

Minutes of the Council of the City of Easton, Pa.
February 23, 2011

Easton, Pa
Wednesday
February 23, 2011
6:00 p.m.

City Council met in stated session at the above date and time in the 6th Floor Conference Room of City Hall, One S. Third Street, Easton, Pa. to consider any business that may lawfully be brought before the body, and to conduct a Public Hearings regarding a request to transfer a Restaurant Liquor License from the Borough of Wilson into the City.

The invocation was given by Mayor Panto 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 A. Hess, City Clerk, William Murphy, City Solicitor, Joel Scheer, Assistant Solicitor, and Glenn Steckman, City Administrator There were eight other persons present.

APPROVAL OF AGENDA

On motion of Dr. Warner 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 Dr. Warner and Mr. Brown the February 9, 2011 Council Meeting and Public Hearing minutes were approved as submitted by the following vote:

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

PUBLIC HEARING
TRANSFER OF A RESTAURANT LIQUOR LICENSE FROM THE BOROUGH OF
WILSON INTO THE CITY OF EASTON

At this time a Public Hearing was held regarding a request by Attorney George Baurkot , on behalf of his client Mishjo LLC, to be allowed to transfer a Restaurant Liquor License from the Borough of Wilson to the City of Easton.

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Mayor Panto opened the hearing and turned it over to Mrs. Vulcano.

Mrs. Vulcano read the following statement:

“This hearing was requested by Attorney George Baurkot, on behalf of his client, Mishjo, LLC for an Intermunicipal transfer of a retail restaurant liquor license from the Borough of Wilson to 1031 Butler Street.

Attorney Baurkot 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.”

Mrs. Vulcano called on Attorney Baurkot to address Council.

Attorney Baurkot presented Council with the following items on behalf of his Client, Michael Relvas and spoke briefly on the items.

- A Liquor Control Board Certification of Completion application
- A Northampton County Print Out of property information for 1031 Butler Street the address of the proposed Restaurant.
- A Lease Agreement for the property situate at 1031 Butler Street.

Mrs. Vulcano asked for comments or questions from Council members.

Council members made comments and asked questions regarding the plans for the establishment, regarding what would happen with the existing Liquor License for the existing establishment, regarding the seating capacity for the establishment, and parking for the patrons, which were answered by Mr. Relvas and Attorney Baurkot.

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

There were no comments or questions from the audience.

Mrs. Vulcano closed the hearing.

After the hearing it was discovered that the City Clerk had failed to place a Resolution on the Agenda for approval of the transfer of the Liquor License.

On motion of Mrs. Vulcano and Mr. Warren the Agenda was amended by adding a Resolution which would approve the transfer of the Liquor License from the Borough of Wilson to the City of Easton, under New Business, by the following vote:

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

Nays: None (0)

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CITIZENS RIGHT TO BE HEARD (Agenda Items Only)

Matthew DiGirolamo, 2 Bennett Court, said that he would like to have a Public Hearing regarding the Historic District's recommendation to deny a Certificate of Appropriateness for window replacements at 2 Bennett Court at the next City Council meeting scheduled for March 9, 2011. He also presented Council with the following items:

- A scaled drawing, entitled "Exhibit A" of Bennett Court and the properties on the Court.
- Copies of Deeds for properties owned by the following persons on Bennett Court:
 1. Matthew DiGirolamo
 2. Kohler-Kheel Realty, LLC
 3. Nurture Nature Foundation
- Computer photo printouts of Bennett Court and properties on the Court

Mr. Murphy said that another hearing had to be held because there was a question on jurisdiction, which must be established for the number of windows that the Commission had jurisdiction over and the question of whether Bennett Court is a private or public right of way must be answered initially at the hearing which would give Council a basis for their determination.

REPORTS RECEIVED BY COUNCIL

The following report was received by Council.

- (a) Monthly Fire Report for January 2011.

Mayor Panto accepted the above report on behalf of Council.

REPORTS OF COMMITTEES

Mr. Brown, Chairman of the Finance Committee reported that a Finance Committee meeting would be held on Tuesday, March 8, 2011 at 6:00 p.m., said that Mr. Steckman would be making a presentation, and spoke regarding legislation which would be before Council later in the meeting.

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

Mayor Panto reported that the Lehigh Valley Economic Development Corporation puts together a list of the priority projects in the Lehigh Valley for the Federal Government Economic Development Authority and said that the Corporation has named the Simon Silk Mill

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Project as the number one priority project for the Lehigh Valley for 2011, which may mean more funds for the project.

Dr. Ruggles, Chairman of the Planning Committee reported on legislation that would be before Council later in the meeting

Mr. Warren, Chairman of the Public Safety Committee reported that a Public Safety meeting had been held on February 22, 2011 and related what had been discussed, and spoke regarding legislation that would be before Council later in the meeting.

Dr. Warner, Chairman of the Public Works Committee reported that a Public Works Committee meeting would not be held on March 8, 2011, but related what had been discussed at the last Committee meeting. She also announced that Street Cleaning would begin on April 1, 2011 and that warning notices would be given out to parkers during the first two weeks in April and that any violators, after that time, would receive parking fines. She spoke regarding legislation that would be before Council later in the meeting.

