

Minutes of the Council of the City of Easton, Pa.
April 25, 2012

Easton, Pa
Wednesday
April 25, 2012
6:00 p.m.

City Council met in stated session at the above date and time at the College Hill Presbyterian Church 510 Brodhead Street, to consider any business that may lawfully be brought before the body, and to received presentations on the proposed Commuter Tax, the Lafayette College Senior Civil Engineering Class Design Project, the Easton Farmers Market, and regarding a GEDP Grant Application to the Pennsylvania Department of Economic Development to provide technical assistance to S. 3rd Street businesses during the 3rd Street Streetscape Project.

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 Thomas A. Hess, City Clerk, William Murphy, City Solicitor, Joel Scheer, Assistant City Solicitor, and Glenn Steckman, City Administrator. There were fifty four other persons present.

APPROVAL OF AGENDA

On motion of Mayor Panto and Mr. Warren, and by the following vote, the Agenda was amended by removing the presentation regarding the Heil Park Project.

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

On motion of Dr. Ruggles and Mr. Warren the amended 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 Mr. Brown and Dr. Warner the April 11, 2012 Council Meeting minutes were approved, as submitted, by the following vote:

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

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Nays: None (0)

RESOLUTIONS

The next two items on the Agenda were proposed Resolutions recognizing the deaths of Robert Shook, a retired Fire Captain and Anthony J. Tumminello, a retired Water Department employee.

The following Resolution was introduced by Mr. Warren

54-2012

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

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

Nays: None (0)

The following Resolution was introduced Dr. Warner:

55-2012

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

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

Nays: None (0)

Council members made comments regarding personal dealings with Mr. Shook and Mr. Tumminello and regarding their service to their Country and to the City.

Sons of Mr. Shook and Mr. Tumminello were presented with framed Resolutions. Both men thanked Council for their kind words and the honor bestowed on their fathers.

PROPOSED COMMUTER TAX PRESENTATION

At this time Mayor Panto gave a brief background on the financial history of the City. He went over the shared challenges of urban, suburban and rural communities in distress, financially distressed municipalities, the City's Pennsylvania Public Pensions Annual required contributions from 2010 - 2045, the City's Revenue from 2008-2012, the City's Healthcare Costs from 2008 - 2012, the City's Minimum Municipal Obligations from 2007-2015, a specific impact analysis, the average impact analysis of the City and other municipalities in Pennsylvania, and other information regarding persons employed in the City.

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The following persons spoke in opposition to the proposed Commuter Tax.

1. Adrian Shanker, 1818 Jennings Street, Bethlehem Pa.
2. Ashley Hope, 208 Northampton Street, Easton, pa.
3. Valerie Ryder, 1830 Keystone Avenue, Allentown, Pa.
4. Armand Christopher, 185 Sandy Ridge/Mt. Airy Road, Stockton N.J.
5. Mitch Miller, 6417 Schantz Road, Allentown, Pa.

The following person spoke in support of the proposed Tax.

1. Drew Anderson, 611 Brodhead Street, Easton, Pa. 18042

The following person spoke not in support or opposition to the tax.

1. Philip Hart, 222 E. Pierce Street, Easton, Pa. 18042

Council members made comments regarding why the downtown was thriving, what employees and downtown businesses were giving to the City, taking into consideration who would be affected by this tax, not knowing where else the funds could be found for this purpose, what other actions the City could take for the pension purpose, the reason why this tax needed to be implemented, and taxation without representation and asked questions and asked questions regarding the incoming revenue from this proposed tax and the other tax percentage levied by other municipalities which were answered by Mayor Panto and Mr. Heagele, Finance Director, and Mr. Steckman made comments regarding the need for this tax.

See attachment for a statement read by Adrian Shanker, a representative of Wolper Information Services who requested that it be place on the record.

There were no further comments from Council or the audience.

