

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

August 22, 2012

Easton, Pa
Wednesday
August 22, 2012
6:00 p.m.

City Council met in stated session at the above date and time, in Council Chambers, 6th Floor of City Hall, One South Third Street to consider any business that may lawfully be brought before the body, and to conduct the first Public Hearing regarding the 2013 CDBG Program.

The invocation was given by Mr. Brown followed by the Pledge of Allegiance.

ROLL CALL

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

Also in attendance were Thomas Hess, City Clerk, William Murphy, City Solicitor, Joel Scheer, Assistant City Solicitor, and Glenn Steckman, City Administrator. There were approximately fifty to sixty people present throughout the night.

APPROVAL OF AGENDA

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

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

ACTION ON MINUTES

On motion of Mrs. Vulcano and Dr. Warner the August 8, 2012 Council Meeting minutes were approved as submitted, by the following vote:

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

PRESENTATION **DESIGNATION OF CHIEF FIRE OFFICER**

Mayor Panto said that Fire Chief John Bast had successfully completed the process to award him the professional designation of Chief Fire Officer. He then explained what all that entailed and how Chief Bast was awarded the title from the Commission on Professional Credentialing.

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Mayor Panto said that Chief Bast was the first Fire Chief in the Lehigh Valley to attain the designation, and was only one of 880 Chief Fire Officers worldwide, and one of 22 Chief Fire Officers in Pennsylvania.

Mayor Panto commended the Fire Department for their service to the Community, their professionalism that was led by a professionalism staff.

Chief Bast was called forward and presented with a framed Certification of designation as Chief Fire Officer.

Chief Bast thanked everyone for their attendance at the meeting, his family for their support, the City administration for their assistance, and recognized persons in attendance that assisted him with attaining the designation. He also spoke regarding the professionalism of the Fire Department and on their work to become nationally accredited

Mr. Warren and Mr. Brown congratulated the Chief and offered comments regarding the Fire Department.

Mr. Robert Renaldi, Business Representative of the International Brotherhood of Electrical Workers, and a representative of the Lehigh Valley Builders Trade came forward, thanked the City for their support of Local Labor, and said that his organization was ready and available to assist the City with the Peace Candle.

Mayor Panto thanked Mr. Renaldi for his offer, and said that the Easton Coach Company had already donated \$1,000 toward the reconditioning of the Peace Candle, and said that other people have volunteered their services towards reconditioning the candle.

PUBLIC HEARING

2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

At 6:13 p.m. Mayor Panto turned the meeting over to Mrs. Vulcano to conduct the Public hearing regarding the 2013 CDBG Program.

Mrs. Vulcano read the following:

“The purpose of this evening’s hearing is to evaluate the performance of the 2012 Community Development Block Grant program and to assess the community’s needs for 2013. Citizen input on the CDBG program is encouraged and any questions which may be raised by the Public or City Council will be addressed. First Gretchen Longenbach, Executive Director of the Redevelopment Authority will give a brief overview of the 2012 CDBG expenditures to date. Next community groups, which have submitted applications for funding, will be invited to make a presentation to Council. These applications have been reviewed and the activities

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proposed have been deemed eligible. Of the \$720,000 the City expects to receive from HUD for 2013, only \$108,000 may be awarded to Public Service activities per the 15% cap established by HUD. This year's application for public services totaled \$220,314."

Mrs. Vulcano call Ms. Longenbach forward to provide the overview of the City's 2012 CDBG expenditures, which she did.

Mrs. Vulcano call the requesting organizations forward to explain their requests for funds.

Project of Easton – Ms. Noreen Davis came forward and spoke regarding her organization's request for \$16,377 for their Student Success Program.

Easton Emergency Squad – No one was in attendance from this Organization.

Northampton County Historical and Genealogical Society – Ms. Barbara Kowitz came forward and spoke regarding her organization's request for \$60,000 to upgrade the Mixsell-Illick Museum complex.

Dr. Warner asked Ms. Longenbach if this request met the requirements for CDBG program funds.

Ms. Longenbach assured her that it did.

