

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

April 28, 2010

Easton, Pa.
Wednesday
April 28, 2010
6:00 P.M.

City Council met in stated session, at the College Hill Presbyterian Church, located at 501 Brodhead Street, Easton, Pa., 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
Michael Fleck
Roger Ruggles
Sandra Vulcano
Elinor Warner
Jeffrey Warren
Salvatore J. Panto Jr. (7)

Absent: None (0)

Also in attendance were Thomas A. Hess, City Clerk, William Murphy, City Solicitor, Joel Scheer, Assistant City Solicitor, and Glenn Steckman, City Administrator. There were thirty-five other persons present.

APPROVAL OF AGENDA

On motion of Dr. Warner and Dr. Ruggles, the Agenda was approved by the following vote:

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

Nays: None (0)

ACTION ON MINUTES

The April 14, 2010 City Council meeting minutes were approved, as submitted, on motion of Mr. Fleck and Dr. Warner, by the following vote:

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

Nays: None (0)

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CITIZENS RIGHT TO BE HEARD (Agenda Items Only)

Mayor Panto turned the meeting over to Councilman Fleck who had asked that a contingent of Sodexo employees be allowed to address Council on perceived unfair labor practices being committed by the Sodexo Corporation.

The following persons spoke to Council on this matter:

1. Rosina Belcourt, 120 W. 3rd Street, Bethlehem Pa., and as an organizer with SCIU Local 32 BJ.
2. Shamar Grant, 910 Bushkill Street, Easton Pa.
3. Genevieve Repsher, 815 Wood Avenue, Easton, Pa.
4. Ben Swartout, 111 Ouad Drive, Easton, Pa.
5. Dwayne Best, 423 E. Broad Street, Bethlehem Pa.
6. Terrance Hand, 623 Chestnut Terrace, Easton, Pa. 18042

Council made comments and asked questions of the above persons.

There was a lengthy discussion between Council members regarding this matter and regarding the need for and the wording of a proposed Resolution regarding this matter.

Kurt Ehly, 305 W. Monroe Street, thanked Council for bringing the meeting to College, asked questions regarding proposed Bill No. 12, which would amend the Business Privilege Tax ordinance that were answered by Messrs. Steckman and Heagele, and invited Council to a presentation for Robin Porter that would take place at the Easton Farmers Market on May 1, 2010.

Laura Achetta, Weed and Seed, Site Coordinator spoke regarding a proposed Resolution which would authorize an application for a PCCD Grant.

REPORTS RECEIVED BY COUNCIL

The following report was received by Council:

- (a) Easton Fire Department Monthly Report for March 2010.
- (b) EAJSA, December 21, 2009, January 18 and February 15, 2010 meeting minutes.

Mayor Panto accepted the reports on behalf of Council.

REPORTS OF COMMITTEES

Mr. Brown, Chairperson of the Finance Committee spoke regarding legislation that would be before Council later in the meeting, reported that the Finance Committee had met on April 27, 2010 and related what had been discussed. He reported that in June Council would receive the 2009 Audit Report.

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Mrs. Vulcano, Chairperson of the Economic Development Committee spoke regarding legislation that would be before Council later in the meeting, spoke regarding the naming of the housing development on South Side, and regarding the opening of the Farmers Market on May 1, 2010.

Dr. Ruggles, Chairperson of the Planning Committee, spoke regarding legislation that would be before Council later in the meeting, reported that the Planning Committee had met on April 27, 2010, and related what had been discussed.

Mr. Fleck said that he would like Council to do address the Rail Travel issue in the future. Mayor Panto also made comments regarding this matter.

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

Dr. Warner, Chairperson of the Public Works Committee, reported that the Public Services Committee had met on April 27, 2010 and related what had been discussed. She informed all in attendance that Arbor Day activities, and the House Tours would take place on May 1, 2010, spoke regarding the most recent Council of Governments meeting, and related what had been discussed, related that a E-Cycle event would be held on May 15, 2010 at Easton High School, and regarding legislation that would be before Council later in the meeting.

Mr. Fleck said that he felt that the Street Sweeping Program was going well and was making for better living conditions.

Mr. Fleck, Chairperson of the Administration Committee, spoke regarding legislation that would be before Council later in the meeting, reported that the Administrative Committee would meet on May 11th and related what would be discussed.