**GEDP GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT TO PROVIDE TECHNICAL
ASSISTANCE TO S. 3RD STREET BUSINESSES DURING THE 3RD STREET
STREETSCAPE PROJECT**

Gretchen Longenbach, Director of Economic introduced Ms. Brittany Vokoun, an intern for the Main Street Initiative in the past and who will be joining again during the summer of 2012., to specifically work on a program which she developed in conjunction with Kim Kmetz and David Hopkins, Director of Public Works, in an effort to assist the S. 3rd Street businesses that may be impacted by the S. 3rd Street Streetscape construction that has been, and will be ongoing until at least December of 2012, and asked Ms. Vokoun to explain the program.

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Ms. Vokoun gave a short overview of the program. She said that the S. 3rd Street Campaign was going to be designed just to keep the S. 3rd Street businesses informed during the construction period. She said that a campaign logo, buttons and stickers would be created and placed around the City to be used to show support for the S. 3rd Street businesses and to help them stay opened. She said that two major events are being planned, one in July and the other in October that will be to focus on getting people into the S. 3rd Street part of the City to patronize the businesses. She said that a communications network will be established between the Contractors and the local business owners to avoid any animosity between the two. She said that the businesses have her phone number and e-mail to contact her at any time. She said that the first meeting had been set up, with the businesses, for May 17, 2012, to assist them in any way. She said that she had contacted a couple of other Main Street Programs throughout the States to get feedback on their experience with Streetscape Projects. She said that the Campaign has a Web page attached to the Main Street Program Web page, and said that the Community may go to that sight to get updates on events, construction, and on changes in the construction schedule, amongst other things.

Mayor Panto said that the S. 3rd Street Streetscape Program starts at the George Smith Bridge at the intersection of S. 3rd and Larry Holmes Drive and continued north to Centre Square. He said that the project was being funded by a \$4,000,000 grant that was received from the State of Pennsylvania. He said that the Street would have all brand new curbing, sidewalks, pavers, bump outs for pedestrian crossings, street trees, architectural lighting, and street furniture and at the entrance it would take the right hand turns out of the intersection with Larry Holmes Drive and a very large landscaped area would be made with a Welcome to Historic Easton Sign. He said that Ms. Vokoun had done a great job. He said that she made a presentation at the Greater Easton Development Partnership meeting, and said that the S. 3rd Street businesses were reacting favorably.

Ms. Longenbach said that GEDP was applying for a \$6,000 grant from the Pennsylvania Department of Economic Development Keystone Communities program which will be matched from the remnants of the City's EDI Grant Program, which had been very successful over the last two years. She said that the City was not being asked to obligate any funds. She said that this meeting was held to fulfill obligations for the grant.

There were no comments or questions from Council or the audience.

PRESENTATION
LAFAYETTE SENIOR CIVIL ENGINEERING CLASS DESIGN PROJECT

Caitlyn Nowles, 331 High Street, Easton, Pa., Emily Clark, Marquis Hall, Lafayette College, and Sarah Welsh-Huggins, Watson Court, Lafayette College, College Seniors presented Council with an overview of their Senior Civil Engineering Class Design Project, for the proposed Lafayette College Store Development. The presentation included a background of 228 Cattell Street, the address of the proposed building, the architecture of the building and of

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the individual floors, the environmental awareness used in the design of the building, the leadership in energy and environmental design guidance used, a proposed use of a steam line, and invited Council to their final presentation on this project on May 7, 2012.

Mayor Panto spoke regarding the steam pipe proposed to be used for the project, and said that the City liked to encourage alternate energy sources.

Council members made comments on the presentation and asked questions regarding the timeline for the completion of the project which were answered by the students.

Mayor Panto said that this was just one of the many projects that Lafayette College students were working on and gave a summary of those projects, and said that the students were donating over 24,000 volunteer hours a year to assist different organizations throughout the City.

PRESENTATION – FARMERS MARKET

Megan McBride, 728 Brodhead Street, manager of the Easton Farmers Market, spoke regarding what happens during the off season, and the work that was being done before the opening of the 2012 season, presented Council with the 2011 Farmers Market Statistics, which included the market attendance, vendor sales, Electronic Benefit Transfer program (EBT) sales at the market, nutrition checks, went over and explained the EBT program. She said that in 2011 the Farmers Market was recognized, throughout the Country as one of twelve markets to be showcased by the Farmers Market Coalition for the Easton Farmers Market contribution to the downtown Easton economy. She said that representatives from the Market were asked to speak at to State Wide conference regarding the EBT program and the contribution to the City's economy. She said that the market was being patronized not only by City residents, but persons from outside communities, as well as vendors from outside communities. She gave a summary of what would be happening at the market in 2012 and said that more staff and volunteers were needed at the market.

