

Minutes of the Council of the City of Easton, Pa.
July 28, 2010

Easton, Pa
Wednesday
July 28, 2010
6:00 p.m.

City Council met in stated session in Council Chambers, Rm 514, Fifth Floor of City Hall, to consider any business that may lawfully be brought before the body, and to conduct a Public Hearing regarding the City's MS4 Stormwater Management Program.

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

APPROVAL OF AGENDA

On motion of Dr. Warner and Mr. Fleck the agenda was approved by the following vote:

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

ACTION ON MINUTES

On motion of Dr. Warner and Mrs. Vulcano the July 14, 2010 City Council meeting minutes were approved, as submitted by the following vote:

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

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CITIZENS RIGHT TO BE HEARD (Agenda Items Only)

There were no remarks.

PUBLIC HEARING

At this time a public hearing regarding the City's MS4 Stormwater Management Program was held. (See separate minutes).

REPORTS RECEIVED BY COUNCIL

The following reports were received by Council:

- (a) EAJSA, March 15, April 19, and May 17, 2010 meeting minutes.

Mayor Panto accepted the above report 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 Tuesday, July 27, 2010 and related what had been discussed. He reported that the Committee would meet again on August 24, 2010 at 6:00 p.m. in Council Chambers.

Mrs. Vulcano, Chairperson of Economic Development Committee, reported that the Vending Cart Ordinance was still being worked on.

Dr. Ruggles, Chairperson of the Planning Committee spoke regarding legislation that would be before Council later in the meeting.

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

Mayor Panto made comments on the Security Camera that were already placed out in the West Ward section of the City.

Mr. Warren reported that he had received correspondence regarding the Resolution adopted by Council regarding the Robin's and Kimberlee's law bill, and reported that a workshop meeting had been held, earlier in the day, between representatives from the 911 Center and the Easton Fire Department.

Mr. Steckman furnished Council with an update on what happened, and was discussed at the meeting, and said that a training course on Radio discipline would be offered by the County.

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Mr. Warren addressed some of his comments that he made at the Council's Committees meeting on Tuesday, July 27, 2010 regarding the Fire Department overtime issue.

Dr. Warner, Chairperson of the Public Works Committee spoke regarding legislation that would be before Council later in the meeting.

Council members made comments and asked questions regarding the proposed Bus Loading and Unloading Zone on the 300 block of Pine Street.

Mr. Fleck, Chairperson of the Administration Committee made comments on Bill 19 which would amend sections in Chapter C, Home Rule Charter of the City's Codes, and regarding the need for further amendments in the future.

Council members, Mr. Murphy and Mr. Steckman made comments and asked questions regarding the amendments proposed by Mr. Fleck and Mr. Steckman.

Mr. Fleck said that all members of Council had received a memorandum regarding the Project Labor Stabilization Agreement, said that he would be meeting with Mr. Murphy and Steckman regarding this Agreement and said that it would be further discussed at the Administration Committee meeting scheduled for August 10, 2010.

Mr. Steckman requested that a separate time and date be set to meet, outside of the regularly scheduled Committee meeting to further discuss this matter, and spoke regarding why he made that recommendation.

Mr. Murphy reported that before the meeting Council had met in Executive Session and discussed Personnel, purchase of Real Estate and threatened and potential litigation against the City.

Mr. Scheer had no report.

Mayor Panto asked Mr. Steckman to present Council with the proposed plans for the reconstruction of the Sixth Floor. Council members made comments regarding the proposed plans.

Mayor Panto informed Council that the Police Department was involved in a Federal Drug Raid last week, and said that another drug raid was conducted, today, on South Sixth Street, spoke regarding what was confiscated, and spoke regarding the placement of security cameras throughout the City

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UNFINISHED BUSINESS

Bill 18, (Ordinance 5258), Amending Article III, Traffic Control Map of Chapter 560, Vehicles and Traffic of the Code of the City of Easton was adopted on motion of Mr. Warren and Dr. Warner by the following vote:

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

Nays: None (0)

Ordinance 5258 created a No Parking Loading zone and a No Standing Any Time zone on the North side of the 400 block of Northampton Street, and a Bus Loading and Unloading zone on the North side of the 300 block of Pine Street.

Bill No. 19, Amending Sections in Chapter C., Home Rule Charter of the City of Easton, Pa., was withdrawn on motion of Mr. Brown and Mr. Warren by the following vote:

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

Nays: None (0)

CORRESPONDENCE

There was no correspondence.

NEW BUSINESS

A July 23, 2010 memorandum regarding 2010 Budget Transfers and Amendments was received from Chris Heagele, Director of Finance.

Bill No. 20, Amending Ordinance 5229, 2010 General Fund Budget was introduced by Mr. Brown and ordered processed for adoption.

This Bill would amend the 2010 General Fund Budget by increasing Revenues and Expenditures by \$53,169.60.

Bill No. 21, Amending Ordinance 5234, 2010 Recreation Fund Budget was introduced by Mr. Brown and ordered processed for adoption.

This Bill would amend the 2010 General Fund Budget by increasing Revenues and Expenditures by \$14,196.00.

Bill No. 22, Amending Ordinance No. 5236, 2010 General Insurance Fund Budget was introduced by Mr. Brown and ordered processed for adoption.

