



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, April 5, 2017

5:00 PM

Council Chambers

Special Meeting: Review and Approval of Contracts/Professional Services

CALL TO ORDER: PRESIDENT RAY O'CONNELL

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

Roll Call

Present: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

[15-1507](#)

R47

Authorization for Engagement of Professional Services with St. Luke's Occupational Medicine in the estimated annual amount of \$7,500 for drug testing and other related services.

Attachments: [R47 Req for Council Approval-St Lukes Occ Med](#)

Ms. Beth Ann Strohl stated that R47 and R48 stem from the same procurement. In the past, you approved Resolution for one vendor to perform services on behalf of the city. The HR department solicited two companies to have a backup.

Mr. Ray O'Connell asked if there are any questions from my colleagues or the public.

Yes: 5 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, and David McGuire

Absent: 2 - Julio Guridy, and Cynthia Mota

Enactment No: 29421

[15-1513](#)

R48

Authorization for Engagement of Professional Services with Healthworks in the estimated annual amount of \$7,500 for drug testing and other related services.

Attachments: [R48 Req Council Approval-HealthWorks](#)

Ms. Beth Ann Strohl stated that it stems from the same procurement as R47. It is for physicals and drug testing services for employees.

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29422

[15-1440](#)

R49

Authorization for Engagement of Professional Services with Element Environmental Solutions, Inc. in the amount of \$11,738.50 to obtain an Environmental Site Manager to monitor cleanup activities at the Allentown Metal Works property – RFP Process, multiple responses.

Attachments: [R49 Request for Council Approval - Bid No 2016-31- Environmental Site Manager- Element Enviromental](#)

Ms. Beth Ann Strohl stated that this was an official RFP that was released by the Purchasing Office. It was advertised in December with a public opening in January. There was an Evaluation Committee.

Dr. David McGuire asked the nature of the clean up.

Mr. David Kimmerly stated that the clean up of this location is primarily asbestos containing materials and lead based paint.

Mr. Ray O'Connell thanked Dr. McGuire and asked if there are any other questions from colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29423

[15-1512](#)

R50

Authorization for Contract with ABE Materials in the estimated budgeted amount of \$39,091.50 to furnish road materials pursuant to the bid tabulation.

Attachments: [R50 Request for Council Approval - Bid No 2017-01-ABE Materials BID Tabulation xls](#)

Ms. Beth Ann Strohl stated that they released an invitation to bid in January of 2017. The public opening was in February 2017 for various road materials that are used by our Streets Bureau. The award was split between multiple vendors.

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

[15-1505](#)

R51

Authorization for Contract with DeAngelo Brothers, LLC in the amount of \$52,194.01 to perform Pavement Marking Services pursuant to the bid tabulation.

Attachments: [R51 Request for Council Approval - Bid No 2016-33- Deangelo Brothers](#)
[BID TABULATION2016-33-2](#)

Ms. Beth Ann Strohl stated that this contract in front of you is a result of an invitation to bid. This company was the sole bid.

Mr. Ray O'Connell asked any comments from my colleagues.

Mr. Roger MacLean asked if what Council is voting on is all budgeted.

Ms. Beth Ann Strohl stated yes.

Mr. Ray O'Connell asked if anyone else on Council or the public has any comments.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29424

[15-1506](#)

R52

Authorization for Contract with Sealmaster in the estimated budgeted amount of \$17,200.00 to furnish materials pursuant to the bid tabulation.

Attachments: [R52 Request for Council Approval - Bid No 2017-01-Sealmaster](#)
[BID Tabulation xls](#)

Ms. Beth Ann Strohl stated that it stems from the invitation to bid for road materials. It was split between multiple vendors based on price and group.

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29426

[15-1508](#)

R53

Authorization for Contract with New Enterprise Stone & Lime Co. in the estimated budgeted amount of \$1,051,367.50 for road materials pursuant to the bid tabulation.

Attachments: [R53 Request for Council Approval - Bid No 2017-01-New Enterprise Stone Lime Co Inc](#)
[BID Tabulation xls](#)

Ms. Beth Ann Strohl stated that this stems from the same invitation to bid. They are receiving all of the crush aggregates the city will be purchasing.

Mr. Ray O'Connell asked where are they from.

Ms. Beth Ann Strohl stated Winfield.

Mr. Craig Messinger stated that it is pretty much their office. Their plants are local.

Mr. Roger MacLean asked if it was a sole bidder. Were there any other bidders?

