

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, August 4, 2015 – 7:00 PM

INVOCATION

Reverend James Harper, Notre Dame of Bethlehem 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, Michael Recchiuti, Cathy Reuscher, Louis N. Stellato, Adam R. Waldron, and J. William Reynolds, 6. Eric R. Evans was absent, 1.

CITATIONS

Honoring Jesse Sterner and Jonathan Pesesko

President Reynolds stated that the Citations for Jesse Sterner and Jonathan Pesesko on the occasion of their retirements will be mailed to them since they were unable to attend the Meeting.

2. APPROVAL OF MINUTES

The Minutes of July 21, 2015 were approved.

3. PUBLIC COMMENT

South Side Trash Collection 5 a.m. Start time

Peter Crownfield, 407 Delaware Avenue, informed he wanted to speak in reference to the trash collection Ordinance that is on the agenda tonight. Mr. Crownfield urged Council to vote no on this Ordinance. He feels there is no need for the change to an earlier pickup time. This is a 5 a.m. pickup time limited to the south side of Bethlehem. Mr. Crownfield noted as was discussed at the last Council Meeting this was a negotiation between the haulers and the City. It is not really based on safety. It is not based on the needs of the citizens and that is what negotiators should be doing. They should be working for the residents and citizens who live and work in the City. Mr. Crownfield stated that should be their concern, not pleasing the haulers. He continued if for some reason Council is inclined to vote yes on this Ordinance then he thinks there should be an amendment and make the 5 a.m. starting time for trash collection uniform throughout the City. Mr. Crownfield feels it is wrong to single out the south side while continuing to protect the north side and west side. This is a matter of being awakened at 5 a.m. by garbage trucks.

4. OLD BUSINESS.

A. Members of Council

None.

B. Tabled Items

None.

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Mayor –Request to Fill Vacancy – Parks Maintenance Bureau Worker I*

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

President Reynolds stated Resolution 9 C is on the agenda.

B. *Director of Water and Sewer Resources – Recommendation for Award – D’Huy Engineering, Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources, recommending a contract with D’Huy Engineering, Inc. for professional consulting services to assist the City with development of a long-term capital improvement plan for wastewater including the treatment plant and collection and conveyance system. The contract will run from Notice to Proceed until December 31, 2015. The fee for the contract is \$5,800.

President Reynolds stated Resolution 9 D is on the agenda.

C. *Director of 9-1-1 – Resolution Request – 9-1-1 Funding*

The Clerk read a memorandum from Robert Haffner, 9-1-1 Director, requesting a Resolution for 9-1-1 Funding authorizing acceptance of the funds in order for the City to be eligible to receive them. Act 12 was signed into law June 29, 2015 which changes the way funding is distributed to 9-1-1 centers across the Commonwealth. The Resolution is a requirement of Section 5306.1 (h) of the Act.

President Reynolds stated the Resolution can be listed on the August 18, 2015 agenda.

D. *Executive Director – Bethlehem Area Public Library – Recommendation for Award – Heim Construction Co.*

The Clerk read a memorandum from Josh Berk, Executive Director of the Bethlehem Area Public Library, recommending a contract with Heim Construction Co. as the general contractor for the Library’s Room to Grow Phase III renovations. The General Construction Contract includes selective interior demolition, and architectural and structural construction. The estimated completion date is February 1, 2016. The amount of the contract is \$442,650 and is funded by the Commonwealth Libraries, Department of Education and a match from the Library.

President Reynolds stated Resolution 9 E is on the agenda.

E. *Executive Director – Bethlehem Area Public Library – Recommendation for Award – Albarell Electric*

The Clerk read a memorandum from Josh Berk, Executive Director of the Bethlehem Area Public Library, recommending a contract with Albarell Electric as the electrical contractor for the Library’s Room to Grow Phase III renovations. The Electrical Construction Contract includes all construction and other activities traditionally recognized as electrical work. The estimated completion date is February 1, 2016. The amount of the contract is \$215,000 and is funded by the Commonwealth Libraries, Department of Education, and a match from the Library.

President Reynolds stated Resolution 9 F is on the agenda.

F. *Executive Director – Bethlehem Area Public Library – Recommendation for Award – JBM Mechanical, Inc.*

The Clerk read a memorandum from Josh Berk, Executive Director of the Bethlehem Area Public Library, recommending a contract with JBM Mechanical as the HVAC/Plumbing contractor for the Library’s Room to Grow Phase III renovations. The contract includes all construction and other activities traditionally recognized as plumbing work and HVAC work.