Council members thanked Ms. McBride and her staff and volunteers for their dedication and hard work that they were doing for the market and the services that were being provided to their patrons.

Allison Miers, 323 Waterford Terrace, Williams Township, and Vice President of Easton Initiatives of the Greater Lehigh Valley Chamber of Commerce, informed Council that her Chamber would be awarding the Market a milestone award at their annual dinner on June 14, 2012.

CITIZENS RIGHT TO BE HEARD

There were no comments from the audience.

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REPORTS RECEIVED BY COUNCIL

The following reports were received by Council:

1. The Minutes of the January, February and March EAJSA meetings.

Mayor Panto accepted the 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 Sections in Chapter 531, Tax Abatements, of the City's Codes, amending fees in the Fee Schedule for parking in Surface parking Lots and for recreational impact fees for new construction.

Dr. Warner asked questions on fees charged for monthly parkers in the parking lots which were answered by the Mayor and Mr. Steckman. There was a short discussion on this matter and charges to farmers' market vendors and patrons and amendments will be made to proposed Bill 19 at the next Council meeting.

Mrs. Vulcano, Chairman of the Economic Development Committee reported that the Main Street program received its National Accreditation in 2011. She also spoke regarding legislation that she would have for later in the meeting regarding Resolutions expressing the City's commitment to Historic Preservation, regarding the reallocation of HOSAG and HODAG Funds, and approving a Subordination Agreement with Merchants Bank.

Dr. Ruggles, Chairman of the Planning Committee, spoke regarding legislation that he would have for later in the meeting regarding approving Certificates of Appropriateness for six properties in the City's Historic District.

Mr. Warren, Chairman of the Public Safety Committee, reported that a Public Safety Committee meeting would be held on May 8, 2012, and that the organization, Valley Against Sex Trafficking would make a presentation regarding their organization and what they did, and said that Terrance Miller had set up a meeting, between the City and the County to speak about numerous issues in the West Ward of the City.

Dr. Warner, Chairman of the Public Works Committee had no report.

Mr. Fleck, Chairman of the Administration Committee reported that he and Mr. Steckman were working on some of the recommendations that came out of the workshop on the City's Home Rule Charter, and would bring those recommendations back to the Council.

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Mr. Murphy, City Solicitor, and Mr. Scheer, Assistant City Solicitor had no reports. Mr. Murphy informed all that after the Council meeting, Council would meet in Executive Session to discuss litigation and potential litigation.

Mayor Panto spoke regarding legislation that he would have for later in the meeting regarding the dissolution of the Two Rivers Joint Venture Agreement between the City, the Greater Easton Development Partnership, Hugh Moore Park and Museums, Inc., and Binney & Smith LLC, thanked Dr. Ruggles and the Friends of the Karl Sterner Arts Trail for their efforts to clean up the refuse from the trail, thanked Frank Pitabone, the Easton Police Department, and City employees for the rally against violence which was held on Saturday, April 21, 2012, and said that it was well attended, thanked the Police Department for the two drug raids that were conducted during the week for the three raids that were conducted earlier in the day and for the arrests culminating from those raids, announced that a City Wide Cleanup would be held on Saturday, April 28, 2012, and thanked College Hill Presbyterian Church for allowing Council to hold the meeting at the Church.

UNFINISHED BUSINESS

Bill No. 17, Amending Sections in Chapter 531, Tax Abatements, of the Codes of the City of Easton, Pa., was amended, in the following way, on motion of Mr. Brown and Dr. Ruggles by the following vote:

- In Section 531-3 the words “(Amended 12-21-95 by Ordinance No. 3419)” was eliminated.
- In Section 531, the letters a, b, c, d, e, f, g, h, I, j, k and l have been changed to read as numbers.
- In Section 531.4 the word “Bureau” has been changed to “Department”.
- In Section 531.6 the struck through words; “Nothing contained herein shall act to prohibit Council from enacting a similar ordinance after December 31, 2012 have been unstruck and 2012 has been changed to 2017.
- 531.7 the word “Procedure” has been added right before the numbered sections.
- 531-8 the word “place” has been replaced with the word “effect”.

