

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

March 25, 2009

Easton, Pa.
Wednesday
March 25, 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.

In lieu of an invocation a moment of silence was observed, followed by the Pledge of Allegiance

ROLL CALL

Present: Kenneth Brown (6:15 p.m.)

Pamela Panto

Roger Ruggles

Sandra Vulcano

Elinor Warner

Jeffrey Warren

Salvatore J. Panto Jr. (7) (6:15 p.m.)

Absent: None (0)

Also in attendance were Thomas A. Hess, City Clerk, William Murphy, City Solicitor, and Beth Knickerbocker, Assistant City Solicitor. There were thirteen other persons present in the audience.

APPROVAL OF AGENDA

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

Yeas: P. Panto, Ruggles, Vulcano, Warner, Warren, (5)

Nays: None (0)

ACTION ON MINUTES

The March 11, 2009 Council meeting minutes were approved as submitted on motion of Mr. Warren and Mrs. Panto by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, P. Panto (5)

Nays: None (0)

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

Minutes of the Council of the City of Easton, Pa.
March 25, 2009

There were no remarks from the audience.

REPORTS RECEIVED BY COUNCIL

The following report was received by Council:

(a) Fire Department February 2009 monthly report.

Mrs. Vulcano accepted the above report on behalf of Council.

REPORTS OF COMMITTEES

Mr. Brown, Chairman of the Finance Committee, was absent.

Mrs. Vulcano, Chairman of the Economic Development Committee reported that the KOZ requests would once again come before Council later in the meeting. She reported that the March combined Planning and Economic Development Committee meeting had been canceled and the next meeting is scheduled for April 21, 2009.

Mrs. Vulcano reported that at last night's Council Conference meeting Council received a HOPE VI project update from representatives of the Easton Housing Authority and the Developer

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

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

Council members and Mr. Murphy made comments and asked questions regarding Mr. Warren's proposed Resolution regarding the spending of Stimulus funds that would be received from the Federal government.

Mr. Warren reported that the Public Safety Committee met on March 19th and related that the major topic of discussion was the age limit ban on City Playgrounds. Council members made comments and asked questions regarding this matter which were answered by Mr. Warren and Captain Michael Vangelo. From this discussion it was the consensus of Council that an Ordinance should be introduced at the April 7th Council meeting to deal with this matter.

Mayor Panto reported that he had received a compliment from another Law Enforcement Officer regarding the effectiveness of the Easton Police with dealing with the drug problem in the City.

Minutes of the Council of the City of Easton, Pa. March 25, 2009

At this time Mrs. Vulcano turned the meeting over to Mayor Panto.

Dr. Warner, Chairman of the Public Works Committee, reported that each Council member had received a copy of the monthly Environmental Advisory Council meeting minutes and said that Catherine Walters was in attendance to answer any questions from Council members.

Mrs. Walter reminded Council that Arbor Day festivities would be held on May 2, 2009, reported that tree wells had been enlarged in the West Ward, that a Flea Market would be held at the City's Recycling Center in May, July, September and October. She also reminded everyone that the next Environmental Advisory Council meeting would be held on April 7th at 5:00 p.m. in the Gold Room at the Eastonian, 140 Northampton Street.

Dr. Ruggles, Chairman of the Strategic Planning Committee reported that the Strategic Planning Committee meeting is scheduled for April 7th at 4:30 p.m. in Council Chambers.

William Murphy, City Solicitor reported that after last night's Council meeting Council met in Executive Session and discussed the Thomas Olick litigation, term number 2007-10880.

Beth Knickerbocker, Assistant City Solicitor gave an update on the Hub Cap store and its litigation.

Mayor Panto had no report.

UNFINISHED BUSINESS

Mrs. Vulcano left the meeting to take a phone call.

Action on Legislative Bills

Bill No. 49, (Ordinance 5195) Amending Chapter 135, Records Public, of the Codified Ordinances of the City of Easton, Pa. was adopted on motion of Mayor Panto and Mr. Warren by the following vote:

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

Nays: None (0)

Ordinance 5195 repealed the old Chapter 135 in its entirety and replaced it with a new Chapter with procedures required by and to conform to the new State Open Records Law.

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

March 25, 2009

CORRESPONDENCE

There was no correspondence.

NEW BUSINESS

Introduction of Legislative Bills:

A March 11, 2009 memorandum, regarding needed repeals of existing sections of the Codified Ordinances was received from Chief Larry Palmer.

Bill No. 50, An Ordinance to Amend the Code of the City of Easton, Pa., Chapter 123 thereof, entitled Police Department, by deleting and repealing §123-7 through §123-10 was introduced by Mr. Warren and ordered processed for adoption.

This Bill would repeal §123-7 through §123-10 in their entirety.

Bill No. 51, An Ordinance to Amend the Code of the City of Easton, Pa., Chapter 123 thereof, entitled Police Department, by deleting and repealing §123-5.

This Bill would repeal section §123-5 in its entirety.

Bill No. 52, Approving the transfer of funds from the State Special Revenue Grant Fund to the 2008 Combined Capital Fund, was introduced by Dr. Warner and ordered processed for adoption.

This Bill would transfer \$12,741 from an account number contained in the state Special Revenue Grant Fund to revenue and expenditure account numbers in the 2008 Combined Capital Fund.

The next item on the Agenda was a proposed Resolution which would approve an Agreement with the Easton Women's Softball League.