Neighbor Housing Services of the Lehigh Valley – Susan Gottwald came forward and spoke regarding her organization's request for \$5,000 for their Easton Home Ownership Outreach Program.

Easton Area Neighborhood Center – no one was in attendance from this Organization.

City of Easton Weed and Seed Program – Laura Accetta came forward and spoke regarding her organization's request for \$16,450 to implement a program to serve parents in the City regarding re-entry into the community from prisons, and for parenting skills.

Lehigh Valley Center for Independent Living – No one was in attendance from this Organization.

Boys & Girls Club of Easton – No one was in attendance from this Organization.

Easton Area Community Center – Anita Mitchell came forward and spoke regarding her organization's request for \$7,500 for their after school and summer day camp programs.

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Community Action League of the Lehigh Valley – Alan Jennings, came forward and spoke regarding his organization’s request for \$3987 for their Home Ownership Counseling Program; Foreclosure Mitigation Counseling Program and Mortgage Foreclosure Diversion Program.

City of Easton- Gretchen Longenbach came forward and spoke regarding the City’s request for \$988,000 for different programs.

Mrs. Vulcano said that \$720,000 in CDBG funds is anticipated for 2013 but that is not for certain. She asked all of Council to review the applications and to get their funding recommendations to Ms. Longenbach as soon as possible.

Mrs. Vulcano said that on October 10th, a second Public Hearing would be conducted to review the 2012 Consolidated Plan including the proposed CDBG allocations, and on October 24, 2011 at the regular Council meeting, the Resolution to adopt the Consolidated Plan for fiscal year 2012 would be introduced, and on or before November 12, the CDBG application will be made to HUD.

Mayor Panto said that he appreciated all of the services offered to the citizens by the different organizations with less funds, and that the allocation decisions would be very hard for Council members.

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

The Public Hearing was closed at 6:48 p.m.

CITIZENS RIGHT TO BE HEARD

Laura Accetta, Weed and Seed Coordinator spoke regarding the allocations of CDBG funds for needed people.

Mayor Panto responded to her comments.

REPORTS RECEIVED BY COUNCIL

The following Reports were received by Council:

- (a) Easton Fire Department Monthly Report for July 2012.
- (b) Easton Environmental Advisory Council 4 year report.

Mayor Panto accepted the above reports on behalf of Council.

REPORTS OF COMMITTEES

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Mr. Brown, Chairman of the Finance Committee spoke regarding legislation that he would have for later in the meeting regarding authorizing the incurrence of nonelectorial debt of the City by the issuance of its \$2,000,000 General Obligation Bond, Series of 2012 for the purpose of providing funds to finance Capital Projects and to currently refund the City's outstanding General Obligation Note.

Mr. Steckman reported that there was the word "Borough" in the Bond Agreement and that it should read "City".

Mrs. Vulcano, Chairman of the Economic Development Committee had no report.

Dr. Ruggles, Chairman of the Planning Committee, spoke regarding legislation that he would have for later in the meeting, regarding approving Certificates of Appropriateness for 6 properties in the Historic District.

Mr. Warren, Chairman of the Public Safety Committee, spoke regarding legislation that he would have for later in the meeting regarding amending the Meter Zone ordinance, for amending the Courthouse Area parking Permit ordinance, and for amending the Traffic Control map for creation of a No Parking zone on Lehigh Street between Union and 5th Streets.

Dr. Warner, Chairman of the Public Works Committee spoke regarding the Easton Environmental Council's report, and spoke regarding legislation that she would have for later in the meeting regarding approving a Sidewalk Maintenance Agreement with Penn DOT, approving an Extension Agreement with Hei-Low Inc., for development of 418 East Kleinmans Street, and for amending the Salary and Wage Resolution to add the positions of Park Ranger and Assistant Park Ranger at Hugh Moore Park and to set the salaries for those positions.

Mayor Panto spoke regarding the redevelopment being done by Hei-Low Inc.

Mr. Fleck, Chairman of the Administration Committee said that he had checked the Census numbers for the City and said that to keep the Voting Districts correct in the City, Ward 5 would have to be moved into District III, and asked the City Solicitor to draft an Ordinance for the September 12, 2012 Council meeting for introduction for this matter.

