

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Tuesday, January 3, 2017 – 7:00 PM

INVOCATION

Associate Pastor David Breiner, Cathedral Parish of St. Jude, offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Reynolds called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Eric R. Evans, Shawn M. Martell, Olga Negrón-Dipini, Adam Waldron and J. William Reynolds, 7.

2. APPROVAL OF MINUTES

The Minutes of December 20, 2016 were approved.

3. PUBLIC COMMENT (on any subject not being voted on this evening - 5 minute time limit)

*Ethics Ordinance*

Mary Foltz, 2216 Montgomery Street advised she wanted to share a few thoughts on the ethics ordinance that is on the agenda tonight as a Communication. She noted that the League of Women Voters of Northampton County put together an excellent panel to discuss ethics ordinances in Pennsylvania that included Philadelphia and Allentown. They brought in speakers from Harrisburg as well. Ms. Foltz expressed that she really felt the democratic spirit in our City where they explored different possibilities for an ethics ordinance. She is hoping that it will go to Committee and that we can keep up the spirit of democratic collaboration by having those meetings open to the public so they can continue to contribute some ideas when discussing ethics ordinances.

Dana Grubb, 2420 Henderson Place noted that he brought with him a copy of Council's Resolution 11,471 passed on June 18, 1991, and remarked this is a very well intentioned Ethics Resolution that has no teeth. Mr. Grubb advised the time has come for a codified ordinance so that public officials and elected officials can be held accountable on a daily basis instead of every four years. He commended Councilwoman Olga Negrón-Dipini and Councilman Michael Colón for proposing the ethics ordinance, and engaging residents, experts across the Commonwealth, the League of Women Voters and the Southside Initiative. Mr. Grubb added that it is no secret that Pennsylvania is considered one of the top five most corrupt States in the United States, and referenced the difficulties in Reading and Allentown over the past two years. Mr. Grubb remarked all communities should be served by elected and public officials with a high degree of personal

ethics, integrity, honesty and character. He urged the Members of Council to work diligently to give this City the best that they have as this process moves forward in a pro-active spirit.

Kim Carrell-Smith, 833 Carlton Avenue thanked Councilwoman Olga Negrón-Dipiní and Councilman Michael Colón for their hard work, and was pleased when the League of Women Voters came together and brought together an expert panel to speak about ethics ordinances. Ms. Carrell-Smith believes everyone learned an amazing amount from that night. She noted it was an extraordinary event and expressed appreciation for being a part of that evening. Ms. Carrell-Smith advised that it really felt like Town Hall was a Town Hall for one of the first times she ever experienced that. She remarked that ethics are important, and one of the things that was seen last night was an uprising against the proposed action that Congress took that ethics do matter and that the people do care. The citizenry finds this important and that is what we sensed at that Town Hall meeting as well and the experiences of the folks in Philadelphia, the people in Allentown, the academics who study this and the people who work in the world of law and ethics. She continued one of the most important things in public service that we can do is check ourselves. It does not matter if we have the best of intentions because frequently those best intentions go awry. We do make mistakes so having guidelines makes a difference. She noted guidelines can help show you what you need to do, remind you what you need to do and best of all for you they can reassure constituents that you are doing things the right way. Ms. Carrell-Smith commented that confidence in government is what makes democracy work so she would ask Council to seriously consider the ethics ordinance that is being proposed. She again encouraged Council to think about creating this ordinance and using some of those recommendations. Ms. Carrell-Smith commented that having an ethics ordinance and Commission that can look into ethics violations makes a real difference. This would provide guidelines and someone to look into problems and provide guidance. Ms. Carrell-Smith hopes that Council takes this seriously and again expressed appreciation to the two Members of Council who worked on the proposed ordinance.

*Bethlehem South Side/Bethlehem North Side*

Stephen Antalics, 737 Ridge Street commented on the traffic lights and pedestrian crossing at Union Boulevard and Main Street, noting that when the pedestrian light goes on, all four traffic lights turn red. He highlighted that when the pedestrian lights at Fourth and New Streets come on, only two traffic lights turn red. He continued there is a senior high rise at Main Street and Union Boulevard called the Moravian House, and a very large residential building at New and Fourth Streets called the Rooney House. Mr. Antalics noted that the Rooney's were a south side family. He pointed out that three students that live on Carlton Avenue asked him to speak since they know he comes to these meetings. He noted that if you drive down Carlton Avenue from Summit Street to Broadway at legal speed, you will destroy your shock absorbers and shatter your teeth. Mr. Antalics explained he lived on Carlton Avenue for 15 years and when passing through, has to drive down that street at 5 miles an hour. He continued there is the South Bethlehem Historic Conservation Commission which is supported by Ordinance, but we now will have a ten-story building there which he feels will totally destroy the streetscape and the ambiance of the area. Mr. Antalics wondered if Board of Historical and Architectural Review would allow a ten-story building at Main and Market Streets, and remarked the difference is one is the south side; the other is the north side. He continued to say that he picked up a book that showed a 1950's major project from Mayor

