

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

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Grace Crampsie Smith, Wandalyn J. Enix, Rachel Leon, Kiera L. Wilhelm, and Michael G. Colón, 5; Absent were Hillary G. Kwiatek and Paige Van Wirt, 2.

2. APPROVAL OF MINUTES

November 21, 2023

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

West Bethlehem Short-changed/Fiscal Irresponsibility

Resident Mary Jo Makoul expressed dissatisfaction with three unnamed Council members in attendance. She applauded the suggestion made by a Council member at a recent meeting to have college students, rather than consultants, help plan the South Side community center project. Ms. Makoul said the suggestion was not to authorize total control but assistance in planning. There was a “condescending tone” by three Council members who disagreed. Ms. Makoul added that she does not deny a potential need for a community center in South Bethlehem, but she said West Bethlehem does not have a community center, parks or playgrounds. Ms. Makoul also disliked the City’s recent budget hearings. Rather than focusing on figures, she complained that these sessions focused on accolades of City departments and were a waste of time. She questioned whether it was permissible for the Controller’s Office to transfer an unused \$30,000 in its budget to the Solicitor’s Office. Ms. Makoul also objected to the 2.6 percent proposed tax increase. She said the City is not fiscally responsible and just taxes and spends. Meanwhile, she is on a fixed income and this increase, as well as the anticipated sewer rate increase and other rising costs, will leave her further behind financially. She also noted comments from the budget hearings that some departments might consider adding staff in the future. She discouraged this suggestion.

ADA Lacking Compliance

Resident Bryan McCrickerd said there is ADA non-compliance throughout the City. He is a disabled veteran in a wheelchair. People block sidewalks with their vehicles. Police do nothing when he calls. People also do not clear sidewalks or ramps when it snows, and there are no consequences. The same is true for ramps at Christkindlmarkt. There is to be 1 inch of incline for every 12 inches of height. Mr. McCrickerd also complained about Stonehenge Apartments and that residents there do not use provided parking but park on nearby streets taking up needed parking spaces. He also complained about the condition of Robin Way. This is the result of utilities being excavated and the street improperly restored. He agreed with Ms. Makoul that the

condition of the West Bethlehem streets is not as good as those in Northampton County. Finally, Mr. McCrickerd said the ramp to cross the Fahy Bridge is considerably out of code. The incline is too steep.

President Colón offered to continue a discussion that began before this meeting with some members of the Administration.

Facebook Page Initiated

Resident Mark Will-Weber advised Council that he and his wife, Sally, now have an active Facebook page called The Drip. This will be a “watchdog group asking for transparency and accountability from Water and Sewer.” They have 80 members since Thanksgiving. He said they would provide viewers information that they are not likely to get by calling the Water and Sewer Department. The page also calls attention to mishaps that have occurred in other areas of the country involving Smart meters.

Lacking Uniform Protocol

Resident Sally Will-Weber said through social media and their website they have found five households that have received bills for “an absurd amount of water usage” during the past year. The experiences were similar to that of the Will-Webers’. There is no apparent protocol that the City Water Department follows in dealing with bills that are anomalies. She said they were given a good-faith discount on the sewer portion of their bill but had to pay the entire usage amount. The discount they were given was based on the highest bill that they have received in the last five years, not even close to their normal usage. Another household, that reported the same problem, was given their discount on the water usage portion of the bill. They had to pay the entire sewer portion – the opposite of how the Will-Webers’ situation was handled. Others paid the full amount, especially if they did not feel like filing the dispute and going through the process. There is no uniformity in dealing with these situations. She said many water departments do have protocols, including one local entity that charges the amount of the most recent bill in the case of an anomaly. No dispute needs to be filed. Others take an average of a household’s usage over the last six months for up to three years to figure the amount to charge the customer. In addition to creating a protocol, a City Council subcommittee could be formed to oversee similar situations. She considers this “a second set of eyes to make sure that every situation is treated fairly and consistently.” This is not the case now. She urged City Council and the Mayor’s Office to take a more active role in overseeing the Water Department. She said they have found the Water Department “to be less than forthcoming.”

