

# **Minutes of the Council of the City of Easton, Pa.**

**August 12, 2009**

Easton, Pa.  
Wednesday  
August 12, 2009  
6:00 P.M.

City Council met in stated session, in Council Chambers, Room 514, 5th 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 Councilman Brown followed by the Pledge of Allegiance

## **ROLL CALL**

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

Absent: Elinor Warner (1)

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

## **APPROVAL OF AGENDA**

On motion of Mayor Panto and Mr. Warren the Agenda was amended by adding a Resolution under New Business regarding a Special Events Liquor Control Board Application and Permit by the following vote:

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

Nays: None (0)

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

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

Nays: None (0)

## **ACTION ON MINUTES**

The July 22, 2009 Council meeting and Public Hearing minutes were approved as submitted on motion of Mrs. Vulcano and Dr. Ruggles by the following vote:

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

**CERTIFICATES OF APPRECIATION**

Mayor Panto said that at this time there was a number of Certificates of Appreciation to be presented to artists that were involved in the painting of a mural on the rear of the Easton Area Community Center located at 9<sup>th</sup> and Washington Street.

Mrs. Vulcano requested that Anita Mitchell, Executive Director of the Easton Area Community Center, speak to Council regarding the mural project, which she did.

The following persons came forward and were presented framed Certificates of Appreciation for assisting in the enhancement of a West Ward neighborhood, with a mural depicting leaders, of the City; Anita Mitchell, representing the Easton Area Neighborhood Center, Janet Hodick, Kim Hogan, Jenny Leggett, and Donna Thatcher.

Mrs. Vulcano thanked all of the above for their efforts to beautify a neighborhood.

**CITIZENS RIGHT TO BE HEARD (Agenda Items Only)**

The following persons spoke regarding the proposed Police in Neighborhoods Program, a mandatory residency requirement for Police Officers and Firefighters, and Act 111, Binding Arbitration.

1. Dennis Lieb, 1208 Chidsey Street.
2. Noel Jones, 800 Ferry Street.
3. Steve White, 933 Ferry Street.
4. Joanne Check, 125 S. 5<sup>th</sup> Street.
5. Reverend Susan Ruggles, 111 Parsons Street.
6. Ron Morris, 1002 Washington Street.
7. Ken Jones, 1002 Washington Street.

Comments and questions were offered and answered by Council members, Mr. Steckman, Attorney Murphy and Attorney Scheer.

Reverend Susan Ruggles, 111 Parsons Street, spoke regarding the request by St. John's Lutheran Church for a Certificate of Appropriateness, and thanked Council for making the downtown area a historic district.

Anita Mitchell, 1400 Church Lane spoke regarding proposed legislation for lost or stolen handguns and read a letter in support of the proposed legislation.

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## **REPORTS RECEIVED BY COUNCIL**

The following reports were received by Council.

- (a) EAJSA meeting minutes for March 16, April 20, and May 18, 2009.
- (b) ESWA meeting minutes for July 13, 2009.

## **REPORTS OF COMMITTEES**

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

There was a discussion, between Council members, Mr. Heagele, and Attorney Murphy, regarding Thomas Hess being the Deputy Controller.

Mrs. Vulcano, Chairperson of the Economic Development Committee spoke regarding legislation that would be before Council later in the meeting, spoke regarding the new CVS construction, regarding the HOPE VI project, regarding the National Night Out festivities, regarding road enhancement on 6<sup>th</sup> & 7<sup>th</sup> and Northampton Street, and reported that the Vacant Property Review Committee meeting was canceled.

Mrs. Panto, Chairperson of the Planning Committee spoke regarding legislation that would be before Council later in the meeting.

Mr. Warren, Chairperson of the Public Safety Committee spoke regarding legislation that would be before Council later in the meeting.

Mr. Warren showed Council members photographs that were forwarded to him by Police Chief Lawrence Palmer showing graffiti in Southside which was addressed by Chief Palmer and Captain Vangelo.

