

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, September 5, 2023 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Grace Crampsie Smith, Wandalyne J. Enix, Hillary G. Kwiatek, Rachel Leon, Paige Van Wirt, Kiera L. Wilhelm, and Michael G. Colón, 7.

President Colón announced that Ms. Crampsie Smith's arrival would be delayed. (She arrived at 7:10 PM.)

CITATION

*Honoring Moses Miller*

President Colón observed that Moses Miller was not present on the occasion of his retirement from the Police Department after more than 20 years of service. His Citation will be mailed.

PUBLIC HEARING

President Colón stated that prior to the consideration of the regular Agenda items, City Council will conduct a Public Hearing to accept public comment on the request for the intermunicipal transfer of restaurant liquor license No. R-17711 from PA Overlook LLC, formerly located at 4285 North Delaware Drive, Mount Bethel, Northampton County, to Wawa, Inc., 770 Hellertown Road, Bethlehem, Northampton County.

President Colón called the Public Hearing to order and stated he will now recognize a representative from the applicant to address this matter.

Ellen Freeman, Esquire, of Flaherty & O'Hara of Pittsburgh, addressed Council on behalf of the applicant, Wawa, Inc. She said that Michael Redel, project manager, could testify if there are questions that she is unable to answer. Ms. Freeman said this hearing is required under Section 461(b)(3) of the state Liquor Code.

Wawa has 24 stores in Pennsylvania that sell alcohol and more than 100 such stores nationally. She pointed this out to show experience in managing the safe sale of alcoholic beverages. Ms. Freeman said the Pennsylvania stores have never been cited by the LCB for sales to minors or serving intoxicated patrons. This is because of Wawa's safety policies including that all purchasers of alcohol are carded regardless of perceived age. All associates handling liquor sales are 18 years or older. Each has had Responsible Alcohol Management Program (RAMP) training as well as Wawa's internal training, which goes beyond what the Liquor Code requires, such as the 100-percent carding policy. The internal training also warns of consequences if policies are not followed, namely termination.

Ms. Freeman said security cameras monitor all of the alcohol-related activities within the store. She also distributed a floor plan showing the location of registers for alcohol sales. Transactions are limited to single-sale purchases of 192 ounces of beer (about two six packs) or 3,000 liters of wine (about four standard bottles). Patrons may, however, re-enter the store for additional alcohol purchases with the same limits per purchase.

Because this is a restaurant liquor license, the applicant must provide for on-premises consumption, according to the LCB. This is not actually desired by Wawa. A seating area is required, but a patron is only permitted to consume 12 ounces of beer in a single sitting. She added that there are no promotions, such as happy hours, or large televisions showing events that would encourage patrons to stay for long periods. Wawa will only be selling beer and wine. There will be no distilled spirits. Associates also are trained to observe the parking area to be sure there is no loitering or patrons consuming alcoholic beverages there or in vehicles.

*Council Comment*

Ms. Leon asked whether any of the existing 24 Wawa locations that sell alcohol are as close to a public park as this one would be to Saucon Park, which also has a Little League field.

Ms. Freeman said she does not know. She could find out.

Referring to the floor plan, Ms. Kwiatek noted that the cash registers designated to sell alcohol are on the opposite side of the store as the beverage coolers, suggesting that oversight might not be optimal.

Ms. Freeman said that, under the Liquor Code, all registers could be used for liquor sales.

Ms. Kwiatek recalled Ms. Freeman saying that associates will be trained to oversee behavior. She asked what they are trained to do if they see patrons consuming alcohol outside.

Ms. Freeman said the RAMP training includes teaching what to say if a patron is unruly, is drinking where they should not or presents a false identification. Associates are taught that if they cannot deescalate with verbal requests, they are to contact police.

Dr. Enix asked the process for obtaining a liquor license. She noted a wide range of costs to purchase one.

Ms. Freeman said that, in Pennsylvania, liquor licenses are sold much as real estate. Only a certain number are permitted by the LCB for each county. It was necessary for Wawa to find a liquor license for sale within Northampton County, where this property is located. Licensed brokers usually conduct the sales. Each county has a very different fair market value. If approved this evening, Wawa would apply to the LCB. This requires a transfer application fee of \$700 to \$1,400. The license gets renewed annually. Ms. Freeman said the high license purchase cost and associated fees is incentive for Wawa not to lose the license through infractions.

Dr. Van Wirt said there are two other Wawa locations in the City that do not sell alcohol. She assumed that Wawa is initiating liquor sales at 770 Hellertown because this is a new store that would not require retrofitting to handle liquor sales.

Ms. Freeman said that was correct. Wawa is mainly looking to sell alcohol in “new builds” in order to fit seating within the store.

Dr. Van Wirt said a major concern was the easy access to Interstate 78 and the public park behind the store. She conceded that consuming alcohol in public parks is against the law, but that does not mean that it does not happen. Dr. Van Wirt asked Police Chief Michelle Kott if she anticipates the need for added police presence if this liquor license transfer were to occur.

Chief Kott believes that any time you increase the number of people in a densely populated area, there will be an increase in calls for service. This could be anything from car lockouts to parking complaints to criminal activity.

Dr. Van Wirt followed up by asking whether the Chief anticipates the need for an increased presence in the park if alcohol is sold at this Wawa.

Chief Kott said she could not speak to whether the alcohol would affect conduct, but she noted that there are a significant number of calls for service at the existing Wawas in the City.

Dr. Van Wirt added that this is not a densely populated area of the City, so there are not a lot of neighbors to raise concerns. Still, she wants to anticipate problems that could occur.

Ms. Wilhelm asked whether Wawa only deals with certain vendors for all its stores or would consider using local brewers or vineyards.

Ms. Freeman said that Wawa looks locally first. It has been popular to offer local products. She said the LCB has certain purchasing rules, but those generally favor local producers.

Ms. Wilhelm asked if there was a procedure in which wineries and breweries could contact Wawa to express interest.

