

**File of the
Council of the City of Easton, Pa.**

Ordinance No.

SESSION 2012

Bill No. 23

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Introduced by: Elinor Warner – June 13, 2012

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Enacted by Council:
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AN ORDINANCE: Approving the Transfer of Funds within the 2011 GO Bond Capital Fund Budget.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Council of the City of Easton, Pa., approves the transfer of \$49,579 between the following accounts contained in the 2011 GO Bond Capital Fund Budget.

Account No.	Name	Budget	Proposed Change	Proposed Budget
153-5000-4740	Machinery	\$208,100	-\$ 134	\$207,966
153-5052-46490	Public Bldg. Improvement	\$ 0	+\$49,579	\$ 49,579
153-5063-4672	Glendon Bridge	\$257,000	-\$ 2,737	\$254,263
153-5063-4680	ADA Ramps	\$140,000	-\$ 46,708	\$ 93,292

SECTION 2. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 4. This ordinance shall take effect immediately following adoption by Council.

Signed the day of , 2012

ATTEST: _____
City Clerk

Mayor

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

Ordinance No.

SESSION 2012

Bill No. 24

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Introduced by: Elinor Warner – June 13, 2012
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Enacted by Council:
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AN ORDINANCE: Establishing a Community Bill of Rights for the City of Easton Pa.

THE CITY OF EASTON HEREBY ORDAINS: an Ordinance, to be known as “The City of Easton Pennsylvania’s Community Bill of Rights.

Section 1. Council of the City of Easton has reviewed and approves a City of Easton Community Bill of Rights as follows:

Statements of Law: The City of Easton’s Community Bill of Rights

The rights enumerated in this Community Bill of Rights are in addition to, and shall not limit, other rights retained by the people, whether enumerated or not enumerated in constitutions or law. All rights secured by this Ordinance shall be self-executing and these rights shall be enforceable against all entities, both public and private.

Right to Community Self-Government

All residents of the City of Easton possess an inalienable right to local community self-governance and they shall have authority to exercise governing power in the City of Easton over the behavior of corporations chartered by the state in their name.

Corporate Powers Subordinate to People’s Rights

Corporations are not natural persons and corporate powers shall be subordinate to people’s rights. Corporations and other business entities which violate the rights secured by this Ordinance and by other laws shall not enjoy the constitutional protections afforded to “persons,” nor possess any other legal rights, privileges, powers, or protections, the exercise of which would interfere with the enforcement of rights secured by this Community Bill of Rights, state and federal constitutions, or by other laws.

Right to Citizen Directed Elections and Governance

All residents of the City of Easton possess a fundamental right to direct the affairs of their local government and to be free from interference with the right to vote and the right to citizen-directed outcomes of elections and legislation, including but not limited to, the right to be free from corporate influence over elections, legislation, policy, and judicial decisions.

Neighborhood Residents’ Rights

Residents of the neighborhoods of College Hill, Downtown, South Side, and West Ward possess the right to determine the future development of their neighborhoods. The method for the exercise of

this right shall be determined through proposed amendment(s) to the Easton City Charter to be presented to the City electors within one year of adoption of this Community Bill of Rights and such proposed amendments shall include the right of a majority of neighborhood electors to approve or reject any significant commercial, industrial, or residential development proposed for the neighborhood which is incompatible with the provisions of the City's Comprehensive Plan or City Charter.

Right to be Free from Trespass

All residents of the City of Easton possess a fundamental and inalienable right to the integrity of their bodies, and to be free from unwanted invasions of their bodies by any means, including but not limited to, trespass by chemicals, toxins, pathogens, or radioactive substances and their progeny caused by industrial activities, whether regulated or unregulated. The People at all times possess a right to privacy of their bodies and possessions against unwarranted searches, surveillance and inspections, and against forced medical treatment.

Rights of Natural Communities

Natural communities and ecosystems possess inalienable and fundamental rights to exist and flourish within the City of Easton. Residents of the City of Easton shall possess legal standing to enforce those rights on behalf of, and in the name of, those natural communities and ecosystems.

Right to and Portability of Constitutional Protections

All residents of the City of Easton shall have equal protection of the law and no discrimination based on age, gender, heritage, religion, political affiliation, or sexual orientation shall be lawful in any form. All residents of Easton shall possess constitutional protections and legal rights in every workplace within the City of Easton, and workers in unionized workplaces shall possess the right to collective bargaining.

