

**Minutes of the Council of the City of Easton, Pa.**  
**July 10, 2013**

Easton, Pa  
Wednesday  
July 10, 2013  
6:00 p.m.

City Council met in stated session at the above date and time, in Council Chambers, 6<sup>th</sup> floor of City Hall, One South Third Street, to consider any business that may lawfully be brought before the body.

The invocation was given by Mayor Panto, followed by the Pledge of Allegiance.

**ROLL CALL**

Present: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)  
Absent: None (0)

Also in attendance were Thomas A. Hess, City Clerk, William Murphy, City Solicitor, Joel Scheer, Beth Knickerbocker, Assistant City Solicitors and Glen Steckman, City Administrator. There were approximately fifty other persons present.

**APPROVAL OF AGENDA**

On motion of Mayor Panto and Mr. Brown the Agenda was amended in the following manner by the following vote:

1. By adding two proposed Resolutions at the beginning of the meeting for recognizing Becky Bradley's service to the City and its citizens, and commending Diane Bowyer for her dedication to Heritage Day and for chairing the committee.
2. By adding a Certificate of Commendation at the beginning of the meeting for Danielle Flowers.
3. By removing Bill 38 from the Consent Agenda and placing it under Unfinished Business.

Yeas: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)  
Nays: None (0)

On motion of Mr. Fleck and Mr. Warren the amended Agenda was approved by the following vote:

Yeas: Panto, Warren, Warner, Vulcano, Ruggles, Fleck, Brown (7)  
Nays: None (0)

**ACTION ON MINUTES**

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On motion of Dr. Warner and Dr. Ruggles, the June 26, 2013 Council Meeting minutes were approved as submitted by the following vote:

Yeas: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)  
Nays: None (0)

**RESOLUTIONS**

The next item on the Agenda was a proposed Resolution for accepting Michael Fleck's resignation from his City Council seat.

The following Resolution was introduced by Mayor Panto:

120-2013

The above Resolution was adopted on motion of Mayor Panto and Dr. Warner by the following vote:

Yeas: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)  
Nays: None (0)

Council members and Mr. Steckman offered remarks regarding Mr. Fleck's years on Council, his service and assistance to his fellow members of Council, to the City and its Citizens, thanked him for serving, thanked his family for allowing him to share his time with his Council duties, and wished him well in all future endeavors. Mrs. Vulcano read a prepared statement. (See attachment).

Mayor Panto presented Mr. Fleck with an engraved pewter platter.

Mr. Fleck thanked Council for their kind words, for his platter and spoke regarding his and Council's accomplishments during his years of service.

The next item on the Agenda was a proposed Resolution expressing gratitude to Becky Bradley, Director of Planning and Codes, for her service to the City and its citizens.

The following Resolution was introduced by Mayor Panto:

121-2013

The above Resolution was adopted on motion of Mayor Panto and Mr. Brown by the following vote:

Yeas: Fleck, Ruggles, Vulcano, Warner, Warren, Panto, Brown (7)

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Nays: None (0)

All Council members and Mr. Steckman spoke regarding Ms. Bradley's service and dedication to the City, its citizens, the Council, and the Planning Department, and wished her success in future endeavors.

Mayor Panto presented Ms. Bradley with a framed Resolution.

Ms. Bradley thanked Council for the Resolution.

The next item on the Agenda was a proposed Resolution commending Diane Bowers for her leadership and commitment to Heritage Day.

The following Resolution was adopted on motion of Mayor Panto and Mrs. Vulcano and the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown, Fleck (7)

Nays: None (0)

Mayor Panto spoke regarding Ms. Bowers dedication to Heritage Day and regarding the success of this year's celebration.

The next item on the Agenda was a presentation of a Certificate of Commendation to Danielle Flowers for her photographic display, in City Council Chambers, which exemplified her impressive photographic talents.

Mayor Panto presented a framed Certificate to Ms. Flowers, spoke regarding her photographs and spoke regarding a display wall that would be in the new City Hall used to display local art work.

**PRESENTATION**

**Lehigh River Dam Removals for fish restoration**

The following persons from the following organizations gave a presentation and spoke to Council regarding the proposed removal of the Easton Dam and the Chain Dam located on the Lehigh River to assist in restoration of the Shad into the Lehigh River and answered questions that Council had regarding, the cost of the removal of the dams, cost of items to water the canals, water velocity, flood levels and issues, inconsistencies in the report, existing fish ladders, recreational benefits, river water quality, etc.

