

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, March 18, 2025 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

The meeting was called to order by President Colón. Present were Bryan G. Callahan, Grace Crampsie Smith, Hillary G. Kwiatek, Colleen Laird, Kiera Wilhelm, Rachel Leon, and Michael G. Colón, 7.

President Colón announced that there was a delay in starting the meeting because the Community Development Committee meeting preceding the Council meeting ran longer than expected. The Council meeting was called to order at 7:33 PM. He also noted that Mayor Reynolds would not be in attendance tonight because he was attending the Bethlehem Area School District Foundation annual benefit.

CITATIONS

One retiree was recognized for his service to the City. Fire Lieutenant Robert Shuck, Jr. served the City for almost 30 years. His Citation will be mailed.

PUBLIC HEARING

President Colón stated that this Public Hearing is to review and accept public comment on the proposed use of funds to be received under the 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$33,577.

President Colón called the Public Hearing to order at 7:34 PM and stated he will now recognize a representative from the applicant to address this matter.

Police Chief Michelle Kott said this grant money is intended to be used for public safety initiatives. The Police Department proposes increasing camera coverage at two intersections where a relatively high number of traffic accidents and violations occur.

Council Comment:

Ms. Kwiatek said she is a big advocate for street safety including the welfare of pedestrians and bicyclists. She asked how these cameras are used, specifically whether there is monitoring that would lead to writing tickets for violations.

Chief Kott referred to the produced video as historical data. If the camera were to capture a traffic accident or nearby crime, the footage could be reviewed and used as evidence. Although the cameras will not be used for enforcement, it is hoped that adding more cameras will serve as a deterrent to crimes and other violations. The cameras were proposed to be located at Broad and

Center Streets and Broad and Linden Streets; however, there is added consideration for the Stefko Boulevard corridor based on recent incidents. She added that 28 intersections have cameras at this time.

Public Comment:

Resident William Scheirer was struck by the comment that these cameras are not used for enforcement but are used for data gathering. He suggested not publicizing that fact.

Resident Harry Faber said that fines disproportionately affect lower-income people. He believed more warnings would be fair as opposed to citations. He believed the real answer is to invest in programs that address poverty and improving education.

President Colón announced that a Resolution will be placed on the April 1 City Council agenda. The Public Hearing was adjourned at 7:44 PM.

2. APPROVAL OF MINUTES

March 4, 2025

3. PUBLIC COMMENT

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

International Peace Concert

Resident Arthur Curatola announced the September 21 international peace concert known as "Wake Up, Rise Up, Live for Peace" in conjunction with the International Day of Peace. He encouraged Council members to submit a video speaking to peace and world unity and what Bethlehem does that other cities do not do that make Bethlehem a good example.

Destruction of Democracy

Resident Kathryn urged residents to take action against the destruction of democracy at the federal level. She appealed to city, county, and state officials to speak out against these actions. Silence is compliance.

Ceasefire Broken

Resident William Scheirer decried the breaking of the ceasefire in Gaza by Israeli Prime Minister Benjamin Netanyahu. It is clear to Mr. Scheirer that Mr. Netanyahu wants every Palestinian out of Gaza. There has been a back and forth as to the timing of negotiations and the release of hostages but Mr. Scheirer believes that Mr. Netanyahu wanted an excuse to resume the bombing.

No Action

Resident Harry Faber also decried Sunday's breaking of the ceasefire in Gaza. He also spoke out about the detention of Muhammad Khalil, a pro-Palestinian student activist at Columbia University, by U.S. Immigration and Customs Enforcement agents. He said Council has been complacent on both issues by not adopting a ceasefire resolution or a written statement relating to welcoming city legislation.