Mr. Craig Messinger stated he believes it was Coopersburg, the company that actually they added last year. We had them for many years.

Mr. Julio Guridy asked if any of them were sole bidders, right.

Ms. Beth Ann Strohl stated no. It will be on the bid tabulation.

Mr. Ray O'Connell asked if there are any other questions from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29427

[15-1515](#)

R54

Authorization for Contract with Asphalt Maintenance Solutions, Inc. in the estimated budgeted amount of \$147,625 for road materials pursuant to the bid tabulation.

Attachments: [R54 Request for Council Approval - Bid No. 2017-01-AMS](#)
[BID Tabulation.xls](#)

Ms. Beth Ann Strohl stated that this stems from the same invitation to bid that we have been discussing.

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29428

[15-1511](#)

R55

Authorization for Contract with Hei-Way, LLC in the estimated budgeted

amount of \$2,180 for materials pursuant to the bid tabulation.

Attachments: [R55 Request for Council Approval - Bid No. 2017-01-HEI-Way
BID Tabulation.xls](#)

Ms. Beth Ann Strohl stated that it stems from the same invitation to bid.

Mr. Ray O'Connell asked any comments from my colleagues.

Mr. Roger MacLean asked if the city is in the same ballpark pricewise for all these.

Mr. Craig Messinger stated that the prices have gone up three to five percent.

Mr. Ray O'Connell asked any other comments from my colleagues.

Ms. Cynthia Mota asked if the city uses the same company or different companies. Do they give us a better price if we use the same people.

Ms. Beth Ann Strohl stated not necessarily. Everyone is given the option to bid.

Mr. Ray O'Connell asked if any other questions or comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29429

15-1514

R56

Authorization for Engagement of Professional Services with NoMaD Band in the amount of \$2,500 for 2-hour band performance, as part of Saturdays in the Park concert series.

Attachments: [R56 RCA NoMaD Band SITP17](#)

Ms. Beth Ann Strohl stated as Mr. Hanlon indicated this is for Saturday in the Park concert series. This is for the NoMad Band to play as well as the other two Resolutions following this for Saturdays in the Park Concert Series.

Mr. Ray O'Connell asked if any other comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29430

[15-1509](#)

R57

Authorization for Engagement of Professional Services with The Big House Band in the amount of \$3,200 for two (2) hour band performance, as part of Saturdays in the Park concert series.

Attachments: [R57 RCA The Big House Band SITP17](#)

Mr. Ray O'Connell asked if any comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29431

[15-1510](#)

R58

Authorization for Engagement of Professional Services with The Large Flowerheads in the amount of \$1,600 for a 2-hour band performance, as part of Saturdays in the Park concert series.

Attachments: [R58 RCA The Large Flowerheads SITP17](#)

Mr. Ray O'Connell asked if any comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29432

[15-1438](#)

R59

Authorization for Engagement of Professional Services with the Puerto Rican Culture Preservation Organization in the amount of \$5,000 for coordination of entertainment for Noches de Ritmo program at West Park

Attachments: [R59 RCA Noches de Ritmo PRCP 2017](#)

Mr. Ray O'Connell asked if any comments from my colleagues.

Mr. Julio Guridy asked if that include the bands. He asked how many events will it be.

Ms. Lindsay Taylor stated that they will hire the entertainment with a variety of Hispanic music types and dance styles. They will provide the sound equipment for the performances and coordinate food vendors and they will help us coordinate and market the event. She stated that it will be for one event.

Ms. Cynthia Mota stated that she doesn't understand. What do you mean, one event for \$5,000.

Ms. Lindsay Taylor stated Noches. That is what the city's budget was for

Noches. We are in turn contracting with the Puerto Rican Culture Preservation. They will help market the event. They will be organizing the event for the city.

Ms. Cynthia Mota stated that when they did Noche De Ritmo it was over many different days. It did not cost us \$5,000 to coordinate Noches De Ritmo.

Ms. Lindsay Taylor stated that was our budget for last year and it was for one day. It is for all the bands and they are providing the sound equipment, the marketing for the event and coordinating the food vendors for the event.

Mr. Ray O'Connell asked how many bands.

Ms. Lindsay Taylor stated that she doesn't know that yet.

Mr. Julio Guridy asked if Ms. Taylor had a date.

Ms. Lindsay Taylor stated May 6th.

Ms. Cynthia Mota stated \$5,000 and that will be it for the entertainment and advertisement.

Ms. Lindsay Taylor stated yes.