Schaffer to have Clarke and Rapuano look into development of the City. He remarked they alluded in this presentation to the difference between north and south Bethlehem. Mr. Antalics then showed a picture of a proposed architectural rendering of City Hall. He continued they then looked at the second major project, which was the Five Points. They proposed a by-pass for this but it did not occur due to the cost of the project. In the 1970's the report by Victor Gruen & Associates (South Side '76 Plan) looked at the south side and proposed a South Boulevard going from Saucon Valley onto the Reading track into the Second Street bridge ramp but it never happened. Since then, there have been two studies on the Five Points, but nothing happened. He highlighted that nothing has happened at the Five Points area for 60 years. Mr. Antalics remarked that this is because it is on the south side. Mr. Antalics read an article that appeared in the Daily Times of Bethlehem in 1897 regarding where immigrants are referred to as "the scum of European society". Mr. Antalics noted that sets the tone and those referenced as scum are the parents and grandparents of certain people sitting here. He expressed in a sense that stigma has not really disappeared. We have done things for the south side but recently it is not happening.

#### *Ethics Ordinance*

Barbara Diamond, 425 Center Street thanked Councilwoman Olga Negrón-Dipiní and Councilman Michael Colón on leading this effort, and asked Council to approach this Ethics Ordinance in a thoughtful manner and to keep an open mind. She remarked this not about impugning anyone's integrity; it is about a good government initiative that many cities have adopted ordinances, including Easton, Reading and Philadelphia. Ms. Diamond noted our current code adopted in the 1990's is purely aspirational. It says that City officials will avoid conflicts of interest and actions that create the perception of impropriety. She expressed it does not assist our public officials to do this in any way or provide any safeguards to the public if you fail to live up to them. Ms. Diamond remarked the proposed ordinance is a comprehensive program that first and foremost seeks to assist public officials in recognizing conflicts of interest and handling them in a responsible way. It also includes establishing an independent, non-partisan board of ethics that assists public officials by providing guidance and ongoing training in handling conflicts of interest, procedures for handling complaints and enforcement of rules and standards. Ms. Diamond noted in addition, the ordinance strengthens the rules and procedures in areas where conflicts of interest tend to arise, and increases transparency by enhancing reporting and disclosure requirements. She remarked the proposed ordinance represents the best practices in the field of municipal government ethics, it's strong firm advice from our State Ethic Commission, from the ordinance passed by our neighboring communities, from the panel discussion and from the model code of ethics which is the outcome of research and training in municipal ethics by the Safra Center for Ethics at Harvard. Ms. Diamond highlighted the website [cityethics.org](http://cityethics.org) for further information. She remarked this action to move forward with a more robust program will improve the way people regard their government and public officials. Ms. Diamond added the proposed ordinance aims to give people confidence that their representatives have the tools they need to act in their best interest, and noted if there is a financial concern about establishing a board, keep in mind that misconduct and corruption costs taxpayers. Ms. Diamond hopes that Council sees this ordinance as a progressive and proactive step to safeguard the City from the scandals as seen around us and across the Country.