Rights Supersede Statutes and Regulations

No permit, license, privilege, or charter issued by any State or federal agency, Commission, or Board to any person or any corporation operating under a State charter, or to any director, officer, owner, or manager of a corporation operating under a State charter, which in its exercise or operation would violate the rights secured by this Ordinance or deprive any City resident(s), natural community, or ecosystem of any rights, privileges, or immunities secured by this Community Bill of Rights, the Pennsylvania Constitution, the United States Constitution, or other laws, shall be deemed valid within the City of Easton.

Pennsylvania Constitutional Changes

Through the adoption of this ordinance, the people of the City of Easton call for changes to be made to the Pennsylvania Constitution so that it recognizes and secures a community right to local self-government that cannot be preempted by State law if the community's laws enforce standards and rights more protective of the health, safety, and welfare of the people and the natural environment of Easton. The people of Easton also call for state constitutional changes that elevate the rights of people above those claimed by corporations and that recognize the rights of nature to be enforceable by the residents of the community.

SECTION 2. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 3. This ordinance shall take effect 30 days following adoption by Council.

Resolution
Of the
City of Easton, Pennsylvania

No:

Date: June 13, 2012

Introduced by: Sandra Vulcano

A Resolution approving a Cooperative Agreement between the City of Easton, PA and the Greater Easton Development Partnership.

WHEREAS the Greater Easton Development Partnership is desirous of applying for Keystone Communities Funding in the amount of \$6,000 to provide technical assistance to businesses located on South Third Street throughout the South Third Street Streetscape projects to help mitigate disruption to business operations; and

WHEREAS the City of Easton, PA designates \$6,000 from the Economic Development Initiative Fund as a grant match. .

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, PA has reviewed and approves a Cooperative Agreement (copy attached hereto) between the City of Easton and the Greater Easton Development Partnership to foster collaboration between the parties, subject to the provisions of the agreement.

BE IT FURTHER RESOLVED that the Council authorizes and directs the Mayor and City Controller to sign said agreement on behalf of the City of Easton and the City clerk to attest to same.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: June 13, 2012

Introduced by: Sandra Vulcano

WHEREAS, the Pennsylvania Liquor Code (47 P.S. Sec 4-461) (b.3) provides for the intermunicipal transfer of certain Restaurant Liquor Licenses, under circumstances that include approval of the transfer by the governing body of the receiving municipality; and

WHEREAS, the City of Easton, Pa., has received an application from Nakia, LLC for the transfer of a Restaurant Liquor License, to wit, No. R-21033 from the Borough of Portland, Northampton County, Pennsylvania, to 650 Northampton Street in the said City of Easton, Northampton County, Pennsylvania; and

WHEREAS, a duly advertised public hearing was held on June 13, 2012 by Easton City Council for the purposes of receiving comments and recommendations of interested individuals residing within the said City of Easton, Pa., concerning the applicant's intent to transfer a Restaurant Liquor License as aforesaid into the City of Easton, Pa; and

WHEREAS, Easton City Council does not find that the requested Restaurant Liquor License transfer would adversely affect the welfare, health, peace and morals of said City of Easton, or its residents.

NOW THEREFORE BE IT RESOLVED, by said Council of the City of Easton, Pa., that the requested Restaurant Liquor License transfer application be approved, relative to the above applicant and the said Restaurant Liquor License, to wit, No. R-21033

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: June 13, 2012

Introduced by: Sandra Vulcano

WHEREAS, the Pennsylvania Liquor Code (47 P.S. Sec 4-461) (b.3) provides for the intermunicipal transfer of certain Distributor Liquor Licenses, under circumstances that include approval of the transfer by the governing body of the receiving municipality; and

WHEREAS, the City of Easton, Pa., has received an application from VRAJ, Inc. for the transfer of a Distributor Liquor License, to wit, No. D-1370 from the Township of Lower Saucon, Northampton County, Pennsylvania, to 222 Northampton Street in the said City of Easton, Northampton County, Pennsylvania; and

WHEREAS, a duly advertised public hearing was held on June 13, 2012 by Easton City Council for the purposes of receiving comments and recommendations of interested individuals residing within the said City of Easton, Pa., concerning the applicant's intent to transfer a Distributor Liquor License as aforesaid into the City of Easton, Pa; and

WHEREAS, Easton City Council does not find that the requested Distributor Liquor License transfer would adversely affect the welfare, health, peace and morals of said City of Easton, or its residents.