Listen to Constituents

Resident Daniel Nigito said that Council will in the coming weeks cast a legacy vote relating to the redevelopment of the Walnut Street Parking Garage. This vote should not be made in a vacuum or behind closed doors. He urged Council to listen to thoughtful and informed discussion and hear the sentiments of constituents. He urged Council to attend the Historical Architectural Review Board meeting tomorrow night to get a sense of what constituents think.

Sewage Sludge Disposal Revisited

Linda Christman of Lehighton returned to speak as President of Save Carbon County, which is fighting the use of sewage sludge as fertilizer being spread on farm fields. The EPA is in the midst of a three-year study on this issue and it has determined that there are 179 pollutants found in sewage sludge. She said that she and her husband have a farm, and they have no problem producing crops while not using sewage sludge as fertilizer. She said it does not appear that Bethlehem will be changing its practice, at least for 2024, of disposing of its sewage sludge through Synagro, which then spreads it on fields. She urged Council to study this matter in 2024 and consider changing the practice in 2025.

Elected Officials' Salaries

Resident Arthur Curatola noted the salaries of police, firefighters, and military personnel. He said if elected officials in Bethlehem got paid the way that military personnel are paid for the first three years, Bethlehem could serve as an example across the country. He said that elected officials of all levels should not be paid more than military personnel, who put their lives on the line, receive. Mr. Curatola said the Bethlehem Parking Authority cut limbs from a tree on his property about two months ago and has not removed those limbs from his yard.

Water Bill Complaint

Resident Abiel Solitario said she returned from a recent four-week trip to receive a quarterly water bill for using 48,000 gallons. She has since viewed The Drip Facebook page referenced earlier tonight by Mr. and Mrs. Will-Weber and has learned that this circumstance has happened to other people. She said she is present tonight to advise Council that this has happened to at least a few people. When she has called the Water Department, she was put on hold for a couple of hours before the phone hung up. This happened a few times. When she eventually spoke to a person, she received the standard questions as to whether she has found leaks or a running toilet. She said she told them that she had a plumber come to check piping and no issues were found. Ms. Solitario said it is frustrating because there does not seem to be a uniform process for how to deal with these complaints. Her previous highest quarterly bill was 10,000 gallons but her average is 7,000 or 8,000. This large jump, especially while she was on vacation, is very confusing. She wanted to make Council aware that this is happening to a number of people.

Investigation Suggested

Resident Scott Sine identified himself as the father of Ms. Solitario and the former chief engineer at H.T. Lyons. He checked out his daughter's home prior to her vacation and assured that there were no issues. Given his professional background, he believed that the Water Department would not find a problem with the meter but with the controls. It could be with software or something else related to a "high-level" issue that the Water Department cannot see. He suggested that the City conduct a third-party investigation to find the problem. He predicted that this will happen to others and to try to solve the problem rather than not dealing with it.

Reduce Spending/Make Parking Garage Process Transparent

Resident Bud Hackett commended the leaf collection efforts by the Public Works Department. He also suggested that before authorizing a tax or fee increase, recommendations should be made for ways to reduce costs. That may have happened, but he has not heard any of this consideration during the budget meetings. He also asked where the questioning is from the Administration or Council to ask whether departments have looked at any and all ways to cut operational costs and save the taxpayers money. He offered that he and others in the City would offer to work with officials to look for ways to cut spending. Mr. Hackett also observed that the Walnut Street Parking Garage process is a mess. The process is not transparent. He said he does not know if the parking garage replacement is necessary. It may be. But this has not been an “open” or “transparent” process. He encouraged Council to work to fix this problem.

Lower Taxes for Seniors/Unappealing View

Resident Terry Kloiber asked how the City justifies charging a senior citizen the same amount of taxes as those who are working. She also provided pictures from the Hallmark camera showing scenes of the downtown. She said the view is not one of which to be proud. The tree trunks are wrapped in lights, but there are no lights in the branches, making the scene dark and unappealing. She had a past picture that was much more inviting where the branches were lit. She asked whether something could be done to improve this view and feared that the publicity would be lost for the coming years.