The estimated completion date is February 1, 2016. The amount of the contract is \$132,000 and is funded by the Commonwealth Libraries, Department of Education and a match from the Library.

President Reynolds stated Resolution 9 G is on the agenda.

G. *Executive Director – Bethlehem Area Public Library – Recommendation for Award – Sargent Enterprises*

The Clerk read a memorandum from Josh Berk, Executive Director of the Bethlehem Area Public Library, recommending a contract with Sargent Enterprises as the demolition and asbestos abatement contractor for the Library's Room to Grow phase III renovations. The contract includes all demolition and other activities traditionally recognized as Abatement/Demolition work. The estimated completion date is February 1, 2016. The amount of the contract is \$188,000 and is funded by the Commonwealth Libraries, Department of Education and a match from the Library.

President Reynolds stated Resolution 9 H is on the agenda.

6. REPORTS

A. *President of Council*

B. *Mayor*

Rail Service

Mayor Donchez informed he wanted to give an update from our last meeting regarding rail service. As he indicated at a previous City Council meeting there was a meeting in Harrisburg with Mayor Pawlowski and Mayor Panto and the Secretary of Transportation. Mayor Donchez was on a conference call with this meeting that lasted about 25-30 minutes. They discussed rail service to get the Lehigh Valley on the radar. The Secretary of Transportation was very receptive to that idea. Mayor Donchez added that the Mayors of Allentown, Bethlehem, Easton and Phillipsburg had a meeting in Bethlehem City Hall to discuss rail service going from the Lehigh Valley through Phillipsburg, New Jersey and into New York. We hope that there will be some future meetings with the New Jersey Secretary of Transportation. Mayor Donchez reported that LANTA and the Lehigh Valley Planning Commission are continuing with discussions on the passage of rail service and developing strategic plans. Mayor Donchez believes his next meeting with Mayor Panto and Mayor Pawlowski will again be to discuss rail service.

Musikfest

Mayor Donchez reported he wanted to commend everyone involved from the Administration to ArtsQuest and the Northampton Emergency Management Team in preparing for Musikfest. We have spent a lot of time to prepare for Musikfest. We have had monthly meetings with these entities, and hope for good weather and that we have no problems. Mayor Donchez added they have had excellent cooperation from all of the entities and he just wanted to publicly say that and say thank you to everyone involved in the event.

C. *Parks and Public Property Committee Meeting*

Ms. Reuscher, Chairwoman of the Parks and Public Property Committee, presented an oral report of the meeting that was held on Tuesday, August 4, 2015 at 6:30 pm. The Committee received an update from the Bethlehem Backyards for Wildlife Program from the Bethlehem Backyards for Wildlife Committee which is a subcommittee of the Environmental Advisory Committee.

7. ORDINANCES FOR FINAL READING

A. *Bill No. 31-2015 – Amending Article 935 – Municipal Waste Collection and Disposal*

The Clerk read Bill No. 31 – 2015, Amending Article 935 – Municipal Waste Collection and Disposal, on Final Reading.

Mr. Recchiuti related he was not at the last Council Meeting when this was voted on First Reading, due to vacation. Mr. Recchiuti commented that Mr. Crownfield made a few good points including that 5 a.m. is very early to start picking up garbage. Mr. Recchiuti believes we are looking at a slippery slope if this expands to the north and west sides of Bethlehem. It looks like this was used as a bargaining tool to get the trash haulers to come in line and agree to do this for Monday and Tuesday on the south side. Mr. Recchiuti stated he is also worried about enforcement. The City cannot enforce 6:00 a.m. because he sees garbage trucks coming up his alley at 5:30 a.m. so how can they enforce 5:00 a.m. If a trash hauler starts at 5:00 a.m. and is done at 5:30 a.m. or 5:45 a.m. they are not going to stop and rest for 15 minutes. They will come over and start doing the north side. Mr. Recchiuti does believe that 5:00 a.m. is too early and added that there has not been an issue with safety now and a majority of the haulers are picking up Monday and Tuesday. Mr. Recchiuti informed he will not be supporting this tonight.

Mr. Waldron stated he agrees with Mr. Recchiuti and thinks that the 5:00 a.m. start time is trying to solve a problem that we are not even sure is going to exist. Mr. Waldron thinks it makes sense to keep the start time for trash pickup at 6:00 a.m. and go from there. The Administration had talked about being flexible and having the tools to adjust to any concerns that come up so if we leave this at 6 a.m. and go from there that would give the flexibility because Council could change this if they came to us and said there are safety concerns and that 5 a.m. is necessary. Mr. Waldron stressed until we are sure what the concerns are he does not know if it makes sense to preemptively change to a 5 a.m. pick up time.