NOW THEREFORE BE IT RESOLVED, by said Council of the City of Easton, Pa., that the requested Distributor Liquor License transfer application be approved, relative to the above applicant and the said Distributor Liquor License, to wit, No. D-1370.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: June 13, 2012

Introduced by: Elinor Warner

RESOLVED, that the Council of the City of Easton, Pa., has reviewed and approves an Agreement, copy attached hereto, between the City of Easton and the Delaware & Lehigh National Heritage Corridor, Inc. for implementation of the Hugh Moore Park Invasive Plant Management.

BE IT FURTHER RESOLVED, that Council authorizes the Mayor and City Controller to sign said Agreement on behalf of the City and the City Clerk to attest to same

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: June 13, 2012

Introduced by: Elinor Warner

RESOLVED, that the Council of the City of Easton, Pa., has reviewed and approves an Agreement, copy attached hereto, between the City of Easton and the Easton Aquatic Club to utilize the heil Pool to practice and host swim meets during their season.

BE IT FURTHER RESOLVED, that Council authorizes the Mayor and City Controller to sign said Agreement on behalf of the City and the City Clerk to attest to same

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: June 13, 2012

Introduced by: Salvatore J. Panto Jr.

RESOLVED, that the Council of the City of Easton, Pa. hereby approves the following reappointments and appointments to the following Authorities, Boards or Commissions.

EASTON PARKING AUTHORITY

George Borowski, 227 W. Lafayette St., term to expire on June 1, 2017

EASTON WATER AUTHORITY

Robert Bergren, 710 McCartney St., term to expire on January 1, 2017

HOUSING AUTHORITY OF EASTON

Clay Mitman, 126 Bushkill St. term to expire on February 15, 2017

EASTON REDEVELOPMENT AUTHORITY

Reno Pesaresi, 205 Porter St., term to expire on August 15, 2016

FIRE CIVIL SERVICE BOARD

Michael Sekinsky, 605 W. Lafayette St., term to expire on the first Monday of January 2016,

POLICE CIVIL SERVICE BOARD

Peter Melan, 500 Reeder St., term to expire on the first Monday of January 2016

HEALTH CIVIL SERVICE BOARD

Susan Eagle, 124 S. 15th St., term to expire on November 14, 2015

TECHNICAL CIVIL SERVICE BOARD

Earle W. Brotzman, 828 Philadelphia Rd., term to expire on March 15, 2016

EASTON PLANNING COMMISSION

William Heilman, 500 Philadelphia Rd., term to expire on the first Monday of January 2016.

HUGH MOORE PARK COMMISSION

Ryan Hall, 418 Folk St., term to expire on October 12, 2012

David Hopkins, 318 Parsons St., term to expire on October 12, 2015

Robert Conroy, 6001 Green Pond Rd., term to expire on October 12, 2016

RECREATION BOARD

Tom Lisinicchia, 172 E. Wilkes Barre St., term to expire on February 9, 2017

CODE BOARD OF APPEALS

Dan Hagerty, 916 Pine St., term to expire on September 10, 2016

BOARD OF HEALTH

Marie Link, 133 S. 4th St., Apt. E-12, term to expire on the First Monday of April 2017.

ENVIRONMENTAL ADVISORY COUNCIL

Charles Elliot, 604 Cattell St., term to expire on the First Monday of January 2015

ZONING HEARING BOARD

Lynne Tone Stark, 325 Porter St., term to expire on March 3, 2017

VACANT PROPERTY REVIEW BOARD

Dr. Pat Vulcano, 531 Philadelphia Rd., term to expire on February 23, 2013

Becky Bradley, One South Third St., term to expire on February 23, 2013

Charles Elliot, 604 Cattell St., term to expire on February 23, 2013

Gretchen Longenbach, One South Third St., term to expire on February 23, 2013

Vicki Davis, 827 Porter St., term to expire on February 23, 2013

Sandra Vulcano, 531 Philadelphia Rd., term to expire on February 23, 2013

EASTON MUNICIPAL AUTHORITY

Chris Heagele, 801 Cattell St., term to expire on July 13, 2017

HISTORIC DISTRICT COMMISSION

Clay Mitman, 126 Bushkill St., term to expire on October 26, 2014

Cindy Cawley, 415 W. Nesquehoning St., term to expire on October 26, 2014

HUMAN RELATIONS COMMISSION

Gershon Hinckson, 29 S. Sitgreaves St., term to expire on September 27, 2012

Waltar Bright, 1040 W. Nesquehoning St., term to expire on September 27, 2013.

