

Minutes of the Council of the City of Easton, Pa.
November 12, 2014

Easton, Pa
Wednesday
November 12, 2014
6:00 p.m.

City Council met in stated session at the above date and time, in Council Chambers, located on the 6th floor of City Hall, One South Third Street, to consider any business that may lawfully be brought before the body and to conduct Public Hearings regarding reallocating prior years CBDG funds, and for the proposed increase of the Earned Income Tax for non-City residents.

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

ROLL CALL

Present: Brown, Edinger, Mauro, Ruggles, Vulcano, Warner, Panto (7)
Absent: None (0)

Also in attendance were Thomas A. Hess, City Clerk, William Murphy, City Solicitor, Beth Knickerbocker, Assistant City Solicitor and Glenn Steckman, City Administrator. There were twenty-two other persons present.

APPROVAL OF AGENDA

On motion of Mrs. Vulcano and Dr. Warner the Agenda was amended by adding a Presentation for Certificates of Commendation, as item 9, by the following vote:

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Warner, Panto (7)
Nays: None (0)

On motion of Dr. Warner and Mr. Brown, the Amended Agenda was approved by the following vote:

Yeas: Panto, Warner, Vulcano, Ruggles, Mauro, Edinger, Brown (7)
Nays: None (0)

ACTION ON MINUTES

On motion of Dr. Ruggles and Mr. Edinger, the October 22, 2014 Council Meeting minutes, as submitted, were approved by the following vote:

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Panto (6)
Nays: None (0)
Abstain: Warner (1)

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RESOLUTION
Recognizing the Death of George L. Schermerhorn

The next item on the Agenda was a proposed Resolution recognizing the death of George L. Schermerhorn, a former City employee.

The following Resolution was introduced by Dr. Ruggles:

152-2014

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

Yeas: Panto, Brown, Edinger, Mauro, Ruggles, Vulcano Warner (7)

Nays: None (0)

Council made comments regarding Mr. Schermerhorn's service to the City and offered words of condolences to his family.

Mrs. Schermerhorn was presented with a framed Resolution.

Mr. William Cunningham thanked Council for remembering his brother-in-law, and spoke regarding his love for the City.

CERTIFICATE OF APPREIATION
Jeffrey Hummel

At this time a Certificate of Appreciation was presented to Jeffrey Hummel, a Boy Scout working towards his Eagle Scout designation, for his "Free Libraries" project in the West Ward area of the City.

Council members spoke regarding Jeffrey's project, thanked him for what he was doing, remarked that they have seen children using his library boxes, and Mayor Panto introduced some other members of the audience who were and are active in scouting.

CERTIFICATES OF COMMENDATION

At this time Mayor Panto presented two Certificates of Commendation to Megan McBride and Brittany Vokoun, of the Main Street organization, for their work and dedication to Bacon Fest.

Mayor Panto said that Bacon Fest was a huge undertaking, and said that Megan and Brittany co-coordinated the fest which brought over 50,000 visitors to the City from all over the United

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States. He said that Megan's and Brittany's leadership and collaboration help to make the fest a huge success.

PUBLIC HEARING

At 6:22 p.m. Mayor Panto opened the Public Hearing regarding the proposed increase for the Earned Income Tax for non-City residents, and turned the Hearing over to Mr. Brown, Chairman of the Finance Committee.

Attorney Victor Scomillio, 669 Washington Street, a Northampton County Solicitor, said that the state law; Act 205, authorizing the tax does not permit the City to impose the tax solely on non-residents, quoted from several tax laws saying that it was illegal to impose the Earned Income Tax solely on non-residents and asked the Council to vote no on the proposed Bills to increase the tax and to repeal the existing City's Earned Income Tax Ordinance on non-residents of the City.

Mayor Panto said that the City did impose the Earned Income Tax on City residents, spoke regarding a computer graphic that he showed to Council and the audience, spoke regarding the City's pensions and the cost to the City and to citizens, and non-residents, and asked anyone who had a problem with this tax to contact their State Representatives to voice their concern with the pension problems throughout the state. He also thanked the County on the manner that they were opposing the tax, and spoke how the City had helped the County in the past.

Council members made comments on the actions of the City of Scranton regarding their taxation solely on non-residents, and on the suggestion to repeal the tax on non-residents.

Mayor Panto said that there were two County Executives that instructed the County not to pay the Easton tax and asked Mr. Scomillio what the County's position was on that.

Mr. Scomillio said that at this time the County was compiling with the tax.

Joy Cohen, 1057 Powder Mill Bethlehem, Pa., spoke in opposition of the tax, spoke regarding some of the costs that non-residents were currently covering, and said that this was taxation without representation.

Mayor Panto said that he appreciated Ms. Cohen's comments, but told her that she needed to contact her State Senator and Representative to address the problem of pension reform, and spoke further on the pension problem in the state.