Ms. Reuscher affirmed she does think it is important that we start this initiative in the south side and she is very appreciative of the need to address those complaints that are specifically coming from the south side. Ms. Reuscher wonders if Council Members felt that if we moved it to 6:00 a.m. if they would be interested in supporting it tonight.

President Reynolds turned to the Administration for comments. They have had more back and forth with the haulers than Council has. Everyone up here would say that they support the Pilot Program. It is just the time change so maybe someone from the Administration could comment on how important the hour is either to the actual practical application of what they are trying to do or the rhetorical one.

Mayor Donchez advised he feels that the 5 a.m. start time is important. It was an issue they discussed and he does not feel it was a bargaining chip in a sense, but he thought it was an important issue, a give and take from the haulers. Mayor Donchez noted this is a Pilot Program and obviously it will be a learning experience to see how we enforce this. We may have to come back to Council to tweak different things. Mayor Donchez thinks this a good first step to try to get control over the south side because of the garbage issues so he thinks the time is important but we intend to move forward on October 5.

Justin Poremba, Assistant Director of Community and Economic Development, mentioned this is being portrayed as being a bargain chip and he would say that it is not. He would say that the whole reason to look at 5 a.m. is the safety. They were looking to clear Wyandotte, Broad and Fourth Streets to avoid the rush hour traffic in this area, and especially in the areas of sharp turns like Itaska Street and making sure that everything is picked up around school zones. Mr. Poremba added they wanted to make sure that we were not interfering with school traffic at all. He added it was not a bargaining chip and that we will be moving forward with 6 a.m. if the change did not come down but again we were looking only at safety. Mr. Poremba reported that is why they moved forth to proposed 5 a.m. and working from that perspective in terms of the time.

Mr. Stellato remarked this is a Pilot Program and something that is being done on a trial basis. We will look at it, review, discuss, and evaluate in six months. We picked the south side because of the congestion over there. He agrees with what we are trying to accomplish. The idea, concept, and bottom line for him is that this is a trial, so we have to try.

Ms. Reuscher queried if it makes sense to start this as a trial with a 6 a.m. hour knowing that we can adjust that forward or backwards based on how that trial period goes.

Mayor Donchez noted his position is that he is proposing 5:00 a.m. but he will certainly move forward on October 5 whether it is 5:00 a.m. or 6:00 a.m. because this program is very important. Mayor Donchez believes we need strong enforcement and no one could argue with that point. We have looked at this over the last 10 to 15 years, and we do have weak enforcement in this area. Mayor Donchez noted this is an issue of quality of life and an issue of trying to get control of an area where we have a very high dense population. If we could get pickup Monday and Tuesday, at least we could have enforcement Wednesday, Thursday and Friday. We will report to City Council and we will be more than happy to come back quarterly and give reports that include violations, etc. Mayor Donchez stressed this is a Pilot Program and he hopes that Council will consider giving them flexibility. He added, if we have to tweak this, then we will make changes.

President Reynolds mentioned that pickup start time is 6:00 a.m. now but sometimes people have seen and we have heard reports of haulers in neighborhoods before 6:00 a.m. He queried as to what is the mechanism by which we plan to enforce that 5:00 a.m. start.

Michael Conway, Recycling Director, stated generally we are looking at completely briefing the Police Department, getting them on board to know exactly what areas we are looking at with 5:00 a.m. to 6:00 a.m., and allowing for what is able to be picked up in that hour time frame. Mr. Conway mentioned along with that, we have the Health Bureau that has an inspector going out to check. The Recycling Bureau has an inspector going out there. The Recycling inspector is out on the south side on Wednesday, Thursday and Friday to look for violations of solid waste along with recycling.

President Reynolds mentioned as far as the time is concerned, it is a situation by which the Police would be the ones that would enforce that.

Mr. Conway confirmed yes and pointed out the Police are the ones out on the road at the time.

President Reynolds asked if we have cited any hauler in the past year or anyone for picking up trash before 6:00 a.m.

Mr. Conway stated not to his knowledge.

President Reynolds inquired whether we think trash pick-up currently happens before 6:00 a.m.

Mr. Conway remarked he would not be surprised if there are circumstances where it does happen. We have different haulers that are picking up in Freemansburg, Hellertown, Lower Saucon, and in between they probably could be making stops here or there. We cannot see it. We wait for violations to be called in. The Police Department is familiar with the Ordinance. Mr. Conway does not know for a fact whether anyone is picking up before 6:00 a.m.

President Reynolds mentioned the concern from Members of City Council is that we are not currently enforcing as far as haulers picking up before 6:00 a.m. and so how will we enforce this if they come before 5:00 a.m.