Attorneys Murphy and Scheer, City and Assistant City Solicitors had no reports.

Mayor Panto, said that the Laptop Computers, for Council members, would be distributed before the May 12, 2020 Council meeting, spoke regarding Weed and Seed and Preserve America Grants, Valley Station upgrades, said that Gene Pambianchi would be taking proposed names for the HOPE VI Project streets, and said that after the meeting Council would go into an Executive Session to discuss the most recent Fire Arbitration Award.

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UNFINISHED BUSINESS

Bill No. 12, (Ordinance 5252), Amending Sections in Article V, Business Privilege Tax, of the Code of the City of Easton, Pa., was adopted on motion of Mr. Brown and Mr. Fleck by the following vote:

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

Nays: None (0)

Ordinance 5252 amends various sections in Article V, Business Privilege Tax Code.

CORRESPONDENCE

There was no correspondence.

NEW BUSINESS

An April 21, 2010 memorandum regarding City Council Agenda Items was received from David Hopkins, Director of Public Works.

Bill No. 13, An Ordinance to amend the Code of the City of Easton, Pa., Chapter 404 entitled Parks was introduced by Dr. Warner and ordered processed for adoption.

This Ordinance would amend the Parks Ordinance to prohibit the feeding of wild and feral animals in City Parks and on any City owned property.

An April 15, 2010 e-mail regarding a Resolution for a Citizen Participation Plan was received from Gretchen Lippincott.

The next item on the Agenda was a proposed Resolution which would approve a Citizen Participation Plan.

The following Resolution was introduced by Mrs. Vulcano:

79-2010

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution that would authorize the City to sell, by auction, City-owned items.

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The following Resolution was introduced by Mr. Brown:

80-2010

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve a contract with Mark Bonstein to conduct an Auction of City Property on June 12, 2010.

The following Resolution was introduced by Mr. Brown:

81-2010

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

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

Nays: None (0)

The next item on the Agenda was a Resolution which would approve reappointment to the Zoning Hearing Board and the Property Maintenance Review Board of Appeals.

The following Resolution was introduced by Mayor Panto:

82-2010

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

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

Nays: None (0)

A copy of an April 14, 2010 letter from John Gross to Attorney Murphy, regarding a Stipulation of Council was received from Attorney Murphy.

The next item on the Agenda was a proposed Resolution which would approve a Stipulation of Counsel 101 Larry Holmes Drive.

The following Resolution was introduced by Mr. Brown:

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83-2010

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

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

Nays: None (0)

An April 19, 2010 letter regarding Certificates of Appropriateness was received from Christine Ussler, AIA.

The next seven items were proposed Resolutions which would approve a Certificates of Appropriateness for 139-N. 3rd, 101 S. 3rd, 201 Ferry, 600 Ferry, 119 Northampton, 322-336 Northampton, and 525 Northampton Streets.

The following Resolution was introduced by Dr. Ruggles:

84-2010

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

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

Nays: None (0)

The following Resolution was introduced by Dr. Ruggles:

85-2010

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

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

Nays: None (0)

The following Resolution was introduced by Dr. Ruggles:

86-2010

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

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

Nays: None (0)

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The following Resolution was introduced by Dr. Ruggles:

87-2010

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)

The following Resolution was introduced by Dr. Ruggles:

88-2010

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

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

Nays: None (0)

The following Resolution was introduced by Dr. Ruggles:

89-2010

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

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

Nays: None (0)

The following Resolution was introduced by Dr. Ruggles:

90-2010

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

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

Nays: None (0)

A March 3, 2009 memorandum, regarding a Resolution for selection of a firm to provide GIS Data Creation Services, was received from Becky Bradley, Director of Planning and Codes.

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The next item on the Agenda was a proposed Resolution which would approve a Consultant Agreement with Civil Solutions.

The following Resolution was introduced by Dr. Ruggles

91-2010

The above Resolution was adopted on motion of Dr. Ruggles and Mrs. Vulcano 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 approve a Communication Site Agreement with Metro PCS Pa., for a wireless communications tower on top of City Hall.