Mr. Warren said that Chief Palmer had updated he and the Mayor on a Chief of Police meeting that he had attended, and said that the Easton Police Department has been noticed by other Police Departments as being progressive, modern and ahead of the curve, and explained why that was.

Mr. Warren commented on the Fire Department Investigation issue, and said that he supported the Mayor's investigation.

Dr. Warner, Chairperson of the Public Works Committee was not in attendance.

Dr. Ruggles, Chairperson for Strategic Planning reported that he had met with City Directors regarding the initial Strategic Plan, that had been distributed earlier, obtained feedback from them, and said that he had distributed an edited version of the plan based upon their feedback.

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Mrs. Panto said that she had attended the Greater Lehigh Valley Writer's Guild, and said that she was honored to be there and informed Council that Mr. William Marley was bestowed with an honor, and asked Mr. Marley to explain this to Council, which he did.

Mr. Murphy, City Solicitor, had no report for Council.

Mr. Scheer, Assistant City Solicitor had no report.

Mayor Panto explained the reasoning for adding the proposed resolution to the Agenda. He invited Council to a press conference, tomorrow at 1:30 p.m. at the Simon Silk Mill for an important announcement. He said that on October 9, 2009, a "high ended" event would be held, at the Silk Mill location, for only persons twenty-one years of age and older, and said that the City would like to serve alcohol at the event. He spoke regarding a Hydro Project and said that the City was attempting to get two (2) grants for \$250,000 each. He said that one would be for energy efficiency in City buildings and the other would be for a Hydro Project on the Lehigh Dam and explained those two projects. He reported that he and Councilwoman Panto had visited all of the neighborhoods and the Eddyside Pool, which celebrated National Night Out. He said that on September 20, 2009 the City would be celebrating National Neighborhood Day and was working with an ad hoc committee regarding this festivity on this day. He spoke regarding the Fire Department article that had appeared in the newspaper over the last weekend, thanked all involved for their work on the investigation, and said that a press conference on the matter would be held on August 13, 2009 at 12:00 p.m.

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **CORRESPONDENCE**

There was no correspondence received by Council:

## **NEW BUSINESS**

Introduction of Legislative Bills:

Bill No. 69, An Ordinance to amend the Code of the City of Easton, Chapter 152 thereof, entitled Vacant Property Review Committee, was introduced by Mrs. Vulcano and ordered processed for adoption.

This Bill would amend Sections 152-3 by adding "and commercial or industrial reuse in the paragraph, amend Section 152-6 (B) by deleting the words "in the same manner as an appeal from the determination of public nuisance" and replacing it with before the Property Maintenance Review Board of Appeals", amend Sections 152-2(A) and 152-7

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(B), by deleting the words “Economic Development” and replacing them with “Codes”, amend Sections 152-4(C), 152-4(H), and 152-6(C) by deleting the work “Rehabilitation” and replacing it with “Inspections”.

Dr. Ruggles suggested that in the future the word “his agent” should be changed to “their agent”.

An August 5, 2009 e-mail regarding a request for a “No Parking” zone for N. Warren Street was received from Officer Dominick Marraccini.

Bill No. 70, Amending Article III, Traffic Control Map of 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 create a “No Parking” zone on the East side of North Warren Street between Northampton and Spring Garden Streets.

An August 5, 2009 memorandum, regarding a 2008 Budget Amendment to Fund 131 was received from Chris Heagele, Finance Director.

Bill No. 71, Approving a Transfer of funds in the 2008 Debt Service Fund Budget, was introduced by Mr. Brown and ordered processed for adoption.

This Bill would approve the transfer of \$17,577.24 from Account No. 131-253000 to 131-1000-46475.

A July 2, 2009 E-Mail, regarding a DCED Grant was received from Fire Chief John Bast.