Mr. Poremba added that presently we have individuals all over the City six days a week. We will have a better grasp because we will know that they will be concentrated to that area and again, as Mr. Conway pointed out, we could zero in with Police Chief Mark DiLuzio to look at the monitored Pilot Program area to make sure there is no hauler traffic before 5:00 a.m. Mr. Poremba stated we know that this Monday and Tuesday would be the zoned hauling days for the Pilot Program and we would know to monitor that area heavily.

Mr. Callahan feels that this comes down to safety. As the Mayor said, and Mr. Stellato mentioned, this is a trial and it will only be for a few months. Mr. Callahan queried about the number of haulers on the south side. He believes there are 17 out of 23 that service the south side.

Mayor Donchez reported we have approximately 23 or 24 haulers in the City, but the concentration now is about 15 on the south side.

Mr. Callahan noted right now we have 15 haulers on the south side over a five-day period, and he thinks that with the safety concerns for the children lining up for buses at 7:00 a.m. it is not too much to ask to start at 5:00 a.m. to try this for three months. He remarked, we need to see how this works to get the haulers out of the south side area. Mr. Callahan pointed out having 15 trucks over a five-day period is a lot different than having 15 trucks over a two-day period. Mr. Callahan knows that everyone has a different opinion on this but he would ask Council to give the Administration some flexibility and see how this goes for those three months. If the residents complain and if the haulers say they can start at 6:00 a.m. and get out at a good time and we would not have issues with congestion then maybe we should go back to 6:00 a.m. Mr. Callahan thinks it would benefit us to err on the side of safety for the first three months and change this to 5:00 a.m. Everyone knows the situation in the City with the garbage issues and he thinks this is a good first step. As he said at the last meeting he applauds the Mayor for trying to take this on. Mr. Callahan hopes this works and maybe we can expand this throughout the rest of the City.

Mr. Waldron queried as to how many school buses service the south side in the Bethlehem School District because Mr. Callahan brought up the point of school bus congestion with the garbage trucks, which is a valid point.

Mr. Callahan stated he knows that Freedom High School alone has 7 buses that go to the south side and that does not include Liberty High School. Everyone from the south side gets bussed to their high schools. Mr. Callahan mentioned he is happy to report back on the number of buses and noted there are also middle school and elementary school children walking. Mr. Callahan just thinks with that having 15 trucks over two days driving around in the morning for the first time it would be very prudent of us to do what we can to err on the side of safety. We can see what happens at the end of three months and if we get complaints we can go back to 6:00 a.m. This will not be set in stone; we have the ability to go back and change this.

Mr. Recchiuti stated he disagrees with Mr. Callahan. Right now, if he recalls that list, there are 11 out of 15 haulers that operate on Monday and Tuesday on the south side anyway so we already have the congestion. This has not been a problem at 6:00 a.m. now and if you are talking about safety he thinks that the recycling truck would be a bigger safety hazard, and we are not rolling that back to 5:00 a.m. That truck stops at every house when it goes up Wyandotte or Hayes Street. Mr. Recchiuti pointed out that garbage trucks are not going to be stopping at every house. He is not sure this will be a big safety issue because it is not a safety issue now. Mr. Recchiuti has not seen any issues relating to safety of garbage trucks picking up on the south side now. His real concern is if this was the north side and this was our Pilot Program this room would be packed with people saying they do not want 5 a.m. but the level of engagement on the south side is not quite the same as it is on the north side. Mr. Recchiuti noted that right now we have one resident from the south side, Mr. Crownfield, and he spoke against this and he made some valid points.

President Reynolds stated he will vote for this Ordinance. He referenced Mayor Donchez mentioning the idea of quarterly reports and City Council will probably send a memo asking questions to be answered perhaps every month or so regarding enforcement with both the haulers coming before 6 a.m. or 5 a.m. and also the citations in the residential areas not conforming with the Pilot Program. President Reynolds noted that Council received a memo that included the regulations and the designated pick up days of Monday and Tuesday. He continued, one concern we had previously was the ability to enforce that people put trash out on those other days. President Reynolds stated he has questioned the buy-in from some people who have traditionally fought this for a long, long time. If 5:00 a.m. is one less thing that can come up down the road as a reason why this was not successful he is willing to vote for that now. However, he does think it is important for the Administration to let Council know even if there are problems that they hear about from the people that pick up our trash as to why this program might now be working, it is better for us to hear them even on a bi-weekly or monthly basis rather than have a report six months down the road. President Reynolds thinks the enforcement is the biggest question but he will be supporting the Ordinance. He remarked he does reserve judgement, as many Council Members do, to see how things are working after three months. More importantly, if we are getting complaints that people are being cited, which

will tell how the program is working, then that is a connection that will be key as far as whether this will continue.