4. PUBLIC COMMENT (on Ordinances and Resolutions to be voted on this evening - 5 Minute Time Limit)

*Administrative Order 7B9/City Hall Workers/Bethlehem Residents*

Dana Grubb, 2420 Henderson Place informed that with the approval of the new Fire Chief not a single Department Head will legally reside in the City of Bethlehem. He continued it is ironic as Bethlehem celebrates its 100<sup>th</sup> year of incorporation the residents of this City will essentially have a group of mercenaries running the Departments in Bethlehem. He stated that he has no ax to grind against the incoming Fire Chief; he has heard nothing but good things about him, but feels this is a bigger issue. He noted it is incredulous to him that the City does not have residents to run the Departments. He referenced his family's 100 cumulative years working for the City, and expressed his doubts whether 50% of the workforce now live in the City. Mr. Grubb pointed out those that are not residents have a much less invested interest in the people of this City, and their incentive is a paycheck and not service. He referenced a Cabinet member telling a resident that they work for the Mayor; not the residents of the City, and expressed it is the taxpayers who pay City employees. He remarked the primary subject when he gathers with retirees of the City is how few City residents work for the City and the lack of morale in the workforce, which he feels impacts residents and the delivery of service. Mr. Grubb explained that the residency requirement for City employment was removed by former Mayor Smith. Mr. Grubb noted in his opinion that is the biggest single issue with morale and performance in City government and it needs to change. He advised that he hears from residents about unsatisfactory visits to City Hall, where they say no one wants to help them or they cannot get an answer. Mr. Grubb stated when he worked at City Hall he felt an obligation of service to try to help solve residents' problems, or issues with City Hall, but it does not happen anymore. He noted that government is about service and when the service is not up to par it is the residents who suffer.

Stephen Antalics, 737 Ridge Street informed that he supports remarks made by Mr. Grubb. He has brought this issue up a number of times. There was an ordinance at one time that stated at least Department Heads had to live in the City of Bethlehem and Mayor Smith revoked this on the grounds that it was unconstitutional. Mr. Antalics noted he brought his up a year or so ago because he looked into it, and constitutionally, the City could demand it. He stated that held no water. He commented Mr. Grubb is absolutely right in that he would come to City Hall to get data on certain things and Mr. Grubb was always there, as were other departments and gave him what he needed because they were serving him as a citizen. He expressed it is depressing that essentially during almost every visit he has made lately to City Hall to gather information he is told he has to get a Right-to-Know form through the Legal Bureau. He stated that service is gone and it is sad.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director of Water and Sewer Services – Recommendation for Award – AECOM*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with AECOM for 2017 Risk Management Plan Compliance Audits for the Water Filtration Plant and Wastewater Treatment Plant. The term of the contract is from the Notice to Proceed until April 30, 2017. The fee for the contract is \$12,100.

President Reynolds stated Resolution 10 C is on the agenda.

B. *Director of Water and Sewer Services – Recommendation for Award – Material Matters, Inc.*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Material Matters, Inc. for Biosolids Class B General Permit Application Consulting Services. The term of the contract is from the Notice to Proceed until December 31, 2017. The fee for the contract is \$6,900.

President Reynolds stated Resolution 10 D is on the agenda.

C. *Director of Water and Sewer Services – Recommendation for Award – Gannett Fleming Valuation and Rate Consultants, LLC*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Gannett Fleming Valuation and Rate Consultants, LLC for preparation of the filing for a Distribution System Improvement Charge (DCIS) Surcharge with the PA Public Utility Commission. The term of the contract is January 1, 2017 to December 31, 2017. The fee for the contract is \$19,500.

President Reynolds stated Resolution 10 E is on the agenda.

D. *Director of Water and Sewer Services – Recommendation for Award – S. C. Engineers, Inc.*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with S. C. Engineers, Inc. for annual consulting services for the Industrial Pretreatment Program and miscellaneous assignments. The term of the contract is January 1, 2017 to December 31, 2017. The fee for the contract is not to exceed \$20,000.

President Reynolds stated Resolution 10 F is on the agenda.

E. *Director of Water and Sewer Services – Recommendation for Award – Cherry, Weber & Associates, PC*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Cherry, Weber & Associates, PC for the 2017 Wild Creek & Penn Forest Dam Inspections and Penn Forest Dam

Instrumentation Report. The term of the contract is from the Notice to Proceed until December 31, 2017 for performance and submission of the annual dam inspection and until March 15, 2018 for the preparation and submission of the 2017 dam instrumentation report. The fee for the contract is \$30,000.

President Reynolds stated Resolution 10 G is on the agenda.

- F. *Director of Water and Sewer Services – Recommendation for Award – Steven G. Lowry & Associates, Inc.*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Steve G. Lowry & Associates, Inc. for the 2017 annual engineering service for the Department of Water & Sewer Resources. The term of the contract is January 1 to December 31, 2017. The fee for the contract is \$65,000.

President Reynolds stated Resolution 10 H is on the agenda.

- G. *Director of Water and Sewer Services – Recommendation for Award – K. L. Fulford Associates, Inc.*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with K. L. Fulford Associates for the operation and management of the drinking water facilities in East Allen Township and a portion of Allen Township which are part of the City's water system. The term of the contract is January 1 to December 31, 2017. The renewal term option is two additional yearly options. The fee for the contract is \$36,000.

