

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



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AllentownPa.Gov

COUNCIL MEETING
December 2, 2009 - COUNCIL CHAMBERS

COUNCIL MEETING - 7:30 PM

- 1. Invocation:** Jeanette Eichenwald
- 2. Pledge to the Flag**
- 3. Roll Call**

The meeting was called to order at 7:30 PM. Councilpersons D'Amore, Donovan, Eichenwald, Guridy, Howell, Phillips, and Schweyer were present. John Marchetto represented the Solicitor's Office.

- 4. Courtesy of the Floor**

Mr. Jay Goldstein, 1718 Crownwood Street, Allentown, PA 18103, discussed a front page expose' in USA Today on September 17, 2009 that Queen City Airport is a poster child for abuse of Federal Aviation Funds.

- 5. Approval of Minutes:** No minutes to approve
- 6. Old Business**

Mr. Donovan stated that we have to make a decision on the Deputy City Clerk. Schedule meetings soon to make a decision.

Eichenwald said that we need to make a decision on the appointment for the Board of Ethics. Cannot be an elected official and be on the Board of Ethics. We have to find another person.

Mr. Donovan regarding the Ethics Board back in shape.

- 7. Communications**

D'Amore stated that Cit Council went into an executive session and spoke to the Mayor about selling City property. City Council went into executive session with the Solicitor on legal issues under the Sunshine Act. The council went into executive session at 6:30 PM with the Solicitor regarding the Sunshine Act.

- 8. REPORTS FROM COMMITTEES:**

Budget and Finance: Chairperson Donovan

The Committee has been busy for the last 45 days. Next meeting on the 4th Wednesday in January.

Public Safety: Chairperson Howells

The Committee has not met. No report

Community and Economic Development: Chairperson Schweyer

The Committee has not met and no reports. Mr. D'Amore thanked Mrs. Marian for her assistance and stated that she was an asset.

Parks and Recreation: Chairperson Phillips
The Committee has not met. No reports.

Public Works: Chairperson Guridy
The Committee has not met. No reports.

Human Resources, Administration and Appointments: Chairperson Eichenwald
Mentioned about the Ethics Commission. Cannot be an elected official and be on the Board of Ethics

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson D'Amore
The Committee has not met. No report.

OTHER COMMITTEE REPORTS

No Reports.

CONTROLLER'S REPORT

Mr. Hoffman, no report. D'Amore stated that City Council appreciates his assistance and he is a tremendous asset.

9. APPOINTMENTS: No Report

10. ORDINANCES FOR FINAL PASSAGE:

[B101RENTAL LICENSE FEE.DOC](#)

Amending Article 1741, Property Rehabilitation and Maintenance Code, by eliminating the exempt status of certain properties that are currently exempt, increasing the fee to \$75 a unit in order to have the program pay for itself, and restoring two paragraphs in the Licensure Section which were mistakenly removed during previous updates.

Mr. Donovan wanted move to separate the fee vote of \$75 from the exemption vote that currently exist in the ordinance. Mr. D'Amore stated that we can not separate, we can amend. Mr. Donovan move to strike the exemption from the bill and Eichenwald second. Restore paragraph 1759.04 "All property owned by the housing authority." Charge a \$100 for a pre-sale inspection. City Council added exemption language back into the bill. Mr. Schweyer said that all previous exempt properties will in 2010 only be exempt from paying the registration fee deferred to October 30, 2010.

On the amendment to add the exemption language back into the bill failed, 3-3 (Guridy was excluded from vote) (Howells, Schweyer, D'Amore)

Mr. Schweyer wanted to enter an amendment that states all previous exempt properties will in 2010 only be deferred until October 30, 2010.

Thomas Costa, 510 Mountain Park Road, Allentown, PA 18103, stated that 5-year figure from last night was because inspections are done every 5 years. The funding proposal will generate \$1.8 million. What are the costs that directly relates to enforcing this program?

A representative from the Episcopal House stated that they appreciate the amendment and their ability to pay later rather than now. They will be appealing the process.

Mr. D'Amore motioned to strike number 15 in 1759.999A2.