First Presbyterian Plan

Resident William Scheirer reported on a meeting on November 28 at the First Presbyterian Church about their plans for the church property. The church is partnering with an unnamed nonprofit to move its headquarters into an existing church building. The crux of the meeting was to gain community input as to where to place mixed-income housing to be built on the property. A mix of apartments, townhouses, and twin houses is envisioned.

Add Bike Lane to Plan

Megan Lysowski spoke about the Activating Broad Street Plan. She said she loves it and believes that active transportation is the solution to a lot of our problems. She spoke of intersections of Linden, Maple, and Elm along Broad Street and the proposed bump outs. She believes that a “floating bump out” would be even more effective. She explained that these would have the curb, a bike lane, and then a place for pedestrians to wait before crossing the Broad Street thoroughfare. Adding the bike lane to the plan now would be much cheaper than if down as an afterthought. No bike lane is planned at this time. She added that narrowing the roadway will reduce speeding.

Council Responsiveness Questioned

Resident Stephen Antalics had a letter written in 1993 by the President of Council at that time to a resident following up on an inquiry. Fast forwarding to 2023, Mr. Antalics said the representative government spirit has deteriorated. He has noted a decline in resident attendance and stated that those he has spoken to attribute this to Council not listening so why should they

waste their time coming. Mr. Antalics provided results of a survey of residents attending Council members who rated Council members' performances.

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

Sewer Rate Increase

Resident Mark Will-Weber spoke about the proposed sewer rate increase on tonight's agenda. He noted that it has been said that the increase is only 8 percent or \$24 a year. For someone on a fixed income who perhaps retired in 2016, that is more like 30 percent because their income has not risen. He asked Council to consider that.

Broken Storm Water Pipe/Late Water Bill

Resident Mary Jo Makoul again complained about a broken storm sewer pipe at Grandview Boulevard and Ritter Street. She has been told it will be fixed when temperatures are above 40 degrees. She wanted to know when this pipe would be fixed and when promised additional drainage measures will be added. Ms. Makoul also said that she will not pay a late fee of \$2.21 for a water bill that was delayed in being delivered to her because it was sent through Philadelphia.

Also Opposes Sewer Rate Increase

Resident Bryan McCrickerd agreed that the sewer rate increase will hurt those on a fixed income.

Tax Option

Resident William Scheirer said that any property tax due to improvements in Washington, D.C. went into escrow and did not become due until the property was sold. He suggested this for Bethlehem. He suggested this for seniors and perhaps some others in difficult financial circumstances.

Administrative Orders

Resident Stephen Antalics noted the Administrative Order appointments on tonight's agenda and had no complaint. He said they appeared to be qualified.

5. OLD BUSINESS

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

6. COMMUNICATIONS

- A. *Director of Water and Sewer Resources – Memo – Act 537 Special Study*

The Clerk read a November 28, 2023 memorandum from Edward Boscola, Director of Water and Sewer Resources, with an attached copy of the City of Bethlehem Act 537 Special Study and a proposed Resolution. Mr. Boscola explains that the study addresses planned improvements at the Bethlehem Wastewater Treatment Plant to increase its organic design capacity. The study has been approved by the governing bodies of all 12 tributary municipalities that are served as well as the Lehigh Valley Planning Commission and the Bethlehem Health Department. The study was subjected to a 30-day public review period. No public comments were received.

President Colón stated Resolution 10 B is on the agenda.

B. Director of Public Works – Contract – 2023 49 Stormwater JOC Program

The Clerk read a November 29, 2023 memorandum with an attached Resolution from Public Works Director Michael Alkhal recommending a contract with Grace Industries, Inc. of Bath. The contractor will perform stormwater repairs and improvements projects under the Job Order Contracting program, known as JOC, as needed. The cost will vary based on each job. The contract will expire on December 31, 2024, and there are two additional one-year terms. Four bids were received. This contractor was the lowest responsive and qualified bidder.

President Colón stated Resolution 10 C is on the agenda.

