

**Minutes of the Council of the City of Easton, Pa.**  
**December 14, 2011**

Easton, Pa  
Wednesday  
December 14, 2011  
6:25 p.m.

City Council met in stated session at the above date and time in Council Chambers, located on the 6<sup>th</sup> floor of One South Third Street, Easton, Pa. to consider any business that may lawfully be brought before the body, and to conduct a Public Hearing regarding a request for an Intermunicipal Transfer of a Liquor License.

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

**Roll Call**

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

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

**APPROVAL OF AGENDA**

On motion of Dr. Ruggles and Mrs. Vulcano the Agenda was approved by the following vote:

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

**ACTION ON MINUTES**

On motion of Dr. Warner and Mr. Brown the November 22, 2011 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 items on the Agenda were two proposed Resolutions recognizing the deaths of Donald Yenolevich and Theodore Salmay two retired City workers.

The following Resolution was introduced by Dr. Warner:

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170-2011

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

Mayor Panto offered words regarding Mr. Yenolevich service to the City and its citizens.

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

Nays: None (0)

Mr. Yenolevich's son-in-law was presented with a framed Resolution.

The following Resolution was introduced by Dr. Warner:

171-2011

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

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

Nays: None (0)

Mayor Panto offered words regarding Mr. Salmay's service to the City and its citizens.

Mr. Salmay's son was presented with a framed Resolution.

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

There were no remarks from the audience.

**PUBLIC HEARING**  
**Intermunicipal Municipal Liquor License Transfer**

At 6:08 p.m., Mayor Panto opened the hearing and turned it over to Mrs. Vulcano, Chairman of the Economic Development Committee, who read the following:

“This hearing was requested by Attorney Joseph Piperato, on behalf of his client, Maxim's 22, LLC, for an Intermunicipal transfer of a Retail Restaurant Liquor License from the Township of Hanover to Suite 100, 322-336 Northampton Street.”

“Attorney Piperato is in attendance and will be allowed to address Council on this issue. After he has addressed Council, and has answered any questions that Council may have, the audience will be given a chance to address Council on this issue.”

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Mrs. Vulcano then call Attorney Piperato forward to address Council.

Attorney Piperato introduced himself, and said that he was representing Maxim's 22, LLC and its principals, Josh Palmer and Terry Palmer. He said that they were in attendance to seek a Resolution approving the Intermunicipal transfer of Liquor License R16332. He said that the current holder of that license was Team Capital Bank, and was affiliated with property at 3395 High Point Blvd. in Hanover Township. He said that they were seeking approval to transfer that license from Hanover Township to the City of Easton at 322 Northampton Street on the 1<sup>st</sup> floor of the Pomeroy's building. He said that his clients currently were under a lease agreement, so they did have an equitable interest in the situation, however they are still within the due diligence period that they were investigating the feasibility of going forth with the project, but could not go forward without the Resolution approving the transfer of the liquor license, that must be included with the application to the Liquor Control Board. He said that the Palmer's were in attendance and would answer any questions that the Council or the audience would have.

Mayor Panto asked if the lease had been executed.

Attorney Piperato said that the lease had been executed.

Mayor Panto said that then there was more than equitable interest. He said that his concern was in approving the transfer to that location without it being the Palmer's place.

Dr. Warner said that as long as there was a lease she would be voting for the transfer.

Mayor Panto said that if the Palmer's new location and their new ideas were anything near what Sette Luna has done for the City, Council would be very excited.

Mrs. Vulcano opened the floor for questions from the audience.

There were no questions or comments from the audience.

Mrs. Vulcano closed the hearing at 6:12 p.m.

**REPORTS RECEIVED BY COUNCIL**

The following reports were received by Council:

- (a) Monthly Fire Reports for October and November 2011.

Mayor Panto accepted the reports on behalf of Council.

**REPORTS OF COMMITTEES**

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Mr. Brown, Chairman of the Finance Committee reported that the Finance Committee meeting was held on December 13, 2011 and related what had been discussed. He spoke regarding legislation that he would have for later in the meeting regarding, a Resolution for Providing Revenues and Appropriating sums for the 2012 Budgets, a Lease with the National High School Coaches Association, setting the Tax Rate for all City purposes for 2012, setting salaries and wages for 2012, and setting Financial Goals for the City.

