

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
July 21, 2010 - COUNCIL CHAMBERS

COUNCIL MEETING - 7:30 PM

1. Invocation: Jeanette Eichenwald

2. Pledge to the Flag

3. Roll Call

D'Amore, Eichenwald, Guridy, O'Connell, Schlossberg were present; Frances Fruhwirth represented for the Solicitor's Office.

4. Courtesy of the Floor

Bill Villa reported that Councilman Donovan deleted the comments from his blog relating to his family and requested a public apology from the Vice President.

Dan Mest, Jackson Street, said he picks up trash every morning at the Jackson Street Park and asked how often the Parks Department picks up trash.

Mr. Bennington stated that he will get back to Dan Mest.

Robert Romanchek, 117 S 16th Street, Allentown, PA said his area is being inundated with crime – break ins, drug busts, doors and windows stolen from his Jeep – and if he didn't mention this, it would appear that everything is ok.

Chief MacLean stated that the Police have just arrested a couple of juveniles in the area. He stated that Captain Schwartz is assigned to that area and they had a meeting today and those issues were discussed. They are working on it.

Mr. Schlossberg noted there is a lack of awareness about the crime in the neighborhood and that Council will find a way to provide data in the near future.

Jill Molsburger, Eight Street, Center City, Allentown, PA asked about the Noise Ordinance in reference to the loud mufflers and loud music. What point in the evening is noise no longer allowed.

Chief MacLean stated that there is a Noise Ordinance in Allentown and there are state laws. The Police issues citations for the State violations. Sweep tickets have increased. It was noted there were no increases for repeat offenders.

Teresa Rice Treible, Whitehall, thanked her husband, Lou Hershman, Ernie Atiyeh, Richard Young, and all of City Council for their attention to Hanover Avenue.

Mr. Richard Young stated he was able to secure a \$10,000 grant to do continental crosswalks on the eastside of Allentown including Our Lady of Christian.

Mr. Ernie Atiyeh stated what Theresa was talking about was the Hanover Avenue Study that Mr. Young put together. He stated the Dennis Pearson lives on the eastside and gave a lot of input.

5. Approval of Minutes: June 16, 2010

Mr. Guridy stated that the second page closer to the 2/3 of the page, it talks about Laudenslager suggesting that we change a UGI system that is being install on the street particular on Seventh Street and it will go throughout the city. It does not give the explanation of what he talked about. He believes that they should continue to fight this with UGI.

Mr. Hanlon stated that Mr. Laudenslager stated that it was a manifold system. An amendment was proposed to explain the manifold system as one area servicing multiple properties rather than having a regulator at every property.

Mr. D'Amore asked were there are comments, concerns or objections to the minutes.

Mr. Atiyeh noted the pipes are inappropriate on 7th Street.

The minutes were approved by common consent.

6. Old Business

Ms. Eichenwald stated that her first order of Old Business has to do with the discussion they had this evening regarding the Forestry. She asked Ms. Fruhwirth why the original report was labeled a draft and therefore not made public.

Ms. Fruhwirth stated that the report was not made public because of the basis of two exceptions under the Right to Know Law which is currently on an appeal to the court. The first exemption which precludes public disclosure was the draft exemption and the second was the pre-decisional deliberative process exemption on which they had based their denial of access on.

Ms. Eichenwald stated that she understood the second better, but asked Ms. Fruhwirth to explain why being labeled a draft would then prohibit it being made public. After all it was funded by the City of Allentown.

Ms. Fruhwirth stated that at the time the request was made by the Morning Call, the report was in an actual draft form for their information from Mr. Weitzel. Since it was in a draft form and there were no conclusions reached and there was certainly research being done at that time it was being considered a draft. The Right to Know Law confines requests to information before and stops on the day you make requests. So as of the time the request was being made she does not want to quote her or state what date the request was made, but at that timeframe is when the clock stops for the source of information that they had.

Ms. Eichenwald asked if the report was still labeled draft.

Ms. Fruhwirth stated that she cannot speak to that. She knows that it has been a public hearing on the matter and certainly this evening there was a discussion with the experts and Council. She does not understand that it is, but at that snapshot of time the request was made, it was.

Ms. Eichenwald stated that when you have a report that is commanded or ordered by this Administration by the City of Allentown and then its implementation of its presentation to the citizens is delayed, it leaves one to

believe that it is something in the report that the citizens should not see and it leads to great speculation and even if she ventures to say distrust in the workings of the Administration. She is not so sure that the greatest wisdom was exercised in refusing to present that report in open forum.

Mr. Weitzel stated that the Plan is final after the public meeting and comments and revisions were made after that public meeting the Plan was issued in its final state and now is available on the website and at the department.

Mr. Eichenwald stated that often they sit there and criticize the Administration on the financials dealings, after she read the paper this morning she would like to say that she commends the Administration on their belt tightening and she is happy to see that they are keeping there expenses to a minimum and thanked Mr. Hoffman on his advocacy in that area and his watching. She thanked the Administration, Mr. Hoffman and Mr. Renshaw for making that public in the paper this morning.

7. Communications: None

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Donovan

The Committee has not met since the last meeting; the next meeting is scheduled for August 25th at 6:30 PM. – and will review the CAFR, the most recent financial reports, and any legislation that has been introduced.

Public Safety: Chairperson Guridy

The Committee met this evening; the next meeting is scheduled for August 4th at 6:30 PM.

Community and Economic Development: Chairperson Schweyer

The Committee has not met since the last meeting; the next meeting is scheduled for August 17th at 6:30 PM.

Parks and Recreation: Chairperson Ray O'Connell

The Committee met this evening; a future meeting is scheduled for August 18th at 6:30 PM.

Public Works: Chairperson Schlossberg

The Committee met on July 19th; the next meeting has not been scheduled.

Human Resources, Administration and Appointments: Chairperson Eichenwald

The Committee has not met since the last Council meeting; no meetings planned.

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

These are listed here on your agenda if you want to give a report: - they are not listed on the public's agenda

Ad Hoc Ethics Committee – The report was included in the packet for Council and the public.

Housing Authority – Councilperson Guridy

They met and they added a new member, Sara Hailstone and now they have a fully Commission.

Safety Task Force – School District – Councilperson O'Connell

They met on June 22nd. The meeting consisted of mentoring programs. They are looking at possible uniform and an ED Disruptive Student Site off from Dieruff and Allen and they are looking for funding for the extracurricular activities that might keep the students active from 3:00 PM to 8:00 PM. They decided to take the month of July off because of vacations. They will probably be meeting in mid-August. He will update them then.

CONTROLLER'S REPORT: No Report

Mr. Schlossberg motioned to move R37 and R38 up. Mr. Guridy seconded the motion. The motion passed 7-0.

R37 809-813Hamilton

Authorizes the filing of a proposal for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania

Sara Hailstone stated that it is a mixed-used development project in the downtown area with first floor commercial and upper floors for housing. It is an over million project and it is a gap in the financing. They are competitively applying to the Commonwealth for Funding to assist Allentown to make the project happen.

Resolution passed, 5 - 0

R38POLICEAPPTS

Police Officer Appointments

Chief MacLean stated that they started the Academy on Monday and it will be for 20-weeks and after that they will go out into the 16-week field training program. They are working through the current list and looking at the new list. They tested 1100. In the past, they had 530-540 take out applications and 485 showed up. This year they had 1200+ takeout applications and 1104 showed up for the test. He noted he would forward the composite of the people that took the test to the Clerk's office for council when in is put together.

Resolution passed, 5 - 0

9. APPOINTMENTS:

Health Board, Appointment of Sherrine Eid – filling Dr. Etchason's position, who resigned, the term would expire on January 2, 2011

R34 Sherrine Eid's Appointment to Health Board

Resolution passed, 5 - 0

10. ORDINANCES FOR FINAL PASSAGE:

Bill 28PKWYRestroomGrant

Amending the 2010 Capital Fund Budget to provide for a supplemental appropriation of Eighty-one Thousand Eight Hundred Seventy-five (\$81,875.00) Dollars to provide for the receipt of a grant from the Lehigh County Green Futures Fund. This grant will provide funding which will be used to assist with the construction of a new restroom in the Little Lehigh Parkway near Kline's bridge. The project will also include installation of an additional concrete pad, information kiosk, site amenities and security lighting.

Ordinance passed, 5 - 0

Bill 30 EMS RECORDS MGMNT GRANT

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Eight Thousand One Hundred Ninety Dollars and Fifty Cents (\$8,190.50) as a result of a grant from the Eastern Pennsylvania EMS (Emergency Medical Services) Council to the City of Allentown Paramedics to supplement the ongoing yearly cost of the EMS Records Management System.

Ordinance passed, 5 - 0

Bill 31 EMS TRAINING GRANT

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Two Thousand Nine Hundred and Ninety-Nine (\$2,999.00) dollars as a result of a reimbursement from the Eastern Pennsylvania EMS (Emergency Medical Services) Council to the City of Allentown Paramedics for mass casualty incident training exercises.

Ordinance passed, 5 - 0

Bill 33TrexlerCapTrailsCO

Amending the 2010 Capital Fund Budget to appropriate Fifty-One Thousand Twenty-Five (\$51,025) Dollars from the unappropriated balance and to provide for a Comprehensive City-Wide Park Signage Project and provide for unanticipated expenses in the Cedar Parkway Improvements Phase I project.

Ordinance passed, 5 - 0

Bill 34TrexlerCapCO

Amending the 2010 Trexler Fund Budget to release Fifty-One Thousand Twenty-Five (\$51,025) Dollars from the unappropriated balance and place the funds into the Capital Fund Contribution Account 84 as stipulated by Lehigh County Court Order dated February 11, 2010.

Ordinance passed, 5 - 0

Bill 35 VAC-ORD Aubrey**Public Works, Recommended Favorably, 2-0**

Providing for the vacation of S. Aubrey Street from E. Walnut Street to E. Hickory Street in the Fourteenth Ward of the City of Allentown

Forwarded Favorably, 2 - 0. It was noted that easement and set back requirements would meet the concern of the statement on the report from an objector. – the easement right is noted in Section 4 of the legislation: Section 4: This vacation does not vacate the Utility Easement that exist on the street owned by the City of Allentown for its water, sanitary sewer, and storm sewer.

Ordinance passed, 5 - 0

Bill 37 VAC-ORD S East St**Public Works, Recommended Favorably, 3-0**

Providing for the vacation of S. East Street from Rye Street to Cumberland Street in the Twelfth Ward of the City of Allentown

Forwarded Favorably, 2 - 0. Request it from the Redevelopment Authority at the site of the Montex property – it is an unopened paper street. Mr. D'Amore inquired as to whether there was a follow-up to an inquiry about a person that was interested in the property.

Ordinance passed, 5 - 0

11. ORDINANCES FOR INTRODUCTION:**Bill 39DANCINGUNDERTHESTARS****Referred to Parks and Recreation**

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Eight Hundred Dollars and twenty-six Cents (\$800.26) to provide for the receipt of a donation from the Lehigh Valley Musicians' Association. This funding will be used for the "Dancing Under the Stars" band concert series.

Bill 40 EMD TRAINING**Referred to Public Safety**

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Three Hundred Eighty-two Dollars and Twenty-one Cents (\$382.21) from the Eastern Pennsylvania EMS Council to the Communications program of the Police Department to provide for dispatcher training and certification in Emergency Medical Dispatch procedures.

The following bill has been pulled by the administration.

Bill 41 FCCODE**Refer to Public Safety**

~~Adopting the 2009 International Fire Code as amended.~~

Bill 42 ASDOVERTIME**Referred to Public Safety**

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Eleven Thousand Six Hundred Twenty-four Dollars and Eighty-three Cents (\$11,624.83) from the Allentown School District to the Police Department to help offset the costs of after school special patrols.

Bill 43 CRIMEWATCHGRANT**Referred to Public Safety**

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Five Thousand (\$5,000) Dollars from the Commonwealth of Pennsylvania, DCED grant to provide for an Enhanced Crime Watch program that will provide Cell Phone service, equipment, training and mileage reimbursement to Crime Watch groups.

Bill 44 UO Board**Referred to Rules**

Creating an Urban Observatory Board, which will provide support for policy research and analysis for City Council and the Administration to assist City bureaus and agencies carry out their goals and objectives

12. CONSENT AGENDA:**CA1 Certificates of Appropriateness
Certificates of Appropriateness**

Resolution passed, 5 - 0

13. RESOLUTIONS ON SECOND READING:**R27TRAILCROSSINGAGREEMENT**

Resolution by the Council of the City of Allentown Authorizing the Mayor to Execute a Shared Use Path Trail Crossing Agreement with the Pennsylvania Department of Transportation

Resolution passed, 5 - 0

14. RESOLUTIONS ON FIRST READING:**R35 915 Turner Street Encroachment****Referred to Public Works**

Encroachment for a Step at 915 Turner Street Side on Egge Street

R36 Sewage Plan Module for 1018 West Walnut Street**Referred to Public Works**

Sewage Plan Module for 1018 West Walnut Street

R37 809-813Hamilton**Moved up**

Authorizes the filing of a proposal for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania

R38POLICEAPPTS
Police Officer Appointments

Moved up

15. NEW BUSINESS

16. GOOD AND WELFARE

17. ADJOURNED: 8:30 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, or contact the Clerk at hanlon@allentowncity.org to receive an email notice of the meetings.