Longevity Matters

Resident Stephen Antalics supported the comments made by the last two speakers. He next observed that several Council members at the last meeting took exception to his comments that longevity of City residence was an important factor in effective governance. An example of the importance of longevity was displayed August 8, 2022 during consideration of the Historic Conservation Commission's decision on preserving South Side buildings and the ArtsQuest expansion proposal. Two Council members with limited residency time praised ArtsQuest's accomplishments but ignored historic preservation. Two members with extended residency voted in favor of the Certificate of Appropriateness cited the importance of ArtsQuest but also knowledge of South Side history justifying the building's preservation. One of these two also suggested moving the proposed ArtsQuest building in proximity to SteelStacks. Mr. Antalics recommended electing Council members with intelligence and the most extended City experience.

B. PUBLIC COMMENT (on ordinances and resolutions to be voted on by Council this evening – 5 Minute Time Limit.

Increased Salaries Will Not Improve City Government

Resident Harry Faber does not believe that raising Council salaries by \$3,000 will improve things. He believes the actual issue is that the capital system in the United States is not providing for the people. People should be able to afford to live comfortably based on what they are paid. He also believed that Council ignored the plea of Mayor Reynolds not to increase his salary and about 150 signatures on a petition not to raise the salaries of elected officials.

Serve for Free

Resident Arthur Curatola said the Mayor has said he does not want an increased salary, so do not increase it. Council is not a full-time position. He agreed with comments made during the last meeting that school board members do not get paid and neither should council members.

4. OLD BUSINESS

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

5. NEW BUSINESS

Ms. Crampsie Smith

Ms. Crampsie Smith asked the status of the condemned building on Main Street.

Laura Collins, Director of Community and Economic Development, confirmed that the property was condemned about two weeks ago. The owner has been contacted multiple times. A notice was sent as recently as yesterday stating the history and timeline related to necessary corrections involving the structural issues that at least would lead to removal of the condemnation designation. Chief Building Inspector Michael Simonson was called to the scene by the Fire Department when this matter was reported two weeks ago. The owner has seven days from yesterday to respond.

Ms. Crampsie Smith also asked Ms. Collins about a matter raised earlier this evening during the Community Development meeting concerning a short-term rental property on Church Street. She asked whether this business is now closed.

Ms. Collins said this situation dates to prior to January of 2022. The City has been active in working with objecting residents and in litigation including appeals. There have been violations as to improper operations. The owners are not permitted to be operating this as a short-term rental but the City alleges that operations continue.

Ms. Laird

Ms. Laird said efforts continue to arrange a neighborhood conversation with the proposed developers of 11-15 W. Garrison Street. A decision on a proposed zoning map amendment was postponed at Council's March 4 meeting until after a meeting held involving the developers and neighbors. Council is likely to resume discussion on the amendment request at its April 1 meeting. The meeting with neighbors is expected to occur before that date.

6. COMMUNICATIONS

A. *City Solicitor – Contract – Legal Services AFFF-PFAS Litigation*

The Clerk read a March 11, 2025 memorandum with a proposed Resolution from Assistant City Solicitor Matthew Deschler. Attorney Deschler recommends a contract for legal services with Stag Liuzza, LLC and Florio Perrucci Steinhardt Capelli & Tipton, LLC for legal representation in litigation against manufacturers and distributors of products containing substances known as "forever chemicals." There are class action lawsuits pending against chemical manufacturers. Retaining these law firms will enable the City to explore participating in recovery pools in these lawsuits. The Contract for Services is a contingent fee agreement, meaning that the City does not incur legal expenses unless money is recovered.

President Colón stated Resolution 10A is on the agenda.

B. *Grants Administrator, DCED – Department of Conservation and Natural Resources (DCNR) – Grant Greenway at 3rd and New Streets – C2P2 2025*

The Clerk read a March 12, 2025 memorandum and attached Resolution from Lori Gilio, Grants Administrator for the Department of Community and Economic Development. Ms. Gilio seeks support to apply for a \$300,000 grant through the Department of Conservation and Natural Resources. This money would be used for the development and construction of the Greenway at 3rd and New Streets.

President Colón stated Resolution 10B is on the agenda.

