

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

Easton, Pa  
Wednesday  
August 8, 2012  
6:00 p.m.

City Council met in stated session at the above date and time in Council Chambers, 6<sup>th</sup> Floor of City Hall, One South Third Street 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: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)  
Absent: None (0)

Also in attendance were Rita Messa, Assistant, City Clerk, William Murphy, City Solicitor, Beth Knickerbocker, Assistant City Solicitor, and Glenn Steckman, City Administrator. There were approximately twenty-five other persons present.

**APPROVAL OF AGENDA**

On motion of Dr. Warner and Mr. Brown, 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. Warren the July 25, 2012 Council Meeting minutes were approved as submitted, by the following vote:

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

**RESOLUTION**

The next item on the Agenda was a proposed Resolution recognizing the death of Joseph Benzoni a former member and Chairman of the Easton Suburban Water Authority.

The following Resolution was introduced by Dr. Warner:

108-2012

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

**August 8, 2012**

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

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

Nays: None (0)

Mayor Panto spoke regarding appointing Mr. Benzoni to the Authority and thanked the Benzoni family for sharing him and for allowing him to serve and give his time to the Authority for many years.

Mrs. Benzoni was presented with a framed Resolution.

## **CITIZENS RIGHT TO BE HEARD**

There were no comments from the audience.

## **REPORTS RECEIVED BY COUNCIL**

The following Reports were received by Council:

(a) Easton Area Joint Sewer Authority's March, April and May 2012 meeting minutes.

Mayor Panto accepted the above reports 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 amending the Earned Income and Net Profits Ordinance, regarding amending an Agreement with AT&T, and reported that he had attended the National night out festivities.

Mrs. Vulcano, Chairman of the Economic Development Committee reported that she had attended the Greater Easton Development Partnership meeting and presented Council with an update on what has been happening with that Organization the Main Street Initiative and the West Ward Partnership, regarding Special events that have been and will be happening throughout the City, and what the Organizations have been accomplishing, and spoke regarding legislation that she would have for later in the meeting regarding authorizing the City to apply for a Special Events Liquor License, regarding approving an Agreement with Penn Legal for a bi-county effort to educate and support the community on fair housing activities, and regarding approving a cooperative Agreement with the Easton Parking Authority.

Dr. Ruggles, Chairman of the Planning Committee, spoke regarding legislation that he would have for later in the meeting, regarding approving Professional Services Agreements with Pennoni Associates for the Parking Structure and the Commercial Building for the Easton

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

Intemodal Transit Center at 123-181 S. Third Street, and with Artefact Inc. for historic preservation consulting services.

Mr. Warren, Chairman of the Public Safety Committee, spoke regarding legislation that he would have for later in the meeting regarding changing the location of Stop Signs and creation of a “NO PARKING” zone on the 1000 block of Grant Street, for amending the Meter Zone ordinance, for amending the Courthouse Area parking Permit ordinance, and for amending the Traffic Control map for creation of a No Parking zone on Lehigh Street between Union and 5<sup>th</sup> Streets.

Mr. Steckman said that there may be another group of citizens that would like to come and speak with the Administration regarding job skill opportunities for citizens.

Dr. Warner, Chairman of the Public Works Committee reported that a proposed Skate Park had been discussed again at the most recent Council of Government meeting. She said that Mayor Panto had come up with financial figures for the individual municipalities who would participate in the Skate Park and spoke regarding their reactions to those figures.

Council briefly discussed the Skate Park issue, and Dr. Warner asked that the Administration speak with the other municipalities on this issue.

Mr. Fleck, Chairman of the Administration Committee reported that the Administration Committee meeting would be held on August 21, 2012, said that all Council members had received information from Mr. Murphy and Representative Freeman regarding the make up of districts in the City and that would be discussed at the meeting and then a recommendation would be made to the County for voting districts.

Mr. Murphy, City Solicitor and Ms. Knickerbocker had no reports for Council, but reported that before the meeting Council had been in an Executive Session and that possible and pending litigation had been discussed.