Abigail Pattishall, Wildlands Conservancy, Inc.  
John Berry, Shad Fishermen's Association  
Leroy Young, Pennsylvania Fish and Boat Commission

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Ross McLennan, Lower Lehigh Recreation Coalition  
Michael Topping, Northampton County Federation of Sportsmen  
Brian Gish – Chief Planner of the City of Easton Pa.  
Becky Bradley - Director of Planning and Code, City of Easton, Pa.  
Elissa Garofalo - Delaware and Lehigh National Heritage Corridor  
David Bittner - Delaware Shad Fishermen’s Association

**PUBLIC COMMENT – (Agenda Items Only)**

There were no questions or comments from the audience.

**CONSENT AGENDA**

On motion of Mr. Fleck and Mr. Warren the following items on the Consent Agenda were adopted by the following vote:

1. Resolution 123-2013, which approved a Stormwater Easement and Access Easement Agreement with Sterling Enterprises of Hunterdon, L.L.C.
2. Resolution 124-2013, which approved a Developers Agreement with the Redevelopment Authority of Easton, Pa.
3. Resolution 125-112- 2013, which approved a Storm Water Runoff Control Facilities and Maintenance Agreement with the Redevelopment Authority of Easton, Pa.
4. Resolution 126-2013, which approved a Riparian Buffer Management Area Agreement with the Redevelopment Authority of Easton, Pa.
5. Resolution 127-2013, which approved a Contract with Pennoni Associates, Inc.
6. Resolution 128, 2013, which approved a Contract with RETTEW Associates

Yeas: Warren, Panto, Brown, Fleck, Ruggles, Vulcano, Warner (7)  
Nays: None (0)

**REPORTS RECEIVED BY COUNCIL**

The following report was received by Council.

- (a) Monthly Fire Report for June 2013

Mayor Panto accepted the above report on behalf of Council.

**REPORTS OF COMMITTEES**

Mr. Brown, Chairman of the Finance Committee spoke regarding legislation that he would have for later in the meeting regarding approving a lease agreement with Adams Outdoor and for authorizing the Modification of the Purposes of City’s Outstanding Taxable General

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Obligation Note. Series of 2011; and authorizing other necessary action. He also reported that a Finance Committee meeting had been held on July 9, 2013 said that Council had an opportunity to meet the City's new IT person who related what projects he has undertaking, said that the Finance Director had reported on the City Debt, and said that the Finance Director would be bringing forth the Quarterly Financial Report, at the next committee meeting on July 23, 2013.

Mrs. Vulcano, Chairman of the Economic Development Committee had no report.

Dr. Ruggles, Chairman of the Planning Committee, had no report.

Mr. Warren, Chairman of the Public Safety Committee, reported that a Public Safety Committee meeting had been held on July 9, 2013 and said that new Police hires, and traffic and camera issues had been discussed. He also spoke regarding legislation that he would have for later in the meeting regarding amending Sections in the City Code for Vehicles and Traffic, for Parking Permit Penalties and for the Fee Schedule.

Dr. Warner, Chairman of the Public Works Committee reported that she would not be able to attend the July 23, 2013 and the July 24, 2013 Council Committee and Council meetings because of work requirements.

Mr. Fleck, Chairman of the Administration Committee had no report.

Mr. Murphy, City Solicitor reported that all Council persons had received the procedures for appointing a person to fill a vacancy on Council, and said that he would answer any questions that Council may have on the procedures.

There was a discussion on the vacancy matter between Council persons. From that discussion it was decided that interviews, of the two candidates would take place on July 23, 2013 during the Council Committee meeting which would begin at 6:00 p.m.

Mr. Murphy asked if proposed Bill 26 was ever introduced.

The City Clerk said that Bill 26 was introduced on May 8, 2013, and tabled on May 22, 2013.

Attorney Scheer recommended that Council allow comment on the proposed Bill before it was acted upon.

Mr. Steckman reported that the City auction would be held on August 10, 2013.

**CORRESPONDENCE**

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The following correspondence was received by Council:

- (a) Michael Monsour, letter regarding the proposed Lease Agreement with Adams Outdoor.
- (b) Matt Capkovic, e-mail regarding support for the Lehigh Dams removal.

**UNFINISHED BUSINESS**

Bill 26, Approving a Lease Agreement and an Addendum to the Agreement between the City of Easton and Adams Outdoor Advertising Limited Partnership, was brought back before Council on motion of Mr. Brown and Mr. Fleck, by the following vote:

Yeas: Fleck, Ruggles, Vulcano, Warner, Warren, Panto, Brown (7)

Nays: None (0)

Bill 26, Approving a Lease Agreement and an Addendum to the Agreement between the City of Easton and Adams Outdoor Advertising Limited Partnership was moved on motion of Mr. Brown and Mr. Fleck.

