

**Michael D'Amore, Ph.D., President**  
**Peter Schweyer, Vice President**  
W. Michael Donovan  
Jeanette Eichenwald  
Julio A. Guridy  
Ray O'Connell  
Mike Schlossberg



**Allentown City Council**  
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**COUNCIL MEETING MINUTES**  
**April 6, 2011**  
**COUNCIL CHAMBERS**

**COUNCIL MEETING - 7:30 PM**

Mr. D'Amore noted Council was in an Executive Session since 7:25 PM on a legal matter.

**1. Invocation: Julio Guridy**

**2. Pledge to the Flag**

**3. Roll Call:** D'Amore, Donovan, Eichenwald, Guridy, O'Connell, Schlossberg, and Schweyer  
John Marchetto represented the Solicitor's Office.

**4. Courtesy of the Floor**

Mr. Dan Mest stated that he brought up Bill 14 at last Council meeting. He questioned the sidewalk and curbing payment plans. He stated that he has not received an answer regarding payment arrangements.

Mr. Kenneth Bennington stated that they researched it and it changed over the years. There is a payment plan in place. He stated that he will have the Finance Director talk to him tomorrow.

Mr. Schweyer stated that he will read it in the record. He just got this information today.

Ms. Paulette Hunter thanked the police officers for what they are doing for the city. She sees them all the time in her area. She asked about the Youth Council and asked if Council will be going into the prison and talk to the youth to see what could have prevented them from being there. Consider the kids in the RGF and facilities because they need help.

Mr. Peter Schweyer stated that the short answer is no. They did five meetings so far. They had two meetings with Allen and two with Dieruff and one at Central Catholic. He will try to incorporate it next year.

Mr. Brian Sherry, 2727 W Gordon Street, stated that in his neighborhood there was a gentleman running around under the influence of Bath Salts. It is becoming a real and apparent danger. He was twenty-seven. It looks like it will be the newest craze popping up.

Mr. D'Amore stated that it is a police matter if he is harassing people.

Mr. Guridy stated that he started an investigation on that. They will bring it up to the public safety committee. It is an issue all over the country. He stated that someone was found in the dumpster a couple days ago that inhaled mushrooms.

**5. Approval of Minutes: Council Meeting and Public Hearing: March 16, 2011**

Minutes Approved by Common Consent.

**6. Old Business**

Mr. Kenneth Bennington stated that after the end of the last IronPigs Season Council requested that he and Police Chief Roger MacLean go out and talk to the General Manager and the IronPigs made modifications to their fireworks programs and he reminded them of what they agreement to because the first fireworks display will be Friday evening.

Mr. D'Amore stated that the approval of an application of an Economic Development Liquor License by Salvatore Biundo and they received information that was relatively accurate that Mr. Biundo had no interest in the property that he applied for and that would nullify his application if that was the case. It would be a matter of Council reconsideration. He asked if anyone on Council had interest.

Ms. Jeanette Eichenwald made a motion that they re-open the hearing.

Mr. Michael Donovan seconded the motion.

Mr. D'Amore stated that they will re-open the public hearing to see if this allegation is really true and that Mr. Biundo does not have financial interest in the property and if so the application will be nullified. He asked Mr. Hanlon when is the next time they can schedule according to advertisement requirements a public hearing. He asked if April 20<sup>th</sup> would meet advertising requirements.

Mr. Michael Hanlon stated yes April 20<sup>th</sup>.

Mr. D'Amore stated that they will schedule the re-opening of this public hearing on April 20<sup>th</sup>. They have an executive session at 7:00 PM on matters of property. He stated that the public hearing will be at 6:30 PM. He asked Mr. Donovan if they could move the Arts Commission Strategic Meeting. They will contact the Arts Commission to reschedule the time for the Strategic Report.

Mr. Donovan stated that is fine.

Mr. D'Amore stated that they will move the Public Hearing for the Liquor License Transfer at 6:00 PM and re-open the Public Hearing for Mr. Biundo at 6:30 PM and contract the members of the Arts Commission and ask if we can re-schedule the Arts Commission's Strategic Report. Mr. D'Amore stated that it has been a request to move R18 under Old Business. He asked were there any objections to moving R18 to Old Business.

No Objections.

### **R 18 Citizens On Patrol**

Supports Citizen on Patrol Program and Recommends Signing \$8000 Transfer for the program.

Mr. D'Amore stated that he will make a point of information before the discussion. It is a Resolution and a non-binding recommendation as a Resolution to be brought forward to discuss this matter. The Transfer itself has three signatures and a fourth signature would allow the Transfer of that money.