C. Director of Public Works – Contract – 2023 48 Water & Sewer Utility JOC Program

The Clerk read a November 29, 2023 memorandum with an attached Resolution from Public Works Director Michael Alkhal recommending a contract with Grace Industries, Inc. of Bath. The contractor will perform water and sewer utility repairs and improvements under the JOC program as needed. The cost will vary based on each job. The contract will expire on December 31, 2024, and there are two additional one-year terms. Three bids were received. This contractor was the lowest responsive and qualified bidder.

President Colón stated Resolution 10 D is on the agenda.

D. Director of Public Works – Contract – 2023 47 Sidewalk, Curb, ADA Ramp JOC Program

The Clerk read a November 29, 2023 memorandum with an attached Resolution from Public Works Director Michael Alkhal recommending a contract with Grace Industries, Inc. of Bath. The contractor will perform curb, sidewalk and ADA curb ramp projects under the JOC program as needed. The cost will vary based on each job. The contract will expire on December 31, 2024, and there are two additional one-year terms. Three bids were received. This contractor was the lowest responsive and qualified bidder.

President Colón stated Resolution 10 E is on the agenda.

E. Director of Public Works – Contract – 2023 42 General Construction JOC Program

The Clerk read a November 29, 2023 memorandum with an attached Resolution from Public Works Director Michael Alkhal recommending a contract with Michael F. Ronca & Sons, Inc. of Bethlehem. The contractor will perform general construction projects under the JOC program as needed. The cost will vary based on each job. The contract will expire on December 31, 2024, and there are two additional one-year terms. Only one bid was received. This contractor was the lowest responsive and qualified bidder.

President Colón stated Resolution 10 F is on the agenda.

F. Director of Public Works – Contract – 2023 46 Paving JOC Program

The Clerk read a November 29, 2023 memorandum with an attached Resolution from Public Works Director Michael Alkhal recommending a contract with Grace Industries, Inc. of Bath. The contractor will perform paving and road restoration projects under the JOC program as needed. The cost will vary based on each job. The contract will expire on December 31, 2024, and there are two additional one-year terms. Two bids were received. This contractor was the lowest responsive and qualified bidder.

President Colón stated Resolution 10 G is on the agenda.

G. Zoning Map Amendment Request – 33 West Walnut Street

The Clerk read a November 16, 2023 communication with an attached Petition to Amend the City's Zoning Ordinance and exhibits submitted by Steven Fernstrom, Executive Director of the Bethlehem Parking Authority. The request is to amend the City's Zoning Map involving 33 West Walnut Street. The parking garage at this address encompasses three parcels in the Central Business District and additional area zoned RT, High Density Residential District. The request is to change the area of the parking garage site that is zoned RT to CB – Commercial Business District – to match the existing site use and that which will be proposed.

Scheduling Public Hearing

President Colón stated that this Petition has been referred to the City's Planning Commission. He said he would accept a motion and a second to schedule a Public Hearing on Tuesday, February 6, 2024 to consider the Zoning Map Amendment request.

Ms. Leon made a motion, seconded by Ms. Wilhelm, to schedule a Public Hearing on Tuesday, February 6, 2024 at 7:00 PM in Town Hall.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Motion passed.

H. Street Vacation Request – 33 West Walnut Street

The Clerk read a November 30, 2023 Petition and exhibits from the Bethlehem Parking Authority and West Broad Street Associates, LLC seeking to vacate a portion of Walnut Street as

particularly described in Exhibit "A." The street vacation request comes in conjunction with a proposal to reconstruct a 590-space public parking garage on property owned by West Broad Street Associates, LLC and the BPA.

Scheduling Public Hearing

President Colón stated that this Petition has also been referred to the City's Planning Commission. He would accept a motion and a second to schedule a Public Hearing on Tuesday, February 6, 2024 to consider the Street Vacation request.

Ms. Wilhelm made a motion, seconded by Ms. Crampsie Smith, to schedule a Public Hearing on Tuesday, February 6, 2024 at 7:00 PM in Town Hall.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Motion passed.

7. REPORTS

A. *President of Council*

B. *Mayor*

Menorah Lighting

Mayor Reynolds announced that about at 5:30 PM on Monday a menorah will be lit on Payrow Plaza.