Ms. Freeman said she did not know the procedure.

Ms. Wilhelm said she would like for Wawa to hear her plea to make a concerted effort to carry beer and wine produced locally.

Ms. Freeman said she would carry that message back to Wawa.

Ms. Crampsie Smith asked if there will be security onsite at all times.

Ms. Freeman said no.

Ms. Crampsie Smith concluded that if there would be a need for police intervention, it would take the time for police to arrive.

Ms. Freeman said that was correct.

Ms. Crampsie Smith asked whether any of the other Wawas selling alcohol employ security.

Ms. Freeman said she was not aware of any.

Ms. Crampsie Smith said she would think that employing security would be something to consider. She said that even if alcohol was not the root of an altercation, it could fuel a situation. She added that the natural time it would take police to respond could allow a situation to get out of control.

Ms. Freeman said she would relay those comments also.

Ms. Wilhelm referred to the FUSUS program discussed at the August 15 Council meeting. FUSUS permits law enforcement agencies to share surveillance videos including accepting video from residents and businesses. She asked Chief Kott if a store such as Wawa, especially with its location next to a park, would be a priority for being a partner in the FUSUS program.

Chief Kott enthusiastically said it would be, as long as Wawa would be willing to participate.

Mayor Reynolds noted that a liquor license was transferred in 2017 to the nearby Turkey Hill along Hellertown Road (Route 412). That store is closer to I-78 and relatively close to Saucon Park as well. The Mayor asked the Chief if this is a location that prompts a lot of police activity.

Chief Kott said this definitely is a location requiring police responses, but this is a high-volume gateway to the City and calls are for various reasons. She did not want her answer to be mistaken to imply that alcohol was a frequent contributing factor.

Dr. Van Wirt noted that Council loses its control once a license transfer is approved. This is the reason for considering concerns and asking questions now. She was hopeful that Wawa would accept feedback from the City if some “downstream” problems were to occur in the park as a result of the alcohol sales such as bad behavior or overflowing trash from those who buy alcohol and dump their trash in Saucon Park.

President Colón asked whether all employees are RAMP certified.

Ms. Freeman said no. But employees cannot sell alcohol until they are RAMP certified.

President Colón asked what the RAMP training entails.

Ms. Freeman said that associates are taught to recognize a false ID, how to use a device to determine whether an ID is legitimate, how to spot a visibly intoxicated person, how to deescalate a situation, and the laws associated with selling alcohol responsibly.

President Colón asked the hours of alcohol sales.

Ms. Freeman said the store will be open 24 hours a day, seven days a week. Alcohol will only be sold Monday through Saturday from 7:00 AM to 2:00 AM with wine sales ending at 11:00 PM and Sunday from 9:00 AM until 2:00 AM with wine sales ending at 11:00 PM.

President Colón observed that 2:00 AM is the cutoff for alcohol sales by the LCB.

*Public Comment*

*Identification Procedures Questioned*

Resident Stephen Antalics said he is aware of the state-owned Wine and Spirits store at 4<sup>th</sup> and Adams Streets. He said a clerk told him that they receive quite a few false IDs because of the nearby dense college student population. He said he was shown a stack of confiscated bogus IDs. Mr. Antalics noted that Wawa is not a state agency, but he asked if Wawa would check the legitimacy of the ID cards. He additionally asked whether Wawa would retain a bogus card or

return it to the owner and send them away. He also asked if Wawa would report these instances for follow-up by law enforcement.

Ms. Freeman restated that Wawa has a 100 percent carding policy and uses an ID scanner transaction device to check the validity of cards. She did not know the policy of whether Wawa would confiscate the ID, but she said she would follow up.

President Colón announced that Resolution 10 A is on the agenda for tonight and adjourned the Public Hearing at 7:34 PM.

President Colón next announced that agenda Items 6 D and 10 D have been removed from tonight's agenda.

2. APPROVAL OF MINUTES

August 15, 2023

3. PUBLIC COMMENT (on any subject not being voted on this evening – 5 Minute Time Limit)

*Sewage Sludge Concerns*

Lucy Freck of Kunkletown identified herself as a founding member of SAVE Carbon County. She described the group as an incorporated nonprofit organization that focuses on preserving the environment of Carbon County. Her group has spent the past year raising awareness and fighting against the spreading of sewage sludge on farm fields. About 5 percent of Carbon County farmers now use this sludge as fertilizer. The sludge is given to the farms for free and applied for free by Synagro. She said this arrangement is particularly attractive to farmers because the cost of fertilizer has risen by about 300 percent within the year. Bethlehem contracts with Synagro to accept the City's sludge. Ms. Freck believed that it would not cost the City more to direct Synagro to transport the sludge to a landfill instead of spreading it onto fields. She appealed to Council to direct that this be done after considering the matter at an upcoming Council meeting.

President Colón reminded everyone that Public Comment is the time for the audience to raise issues. They are encouraged to remain after the meeting for discussion with Council, the Mayor or members or department heads if they wish.

*Echoing Concerns*

Roy Christman of Lehighon supported Ms. Freck's appeal to Council.

*Continued Walnut Street Garage Concerns*

Resident Jim Follweiler commented about the proposed Walnut Street Garage demolition project in advance of tomorrow evening's Historic Architectural Review Board meeting. He reminded that when HARB voted 7-0 to table review of this matter in August, the board requested that the Bethlehem Parking Authority provide additional information before the

September meeting including a parking mitigation plan that included the Spring Street parking lot. He has viewed tomorrow's agenda and said it does not appear that the requested information will be provided. He stated the belief that HARB should keep this matter tabled until the Parking Authority provides the requested additional information. He asked whether the "non-transparent, non-elected BPA" runs this city. He asked how HARB should be expected to vote on this matter without being provided lead time and thorough information to properly evaluate the proposal. He also asked why a demolition plan would come before any replacement plan. He again urged transparency in this process. He asked Council to keep all of this in mind as it evaluates any HARB recommendations that may require action.

