

Minutes of the Council of the City of Easton, Pa.
June 10, 2009

Easton, Pa.
Wednesday
June 10, 2009
6:14 P.M.

City Council met in stated session, in Council Chambers, Room 519, Fifth Floor, One South Third Street, to consider any business that may lawfully be brought before the body, and to conduct a Public Hearing regarding proposed amendments to the City's Zoning Code.

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

ROLL CALL

Present: Kenneth Brown
Roger Ruggles
Sandra Vulcano
Elinor Warner
Jeffrey Warren
Salvatore J. Panto Jr. (6)
Absent: Pamela Panto (1)

Also in attendance were Rita Messa, Assistant City Clerk, William Murphy, City Solicitor, and Glenn Steckman, City Administrator. There were five other persons present in the audience.

APPROVAL OF AGENDA

On motion of Dr. Ruggles and Mr. Warren the Agenda was approved by the following vote:

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, S. Panto (6)
Nays: None (0)

ACTION ON MINUTES

The May 27, 2009 Council meeting and Public Hearing minutes were approved as submitted on motion of Dr. Warner and Dr. Ruggles by the following vote:

Yeas: S. Panto, Warren, Warner, Vulcano, Ruggles, Brown (6)
Nays: None (0)

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CITIZENS RIGHT TO BE HEARD (Agenda Items Only)

There were no remarks from the audience.

PUBLIC HEARING

At this time a Public Hearing was held regarding proposed amendments to the Zoning Code. (see separate minutes).

REPORTS RECEIVED BY COUNCIL

The following report was received by Council.

- (a) ESWA May 11, 2009 meeting minutes.

REPORTS OF COMMITTEES

Mr. Brown, Chairperson of the Administrative Committee spoke regarding legislation that would be before Council later in the meeting.

Mayor Panto reported that a meeting had been held earlier in the day with the City Controller and asked Mr. Heagele to brief Council on what was discussed.

Mr. Heagele reported that two proposed Resolutions, which would authorize signatures for accounts at Keystone Nazareth Bank and which would approve and authorize the closing of an account at Keystone Nazareth Bank, were discussed, and Mr. Heagele recommended that the proposed Resolutions be tabled, later in the meeting, so that talks could continue with the Controller regarding signatures on checks.

Mrs. Vulcano, Chairperson of the Economic Development Committee reported that the Economic Development Department was working to meet deadlines on some grant applications.

Dr. Warner said that at the meeting of the Main Street Managers, the City's Main Street program was ranked as the best program in the State out of eighty-three other programs. Council members commended all persons involved in the program.

Mrs. Panto, Chairperson of the Planning Committee was not in attendance.

Mr. Warren, Chairperson of the Public Safety Committee, had no report.

Mayor Panto reported that the City of Lancaster had passed a lost or stolen gun ordinance, and had become the eighth municipality in the state to do so.

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Dr. Warner, Chairperson of the Public Works Committee congratulated Becky Bradley, Director of Codes and Planning, and Robert Freeman for being recognized, with awards from the 10,000 Friends of Pennsylvania organization. She reported that Ms. Bradley had received a special jury prize for her role in the creation of the State's first, and only, form based Zoning Code, and Mr. Freeman was recognized for his overall career contributions to smart growth.

Dr. Warner reported that the Public Works Committee did meet, earlier in the day, and related what had been discussed.

Dr. Warner also spoke regarding legislation that would be before Council later in the meeting.

There was a discussion, between Council members regarding the proposed Resolution that would approve a Free Day at the City's Pools on June 14, 2009

Mr. Brown reported that he had been working with the School District regarding Vandevere Playground, and had received a copy of a 1980 letter which outlined the maintenance requirements of the School District and the City for the playground.

Mr. Brown said that his congregation would be purchasing four (4) family pool passes to be given to winners of an essay contest. He said that the topic of the essay would be "How would this affect your Summer".

Dr. Ruggles, Chairperson for Strategic Planning had no report.

Mr. Murphy, City Solicitor reported that before the meeting Council had met in Executive and had discussed labor negotiations.

Mayor Panto congratulated Becky Bradley and Robert Freeman for the honor bestowed on them. He reported that Habitat for Humanity would be doing several homes, included in the HOPE VI Project, and hoped that City Officials would help with those homes. He reported that he had received an e-mail from the Easton Area School District acting Business Administrator, which said that their Budget Committee was considering getting rid of the Easton Library and giving it to the City to take over the building maintenance, operations, etc. He explained why this information was disturbing to him. He also made comments regarding the use of School properties, for community use.

Council members made comments regarding the Library issue.

Mayor Panto reported that the City had received the \$475,000 Neighborhood Strategy Program Grant, and that he received a letter from the Governor notifying the City that they also would be receiving another \$500,000 for neighborhood assistance. He said that

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the \$500,000 was initially earmarked for Ferry Street, and the \$475,000 would go towards housing rehabilitation and neighborhood revitalization.