The following Resolution was introduced by Dr. Warner:

38-2009

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

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

Nays: None (0)

Minutes of the Council of the City of Easton, Pa.
March 25, 2009

A March 17, 2009 letter, regarding a request to approve Certificates of Appropriateness was received from Christine Ussler, R.A.

The next three items on the Agenda were proposed Resolutions that would approve Certificates of Appropriateness for 79 N. 2nd, 101 S. 3rd, and 355 Spring Garden Streets.

The following Resolution was introduced by Mrs. Panto:

39-2009

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

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

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

40-2009

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

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

Nays: None (0)

The following Resolution was introduced by Mrs. Panto:

41-2009

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution that would approve a Management Agreement with the Easton, Phillipsburg and Vicinity for managing the two City owned pools for 2009.

The following Resolution was introduced by Dr. Warner:

42-2009

Minutes of the Council of the City of Easton, Pa.
March 25, 2009

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

Yeas: Brown, P. Panto, Ruggles, Warner, Warren, S. Panto (6)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would state the City's intentions when using Federal Stimulus funds.

Mrs. Vulcano returned to the meeting.

The following Resolution was introduced by Mr. Warren:

43-2009

On motion of Dr. Warner and Mrs. Vulcano, the above Resolution was amended by removing the following from the proposed Resolution by the following vote:

“BE IT FURTHER RESOLVED, that as the legislative body of the City of Easton we commit to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program.”

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

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

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

The next item on the Agenda was a proposed Resolution that would approve an Agreement with A. J. Trunzo, Inc., for Curb Ramps Project.

The following Resolution was introduced by Dr. Warner:

44-2009

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

Minutes of the Council of the City of Easton, Pa.
March 25, 2009

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

A March 12, 2009 memorandum, regarding a proposed Community Garden on S. 5th Street was received from Becky Bradley, Director of Planning and Codes.

The next item on the Agenda was a proposed Resolution which would approve entering into a formal lease agreement with the West Ward Neighborhood Partnership and the Community Action Committee of the Lehigh Valley.

The following Resolution was introduced by Mrs. Panto:

45-2009

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)

A December 5, 2008 memorandum, regarding Water Resources Education Grant Applications was received from Director Becky Bradley.

The next item on the Agenda was a proposed Resolution which would authorize the filing for a Water Resources grant.

The following Resolution was introduced by Dr. Warner:

46-2009

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 next item on the Agenda was a proposed Resolution which would authorize a partnership with the Nurture Nature Foundation.

The following Resolution was introduced by Dr. Warner:

47-2009

Minutes of the Council of the City of Easton, Pa.
March 25, 2009

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

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

The next item on the Agenda was a proposed Resolution which would show Council's support for the nomination of Becky Bradley for a 10,000 Friends of Pennsylvania's award.

The following Resolution was introduced by Dr. Warner, and co-sponsored by all other members of Council.

48-2009

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

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

The next item on the Agenda was a proposed Resolution which would request the turn back of a portion of Larry Holmes Drive for PennDOT ownership to City of Easton ownership.

The following Resolution was introduced by Dr. Warner:

49-2009

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

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

The next item on the Agenda was a proposed Resolution which would extend the life of KOZ for vacant parcels already with the KOZ.

The following Resolution was introduced by Mrs. Vulcano:

50-2009

On motion of Dr. Warner and Mr. Warren the above Resolution was amended as follows, by the following vote:

Minutes of the Council of the City of Easton, Pa.
March 25, 2009

- a) Removing the words “Easton Area School District” and replace them with the words “City of Easton” in the first sentence of the Whereas of the Resolution.
- b) Removing the words “developed or” at the end of the NOW THEREFORE BE IT RESOLVED.
- c) Removing the entire #2.
- d) Adding the words “and the City of Easton” in the first sentence of #4.
- e) Adding the words “and the City of Easton Real Estate Taxes for the 2009 year” after the words 2009 year in the last sentence in #4.
- f) Removing the word “entire” and replacing it with “developed” in the BE IT FURTHER RESOLVED section of the Resolution

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

Nays: None (0)

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve adding of parcels to the KOZ.

The following Resolution was introduced by Mrs. Vulcano:

51-2009

On motion of Dr. Warner and Mr. Warren the above Resolution was amended in as follows, by the following vote:

- a) Removing the entire #2.
- b) Adding the words “and the City of Easton Real Estate Taxes for the 2009 year” after the words 2009 year in the last sentence in #4.
- c) Removing the word “entire” and replacing it with “developed” in the BE IT FURTHER RESOLVED section of the Resolution.

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

Nays: None (0)

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

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

Nays: None (0)

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

March 25, 2009

CITIZEN'S RIGHT TO BE HEARD

Thomas Olick, 1220 Chidsey Street, requested that Council authorize the waiving of a Zoning Board Appeal Fee for his appeal before the Zoning Hearing Board.

Mr. Murphy stated that Mr. Olick had a pending bankruptcy litigation and advised Council members not to make any comments or take any actions.

Rich Hieshetter, 304 W. Monroe Street spoke to Council regarding gangs and the proposed ban on teens over the age of fourteen from City playgrounds, and asked if Allentown's budget problems were the same as Easton's.

Mayor Panto said that the budget as of this time is alright in the City of Easton.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:37 p.m. on motion of Dr. Warner and Mr. Warren by the following vote:

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

Nays: None (0)

Thomas A. Hess, City Clerk