Mr. Guridy stated that this was discussed at previous Public Safety Committee meeting. The last committee meeting that they discussed the issue that they agreed that they wanted to move the concept of the program forward to the whole Council. However, they divided the issue into two and decided that they would target the \$8000 transfer in a different way. He stated that he understands that the transfer has gotten three signatures and four has not signed it. They have to make a decision if they will move forward in approving this or not. They received one or two calls. His concern is that they are setting some kind of precedence because they feel that they never done this before. They are giving money to a community organization and they never did that before only through CDBG. He stated that Dan Bosket is here from the CACLV or LVC of the City of Allentown. Alan Jennings is the executive director and is in support of the transfer and he does not hear any concerns from the organization at all. His other concern is that they would be missing an opportunity and providing a program that assists our public safety and the city by supporting the police department without getting engaged physically. The reason for this resolution is to discuss it further and figure of the concerns that the three other Councilpersons that feel that this is a good program to fund. He did not want to personally sign it unless they had a public hearing.

Mr. Donovan stated that he is glad that they have the opportunity to discuss this particular topic. It is important the Council has a public discussion and vote on the topic for two reasons. One is \$8000 is a significant amount of the budget and they have taken action by going to the administration when it is a large transfer and they should be held in the same standard. This particular item was not in the budget for this year. It is a new item and it needs to be discussed because of the policy statement. He stated that they are expending funds that will have an impact on how law enforcement will occur in the city. He stated that he did not feel the approving would come from four signatures on a transfer. He stated that he does not agree with the program. These types of programs exist in United States with various goals. He stated that in his view it is a policy statement. He delineated the reasons why he is against this. There are risks extended to the city with potential risks. While there is a statement that training will be provided and is concerned if the training would be sufficient given the effort that they go through that already exist. He does believe there is potential in other situation that when people have a discriminatory agenda. It builds off the negativity of crime watch. He would get rid of crime watch and change it to neighborhood associations. He would rather see the money spent on mentoring children which has a longer impact. He rather invests in more police officers. They have an organization with Police/Fire that goes through certification and authorized by the state and would rather see that bolstered because of the characteristics. A person that they do not write the acronym COPS. There are advantageous, but he works with cost benefit and he fears the costs the city may experience.

Mr. Schlossberg stated that he will join Mr. Donovan on his opposition to funding this program. He does not have a problem with the program. They are taking money from a fund that has never been used as a grant funding and setting a precedence of if someone asked us for money we will give it to them. He does not see how we would fund this over other non-profit programs. He would like to propose as a body that they make active method to meet with nonprofits.

Mr. Ernie Atiyeh, 1909 E Congress Street, stated to Mr. Donovan that he understands and is trying to get rid of the word crime and use neighborhood watch group. Crime puts a stigma in certain situations. He stated to Mr. Schlossberg that there is nothing wrong with doing something first. His suggestion is City Council put together a committee and review the possibilities in putting a pot of money away to neighborhood groups. Have a structure and a program and ask for money to plant flowers or give grants. He stated that most non-profits go to CDBG. He thinks that is government working with people. Citizens on Patrol program is a national organization. Midway Manor has been doing neighborhood patrols for twenty-seven years. Mountainville neighborhood has been doing it for a number of years. They are looking to make a structure and put it all together. It is residents watching over residents. He stated that he wants the City Council support. He asked Council to listen to the people for Hagerstown Citizens on Patrol.

Mr. Philip Nussear, First Vice President of Hagerstown of Citizens on Patrol, stated that he could not speak to the funding. As an organization their only goal is to observe and report. They have no authority to detain or talk to people. They do not get out of their patrol cars. The organization at Hagerstown is approximately seven years old. He stated that they have not been without problems, but in the last couple of years they have straighten those problems out. They have no authority to do anything other than observe. They are advance when you compare other Citizen On Patrol programs and fortunate to have four squad cars from the police department. The drivers are certified and trained. They never go by the acronyms COP. In an average week they make 180 contacts. They have hotspot lists. They have a good working relationship with the police department and works with police liaison. All members know what their mission is to observe and report.

Mr. Guridy stated that he is the Chair of the Public Safety Committee and is concerned about this program. He asked if Mr. Nussear received grants from the Gaming Commission. Does the city support you? What is the average funding? Did you get any seed funding when you started your organization. He asked for him to elaborate on the problems and appreciated him coming and talking about the program.

Mr. Nussear stated the city financially supports them by paying the insurance and the fueling. The average fueling is 32 miles per car every time they go out and they go out one night a week. It is not significant. He stated that they received \$10,000 from Wal-Mart and they used it to upgrade their cars. They do a fundraiser every year and get sponsors. They do public safety programs. Most of the problems have been administrative problems and keeping officers. There have an office building in a city building and the city pays for everything. Having an office that is separate gives them an identity. He stated that they should give the program a try. Seeing cars in the neighborhood puts people at peace.