President Reynolds stated Resolution 10 I is on the agenda.

- H. *Director of Water and Sewer Services – Recommendation for Award –Emerson Process Management Power & Water Solutions, Inc.*

The Clerk read a memorandum dated December 14, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Emerson Process Management Power & Water Solutions, Inc. for licensed software support for the SCADA System at the Water Treatment Plant, Water Distribution Control and Wastewater Treatment Plant and support services for Licensed Firmware and Software on an as needed basis. The term of the contract is January 1, 2017 to December 31, 2017. The fee for the contract is \$41,810.76 for the licensed software support for the SCADA System and \$153.08 per hour plus 10% for support services for licensed firmware and software on an as needed basis.

President Reynolds stated Resolution 10 J is on the agenda.

- I. *Director of Water and Sewer Services – Recommendation for Award –Optimum Controls Corporation*

The Clerk read a memorandum dated December 12, 2016 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Optimum Chemical Corporation to furnish and install a new Penn Forest Dam SCADA system. The term of the contract is from the Notice to Proceed until September 1, 2017. The fee for the contract is \$151,056.

President Reynolds stated Resolution 10 K is on the agenda.

*J. Director of Community and Economic Development – Redevelopment Assistance Capital Program – Ben Franklin Technology – Resolution*

The Clerk read a memorandum dated December 19, 2016 from Alicia Karner, Director of Community and Economic Development to which is attached a Resolution that is required to proceed with the administration of a \$1.5 million RACP grant awarded to the Ben Franklin Technology Partners Northeast Pennsylvania to expand their facility.

President Reynolds stated the Resolution can be placed on the January 17 agenda.

*K. Assistant City Solicitor – Renaming Gilchrist Drive cul-de-sac in LVIP VII*

The Clerk read a memorandum dated December 22, 2016 from Assistant City Solicitor Edmund J. Healy, Esq. to which is attached a Resolution to change the name of the cul-de-sac on Gilchrist Drive in Lehigh Valley Industrial Park, along with the building number of a certain unimproved 61.16 acre tract of land to Maloney Circle. The new street address would be 1000 Maloney Circle. The adjoining property owner and the Lehigh Valley Industrial Park have expressed their consent and support. The petitioner complies with the requirements in Section 2 of Council Resolution 12,787 and the Mayor approved the name change request for presentation to Council.

President Reynolds queried if Council would like to review this in Committee in the interim. With no comment President Reynolds stated the Resolution can be placed on the January 17 agenda.

*L. City Solicitor – Exchange of Real Estate – City of Bethlehem – Bethlehem Parking Authority*

The Clerk read a memorandum dated December 29, 2016 from City Solicitor William P. Leeson, Esq. to which is attached a Resolution that is required for the exchange of real estate that is part of a development plan for the new parking garage at New Street and Graham Place. The exchange of parcel also is required to support conditions of the RACP commitment to the Parking Authority. The exchange also was subject to the Planning Commission review and approval. The title to the lot being transferred to the City currently rests with Best Suites Hospitality and is in the process of transfer to the Bethlehem Parking Authority.

President Reynolds stated as noted in the memorandum Resolution 11,836 states the matter would be reviewed by the Parks and Public Property Committee. However if Council does not wish to have it reviewed in Committee a motion would be need to be made to bypass the Committee and the Resolution would then be placed on the January 17 agenda for approval.

President Reynolds noted if we wish to have this reviewed in the Parks and Public Property Committee he would ask that Michael Alkhal, Director of Public Works, attend the meeting since it now falls under his purview. If not, then we can accept a motion to bypass the Committee and put it on the agenda. President Reynolds continued we are in a situation now with the Parks and Public Property Committee that needs to be addressed and he turned to Council for their thoughts. He noted that since the Parks and Public Property Department no longer exists we could keep the Committee as is or change the Committee structure, but he is not sure what Council wants to do with this matter.

Mr. Waldron queried if in the past we typically sent this to Committee.

President Reynolds noted it is required, but this is the first example of these things not going to Committee. He remarked that he is just not sure what Council would like to do as far as the Committee is concerned. We could certainly have a Committee Meeting, and generally discussions regarding gifts or an exchange of real estate tend to be efficient meetings. He continued the meeting could take place prior to a Council Meeting, if that would work for the Committee.

