



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, May 20, 2020

6:45 PM

Council Chambers

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#### Contract Approval

The purpose of the Contract Approval meeting is to ensure that procedures relating to engaging in contracts, professional services and change orders are followed pursuant to legislation passed by Council - noted below. The projects and funding have already been approved.

City Hall is still closed. Public comments will be accepted in writing through an email to the City Clerk at [Michael.Hanlon@Allentownpa.gov](mailto:Michael.Hanlon@Allentownpa.gov). Emailed public comment must be submitted by 5:00 pm on the day of the meeting to make it available and distribute it. The comments received will be read into the record by the City Clerk. The email must follow the regular format of council meetings – include your name and address on the email. A Courtesy of the Floor section will be created for items not on the agenda. Please forward these requests to the City Clerk's email noted above.

Live Comments During the Meeting: Email - Council will be taking live comments during the meeting following the regular protocols using email. Email can be sent to the City Clerk at [Michael.Hanlon@Allentownpa.gov](mailto:Michael.Hanlon@Allentownpa.gov) or to [Public.Comment@Allentownpa.gov](mailto:Public.Comment@Allentownpa.gov). A reminder that comments must be directed to legislation under review except for Courtesy of the Floor.

The meeting is livestreamed and can be found at the city website:

<https://www.allentownpa.gov/> under Public Meetings or simply go directly to the link <https://allentownpa.legistar.com/Calendar.aspx>. Make sure the drop-down menu references City Council and is on the current month. The complete agenda and legislation are found there. When the meeting starts, it will say Meeting in Progress on the right-hand side. Click that and you will join the meeting. The livestream works best with up to date browsers. After the meeting is over, the video will be uploaded into the file. Should you have any questions on this, call the City Council Office at 610-437-7556.

Record of Meeting: The video and minutes of the meeting will be posted on the City website as soon as possible after the meeting for review.

#### Roll Call

Candida Affa, Ce-Ce Gerlach and Cynthia Mota participated remotely using Microsoft Teams

**Present:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

## **RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):**

[15-3594](#)

R58

Authorizes Change Order Number 3 for \$19,850.00 with Synergy Environmental, Inc., to deepen site monitoring wells where underground storage tanks have been removed to comply with the PaDEP, the original cost of the project was for \$24,590; the change orders have been for \$4,000(1) ; \$2,850(2); \$19,850(3) for a new total of \$51, 290.

**Attachments:** [R58 Request for Council Approval - Synergy- C12-000210- CO no. 3](#)  
[Resolution #29975](#)

Mr. Daryl Hendricks thanked Mr. Hanlon and stated that was very informative and certainly answered the questions he had. He asked if there were any other questions.

Mr. Julio Guridy asked about Change Order #3. It says that the DEP requires 110 feet, but the contractor is suggesting 125 feet. He asked if that would increase the 10 percent of contractual value by putting an extra 15 feet for the Change Order.

Mr. Craig Messinger stated that they drilled it to around 20 feet which was originally required by DEP to monitor the water. When they drilled the 20 feet, they went to test the water, put the well in and test it. They were only capable of pulling a test out of one of the wells. At this point in time, then when it was reported back to DEP, DEP said that even though the one was fine they required us to go down to 125 feet with the well and then do the testing after that is done. This is a requirement of DEP. This is also something that will be reimbursed. This is just the fact of going through the next phase of what is DEP is requiring so that they can get it closed out.

Mr. Julio Guridy stated that DEP requirements according to what it is says here is 110 feet. The contractor has suggested to deepen the wells to 125 feet. They are exceeding the requirement of the DEP.

Mr. Joseph McMahon stated that what Craig is telling you is that they only could get to a certain point with one of them and DEP looks at the results and if they can't comply properly with the requirements then DEP comes back and says you got to go further, you have to test more.

Mr. Julio Guridy stated that they are actually saying that not because of the contractor said that they wanted to go a little deeper.

Mr. Joseph McMahon stated that it is DEP saying what you have done

haven't reach our goal. You have to go further.

Mr. Daryl Hendricks asked if there were any other questions from his colleagues, comments or concerns. He asked if there were any questions from the public Mr. Hanlon.