The next item on the Agenda was a proposed Resolution that would amend the City’s Community Development Block Grant Program for the 2009 (35 th) program year.

The following Resolution was introduced by Mrs. Vulcano:

135-2009

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

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

Nays: None (0)

A July 28, 2009 memorandum, regarding authorization for a 2010 DUI Grant, Resolution 117-2009, was received from Lt. David Beitler

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The next item on the Agenda was a proposed Resolution which would authorize an increase in the requested grant amount, in Resolution 117-2009, from \$55,570 to \$56,070.

The following Resolution was introduced by Mr. Warren:

136-2009

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

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

Nays: None (0)

An August 3, 2009 memorandum, regarding a COPS Grant Approval was received from Police Chief Lawrence Palmer.

The next item on the Agenda was a proposed Resolution that would approve a U.S. Department of Justice COPS Hiring Recovery Program Grant #2009RKWX0726 Agreement for the amount of \$669,798.00.

The following Resolution was introduced by Mr. Warren:

137-2009

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

Mayor Panto made comments on the joint effort to get this grant and the need for grant funds, and thanked all employees who worked on grant applications, and Senator Casey and Spector for their assistance in getting the City this grant.

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

Nays: None (0)

An August 5, 2009 memorandum, regarding Signatures on all City Accounts was received from Chris Heagele, Director of Finance.

The next item on the Agenda was a proposed Resolution which would indicate who would be authorized to sign City Checks.

The following Resolution was introduced by Mr. Brown:

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138-2009

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would authorize the application for a DEP Grant in the amount of \$250,000, authorize the Mayor and City Controller to sign the grant agreement if awarded, and allocate municipal resources in the amount of \$50,000 to the said project.

The following Resolution was introduced by Mrs. Vulcano:

139-2009

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

Dr. Ruggles said that he felt and knew that \$250,000 would not be enough to pay for this project, and asked if the City was awarded the grant, where would the City get the additional funds needed for this project.

Gretchen Lippincott said that VanCleeef engineering made the cost estimate, and have preliminary designed the system.

Mayor Panto said that the City was slowly running out of its grant matches that were allocated last March in the Capital Budget. He said that the allocation of municipal resources in the amount of \$50,000 was a figure that the City picked based on the Engineering firm's preliminary estimate knowing that the City had to do a match, and if the City was awarded the grant, and if the project exceeds the \$250,000, the City would not pull down the grant, because the payback period might be twelve (12) years instead of 2.3 years. He said that the City had to look at the project to ensure that cost savings were there.

There was further discussion on this between the Mayor and Dr. Ruggles.

Mayor Panto said that at the August 26<sup>th</sup> meeting, the Administration may be coming to Council for a short term line of credit for Projects that are under way because the City was not receiving reimbursement in time to pay contractors. Mr. Heagele Finance Administrator also spoke on this matter.

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

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Nays: None (0)

An August 4, 2009 letter, regarding a request to approve Certificates of Appropriateness was received from Christine Ussler, AIA.

The next six items on the Agenda were proposed Resolutions for approving Certificates of Appropriateness for 219 N. Third, 223 N. Third, 248 N. Third, 330 Ferry, 200 Northampton, and 234 Spring Garden Streets.

The following Resolution was introduced by Mrs. Panto:

140-2009

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

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

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

141-2009

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

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

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

142-2009

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

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

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

143-2009

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Dr. Ruggles requested to be allowed to abstain from voting on this Resolution.

It was the consensus of Council to allow Dr. Ruggles to abstain from the vote.

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

Yeas: P. Panto, Vulcano, Warren, S. Panto, Brown (5)

Nays: None (0)

Abstain: Ruggles (1)

The following Resolution was introduced by Mrs. Panto:

144-2009

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

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

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

145-2009

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

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

Nays: None (0)

An August 4, 2009 memorandum, regarding Resolutions needed for changes to ERA-City bank accounts was received from Gretchen Lippincott, Director of Economic Development.