Mrs. Vulcano, Chairman of the Economic Development Committee spoke regarding legislation that she would have for later in the meeting regarding approval of an Intermunicipal Liquor License transfer.

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

Mr. Warren, Chairman of the Public Safety Committee reported that the Public Safety Committee had met on December 13, 2011 and reported what had been discussed, spoke regarding Legislation that he would have for later in the meeting regarding approving a three year agreement for Fire Protection for the Borough of Glendon, and for designating a City representative to sign PEMA forms for Hurricane Irene and for Tropical Storm Lee. He also gave a brief update on Fire Driver Operation certifications and hose thread sizes conversions, with Wilson and Easton Fire Departments.

Dr. Warner, Chairman of the Public Works Committee spoke regarding legislation that she would have for later in the meeting regarding the Resolutions for a Developers Agreement and a Storm Water Runoff Control Facilities and Maintenance Agreement with Lafayette College and an Aerial Agreement with Verizon.

Dr. Warner asked if the new Parking Lot that Lafayette College was building would be opened for Public use when not used by Lafayette College.

Mayor Panto said that he did not believe that it would be opened to the public because reserved parking spaces were given to College students and employees.

Mr. Fleck, Chairman of the Administration Committee reported that a retreat would be held, sometime in February, to go over the City Charter and to discuss items that Council members thought should be amended within the Charter.

Mr. Murphy, City Solicitor, reported that before the meeting Council had met in Executive Session and had discussed a Personnel matter.

Assistant Solicitor Knickerbocker had no report.

Mayor Panto reported that all of the downtown streets have been permanently trenched but would not be resurfaced until next year, said that Council's reorganization meeting would be

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held on Tuesday, January 3, 2012 at 6:00 p.m. in Council Chambers and commended the Fire Department for their actions at a fire at 703 Pearl Street.

**UNFINISHED BUSINESS**

Bill No. 38, (Ordinance 5335) Fixing the Tax Rate for all City Purposes for the Year 2012, was adopted on motion of Mr. Brown and Mr. Fleck by the following vote:

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

Nays: None (0)

Ordinance 5335 fixed the Tax Rate for all City Purposes for 2012 at 24.95 Mills.

Bill No. 39, Providing Revenues and Appropriating Specific Sums to be required for the City Budget during the Fiscal Year 2012 was amended, in the following way, on motion of Mayor Panto and Mr. Fleck by the following vote:

“By increasing line item 101-0100-4141 from \$39,128.67 to \$42,765 and reducing line item 101-1000-4991 by \$3,636.00 from \$53,114.86 to \$49,478.86

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

Nays: None (0)

Amended Bill No. 39 (Ordinance 5336), Providing Revenues and Appropriating Specific Sums to be required for the City Budget during the Fiscal Year 2012, was adopted on motion of Mr. Brown and Mr. Fleck by the following vote:

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

Nays: None (0)

Ordinance 5336 provides the Revenues and Appropriates Specific Sums to be required for the City Budget during the Fiscal Year 2012.

Mr. Warren commended Council and the Administration for working together on the Budget process.

Dr. Ruggles voiced his concerns regarding a position being added in the City Administrator’s Office for 2012. He said that he was not against the position but felt that he did not have enough of a job description to show what the position would do. He said that he was supportive of the ideas that he had heard but did not think that he ever heard anything that was definitely what the position would accomplish. He said that he had contacted the City Administrator and asked him to put together a group of people who would outline what the duties would be.

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Mr. Steckman said that a meeting on this matter was already being scheduled for December 16<sup>th</sup> or sometime next week.

Bill No. 40, (Ordinance 5337), Approving a Lease Agreement between the City of Easton and The National High School Coaches Association Inc, was adopted on motion of Mr. Brown and Mrs. Vulcano by the following vote:

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

Nays: None (0)

Ordinance 5337 approves a Lease Agreement with the National High School Coaches Association Inc., for office space on the 8<sup>th</sup> floor of the Alpha Building.

**CORRESPONDENCE**

There was no correspondence received.