B1. Administrative Order – Joe Narkevic – Sister City Commission

Mayor Reynolds appointed Joe Narkevic to the Sister City Commission effective through March of 2024. Ms. Kwiatek and Ms. Wilhelm sponsored Resolution 2023-237 to confirm the appointment.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Resolution passed.

B2. Administrative Order – Ellen Cary Bearn – Sister City Commission

Mayor Reynolds appointed Ellen Cary Bearn to the Sister City Commission effective through October of 2026. Ms. Kwiatek and Ms. Wilhelm sponsored Resolution 2023-238 to confirm the appointment.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Resolution passed.

B3. Administrative Order – Nancy Laura Topping – Sister City Commission

Mayor Reynolds appointed Nancy Laura Topping to the Sister City Commission effective through March of 2025. Ms. Kwiatek and Ms. Wilhelm sponsored Resolution 2023-239 to confirm the appointment.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Resolution passed.

B4. Administrative Order – Michiyo Salen – Sister City Commission

Mayor Reynolds appointed Michiyo Salen to the Sister City Commission effective through October of 2025. Ms. Kwiatek and Ms. Wilhelm sponsored Resolution 2023-240 to confirm the appointment.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Resolution passed.

B5. Administrative Order – Autumn Edwards – Sister City Commission

Mayor Reynolds appointed Autumn Edwards to the Sister City Commission effective through November of 2026. Ms. Kwiatek and Ms. Wilhelm sponsored Resolution 2023-241 to confirm the appointment.

Ms. Crampsie Smith offered thanks to the late Deirdre Sumpter, whose term Ms. Edwards fills, for her dedication to this City and the Sister City program.

Mayor Reynolds said that, while on the subject of the Sister City program, Business Administrator Eric Evans had sent an email that the additional \$400 requested for the budget total has been approved. This did not require Council action. Mayor Reynolds noted that this request was made after the budget book was printed, but this has now been approved.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Resolution passed.

B6. Administrative Order – Jenna M. Fliszar, Esquire – Assistant City Solicitor

Mayor Reynolds appointed Jenna M. Fliszar, Esquire as Assistant City Solicitor. Ms. Kwiatek and Ms. Wilhelm sponsored Resolution 2023-242 to confirm the appointment.

President Colón noted that Ms. Fliszar was present. He said her resume was circulated to Council, as is customary. He welcomed her to the Law Bureau. The Mayor did likewise

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Resolution passed.

C. *Finance Committee Report – Dr. Enix*

Dr. Enix reported that the Finance Committee met earlier this evening. It reviewed the 2022 City Audit. This was for informational purposes only. There was no action required. The Committee also reconsidered the proposed 2024 sewer rate increase that was tabled on November 8. The Committee voted 2-0 to advance this Bill to tonight's Council agenda for First Reading (Item 9A.)

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 40-2023 – General Fund Adjustment – Health Budget*

The Clerk read Bill No. 40-2023 – General Fund Adjustment – Health Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Bill No. 40-2023, now known as Ordinance No. 2023-38, was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 52-2023 – Amend Article 927 – Sewer Rental Increase*

The Clerk read Bill No. 52-2023 – Amend Article 927 – Sewer Rental Increase, sponsored by Ms. Kwiatek and Ms. Wilhelm and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF
LEHIGH AND NORTHAMPTON, COMMONWEALTH OF
PENNSYLVANIA, AMENDING ARTICLE 927 OF THE CITY OF
BETHLEHEM CODIFIED ORDINANCES TITLED "SEWER RENTAL".

Ms. Crampsie Smith said this was discussed during the Finance Committee meeting earlier this evening. She is concerned about this rate increase, or any increase for that matter. She noted that this was tabled last month, but a meeting with Mr. Boscola gave her and Dr. Enix additional insights to explain the need for it. It was also suggested that a rate study could be conducted in the future to better determine the need for higher rates and fairness to both City residents and nonresidents. Based on this discussion, she will now support the increase.

