

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

**April 22, 2009**

Easton, Pa.  
Wednesday  
April 22, 2009  
6:00 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.

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

## **ROLL CALL**

Present: Kenneth Brown  
Pamela Panto  
Roger Ruggles  
Sandra Vulcano  
Elinor Warner  
Jeffrey Warren  
Salvatore J. Panto Jr. (7)

Absent: None (0)

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

## **APPROVAL OF AGENDA**

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

Yeas: S. Panto, Warren, Warner, Vulcano, Ruggles, P. Panto, Brown (7)

Nays: None (0)

## **ACTION ON MINUTES**

The April 7, 2009 Council meeting minutes were approved as submitted on motion of Dr. Warner and Mrs. Vulcano by the following vote:

Yeas: Brown, P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto (7)

Nays: None (0)

## **PUBLIC'S RIGHT TO BE HEARD (Agenda Items Only)**

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There were no remarks from the audience.

**REPORTS RECEIVED BY COUNCIL**

There were no reports received by Council.

**REPORTS OF COMMITTEES**

Mr. Brown, Chairperson of the Administrative Committee spoke regarding legislation that would be before Council later in the meeting. He stated that the Finance Committee had met earlier. He stated that Chris Heagele, Finance Director will be appointed to the Northampton County Tax Collection Committee (TCC).

Mr. Heagele stated that the Committee discussed Act 32. He stated that there would be major revisions to the Easton Income Tax State Code as it relates to collections. The idea behind the Act was that it would consolidate the collection of Earned Income Tax which was now collected by various entities. He stated that the City's need was to gain an understanding of the Act and the requirements. He stated that his staff had attended a seminar at Lafayette College. Each political subdivision throughout Northampton County will appoint a representative to the TCC. The representative will help form a procedure in the way that Earned Income Taxes are collected by the County. He stated that the County had not yet set a date for its first meeting.

Dr. Ruggles stated that the City's Finance Committee had reviewed the budget for the first quarter and the entire committee was very impressed with both the revenues and expenditures side of the budget.

Mr. Brown said that he checked on some issues that would be affected with the changing of a street name. He stated that he checked with Northampton County, Recorder of Deeds Office and was told that the deed would not have to be changed but if the property was sold it must state in the legal description the former name of the street and the new name of the street.

Mr. Brown also spoke about doing something to honor Mr. Walt Mushlitz. He stated that it was previously suggested that an award or scholarship be created in his name or the possibility of naming a park after him. To date nothing has not been done. He stated that this issue has been directed to the Planning Committee to come up with a policy for the changing of names of Streets, Parks, Buildings, etc.

Mr. Warren asked Mr. Brown what was the reason was for renaming Reese Street.

Mr. Brown stated that he had been approached by several individuals regarding changing the name of Reese Street.

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Mayor Panto addressed Mr. Warren's question and explained that he felt that the City needed to have some criteria created in place in order to justify the change should the question be asked.

Mr. Brown also stated that he spoke with Mr. McFall, Attorney for the Easton Area School District regarding a name change for Vandever Playground. He stated that he liked the idea of possibly looking at other deserving people for naming of the new streets in the HOPE VI development.

There was some discussion on this matter.

Mrs. Vulcano, Chairperson of the Economic Development Committee spoke regarding legislation that would be before Council later in the meeting.

Mrs. Vulcano stated that she wanted to thank Mayor Panto and Director Gretchen Lippincott for all of their hard work in trying to get the KOZ passed.

Mrs. Vulcano stated that the Community Gardens were still being developed. She stated that there are a lot of neighborhood people involved in these projects.

Mrs. Vulcano stated that the Planning and Economic Development Committee Meeting scheduled for Tuesday, April 21, 2009 was cancelled and the next meeting is scheduled for May 26, 2009.

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

Mrs. Panto reminded everyone that Saturday, April 25, 2009 is the City Wide Bushkill Creek Clean-up and if anyone was interested in participating they could contact Becky Bradley.

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

Mr. Warren also thanked the Administration for their work on the KOZ issue. He stated that he sent letters of thanks to the school board members who initially voted to approve the KOZ request.

Mayor Panto said that he also sent letters.

Mrs. Vulcano stated that she spoke to some of the members of the school board and tried to persuade them to vote for the KOZ.

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Dr. Warner, Chairperson of the Public Works Committee spoke regarding legislation that would be before Council later in the meeting.