The following Resolution was introduced by Mr. Brown:

92-2010

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

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

The next item on the Agenda was a proposed Resolution which would authorize the opening of checking accounts at Lafayette Bank.

The following Resolution was introduced by Mr. Brown:

93-2010

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

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

An April 22, 2010 memorandum, regarding a request for approving a Pole Attachment Agreement with Met-Ed was received from Lawrence Palmer, Chief of Police.

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The next item on the Agenda was a proposed Resolution that would approve a Pole Attachment Agreement with Met-Ed.

The following Resolution was introduced by Mr. Warren:

94-2010

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

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

The next item on the Agenda was a proposed Resolution which would approve a Lease Agreement with the Redevelopment Authority.

The following Resolution was introduced by Mrs. Vulcano:

95-2010

The above Resolution was adopted on motion of Mrs. Vulcano and Dr. Warner 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 authorize the City to apply for a PCCD Grant for the Weed and Seed Program.

The following Resolution was introduced by Mr. Brown:

96-2010

The above Resolution was adopted on motion of Mr. Brown and Mr. Fleck 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 which would approve the acceptance of a Preserve America Grant.

The following Resolution was introduced by Dr. Ruggles:

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97-2010

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

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

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would disapprove a Certificate of Appropriateness for installation of outdoor lighting at 132 S. 3rd Street.

The following Resolution was introduced by Dr. Ruggles:

98-2010

Council made comments and asked questions regarding the recommendation from the Historic District to disapprove the application for this Certificate of Appropriateness, and the process to disapprove the application, which were answered by Mayor Panto.

The above Resolution was adopted on motion of Dr. Ruggles and Mrs. Vulcano 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 which would urge Lafayette College and Easton Hospital to demand that Sodexo, a contractor of the entities, adhere to the laws of collective bargaining.

The following Resolution was introduced by Mr. Fleck:

99-10

Council made comments and asked questions, regarding the need, intent, and wording of the proposed Resolution.

On motion of Dr. Warner and Mrs. Vulcano, the above resolution was amended to read as follows, by the following vote:

WHEREAS, the Council of the City of Easton, Pa., wishes to be supportive of residents of the City of Easton and has a duty to look out for the well being of the residents and working families; and

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WHEREAS, it has been brought to the attention of Council, by Sodexo employees, that Sodexo Inc. is not affording its employees the ability to earn a sustainable living wage and is not allowing those employees to exercise their legal right to collectively bargain.

NOW THEREFORE BE IT RESOLVED, that Council implores Sodexo to be a good corporate citizen and follow all the laws of collective bargaining of the United States and further requests that Sodexo voluntarily improve working conditions for all of its employees.

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

Nays: None (0)

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

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

Nays: None (0)

CITIZEN'S RIGHT TO BE HEARD

Vincent Montoro spoke, and asked questions, regarding the Street Sweeping Program, revenue being realized from the program by the ticketing of vehicles, and garbage conditions parts of the City, which were answered by the Mayor and City Administrator Steckman

Eddy Elmaati, owner of Kings Market located at 132 S. 3rd Street, who was disapproved for a Certificate of Appropriateness, spoke regarding the placement of outside lights on his business.

Council members made comments and asked question regarding this matter, and Mayor Panto said that he would check on this matter with Director Bradley.

Richard Hieshetter, 304 W. Monroe Street, spoke regarding the proposed Rail Transportation facility and distributed items regarding this matter to Council members

Bill Timmann, 257 W. Madison Street started speaking for Salvatore Pugliese regarding a property problem he was having with Easton Auto Body and then turned the podium over to Mr. Pugliese.

Salvatore Pugliese, owner of 1300 Butler Street, spoke regarding a problem he was having with Easton Auto Body and a perceived idea that the City was going to condemn a portion at the rear of his property.

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Council members, and Attorney Murphy, made comments and asked questions regarding Mr. Pugliese's complaints.

Mayor Panto said that he would look into this matter.

ADJOURNMENT

Mayor Panto said that after adjourning the meeting Council would enter into an Executive Session to discuss an Arbitration Award for the Firefighters Union.

With no further business, the meeting was adjourned at 8:30 p.m. on motion of Dr. Ruggles and Mr. Brown by the following vote:

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

Nays: None (0)

Thomas A. Hess, City Clerk