As Amended passed, 5-1 (Guridy was excluded from vote) (Phillips)

[B102PARKREC FEES.DOC](#)

Amending Title Nine, Fees, by establishing a fee section for Parks and Recreation and increasing miscellaneous fees

Moved to amend Bill 102 by increasing all non residence fees by 5 dollars with the exception of the golf course fees.

Ms. Eichenwald stated that it was a 10% increase to the nearest five dollars. Mr. Schweyer wanted to go through the fees for non-residents. Not touching the Golf fees. The administration will not raise Tennis fees. Picnic rows with Pavilions for organizations, businesses and non-residents go \$70 to \$100, increasing 10% to \$110. For Allentown residents it is \$50 to \$60. Leaving refundable deposit at \$100. Racquetball, Handball Courts, Roller Hockey, and Volleyball courts, League fees no fees for non-residents. Picnic rows without Pavilions non-residents \$60 to \$80 for residents \$40 to \$60. The suggestion is \$90 for non-residents. Team entry fees certified youth members. Independence \$0 to \$250. Outsiders \$0 to \$220. Mr. Howell is sponsoring the motion. Cleaning of the Pavilion Dumpster.

The ordinance passed, 7-0.

[B103PERSONNELPOLICY UPDATE.DOC](#)

Amending Article 140, the Personnel System by requiring active non-bargaining unit employees to pay an employee contribution of seven and one-half (7.5%) percent toward the cost of whichever tier said employee elects under the Traditional Blue Cross or HMO plan or equivalent as provided by the City of Allentown, establishes a prescription drug co-pay program for all covered employees and their dependents at a \$5/25/40 co-pay, and provides for a \$1,500 opt out incentive of health and prescriptions plans for non-bargaining employees.

This was actually part of the bill that I overlooked and was part of the discussion the non-bargaining unit had with the administration. There is basically no cost to it.

PERSONAL DAYS

Non-bargaining unit employees receive ~~seven (7)~~ eight (8) personal days earned per year.

Personal time cannot be used until after the completion of the first four months of employment.

Personal days must be used during the calendar year in which they are earned, and not carried over from one calendar year to the next.

Sick Bonus – Non-bargaining unit employees that use ~~less than two (2)~~ three (3) days or less sick days in a calendar year are eligible for one (1) additional bonus personal day in the following year.

The ordinance passed, 6-1 (Phillips)

BUDGET MEMOS

[BM1PERSONNEL CHANGE MEMO.DOC](#)

[BUDGET MEMO 2 \(2\).DOC](#)

[BUDGET MEMO 3 \(2\).DOC](#)

The acceptance of the budget memos, 6-1 (Phillips)

[B83SWENTERPRISE.DOC](#)

Adopts the Solid Waste Enterprise Fund: \$14,046,921

Mr. Donovan motioned to amend the Sewer Fund Budget in the amount of \$17,635.00. The amendment to the Solid Waste Fund would allow \$16,635.00 to be placed in the unappropriated balance

The ordinance passed, 6-1 (D'Amore)

Mr. Schweyer wants to add an amendment in order to restore a Sweeps Officer position.

Mr. Donovan is not in favor of adding. Ms. Eichenwald agrees with Mr. Donovan, but states that the officer will be bringing in money. Hire people to make money.

As Amended: 5-2 (Phillips, Donovan)

[B84SWFEE.DOC](#)

Adopts the Solid Waste Fee: Continues at \$340
D'Amore this is not an increase for the record.

The ordinance passed, 6-1 (Phillips)

[B85WATERFUND.DOC](#)

Water Fund Budget: \$14,643,865

Mr. Donovan would like to move to amend \$36,000 to be assigned to the unappropriated balance. These will be in the non-personnel account. Mr. Schweyer wants to understand that Mr. Donovan will amend the remaining budget and then vote no on the budgets as amended. Mr. Donovan states that it may not be the case. Ms. Eichenwald stated that it was so many increases so \$36,000 is conservative. Mr. Schweyer withdrew his objection based on the explanation Mr. Donovan provided.

Mr. Donovan withdrew the Amendment.

Mr. D'Amore B85 unamended. Mr. Meist was present at the November 11, 2009 questioned WF13 under 30 rental \$30,000 understood it as the sub-lease the sewer jet. Mr. Meist stated that the \$30,000 should not be in the water fund. The \$30,000 should be from the sewer fund.