Mr. Ray O'Connell asked if any comments from the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29433

[15-1450](#)

R60

Authorization for Change Order (price increase of 10% or more for an existing contract over \$40,000 that was previously bid and awarded under city policies) with MidAtlantic Construction & Design Associates d/b/a MidAtlantic Commercial Aquatics in the amount of \$185,489.99 for work at Cedar Beach Pool.

Attachments: [R60 Request for Council Approval - Mid Atlantic C O No 4- Bid No 2015-31](#)
[MidAtlantic Commercial Aquatics 2015-31 \(C#4\) - Purchasing Check](#)
[03-15-17 Change Order Memo](#)

Ms. Beth Ann Strohl stated that this is Change Order #4 to this Contract as Mr. Hanlon indicated. It is slightly over \$185,000. This was presented to the Change Order Committee in March and it was approved by the Change Order Committee. It was on the March 15th Agenda, but due to the

weather it was put in front of you now. Ms. Taylor is here to answer any questions you have regarding the specifics of the Change Order.

Mr. Ray O'Connell asked if any comments from my colleagues about Cedar Beach Pool and another Changer Order.

Mr. Julio Guridy stated that he knows that this will be the last high Change Order that we would make. He stated that he is very concerned that we keep putting money in this project. It seems like a bottomless pit that we keep throwing money in there. He is hoping that what is explained to Council in the report sticks and we don't have to spend any more high amount of Change Orders as we had in the past. I would love to see the pool open this summer.

Ms. Cynthia Mota stated that she feels the same way. She doesn't think that this will be the last change order. I know that it is going to be open and everybody is working hard. Let's be realistic. We are hoping for the best.

Mr. Ray O'Connell stated that this has been screwed up from the very beginning. No fault of right out there. This pool is going to come out to about \$3.1 million - \$3.2 million. We are between a rock and a hard place. Frank has given us good advice. We can't stop. It is a total embarrassment to the City of Allentown that we are paying \$3.2 million for a swimming pool.

Mr. Daryl Hendricks stated that thank God we are closer to the end, then the beginning. The word of the day is accountability and we need to stay with that.

Mr. Ray O'Connell asked if there are any other comments from my colleagues or the public.

Mr. Lou Hershman asked much did we budget for Cedar Beach. Did you approve anymore Transfers? Did you approve the Transfer of funds from one pool to Cedar Beach pool?

Mr. Ray O'Connell stated \$1.8 million. The last Change Order we approved for \$681,000. This is another \$188,000 on top of it.

Mr. Brent Hartzell stated that this is a General Fund set aside for Capital. In recent years it was intended for several pools.

Ms. Helen Hahn, 2016 E. Highland Street, stated as a little girl, she had to older sisters that took her on a trolley and a bus to get to Cedar Beach. We lived in RD60 Farmington. Farmington is now Salisbury Township

which now has Allentown addresses. We went to Cedar Beach and it was a sandy-bottom pool. Where did that water come from?

Mr. Julio Guridy stated probably from the Creek.

Mr. Ray O'Connell stated that you will see under Communications. We had an Executive Session with the Solicitor and we will move forward.

Ms. Cynthia Mota stated that it was a mistake. She stated that hopefully the nightmare will be almost over.

Mr. Julio Guridy stated that we are so far ahead now and we invested so much money into it. It is really the smart thing to do and the proper thing to do is to complete it.

Mr. Ray O'Connell stated that it will be over when we get the final bill.

Ms. Candida Affa stated that there are so many restrictions now. We need filters, chlorine, and so many things. We can't have a water hole. There are rules and regulations and this is what costs a lot of money.

Mr. Ray O'Connell asked if anyone else from the public has any comments.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29434

[15-1439](#)

R61

Authorization for Engagement of Professional Services with TD Bank for General Banking and Purchasing Card Services, three year contract that may extend for three additional one year terms; RFP – multiple responses.

Attachments: [R61 Request for Council Approval - Bid No. 2016-42- Financial Services TD Bank](#)

Ms. Beth Ann Strohl stated that in late summer, early fall 2016 the city released an RFP for various financial services that included general banking, purchasing card services and credit card processing services and investment services. The next two Resolutions that you see in front of you are awards based on the evaluations conducted. This resolution is for an award to TD Bank for the city's general banking and purchasing card services.

Mr. Ray O'Connell asked how much money. How does it work.

Ms. Beth Ann Strohl stated that there are no transaction cost to the city.