Voting AYE: Mr. Stellato, Mr. Callahan, Mr. Reynolds, 3. Voting NAY: Mr. Recchiuti, Ms. Reuscher, Mr. Waldron, 3. Bill No. 31 – 2015 failed by a tie vote.

8. NEW ORDINANCES

None.

9. RESOLUTIONS

A. *Authorizing 2014 Edward Byrne Memorial Justice Assistance Grant (JAG)*

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-185 that authorized the Police Department's application for the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of up to \$19,270. The grant will be used by the Bethlehem Police Department to continue improvements in computer hardware and software.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

B. *Authorizing Use Permit Agreement for Public Property – Greater Lehigh Valley Chamber of Commerce – Downtown Bethlehem Association – 2015 Bethlehem VegFest*

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-186 that authorized execution of the Use Permit Agreement between the City of Bethlehem and the Greater Lehigh Valley Chamber of Commerce through the Downtown Bethlehem Association, for use of various City property for the 2015 VegFest on August 22, 2015 from 11:00 AM to 6:00 PM. according to the Agreement.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

C. *Approve Hiring – Maintenance Worker I – Parks Maintenance Bureau*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-187 that approves the filling of the position of Maintenance Worker I in the Parks and Public Property Bureau.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

D. *Authorize Contract – D'Huy Engineering, Inc.*

Mr. Stellato and Mr. Callahan sponsored Resolution No. 2015-188 that authorized the execution of an agreement with D'Huy Engineering, Inc. for Waste Water Capital Improvement Planning.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

E. *Authorize Contract – Heim Construction Co.*

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-189 that authorized the execution of an agreement with Heim Construction Co. for the Bethlehem Area Public Library Room to Grow Phase III renovations.

Mr. Recchiuti queried if there was any City money being spent on this project or are we only approving this because we own the building. He asked if they are paying us and then we pay the vendors.

Business Administrator David Brong replied yes.

President Reynolds noted that Josh Berk, Bethlehem Library Executive Director, is at this meeting and that the next four of these Resolutions are about the Room to Grow. He asked Mr. Berk to give Council a summary of what work is being done in Phase III related to the contracts that are before Council tonight.

Mr. Berk advised the Bethlehem Library is undergoing a large renovation to the second floor and this has been ongoing for several years. This is largely funded through the Department of Education, the office of Commonwealth of Libraries and Keystone Grant which is a matching grant. That is a \$500,000 grant from the State and the Library raised that match. Mr. Berk noted working with the Parks and Public Property Department they began bidding the contract, working with architects, and they bid these contracts through. Heim Construction was the general contractor so they will be doing all the major construction and overseeing the project. Mr. Berk pointed out the first step is asbestos abatement and demolition and that is Sargent Enterprises and they will be the first to begin work. The other two pieces of this were split into contracts for electrical and plumbing and that will be Albarell Electric and JBM Mechanical. Mr. Berk stated they were all the lowest bidders and we reviewed their qualifications. These are all companies that are qualified to complete this project to its scope.

President Reynolds queried as to the time frame of this project and when it will be completed.

Mr. Berk informed hopefully this will be completed by early next year. He continued, as soon as the contracts are signed we will meet with the contractors and begin with the demolition as soon as they are available. It is estimated that by early next year the project will be completed. The final goal is a new children's room for the Library on the second floor. The space is currently unused and formerly used to house old books, so that whole second floor will become the children's room early next year.

President Reynolds congratulated Mr. Berk and recognized that the Room to Grow project has been planned for a long time. President Reynolds stated he hears great things about the job that Mr. Berk is doing and he knows that this project will transform the Library.

Mr. Berk informed it is very exciting and thanked City Council and the Mayor for their help with this project.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

F. Authorize Contract – Albarell Electric Inc.

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-190 that authorized the execution of an agreement with Albarell Electric Inc. for the Bethlehem Area Public Library Room to Grow Phase III renovations.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

G. Authorize Contract – JBM Mechanical Inc.

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-191 that authorized the execution of an agreement with JBM Mechanical Inc. for the Bethlehem Area Public Library Room to Grow Phase III renovations.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

H. Authorize Contract – Sargent Enterprises Inc.

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-192 that authorized the execution of an agreement with Sargent Enterprises Inc. for the Bethlehem Area Public Library Room to Grow Phase III renovations.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

Motion – Considering Resolutions 9 I through 9 K as a Group – Certificates of Appropriateness

Mr. Waldron and Mr. Recchiuti moved to consider Resolutions 9 I through 9 K as a group.