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

Nays: None (0)

Amended Bill No. 17, (Ordinance 5355) Amending Sections in Chapter 531, Tax Abatements, of the Codes of the City of Easton, Pa., was adopted on motion of Mr. Brown and Dr. Ruggles by the following vote:

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

Nays: None (0)

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Ordinance 5355 amends sections in Chapter 531 of the City Codes for the LERTA program.

Bill No. 18, (Ordinance 5356) Amending Chapter 515, Streets and Sidewalks, of the Codes of the City of Easton, Pa., was adopted on motion of Dr. Warner and Dr. Ruggles by the following vote:

Ordinance 5356 repealed Attachments 1: through 1:12 in chapter 515 and replace those with a new updated Attachment.

CORRESPONDENCE

There was no correspondence received by Council:

NEW BUSINESS

Bill No. 19, Amending Section 285-84, Subdivision and Land Development, Chapter 520, Section 285-42, Parking Garage Fees and Section 285-42, Surface Parking Lots, of Chapter 285, Fees, of the Codes 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 the Subdivision and Land Development and fees for Surface Parking Lots.

Bill No. 20, Approving Addendum No. 1, to a Five (5) Year Lease Agreement between the City of Easton, Pa., and Service Electric Cable TV., Inc. was introduced by Mr. Fleck and ordered processed for adoption.

This Bill would approve Addendum No. 1 to a Five Year Lease Agreement with Service Electric Cable TV. Inc.

Then next item on the Agenda was a proposed Resolution which would approve Dissolution of the Two Rivers Joint Venture Agreement between Binney & Smith LLC., the Greater Easton Development Partnership, Hugh Moore Park and Museums, Inc., and the City.

The following Resolutions were introduced by Mayor Panto:

56-2012

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

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

The next six items on the Agenda were proposed Resolutions which would approve Certificates of Appropriateness for 11 N. 3rd, 104-106 N. 4th, 20 S. 5th, 433 Ferry, 542 Northampton and 216 Pine Streets.

The following Resolutions were introduced by Dr. Ruggles:

57-2012
58-2012
59-2012
60-2012
61-2012
62-2012

There being no objections, all six Resolutions were adopted by one vote on motion of Dr. Ruggles 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 express the City's commitment to Historic Preservation.

The following Resolution was introduced by Mrs. Vulcano:

63-2012

The above Resolution was adopted on motion of 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 approve the reallocation of Home Ownership Opportunity Program and Housing Development Action Grant program funds.

The following Resolution was introduced by Mrs. Vulcano:

64-2012

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

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

An April 20, 2012 e-mail regarding a Resolution and agreement for a Loan Subordination Agreement was received from Gretchen Longenbach.

The following Resolution was introduced by Mrs. Vulcano:

65-2012

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

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

CITIZENS RIGHT TO BE HEARD

Rab Cika, 730 Coleman Street, spoke regarding traffic problems on Lafayette Street and asked for some type of speed control device to be place on the street.

Mayor Panto said that he would meet with the Police Department and try to come up with some solutions.

Drew Anderson, 611 Brodhead Street, spoke regarding tax collection.

Rich Hieshetter, 304 W. Monroe Street, spoke regarding garbage collection receptacles, the timing of traffic lights and walking lights in Centre Square, asked if the proposed Intermodal Transportation Facility had gone before the Historic District, and regarding traffic cameras for Lafayette Street.

Philip Hart, 222 E. Pierce Street, informed Council that he was the new President of the College Hill Neighborhood Association, said that he felt that holding Council meetings outside of City Hall was a good idea, furnished Council with a short State of the Neighborhood Address, and invited Council members to their meetings and events.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:03 p.m. on the motion of Dr. Warner and Mr. Warren by the following vote:

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

Thomas A. Hess, City Clerk