Ms. Leon thanked the Finance Committee for meeting with Mr. Boscola and considering a study if a future rate increase is proposed. She added the hope that during such a study, questions could be asked whether lower rates could be offered to senior citizens or others on fixed incomes.

Ms. Wilhelm agreed with Ms. Leon. She added that it was mentioned during the Finance Committee meeting that those who are having trouble paying their utility bills can contact the Water and Sewer Department to discuss setting up a payment plan.

President Colón repeated some of his comments made at the Finance Committee meeting. It is never without thought when higher rates are proposed. But when we are talking about the Water and Sewer Department, this department operates on user fees. Expenses should not cut into the General Fund for the City. He said we have been fortunate that the sewer rates have not been increased since 2020. The infrastructure must be maintained, so the question is how to do that without raising rates. He believed that it is more responsible to charge \$24 more a year now than to close budget gaps now with more borrowing. But he also believes it is worth reviewing how we bill nonresident users in the surrounding municipalities.

Mayor Reynolds said that City Solicitor Spirk can offer insights as to how suburban fees work. But he said it is natural that the rising costs of manpower and the upkeep of the sewer and water systems cost money. The questions become what is the best way to get and plan that revenue.

Solicitor Spirk discussed the agreements that are in place with the tributary municipalities. Many are very old. He believes they have stood the test of time for some reason and have worked. He believes the practice of how things have been done has reached an equilibrium over the years and works. The increases are usually handled without changing the agreements. Solicitor Spirk added that you would not want to use the rationale that the outlying tributaries have much longer service lines and should be charged more because these tributaries already are being charged for its own infrastructure. They already have paid to address this anticipated reality. They maintain their own collection system. The City is only concerned with the effluent volume.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. Bill No. 52-2023 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – 2023 Records Destruction Resolution – Building Code Bureau*

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-243 that authorized the disposal of public records in the office of the Code Enforcement Bureau, as set forth in Exhibit A.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

B. *Approve Resolution – Act 537 Special Study City of Bethlehem*

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-244 that the Council of the City of Bethlehem that the City has found the Special Study adequate for the wastewater disposal and management needs of the municipality and hereby adopts the Special Study known as the City of Bethlehem Act 537 Special Study, dated June 2023, as a revision to the Official Plan of the

municipality. Further, the Council of the City of Bethlehem hereby assures the Department of Environmental Protection of the proper and timely implementation of the Special Study.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

C. Approve Resolution – Contract – 2023 49 Stormwater JOC Program

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-245 that authorized to execute all documents and agreements with Grace Industries, Inc. for stormwater utility work.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

D. Approve Resolution – Contract – 2023 48 Water & Sewer Utility JOC Program

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-246 that authorized to execute all documents and agreements with Grace Industries, Inc. for utility work.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

E. Approve Resolution – Contract – 2023 47 Sidewalk, Curb, ADA Ramp JOC Program

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-247 that authorized to execute all documents and agreements with Grace Industries, Inc. for sidewalk, curb, and ADA ramp work.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

F. Approve Resolution – Contract – 2023 42 General Construction JOC Program

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-248 that authorized to execute all documents and agreements with Michael F. Ronca & Sons, Inc. for general construction work.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

G. Approve Resolution – Contract – 2023 46 Paving JOC Program

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-249 that authorized to execute all documents and agreements with Grace Industries for paving work.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

H. Certificate of Appropriateness – 29 East Third Street

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-250 that granted a Certificate of Appropriateness for 29 East Third Street to replace four existing non-illuminated wall signs for 'Bank of America'

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

I. Certificate of Appropriateness – 203 East Third Street

Ms. Kwiatek and Ms. Wilhelm sponsored Resolution No. 2023-251 that granted a Certificate of Appropriateness for 203 East Third Street to install a new wall sign in an existing sign board area.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

11. NEW BUSINESS

What About the Water Concerns?

Ms. Crampsie Smith noted those who have raised concerns about inaccuracies with their water bill. She asked Mr. Boscola if it would be appropriate to look into potential problems with the internal controls or whether other solutions might be found.

