concealed weapon.

Friends of the Mounted Police Unit Lease Agreement

Linda Freedman, 251A Spring Street, was at the meeting to express her concerns about the lease agreement for the Friends of the Mounted Police Unit. Ms. Freedman remarked that the area to lease is a large area of a wildlife habitat and will be disrupted if it becomes a riding area and pasture for the horses. In addition, she expressed concern for the nature trails and potential damage from the horses, especially following a rainfall. Ms. Freeman mentioned the lights at night will be detrimental to the wildlife. The area to be leased has also been a popular sledding hill for generations of families and would be disappointed to that come to an end, she added. Ms. Freeman pointed out that on one hand the City is applying for grants to improve our parks, and on the other hand, we are doing harm to our parks.

President Reynolds noted that Council will be voting on the lease agreement at the October 6 Council Meeting.

Permit Fee

Luz Rivera, no address, came to the meeting to speak about the cost for a permit. Ms. Rivera sells handcrafts and held up a permit that she noted costs \$25 every ten days. She continued a permit requires a home address, and stated she is homeless. She is asking for some assistance. President Reynolds asked if Ms. Rivera was referring to a business permit to which she replied, yes. President Reynolds asked if someone from the Administration could speak with Ms. Rivera following the meeting and Ms. Karner indicated she would do so.

12. ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

ATTEST:

City Clerk