

**Minutes of the Council of the City of Easton, Pa.  
January 23, 2013**

Easton, Pa  
Wednesday  
January 23, 2013  
6:00 p.m.

City Council met in stated session at the above date and time, in Council Chambers, One S. Third Street to consider any business that may lawfully be brought before the body.

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

**ROLL CALL**

Present: Brown, Ruggles, Vulcano, Warner, (Phone), Warren, Panto (6)  
Absent: Fleck (1)

Also in attendance were Rita Messa, Assistant City Clerk, William Murphy, City Solicitor, Joel Scheer, Assistant City Solicitor and Glenn Steckman, City Administrator. There were twenty-six other persons present.

**APPROVAL OF AGENDA**

On motion of Mr. Brown and Mrs. Vulcano, the Agenda was approved by the following vote:

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, Panto (6)  
Nays: None (0)

**ACTION ON MINUTES**

On motion of Dr. Warner and Dr. Ruggles the January 9, 2013 Council Meeting minutes were approved as submitted by the following vote:

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, Panto (6)  
Nays: None (0)

**RESOLUTION**

The next item on the Agenda was a proposed Resolution recognizing the death of Joseph J. Mauro, a former Police Sergeant and City Clerk.

The following Resolution was introduced by Mayor Panto:

11-2013

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

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

Nays: None (0)

All Council members offered words regarding Mr. Mauro's service and dedication to the City its employees and its citizens.

Mr. Mauro's daughter was presented with a framed Resolution.

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

Mr. Scott Kindred, 7769 Little Creek Road, Martins Creek, Pa., and owner of the property situated at 37-43 N. Fourth Street, the property that the City was intending to seize under eminent domain, spoke and asked questions regarding the proposed parking deck that would be built at 37-43 N. Fourth Street, and behind another property on N. Fourth Street, the condemnation of 37-43 N. Fourth Street, an alternative approach, the disconnect between the City Administration and the residents of the City, and the Parking Study that had been done on the downtown area of the City..

Mr. Kindred's questions were answered by Mayor Panto. The Mayor said that on advice of the City Solicitor he would limit the answers to Mr. Kindred questions because of the adversarial comments made by Mr. Kindred in public.

Mr. Kindred asked Mr. Murphy to explain the basis or the proper forum for the condemnation procedures.

Mr. Murphy addressed Mr. Kindred's concerns in part and advised Mr. Kindred to contact an Attorney for legal advice.

Mayor Panto and other Council members responded to Mr. Kindred's comments.

Mr. Kindred asked Mayor Panto if he would be willing to table the proposed legislation that would allow the Mayor to appropriate certain plots of ground, particularly 37-43 N. Fourth Street.

Mayor Panto said that would entertain tabling that Bill, later in the meeting, until February 13<sup>th</sup> to allow for discussions between the City and Mr. Kindred.

Mrs. Susan Huxley, 67 N. 4<sup>th</sup> Street, spoke regarding Council's proposal to take 37-43 N. Fourth Street, regarding the safety, security and maintenance of the lot, and the parking spaces

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on the 300 of Church Street, and asked the City to wait to purchase the lot until the need for parking was real.

Mayor Panto responded to Ms. Huxley's comments.

**REPORTS RECEIVED BY COUNCIL**

The following reports were received by Council:

(a) The monthly Fire Department Report for December 2012.

Mayor Panto accepted the above report 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 establishment of a 2012 and 2013 budget for the Open Space & Parks Budget for amending the 2013 Salary and Wage Resolution to reflect a correction for the salary of the Grant/Project Field Coordinator, for amending different fees in the Fee Ordinance, for amending the title of the City Treasurer to the Director of Finance in Sections 535-74 and 535-75 in the City Codes, for approving a Stipulation of Counsel for 301 and 303 Northampton Street, for authorizing the City Administrator or the Finance Director to purchase electric through the Pennsylvania Municipal League, for approving an application for a Tax Deferral for the payment of the City Residence and Per Capita Tax, and for approving borrowing for the purchase of credit card parking meters.

Mrs. Vulcano, Chairman of the Economic Development Committee spoke regarding legislation that she would have for later in the meeting regarding amending 2012 Community Development Block Grant Program funds.

Dr. Ruggles, Chairman of the Planning Committee, spoke regarding legislation that he would have for later in the meeting for approving the placement of a fourth Handicapped Parking Space in the 1000 block of Lehigh Street, for approving three Certificates of Appropriateness for 118 and 120 Northampton Street and 214 Spring Garden Street, for approving a grant application for a Certified Local Government program Grant to support the historic preservation aspects of the City's Comprehensive Plan Rewrite, and for approving a Contract with Artefact for professional Historic Preservation Consulting Services.