Attorney Michael Monsour representing Lamar of Allentown, said that if Council chose to open up bids for the leasing of the land for the erection of a bill board, Lamar of Allentown was willing to out bid Adams Outdoor, and that bid would also include revenue sharing for the City so that the City would receive a piece of the income that they would receive from the sale of the billboard.

Mayor Panto responded to Mr. Monsour's comments

Attorney Malkames, 509 Linden Street, Allentown, Pa, Attorney for Pennsylvania Media, gave Council a brief history regarding the Billboard issue with Adams Outdoor. He said that his client has filed an application for a billboard at the Bushkill and Larry Holmes Drive location.

Mayor Panto and Attorney Scheer responded to Mr. Malkames' comments.

Dr. Warner asked if another company could come to Council asking for a lease agreement to erect another billboard on the area that is allow for that purpose.

Attorney Scheer said that they could.

Bill 26, (Ordinance 5421), Approving a Lease Agreement and an Addendum to the Agreement between the City of Easton and Adams Outdoor Advertising Limited Partnership was adopted on motion of Mr. Brown and Mr. Fleck by the following vote:

Yeas: Fleck, Vulcano, Warner, Warren, Panto, Brown (6)

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Nays: Ruggles (1)

Ordinance 5421 approved a Lease Agreement and an Addendum to the Agreement between the City and Adams Outdoor Advertising Limited Partnership.

Bill No. 38, Authorizing the modification of the purposes of City's outstanding Taxable General Obligation Note Series of 2011 and authorizing other necessary action, was amended on motion of Mr. Brown and Mr. Fleck, in the following manner by the following vote:

By removing the purchase of land Northampton Street Lot, \$64,533.93, 30 years from Exhibit "A"

Yeas: Fleck, Ruggles, Vulcano, Warner, Warren, Panto, Brown (7)

Nays: None (0)

Amended Bill 38 (Ordinance 5420), Authorizing the modification of the purposes of City's outstanding Taxable General Obligation Note Series of 2011 and authorizing other necessary actions was adopted on motion of Mr. Brown and Mr. Fleck by the following vote:

Yeas: Brown, Panto, Warren, Warner, Vulcano, Ruggles, Fleck (7)

Nays: None (0)

Ordinance 5420 authorizes the modification of the purposes of City's outstanding Taxable General Obligation Note Series of 2011 and authorizes other necessary actions.

**NEW BUSINESS**

A June 20, 2013 e-mail regarding a Revenue/Expenditure Budget increase was received from Police Chief Carl Scalzo and Chris Heagele, Finance Director.

Bill 39, Amending the 2013 General Fund Budget, was introduced by Mr. Brown and ordered processed for adoption.

This Bill would increase revenues and expenditures in the 2013 General Fund Budget by \$63,000.

Bill 40, Amending Sections in Chapter 560, Vehicles and Traffic, of the Code of the City of Easton, Pa. was introduced by Mr. Warren and ordered processed for adoption.

This Bill would amend Sections regarding immobilization of vehicles for unpaid parking tickets.

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Bill 41, Deleting Sub-Section 399-21 B, of Section 399-21, Violations and penalties, of Chapter 399, Parking Permits, of the Code of the City of Easton, Pa. was introduced by Mr. Warren:

This Bill will delete Sub-Section 399-21 B in its entirety.

Bill 42, Amending Chapter 285, Fees, of the Code of the City of Easton, Pa., was introduced by Mr. Warren and ordered processed for adoption.

This Bill would amend the fee schedule to change the sections for the cost of immobilizing a vehicle.

**CITIZENS RIGHT TO BE HEARD**

Margie Smith, 722 Pine Street, spoke to Council regarding her delinquent Utility bill with the City and Portnoff Associates.

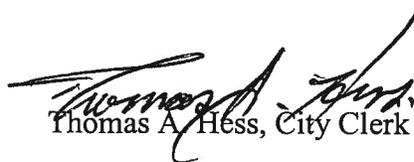
Council directed Mr. Steckman to speak with Ms. Smith on this issue and her concerns.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 9:15 p. m. on the motion of Mr. Fleck and Dr. Warner by the following vote:

Yeas: Panto, Warren, Warner, Vulcano, Ruggles, Fleck, Brown (7)

Nays: None (0)

  
Thomas A. Hess, City Clerk

Statement made by Councilperson Sandra Vulcano  
Easton City Council Meeting  
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Mike we both were elected to council the same year. We both may have lived in the city but we never crossed paths, living in very different neighborhoods. I was more cautious and laid back, but not you. You were the ambitious young man who brought energy to the city of Easton. You were ready to change the city. However, we both learned wheels of government do not move as quickly as we would like them to. You persisted maybe not getting the challenge how you would have liked to see it completed but a little better than it was originally.