Mr. Ray O'Connell stated that the problems and growing pains how have you been received by the community. He asked if they went out one night a week.

Mr. Nussear stated they were received well with the community. They accept it well. They stroll through the housing projects and one of their mission is not to create confrontation. They require two people in the cars for safety. They ask the members to volunteer once a month. They have the physical space.

Mr. Peter Schweyer asked about the donations from Wal-mart and in-kind donations for their vehicles. He asked if they had support from the Sherriff's office. He asked were they previously pubic vehicles. He asked if the city supported them with vehicles and physical space.

Ms. Jeanette Eichenwald stated that Mr. Nussear reinforced her support about the program and asked about what extent of training they do of volunteers.

Mr. Nussear stated that they have a training manual with dos and don'ts. They do not do first aid training or traffic training. They train people on what to look for. They are trained on gangs that are loitering around vacant houses. They run the program once every two months and all members must attend.

Mr. Lee Brierly stated that his job as president is the operations officer. The first vice president makes up the schedule and is done on a monthly meeting and is required to attend one ride-along a month and each meeting each month. They choose what dates and days they want to patrol. When they sign the sheet he gives it to the vice president and he makes up the patrol. If you do not make so many runs we try to find out why. Three times you are out. If you are out, you can come back, but with restrictions and the second time you are gone. Each car has to have two volunteers and have to go citywide. In each car is a run sheet or clipboard. Any time they check a business, city park, Laundromat or whatever they check citywide is logged and compiled. This is provided to the Hagerstown city police. They look at it and forward it to the national headquarters. He stated that they have a patrol recap that is done monthly.

Mr. John H Chance, director of Citizen on Patrol stated Citizen on Patrol does work. Police can not do everything. Citizens on Patrol are not police officers, they assist them. It is teamwork. They need us and we need them. He supports it in Allentown PA.

Mr. D'Amore asked was Mr. Chance a police officer in Hagerstown. How do the police officers feel about the Citizen on Patrol?

Mr. John Chance stated no not in Fredericktown. He spent thirty years in law enforcement. Stuff they do not see Citizen on Patrols see. The police love it. Stuff they don't see Citizens on Patrol sees.

Mr. Bob Toth, 1101 South Howard Street stated that KUBOK Neighborhood Watch (Kutztown University and Bureau of Kutztown) that started after the untimely death of a Kutztown University student. It is just that. The city does not necessarily have to make a cash donation. If you want to meet in the middle provide space so that they do not have to rent or provide radios. Kutztown pays utilities for the neighborhood space. Maybe don't make a cash donation find other ways to assist. The KUBOK Neighborhood watch bridged the gap between the counties and the students. Kutztown University pays the graduate assistants with free tuition and they get a stipend. With KUBOK Neighborhood Watch they have permanent residents and students going on neighborhood watch patrols on Thursdays, Fridays, and Saturday night at the peak social hours. There are not a lot of racial divides in Kutztown.

Mr. Dan Mest, president of St. Paul's Park Neighborhood Group, stated for the past seven years he has been president of the St. Paul's Park Neighborhood Group and they have their own patrolling and they do walk. He supports this program one hundred percent, but will not put a shirt on. He does not know who is inside a house screaming for help or what kid is being beat by whomever inside, but he resent being called a vigilante. His training out of the police academy was look, listen and report.

Mr. Brian Sherry, stated that he is a member of the Rose Garden Neighborhood Association. He is on the board and they have a crime watch. He thinks they are getting a little soft. They are not looking for people that are planting flowers or painting their fence. They are looking for shirtless maniacs bloody and people stealing landscaping materials or

breaking into cars. Those are called crimes. He does not have a problem with the word crime. Speaking to the funding, it opens up Pandora's Box because there are neighborhood associations. Allentown is a big city. There is east side, west side, south side and all the areas in between. This may be a way to bring all the neighborhood associations together to communicate. He commends anyone that takes time out their lives to participate in something that they are not getting paid for that takes time from their lives and their families. That's the only way to do it by putting citizens on the streets. They have one car patrolling half of Allentown in their neighborhoods. They are not racist in reporting crimes. They report crimes with any race, creed or color when crimes are occurring.