7. REPORTS

A. *President of Council*

President Colón announced that Item 10D, a Certificate of Appropriateness (COA) involving 306 South New Street, has been removed from tonight's agenda at the request of the applicant. He also reported progress on the COA request involving 555 Main Street. Council following its February 4 meeting referred this request back to the Historic and Architectural Review Board. President Colón was advised that there has been productive discussion with the developer on this project, also known as the Woolworth Building. The applicant may return to HARB's April meeting for continued review. Reconsideration may come before Council after that.

B. *Mayor*

Solicitor Spirk said he had no report on behalf of the Mayor.

C. Committee Chairs

7C1. *Hillary Kwiatek, Chair – Community and Economic Development Committee*

Ms. Kwiatek reported that the Community and Economic Development Committee met at 6 tonight in Town Hall to discuss 12 code enforcement Ordinances. This included a presentation by several City departments outlining the inspections processes and code enforcement. No action was taken.

8. ORDINANCES FOR FINAL PASSAGE

8A. *Bill No. 16-2025 – Salary – Council and Council President*

The Clerk read Bill No. 16-2025—Salary – Council and Council President, sponsored by Ms. Laird and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING ORDINANCE 2017-01
ESTABLISHING THE SALARIES OF THE MEMBERS
OF COUNCIL AND THE PRESIDENT OF COUNCIL.

Ms. Wilhelm stated that she brought the three Bills forward concerning elected officials' salaries. As this is the Final Reading, she noted that she previously stated much of her reasoning. Additionally, she noted that the person who presented a petition with an estimated 125 to 150 signatures of those opposing the salary increases stated after the March 4 meeting that he would not be offering the petition after all. After hearing the discussion at the last meeting, he changed his mind. There were aspects of the proposal that he did not previously understand. She once again stated that it is uncomfortable to have to vote on the salaries of those who will sit in these seats, but this is the process in place. Ms. Wilhelm added that she has never said that paying more will guarantee drawing better candidates. But she believes that paying a little more may make the ability to serve on Council more accessible.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Wilhelm, and Mr. Colón, 4; NAY: Ms. Crampsie Smith, Ms. Leon, and Mr. Callahan, 3. Bill No. 16-2025, now known as Ordinance No. 2025-16, passed on Final Reading.

8B. Bill No. 17-2025 – Salary – Controller

The Clerk read Bill No. 17-2025—Salary – Controller, sponsored by Ms. Laird and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING ORDINANCE 2017-03
ESTABLISHING THE SALARY OF THE CONTROLLER.

Controller George Yasso asked Council to vote nay on the proposed Controller's salary increase. In the event that Council passes the increase, Mr. Yasso has asked Mayor Reynolds to veto the proposal and the Mayor has agreed. Mr. Yasso hoped to avoid that path and that Council would understand his reasoning. He agreed with the spirit of the increase. While he knows that neither he nor Council are seeking personal enrichment with the proposed increases, he now knows that he will run unopposed in the November election, so it appears that he will be re-elected. If so, he will personally benefit from this vote. Based on the moral, ethical, and fiduciary standards that he is expected to uphold, he urged Council not to vote to increase the Controller's salary. He believed it best to not accept an increase in order to maintain credibility with elected officials, City employees, and residents. Mr. Yasso added that, should he be re-elected in fall, it would be his last term in office. He would not oppose raising the salary for the next Controller.

Ms. Kwiatek appreciated Mr. Yasso's reasoning but she views these salary votes as looking at whether these positions are appropriately compensated, no matter who occupies the seats. It is unusual for any position not to have an increase in 16 or 20 years. This creates compression.

Ms. Leon noted that Council would be voting on the Controller's increase, not the Controller setting the amount himself, but she asked Solicitor Steward whether it matters that the Controller will be running unopposed.

Solicitor Steward said it does not.

Ms. Wilhelm reminded that she put these Bills forward prior to the ballot being finalized. Her intention was to increase the salary for the position rather than an individual.