Rabbi Daniel Stein, 1458 Spring Garden St., term to expire on September 27, 2014

PROPERTY MAINTENANCE REVIEW BOARD

Carl Manges, 1 S. Third Street, term to expire on March 28, 2015

Noel Jones, 901 Ferry Street, term to expire on March 28, 2015

EASTON AUDIT COMMITTEE

Tony Bassil, 118 Morrison Ave., term expires on December 31, 2013
Kenneth Brown, 201 Reese St., term expires on December 31, 2013
Roger Ruggles, 111 Parsons St., term expires on December 31, 2013
Vicki Davis, 827 Porter St., term expires on December 31, 2013

EASTON ETHIC BOARD

Edward Shaughnessey, 415 Paxinosa Ave., term expires on June 1, 2013
Terrence Miller, 645 Ferry St., term expires on June 1, 2014
Jeremy Clark, 321 Pierce St., term expires on June 1, 2014
Natasha Serrano, 211 Monroe St., term expires June 1, 2015
Erika D'Agostino, 733 Paxinosa Rd., term expires on June 1, 2015

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____ Signed: _____
City Clerk Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: June 13, 2012

Introduced by: Elinor Warner

WHEREAS a contract was entered into by the City of Easton and Metropolitan Edison Company (hereinafter Met-Ed), on September 28, 1984, whereby said Company shall furnish lighting; and

WHEREAS it is necessary and proper that street lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW THEREFORE BE IT RESOLVED that the City of Easton, pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, rate schedules and riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to upgrade existing lighting consisting of:

Upgrade one (1), Company owned, 150-watt, high pressure sodium vapor cobrahead street light on an aluminum pole to a 100-watt, high-pressure sodium vapor luminaire. The light is located on pole 70753-50067, on Highland Boulevard, within the City.

Payment to be made to Met-ed for the additional lighting at the rates specified in the Tariff.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution

of the
City of Easton, Pennsylvania

No. -2011

Date: June 13, 2012

Introduced by: Sandra Vulcano

WHEREAS, Section 461 of the Pennsylvania Liquor Code (47 P.S. 4-461, hereinafter, the "Code") requires that the issuance of a new license for economic development must, under certain conditions, first be approved by the governing body of the receiving municipality; and

WHEREAS, that subsection mandates that, prior to adoption of such as resolution, at least one hearing must be held for the purpose of receiving comments and recommendations from interested individuals residing within the municipality concerning the applicant's intent to acquire an economic development license for the Pennsylvania Liquor Control Board; and

WHEREAS, Juan Carlos Paredes (hereinafter "Applicant") intends to establish a place of business at 42 S. 3rd St., Easton, Pennsylvania (hereinafter "Premises") and plans to operate a restaurant at such location; and

WHEREAS, on June 4, 2012 and pursuant to Code Section 461, the Applicant filed a written request for a hearing in front of Easton City Council, Northampton County, Pennsylvania (hereinafter the "Council") regarding a proposed economic development restaurant liquor license for the property located at 42 S. 3rd Street, Easton, Pennsylvania; and

WHEREAS, on June 13, 2012 at 6:00 PM and in accordance with Section 461 (b.1) and (b.3) the Council held a public hearing on the proposed economic development liquor license; and

WHEREAS, the purpose of this Resolution is to comply with the Code Section 461 (b.1) and (b.3).

NOW, THEREFORE BE IT RESOLVED by the Easton City Council, City of Easton, Northampton County, Pennsylvania as follows:

1. Applicant seeks approval of an economic development liquor license for the property located at 42 S. 3rd Street, Easton, Pennsylvania, pursuant to Code Section 461;
2. Applicant proposed to, and will, operate a restaurant at the aforescribed location;

3. Council finds the issuance of a liquor license to Applicant at the Premised will promote economic development;
4. Council finds that there is no evidence that the proposed economic development liquor license will adversely affect the welfare, health, peace and morals of the City of Easton or the residents thereof;
5. The Council hereby approves the Applicant's request for an economic development liquor license pursuant to Code Section 461 (b.1) and (b.3) at the Premises;
6. The issuance of the Liquor License contemplated hereby is subject to final approval by the PLCB.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor