

COUNCIL MEETING MINUTES
September 23, 2009
7:00 P.M.

Council members present were: Mr. Rapp, Mr. Capuano, Mr. Blatt, Ms. Halleman, Ms. Gifford and Mr. Trotter, Jr.. Mr. Grotenhuis was absent. Also in attendance were: Mayor Fink, Borough Solicitor Lipson, Rick Prill, Administrator, Chief Stephens, Community Officer Apgar and Fire Chief Sabo.

Council President Rapp called for the pledge to the flag.

At this time Council President Rapp asked for a moment of silence due to the passing of August 'Gus' Entler, Public Works Supervisor.

Mr. Rapp reviewed items to be placed on the October 5, 2009 meeting Agenda as follows:

1. Minutes of the 8/19/09 and 9/8/09 Council Meetings have been prepared for review. Mr. Rapp noted that anyone with corrections to the Draft Minutes of 8/19/09 and 9/8/09 should provide them in writing to Mr. Prill.

Mr. Rapp noted there was one item for review and/or discussion on the agenda as follows:

1. Updating of SALDO (Subdivision & Land Development Ordinance). Mr. Prill commented that Attorney Lipson recently suggested that Council might want to authorize the updating of the Borough's SALDO since the original Ordinance dates back to the early 1970's and has not been updated since. Even though the Borough will not be seeing much, if any, development activity, there are parts of the SALDO which are outdated, both from a legal standpoint and engineering standpoint, therefore the Ordinance is in need of some updating. Attorney Lipson has submitted a cost proposal to update the SALDO from a legal perspective and Borough Engineer Youst has been asked to provide a cost estimate for updating SALDO on the engineering side. These proposals will be reviewed as part of the upcoming 2010 budget review process.

Mr. Rapp moved on to the next agenda item, Council Action, noting that there are two Resolutions ready for approval as follows:

1. Resolution #2009 – 39 Approving the Bid Award for the N. Clewell Street Reconstruction / Resurfacing Project. Councilman Capuano moved for approval of the Resolution. The motion was seconded by Councilman Trotter and the Resolution was approved by unanimous vote.

2. Resolution #2009-41 Approving the Termination of a Part-Time Staff Member. Councilman Capuano made a motion to approve Resolution #2009-416. The motion was seconded by Councilwoman Gifford and the Resolution was approved unanimously.

Mr. Rapp moved onto the next agenda topic – Announcements, asking if any Council members had any announcements they would like to make. Hearing none, Council President Rapp noted the final item on the agenda was a presentation by St. Luke's Hospital regarding the proposed Brighton Street Extension Project.

Attorney Lipson offered some general remarks about the presentation and procedural issues.

Attorney Joe Bubba introduced himself on behalf of St. Luke's Hospital. Mr. Bubba presented some general comments about the proposed project, highlighting that the impetus for this project was to provide another means of access and egress for St. Luke's Hospital. This will be accomplished by extending Brighton Street through Reeb Millworks property and connecting to Riverside Drive. Previously, St. Luke's had asked Council to commit to accepting the dedication of Riverside Drive if an agreement between Reeb Millworks and St. Luke's Hospital was achieved. An agreement has been reached between the parties. Mr. Bubba also thanked Attorney Lipson for his assistance during the discussion / negotiation process.

At this time, Attorney Joe Maloney, representing Reeb Millworks, indicating that Reeb, its' officers and other interested parties support the current proposal being presented. Mr. Maloney also thanked Attorney Lipson for his assistance.

Attorney Bubba continued with the presentation noting that a title issue was identified involving a small section of property located between the current endpoint of Brighton Street and where the proposed extension of the roadway would occur on Reeb property. All indications point to this piece of land being owned by a former church organization. St. Luke's is in the process of correcting this title issue. Mr. Bubba went on to note that the existing circular driveway for Reeb will be removed and a new entrance/exit will be constructed connecting the Reeb property directly to Riverside Drive. Work to be done on Riverside Drive will include moving the existing roadway and railroad tracks, i.e. – the new roadway will be where the existing tracks are and the tracks will be moved to where the existing roadway is. Norfolk Southern is in support of this project and the agreement with Norfolk Southern must still be finalized. St. Luke's must also continue discussions with the City of Bethlehem and get their agreement on the section of Riverside Drive located in the City. Eventually, they will also be talking to Salisbury Township for the section of Riverside Drive located in Salisbury.

Councilman Blatt asked what is proposed for the section of roadway in Salisbury Township. Attorney Bubba indicated that at this time, no work is being proposed for the

section in Salisbury Township but that eventually, if Norfolk Southern wants that section of roadway and rail lines improved, then St. Luke's will proceed with the project.

Attorney Bubba also commented on the phase of the project involving the connection of Brighton Street with Ostrum. While St. Luke's feels that the existing configuration of Brighton and Ostrum works, they are willing to make offsite improvements to connect Ostrum Street with the new Brighton Street Extension.

Attorney Bubba handed out an outline showing the proposed benefits to be achieved with this project and reviewed the specific benefits.

In conclusion, St. Luke's must:

1. Finalize the agreement with Norfolk Southern
2. Finalize any outstanding issues with the City of Bethlehem and eventually with Salisbury
3. Proceed with getting the approval of the Fountain Hill Planning Commission for the proposed project

At this time, Attorney Lipson suggested that if Council is inclined to do so, it should make a motion to support the conceptual plan. Councilman Capuano made this motion. The motion was seconded by Councilman Blatt and approved, with Councilwoman Halleman abstaining on the basis that she is a member of the Planning Commission and will be asked at a later date to formally vote on applications that will be submitted to the Planning Commission for review.

Mr. Rapp asked if there was any other business to address:

Councilwoman Gifford asked Officer Apgar to update the Council on the 'Spooky Forest and Pumpkin Patch' program being put together.

Officer Apgar commented that the project is coming together and he is getting support from individuals and businesses in the community. A sign-up sheet is being circulated to enlist as many volunteers who want to help.

Councilman Blatt noted that if any students want to work on the project and receive credit for community service hours, they can work through the Exchange Club to accomplish this.

Council President Rapp noted that the playground equipment has suffered vandalism in the past and in visiting other communities, at least one had posted signs around their playground equipment restricting its' use to specific ages, and that he would like to see the Borough adopt an Ordinance to this effect so the Police could enforce the restrictions. Councilwoman Gifford commented that she did not like the idea of posting these signs.

Councilman Blatt indicated that the House and Ordinance Committee will meet to discuss this further.

Hearing no further comments, Mr. Rapp asked for a motion to adjourn. Councilman Capuano made a motion to adjourn, seconded by Councilwoman Gifford and the motion passed at 7:45 pm.

Minutes approved on November 2, 2009.

	Motion	2nd	Yes	No	Abstain
Tavis Grotenhuis			X		
Carolee Gifford			X		
Norman Blatt			X		
Fred Capuano	X		X		
Larry Rapp			X		
Doug Trotter		X	X		
Helen Halleman			X		
Mayor Ned Fink					

Lawrence E. Rapp, President of Council

Rick Prill, Borough Secretary