Dr. Warner congratulated the City of Easton on being named “Tree City USA” for the 10<sup>th</sup> year in a row. She reminded everyone that Arbor Day is scheduled for Saturday, May 2, 2009 in Center Square. She stated that the Public Works Committee Meeting is scheduled for Wednesday, May 13, 2009.

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

Dr. Ruggles reminded everyone that the next meeting of the Strategic Planning Committee meeting is scheduled for May 12, 2009.

Mr. Murphy, City Solicitor had no report.

Ms. Knickerbocker, Asst. City Solicitor had no report.

Mayor Panto reported that he attended a meeting in Harrisburg. He stated that one of the topics discussed was that the state would now require fire sprinkler systems in all new homes.

There was some brief discussion on the sprinkler issue.

Mayor Panto stated that there are four gathering places for the Bushkill Creek Clean-up and related what those sites were.

Mr. Ruggles advised everyone to be careful of the Poison Ivy along the Bushkill during the clean-up.

Mayor Panto stated that the City applied for a state grant for the McKeen Park. He said that South Side have all of their Memorial Day and Veterans Day services, at the park, and felt that the park was in need of “sprucing up”.

Mayor Panto stated that the Community Gardens were being worked on this Saturday and a Walking Tour of the Bushkill Trail will be given at 1:00. He stated that the Pub Crawl starts at 3:00 beginning at Larry Holmes Ringside. Mayor Panto said that Sunday is the Block Party on College Hill – near the College.

### **UNFINISHED BUSINESS**

Action on Legislative Bills:

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Bill No. 53, (Ordinance 5199) An Ordinance providing that Exhibit "A" of the 1976 Agreement, as amended by the 1988 Agreement, by and between the Easton Area Joint Sewer Authority and its member municipalities is hereby amended to include as common use facility the following sewer line: Adamson Street Sewer Line between forethought alley (Mary's Alley) and the intersection of Keystone Avenue and Seventh Street, was adopted on motion of Dr. Warner and Mrs. Panto by the following vote:

Yeas: Brown, P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto (7)

Nays: None (0)

Ordinance No. 5199 provides and amendment to Exhibit "A" of the 1976 Agreement as amended by the 1988 Amending Agreement with the Easton Area Joint Sewer Authority.

Bill No. 54, Amending Section 410-2 Peace Nuisances, of Chapter 410, Peace and Good Order, of the Code of the City of Easton, Pa. was moved by Mr. Warren.

After a lengthy discussion Bill No. 54 was amended by changing the wording of proposed Section N to read as follows; "Only youth under the age of fourteen may use the playground and its facilities unless there is an organized event such as Weed and Seed's Summer Nights or unless supervised by a parent or legal guardian on motion of Mr. Warren and Dr. Ruggles, by the following vote:

Yeas: P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto, Brown (7)

Nays: None (0)

Ordinance 5200 amends Section 410-2 Peace Nuisance of the Code of the City of Easton, by adding a Section N dealing with age limitation for use of Centennial and Vandevere Playgrounds.

**CORRESPONDENCE**

There was no correspondence.

**NEW BUSINESS**

Introduction of Legislative Bills:

The next item on the Agenda was a proposed Resolution authorizing the planting of a tree in memory of Nadine Loane at Centennial Playground.

The following Resolution was introduced by Mr. Brown:

62-2009

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

Yeas: Ruggles, Vulcano, Warner, Warren, S. Panto, Brown, P. Panto (7)  
Nays: None (0)

An April 15, 2009 letter, regarding a request to approve Certificates of Appropriateness was received from Christine Ussler, R.A.

The next six items on the Agenda were proposed Resolutions that would approve Certificates of Appropriateness for 112 S. 5<sup>th</sup> Street, 125 Northampton Street, 140A Northampton Street, 325-327 Northampton Street, 516 Northampton Street, and 524 Northampton Street.

The following Resolution was introduced by Mrs. Panto:

63-2009

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

Yeas: Vulcano, Warner, Warren, S.Panto, Brown, P. Panto, Ruggles (7)  
Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

64-2009

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

Yeas: Warner, Warren, S. Panto, Brown, P. Panto, Ruggles, Vulcano (7)  
Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

65-2009

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

Yeas: Warren, S. Panto, Brown, P. Panto, Ruggles, Vulcano, Warner (7)  
Nays: None (0)

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The following Resolution was introduced by Mrs. Panto:

66-2009

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, Warner, Warren (7)

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

67-2009

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

Yeas: Brown, P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto (7)

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

68-2009

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

Yeas: P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto, Brown (7)

Nays: None (0)

A memorandum dated April 14, 2009 regarding a request to approve agreements with various companies for road materials was received from Scott Klabunde, Purchasing Agent.