Mr. Boscola said he believed the Will-Webers' matter has been addressed, but he was previously unaware of the one involving Ms. Solitario. He said he would follow up. But generally speaking, if people have questions about their bill, they contact the Water and Sewer Department which tries to address the issue. He said that, generally speaking, the metering infrastructure is very reliable. An employee will ask customers reporting above-average use questions to try to determine the cause. Most times it is a leak, a running faucet or something like that. But there are rare cases where the cause is indeterminate. If the meter checks out, there is not much the City can do but charge for what is shown to be used as well as what is in the ordinance that allows some credit to be given.

Ms. Crampsie Smith asked Mr. Boscola if there is any legitimacy of looking into what Mr. Sine said about checking internal controls.

Mr. Boscola said he has no knowledge of a problem with the City's metering infrastructure. He said it may not be perfect, but he termed it "a highly reliable metering infrastructure." He believes with the new digital technology there is some possibility that wires could get crossed leading to bad data, but this data is frequently evaluated to see whether it makes sense and likely is accurate. Mr. Boscola added that this would be data from 37,000 customers so there would be a lot to check.

Ms. Crampsie Smith said there have been a few cases called to their attention lately. She wondered whether a system is necessary "to look into these odd cases where it is unexplainable."

Mr. Boscola said they can evaluate this but he added the belief that there are just a few cases of this nature, not any broad problem with the metering infrastructure to warrant some major overview or audit of the metering. He added that they will look at Ms. Solitario's circumstances to try to determine what happened.

Gun Purchases Revisited

Ms. Crampsie Smith said she has thought more about the discussion at the last Council meeting involving retiring City police officers being granted the right to buy their service weapon. She recounted that one Council person stated before the vote that in 15 minutes they could find a dozen instances of former police officers killing their wives and then turning the guns on themselves. Ms. Crampsie Smith prefaced her next comments by saying that she is against guns. But she believes that the comment made by a fellow Council member was an over generalization. The fellow Council member is entitled to that opinion. But Ms. Crampsie Smith noted several police officers in her family, and she said she has to defend them. She said not voting for an officer to be able to buy their gun upon retirement is fine but she has a real problem with the over generalization that was made. She knows of the sacrifices that her relatives have made in risking their lives. While she is against guns, she believes this over generalization was not fair. It was also concerning because there is a problem now with hiring and retaining police officers.

ADA Follow-up

Ms. Leon asked Mr. Alkhal if there is a process to report ADA ramps that are believed not to be in compliance.

Mr. Alkhal said anyone wishing to report concerns may do so by calling the Engineering Bureau for an inspection.

Ms. Leon also asked what is required in terms of ADA access if old sidewalks must be replaced.

Mr. Alkhal said the sidewalks including the curb ramps are the responsibility of the abutting property owner. However, when paving is done abutting curb ramps, the City upgrades and addresses those ramps at that time.

Ms. Leon asked if there is any grant money available to assist these responsible abutting property owners whether they are residents or business owners.

Mr. Alkhal said unfortunately not.

Ms. Leon also asked Chief Kott the role of the police if ADA accessibility is blocked.

Chief Kott said circumstances vary. She does not know the particular circumstances to which Mr. McCrickerd referred, but she would bring this matter up at tomorrow's Lieutenants' meeting. She asked Mr. McCrickerd for additional details of his complaint.

Mr. McCrickerd said the driveway is too short for the residents' two vehicles, so one hangs out over the sidewalks. It was suggested that related questions could be discussed following the meeting.

Chief Kott wanted to answer Mr. McCrickerd's direct question. She said a citation should be issued if a vehicle is obstructing the sidewalk. If there is a major threat or on someone else's lawn, the vehicle would be towed. But the first course of action would be to issue a parking ticket or get the owner to move it.

First Presbyterian Report

Dr. Enix thanked Mr. Scheirer for his report on the First Presbyterian project. She believes that the project is an excellent idea.

Budget Reminder

President Colón reminded that the budget hearings have concluded. The budget is online for public inspection.

12. ADJOURNMENT

The meeting was adjourned 9:03 PM.

ATTEST:

Tad J. Miller
City Clerk