Mr. Ken Laudenslager, 721 W. Cumberland Street, stated that he is the Lieutenant on the Allentown Fire/Police. He is the president of the Fairview crime watch. The acronym cops may have a negative cogitation, but the acronym they are using is ACP (Allentown Citizens on Patrol). Fire/Police are volunteers. They have a large force in the city. They have to join the Citizens on Patrol Program and they will be the trainers to begin with. They can not go out there as Fire/Police. Fire/Police are very restrictive based on the Commonwealth Laws. Fire/Police are there for crowd control, traffic control and scene security. Those are the guidelines since 1940. Some of the training will cross over such as vehicle operating course. They need to know how to drive and how to handle it. More definitive then you get your driver's license. Every Allentown Fire/Police goes through this such as first aid and CPR. The police are under staffed and this is a way to use the citizens as a forced multiplier. He stated that he read in the paper the term vigilante being used. The definition of vigilante is a person or group of persons organized without legal authorization professing to keep order and punish crime when ordinary law enforcement agencies apparently fail to do so. Citizens on Patrol are a legally recognized organization and there is no ability for Citizens on Patrol to punish anyone. He stated that this is a program that we need in Allentown.

Mr. Donovan asked Mr. Laudenslager if he did not send him an email that was inflammatory comment about Muslims.

Mr. Laudenslager stated that it was a personal opinion and not the opinion of the program.

Mr. Tony Vagenta, 716 W Tilghman Street stated that he is a transplant from Philadelphia and he has seen Philadelphia going the way that Allentown is heading. Philadelphia needed people like Citizens on Patrol in order to cut down on crime rates. It has worked. It is a lot safer now. In Philadelphia they made themselves visible to let people know they could not get a way with stealing. It worked. You need these people to keep the crime down if you want people to stay in Allentown and businesses to stay in Allentown.

Mr. Schweyer stated that they heard quite a bit about this tonight and he wanted to tell them why initially he wanted to support this and he heard nothing tonight to make him change if mind on that. Several years ago as a city agreed in theory, principle and practice to move towards a sense of community policing strategy. A significant part of that was further engaging our citizens to provide the basic intelligence that says there is a house on the corner that causes us problems or a hangout. He stated that when he was at Central Catholic a student relayed to him that about witnessing a crime at an establishment. These are the things that our police department to be able to adequately patrol. To advert crimes before they happen and anytime we have citizens to be active participants in that he believes is most important. He stated that he does not believe that the city is moving fast enough towards community policing. He would also like to see another 50 – 60 police officers on the street to give more officers. Here we have a group of citizens that have spent the better part of several years researching. He stated that Mr. Atiyeh has been in his office a number of times talking about various types of programs like this. We have asked our citizens to come up with creative solutions in how we can collective reduce crime in the city. Here we have a citizen that has done that and has assembled a group of other folks to come up with something that may work. He stated to Mr. Atiyeh that CACLV has agreed to act as a fiduciary agent for you and office space is being provided.

Mr. Atiyeh stated the Sacred Heart Hospital is supplying free office space, free utilities and free equipment.

Mr. Schweyer stated that they have an employer in the heart of center city area of Allentown which employs 1200 people everything from doctors, nurses and janitors who thought enough of this program that they are going to provide an in-kind donation. To respond to several citizens about using money, he understands that is a valid concern. He stated with his conversations with Ernie that his rationale that a cash donation is the appropriate way. The two most important things you need to do to get this organization up and running is training at this point and volunteer recruitment and training of those volunteers. That is not something that they would get by just giving them a used car. That is

something that will have to take some cash. This is startup money. This is not something that he is comfortable doing year end and year out. He is agreeing with a one year donation to help you get up and running and see after one year if they have real results.

Mr. Guridy stated that Mr. Schweyer stated that anyone who engages in this type of program should be commended because of the work that they do. They take their time to go out and support the citizens of the city. He stated that he has been torn for the last several months and the last two years since Mr. Atiyeh has talked to him about this program with this solution because of many issues that they heard in terms of the type of organization that it is and the people that are involved. He stated that Mr. Schweyer talked about the fiduciary responsibility from CACLV which he was a board member for twelve years. He stated that the organization is a commendable organization. He stated you see kids joining gangs, selling drugs or if they do not join the gang they are jumped by other gang members. They are the future of our city and they need to be protected. The way it was explained to him would be the eyes and ears of the officers and they will not be engaging in any physical activities or confronting anybody. He stated that he is looking at the city's demographic and the people the people that are supporting the program and speak for this program and it concerns him that it is not more Hispanics which is forty-three percent of the population. It concerns him about what Mr. Donovan stated earlier about inflammatory comments about Muslims and having a member of the organization making that inflammatory comment or sending an email. He thinks that one time grant issue is appropriate; however he would like to see a process that would develop through the city if we would think to do this in the future. He personally would not approve any type of funding in the future without a written process that has been well thought of. He is leaning to support this program because he has not heard of any negative issues except the one he just mentioned. He would support for one year and reevaluate his support after one year. He stated that he would like to make sure that there will be more Latinos since there will be more than fifty percent of the population in a few years. He would like to see the program run well. He would support this program for one year.