Voting AYE: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Motion passed.

I. Certificate of Appropriateness – 310 Taylor Street

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-193 that granted a Certificate of Appropriateness to install awnings, replace windows & doors and install an ADA ramp at 310 Taylor Street.

J. Certificate of Appropriateness – 626 Evans Street

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-194 that granted a Certificate of Appropriateness to replace roof at 626 Evans Street.

K. Certificate of Appropriateness – 119 East Third Street

Mr. Stellato and Mr. Callahan sponsored Resolution 2015-195 that granted a Certificate of Appropriateness to install a sign at 119 East Third Street.

Voting AYE on Resolutions 9 I through 9 K: Mr. Recchiuti, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolutions passed.

10. NEW BUSINESS

Saucon Park

Mr. Recchiuti mentioned Saucon Park and thanked Police Chief Di Luzio for getting the numbers to him for the Police overtime. He asked if something will be coming to Council to discuss moving money to pay for this or is there enough in the Police overtime budget now.

Mr. Brong informed we are at about \$135,000 in money out against the budget of about \$165,000. When that time comes we will most certainly be before Finance and Council on the transfer.

Mr. Recchiuti queried on the issues with Saucon Park and if they still exist.

Mayor Donchez affirmed that from the beginning of May until the Fourth of July, the Police did an excellent job. They met with the neighbors again about three weeks ago. Our first meeting was in February. We explained how we would address this issue and they were appreciative and gave us many ideas. Mayor Donchez reported having two officers on Saturday and Sunday worked very well but since the Fourth of July there has been a significant increase to the number of people coming to Saucon Park, mostly on Sundays. Mayor Donchez observed that Saturday has a bit of an increase but Sunday has a significant increase. We now start our patrols at 7:00 a.m. and end at 7:00 p.m. on Saturdays and Sundays. Mayor Donchez pointed out that Ralph Carp, Director of Parks and Public Property, did a good job fencing off the pool area by Ravenna Street to try to force the people into the park area. This was done two weeks ago and has been successful. Mayor Donchez added that Ravenna Street is not as congested as it was before. Mayor Donchez noted as reported in both newspapers they do have an issue in Easton now with congestion in Penn Pump Park and he received a phone call this afternoon from another reporter saying that this might be not just an Easton and Bethlehem issue, but other areas of Northampton County as well. Mayor Donchez mentioned they will keep patrolling through Labor Day weekend and after this year they will review with the neighbors and see what they will have to do for next year.

Police Chief DiLuzio remarked when he met with the neighbors by Saucon Park he advised them that this is still a work in progress this year. We have learned a lot in the beginning of the year between May and the Fourth of July. A majority of the visitors to Saucon Park were from Bethlehem. The majority of the license plate tags were Pennsylvania tags but from July 4th probably until Labor Day, we are experiencing an influx and maximum capacity in that park area from out of State residents. Police Chief DiLuzio mentioned when you go onto the internet and type in Saucon Park, Pennsylvania, you get a Pennsylvania Park tourism page. Many of the people from New York and New Jersey believe that Saucon Park is a State park. We are the first State Park, you might say, with a river that runs through it and it is free so that is why they come to Bethlehem. Since we did some enhancements along with more signage and better enforcement, people have left and went to Easton, Bushkill Park in Forks Township, and Penn Pump Park in Palmer Township. They are now experiencing similar issues. Police Chief DiLuzio remarked that people are looking for parks to take their kids to, but they do leave behind a lot of garbage and there are a lot of issues. We expect to have more meetings with the citizens in the fall of this year. He noted this is a work in progress and we will see what worked and what did not work this year. Police Chief DiLuzio noted that prior to the next picnic season we will be ready knowing what worked for us this year. Police Chief DiLuzio remarked he sent the costs that were requested and he hopes that answers those questions.

Mr. Recchiuti stated that it does and thanked Police Chief DiLuzio and the Police Department for doing a good job trying to keep up with a hard problem.

Transitional Use Zoning Amendment for Market Street

Mr. Recchiuti noted that back in March the Administration proposed a Transitional Use Zoning Amendment for Market Street and he wondered the status of that because it has not come to City Council yet.

Mayor Donchez stated it is being reviewed.