Mitch Miller, 6417 Schantz Road, Allentown Pa., said that this action was taxation without representation.

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Mayor Panto asked Mr. Murphy to give Mr. Scomillio an update on when the City would be sending a letter to the County regarding the opinion that the city was waiting on regarding the imposition of the Earned Income tax on non-residents.

Mr. Murphy said that the City had a letter, which had been revised, said that the revisions had been sent in, that the City should be receiving the letter back on Thursday, November 14, 2014 which at that time the letter would be available for Mr. Scomillio.

There being no further questions or comments from Council or from the audience, Mr. Brown closed the hearing at 6:43 p.m.,

PUBLIC HEARING
Reprogramming of CDBG Funds

At 6:44 p.m., Mayor Panto opened the Public Hearing and turned it over to Mrs. Vulcano, Chairman of the Economic Development Committee who read the following statement. .

“The purpose of this evening’s hearing is to obtain public comment on the reprogramming of 2014 and prior year CDBG funds.”

The City received program income from the sale of properties. There are also funds to be reprogrammed from completed activities and un-programmed funds. These funds total \$103,619.21.”

“The funds are being moved from:

- Reprogram of unused funds (Police and neighborhood Housing Services) \$5,588.00
- Reprogram of unused funds (Acquisition and Clearance) \$51,753.68
- Program income from sale of 682 & 684 Pine Street \$9,900.00
- Un-programmed Funds \$36,377.53”

“Funds will be applied to existing projects as follows:

- Code Enforcement \$40,000.00
An increase of more than 25% from original budget of \$100,000 to \$140,000
- 108 Loan Repayment \$12,505.60
An increase of less than 25% from original budget of \$92,200 to \$104,705.60
- Rehabilitation \$51,113.61
Increase of more than 25% in from original budget of \$25,000 to \$76,113.61”

“The City advertised the opportunity to comment on the modification public on November 5, 2014 in the Express-Times.”

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“A 30 day comment period is available to receive comments. Comments may be directed to Tina Woolverton at 610-250-2071 or twoolverton@easton-pa.gov.”

Mrs. Vulcano asked for any questions or comments from Council or the audience.

There were no questions or comments.

Ms. Woolverton said that this process takes place approximately every two years, and asked if there were any questions or comments regarding what the reallocations were for, and spoke regarding the 108 loan.

There were no questions or comments from Council or the audience.

At 6:49 p.m., Mrs. Vulcano closed the hearing.

PUBLIC COMMENT
(Agenda Items Only)

There were no comments from the Audience.

CONSENT AGENDA

The Consent Agenda was moved on motion of Dr. Warner and Dr. Ruggles.

On motion of Dr. Ruggles and Mr. Brown, Bill 31, Amending Section 285-42, Parking Garage Fees of Chapter 285, Fees, of the Code of the City of Easton, Pa., was tabled by the following vote:

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Warner, Panto (7)
Nays: None (0)

On motion of Dr. Warner and Dr. Ruggles the following items were adopted by the following vote:

Resolution 153-2014, which approved a Contract with George S. Coyne Chemical Co., Inc., for the purchase of chemicals for the Wastewater Treatment Plant.

Resolution 154-2014, which approved a Contract with Premier Magnesia LLC, for the purchase of chemicals for the Wastewater Treatment Plant.

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Resolution 155-2014, which approved a Contract with Northeast Chemical & Supply co., Inc., for the purchase of chemicals for the Wastewater Treatment Plant.

Yeas: Panto, Brown, Edinger, Mauro, Ruggles, Vulcano, Warner (7)

Nays: None (0)

REPORTS RECEIVED BY COUNCIL

The following reports were received by Council:

- (a) Easton Area Joint Sewer Authority, June, July and August 2014 meeting minutes.

The Mayor accepted the reports 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 the amending of the Earned Income Tax for Non-City residents and for amending the retirement incentive offered to qualified full time eligible employees.

Mrs. Vulcano, Chairman of the Economic Development Committee, reported that a roundtable meeting had been held between the West Ward Economic Development Committee and West Ward Business Owners. She said that George Kinney, Director of Planning and Codes was in attendance to answer any questions that the Business Owners had on Code issues.

Dr. Warner, Chairman of the Planning Committee, reported that work was proceeding on the City's Revised Comprehensive Plan, said that comments were being solicited, that everyone should have received an e-mail from Mike Hanzo and asked that everyone get back to him with any comments or questions that they may have.

Ms. Mauro, Chairman of the Public Safety Committee, had no report.

Dr. Ruggles, Chairman of the Public Works Committee had no report.

Mr. Edinger, Chairman of the Administration Committee, spoke regarding legislation that he would have for later in the meeting regarding amending the Job Descriptions for the Human Resource Manager and the Codes Administrator.