Mr. Evans, who is Chair of the Parks and Public Property Committee, said he would offer to hold a Committee Meeting on January 17<sup>th</sup> at 6:00 p.m. if that time is available to Members of the Committee.

Mr. Waldron queried if it would be better to have the meeting closer to the 7:00 pm time of the Council Meeting.

Mr. Evans agrees that these topics move quickly, but it would be healthy to have a conversation prior to the full Council. The meeting could take place at 6:30 pm.

President Reynolds remarked at this meeting we could also talk about the future of the Parks and Public Property Committee. We have had the conversation about perhaps changing the name to Recreation Committee as well.

President Reynolds informed we will schedule a Parks and Public Property Committee Meeting for 6:30 pm on January 17 prior the Council Meeting.

*M. Councilwoman Negrón-Dipini – Councilman Colón – Draft Ethics Ordinance Proposal*

The Clerk read a memorandum dated December 29, 2016 from Councilwoman Olga Negrón-Dipini and Councilman Michael Colón to which is an Ethics Ordinance proposal for Council's consideration to create transparency and re-establish faith and trust in local government.

President Reynolds advised as consistent with every Ordinance that Council looks at he would forward this to the Law Bureau for City Solicitor Leeson and Council Solicitor Spirk to take a look at the draft proposal. President Reynolds believes it is important that our current City lawyers have an opportunity to take a look at what is in the draft. He asked the Clerk to schedule a Committee of the Whole Meeting, which would be for information only since, he

believes that the legal review will be lengthy. It would be a situation that this would not turn around very quickly, but the City Clerk could schedule a Committee of the Whole Meeting for information only. He added we could then discuss at the meeting what is in the Ordinance and hear Mr. Colón and Ms. Negrón-Dipini's intention and perspective on their proposal.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Vaughn Gower – Bethlehem Authority*

Mayor Donchez reappointed Vaughn Gower to membership on the Bethlehem Authority effective through January, 2022. Mr. Callahan and Ms. Negrón-Dipini sponsored Resolution No. 2017-001 to confirm the reappointment.

Mr. Evans commented that Mr. Gower does a great job on the Bethlehem Authority. He noted that the Bethlehem Authority is one of our strongest among the many Authorities that functions effectively. Mr. Evans stated we owe a debt of gratitude to all of these people whose appointments we are voting on these tonight that serve the City in a number of different ways. Mr. Evans noted that he has seen Mr. Gower at a number of meetings and expressed he is a great asset to the Board and the City.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

2. *Administrative Order – Tom Donchez – Bethlehem Authority*

Mayor Donchez appointed Tom Donchez to membership on the Bethlehem Authority to complete the term of Laurie Gostley-Hackett effective through January, 2019. Mr. Callahan and Ms. Negrón-Dipini sponsored Resolution No. 2017-002 to confirm the appointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

3. *Administrative Order – Dr. Sally Haggerty – Board of Health*

Mayor Donchez reappointed Dr. Sally Haggerty to membership on the Board of Health effective through January, 2022. Mr. Callahan and Ms. Negrón-Dipini sponsored Resolution No. 2017-003 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

4. *Administrative Order – Attorney Michael Santanasto – Zoning Hearing Board*

Mayor Donchez reappointed Attorney Michael Santanasto to membership on the Zoning Hearing Board effective through January, 2022. Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution No. 2017-004 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

5. *Administrative Order – James DePietro – Fine Arts Commission*

Mayor Donchez reappointed James DePietro to membership on the Fine Arts Commission effective through January, 2020. Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution No. 2017-005 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

6. *Administrative Order – Dean Batten – Electrician’s Examining Board*

Mayor Donchez appointed Dean Batten to membership on the Electrician’s Examining Board effective through January, 2020. Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution No. 2017-006 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

7. *Administrative Order – Lee Cunningham – Codes Board of Appeals*

Mayor Donchez reappointed Lee Cunningham to membership on the Codes Board of Appeals effective through January, 2020. Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution No. 2017-007 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

8. *Administrative Order – Nancy Shelly – Board of Historical and Architectural Review*

Mayor Donchez reappointed Nancy Shelly to membership on the Board of Historical and Architectural Review effective through January, 2022. Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution No. 2017-008 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

9. *Administrative Order – Warren Achey –Fire Chief*

Mayor Donchez appointed Warren Achey as Fire Chief effective as of January 1, 2017. Mr. Callahan and Ms. Negrón-Dipini sponsored Resolution 2017-009 to confirm the appointment.