Mr. D'Amore made a motion on WF15 line 46 on "other contract services". Mr. D'Amore wants to reduce by \$10,000, reduced from \$35,000 to \$25,000. Would like to place in the unappropriated balance in the Water Fund.

Mr. D'Amore stated that it stands as amended.

Bill as amended 6 – 1 (Phillips)

[B86WATERRATES.DOC](#)

Adopts Water Rates for 2010

Ordinance passed 6-1 (Phillips)

[B87SEWERFUND.DOC](#)

Sewer Fund Budget: \$16,406,137

Mr. D'Amore stated the Budget Expenditure was \$16,406,000 in 2005 and \$16,406,000 in 2010. Mr. Donovan moved to amend the sewer fund with a reduction of \$40,000 to be determined by the administration and go towards the unappropriated balance. Mr. Donovan withdrew his amendment since the \$40,000 could not be sacrificed. Mr. Guridy wanted clarification on \$16,406,137 that \$40,000 could not be sacrificed.

Unamended Ordinance passed 5-2 (Eichenwald, Phillips)

[B88SEWERRATES.DOC](#)

Adopts Sewer Rates for 2010

No comments from Council

Ordinance passed 6-1 (Phillips)

[B89LIQUIDFUELS.DOC](#)

Adopts the Liquid Fuels Fund: \$2,618,196

No comments from Council

Ordinance passed 7 – 0

[B90TREXLER.DOC](#)

Adopts the Trexler Fund Budget: \$1,165,005

Mr. Donovan moved to amend the Trexler Fund budget by \$3,750 to be applied discretion of the Administration to be allocated to the unappropriated balance from the Trexler Fund. Mr. D'Amore amended TF 5 line # 46 "other contract services" reduce from \$30,000 to \$15,000. Money for consulting fees which we have volunteers with expertise that can fill the gap. Mr. D'Amore amended proposal of reduction of \$14,500 to \$16,500 with \$14,500 placed in the unappropriated balance. Mr. Guridy would like to amend the budget to introduce a Park Police for \$1 salary instead of the Park Ranger to enforce the law. The Park Police will have the opportunity to give out tickets (Sweep Tickets). Mr. Schweyer wanted Mr. Guridy to describe the position. Mr. Schweyer wants to change the position to Warden. Mr. D'Amore wants Mr. Guridy to commit to a classification which can be changed. Mr. Guridy put in an M Class position (12M) at \$1 dollar. Mr. D'Amore wants an M Class position. Mr. D'Amore suggested putting in a 9M position equivalent to a Solid Waste Aide. Ms. Eichenwald wants a job description developed. Right now does not affect the budget. No job description but has an idea of what they want them to do.

Amendment to add to the Trexler Fund to add a Warden 6 – 1 (D'Amore)

As Amendment 7 – 0

[B91GOLFCOURSE.DOC](#)

Adopts the Golf Course Fund Budget: \$1,465,916

Mr. Donovan moved to amend Golf Fund Budget to reduce it by \$11,000 to be allocated to the unappropriated balance.

As Amendment 7 - 0

[B92EQUIPMENTFUND.DOC](#)

Adopts the Equipment Fund Budget: \$798,366

Ordinance passed 7 - 0

[B93RISKFUND.DOC](#)

Adopts Risk Management Fund: \$17,193,404

Mr. Donovan wanted to amend the Risk Management page 3 RM3 total revenue of \$15,000,000. Had a \$17,000,000 deficit which was not adequately funded.

Mr. D'Amore moved to amend RM5 line 44 it is currently at \$475,000 moved down to \$200,000 and put balance in the unappropriated balance of the Risk Management Fund for legal fees.