Mr. Warren, Chairman of the Public Safety Committee reported that a Public Safety Committee meeting had been held on January 22, 2013, and that School Safety had been discussed. He also spoke on legislation that he would have for later in the meeting regarding the paying of traffic tickets within twenty-four hours of the violation.

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Dr. Warner, Chairman of the Public Works Committee spoke regarding legislation that she would have for later in the meeting regarding Amending Sections in the Zoning code for the new proposed Solar Ordinance, regarding approving a contract with the Easton Women's Softball League for the use of Hackett Park baseball fields. She reported that the Public Works Committee would meet on February 12, 2013 at 6:00 p.m., and at that meeting the 2013 Public Works Project schedule would be presented by Mr. Hopkins. .

Mr. Brown and Dr. Ruggles reported that an Administration Committee meeting and a Planning Committee meeting would also be held on February 12, 2013.

Mr. Fleck, Chairman of the Administration Committee was absent.

Mr. Murphy, City Solicitor and Mr. Scheer, Assistant Solicitor had no report. He said that later in the meeting Council would enter into an Executive Session and that pending litigation would be discussed.

Mayor Panto informed everyone that the Administration was working, along with the Mayors Against Illegal Guns and Cease Fire Pa. and reported that they had held a press conference earlier in the day at the State Capital. He reported that on January 16, 2013 he was in Washington DC and had participated in a march on the Capital regarding illegal weapons. He reported that in March the City would take part in a forum to address the cultural of violence.

Mrs. Vulcano asked how much funds were available for City Special Events.

Mayor Panto said that there was \$10,000 available. He said that this matter would be discussed and voted upon at the February 13, 2013 Council meeting.

Mr. Steckman said that there was a question on the difference in calls reported in the last Monthly Fire Report and said that the difference was as of a result of the hurricane in October. He also thanked RCN Cable Television Company for removing wires throughout the City which were not being used. He said that proposed legislation that was before Council regarding Parking and Fines were a direct result of public input that was used in the parking plan.

Dr. Warner asked if there were meters in operation that in some areas were requiring \$1.00 an hour and some were requiring \$.50 per hour.

Mr. Steckman said some new meters had been placed out in the City, but had been taken out of service. He said that he and the Mayor had been working on a plan which would be discussed with the different business organizations before the new meters and times are in affect.

Council members made comments on the meter cost matter.

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Dr. Ruggles publicly thanked the Pennsylvania Department of Transportation for the replanting of trees along the Bushkill Trail.

**UNFINISHED BUSINESS**

Bill No. 1, (Ordinance 5387) Amending Sections in Chapter 520, Subdivision and Land Development of the Codes of the City of Easton, Pa., was adopted on motion of Dr. Warner and Mr. Warren by the following vote:

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, Panto (6)  
Nays: None (0)

Ordinance 5387 amends Section 520-37 B (8) and (9) of Chapter 520 for the proposed Solar Energy System Regulations.

Bill No. 2, (Ordinance 5388) Adding Subsections, Sections and amending attachments to Chapter 595, Zoning, of the Code of the City of Easton, Pa., was adopted on motion of Dr. Warner and Mr. Warren by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown (6)  
Nays: None (0)

Ordinance 5388 amends Chapter 595 by amending Section 595-36 I, adding Sections 595-271 through 595-278, and by amending Attachment 1, Table of Uses by Zoning District.

Bill No. 3, Authorizing the Mayor of the City of Easton to select and appropriate certain plots of ground with improvements thereon for public purposes for improvements and construction for a public parking facility, was tabled, until the February 13, 2013 council meeting, on motion of Mayor Panto and Dr. Warner by the following vote:

Yeas: Vulcano, Warner, Warren, Panto, Brown, Ruggles (6)  
Nays: None (0)

This Bill would authorize the Mayor to select and appropriate 37-43 N. Fourth Street, and authorize the city Solicitor prepare and file with the appropriate court a declaration of taking to be executed by the Mayor.

Bill No. 4, (Ordinance 5389) Providing Revenues and Appropriating Specific Sums to be required for the Open Space & Parks Budget during the Fiscal Year 2012 was adopted on motion of Mr. Brown and Dr. Warner by the following vote:

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Yeas: Warner, Warren, Panto, Brown, Ruggles, Vulcano (6)  
Nays: None (0)

Ordinance 5389 establishes an Open Space & Parks Budget for 2012.

Bill No. 5, (Ordinance 5390) Providing Revenues and Appropriating Specific Sums to be required for the Open Space & Parks Budget during the Fiscal Year 2013 was adopted on motion of Mr. Brown and Mrs. Vulcano by the following vote:

Yeas: Warren, Panto, Brown, Ruggles, Vulcano, Warner (6)  
Nays: None (0)

Ordinance 5390 establishes an Open Space & Parks Budget for 2013.