The next item on the Agenda was a proposed Resolution that would authorize the opening of an interest bearing checking account and indicated who could sign the checks.

The following Resolution was introduced by Mr. Brown:

146-2009

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There was a discussion, between Council members, Gretchen Lippincott, and Chris Heagele, regarding who would be allowed to sign the checks because as the Resolution was written, any two members of the Redevelopment Authority could sign checks.

On motion of Dr. Ruggles and Mr. Warren the above Resolution was amended by removing the words “any two (2) members” and replacing them with “the Chair, Vice-Chair or the Treasurer”

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

Nays: None (0)

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution that would approve the changing of authorized signers on the HOME Account at Lafayette Ambassador Bank.

The following Resolution was introduced by Mr. Brown:

147-2009

The above Resolution was amended, by replacing the words “any two members” and replacing them with “the Chair, Vice-Chair or Treasurer”.

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

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

Nays: None (0)

An August 4, 2009 memorandum, regarding a Police in Neighborhoods Program was received from Mayor Panto.

The next item on the Agenda was a proposed Resolution that would approve a Police in Neighborhoods, (PIN), Program.

The following Resolution was introduced by Mayor Panto:

148-2009

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

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

Attorney Scheer recommended that Council consider an amendment to the PIN Program to allow this to be subordinate to a first mortgage that the Police Officer may have to enter into to purchase a home or to at least consider that recommendation.

On motion of Mayor Panto and Mr. Brown, the above Resolution was amended by adding the following, by the following vote:

“allowing the City Solicitor to appropriate legal papers in second position or subordinate to any first mortgage to purchase the property.

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

The next item on the Agenda was a proposed Resolution approving the appointment of Anthony Marraccini to the Property Maintenance Review Board of Appeals.

The following Resolution was introduced by Mayor Panto:

149-2009

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

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

The next item on the Agenda was a proposed Resolution urging the Pennsylvania General Assembly, to support legislation requiring handgun owners to report lost or stolen handguns to the Police within three days of discovering the handgun missing.

The following Resolution was introduced by Mayor Panto:

150-2009

Mayor Panto explained why he was introducing the above Resolution.

Council members Warren and Ruggles spoke on this issue.

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On motion of Dr. Ruggles and Mr. Warren, the above Resolution was amended in the adding the following to the proposed Resolution by the following vote:

Be it further resolved that our local state representatives and senator respond to City Council as to their vote and reason for their vote

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

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

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

An August 4, 2009 memorandum regarding a request for authorization to apply for and execute an application for a Pennsylvania Liquor Control Board Special Occasion Permit was received from Becky Bradley, Director of Codes and Planning and Gretchen Lippincott, Director of Economic Development.

The next item on the Agenda was a proposed Resolution that would authorize to apply and to execute an application for a Pennsylvania Liquor Control Board Special Occasion Permit.

The following Resolution was introduced by Mayor Panto:

151-2009

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

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

**CITIZEN'S RIGHT TO BE HEARD**

Mayor Panto stated that St. John's Lutheran Church would be holding a family night on Friday night August 14, 2009.

Patrick Poladian, 137 S. 5<sup>th</sup> Street, spoke regarding the racial breakdown of officers on the Police Force.

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Mayor Panto spoke to Mr. Poladian on this matter, and explained how people were recruited and hired.

William Marley, 64 N. 2<sup>nd</sup> Street spoke regarding the needed repairs to the Poet's Garden at Riverside Park so that it could be used during the Riverside Festival of the Arts.

Mayor Panto and Beck Bradley addressed his concerns.

Eleanor Levy, 134 Church Street, spoke regarding a Sunday Streets program that is being done in cities throughout the world and suggested that Easton look into this to aid in community building.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:22 p.m. on motion of Mrs. Vulcano and Dr. Ruggles by the following vote:

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

Nays: None (0)

Rita Messa, Assistant City Clerk