Mayor Panto said that at the last Council meeting, a Firefighter questioned the energy audit. He said that the first year audit showed a realized savings of \$91,822 as a result of a reduction of Kilowatt usage and a savings of 1,142,458 Kilowatt hours. He said that Administration personnel have been checking City Buildings and properties for other potential savings areas.

Mr. Steckman and Mayor Panto related on what the City has been doing and will do to become more energy efficient.

Mayor Panto said that he will be attending the United States Conference of Mayor's annual meeting, and explained why, and what could and would be discussed.

Mayor Panto commended David Hopkins, Gretchen Lippincott, and Becky Bradley for their work in applying for grants and receiving grants for the City.

Mayor Panto said that at the July 8, 2009 Council meeting he would have Police Chief Palmer in attendance to furnish an update on the Surveillance Camera matter.

Mayor Panto commended the Police Department for their work on the most recent bank robbery of the south side branch of Lafayette Bank

UNFINISHED BUSINESS

Bill No. 56, (Ordinance 5202), Approving a Subdivision Improvements Extension between the City of Easton, Pa., and Hei-Low, Inc., was adopted on motion of Dr. Warner and Dr. Ruggles by the following vote:

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, S. Panto (6)
Nays: None (0)

Ordinance 5202 approves a subdivision improvements extension with Hei-Low Inc., for the 418 E. Kleinhans Street Development.

Bill No. 57, (Ordinance 5203), Approving a Subdivision Improvements Extension between the City of Easton, Pa., and Genesis Builders, Inc., was adopted on motion Dr. Warner and Mrs. Vulcano by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, S. Panto, Brown (6)
Nays: None (0)

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Ordinance 5203 approves a sub-division improvements extension with Genesis Builders, Inc., for the 272 through 416 E. Nesquehoning Street Development.

Bill No. 58, (Ordinance 5204), Approving a transfer of funds in the 2008 Capital Reserve Fund, was adopted on motion of Mr. Brown and Dr. Warner by the following vote:

Yeas: Vulcano, Warner, Warren, S. Panto, Brown, Ruggles (6)
Nays: None (0)

Ordinance 5204 approves the transfer of \$1,248,555 within the 2008 Capital Reserve Fund.

Bill No. 59, (Ordinance 5205) Approving a transfer of funds in the 2008 1998 Bond Fund, was adopted on motion of Mr. Brown and Mr. Warren by the following vote:

Yeas: Warner, Warren, S. Panto, Brown, Ruggles, Vulcano (6)
Nays: None (0)

Ordinance 5205 approves the transfer of \$282,163.92 within the 2008 1998 Bond Fund.

Bill No. 60, (Ordinance 5206), Approving a transfer of funds in the 2008 2004 Water Bond Issue, was adopted on motion of Mr. Brown and Dr. Warner by the following vote:

Yeas: Warren, S. Panto, Brown, Ruggles, Vulcano, Warner (6)
Nays: None (0)

Ordinance 5206 approves the transfer of \$2,400,061 within the 2008 2004 Water Bond Issue.

Bill No. 61, (Ordinance 5207), Approving a transfer of funds in the 2008 1992 Bond Proceed Fund, was adopted on motion of Mr. Brown and Dr. Warner by the following vote:

Yeas: S. Panto, Brown, Ruggles, Vulcano, Warner, Warren (6)
Nays: None (0)

Ordinance 5207 approves the transfer of \$29,001 within the 2008 1992 Bond Proceed Fund.

Bill No. 62, (Ordinance 5208), Approving a transfer of funds in the 2008 Restlawn Maintenance Fund, was adopted on motion of Mr. Brown and Dr. Warner by the following vote:

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Mayor Panto said that the City owns six (6) of the Restlawn units, and has asked Gene Pambianchi, Executive Director of the Housing Authority, that when the Senior Cottages are completed, in the HOPE VI project, and if he cannot fill those cottages he would make them available to the residents living in those six (6) Restlawn units, and then the City would be able to close out the involvement in Restlawn.

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, S. Panto (6)
Nays: None (0)

Ordinance 5208 approves the transfer of \$31,333.19 within the 2008 Restlawn Maintenance Fund.

Bill No. 63, (Ordinance 5209), Approving the acquisition of lands for recreational use for the Bushkill Creek Corridor Trail was adopted on motion of Mrs. Vulcano and Dr. Warner by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, S. Panto, Brown (6)
Nays: None (0)

Ordinance 5209 approves the acquisition of lands along the Bushkill Creek.

CORRESPONDENCE

There was no correspondence received by Council.