Mayor Panto spoke regarding two new murals at the State Theatre, on the North 5<sup>th</sup> Street side and at the Easton Area Community Center, spoke regarding the demonstration that was held in Centre Square regarding the killings at a Sikh temple, spoke regarding National Night Out, spoke regarding the paving of old Pine Street alley which will not take place, regarding the needed work on the Hugh Moore Park Bridge piers, and regarding the removal of trees along US Rt. 22.

**UNFINISHED BUSINESS**

Bill 27 Amending Article VIII, Earned Income and Net profits, of Chapter 535, Taxation, of the Code of the City of Easton to provide for an increase in Earned Income Tax for the purpose

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

**August 8, 2012**

of funding the City of Easton Pension Plans in accordance with Act 205, was moved on motion of Mr. Brown and Mr. Fleck.

All Council members spoke regarding the purpose of this Bill, the increased tax amount, what costs and taxes would have to be raised on City residents and elimination of City services and employees if the Bill did not pass.

There was a lengthy discussion this Bill between Council members and Mr. Steckman.

Bill 27, (Ordinance 5364) Amending Article VIII, Earned Income and Net Profits, of Chapter 535, Taxation, of the Code of the City of Easton was adopted on motion of Mr. Brown and Mr. Fleck, by the following vote:

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

Nays: Warren (1)

Ordinance 5364 amends Article VIII, Earned Income and Net Profits, of Chapter 535, Taxation, of the Code of the City by increasing the tax for non residents of the City who work in the City to 1.75% of earned income tax.

Bill 28, (Ordinance 5365), Amending Article III, Traffic Control Map of Chapter 560, Vehicles and Traffic of the Code of the City of Easton, Pa., was adopted on motion of Mr. Warren and Mr. Brown by the following vote:

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

Nays: None (0)

Ordinance 5365 removes the Stop signs for North and South bound traffic on St. John Street at Grant Street, placing the Stop signs on Grant Street at St. John Street for East and West bound traffic, and creates a No Parking zone on both the North and South sides of Grant Street between Packer and Salk Street.

### **CORRESPONDENCE**

There was no Correspondence received Council:

### **NEW BUSINESS**

A memorandum regarding a request to amend different Sections of the Code was received from Lt. Lohenitz.

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

Bill 29, Amending 560, Attachment 1 – City of Easton, Table 1: Meter-Zones, 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 amend 560 Attachment 1 by adding meters on N. 5<sup>th</sup> Street, Ferry Street and Lehigh Street and setting the hours of the meters, and the days for meters for enforcement of violators.

Bill No. 30, Amending Section 399-13, Jurisdiction, 399-14, Administration, and 399-15 C., Other regulations, of Article II Courthouse Area Parking Permits, of the Code of the City of Easton, Pa., was introduced by Mr. Warren and ordered processed for adoption.

This Bill would amend Section 399-13, by adding Ferry Street, between Union Street and Walnut Street, odd addresses only to the Courthouse Area Parking Permit area.

Bill No. 31, Amending Article III, Traffic Control Map 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 create a No parking zone on both the North and South Sides of Lehigh Street between Union Street and 5<sup>th</sup> Street other than where metered parking is permitted.

The next item on the Agenda was a proposed Resolution which would approve a Professional Services Agreement between the City, the Easton Parking Authority and Pennoni Associates, for design development and preparation of Construction Documents for the Parking Structure of the Easton Intermodal Transit Center

The following Resolution was introduced by Dr. Ruggles:

109-2012

Dr. Ruggles made comments on the contract, regarding typographic errors, repeating of terms, regarding items that were changed or deleted, that were not initialized by the parties and questioned if everyone had seen the changes, and regarding the limits of liability.

Mr. Murphy responded to Dr. Ruggles' questions and comments.

Mr. Fleck informed Council that he would be abstaining from voting on this proposed Resolution because he works with an engineering firm that competes with Pennoni.

On motion of Dr. Warner and Mrs. Vulcano, Mr. Fleck was allowed to abstain from voting on the above Resolution and the following Resolution, by the following vote:

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

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

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

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown (6)  
Nays: None (0)  
Abstain: Fleck (1)

The next item on the Agenda was a proposed Resolution which would approve a Professional Services Agreement between the City, the Easton Parking Authority and Pennoni Associates for design development and preparation of construction documents for the Commercial Building for the Easton Intermodal Transit Center at 123-181 S. Third Street.