*Proposed Hanover Apartments*

Resident William Scheirer spoke about the proposed Hanover Apartments at West Broad Street and Hanover Avenue. The land is zoned CL, unofficially known as Neighborhood Commercial. The underlying concept of this zoning is to provide limited commercial uses serving neighborhood needs. He still does not understand why this neighborhood has been zoned CL. Still, the zoning calls for ground-level commercial uses mixed with residential units. However, the Zoning Hearing Board has granted a variance allowing the developer to build all residential units with no commercial space. Mr. Scheirer believes some businesses would have been a benefit to the planned 317 apartments as well as existing neighbors. He also believes that the five stories that are permitted to be built in a CL zone are too many. He additionally pointed to language in the Zoning Ordinance that says that a variance "shall not be injurious to the neighborhood." The resistance of neighbors to this plan strongly suggests that the granted variance will be injurious, he said. The neighbors do not want a five-story building towering over their single-story homes. He predicted, however, that the harm to this neighborhood will not stop here. He believes that some neighbors will sell their homes and developers will swoop in to raze existing homes and replace them with garden apartments up to 3 or 3 ½ stories, depending on the zoning district. This already is being done in other RT and RG zones elsewhere in the City.

*Bad Precedent*

Resident Paul Fondl thanked Assistant City Solicitor Matthew Deschler for the opposition offered against the Hanover Apartments proposal during the recent zoning hearing. He also was pleased that the zoning board rejected the variance requesting to extend the four buildings an extra 100 feet each. However, he was disappointed that zoners granted the variance allowing the developer not to include retail space in the plans. This now would allow the developer to build four to six buildings with five floors each plus parking below and heating and air conditioning units on top, he said. He called this unreasonable and predicted this project will overwhelm the neighborhood. He predicted that this would set a precedent. Apartment buildings in West Bethlehem are three stories or lower. Mr. Fondl said the neighbors continue to ask that this project be limited to three stories. He also observed that the developer of this project is also the developer with plans to build on the former Martin Tower site. Potential special tax breaks to encourage redevelopment of the Martin Tower site have been discussed. Mr. Fondl said tax breaks should not be offered because this developer has failed to maintain his property.

*Opposes Variance Decision*

Resident Mary Jo Makoul supported several of the points made by Mr. Fondl. She also urged the City not to grant the Martin Tower site a “deteriorated” designation and the tax-break benefits that would go with it. She asked what is to prevent this developer from requesting the same tax break for the Hanover Apartments site. She agreed with Mr. Fondl that the variance granted by zoners sets a precedent for other CL properties in the City. She asked who in the City has the power to overturn the Zoning Hearing Board’s decision to grant the variance.

*More Support to Change Sludge Disposal Method*

Steve Chuckra of Lehighton also is a member of SAVE Carbon County. He stated that wastewater can be treated and returned to rivers, but solid waste is a difficult disposal problem for wastewater treatment facilities. Disposal can be done by spreading on farmland, incinerating or landfilling. Land application is the least expensive option while incineration is the most expensive, typically costing twice as much as land application. The sludge to be applied on the fields contains PFAS, or forever chemicals, that are toxic to humans. This can include heavy metals, pharmaceutical waste and even pharmaceutical radioactive residuals that are not removed by processing. Synagro produces the sludge applied to the field for free to the farmers. The City of Bethlehem contracts with Synagro to take its sludge. Because of increasing concerns about the use of sewage sludge, 20 of 22 Carbon County municipalities have adopted a resolution calling upon state representatives to revise the laws involving the land application of sewage sludge to impose stricter controls. Mr. Chuckra said he was here tonight to heighten City leaders’ awareness about this issue.

*Zoning Problem*

Resident Sue Greathouse said she learned recently that her neighbor’s driveway encroaches on her property by about 3 feet. She was told there is nothing they can do because this condition has existed for too long. She said she did due diligence with having a survey done and getting permits over the years for their property. She said codes should be enforced. She should not be told that it is too late to act.

*Intersection Warnings Improved/Low-Growing Tree*

Resident Terry Kloiber again discussed the intersection of Eaton and Hanover Avenues and Broad Street. She said she has learned that the portion of this intersection that she and other neighbors have been complaining about is in Allentown. She has since approached Allentown City Council. The flashing warning light has been fixed, new signs have been installed, and painted street warning notices have been refreshed. She has observed improved driving practices since. Ms. Kloiber also said she has notified Bethlehem three times about an overgrown weeping willow tree on Broad Street in front of the Erie Insurance building. She has submitted the notification on the City’s website, and she has received notification that this matter has been closed out. However, she has not seen any progress. Ms. Kloiber thanked the zoning board for denying the variance on extending the proposed Hanover Apartments buildings, but she disagrees with that board granting a variance to not require some commercial units for the project. She said this property was commercially zoned land. She asked whether the Mayor or

Council can veto the granting of the variance. She stressed objection to potential five-story buildings that would tower over the long-established residential neighborhood.

*Environmental Advisory Council Updates*

Resident Lynn Rothman spoke on behalf of the City's Environmental Advisory Council. She promoted the Citizens Traffic Advisory Committee that meets every other month to recommend safety improvements and similar matters. Ms. Rothman also announced that on August 6 EAC members and neighborhood volunteers planted about 250 native perennials at Madison Park along Ontario Street. She also said that the EAC had a table at several events to promote the group's activities. She thanked the City for recently agreeing to purchase a table and professional looking table cloth for similar future events. She also met with new City Forester Olivia Teel to discuss tree planting initiatives and related ordinances in accordance with the Climate Action Plan. Lastly, she noted that the chimney swift is the City bird. As they are migrating south, some have been seen in the chimney of the old Masonic Temple at dusk. She also thanked those who spoke earlier from SAVE Carbon County for sharing their concerns tonight.