Ms. Eichenwald stated that she has heard time and time again from citizens that their primary concern is safety. This is an opportunity to have that situation. It has the support of Community Action, and the support of Sacred heart Hospital, our own Police department, and the administration and she hopes that it will have the support of City Council.

Resolution passed, 4 – 3 (D'Amore, Donovan, Schlossberg)

Mr. Schweyer stated that he alluded to the Council of Youth. They did meet with Central Catholic today. It was the fifth meeting of five. There were two with Allen Students and two with Dieruff and one with Central Catholic. They were hoping to do six, but schedules were what they were. It is going to culminate in a student summit. After polling the students about what they were most concerned about they are going to get decision makers from various transportation, recreational activities, job opportunities and many others. They will get professionals from those fields to meet with those groups of students. They are going to force Dieruff students, Central Catholic students and Allen students all together and breakdown a number of those regional, sometimes cultural and sometimes economics status problems between those students. St. Luke's Hospital has agreed to help fund it. They are going to pay for food and beverages. They are going to do it where it is access to public transportation. It will probably be at the YMCA or Public Library. After it is said and done, he will have a report about it.

## **7. Communications - TRANSFERS**

### **Committee of the Whole Meetings:**

**April 20, 6:30 PM – Arts Commission Strategic Report**

Mr. Schweyer stated that he had a meeting today with the executive director for the Children's Coalition of the Lehigh Valley and she is going to extend an invitation to members of the City Council to visit our childcare centers throughout the city, tour them and have an opportunity to meet the kids and read to them. It is far more appropriate for municipal leaders, government officials and adults in the community to show to our children that reading is the most important them. He encourages his colleagues to take advantages of this opportunity.

Mr. D'Amore stated that the Transfers are part of the packet available to the public. Committee of the Whole meeting was going to be scheduled for the Arts Commission Strategic Report, but they will have two public hearings so they are

not going to have that. They did earn a Proclamation from the Hattie Harris Good Spirits Club International. It is a Proclamation of Appreciation for Allentown City Council.

**8. REPORTS FROM COMMITTEES:**

Budget and Finance: Chairperson Donovan

The Committee met on March 23<sup>rd</sup>; reviewed end of year numbers, asked for EIT distribution break-down, wanted review of Solid Waste Fund's cash reserves, the Liquor License Transfer and he talked about the COPS program because of the financial impact; the next meeting is scheduled for April 27<sup>th</sup>.

Public Safety: Chairperson Gurdy

The Committee has not met since the last Council meeting. They do not have a meeting scheduled.

Community and Economic Development: Chairperson Schweyer

The Committee has not met since the last Council meeting; they are meeting as a Committee of the Whole of April 13<sup>th</sup> at 6:30 PM. They are going over the proposed CDBG budget that the administration is putting together.

Parks and Recreation: Chairperson Ray O'Connell

The Committee met this evening and talked about two bills with six resolutions that they discussed and would be acted upon later; the next meeting has not been scheduled. The Recreation Commission did their Annual Strategic Report and as a liaison and a member of the recreation commission for many years he was extremely proud of the leadership.

Public Works: Chairperson Schlossberg

The Committee has met and has a few items on the agenda.

Human Resources, Administration and Appointments: Chairperson Eichenwald

The Committee has not met since the last council meeting.

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson D'Amore

The Committee has not met since the last Council meeting; a future meeting has not yet been scheduled.

**OTHER COMMITTEE REPORTS**

None

**CONTROLLER'S REPORT**

None

**9. APPOINTMENTS: HARB Reappointments: Constance Baikow and Chris Raad**

Ms. Eichenwald stated that they have two appointments on the agenda tonight and both are reappointments for HARB. The candidates are Constance Baikow and Chris Raad.

Resolution passed, 7 – 0

**10. ORDINANCES FOR FINAL PASSAGE:**

**Bill 5 DCNR Trail Grant**

Amending the 2011 Capital Fund Budget to provide for a supplemental appropriation of Three Hundred and Fifty Thousand (\$350,000.00) Dollars to provide for the receipt of a grant from the Pennsylvania Department of Conservation and Natural Resources. This grant will provide funding which will be used to assist with the construction of a new trail as part of the City Wide Trail Network plan that will connect Cedar Creek Parkway to Union Terrace and the Little Lehigh Parkway.

Mr. O'Connell stated that they previously discussed Bill 5. It is a continuation of the Park and Trail Grant.