President Reynolds congratulated Mr. Achey and welcomed him on board as a Department Head and Fire Chief. President Reynolds turned to the Department Heads and employees and expressed that he wanted to say to all who work for Mayor Donchez that he has the utmost respect them. He noted a comment made by a speaker this evening that referred to Department Heads that live outside the city limits as mercenaries and feels this was inappropriate. He remarked he, and feels City Council would say the same, finds it offensive to hear that because some live 3-4 minutes outside the city you are not dedicated to your job. He highlighted he has no complaints about any of Mayor Donchez' appointments who manage the various Departments in City Hall. President Reynolds noted that we might have some disagreements at times, but wanted to say thank you for all the work everyone does throughout the year. President Reynolds congratulated Mr. Achey and mentioned that we all look forward to working with him as the new Chief of the Fire Department. He knows that he comes with great recommendations about his years in the Fire Department.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

*Recognition Proclamation/David Buss*

Mayor Donchez remarked that all of us saw the headline in The Morning Call dealing with the sinkhole on Hamilton Avenue. He expressed we were very fortunate that we had a newspaper deliveryman in that area and invited Mr. Buss to the podium. Mayor Donchez advised he asked Mr. Buss to come to the meeting tonight because if it was not for him and the fact that he took the time to call 911, we might have had a catastrophe and a major problem. Mayor Donchez stated on behalf of the City and City Council he would like to read a proclamation to Mr. Buss. "In grateful recognition for your quick thinking in calling the 911 Center when you detected the smell of natural gas and the sound of running water while performing your duties as a newspaper carrier, I, Robert Donchez, Mayor of the City of Bethlehem and behalf of City Council would like to express sincere appreciation on behalf of the residents of Hamilton Avenue and Bethlehem. May your actions serve as an example to other citizens of our community to get involved in protecting our City." Mayor Donchez thanked Mr. Buss.

8. ORDINANCES FOR FINAL READING

None.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

A. *Authorizing Use Permit Agreements for Public Property – ArtsQuest – Musikfest 2017, 2018, and 2019*

Mr. Callahan and Mr. Colón sponsored Resolution 2017-010 that authorized the execution of Use Permit Agreements between ArtsQuest and the City of Bethlehem for use of certain City streets identified in the Use Permit Agreement for Festival Sites, for Musikfest 2017, 2018 and 2019, for the times periods listed on the agreements, according to the terms and conditions.

Mr. Callahan wanted to take the time to thank ArtsQuest and Ms. Hilgert. He noted that Bethlehem was floundering for a while following the demise of Bethlehem Steel and the vision of Jeff Parks was the one thing that really saved the City. It brought spark back into the City and it became a destination. He also wanted to say that ArtsQuest is an ideal partner for the City. He continued every year we bump the fees up a little higher, and there are never any complaints. He stated ArtsQuest does an unbelievable job. Mr. Callahan can assure that the issue with the pedestrian bridge over the Monocacy Creek that that joins Handwerkplatz and Festplatz will be fixed this year for Musikfest. He thanked ArtsQuest for being a great community partner for the City.

Mr. Evans added that he agrees it was a big pivotal point in the City of Bethlehem's history when Musikfest came along. It has been a great partnership along the way. Most of us were at the Community Development Committee Meeting in May and we appreciate the presentation Ms. Hilgert gave that provided an update and a look into the future of ArtsQuest. He addressed Ms. Hilgert and added, Musikfest is highly planned for many months, and we appreciate your openness from the organization and your willingness to work with City officials. Mr. Evans assumes that the Police, Fire and EMS and Business Administrator were all okay with this lease and that there are no material changes to the lease. He continued we know the amount of safety precautions that are taken are at a high level and we appreciate that. We continue to be vigilant, but also appreciate what goes on and enjoy the events. Musikfest does expose the City of Bethlehem to the region and the State, and moves us up economically. Mr. Evans stated he will support this lease tonight, and thanked ArtsQuest for the work and partnership, and wished them the best of luck for the next three years and onward.

Mr. Martell wanted to echo what was said and added that we did have a lengthy meeting and he appreciated the time that Ms. Hilgert gave to Council. He knows that anytime there are any issues or questions ArtsQuest is willing to step up and contribute and help out. When you think about what great cities are, it is the arts and culture that drive that perception, as ArtsQuest is doing. Mr. Martell added in his travels whenever he says he is from Bethlehem people immediately say they know about Musikfest, so it is great that ArtsQuest is one the flagbearers for the City.