11. PUBLIC COMMENT

Verizon Expansion of FiOS to Bethlehem

Eric Fritz, 220 South First Street, Bangor, stated he is an organizer for Pennsylvania Working Families, which is an independent political organization in the Lehigh Valley. He is at the meeting to urge Council to adopt a Resolution that he handed out to Council Members, to call on Verizon to expand FiOS coverage in the City of Bethlehem. Verizon is in a unique position of offering a revolutionary product that is unsurpassed on the market place. Mr. Fritz added this is true if not purely in terms of technological advancement in certainly region scope. This makes Verizon the only logical choice to supply technology necessary to keep pace with our ever expanding City. Verizon is very explicit on the benefits of its FiOS technology, not just for consumers but also for healthcare, education and for job growth. Mr. Fritz is asking Council to pass this Resolution calling on the Public Utility Commission to investigate the safety, advocacy and reliability of Verizon service in Pennsylvania. As part of the ongoing State wide effort regarding this issue, we are currently working with elected officials in the Lehigh Valley as well as Community Organizations and the public at large to urge Verizon to expand FiOS coverage in the City of Bethlehem. We will continue to do so until Bethlehem residents enjoy the same access that has already been afforded to citizens of Pittsburgh, Philadelphia, Harrisburg and select parts of Allentown. Mr. Fritz added he has with him members of CWA, Local 13,000, who can speak on the vast benefits of high speed fiber optic networks. In closing Mr. Fritz wanted to thank Council for their consideration of this Resolution and to reiterate that they will continue to speak with and educate community members here in the Lehigh Valley regarding this issue. We will welcome any opportunity to engage with Members of this Council either as collectively or individually.

Craig Brasten, 5891 Musket Road, New Tripoli, stated that he is a 24-year employee of Verizon and he is also a representative of 120 workers between the Lehigh Valley and Berks County. Mr. Brasten remarked he is before Council to ask for their help. The Mayor of Allentown came to Verizon about five years ago to solicit the company to bring FiOS to the City of Allentown and we are there now with probably about 70% of the City done. If it was not for the Mayor of Allentown there would be no FiOS in the City. Mr. Brasten stated FiOS is one of

the fastest, most advanced telecommunication network in the country. He remarked Verizon is doing a dis-justice by not bringing FiOS to Bethlehem. We are concentrating in Philadelphia, Montgomery County, Bucks County but there is nothing in Reading, Bethlehem or Easton. Mr. Brasten stated he is in constant communication with the company and asks them every time they come to them when they will bring FiOS to the City of Bethlehem. There are no plans. This is why we are here tonight. Everyone is on their cellphones now. We are the people who built the network. The cell tower does not work without a fiber optic cable. Mr. Brasten pointed out that FiOS is important for schools, businesses and it is an attraction for people to come here as well. Across from the PPL Center is a new apartment complex and we know the building inside and out because we are the ones who put FiOS in there. Mr. Brasten stressed that is a very high end, very nice revitalized section of the City right now, and they have FiOS at their disposal. He continued, just to bring your attention to how Verizon has turned its back on a City like Bethlehem, drive up and down up the streets and look at what we call the double woods, where you have a new pole and an old pole next to each other. The company neglects this and that is a safety issue. Mr. Brasten stated the point is that Verizon is not updating the copper network. Mr. Brasten informed that John Gorant will speak briefly about some of the jobs affected that were here and are now gone from Verizon.

John Gorant, 1239 West Minor Street, Emmaus, is the representative for the Allentown garage that services in this area. Mr. Gorant informed that they lost three service techs from their garage. They were laid off and ten were forced out to Philadelphia within the last thirty days. He would like to hold people accountable for what they say and he does not know if people are informed about this but back in the 1990's Bell Atlantic PA, which is now Verizon, claimed that the laws were changing in their favor if they would replace an existing copper infrastructure for the State utility networks with fiber optics. This would deliver in services of high speed broadband with a minimal of 45 mg bi-directional speed. As a part of the agreement they had to have that entire territory complete by 2015. It is 2015 and this is not done yet. Mr. Gorant remarked this was 22 years ago. Their deal was they would get a rate increase on their phone services for phone customers and tax breaks from the government. This extra money was supposed to be used to build a fiber optic infrastructure. He continued the State law, known as Chapter 30, was changed in 1993, to make that tax break accessible for Bell Atlantic. Mr. Gorant noted in discussions with the PUC, the company agreed in 1995 the plan would start in 1995-1996 to roll out the fiber. By the end of 1998 there was no network rolled out but there were major profits for the company and tax breaks. They rolled out the DSL over the whole plan instead. Mr. Gorant stated in 2002, the State of Pennsylvania wrote "we believe that the DSL presently offered by Verizon of Pennsylvania has too many limitations in its capabilities to be considered broadband service defined by Chapter 30." He added that Verizon has collected almost \$4 billion from the State, which is approximately \$1,135 per resident. Mr. Gorant remarked that your constituents paid for this technology to be built but the obligations were not fulfilled. Unfortunately, Verizon is using wireless to fulfill this. He added they got the PUC to change to say that Verizon wireless is okay, but Mr. Gorant can say that the wireless units for our internet access is not that great, especially when everyone is on the internet at the same time. Mr. Gorant advised the wireless is pretty bad for the State, cities, townships and boroughs, and since it is not regulated, there is no one to watch out for your constituent's best interest. There are only 37.5% of FiOS consumers in the State that actually receive it. In 2012 Verizon stopped the deployment of FiOS except for prior commitments. Mr. Gorant stated if you call in with phone trouble and you do not have DSL, Verizon will put you on this wireless box because they do not want to fix the phone lines. The wireless box does not work as well as the old land lines. Mr. Gorant reiterated that within the last 30 days they laid off 3 employees and forced out 10 employees out of this area, that are all service techs who work on your lines every day.