Mr. Weitzel sated that they were very fortunate in tough economic times to receive this grant form the Pennsylvania Department of Conservation and Natural Resources.

Ms. Eichenwald congratulated Mr. Weitzel for receiving this grant.

Ordinance passed, 7 – 0

**Bill 7 Jackson Park Grant**

Amending the 2011 Capital Fund Budget to provide for a supplemental appropriation of One Hundred Thousand (\$100,000) Dollars to provide for the receipt of a grant from the Pennsylvania Department of Conservation and Natural Resources. This grant will provide funding which will be used to assist with the Jackson Street Community Park Development Project.

Mr. O’Connell stated that they spoke about it this evening. It is a \$100,000 grant to start the Jackson Street Park and was supported by the committee members favorably 3 – 0.

Mr. Schweyer congratulated Mr. Mest and stated that he knows that he did not do it by himself. The Parks and Recreation Department did a tremendous job, but Mr. Mest and his community rallied around this park. He remembers four or five years ago standing with his boss and they were looking at options on how they can expand the place and clean it up. We are one step away from being completed and he stated congratulations.

Mr. Dan Mest stated that he is just happy to be a part of this and it is moving forward. He stated that he would like to use the \$100,000 to demolish the building that is already there. It has no roof and he has been picking up materials.

Mr. Weitzel stated that they are aware of the building and will work to get it demolished in a safe and an environmentally friendly way. They had an environmental study done. They applied for a grant last year and got denied, but they are looking for other funding sources.

Mr. D’Amore asked if this money could be used for the demolishing of the building.

Mr. Weitzel stated the DCNR grant is for park development. The estimate of the demolishing of the building is \$60,000 and he does not think the state would be too pleased to use the park development fund.

Ordinance passed, 7 – 0

**Bill 9 Donovan Donation**

Amending the 2011 General Fund Budget to provide for a supplemental appropriation of Three Hundred (\$300) Dollars to provide for the receipt of a donation from W. Michael Donovan. This funding will be used to purchase recreational supplies for the Summer Playground Program.

Mr. O’Connell stated that it was discussed and accepted on behalf of Mr. Donovan. It would help the summer playground program. It passed favorably 3 – 0.

Mr. Donovan recused himself.

Ordinance passed, 6 - 0

**Bill 15 Commercial Recycling**

Amending Article 1139, Commercial Recycling Ordinance, to include Section 1139.03, Non-interference with Existing Contracts, and various other updates throughout Article 1139 to be consistent with State law. The legislation proposes additions of certain recyclables.

Mr. Schlossberg stated that it was recommended favorably 2 – 0. This Ordinance would allow the city to modernize and change the current recycling Ordinances. The city is taking a proactive measure to educate tenants and property owners.

Ordinance Passed, 7 – 0



**Bill 16 Police Pension**

Amends Article 143, Police Pension Fund by amending Section 143.22, Retirement for Disability, Section 143.23, Reinstatement After Disability, Section 143.24, Pension for Disability Retirement and Section 143.25, Pension for Disability Retirement for Over Twenty Years Services; Minimum Amount.

Mr. Donovan stated that this was recommended favorably. This was the result this came as a request from the FOP to align the disability retirement rules to fit third class city code and therefore it introduces the right to receive a retirement on proper documentation of a disability immediately on appointment.

Mr. Bennington stated that the change of language protects police officers on the first day of the job if injured or disabled while on duty

Mr. D'Amore stated that he rejects to the mayor's refusal to send City Council this memorandum of understanding their approval although he has no objections to the terms of the agreement.

Ordinance Passed, 7 – 0

**Bill 17 PW Capital**

Amending the 2011 Capital Projects Fund Budget to provide for an appropriation of Six Hundred and Fifty Thousand (\$650,000) Dollars from the Sewer Fund as budgeted in the fund's Account 84, Capital Fund Contributions.

Mr. Schlossberg stated that this is basically approving a transfer that was already budgeted within Pubic Works.

Mr. Young stated that it was budgeted in the sewer fund and is just assigning the capital budget two particular items.

Ordinance Passed, 7 - 0

**11. ORDINANCES FOR INTRODUCTION:**

**Bill 18 Chamber Main Street Grant**

**Referred to Committee of the Whole**

Amending the 2011 General Fund Budget to provide for a supplemental appropriation of One Hundred Ninety-Five Thousand (\$195,000) Dollars from the Pennsylvania Department of Community and Economic Development for a New Communities – Main Street Grant Program for the Lehigh Valley Chamber of Commerce.