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This Bill would amend the 2010 General Insurance Fund Budget by increasing Revenues and Expenditures by \$100,000.

Mayor Panto said that the above amendments did not reflect the receiving of any Swimming Pool revenue from the YMCA as of this date, spoke regarding the financial report in general and informed Council about other monies that City was applying for. He reported that the Alpha Building had a fund balance of \$240,000, reported that bids had been received for the Bushkill Trail Project.

Mr. Brown asked what the status was of the renovation of 501 Northampton Street.

Mayor Panto, Council members and Mr. Steckman spoke regarding vacant properties throughout the City.

A July 20, 2010 letter regarding Certificates of Appropriateness was received from Christine Ussler, AIA.

The next two items on the Agenda were proposed Resolutions approving Certificates of Appropriateness for 13 S. 2nd Street, and 306 Spring Garden Street.

The following Resolution was introduced by Dr. Ruggles:

153-2010

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:

154-2010

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

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

A July 21, 2010 memorandum, regarding the Secure Our School Camera Surveillance Project was received from Police Chief Lawrence Palmer.

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The next item on the Agenda was a proposed Resolution which would approve a Pole Attachment Agreement.

The following Resolution was introduced by Mr. Warren:

155-2010

On motion of Mr. Warren and Mr. Fleck the above Resolution was adopted by the following vote:

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

Nays: None (0)

A July 28, 2010 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 adopt and approve the policy and procedure for selection of a consultant for assistance in state or federally funded projects.

The following Resolution was introduced by Dr. Warner:

156-2010

The above Resolution was adopted on motion of Dr. Warner and Mr. Warren 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 increase the annual salary for the City Solicitor from \$62,516 to \$62,859.

The following Resolution was introduced by Mr. Fleck:

157-2010

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

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

Nays: None (0)

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CITIZENS RIGHT TO BE HEARD

Terrance Hand, 623 Chestnut Terrace, as a Representative of the Fire Department Union, thanked Mr. Warren for helping to address the problem with the 911 Center Radio Safety Issues, he spoke regarding the latest article in the newspapers regarding the grievance issue with the Fire Department, regarding Fire Department safe staffing, the proposed reducing of the minimum manning requirement and perceived sick leave abuse.

Mayor Panto, Mr. Steckman and other Council members responded to Mr. Hand's comments.

Richard Hieshetter, 304 W. Monroe Street spoke regarding the location for the proposed Bus Terminal.

Mayor Panto answered Mr. Hieshetter's questions.

Mr. Hieshetter spoke regarding a fire of 2 years ago and said that he was impressed with the actions of the firefighters at that fire.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:45 p.m. on motion of Mr. Fleck and Mrs. Vulcano by the following vote:

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

Nays: None (0)

Rita Messa, Assistant City Clerk

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Easton, Pa.
Wednesday
July 28, 2010
6:12 P.M.

City Council met in session, at the above hour in Council Chambers, Room 514, 5th Floor, One South Third Street, Easton, Pa. to consider any business that may lawfully be brought before the body, and to conduct a Public Hearing regarding the City's MS4 Stormwater Management Program.

The following members of Council were present Kenneth Brown, Michael Fleck, Roger Ruggles, Sandra Vulcano, Elinor Warner, Jeffrey Warren, and Salvatore J. Panto Jr. 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 six other persons present in the audience.

PUBLIC HEARING – City's MS4 Stormwater Management Program

At 6:12 p.m., Mayor Panto called the Public Hearing to order and turned it over to Mr. David Hopkins, Director of Public Works, who read the following statement.

“The purpose of this presentation is to create public awareness regarding the City's implementation of the Municipal Separate Storm Sewer System (MS4) as part of our efforts to comply with the Federal Phase II Stormwater Management Program.

Federal stormwater management regulations require the City of Easton and others in urbanized areas across Pennsylvania to apply for and maintain a National Pollutant Discharge Elimination System (NPDES) permit to discharge stormwater from the City's Municipal Separate Storm Sewer System (MS4)

To assist Pennsylvania municipalities, the Department of Environmental Protection (DEP) has issued a General Permit for MS4s. The General Permit is a statewide permit with uniform conditions pertinent to every MS4 that applies and receives approval for coverage. Applying for this permit constitutes indication to DEP that the City intends to implement a program of Stormwater management.

The regulations require MS4s like the City of Easton to develop and implement a Stormwater management program in their jurisdictions within the five-year permit term.

To put these new requirements in context, EPA has promulgated two phases of Stormwater permit regulations in the past 10 years. Phase I covers large and medium municipalities (as well as industrial activities, including construction over five areas). This was implemented in Pennsylvania beginning in 1992. Phase II of the federal storm

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If a permittee commits to implementing the provisions of the Protocol, it does not need an independent review and approval of its Stormwater management program by DEP. The City of Easton will continue to participate in this program and adhere to established permit limits, schedules, and measurable goals. Currently, the Easton Public Works Department conducts semi-annual inspection and sampling at 135 stormwater outfalls that surround the City on three regulated bodies of water, the Delaware River, the Lehigh River, and the Bushkill Creek.

Mr. Hopkins asked if there were any comments or questions from Council or the audience.

There were none

Mayor Panto closed the Hearing at 6:17 p.m.

Rita Messa
Assistant City Clerk