President Reynolds reported this Council traditionally offers letters of support in situations such as this rather than pass Resolutions, but this is certainly something we can talk about after the meeting.

Stephen Antalics, 737 Ridge Street, advised he is quite concerned with the comments made by Mr. Toy at the last City Council Meeting. He knows that Mr. Toy is a retired educator who attends quite a few School Board Meetings and speaks out on issues when they are important to him. Mr. Antalics informed he was surprised to see him come to Council. He has mentioned the Golf Course and talk about the management and the fact that children were seen operating golf carts. Mr. Antalics stated this could possibly get into heavy litigation should there have been an incident. Mr. Antalics mentioned that he is on Illick's Mill Road quite often.

He often sees a large barn next to the Recycling Center and it is in a dramatic state of disrepair. Mr. Antalics wonders if the building inspector cites Parks and Public Property for negligence and maintenance. Mr. Antalics remarked about the Illick's Mill property and noticed when it closed it was in pristine condition, but today it is not. Mr. Antalics noted that roofing tiles are misshapen and there may be leakage in the roof. He wonders the last time this building was inspected by Parks and Public Property to see if there is any mold in the building. He continued, those buildings belong to the taxpayers, and in fact, in getting that building to pristine condition, the taxpayers are still owed \$120,000. Mr. Antalics queried if there is any activity or program to look for new tenants. Mr. Antalics pointed out this could be prevented by routine maintenance and he wonders whose responsibility that is. He remarked if we go back to the days of Charlie Brown, who was the Director of Parks and Public Property, this would not have happened under his watch. He loved his job and he also loved the City where he lived and that reflected in his attention to the City. Mr. Antalics stated there is a strong argument for people in responsible positions in the City to live in the City so they have the strong sense of City like Charlie Brown and the Mayor. Mr. Antalics believes these are issues that need to be seriously looked into as to bringing our properties up to date and making sure that our properties are properly rented out.

Property Damage

Dina Kaki, 1939 Woodbury Road, mentioned her property abuts L. G. Stewart Park. She remarked since April she has been a victim of vandalism. Her vinyl fence has been broken through by people from the park on four occasions. Ms. Kaki stated the first time they broke one panel, and since then they are breaking two panels at a time. They have patched and repaired the fence panels and replaced one panel, but they are continually being broken. Ms. Kaki informed that police reports have been made each time, and in speaking with neighbors she has found there have been other problems in the neighborhood. It appears to be some drug problems. Ms. Kaki reported another neighbor had a shed damaged. She has been in touch with the City and Ralph Carp, Director of Parks and Public Property, and even has asked for additional lighting in the park. Ms. Kaki stated it does get very dark and unless a Police Officer comes in there and physically shines a spotlight and walks around the park, they are not catching individuals. The damage seems to happen after 11:00 p.m. She discovers the damage at 6:00 a.m. Ms. Kaki is requesting that the City install surveillance cameras to catch the individuals coming and going so that someone can be held accountable for this damage. She continued there is a woman who lives on Westminster who has surveillance cameras on her house and has noticed since she has had those cameras there is not as much traffic in and out of her side of the property, which means they are using the walking paths on the other side. Ms. Kaki feels it would be helpful if there was some type of surveillance camera. She noted she has been in touch with Officer Zarzecki to have a Block Watch formed, which will be on August 18-2015.

President Reynolds remarked that Police Chief DiLuzio is at this meeting if she would like to speak to him after the meeting regarding some of these problems. President Reynolds added that Mr. Carp is available as well for a conversation about the problems with this park.

12. ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

ATTEST:

City Clerk