**Bill 19 Lead Poisoning Grant**

**Referred to Committee of the Whole**

Amending the 2011 General Fund Budget to provide for a supplemental appropriation of Nineteen Thousand Nine Hundred and Sixty Five (\$19,965) Dollars from the Pennsylvania Department of Health, Bureau of Family Health. The purpose of the Childhood Lead Poisoning Prevention Grant (CLPPP) is to test children, 6 months through six years, and pregnant women for elevated blood lead levels; case-manage patients with lead-poisoning; and provide environmental inspections using a Radiation Monitoring Device (RMD) to generate inspection reports.

**Bill 20 CDBG**

**Referred to Committee of the Whole**

An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; Subtitle B of Title IV of the Stewart B. McKinney Homeless Assistance Act of 1987, as amended; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

**Bill 21 CDBG**

**Referred to Committee of the Whole**

An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

**Bill 22 LOAN Reappropriation**

**Referred to Committee of the Whole**

Amending the 2011 Capital Project Fund Budget to provide for a supplemental appropriation of Sixty-three Thousand Four Hundred (\$63,400) Dollars from the Streets/Bridges Repair Capital Project to the newly created 7<sup>th</sup> Street Lighting Project and the Old Allentown Streetscape Project.

**Bill 23 Human Relations Amendment**

**Referred to Human Resources**

Amending the Administrative Code, Article 181, the Human Relations Commission by establishing high school representatives rather than members for meeting quorum requirements.

**Bill 24 Risk Management Funding**

**Referred to Budget and Finance**

Amending the Administrative Code, Article 130, Financial Procedures, by requiring the Administration to make all transfers adopted in the budget *and requiring that the* Risk Management be either balanced or in surplus; and in the course of balancing the fund, the Administration is not allowed to draw down more than 10% of the fund balance.

**Bill 25 Stabilization Fund Account**

**Referred to Budget and Finance**

Depositing funds from the sale of City-owned General Fund Real Estate from 2008-2010 into the Stabilization Fund bank account.

**Bill 26 Stabilization Fund**

**Referred to Budget and Finance**

Amending Article 130, Financial Procedures, Section 130.28, Stabilization Fund, Subsection 8 by committing at least ten (10%) percent of the proceeds from the sale of City General Fund real estate to be placed in the Stabilization Fund bank account rather than pre-payment on the Stabilization Fund Loan of 2006

**Bill 27 League Penalty Fees**

**Referred to Parks and Recreation**

Amending Article 400.07, Department of Parks & Recreation Fees, by establishing a league penalty system for forfeits, ineligible players, incomplete rosters and absence from league meetings for all teams involved in Department of Parks and Recreation operated youth baseball/softball/basketball and other leagues.

**12. CONSENT AGENDA: None**

**13. RESOLUTIONS ON SECOND READING:**

**R7 Walking Purchase Park**

A Resolution Supporting Adoption of the Lehigh Mountain Walking Purchase Park Master Plan.

Mr. O'Connell stated that this is a resolution is supporting the Lehigh Mountain Walking Purchase Park Master Plan. This has been adopted by the Salisbury Board of Commission and Lehigh County Commissioners. They had input from Dave McGuire from the EAC (Environmental Advisory Council) and he has no objections and supports resolution going forward.

Mr. Schweyer stated that what amounts to a glorified technical amendment, they are going to add Salisbury Township to the second whereas just to make certain that they are consistent throughout. It will read: **WHEREAS**, CMX and Wildlands Conservancy prepared the Lehigh Mountain Walking Purchase Park Master Plan (the Plan) that was reviewed with input from the City of Allentown, County of Lehigh, the Borough of Fountain Hill, Salisbury Township, the Pennsylvania Game Commission and the public; and

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that the City of Allentown has a long time association with Lehigh Mountain and they used Trexler Games Funds to purchase land and preserve the area in the past. It is a very nice land and he approves the walking purchase park. He stated the he did attend the Lehigh County meeting when they voted on it and he has the master plan. He was at Salisbury Township when they approved it. That area is so close to east Allentown it is a shame that it could not be a walking bridge along the Lehigh River so that the people on east Allentown can access that park without going the long distance around.

Resolution passed, 7 - 0

**R9 Stevens**

Grant for the Stevens Park Renovation

Mr. O’Connell stated that they are applying for the grant for the third time to spruce up and make the park at Sixth and Tilghman. It was approve favorably 3 – 0.

Resolution passed, 7 – 0

**R10 PPL Parking Pocket Grant**

Grant for PPL Parking Lot Pocket Park

Mr. O’Connell stated that this is a Pocket Park at 236 N. Ninth Street that Parks and Recreation department will be applying for a grant for \$150,000 to help the neighborhood. It was approved favorably 3 – 0.