**NEW BUSINESS**

The next item on the Agenda was a proposed Resolution for approving a three year Fire Protection Agreement between the City of Easton and the Borough of Glendon.

The following Resolution was introduced by Mr. Warren:

172-2011

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

Dr. Warren asked a question if a minimum amount of insurance had to be carried by the Borough of Glendon, which was answered by Mr. Murphy.

Mayor Panto spoke regarding the cost that the Borough of Glendon was paying to the City for the coverage provided to the Borough.

There was a discussion on the above matter between Council members, Mr. Steckman and Mr. Heagele.

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

Nays: None (0)

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The next item on the Agenda was a proposed Resolution for approving the Intermunicipal Transfer of a Liquor License from Hanover Township to the City of Easton.

The following Resolution was introduced by Mrs. Vulcano:

173-2011

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

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

Nays: None (0)

A December 5, 2011 memorandum regarding the Lafayette College Pierce Street Parking Lot Project was received from Joseph Mauro, City Engineer.

The next item on the Agenda was a proposed Resolution for approving a Developers Agreement and Stormwater Runoff Management Agreement with Lafayette College.

The following Resolution was introduced by Dr. Warner:

174-2011

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

Dr. Ruggles had questions regarding the amount of financial security that was required of Lafayette College in the Agreement.

Mr. George Xiques, a representative of Lafayette College said that he had recently sent a cost estimate of the Storm Water Management Agreement to the City Engineer and the cost of the work and the right-of-way was what was missing from the Developers Agreement. He said that one of the reasons that the information was missing was that the bank had yet to issue a letter of credit, but that it was forthcoming either at the end of this week or the beginning of next week and the letter would be mailed directly to the City, with a copy being sent to the College, and Mr. Mauro, the City Engineer would include that in the documents. He said that the missing figure had been transmitted to Mr. Mauro.

Mr. Xiques also said that the parking lot would be a private use lot and not opened for public use.

Dr. Ruggles asked that the plans be furnished to the City in some type of CAD format and on paper.

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

The next item on the Agenda was a proposed Resolution which would approve an Aerial Grant with Verizon Pennsylvania.

The following Resolution was introduced by Dr. Warner:

175-2011

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

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

The next item on the Agenda was a proposed Resolution which would set the Salaries and Wages to be paid to officers and employees during 2012.

The following Resolution was introduced by Mr. Brown:

176-2011

On motion of Mayor Panto and Mr. Fleck the above proposed Resolution was amended by increasing the salary for the Secretary to the Mayor from \$39,129 to \$42,766, and the probationary salary from \$37,989 to \$41,520, by the following vote:

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

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

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

The next item on the Agenda was a proposed Resolution which would set Financial Goals for the City.

The following Resolution was introduced by Mr. Brown:

177-2011

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

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

The next two items on the Agenda were proposed Resolutions which would designate a City Official and authorize that Official to execute forms for and on behalf of the City for PEMA forms for Hurricane Irene and Tropical Storm Lee.

The following Resolutions were introduced by Mr. Warren:

178-2011

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

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

The following Resolution was introduced by Mr. Warren:

179-2011

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

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

**CITIZENS RIGHT TO BE HEARD**

Connie Rice, 9 S. Sitgreaves, Apt. 2R, asked if a room would be available somewhere in the City where citizens could come to discuss different items that they were interested in.

Council members suggested that Ms. Rice take part in Council meetings, and Town Hall meetings held throughout the City, and Dr. Warner said that she would give Ms. Rice the name and phone number of a person involved in a group of citizens who get together and discuss government matters.

Mr. Steckman gave an update on all the Organizations that have benefited from the City Hall employees dress down days, and commended and thanked Rita Mess and Pat Glory for all of their work and dedication to this endeavor.

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Mayor Panto commended the Fire and Police personnel who took part the 2<sup>nd</sup> Annual Youth Wrestling Tournament which was held at Easton High School which benefited the Spring Garden Children's School on South Side.

Dr. Warner reminded everyone that December 17, 2011 was shop downtown for Safe Harbor Day which helps to raise money for the shelter.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:02 p.m. on the motion of Dr. Warner and Mrs. Vulcano by the following vote:

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

Nays: None (0)

Thomas A. Hess, City Clerk