As Amended 7 - 0

[B94CAPPROJECTS.DOC](#)

Adopts the 2009 Capital Projects Fund: \$432,000

Ordinance passed 7 - 0

[B95DEBT.DOC](#)

Adopts the 2009 Debt Obligations Fund: \$7,108,427

Ordinance passed 7 - 0

[B96E911.DOC](#)

Adopts the 2009 911 Fund: \$2,769,312

Ordinance passed 7 - 0

[B97GENERALFUND.DOC](#)

Adopts the 2009 General Fund \$81,169,070 net a vacancy factor of \$1,118,495

I move to amend the General Fund, pages GF-71, by deleting the position of the Chief of Investigations, 19N, and place the funding of the position – 93,392 plus benefits, into the unappropriated balance of the General Fund.

Mr. Donovan would like to reduce non-personnel expenses. Review opportunities for organizational improvements. Pay raises should be deferred. Controllers hiring independent auditors. Wants to review union negotiation strategy. Considering raising taxes 10% on land and 2 1/2% on improvements. 2011 new Union Contracts to be negotiated. Need a 2010 Charter study commission by the May primary. Should consider eliminating management positions. Examine departmental functions. We need to shift to a Unified property tax rate. Recommend that in 2010 Council should defer payment of 5% and put it back into the city. The Controller should reduce by 1% and the Mayor to defer \$10,000 of his raise. It has to voluntarily. Amend as a packet General Fund Budget GF101 reduce by \$100,000 Amend GF3 reduces 46 Continue on focus on community. The \$7,000 Council Allentown Arts Commission Community Fellow. \$32,000 for Neighborhood Association Grants.

Unamended

Mr. Phillips amends to take 5% cross the board cut of the General Fund for the unappropriated balance. Mr. Guridy wants an amendment for 2% across the board. Mr. Schweyer

Amendment to reduce the expenditures by 2% in every program from the General Fund (GF3) to allow the Administration to allocate and to put in the unappropriated balance fund.

Amendment failed 3 – 4 (Howells, Schweyer, D'Amore, Donovan)

Vote on General Fund Budget.

Amendment failed (Eichenwald, Phillips, D'Amore, Donovan)

Default Budget goes into effect December 15th.

[B98TAXRATE.DOC](#)

Adopts the 2009 Tax Rate: Ten and Seventy-one Thousand Nine Hundred Seventy-nine Hundred Thousandth (10.71979) mills on improvements and Fifty and Thirty-eight Thousand Thirty-one Hundred Thousandth (50.38031) mills on land.

Ordinance passed 6 – 1 (Donovan)

11. ORDINANCES FOR INTRODUCTION:

[B104ENERGY GRANT.DOC](#)

Refer to CEDC

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Nine Hundred and Six Thousand Ninety-eight (\$906,098) dollars to provide for the Energy Efficiency and Conservation Block Grant, EECBG, from the United States Department of Energy, to develop a strategy to reduce energy costs.

[B105DEBT PAYMENT.DOC](#)

Refer to Budget and Finance

Amends the 2009 Debt Service Fund Budget to provide for a supplemental appropriation of One Hundred Twenty Thousand (\$120,000) Dollars reflecting a transfer from the General Fund for the debt service payment on the Five Million Two Hundred Fifty-two Thousand Eight Hundred Forty-six (\$5,252,846) Dollar General Obligation Note.

12. CONSENT AGENDA: None

13. RESOLUTIONS ON SECOND READING:

[R71CAPITALPROJECTS.DOC](#)

Adopts the Capital Improvement Program for 2010-2014

Resolution passed 7 - 0

14. RESOLUTIONS ON FIRST READING:

[R74SLATTERY.DOC](#)

Refer to Parks and Recreation

Authorizes the Dedication of Field #2 at Union Terrace as the Richard D. Slattery Field

[R75ENTERPRISE ZONE.DOC](#)

Refer to CEDC

Authorizes the Submission of a Basic Grant Application for the Enterprise Zone Program

[R76JORDAN CREEK.DOC](#)

Refer to Parks and Recreation

[JORDAN CREEK MAP.PDF](#)

Supports Community Conservation Partnerships Grant Project (BRC-TAG-11.5-38) – Jordan Creek Greenway Feasibility Study

[R77ACIDAEXTEND.DOC](#)

Refer to CEDC

Authorizes the extension of ACIDA

15. NEW BUSINESS

16. GOOD AND WELFARE

17. ADJOURN

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, or contact the Clerk at hanlon@allentowncity.org to receive an email notice of the meetings.