**CORRESPONDENCE**

The following correspondence was received by Council.

1. Two Rivers Council of Government Audit Committee Report.

**NEW BUSINESS**

A January 23, 2013 memorandum regarding amendments to the Planning and Zoning Code was received from Becky Bradley, Director of Planning and Codes.

Bill 6, Amending Subsections in Section 285-42, Parking Garage Fees of Section 285-5 Construction, Chapter 245, of Chapter 285 Fees of the Code of the City of Easton, pa., was introduced by Mr. Brown and ordered processed for adoption.

This Bill would amend fees in the fee schedule for returned checks, removing research fees, amending fees for the Parking Garage and for fees for construction.

A January 8, 2013 e-mail regarding fee amendments was received from Police Lieutenant Matthew Lohenitz.

Bill 7, Amending Sub-Section 560-69 A (2) (d) of Section 560-49 Violations and penalties of Chapter 560, Vehicles and Traffic, of the Code of the City of Easton, pa., was introduced by Mr. Warren and ordered processed for adoption.

This Bill would decrease the overtime parking fines if paid within twenty-four hours of the violation or before 4:00 p.m. on the next business day.

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Bill No 8, Amending Sections 535-74 and 535-75, of Chapter 535 Taxation of the Code of the City of Easton, Pa. was introduced by Mr. Brown and ordered processed for adoption.

This Bill would amend the two sections by changing the title City Treasurer to Director of Finance.

A January 9, 2013 memorandum regarding reappointments to the Easton Suburban Water Authority was received from Mayor Panto.

The next item on the Agenda was a proposed Resolution which would approve the reappointments of Timothy Cain and Donald Lockard to the Easton Suburban Water Authority.

The following Resolution was introduced by Mayor Panto:

12-2013

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

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

Nays: None (0)

A January 11, 2013 memorandum regarding a Handicapped Sign Waiver was received from Thomas A. Hess, secretary to the Board of Health.

The next item on the Agenda was a proposed Resolution which would waive the requirements of the City Code and authorize the placement of a fourth Handicapped Parking Sign on the 1000 block of Lehigh Street.

The following Resolution was introduced by Dr. Ruggles:

13-2013

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution to amend the 2013 Salary and Wage Resolution to reflect a correction for the salary of the Grant/project/Community Field Coordinator

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The following Resolution was introduced by Mr. Brown:

14-2013

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

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

Nays: None (0)

The next three items on the Agenda were proposed Resolutions for approval of Certificates of Appropriateness for selective demolition of materials for 118 and 120 Northampton Street and for repair work for the chimneys at 214 Spring Garden Street.

The following Resolution was introduced by Dr. Ruggles:

15-2013

16-2013

17-2013

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

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

Nays: None (0)

A January 10, 2013 memorandum regarding a Certified Local Government Grant & a Contract for Historic Preservation Consulting Services was received from Becky Bradley, Director of Planning and Codes.

The next item on the Agenda was a proposed Resolution which would authorize the filing of an application for a Certified Local Government Grant in the amount of \$15,000.

The following Resolution was introduced by Dr. Ruggles:

18-2013

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

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

Nays: None (0)

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The next item on the Agenda was a proposed Resolution which would approve a Contract for Professional Services with Artefact Inc. for professional Historic Preservation Consulting Services at a cost not to exceed \$15,000.

The following Resolution was introduced by Dr. Ruggles:

19-2013

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

Yeas: Panto, Brown, Ruggles, Vulcano, Warner, Warren (6)  
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve an Agreement with the Easton Women's Softball League to utilize Bob Rute Fields 1 & 2 located in Upper Hacketts Park for 2013.

The following Resolution was introduced by Dr. Warner:

20-2013

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

Yeas: Brown, Ruggles, Vulcano, Warner, Warren, Panto (6)  
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve a Stipulation of Counsel for property designated as Tax parcel map Nos. L9SE2A 11 5 0310 appeal of VP Suburban P.A. emerald LLC.

The following Resolution was introduced by Mr. Brown:

21-2013

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

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown (6)  
Nays: None (0)

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The next item on the Agenda was a proposed Resolution which would authorize the City Administrator and/or the Director of Finance to sign a purchase agreement for up to four years to purchase electric through the Pennsylvania Municipal League purchasing co-op from Constellation New Energy.

The following Resolution was introduced by Mr. Brown:

22-2013

Mr. Steckman said that the City had just received its 24 hour bid, and reported that the City's Street Light bill would go down by kilowatt hours which was currently .0558 and would be reduced, if the bid price is accepted, to .0421, the general account for energy will go from .0676 to .0585 and the Administration expects to save approximately between \$70,000 to \$100,000 over the next four (4) years from our current rates.