NEW BUSINESS

Introduction of Legislative Bills:

A May 8, 2009, memorandum, regarding proposed amendments to the Planning and Zoning Code, was received from Becky Bradley, Director of Planning and Codes.

Bill No. 64, An Ordinance to amend the Code of the City of Easton, Chapter 595, thereof, entitled Zoning, was introduced by Mrs. Vulcano and ordered processed for adoption.

This Bill would approve amendments to sections, 595-36 D, 595-51, 595-52, 595-117 A, 595-172, 595-205, 595-247 B, 595 Attachment 14, and 595 Attachment 1 of the Zoning Codes.

A May 29, 2009 e-mail regarding a request that Council authorize the Administration to enter into contracts with artists for the performing arts series, was received from Becky Bradley, Director of Planning and Codes.

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The next item on the Agenda was a proposed Resolution that would authorize the Administration to sign contracts in an amount not to exceed the 2009 City Performing Arts Series program budget and in addition any individual artist contract which exceeds \$750 shall require the written approval of Council.

The following Resolution was introduced by Mrs. Vulcano:

101-2009

The above Resolution was adopted on motion of Mrs. Vulcano and Mr. Warren by the following vote:

Yeas: Vulcano, Warner, Warren, S. Panto, Brown, Ruggles, (6)

Nays: None (0)

An April 29, 2009 letter regarding Easton Suburban Water Authority – PUC Litigation was received from Attorney Thomas L. Walters.

The next item on the Agenda was a proposed Resolution which would show support for an Easton Suburban Water Authority litigation with the City of Bethlehem.

The following Resolution was introduced by Mayor Panto:

102-2009

Mayor Panto gave background on this litigation against the Bethlehem Municipal Authority.

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

Yeas: Warner, Warren, S. Panto, Brown, Ruggles, Vulcano (6)

Nays: None (0)

A June 3, 2009 memorandum regarding a Contract extension with Codemaster Inspection Services was received from Cindy Cawley, Chief Codes Administrator.

The next item on the Agenda was a proposed Resolution that would approve a Contract extension withy Codemaster.

The following Resolution was introduced by Mrs. Vulcano:

103-2009

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Dr. Ruggles explained the reason for the extension.

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

Yeas: Warren, S. Panto, Brown, Ruggles, Vulcano Warner (6)

Nays: None (0)

A June 1, 2009 memorandum, regarding City Council Agenda items was received from David Hopkins, Director of Public Works.

The next item on the Agenda was a proposed Resolution that would support a free day at the City's Swimming Pools on Sunday, June 14th.

The following Resolution was introduced by Dr. Warner:

104-2009

There was a short discussion on this matter between Council members.

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

Yeas: S. Panto, Brown, Ruggles, Vulcano, Warner, Warren (6)

Nays: None (0)

The next item on Agenda was a proposed Resolution to approve an Appraisal Services Contract with Lynch & Company for the I-78 condemnation expert report. .

The following Resolution was introduced by Mr. Brown:

105-2009

Mayor Panto gave a background on the I-78 condemnation.

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

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, S. Panto (6)

Nays: None (0)

A June 2, 2009 memorandum regarding authorized signatures on Bank Accounts at KNBT Bank, and a June 2, 2009 memorandum regarding the close-out of an account at KNBT were received from Chris Heagele, Finance Director.

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The next two proposed Resolutions to authorize signatures on Bank Accounts at KNBT Bank, and authorize the closing of a Bank Account at KNBT were tabled on motion of Mr. Brown and Mr. Warren by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, S. Panto, Brown (6)

Nays: None (0)

There was a lengthy discussion between Council members, and Mr. Heagele, regarding the position of Deputy Controller and who should and should not be appointed as such.

The next item on the Agenda was a proposed Resolution which would approve an Office Building Lease Agreement with USA Architects, for leasing of space on the 7th floor of City Hall.

The following Resolution was introduced by Mr. Brown:

106-2009

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

Yeas: Warner, Warren, S. Panto, Brown, Ruggles, Vulcano (6)

Nays: None (0)

The next item on the Agenda was a Resolution that would approve a Temporary Right of Entry Agreement between the City and Norfolk Southern Railway Company.

The following Resolution was introduced by Dr. Warner:

107-2009

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

There was a discussion between Council members and Mr. Hopkins on past and present dealings with Norfolk Southern regarding the Lehigh Valley Railroad Station.

Yeas: Warren, S. Panto, Brown, Ruggles, Vulcano, Warner (6)

Nays: None (0)

CITIZEN'S RIGHT TO BE HEARD

There were no remarks from the audience.

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ADJOURNMENT

With no further business, the meeting was adjourned at 7:19 p.m. on motion of Dr. Warner and Mr. Warren by the following vote:

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, S. Panto (6)

Nays: None (0)

Rita Messa, City Clerk