Mr. Michael Hanlon stated no, the question from the public was already answered.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 29975

Info:

Where was underground tank removed? There were two (2) underground fuel storage tanks removed at the Streets Department facility. These tanks had expended their useful life and were replaced by two (2) new above ground fuel storage tanks. The replacement of the two underground storage tanks with new tanks was a required condition of the lease of the Streets facility from the Airport Authority (LNAA).

Is this a result of following mandates as we go along? Yes, PADEP requires that when underground fuel storage tanks are decommissioned that they must be removed. When they are removed PADEP requires the soil and water in the tank excavation pit to be tested to determine if any pollutants are present and if found to remove and remediate the soil and monitor groundwater at the site to ensure no pollutants migrate offsite. This is a necessary part of the process toward the final Closeout Approval to be issued by PADEP.

Is this reimbursable? Yes. The purchase of any fuel oil product in PA includes a percentage of the purchase price to be allocated for an Underground Storage Tank Indemnification Fund (USTIF). The fund is essentially an insurance fund that is used to reimburse entities that must perform the cleanup and / or monitoring of an underground storage tank site.

Was this originally bid and did Council approve it? If so, what was the background of the bid – multiple bids? Yes. This contract was a bid contract that Council did approve. There were originally four (4) quotations received. Synergy Environmental, Inc. was the selected qualified low bidder for the project.

[15-3595](#)

R59

Authorization for Engagement of Professional Services with Scott Grim for the hourly rate of \$25.00 not to exceed \$12,000 in the initial contract to work with the Opioid death review team doing administrative tasks inclusive of data analysis, death reviews, coordinating meetings with law enforcement reporting PHAST accomplishments to grantors; gnerally supporting the work of the Opioid death review team performing duties as assigned.

**Attachments:** [R59 Scott Grim - Opioid Review Admin](#)  
[Resolution #29976](#)

Ms. Vicky Kistler stated that when they spoke to the state, the requirements for this team and the initiation of this team are in the PHAST requirement. What that means, is that they need to gather data, working very cooperative with Mr. Martin and the Regional

Information Center as well as with the Coroner's office as well as with the Bureau of Vital Statistics. She stated that they could not think of a person better to help them get it off the ground than the past Lehigh Coroner who has decades of experience doing this. He is willing to assist us and the grant is supportive of having him as an Administrative Aide to get the Taskforce up and running.

Mr. Daryl Hendricks stated if Mr. Grim's salary would be grant funded. It alleviates the necessity of doing a contract and for them to vote on that.

Ms. Vicky Kistler stated 100 percent. The last Council's meeting they put the grant before them for the grant dollars. That grant also supplements the city's staff that will serve on the Death Review team as well.

Mr. Daryl Hendricks asked if there were any questions from his colleagues.

Mr. Ed Zucal stated that he will be recusing himself on the vote since Mr. Grim was a former boss of his and that is the ethical thing to do.

Mr. Daryl Hendricks asked if there were any other questions or comments from his colleagues or the public.

**Yes:** 6 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ce-Ce Gerlach, and Joshua Siegel

**Recused:** 1 - Ed Zucal

Enactment No: 29976

[15-3596](#)

R60

Authorization for Engagement of Professional Services with Miron Technologies, Inc., in the amount of \$2,200.00. Scope of services include quarterly provision of 6 or more radiation monitoring badges and one control badge for use by Health Bureau Sanitarians performing lead paint inspections for child lead poisoning investigations. The lead paint analyzer utilizes a radioactive source and monitoring badges are federally mandated for each user. The service also includes analysis of the badges for radiation exposure and data maintenance of each user's exposure history as well as web-based report generation to meet supervisory requirements.

**Attachments:** [R60 Radiation Monitoring](#)  
[Resolution #29977](#)

Mr. Daryl Hendricks asked if this Resolution will be Ms. Kistler.

Ms. Vicky Kistler stated yes, this would be the badges that their Sanitarians wear. It monitors their health in regard to exposure and it is a fully funded expense through our Lead Grant.

Mr. Daryl Hendricks asked if there were any questions, comments or concerns from his colleagues. He stated that this is very much needed and very important for our children. He asked Mr. Hanlon if there were any comments from the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 29977

[15-3564](#) Contract Procedures

**Attachments:** [Article 130.16 Contracts](#)

**ADJOURNED: 6:56 PM**