The next four items on the agenda were proposed Resolutions that would approve agreements with ABE Materials – Easton, a Division of Haines and Kibblehouse, Inc., Hansen Aggregates Pennsylvania LLC, Eastern Industries, Inc. and Belvidere Sand & Gravel – Division of Lehigh Valley Site Contractors for road materials.

The following Resolution was introduced by Dr. Warner:

69-2009

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

Yeas: Ruggles, Vulcano, Warner, Warren, S. Panto, Brown, P. Panto (7)

Nays: None (0)

The following Resolution was introduced by Dr. Warner:

70-2009

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

Yeas: Vulcano, Warner, Warren, S. Panto, Brown, P. Panto, Ruggles (7)

Nays: None (0)

The following Resolution was introduced by Dr. Warner:

71-2009

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

Yeas: Warner, Warren, S. Panto, Brown, P. Panto, Ruggles, Vulcano (7)

Nays: None (0)

The following Resolution was introduced by Dr. Warner:

72-2009

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

Yeas: Warren, S. Panto, Brown, P. Panto, Ruggles, Vulcano, Warner (7)

Nays: None (0)

A memorandum dated April 14, 2009 regarding a request to approve an agreement with Dynamic Surface Application, LTD, was received by Joe Mauro, City Engineer.

The following Resolution was introduced by Dr. Warner.

73-2009

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

Yeas: S. Panto, Brown, P. Panto, Ruggles, Vulcano, Warner, Warren (7)  
Nays: None (0)

A memorandum dated April 13, 2009 regarding the Larry Holmes Drive Turnback Resolution was received by David Hopkins, Director of Public Works.

The following Resolution was introduced by Dr. Warner.

74-2009

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

Yeas: Brown, P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto (7)  
Nays: None (0)

The next item on the agenda is a Resolution authorizing the filing of an application for a Grant for the Farmer's Market.

The following Resolution was introduced by Sandra Vulcano.

75-2009

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

Yeas: P. Panto, Ruggles, Vulcano, Warner, Warren, S. Panto, Brown (7)  
Nays: None (0)

An undated memorandum, regarding a Payroll Data Analyst position was received from Chris Heagele, Finance Director.

The next item on the agenda is a request to amend the Salary and Wage Ordinance, by adding a Payroll Data Analyst position.

The following Resolution was introduced by Kenneth Brown.

76-2009

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

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

Nays: Warner (1)

**CITIZEN'S RIGHT TO BE HEARD**

Mr. Andrew Semanich of 369 Berkley Street stated that he was a student at Easton Area High School and was attending the council meeting for a history assignment.

Mr. Nathan Salamone of 2124 Gruver stated that he was a student at Easton Area High School and was attending the council meeting for a history assignment.

Mr. Mark Mulrine, an official of the Shad Tournament, stated that this was the 27<sup>th</sup> year for the tournament and that this is the largest Shad Tournament in the world. He stated that the tournament starts on Friday, April 24, 2009 at 12:01 a.m. He also stated that the Doo Dah Parade still has openings if anyone is interested. He said that donations are down but that registrations are fair. He said that the tournament also gives out about \$12,000 in cash prizes, and thanked everyone for their assistance.

Mr. Warren Butler, 117 S. 5<sup>th</sup> Street stated to Council that he was upset about the Community Gardens being put on a lot across the street from his house. He said that several other neighbors are also not happy with this.

Mayor Panto asked Mr. Butler what his opposition was regarding the Community Gardens.

Mr. Butler stated that he liked the view of downtown and the grassy area. He did not want to look at a fence that was just approved for the site at tonight's meeting.

Mayor Panto stated that he would like to see Community Gardens all over the city. The Mayor said that things like this bring neighborhoods together.

There was some brief discussion on this matter.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:13 p.m. on motion of Dr. Warner and Mr. Warren by the following vote:

Yeas: S. Panto, Warren, Warner, Vulcano, Ruggles, P. Panto, Brown (7)

Nays: None (0)

Rita M. Messa, Asst. City Clerk