President Colón reviewed procedure prior to the vote. Council is up against certain time limits. First Reading occurred on March 4. Mayor Reynolds at that time discussed his executive veto power as to his own proposed salary increase. He also could use the veto powers to override a raise for the Controller. If this were to occur and Council approved salary increases for the Mayor and Controller, the Mayor has the right to execute an executive veto of Bills approved by Council. The veto would send these Bills back to Council. Council would have to vote again, and a super-majority vote, meaning 5-2 in support, would be required to override the veto. The somewhat unique problem in this case is that the vote to override would have had to have taken place by March 24, which is two days prior to the candidate withdrawal deadline. There is insufficient time for this to happen given that Council is next scheduled to meet on April 1. He said he will vote no because of the timeline and the Mayor's stated intentions to veto the Bill.

Ms. Laird asked if this subject is open for review annually.

President Colón said once the newly elected or re-elected officials take office, the matter could be revisited. Any salary change would not be immediately effected. Any change would affect those next taking the seats.

Voting AYE: Ms. Kwiatek, and Ms. Wilhelm, 2; NAY: Ms. Crampsie Smith, Ms. Laird, Ms. Leon, Mr. Callahan, and Mr. Colón, 5. Bill No. 17-2025 failed on Final Reading.

8C. *Bill No. 18-2025 – Salary – Mayor*

The Clerk read Bill No. 18-2025 – Salary – Mayor, sponsored by Ms. Laird and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING ORDINANCE 2017-02
ESTABLISHING THE SALARY OF THE MAYOR.

President Colón recognized that Mayor Reynolds was not in attendance but said his intentions on this matter have been well communicated. He asked Solicitor Spirk if he was aware of anything additional.

Solicitor Spirk said the Mayor has not changed his position on this matter. He intends to veto any legislation that would attempt to raise his salary.

President Colón reminded that the current salary is \$90,500. He also spoke of salary compression and noted that several City employees' salaries are larger. The margin will only continue to grow as years pass and if the Mayor's salary is not increased. He could not predict if this would be a deterrent to those considering running for the position in the future. Still, he recognizes Mayor Reynolds' wishes and the reality of the voting timeline. He reminded that Council could revisit the salary level after a Mayor is sworn in next year.

Ms. Wilhelm noted that several members of the public have noted some salary discrepancies between the Mayor and some higher earning City employees during past budget reviews.

Voting AYE: Ms. Kwiatek, Ms. Leon, and Ms. Wilhelm, 3; NAY: Ms. Crampsie Smith, Ms. Laird, Mr. Callahan, and Mr. Colón, 4. Bill No. 18-2025 failed on Final Reading.

9. NEW ORDINANCES

9A. Bill No. 19-2025 Ordinance to Repeal and Replace Article 141

The Clerk read Bill No. 19-2025 – Ordinance to Repeal and Replace Article 141, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 141 OF THE CODIFIED ORDINANCES
ENTITLED SISTER CITY COMMISSION,
BY REPEALING THE EXISTING ORDINANCE AND
REPLACING IT IN ITS ENTIRETY.

Janine Santoro, Director of Equity and Inclusion, said that when Bethlehem last year added Patillas, Puerto Rico as a sister city, it was realized that the Article governing all sister city relationships needed updating. This Bill will provide a comprehensive update.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Calahan, and Mr. Colón, 7. Bill No. 19-2025 passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Contract – Legal Services AFFF-PFAS Litigation*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2025-044 that authorized to execute agreements with Stag Liuzza, LLC and Florio Perrucci Steinhardt Capelli & Tipton, LLC for legal services.

Ms. Leon asked how the lawyers were chosen for representation and she wondered whether “anti-slippage laws” would decrease regulations with the new federal administration.

Assistant City Solicitor Matthew Deschler said he could not speak to the “anti-slippage laws” but the proposed fee agreement being considered by Council arose from a contact from the attorneys. Assistant Solicitor Deschler said other firms have offered their services but required results prior to when the City began its testing. He added that the City’s results have been within the acceptable range. There have been some class action suits and there are available money pools. This would be a chance to explore whether the City would be entitled to any recovery.