The following Resolution was introduced by Dr. Ruggles:

110-2012

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

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown (6)  
Nays: None (0)  
Abstain: Fleck (1)

An August 3, 2012 e-mail, regarding a Council Resolution needed for application for a Special Occasion Permit for liquor sales at the Movies at the Mill was received from Gretchen Longenbach.

The next item on the Agenda was a proposed Resolution which would authorize the administration to apply for a Special Occasion Permit for liquor sales at the Movies at the Mill.

The following Resolution was introduced by Mrs. Vulcano:

111-2012

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

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

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

The next item on the Agenda was a proposed Resolution which would approve a Contract with North Penn Legal Services for HUD required for Fair Housing Activities.

The following Resolution was introduced by Mrs. Vulcano:

112-2012

Dr. Ruggles pointed out a typographical error in the Contract, and questioned as to why the Contract stated that the Contract had to be printed in Spanish but that the English version was available on line.

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

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

An August 3, 2012 e-mail, regarding a Cooperative Agreement with the Easton Parking Authority for an RACP grant, was received from Gretchen Lippincott.

The next item on the Agenda was a proposed Resolution which would approve a Cooperative Agreement with the Easton Parking Authority to foster collaboration between the City and the Authority for an RACP Grant for the Easton Intermodal Transit Facility.

The following Resolution was introduced by Mrs. Vulcano:

113-2012

On motion of Dr. Ruggles and Mr. Brown, Section 6, Representatives, of the Agreement was amended by changing the names of the representatives to their positions, by the following vote:

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

The above amended Agenda was adopted on motion of Mrs. Vulcano 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 approve an Amendment to a Lease Agreement between the City and American Telephone and Telegraph.

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

The following Resolution was introduced by Mr. Brown:

114-2012

There was a discussion on this matter between Council members and Mr. Steckman on just what the amendment was and how the above Resolution should be worded.

After the discussion a new worded Resolution was re-introduced by Mr. Brown:

114-2012

The above Resolution 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)

An August 3, 2012 memorandum regarding a Historic Preservation Consultant to the City/Commission was received from Becky Bradley, Director of Planning and Codes.

The next item on the Agenda was a proposed Resolution which would approve a contract for Professional Services with Artefact, Inc.

The following Resolution was introduced by Dr. Ruggles:

115-2012

Dr. Ruggles asked questions regarding where the funds would come from to pay Artefact's fees.

Mayor Panto said that at this time the funds would come from the General Fund to be hopefully paid back with a future grant to cover this until the end of 2012, but after 2012 the City would have to fund this in its entirety.

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)

Mr. Fleck commended the Police Department for handling the situation with the arrest at the Wells Fargo Bank and felt that they acted properly at that time, and with the demonstration downtown and at the Police Station.

**Minutes of the Council of the City of Easton, Pa.**  
**August 8, 2012**

**CITIZENS RIGHT TO BE HEARD**

Mario Figueroa, 1832 Elm Street founder of “Da Movement, People Organizing World Peace Leading us Straight”, said that his organization could not apply for CDBG Funds in 2012, for 2013 because the Organization was not a recognized as a legal Non-profit Organization, but that with help from some of the City leaders they could work on their program, come up with a budget, and apply for their Non-profit designation for the CDBG Program in 2013.

Kurt Ehly, 305 W. Monroe Street, spoke regarding an application for a Distributor Liquor License for 222 Northampton Street, Jack’s Market, with the Pennsylvania Liquor Control Board, after City Council voted not to approve the transfer of a Distributor Liquor License for that establishment earlier in the year, and wanted to know how this could be done without Council’s approval. He read an e-mail that he had received, earlier in the day, on this matter.

Mayor Panto attempted to address Mr. Ehly’s concerns to his satisfaction and said that the City would protest this transfer with the LCB.

Laura Accetta, representing the Easton Weed and Seed Organization, said that she was in attendance to support Mr. Figueroa and his organization throughout the West Ward. She said that Mr. Figueroa’s Organization has been a tremendous help to the Weed and Seed Program

**ADJOURNMENT**

With no further business, the meeting was adjourned at 6:39 p.m. on the motion of Mr. Fleck and Dr. Warner by the following vote:

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

Rita Messa, Assistant City Clerk