Mr. Murphy, City Solicitor and Mr. Scheer had no reports for Council.

Mayor Panto reported that he had made a presentation, regarding the increase in the Earned Income Tax, to Northampton County Council which was well received, reported that the Easton Farmers Market would be opened year round, and spoke regarding the latest shooting and a previous shooting in the West Ward.

UNFINISHED BUSINESS

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Bill 29, (Ordinance 5366) Amending 560, Attachment 1 – City of Easton, Table 1: Meter-Zones, of Chapter 560, Vehicles and Traffic, of the Code of the City of Easton, Pa. was adopted on motion of Mr. Warren and Dr. Ruggles by the following vote:

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

Nays: None (0)

Mayor Panto said that existing Ordinance called for \$.75 per hour in the downtown area, and called for \$1.00 an hour in the Courthouse area. He said that the \$1.00 an hour had been implemented but that the \$.75 an hour had not. He said that would remain the same until recommendations came forward from the Comprehensive Parking Plan.

Ordinance 5366, amends 560 Attachment 1 by adding meters on N. 5th Street, Ferry Street and Lehigh Street and setting the hours of the meters, and the days for meters and for enforcement of violators.

Bill No. 30, (Ordinance 5367) Amending Section 399-13, Jurisdiction, 399-14, Administration, and 399-15 C., Other regulations, of Article II Courthouse Area Parking Permits, of the Code of the City of Easton, Pa., was adopted on motion of Mr. Warren and Dr. Warner by the following vote:

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

Nays: None (0)

Ordinance 5367 amends Section 399-13, by adding Ferry Street, between Union Street and Walnut Street, odd addresses only, to the Courthouse Area Parking Permit area.

Bill No. 31, (Ordinance 5368) Amending Article III, Traffic Control Map of Chapter 560, Vehicles and Traffic of the Code of the City of Easton, Pa. was adopted on motion of Mr. Warren and Mr. Brown by the following vote:

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

Nays: None (0)

Ordinance 5368 creates a No Parking zone on both the North and South Sides of Lehigh Street between Union Street and 5th Street other than where metered parking is permitted.

CORRESPONDENCE

There was no correspondence received Council:

NEW BUSINESS

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An August 16, 2012 memorandum regarding a proposed budget amendment for Council's consideration was received from Chris Heagele, Director of Finance.

Bill No. 32, Amending the 2012 Recreation Fund Budget was introduced by Dr. Warner and ordered processed for adoption.

This Bill would amend the 2012 Recreation Fund Budget by increasing Revenues and Expenditures by \$21, 600.

An August 16, 2012 memorandum regarding a proposed Ordinance to incur debt was received from Chris Heagele, Director of Finance.

Bill No. 33, Authorizing the incurrence of non-electoral debt of the City of Easton by the issuance, of its \$2,000,000 General Obligation bond, Series of 2012 for the purpose of providing funds to finance Capital projects and to currently refund the City's outstanding General Obligation Note, was introduced by Mr. Brown and ordered processed for adoption..

This Bill would authorize the issuance of a \$2,000,000 General Obligation Bond.

At this time Mayor Panto provided a presentation and an announcement concerning the future of the former Two Rivers Landing Building and now home of the Crayola Experience.

Bill No. 34, Endorsing an Amendment to the Lease Agreement between the Greater Easton Development Partnership and McDonalds Corporation was introduced by Mayor Panto and ordered processed for adoption.

This Bill would endorse an Amendment to the Lease Agreement between the GEDP and McDonalds Corporation.

Bill No. 35, Approving an Extension Agreement with Hei-Low, Inc., was introduced by Dr. Warner and ordered process for adoption.

This Bill would approve an Extension Agreement with Hei-Low Inc., for development of the property at 418 East Kleinhans Street.

An August 22, 2012 memorandum regarding a proposed budget amendment to the General Fund was received from Chris Heagele, Director of Finance.

Bill 36, Amending the 2012 General Fund Budget was introduced by Mayor Panto and ordered processed for adoption.