President Reynolds thanked the Administration. He knows that developing the lease is not always an easy one stop in City Hall; many are involved in the process. This passed the desks of Mayor Donchez, Mr. Brong, and Mr. Leeson. It is the work of a long drawn out process where we consider all the options, and it is months of effort to finalize the details. President

Reynolds added that Musikfest and ArtsQuest have expanded since Steel Stacks opened their doors. It brands the City. He noted people always say they want to go to Steel Stacks and

expressed when his brothers and sisters who live out of town come home and want to go to the movies, there is only one option, and that is Steel Stacks. President Reynolds cannot praise ArtsQuest enough for their programming, but he also wanted to thank them for working with the City. They always find a way to make things work, he concluded.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

*B. Approving Records Destruction – Purchasing Bureau*

Mr. Callahan and Mr. Colón sponsored Resolution 2017-011 that authorized the destruction of records from the Purchasing Bureau.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolution passed.

*Motion – Considering Resolutions 10 C through 10 K as a Group – Water and Sewer Contracts*

Mr. Callahan and Mr. Evans moved to consider Resolutions 10 C through 10 K as a group.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Motion passed.

*C. Approving Contract – AECOM*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-012 that authorized to execute an agreement with AECOM for the 2017 risk management plan compliance audits for the water filtration and wastewater treatment plants.

*D. Approving Contract – Material Matters, Inc.*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-013 that authorized to execute an agreement with Material Matters for biosolids Class B general permit application consulting services.

*E. Approving Contract – Gannett Fleming Valuation and Rate Consultants, LLC*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-014 that authorized to execute an agreement with Gannett Fleming Valuation and Rate Consultants, LLC to prepare filings for Distribution System Improvement Surcharges with the PA Public Utility Commission.

F. *Approving Contract – S. C. Engineers, Inc.*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-015 that authorized to execute an agreement with S. C. Engineers for the 2017 Annual Consulting Services for the Industrial Pretreatment Program and Miscellaneous assignments.

G. *Approving Contract – Cherry, Weber & Associates, PC*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-016 that authorized to execute an agreement with Cherry, Weber & Associates for the Wild Creek & Penn Forest Dam Inspections & Penn Forest Dam Instrumentation Report.

H. *Approving Contract –Steven G. Lowry & Associates, Inc.*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-017 that authorized to execute an agreement with Steven G. Lowry & Associates, Inc. for the 2017 annual engineering services for Water and Sewer Resources.

I. *Approving Contract – K. L. Fulford Associates, Inc.*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-018 that authorized to execute an agreement with K. L. Fulford Associates, Inc. for the operation and management of the drinking facilities located in East Allen Township and a portion of Allen Township which are part of the City's water system.

J. *Approving Contract – Emerson Process Management Power & Water Solutions, Inc.*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-019 that authorized to execute an agreement with Emerson Process Management Power & Water Solutions, Inc. for the 2017 Licensed Software Support for the SCADA System and support services for licensed firmware and software on an as needed basis.

K. *Approving Contract – Optimum Controls Corporation*

Mr. Callahan and Ms. Negrón-Dipiní sponsored Resolution 2017-020 that authorized to execute an agreement with Optimum Controls Corporation for the Penn Forest SCADA system upgrades.

Voting AYE on Resolutions 10 C through 10 K: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. The Resolutions passed.

11. NEW BUSINESS

*Committee Meeting Announcement*

Chairman Evans announced a Parks and Public Committee will occur on Tuesday, January 17, 2017 at 6:30 pm in Town Hall. The topics will be the Exchange of Real Estate and the Title of the Committee going forward.

*Thanks to Fire Chief Robert Novatnack*

President Reynolds noted that this is the last City Council meeting for Fire Chief Robert Novatnack, and wanted to thank him once again for his many years of service as a firefighter. He remarked as Council has learned recently, Chief Novatnack will be returning to employment in the City of Bethlehem as the Director of 911 and will continue as the City's Emergency Management Coordinator. President Reynolds mentioned that Bethlehem is a better place because of his commitment to public safety, and since this is his last meeting as Fire Chief he asked Council to join in a round of applause for Chief Novatnack.

12. ADJOURNMENT

The meeting was adjourned at 8:03 p.m.

ATTEST:

City Clerk