Then I was President of Council and you were elected Vice President of Council. We often took road trips around the city to see first hand where change needed to occur. I watched you mature and tackle your ideas and bring legislation more cautiously having most of your i's dotted and t's crossed before bringing them to the table for a vote.

Then you took another leap and ran for Mayor of the City versus another term on council. You took the defeat graciously accepted your fate and more knowledgeable and confident running for city council once again, cause your work with the city was not done. You were then elected to the Charter Commission and I know you brought youthful ideas to help shape our new government.

Mike, thank you for the legislation you brought before council, which became law. It will shape and make Easton a better place for all its residents.

It was an honor and a privilege to serve with you and I wish you and your family good health and success as you turn the next pages of a new chapter of your life. The memories I shared with you on council will always bring a smile and a chuckle.

You may be leaving Easton to reside in our neighboring county but Easton will always be your home. I know we will continue our friendship and you will be keeping your eye on Easton and letting me know when things go astray.

CITY COUNCIL  
AGENDA

Stated Session  
Wednesday  
July 10, 2013  
6:00 P.M.

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. APPROVAL OF AGENDA
6. ACTION ON MINUTES – June 26, 2013 Council meeting minutes
7. RESOLUTION ACCEPTING RESIGNATION OF MICHAEL FLECK.
8. PRESENTATION OF GIFT – Michael Fleck

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9. PRESENTATION - 1. Wildlands Conservancy – Lehigh River Fish Passage  
2. Shad Fishermen’s Association.
10. PUBLIC COMMENT – (Agenda Items Only)
11. CONSENT AGENDA
  1. Bill 38, Authorizing the Modification of the Purposes of City’s Outstanding Taxable General Obligation Note. Series of 2011; and Authorizing other necessary action.
  2. Resolution for Approving a Stormwater and Access Easement Agreement with Sterling Enterprises.
  3. Resolution for Approving a Developers Agreement with the Redevelopment Authority of Easton.
  4. Resolution for Approving a Stormwater Runoff Control Facilities and Maintenance Agreement with the Redevelopment Authority of Easton.
  5. Resolution approving a Riparian Buffer Management Area Agreement with the Redevelopment Authority of Easton.
  6. Resolution approving a Contract with Pennoni Associates, for Alternate Engineering and Sewer Enforcement Officer services.
  7. Resolution approving a Contract with RETTEW Associates, for alternate Plan Review, Planning, Environmental and Engineering Services.
12. REPORTS RECEIVED BY COUNCIL
  - (a) Monthly Fire Department Report for June 2013
13. REPORTS OF COMMITTEES
  - (a) Finance

(Kenneth Brown)

-Over-

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|------------------------------|---------------------------|
| (b) Economic Development     | (Sandra Vulcano)          |
| (c) Planning                 | (Roger Ruggles)           |
| (d) Public Safety            | (Jeffrey Warren)          |
| (e) Public Works             | (Elinor Warner)           |
| (f) Administration           | (Michael Fleck)           |
| (g) Report of City Solicitor | (Attorney William Murphy) |
| (h) Report of Mayor          | (Salvatore J. Panto Jr.)  |

14. CORRESPONDENCE

- (a) Michael Monsour, letter regarding the proposed Lease Agreement with Adams Outdoor.
- (b) Matt Capkovic, e-mail regarding support for the Lehigh Dam Removal.

15. UNFINISHED BUSINESS

- 1. Bill 26, Approving a Lease Agreement and an Addendum to the Agreement between the City of Easton and Adams Outdoor Advertising Limited Partnership.

16. NEW BUSINESS

- (a) Introduction of Legislative Bills.
  - 1. Bill 39, Amending the 2013 General Fund Budget.
  - 2. Bill 40, Amending Sections in Chapter 560, Vehicles and Traffic, of the Code of the City of Easton, Pa.
  - 3. Bill 41, Deleting Sub-Section 399-21 B., of Section 399.21, violations and penalties, of Chapter 399, Parking Permits, of the Code of the City of Easton, Pa.
  - 4. Bill 42, Amending Chapter 285, Fees, of the Code of the City of Easton, Pa.

17. PUBLIC COMMENT – (Any Matter)

18. ADJOURNMENT