This Bill would increase Revenues and Expenditures by \$100,000.

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Bill 37, Approving a Lease Agreement between the Greater Easton Development Partnership and Binney and Smith, LLC was introduced by Mayor Panto and ordered processed for adoption.

This Bill would approve a Lease Agreement between the Greater Easton Development Partnership and Binney and Smith LLC for the property at 30 Centre Square and authorizes a loan in the amount of \$200,000 from the City to the Greater Easton Development Partnership to be used toward the replacement of the HVAC System in the building.

An August 14, 2012 letter regarding Certificates of Appropriateness was received from Christine Ussler, AIA.

The next six items on the Agenda were proposed Resolutions which would approve Certificates of Appropriateness for 32 N. 2nd Street, 42 S. 3rd Street, 60 N. 4th Street, 123 S. 5th Street, 140 D Northampton Street and 466 Northampton Street.

The following six resolutions were introduced by Dr. Ruggles:

116-2012
117-2012
118-2012
119-2012
120-2012
121-2012

On motion of Dr. Ruggles and Mr. Warren all six above Resolutions were adopted by one vote by the following vote:

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

Nays: None (0)

An August 14, 2012 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 which would approve a Sidewalk Maintenance Agreement between the City and the Pennsylvania Department of Transportation for the PA 611 Bushkill Creek Bridge Project.

The following Resolution was introduced by Dr. Warner

122-2012

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

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

At 7:42 p.m., a recess was called to allow the City Solicitor and the City Clerk to draw up a Resolution that would Endorse an Amendment to a Lease Agreement.

At 7:58 p.m. the meeting was called back to order.

The next item on the Agenda was a proposed Resolution which would authorize the City to act as Agent for the building located at 30 Centre Square and to act as the liaison with Crayola Inc., in all matters pertaining to day to day operations, lease negotiations, etc with all approval by the GEDP.

The following Resolution was introduced by Mayor Panto:

123-2012

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

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

The next item on the Agenda was a proposed Resolution which would approve 2 new positions of Park Ranger and Assistant Park Ranger and salaries for those two positions.

The following Resolution was introduced by Dr. Warner:

124-2012

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

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

The next item on the Agenda was a proposed Resolution which would endorse an Amendment to the Lease Agreement between the GEDP and McDonalds Corporation, and the lease Agreement between the GEDP and Binney and Smith LLC for 30 Centre Square.

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The following Resolution was introduced by Mayor Panto:

125-2012

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

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

Nays: None (0)

CITIZENS RIGHT TO BE HEARD

Ann Nicodemus, 230 Ferry Street, Easton, Pa., read a statement from the Concerned Citizens group regarding the use of Glyphosate for defoliation on the Delaware River Bank; see attachment.

Mayor Panto responded to Ms. Nicodemus' comments and questions and read from an e-mail that he had received, from Director David Hopkins, regarding the defoliation of the Riverbank.

Dr. Warner said that the Easton Environmental Advisory Council would work with the group and the City on this concern.

Mr. Fleck said that he would draw up a Resolution for the next Council meeting which would voice Council's concern with the defoliation and cutting down of trees along the Rt. 22 corridor.

Llani Abraham, 207 Church Street, read from City Ordinances Section 595-165 regarding environmental control and said that the City violated its own ordinances and asked if the City was no subject to its own codes.

Mayor Panto said that the City recognized that what it did was harmful and that it would not happen again.

Ms. Abraham said that she was informed that her and her neighbors would have to remove their vegetable gardens from the sidewalk, and asked what the consequences would be if they did not remove them.

Mayor Panto explained what could be done.

Terry Craig, 426 Iron Street asked what can be done to test for this chemical in the river and in the City's and other municipalities' water supply.

Council members responded to Mr. Craig's comments and questions.

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Lisa Rochelle, 119 N. 2nd Street spoke regarding results of fracking and regarding river pollution.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:33 p.m. on the motion of Dr. Warner and Mr. Fleck by the following vote:

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

Nays: None (0)

Thomas A. Hess, City Clerk