*Plea to Change Sludge Disposal Practice*

Jim Whitehead of Lehighton said that Carbon County has had a history of wanting to preserve farmland and clean water. Voters last fall passed a referendum to issue \$10 million in bonds to preserve farms and protect clean water. The referendum was approved by 82.7 percent of those voting, suggesting clear support to protect the environment even at personal expense. Mr. Whitehead said that spreading sewage sludge on these fields is not in keeping with these efforts. Once the fields are covered by sludge containing forever chemicals, the harmful elements will not go away. The problem grows with each application. In at least three states, some farms where these chemicals were spread have been shut down. These chemicals will wind up in the water and food chains. He urged City Council to end Bethlehem's participation in the use of sludge on farm fields.

*Warning of Liability*

Dan Kunkle of Lehighton thanked Council members for their service. But he appealed to Council to stop sending the sludge to be spread on farm fields at least from a standpoint of liability. He said he has worked with the Environmental Protection Agency while serving as the Executive Director of Lehigh Gap Nature Center. In doing so, he is aware that the EPA seeks responsible parties whenever possible to pay for environmental cleanups to help remediate Superfund sites. He said it is possible that Bethlehem and others who sent sludge to Synagro could be found liable if heavy metals and PFAS contaminate the soil. He appealed to Council to stop the practice to think about the people of Carbon County as well as Bethlehem's potential legal liability.

*Civic Responsibility/Anti-smoking Message*

Resident Arthur Curatola encouraged more people to participate in local government. Voting is a helpful responsibility, but being a part of the community is additionally important. He also spoke out against smoking. Mr. Curatola said Bethlehem should set an example to assist those who want to quit.



*Frustration Continues*

Part-time resident Alex Hirsh said his effort to be able to participate in the City's Residential Permit Parking program has reached 415 days. Because he is a part-time resident and his vehicle is licensed out of state, he can no longer park in the zone near his home. He has made suggestions to amend the program, but to no avail. Mr. Hirsch does not believe this is fair or understand why it is necessary. He said his next step might be to get a determination from the City as to whether he is considered a resident. If not, he believes he should not be required to pay City income tax. However, he views himself as a part-time City resident who would be willing to continue paying the income tax, but he believes he should be entitled to park near his home.

*Parking Versus Affordable Housing*

Resident Stephen Antalics referred to Henry Grabar's book "Paved Paradise: How Parking Explains the World." He said the author explains how parking codes, parking lots and garages have shaped the landscapes of cities and suburbs and limit the creation of affordable housing. Mr. Antalics said a key concept in this city and elsewhere is affordable housing. But, the ordinances enacted in the 1950s and '60s focused on parking, making it mandatory to require a certain number of parking spaces per building. He suggested that the City review the zoning codes and amend them to correct the number of required parking spaces. It particularly bothers him that two major parking garages have been built in recent years on the South Side. The one on New Street is 37,000 square feet and the one on Polk Street takes up 41,000 square feet. Combined, this space could have supported more than 40 stand-alone single homes. He asked what conditions require these parking garages to be built. He answered this question saying, "Corporate interest versus community interest." Mr. Antalics said that development tied to these two parking garages does not require this number of spaces, but they become convenient to park vehicles for ArtsQuest events. These conditions exist at a time when "the South Side is crying for affordable housing and losing 40 affordable houses because of these parking garages."

4. PUBLIC COMMENT (on ordinances and resolutions to be voted on by Council this evening - 5 Minute Time Limit)

None.

5. OLD BUSINESS

- A. Members of Council
- B. Tabled Items
- C. Unfinished Business

6. COMMUNICATIONS

A. *Director of Community and Economic Development - Contract - Hera Property Registration Services*

The Clerk read an August 18, 2023 communication from Laura Collins, Director of Community and Economic Development, recommending an agreement with Hera Property Registration Services of Melbourne, Florida. The consultant would retain \$100 of each registration

fee received and 33 percent of any late fees. The contract would run through December 31, 2024 with two, one-year renewals.

President Colón stated Resolution 10 B is on the agenda.

*B. Councilwoman Grace Crampsie Smith – Memo to City Council – Puppy Mill Ordinance Proposal*

The Clerk read an August 28, 2023 memorandum from Councilwoman Grace Crampsie Smith proposing an ordinance amending Article 1159 of the City's codified ordinances banning the sale of pets from puppy mills in pet stores throughout the City.

President Colón stated that the proposal will be referred to Council's Public Safety Committee for consideration at a future date.

*C. City Solicitor – Use Permit Agreement – ArtsQuest – 2023 Oktoberfest*

The Clerk read an August 31, 2023 memorandum from City Solicitor John F. Spirk, Jr. with an attached Resolution and associated Use Permit Agreement. The Permittee is ArtsQuest and the event is 2023 Oktoberfest. The Agreement is from 4:00-11:00 PM on October 6, 11:00 AM until 11:00 PM on October 7, 11:00 AM until 7:00 PM on October 8, 4:00-11 PM on October 13, 11:00 AM until 11:00 PM on October 14, and 11:00 AM until 8:00 PM on October 15. The premises covered will be 1<sup>st</sup> Street from Polk Street to the eastern terminus and Founders Way between 1<sup>st</sup> and 2<sup>nd</sup> Streets.

President Colón stated Resolution 10 C is on the agenda.

*D. City Solicitor – Use Permit Agreement – McCarthy's Irish Pub – Celtic Outdoor Music Event*

President Colón stated that this item has been removed from the agenda.

7. REPORTS

*A. President of Council*

President Colón followed up on some items brought up tonight under Public Comment. He said that he consulted with Council Solicitor Brian Panella, who said that Council does not have the authority to veto or otherwise override any decision of the Zoning Hearing Board. President Colón added that the Mayor does not have this power either. The Zoning Hearing Board acts as a quasi-judicial, independent decision-making body.