Ms. Laird asked whether entering into any class action lawsuit at this time, with no unacceptable levels reported, preclude the City from further litigation.

Attorney Deschler said no.

Ms. Crampsie Smith how the City could have any eligibility for funds if we are saying that there are no detectable levels of PFAS.

Attorney Deschler said some of this is a matter of meeting a registration deadline. The City would have no hope of recovery if it does not take action before the deadline. He added that these law firms are looking into whether money might be available, even if the City now has acceptable levels, if there would be future protection if those readings change. This would preserve options.

Mr. Callahan said he would recuse himself from the vote. His brother works for an entity that one of the law partners, Mr. Perrucci, owns. Mr. Callahan did not believe this would be a conflict of interest but believed it was safest to abstain from the vote. (A signed Disclosure of Conflict of Interest Form has been attached to the master copy of the meeting minutes.)

President Colón said that Director of Water and Sewer Resources Edward Boscola could not attend tonight but confirmed to him that there are no detectable FPAS levels in the City's drinking water.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, and Mr. Colón, 6; ABSTENTION: Mr. Callahan, 1. The Resolution passed.

B. Approve Resolution – Department of Conservation and Natural Resources (DCNR) – Grant Greenway at 3rd and New Streets – C2P2 2025

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2025-045 that authorized and directed to execute all application forms necessary to apply for a Community Conservation Partnerships Program grant through the Department of Conservation and Natural Resources for development and construction of The Greenway and that the Mayor and Controller are authorized to execute such other agreements and documents as are deemed to be necessary and/or related thereto.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and Mr. Colón, 7. The Resolution passed.

C. Certificate of Appropriateness – HCC – 1304 Spring Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2025-046 that authorized to demolish the existing single-family dwelling.

President Colón noted that the Historic Conservation Commission's recommendation was to deny granting the COA. He clarified for Council that voting nay would affirm the denial and a vote of aye would approve granting a COA.

Ms. Crampsie Smith was not sure what the applicant intends to replace the demolished home with, but she viewed the property and respects the HCC's recommendation to deny

approval to raze the existing home. She is concerned that the City's character is being lost. The neighborhood has homes of historic character. She would not want to see one lost.

Ms. Kwiatek was disappointed to see that demolition is proposed. She noted that in 2019, approval was given to replace the roof and this work was not done to preserve the home. She also rejected the notion that because this home was not the highest level of architecture style and that perhaps the gardener rather than a more important figure lived there, that this would not have more historical importance. These are too often the types of structures that are torn down when, in fact, they represent the "lifeblood" of our City.

Ms. Wilhelm agreed that the applicant has said that this home is not a "significant contributing structure." This does not have to be the grandest of the Queen Ann style to be worth saving. She added that the HCC asked to see a design of what would be built without demolition or partial demolition or support that proves economic hardship and the need to raze this home. Upholding the denial gives the applicant the opportunity to provide what the HCC requested.

Mr. Callahan believes this is an insignificant property in terms of historic value. He believes the housing shortage in this City will continue if all structures are looked at in the same scope of historic value.

Voting AYE: Mr. Callahan, 1; NAY: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, and Mr. Colón. The Resolution passed.

D. Certificate of Appropriateness – HCC – 306 South New Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2025-047 that authorized to install a new illuminated wall sign and to add a business logo and operational hours to the entrance door.

This item was removed from the agenda at the applicant's request.

E. Certificate of Appropriateness – HCC – 15 East Fourth Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2025-048 that authorized to replace the existing awning cover and also to replace existing window signage with a new logo.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and Mr. Colón, 7. The Resolution passed.

F. Certificate of Appropriateness – HARB – 123 East Church Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2025-049 that authorized to replace an existing pine fence with a red cedar fence along the Pine Street side and Wesley Street/rear of the property.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and Mr. Colón, 7. The Resolution passed.

11. ADJOURNMENT

The meeting was adjourned 9:35 PM.

ATTEST:

Tad J. Miller
City Clerk