Mayor Panto said that was one of the benefits of belonging to the Pennsylvania Municipal League.

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would amend the City's Community development Block Grant program for the 2012 program year.

The following Resolution was introduced by Mrs. Vulcano:

23-2013

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

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

Nays: None (0)

An Application for a Tax Deferment for the year 2012 was received from Lester Bartholomew:

The next item on the Agenda was a Resolution which would approve a Tax Deferment for Lester Bartholomew.

The following Resolution was introduced by Mr. Brown:

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24-2013

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

There was a discussion on doing this publicly, between Council, Mr. Murphy and Mr. Heagele.

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve the borrowing from the General Fund to purchase credit card meters and to repay with an interest rate of 1.5%

The following Resolution was introduced by Mr. Brown:

25-2013

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

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

Nays: None (0)

**CITIZENS RIGHT TO BE HEARD**

There were no remarks from the audience.

**EXECUTIVE SESSION**

At 7:07 p.m. Council entered into an Executive Session to discuss pending litigation.

At 7:50 p.m. the meeting was called back to order.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 7:51 p. m. on the motion of Dr. Ruggles and Mr. Warren by the following vote:

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

Nays: None (0)

  
Rita Messa, Assistant City Clerk

CITY COUNCIL  
AGENDA

Stated Session  
Wednesday  
January 23, 2013  
6:00 P.M.

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. APPROVAL OF AGENDA
6. ACTION ON MINUTES – January 9, 2013 Council meeting minutes.
7. RESOLUTION – Death of Joseph J. Mauro
8. CITIZENS RIGHT TO BE HEARD – (Agenda Items Only)
10. REPORTS RECEIVED BY COUNCIL
  - (a) Monthly Fire Department Report for December.
11. ACCEPTING REPORTS ON BEHALF OF COUNCIL.
12. REPORTS OF COMMITTEES
  - (a) Finance (Kenneth Brown)
  - (b) Economic Development (Sandra Vulcano)
  - (c) Planning (Roger Ruggles)
  - (d) Public Safety (Jeffrey Warren)
  - (e) Public Works (Elinor Warner)
  - (f) Administration (Michael Fleck)
  - (g) Report of City Solicitor (Attorney William Murphy)
  - (h) Report of Mayor (Salvatore J. Panto Jr.)
13. UNFINISHED BUSINESS
  1. Bill No. 1, Amending Sections of Chapter 520 - Subdivision and Land Development
  2. Bill No. 2, Amending/Adding Sections of Chapter 595 – Zoning Code
  3. Bill No. 3, Authorizing Mayor to select and appropriate certain plots of ground.
  4. Bill No. 4, Providing Revenues and Appropriating Specific Sums for the 2012 Open Space & Parks Budget.
  5. Bill No. 5, Providing Revenues and Appropriating Specific Sums for the 2013 Open Space & Parks Budget.

14. CORRESPONDENCE

(a) Two Rivers Council of Governments Audit Committee Report.

15. NEW BUSINESS

(a) Introduction of Legislative Bills

1. Bill 6, Amending subsections in Chapter 285, Fees, of the Code of the City of Easton Pa.
2. Bill 7, Amending Sub-Section 560-69 A (2) of Section 560-69, Violations and Penalties of Chapter 560, Vehicles and Traffic of the Code of the City of Easton.
3. Bill 8, Amending Sections 535-74 and 535-75 of Chapter 535 Taxation of the Code of the City of Easton, Pa.

(b) Approving Reappointments to the Easton Suburban Water Authority.(R)

(c) Approving placement of a Fourth Handicapped Sign.(R)

(d) Amending the 2013 Salary & Wage Ordinance.(R)

(e) Approving a Certificate of Appropriateness for 118 Northampton Street.(R)

(f) Approving a Certificate of Appropriateness for 120 Northampton Street.(R)

(g) Approving a Certificate of Appropriateness for 214 Spring Garden Street.(R)

(h) Approving Application for a Certified Local Government Program Grant.(R)

(i) Approving a Contract with Artefact Inc.(R)

(j) Approving an Agreement with the Easton Women's Softball League.(R)

(k) Approving a Stipulation of Counsel.(R)

(l) Authorizing City Administrator to purchase electric.(R)

(m) Amending the 2012 CDBG Allocations.(R)

(n) Approving a Tax Deferment.(R)

(o) Approving borrowing for the purchase of Parking Meters.(R)

16. CITIZENS RIGHT TO BE HEARD - On any matter.

17. ADJOURNMENT