As to Mr. Curatola's comments about nicotine, President Colón said the City's Health Bureau offers on the City's website programs aimed at helping people quit. Those interested may click on "tobacco cessation" on the Health Bureau tab.

B. *Mayor*

*Thanks Offered*

Mayor Reynolds offered thanks to those who have offered congratulations to him and his wife, Natalie, on the recent birth of their child.

*Addressing Staffing Request*

Mayor Reynolds acknowledged that the recent birth of his son kept him from attending the August 15 meeting where action was taken on shifting some DCED funds to cover staffing costs in his office. He knows that an email jointly written by his three-member support team was sent to Council as justification for this needed transfer, but he wanted to read it for the record:

Dear Members of City Council,

We wanted to express our appreciation for your unanimous vote this week to approve the usage of DCED funds in the amount of \$10,000 to meet the demands of the last phases of our World Heritage nomination process. As a follow up to the public conversation on Tuesday about the work of our office, we felt it was a good opportunity to share the work the three of us are undertaking on a daily basis. Because of your acknowledgement of the responsibilities that the World Heritage initiative entails, we are able to continue working with all seven members of City Council and others throughout City Hall and our community in being proactive when it comes to tackling our biggest systemic challenges as a city. While our office's daily duties include talking and meeting with citizens, coordinating and responding to citizen service requests, special event coordination in our community, meetings with ad-hoc committees and presence in community conversations at the request of private and public sector partners, we also divide responsibilities so we can be present to the many requests we receive at the Mayor's Office to join our partners in strategizing and supporting numerous community-led initiatives.

Our three positions, which for previous Mayors have served traditionally as mostly administrative support, are now largely dedicated to working with our community partners and city employees to aggressively tackle the priorities of the community. Time is our biggest resource and our biggest challenge in helping to drive change throughout City Hall and our community. At the heart of our Administration's philosophy is a commitment to true community engagement that requires being authentic about listening, collaborating, and building trust in and outside of City Hall. Approving the usage of \$10,000 of DCED savings to help defray the costs of our World Heritage nomination (which has been almost exclusively supported generously by Northampton County up to this point through \$400,000 of hotel tax revenues) will allow us to make even more progress on the many initiatives that we have spent 19 months working on with City Councilmembers and our community partners. These initiatives include:

- Implementation of the City's Climate Action Plan
  - Planning and leading several monthly meetings
  - Working with WSP on initiatives
  - Coordinating attendance and reporting at EAC meetings
  - Specifically leading several implementation committees and driving their initiatives including Public Engagement (development of Bethlehem Climate Challenge), Large Organizations, and Environmental Justice.

- Development of the Community Recovery Fund in partnership with DCED
- Creation of We Build Bethlehem and on-going related community engagement
- Support of City Hall initiatives like Northside Alive and Re-Imagining the Westside
- Chamber of Commerce relationship management
  - Citizen's Christmas City Committee planning
  - Downtown Bethlehem Association
  - Bethlehem Marketing Council
  - Planning of Live in the Garden
  - Parklet coordination
  - Planning and executing of the Mayor's State of the City Address and Budget Address events
- Complete re-design of the special events permitting process
  - Restructuring of the department
  - Help train new hire
  - Build out of new software
  - Repair and build community partner relations as it pertains to special events
- Re-establishing/re-organizing Sister City relationships
- Hosting sister-city group visits
- Creating new sister city relationships (Puerto Rico)
- Coordination and planning of flag raisings and holiday events
- Supporting events and promotion for other departments including significant work with the Fire Department
- Coordination of Bethlehem Corner videos
- Managing social media contract (prepping press releases, development of marketing plans and goals, scheduling of interviews, etc...)
- Supporting and developing new initiatives for the arts community
  - Planning of Live on the Greenway with Southside Arts District
  - Purchasing of A/V system for public use in partnership with the Ice House, Shards Recording Studio and the Bethlehem Public Library
  - Supporting Ice House initiatives
  - Strengthening partnership with Touchstone Theatre including new Parham Park lease agreement
  - Strengthening ArtsQuest partnership through events, promotion and development of Musikfest podcast
- 3 City Coalition development, meeting management, and goal execution
- Partnering with DCED on work related to the housing crisis and preparation of study presentations
- Strengthening community relations between Mayor's Office and organizations including but not limited to Boys and Girls Club of Bethlehem, CAT, Celtic Cultural Alliance, Discover Lehigh Valley, NAACP, Community Action, Bethlehem Area Public Library, Bethlehem Area School District, Moravian University, Lehigh University, Northampton Community College, BPA, and many more.
- PA Municipal League coordination, meetings, and planning
- Developing a Comprehensive Equity Plan for City Hall
- Working to create affordable options for broadband

- Creation of an ongoing relationship with Community Options which allows people with disabilities to experience different vocations within City Hall by volunteering with different departments
- Planning an LGBT “Welcome and Affirming” training for City Hall employees
- Working with the American Jewish Committee and the Anti-Defamation League’s recommendations to create mechanisms for identifying and addressing antisemitism and other incidents of bias
- Intentional outreach to the Bethlehem Housing Authority including meeting attendance
- Facilitating and/or serving as liaison for South Side Task Force, Latino Advisory Council, NAACP Advisory Board, and the Environmental Justice Steering Committee
- Office management
- Maintaining Mayor’s schedule and coordination of meetings and appointments
- Producing the City Newsletter twice a year including coordinating submissions from over 25 City Departments and Community Partners
- Website maintenance of news, events and Mayor’s pages
- Creation and delivering of proclamations and citations throughout the City of Bethlehem
- Managing internships and fellowships from various colleges
- Mayor’s boards and commissions appointment management and coordination (collection of resumes, building slates, filling open seats)

This has all been accomplished or in progress while meeting the needs of our historic preservation partners that are looking to drive regional tourism which has taken an unexpected and significant amount of staff time. Stephanie Augello was appointed World Heritage Coordinator, a new position that is required for a World Heritage nomination, by a vote of the World Heritage Council at the request of our international consultant, Barry Gamble. The World Heritage nomination work has included the following responsibilities requiring approximately 20 hours/week from Stephanie Augello and does not include the time spent by numerous additional staff including Angela Stein on meetings, events and communications as this initiative touches many different parts of our City:

- Single point of contact for the US National Focal Point for UNESCO, and for the local community, for all matters concerning World Heritage in Bethlehem.
- Single point of contact and communicate and report to the six Permanent Members of the Bethlehem World Heritage Council (Moravian University, Bethlehem Area Moravians, Moravian Church, Historic Bethlehem Museums & Sites, Northampton County and the City of Bethlehem).
- Single point of contact and communicate and report to the Bethlehem World Heritage Commission composed of over 20 Community Stakeholders.
- Communicate and report to the US Department of Interior and National Park Service on all WH developments and schedules, answering their questions, coordinating visits and providing documentation as requested.
- Communicate, report to and participate to the Transnational Working Group, a multinational nomination group comprised of four Moravian Church Settlements seeking Inscription: Christiansfeld/Denmark, Gracehill/Norther Ireland/UK, Herrnhut/Germany, and Bethlehem/USA. In addition, serve as the point of contact for any public relations requests regarding World Heritage and make sure they are communicated and considered by all four nations.

- Bethlehem is proceeding along with the other settlements in the series - as one "site" - with a Local Management Plan that is under the International Management Plan submitted as part of the Nomination Dossier. Currently, we are working on shared fields of action for the series of settlements, together with several site-specific actions. The draft Bethlehem LMP is expected to be completed and approved by the end of 2023. We are responsible for updating and editing all changes to this Local Management Plan from now until possible Inscription in mid-2024.
- Upon conclusion of the UNESCO Assessor's visit in July, 2023, we continue to respond to any questions from the UNESCO Assessor, providing research and historical documentation including maps, images, documents, etc..
- Create any additional materials requested to support successful Inscription. Once the Assessor's report is turned over to ICOMOS, we will be responsible for providing further documentation and answering any further questions as a UNESCO Team evaluates and considers possible Inscription over the next 6 months. (Decision expected to be made in mid-2024.)
- Focal point for all press and media related requests and outreach related to World Heritage.
- Schedule, coordinate and facilitate all Council and Commission meetings including developing Agendas and minutes.
- Continue to coordinate any events and travel related to possible World Heritage Inscription.

We look forward to the upcoming budget season where our office will have an opportunity to present to City Council a detailed rundown of the progress we have made on our shared priorities and initiatives in partnership with community organizations, city employees, and City Councilmembers.

The progress we have made together on each of these shared priorities in a very short period of time is testament to and reflective of the mutual respect and dedication that defines who we are as a city. Thank you again for the unanimous support of using \$10,000 of DCED funds to help our community make progress on our transnational World Heritage nomination.

If you have any further questions or would like to discuss either the status of our World Heritage nomination or any of the citywide systemic initiatives that we work on every hour to create a more equitable community, please do not hesitate to reach out to any of us at your convenience. We are always open to meeting as a group or individually to discuss where we are in the process of implementing our shared priorities. Ms. Stein will also be present at the next City Council meeting to ask or answer any questions pertaining to this memo.

We are proud to work alongside all of you as we continue to jointly make community-centered decisions dedicated to building a city of inclusion, opportunity, and equity. Thank you again for the support.

With gratitude,  
Angela Stein  
Janine Santoro  
Stephanie Augello

The Mayor noted that both he and Ms. Stein are present tonight to answer any remaining questions.

Ms. Crampsie Smith pointed out that she was the Council Member who initially questioned the transfer. She wanted to clarify her reason for doing so. She said she has the right to ask such questions when considering budget transfers. In the memo from the Mayor, it stated that the need involved "Mayor's initiatives." She reasoned that since this involved Mayor's initiatives that the Director of Mayor's Initiatives should be taking on these roles and responsibilities. With her previous experience in government and current job in education, it always is a struggle to try to balance the tasks and responsibilities, but she also wants to be sure that we are working as efficiently as possible. She is additionally concerned with balance. She pointed to the elimination of five emergency responder positions in the budget through attrition a few years ago yet we are adding this temporary administrative position. The City is now down nine firefighters - soon to be 10 - and there are several open police positions. She said there may be a dire need for this temporary help in the Mayor's Office, but she believed it should be balanced to look at all open positions. She said the shortage of emergency responders is vital to the health and safety of this City. By comparison, how does it look to add temporary office staff? What message does this send to other City employees? Ms. Crampsie Smith further noted that she is "100 percent behind the World Heritage Site and I voted for the transfer because of that reason."

Mayor Reynolds said the current police vacancies were not cuts. They are retirements and people who left. They are working to fill those. The City also is in the process of sending candidates to the Fire Academy. Fire vacancies are due to a combination of retirements and terminations. There is one fire academy a year. This has been discussed before. Mayor Reynolds next stated that there are three employees in his office, but they are being paid as if there were 2.5. Mrs. Augello retired as a school district employee for health and personal reasons. She is limited as to how much she can earn. She has been working 70-80 hours a week in recent times. Ms. Stein also will be going out on a maternity leave in the near future. He said that adding the money that will be paid for this temporary help will still be less than what the three employees in his office are worth given the amount of work that they do. Mayor Reynolds said the work the World Heritage duties performed by Mrs. Augello were initiated during the Donchez Administration. These must be seen through completion of the process. These are now shared duties. Mayor Reynolds said this work must be done now. Needs can be reassessed during consideration of the budget.

Ms. Crampsie Smith said she noted during the prior meeting her appreciation for Mrs. Augello's extra hours and hard work. She also has spoken to her directly. If there is an issue that she is underpaid, then it needs to be addressed.

Mayor Reynolds said it cannot be addressed. She is not legally allowed to earn more without giving up her disability pension that she earned through the school district.

Ms. Crampsie Smith again noted the five lost emergency responder positions yet a position was added in DCED. She has suggested that perhaps some work could be shifted to DCED instead of hiring the temporary help. She added that this work is related to Community and Economic Development. She said she is not trying to attack anyone in the City. But, in representing the taxpayers, her role as a Council person is to ask hard questions to be certain that this proposal is the best one and could not be accomplished in another way.

Mayor Reynolds said he does not have a problem answering these questions. He does not view them as hard questions. He added that he has spoken with Mrs. Augello who is open to letting people know both the workload and her circumstances. Mayor Reynolds said that he and Ms. Crampsie Smith may have to agree to disagree, but these are the circumstances. A lot of work is getting done based on salaries for 2.5 employees.

President Colón said he wanted to keep the conversation constructive and wanted to remind all that the Resolution passed unanimously. He was thankful for that. He believes that further conversations could come during budget season when City personnel – no matter which office – are considered compared to work need and cost. Citing the specific example of initiatives brought out in this email, President Colón said he would not want these to fall through the cracks, so it is important to see that they get done.

Ms. Wilhelm thanked the Mayor for reading the email. She believes it is important to discuss concerns and provide rationale for decisions. She said Ms. Crampsie Smith’s concerns are valid, but receiving this email of explanation increases her respect for the workload being done by the Mayor’s Office. In fact, she was “overwhelmed.”

#### *Upcoming Events*

There will be two events coming up next Thursday. The first will be a check presentation at 11:00 AM by Representative Steve Samuelson’s office for upgrades to Saucon Park. At 4:30 PM, a ribbon-cutting ceremony will take place for the Hobart Street mural. The Mayor also thanked Public Works Director Michael Alkhal and Recreation Director Jodi Evens for another successful pool season. He was pleased that all five pools were staffed. October 4 will be the primary day of a multi-day effort to bring improvements for Fairview Park. He encouraged anyone willing to assist to do so. Mayor Reynolds also mentioned the City’s Vision Zero plan. Bethlehem has been applying for implementation grants for intended improvements for West Broad Street. The City will apply again this years. Also, on November 15, the City will update its progress of the Climate Action Plan. There will be presentations from all of the implementation groups that morning. More details will be provided. The Mayor also thanked Council for agreeing to set two Community Development Committee meetings for continued housing presentations. This will really be one presentation done in two parts. This will be the overall housing strategy plan and how it is opening doors. These meetings will be on September 26 and October 10. A public meeting will follow, probably in October. The City is additionally working with Sen. Casey and Congresswoman Wild’s offices on scheduling the Community Recovery Fund event also.

Lastly, the Mayor offered an Administrative Order for Council’s consideration.

1. *Administrative Order – Dr. Christine A. Hartigan – Appropriate Mental Health Services Appeal Board*

Mayor J. William Reynolds reappointed Dr. Christine A. Hartigan to the Appropriate Mental Health Services Appeal Board effective through October 2026. Dr. Enix and Ms. Crampsie Smith sponsored Resolution No. 2023-173 to confirm the reappointment.



Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon and Mr. Colón, 7. The Resolution passed.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 34-2023 – General Fund – Administration Budget Adjustment*

The Clerk read Bill No. 34-2023 – General Fund – Administration Budget Adjustment – sponsored by Ms. Leon and Dr. Enix and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
AMENDING THE 2023 GENERAL FUND

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon and Mr. Colón, 7. Bill No. 34-2023, now known as Ordinance No. 2023-33, passed on Final Reading.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

A. *Approve Intermunicipal Liquor License Transfer – Wawa, Inc.*

Dr. Enix and Ms. Crampsie Smith sponsored Resolution No. 2023-174 that authorized to approve transfer of Pennsylvania restaurant liquor license No. R-17711 from PA Overlook, LLC, formerly located at 4285 N. Delaware Drive, Mount Bethel, PA 18343, to Wawa, Inc. at 770 Hellertown Road, Bethlehem, PA 18018 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board.

President Colón reminded that this is the follow-up Resolution associated with the Public Hearing held earlier this evening.

Ms. Leon echoed her concerns about the proximity of this store to Saucon Park. She is aware of prior issues of alcohol consumption in the park. She said this concern is not a reflection on Wawa, but it is an added concern that an opportunity to purchase alcohol would be so close to the park.

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 6; NAY: Ms. Leon, 1. The Resolution passed.

B. *Approve Resolution – Contract – Hera Property Registration Services*

Dr. Enix and Ms. Crampsie Smith sponsored Resolution No. 2023-175 that authorized to execute an Agreement with Hera Property Registration Services to register properties in the City of Bethlehem.

Ms. Wilhelm asked for clarification on the fee structure.

Ms. Collins said that Article 1732 provides that there is a \$200 registration fee charged to a mortgagee. Hera would receive \$100 of that for its efforts.

Ms. Kwiatek sought clarification on who is meant by the "mortgagee." She believed this involved foreclosed properties.

Ms. Collins said that was correct. This would be the lender.

Ms. Crampsie Smith said she has heard some complaints about properties being foreclosed and setting idle for a while. She asked if there are time limits for mortgagees to do work after foreclosure. Can the City do anything about this?

Ms. Collins said the ordinance requires a mortgagee to register within 10 days of foreclosure. That effectively just gives the City contact information. The City can track this and contact the mortgagee if problems exist or come about. Enforcement then follows the same path as other properties in terms of sending Notices of Violation and perhaps filing the matter with a magistrate.

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

C. *Approve Use Permit Agreement – ArtsQuest – 2023 Oktoberfest*

Dr. Enix and Ms. Crampsie Smith sponsored Resolution No. 2023-176 that authorized to execute a Use Permit Agreement with the ArtsQuest for 2023 Oktoberfest.

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

D. *Approve Use Permit Agreement – McCarthy’s Irish Pub – Celtic outdoor Music Event*

President Colón reminded that Resolution 10 D was removed earlier in the meeting from the agenda.

E. *Certificate of Appropriateness – 375 Thirteenth Avenue*

Dr. Enix and Ms. Crampsie Smith sponsored Resolution No. 2023-177 that granted a Certificate of Appropriateness to replace existing 3-tab asphalt shingle roofing with GAF Slateline "Antique Slate" asphalt shingles.

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. The Resolutions passed.

11. NEW BUSINESS

*Community Recovery Fund*

President Colón noted that Mayor Reynolds earlier mentioned coordinating the event involving the Community Recovery Fund. He asked whether all of the recipients will be announced at that time.

Mayor Reynolds said coordination with the Senator and Congresswoman is about to take place. Notification of recipients will follow.

*Upcoming Finance Committee Meeting/Message to Objecting Neighbors*

Dr. Enix announced that the Finance Committee will meet at 6:00 PM on Tuesday, September 19 in Town Hall. Budget adjustments will be discussed. She also offered encouragement to the Grandview Boulevard neighbors who have attended several meetings and voiced concern for the proposed Hanover Apartments. She referred to the words of an old Negro Spiritual titled "Take My Hand Precious Lord." She said she hears their cries and she hears their calls and she expresses sympathy for them.

*Follow-up to Sludge Issues Raised*

Dr. Van Wirt addressed Director of Water & Sewer Resources Edward Boscola. She said speakers this evening from Carbon County have raised some interesting points. First, PFAS have become a growing concern. She asked what the financial impact would be of sending this sludge to a landfill instead of having Synagro spread it onto farm fields. She said she wanted to follow the concepts behind the City's Environmental Action Plan and the Environmental Advisory Commission.

Mr. Boscola said the City obtained a Class B biosolids disposal permit from DEP in 2018 and has been disposing of biosolids under a concept of beneficial use, which essentially disposes of the waste and provides fertilizer to the farmers. The cost is about \$500,000 a year for the City to dispose of sludge in this manner. The cost would be nearly double to landfill the sludge.

Dr. Van Wirt said that a speaker provided a handout that estimates that the two disposal methods would cost about the same, but she added that there is a "non-fuel component" that must be factored in to realize the actual cost.

Mayor Reynolds said the Administration will review elements related to this issue. Information raised tonight brought up issues that he had not heard raised before. This is something worth investigation.

*Updates Sought*

Ms. Crampsie Smith also thanked the speakers for raising the issue. She assured them that this will be investigated. She also asked for an update on concerns raised several weeks ago by the firefighters. She noted media coverage and union comments at a Council meeting.

Mayor Reynolds said the Administration continues to review concerns raised by the firefighters. He hoped to have recommendations shortly.

Ms. Crampsie Smith also asked for an update on the status of Martin Tower. She cited a news article that ran last week.

Ms. Collins said it is important to restart a conversation about this property. She agreed that, as it stands, it is hard to look at and DCED wants to see this redeveloped. It has been more than 15 years that redevelopment of this site has been talked about and incentives that might help make it happen. She is happy that the owner is moving ahead with medical office buildings, more needs to be done. As the City is evaluating what can happen with its housing study, it is evaluating how it can incentivize affordable housing. The City is looking at this site as a possible way to help make this happen. The first step is to consider this as a "deteriorated area." At some point if that happened, it would have to qualify to be a deteriorated area in order to be eligible for that kind of incentive. It is unknown at this point what requirements would have to be met, but they are looking to start consideration.

Ms. Crampsie Smith asked if there is a time frame to act if an area is deemed to be deteriorated. She thought this designation was made perhaps 10-12 years ago.

Ms. Collins said in 2008 the structures on the property were considered blighted, but that was for the buildings, not the land. The idea now would be to see whether this land could be designated as deteriorated to qualify for incentives.

Ms. Crampsie Smith asked whether the owners would be amenable to providing affordable housing if incentives such as a tax abatement program were offered.

Ms. Collins said the City is now trying to make the push toward providing affordable housing. Developers really do not have the incentive to provide affordable housing on their own. So, where and when it can, the City attempt to bring affordable housing into conversations to try to make projects work.

The Mayor said that ultimately it will be up to City Council to try to make these determinations. The Administration is trying to restart the conversation to try to get good development started on this property. The conversation would involve what the City sees as good development there as well as whether this could enhance the emerging plans for the City to offer affordable housing. Council will definitely be involved since any kind of tax incentive would have to be approved by a legislative body.

Ms. Crampsie Smith said she is trying to learn whether there are ongoing conversations with the developer to try to get things moving.

Mayor Reynolds believes that there are active conversations with the developer. He asked for President Colón's help in recalling when the developer sought approval to amend zoning changes that allowed for parking at two medical office buildings. That was the summer of 2021. The Mayor said permits have been taken out, leases are signed, and he would expect visible progress soon. He added that approaching the Redevelopment Authority to obtain a deteriorated property designation is further progress.

*Appeal for Exterior Building Designs*

Ms. Wilhelm referred to Mayor Reynolds' words regarding knowing "what good development looks like." She knows that there are restrictions within the City's historical districts, but she is noticing that a number of the apartment buildings that are being built are starting to look the same. She asked what recourse Council has, outside of a historic district, in terms of the design in order to avoid this sameness.

Ms. Collins said not a lot in most situations. Zoning has certain parameters, but this does not include design outside of an HCC or HARB historic district. The City can make suggestions. For example, Director of Planning and Zoning Darlene Heller has recommended over the year that "different housing types" be included in developing the Martin Tower site, for example. However, there is not much that the City can do to require that unless there were some public money being used.

Ms. Wilhelm said she was making two pleas this evening: The first was to Wawa to carry the beer and wine of local producers. Her second plea was for builders to start creating some more interesting and diverse building designs than those that already exist.

12. ADJOURNMENT

The meeting was adjourned 9:27 PM.

ATTEST:

Tad J. Miller  
City Clerk