Mr. Brown reported that another Budget Review Session needed to be scheduled.

After a short discussion it was decided that the session would be held on Tuesday, November 18, 2014 at 6:00 p.m.

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Mr. Murphy, City Solicitor, had no report.

Ms. Knickerbocker, Assistant City Solicitor had no report.

Mayor Panto had no report.

CORRESPONDENCE

The following correspondence was received by Council:

(a) Brenda Cahill e-mail, concerning the proposed increase in the Earned Income Tax, along with Mayor's reply.

UNFINISHED BUSINESS

Bill 32, Amending Article VIII, Earned Income and Net profits, of Chapter 535, Taxation, of the City of Easton to provide for an increase in Earned Income Tax for the purpose of funding the City of Easton pension Plan in accordance with Act 205; 1.95%, was tabled on motion of Mr. Brown and Dr. Ruggles by the following vote:

Yeas: Edinger, Mauro, Ruggles, Vulcano, Warner, Panto, Brown (7)

Nays: None (0)

Bill 33, Amending Article VIII, Earned Income and Net profits, of Chapter 535, Taxation, of the City of Easton to provide for an increase in Earned Income Tax for the purpose of funding the City of Easton Pension Plan in accordance with Act 205; 1.85%, was tabled on motion of Mr. Brown and Dr. Ruggles by the following vote:

Yeas: Mauro, Ruggles, Vulcano, Warner, Panto, Brown, Edinger (7)

Nays: None (0)

NEW BUSINESS

The next item on the Agenda was a proposed Resolution which would authorize allocation of funds from the 2015 CDBG program.

The following Resolution was introduced by Mrs. Vulcano:

156-2014

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

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Yeas: Ruggles, Vulcano, Warner, Panto, Brown, Edinger, Mauro (7)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would amend Resolution 92-2014 which approved a retirement incentive offered to qualified full time eligible employees.

The following Resolution was introduced by Mr. Brown:

157-2014

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

Yeas: Vulcano, Warner, Panto, Brown, Edinger, Mauro, Ruggles (7)
Nays: None (0)

A November 4, 2014 memorandum, regarding City Council Agenda Items was received from David Hopkins, Director of Public Works.

The next two items on the Agenda were proposed Resolutions which would approve a Contracts with Chrin Brothers Inc., for the hauling, acceptance and disposal of bio solids from the wastewater treatment plant.

The following Resolutions was introduced by Dr. Ruggles:

158-2014
159-2014

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

Yeas: Warner, Panto, Brown, Edinger, Mauro, Ruggles, Vulcano (7)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would authorize the purchase of an Asphalt Paver.

The following Resolution was introduced by Dr. Ruggles:

160-2014

Ms. Mauro said that she had asked Mr. Heagele to explain how this purchase would be funded in relationship to the proposed 2015 budget, which he did.

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

Yeas: Panto, Brown, Edinger, Mauro, Ruggles, Vulcano, Warner (7)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would grant an easement to Metropolitan Edison Company to provide permanent electrical service to the new cellular tower located at 311 Paxinosa Road.

The following Resolution was introduced by Dr. Ruggles:

161-2014

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

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Warner, Panto (7)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve amendments to the Human Resources manager job description.

The following Resolution was introduced by Mr. Edinger:

162-2014

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

Yeas: Edinger, Mauro, Ruggles, Vulcano, Warner, Panto, Brown (7)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would amend the Chief Codes/Zoning Administrator job description.

The following proposed Resolution was introduced by Mr. Edinger:

163-2014

On motion of Dr. Warner and Mrs. Vulcano, and by the following vote, the above Resolution was amended by adding the following at the end of the Necessary Knowledge, Skills and Abilities:

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“Must have a valid driver’s license.”

and by deleting the following at the end of the job description:

“Salary: DOQ.”

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Warner, Panto (7)

Nays: None (0)

The above amended Resolution was adopted on motion of Mr. Edinger and Ms. Mauro by the following vote:

Yeas: Ruggles, Vulcano, Warner, Panto, Brown, Edinger, Mauro (7)

Nays: None (0)

PUBLIC COMMENT
(On any item)

There were no comments from the audience.

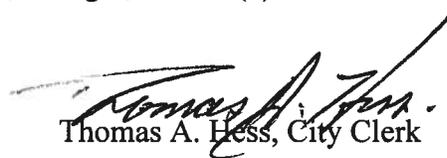
Mayor Panto said that during Monday night’s Budget Review session regarding what Special Events would be charged for services, and said that it depended on what the City’s losses were, and said that Bacon Fest brought in \$22,000 in parking revenue.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:14 p. m. on motion of Dr. Warner and Mr. Edinger by the following vote:

Yeas: Panto, Warner, Vulcano, Ruggles, Mauro, Edinger, Brown (7)

Nays: None (0)


Thomas A. Hess, City Clerk