Resolution passed, 7 – 0

**14. RESOLUTIONS ON FIRST READING:**

**R 19 CDBG Action Plan**

**Referred to Committee of the Whole**

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development

**R 20 Growing Greener Resolution**

Supports Renewing Growing Greener Grant Program

Mr. D’Amore stated that it is a need to vote on this Resolution this evening.

Mr. Bennington stated yes.

Mr. D’Amore asked were there any objections to voting on this evening. Seeing no objections they will vote on it this evening. He asked Mr. Weitzel to explain what it is and what the pressing need is.

Mr. Weitzel stated that the Growing Green Program has provided millions of dollars. It was a program that was started in 1999 by Governor Tom Ridge. It is one of the most important pieces of legislation and bonds and environmental programs in the state’s history. This resolution is joining with other cities, counties and boroughs and townships to press the state legislator and the Governor to renew this funding in 2012 because the funding is running dry.

Mr. Schweyer stated to Mr. O’Connell that they discussed it at committee tonight. The committee had a change to renew it.

Mr. O’Connell stated that it was approved favorably.

Mr. D’Amore asked was that true for the other two as well.

Mr. O’Connell stated yes it is.

Resolution passed, 7 – 0

**R 21 Walking Purchase Park Grant Resolution**

Grant for the Walking Purchase Park Development

Mr. D'Amore stated that it was not voted on, but discussed at Parks and Recreation.

Mr. O'Connell stated that it was discussed and voted on. R 21 ties into R 7. Mr. Weitzel just gave a brief explanation for a grant.

Mr. Weitzel stated that this is a resolution approving the administration to apply for DCNR grant along with Salisbury Township in Lehigh County for initial work based on the Master Plan they just approved.

Mr. O'Connell stated that it was approved favorably.

Resolution passed, 7 – 0

### **R 22 Jordan Creek Grant**

Grant for the Jordan Creek Greenway Trail Grant Resolution

Mr. O'Connell stated that it was discussed and approved favorably 3 – 0 and Mr. Weitzel can discuss the grant application.

Mr. Weitzel stated that this is a grant following recommendation from Connecting Our Community Plan and he was reminiscent following Mr. D'Amore's question about the urgency and the reason they have an urgency on the Resolution is because the deadline is April 26<sup>th</sup>. They have to have the Resolutions to apply for the grants.

Mr. Atiyeh asked if it was between Gordon Street and Linden Street.

Mr. Weitzel stated that this will be a trail that connects from McArthur Road at Jordan Park down to Jordan meadows specifically from the parking lot behind Central Catholic behind Gordon Street.

Resolution passed, 7 – 0

### **R 23 Surveying Outsourcing**

Authorizes the Outsourcing of surveying and drafting tasks in support of public improvements for a six month period

Mr. D'Amore stated that this was requested to be voted on. He asked were there any objections to voting on this. It was a discussion between him and Mr. Maley. They are part of the contracting out committee. He asked Mr. Maley if he or Mr. Bennington wanted to give a brief discussion.

Mr. Bennington stated that Mr. D'Amore should have a copy of the notes.

Mr. D'Amore stated that is correct, he just wanted them to give a brief for the record.

Mr. Maley stated that there are two positions that have not been filled. There is a third position ??? It extends beyond the six months of the grievance

Mr. D'Amore stated that the six month determination is made because there is a need for posting and according to the SEIU collection bargaining agreement there is an opportunity to bid on it for existing members of the bargaining unit. It can not be open to the outside until that happens. They do not anticipate anyone that would be able to bid on it because the qualifications are fairly restrictive and they have to go through the bid process anyway. Because the qualifications are specific there are concerns that the jobs may not be filled

right away. The general overall consensus is that six months is plenty of time to finish the task. This seems appropriate and the have a letter from Mr. Dan Steckel from SEIU that says the same thing.

Mr. Dan Mest stated that as a former city employee, he applauds council to put a six month restriction on it.

Resolution passed, 7 – 0

#### 15. NEW BUSINESS

None

#### 16. GOOD AND WELFARE

Mr. Donovan offered wishes and good luck for the two men to expect to have before the next meeting additions to their families. He stated that it is Mr. Schlossberg's first time and Mr. Schweyer's second time and the second time is a little easier. Good luck to both of you.

Mr. D'Amore stated that the second time is not easier if they are only an hour a part.

Mr. Eichenwald announced the birth of her grandchild.

#### 17. ADJOURNED 9:07 PM

*Council meetings are held on the first and third Wednesday of each month beginning at 7:30 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at [www.allentownpa.gov](http://www.allentownpa.gov), or contact the Clerk at [hanlon@allentowncity.org](mailto:hanlon@allentowncity.org) to receive an email notice of the meetings.*