There was a short discussion on the replacement of water mains and water service laterals in the downtown.

Mr. Fleck, Chairman of the Administration Committee spoke regarding a Television Program that he took part in and related what had been discussed.

Mr. Murphy, City Solicitor, had no report.

Mayor Panto showed the color scheme that would be used in the new Council Chambers, and said that the proposed carpet would be changed because of the high cost, and spoke regarding the chairs for the Council table, and the microphones to be used at the Council table and on the podium.

UNFINISHED BUSINESS

Bill No. 1, (Ordinance 5300) Amending Section 56-34, Snow Emergency Routes Designated, of Article IX, Snow and Ice Emergency, of Chapter 560, Vehicles and Traffic of the Codes of the City of Easton, Pa., was adopted on motion of Mr. Warren and Mr. Fleck by the following vote:

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

Nays: None (0)

Ordinance 5300 eliminates Parsons Street, between Cattell Street and Porter Street, Reynolds Street, between Wilkes Barre Street and Line Street, Union Street, between Washington Street

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and Ferry Street and Walnut Street, between Ferry Street and Northampton Street as Snow Emergency Routes.

Bill No. 2, (Ordinance 5301), Amending Ordinance No. 5291, 2011 General Fund Budget was adopted on motion of by Mr. Brown and Dr. Warner by the following vote:

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

Ordinance 5301 amends the 2011 General Fund Budget by increasing Revenues and Expenditures by \$19,280.00.

CORRESPONDENCE

The following correspondence was received by Council:

- (a) Susan Koss, CPA, Financial Statements, Auditors' Report and Supplementary Information for the Easton Area Public Library.
- (b) Redevelopment Authority, Financial Statement Audit for 2009.

NEW BUSINESS

A February 11, 2011 memorandum, regarding a request for a Handicapped Parking Sign Waiver was received from Thomas A. Hess, Secretary for the Board of Health.

The next item on the Agenda was a proposed Resolution which would waive the requirements of Subsection G of Section 560-61 of the City Codes and authorize the placement of a third Handicapped Parking Sign in the 600 block of W. Wilkes Barre Street.

The following Resolution was introduced by Dr. Ruggles:

20-2011

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

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

A February 15, 2011 letter regarding Certificates of Appropriateness was received from Christine Ussler, AIA.

The next five items on the Agenda were five proposed Resolutions for approving Certificates of Appropriateness for 137 N. 2nd, 123 & 181 S. 3rd, 247 321, and 403 Northampton Streets.

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As there being no objections to approving Certificates of Appropriateness for the five above addresses, voting for all five addresses were approved by one vote:

The following Resolutions were introduced by Dr. Ruggles:

21-2011
22-2011
23-2001
24-2011
25-2001

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

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

A February 16, 2011 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 for the approval of an Agreement for Professional Services with Culbertson Restoration.

The following Resolution was introduced by Dr. Warner:

26-2011

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

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

The next item on the Agenda was a proposed Resolution for the approval of an Agreement for Professional Services with McTish, Kunkel & Associates.

The following Resolution was introduced by Dr. Warner:

27-2011

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

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

A February 17, 2011 memorandum regarding a Karl Stirner Arts Trail Sign Contract was received from Beck Bradley, Director of Planning and Codes.

The next item on the Agenda was a proposed Resolution which would approve an Agreement for Sign Fabrication with ColorAd Signs.

The following Resolution was introduced by Dr. Ruggles:

28-2011

The above Resolution was adopted on motion of Dr. Ruggles and Mr. Brown 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 approve an amendment of an application to the U.S. Economic Development Administration to reflect a joint filing for funds with the Redevelopment Authority of Easton for grant funds.

The following Resolution was introduced by Mrs. Vulcano:

29-2011

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

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

The next item on the Agenda was a proposed Resolution that would approve the transfer of a Liquor License from the Borough of Wilson to the City of Easton.

The following Resolution was introduced by Mrs. Vulcano:

30-2011

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

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

The next item on the Agenda was a proposed Resolution which would deny a Certificate of Appropriateness for 456 Northampton Street.

The following Resolution was introduced by Dr. Ruggles:

31-2011

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

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

The next item on the Agenda was a proposed Resolution which would deny a Certificate of Appropriateness for 2 Bennett Court.

The proposed Resolution was introduced by Dr. Ruggles and Mr. Warren

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

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

CITIZENS RIGHT TO BE HEARD

Salvatore Pugliese, 2225 Hackett Avenue, spoke regarding the lack of Police protection for himself and his property.

Mayor Panto said that he would check into one of Mr. Puglisi's concerns, and referred him to the Magisterial District Judge on his other concerns.

ADJOURNMENT

With no further business, the meeting was adjourned at 6:59 p.m. on the motion of Mr. Fleck and Mrs. Vulcano by the following vote:

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

Thomas A. Hess, City Clerk