Mr. Julio Guridy stated that in addition to the issue of credit cards to some

of the city's departments, you will issue a card to them as well.

Ms. Beth Ann Strohl stated that within the credit cards there are options to place restrictions which makes them a key card. The end line users will have certain restrictions on those cards. The hope is to reduce our transaction cost for dollar value purchases. There will be a max limit for the card.

Mr. Ray O'Connell asked if there are any other comments from Council or the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29435

[15-1441](#)

R62

Authorization for Award of Contract with Manning & Napier for Investment Services, three year contract, may extend for three additional one year terms; RFP – multiple responses.

Attachments: [R62 Request for Council Approval - Bid No 2016-42- Financial Services Manning Napier](#)

Ms. Beth Ann Strohl stated that this stems from the same RFP for financial services. It was broken down in four components. Investment Services was one of those components. The city reviewed multiple proposals with the evaluations committee.

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

Dr. David McGuire asked what is the outstanding feature they proposed.

Mr. Brent Hartzell stated that going back over a year we brought over a consultant to assist the city with how our pooled and nonpooled cash was being invested as it has been talked about. The interest rates on bank accounts are virtually zero. In the RFP the city looked at entities that had experience on the investment of short-term cash.

Mr. Ray O'Connell asked if there are any other comments on R62.

Mr. Glenn Hunsicker asked if there was more information on this proposal. This says authorization for award of a contract.

Mr. Brent Hartzell stated that he figured that when this came up it would be an issue. It is not a certainty that investments will be made. We have to make a minimum commitment if we go with them of \$5 million and there will be some fees attached to that. If the environment is right for this we will go ahead and do the investments with the expectation that we are looking at a 100 basis point return.

Mr. Glenn Hunsicker stated that there is a risk to this.

Mr. Brent Hartzell stated that at this time there has been no anticipated return on cash investments put in the budget. We have gone through the process with consultants and this was an intention to go forward. If we were to invest \$5 million over the course of a year our anticipation is that we would get close to \$50,000 more in cash than what we are

doing right now.

Mr. Glenn Hunsicker stated that we are coming off of very low interest rates. We have to have projections of interest rates. For them to make this prediction it is probably fairly safe. He stated that it sounds good, but he has reservations on what they are doing.

Mr. Lou Hershman asked when will the Investment Advisory Committee meet. On that committee, it supposed to have a professional investor.

Mr. Julio Guridy stated that he believes Mr. Hartzell stated that it would be 35 basis points that we are liable to get 55 basis point return.

Mr. Brent Hartzell stated that the intention is to actually net at a 100. The returns that we are seeing that have been presented to us is upward of 100 basis points. We anticipating a one percent net return on the investment. There is never a guarantee.

Mr. Glenn Hunsicker stated that if you plan on taking the \$5 million out of the stabilization then you have to cancel or redo that Ordinance and make it a loan.

Mr. Lou Hershman stated that Pennsylvania has a law that we can invest short-term and long-term. He stated that he doesn't think that they need an Investment Manager to tell us what short-term investment we can put in or long-term investment we can put in. He suggested that a committee be formed.

Mr. Ray O'Connell asked if there are any other comments.

Mr. Tom Hahn, 2016 E. Highland Street, stated that he still has not gotten a report on the original intent of the Stabilization Fund and the interest that was on the lockbox money that supposed to have been three and a half percent to pay down the loan.

Mr. Ray O'Connell stated that is irrelevant to R62.

Mr. Roger MacLean stated that we have money in Wells Fargo Bank that we pay bills out of that we hold and save. Instead of having money in Wells Fargo Bank or any bank and getting that pittance there we can move it into here and get a little bit more.

Mr. Brent Hartzell stated that your understanding is correct.

Mr. Ray O'Connell asked if there are any other comments from Council or the public.

Mr. Glen Keller, 2726 Fernor Street, asked what funds these are, as far as not just stabilization funds or pension obligation funds or accounts or any other cash balance accounts. If they are cash balance accounts that are considered reserves for the budget of the City of Allentown. How does this investment plan integrate with the guidance to maintain three percent of the total amount of the general funds account in reserves.

Mr. Brent Hartzell stated that any basis of funds within our cash pooled, non-pooled or whatever the source, if there is a specific designation legally. It has to be applied to it that would not make the funds available we are not going to touch them.

Mr. Ray O'Connell asked if anyone else from the public.

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Enactment No: 29436

ADJOURNED: 6:02 PM