

WILSON BOROUGH
NORTHAMPTON COUNTY
PENNSYLVANIA
MARCH 30, 2009

The Second Meeting of the Council of The Borough of Wilson was held in the Guy B. Tomaino Public Safety Building at 2040 Hay Terrace, Easton, PA. President Feinberg called the meeting to order at 7:00 p.m. Roll call followed.

PRESENT:

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| Leonard Feinberg | James Klass |
| Joan Lilly | James McGowan |
| David Schug | Louis Starniri |
| Tony Verenna | David Williams |

ABSENT:

Bob Reiss

Also present were: Chief Michael Collins and Code Enforcement Officer Paul R. Corriere

READING OF THE MINUTES:

The Minutes of the March 9, 2009 Council Meeting were approved by Mr. McGowan with one correction. Opening Day for baseball will be April 18, 2009. Second by Ms. Lilly.

PRESENTATION OF MATTERS BY PERSONS PRESENT:

1. Seneca Rogers and Anthony Rogers appeared before Council to discuss a skateboarding event that they would like to hold in the former Top Dog Restaurant parking lot. The Rogers' will be having a skateboarding competition/demonstration, raffle, and the sale of skateboards and clothing. Permission has been granted by the property owner to hold the event and authorization from their insurance company will be obtained. Although skateboarders will be skating at their own risk, releases will be signed by the skateboarders. The event will be held on April 25, 2009 from 12:00 p.m. to 8:00 p.m. Mr. Minotti responded that the event was being held on private property and permission from the Borough was not necessary.

2. Sherri LaCoso from St. Jane's School thanked Council for allowing the school to close Filbert Street for the April 22, 2009 walk fundraiser. The school has obtained sponsors for the walk and is requesting permission to put up signs on the Blvd. for advertisements. The event will run from 8:00 a.m. to 11:00 a.m. The Iron Pig mascot will be in attendance. Mr. Starniri made a Motion to approve the request as long as no damage was done to the grass. Ms. LaCoso responded that they have planned to put the signs on easels. Second by Mr. Klass.

COMMUNICATIONS AND PETITIONS:

1. Ms. Lohrman stated that she understood that the Wilson Area School District would like to attend the April 13, 2009 Council meeting to discuss the Intermediate School plans. Mr. Verenna responded that the school district would like to meet at 6:00 p.m. as they also had a school board meeting that night at 7:00 p.m. Motion to approve request by Mr. Verenna. Second by Mr. Feinberg. Ms. Lohrman will advertise the meeting time change.

2. Ms. Lohrman has received one bid for Housing Rehab Project HRH06-30. The bid was from S.J. Sawyer & Company. The amount was for \$13,390.00. Motion by Mr. Feinberg to reject the bid as the owner of the property passed away last week. Second by Mr. Verenna.

3. Ms. Lohrman informed Council that a Police Pension Board meeting has been scheduled for May 21, 2009 at 3:30 p.m. The new Borough Actuary will be attending the meeting. Ms. Lohrman will send out meeting reminders closer to the meeting date.

COMMUNICATIONS BY THE MAYOR:

None

COMMUNICATIONS BY THE BOROUGH MANAGER:

1. Ms. Lohrman informed Council that the DCNR is currently reviewing the Borough's revised Bike Path plans. Mr. Schreiberman hopes to have an official response to the Borough by the end of next week. His supervisor will also have to review the project. Mr. Schreiberman will email Ms. Lohrman when the letter is in the mail.

The Borough has received the permit approval from the DEP for the Fisk Field project. Ms.

Montgomery is in the process of preparing the final specs and plans for the project. Ms. Lohrman will bring the information back to Council prior to advertising the project. Mr. Schreiber from the DCNR is also in the process of review the Fisk Field plan.

2. Ms. Lohrman updated Council on the information she received at the meeting held by the DCED regarding the upcoming changes in EIT collection. The Borough will have to choose a representative to serve on the Tax Collection District board. The representative will decide along with the representatives from other municipalities and school districts how the EIT will be collected going forward. Options include: hiring people to collect it for the TCC, outsourcing it to a third party, or going together with another county. The representative from the Borough should be familiar with EIT collection. Ms. Lohrman stated that the Borough had until June 30, 2009 to appoint its representative. It must be done by resolution.

3. Ms. Lohrman informed Council that she had spoken to Bob Bryant, Borough Bridge Engineer, concerning the 24th Street bridge project. He had met with PennDot – District 5 on March 23, 2009. Mr. Bryant had hoped the by using a design build option, he could get a better idea of the cost of building a bridge design versus a box culvert design. PennDot will only show the box culvert design on the plans and will only review what is shown in the bid. If borings are done, PennDot will only pay for borings needed to build the box culvert option. PennDot will only approve the box culvert option. If the Borough approves the box culvert design, PennDot is willing to expedite the process and the bridge could be completed next year. If the Borough holds out for a bridge, the process will go on indefinitely. Mr. Feinberg suggested going with the box culvert design and putting grates on each end or install a fence. Mr. McGowan felt the Borough should just fill the culvert in. However, there is a sewer line running down the former railroad bed. Getting to the line if it needed repairs may be a problem if the culvert were filled in. Motion by Mr. Klass to proceed with the box culvert design. Second by Mr. Feinberg. Affirmative votes were cast by: Mr. Feinberg, Mr. Klass, Mr. Starniri and Mr. Verenna. Negative votes were cast by: Ms. Lilly, Mr. McGowan, Mr. Schug and Mr. Williams. As Mayor Perruso was not in attendance to break a tie vote, the matter will be deferred to the next Council meeting.

4. Ms. Lohrman informed Council that one of the business owes several years in BPT and has had several Police complaints about them over the last few weeks. According to the ordinance, the Borough can levy a \$300.00 fine per day if the tax is delinquent, but does not have the authority to close the business down. Ms. Lohrman inquired whether the Borough wished to consider making the ordinance move stringent. Mr. Corriere has filed a complaint about for not paying the BPT. It will probably take a month before any action is taken by the District Judge. Mr. Minotti will look into a possible change in the ordinance.

5. There has been some talk between Council members about the possibility of having someone operate the refreshment stand at the swimming pool. The matter was discussed several years ago, but no one made a commitment to do it. Mr. McGowan did not think there may be enough business there for someone to want to do it. By running the refreshment stand themselves, the Borough is able to give the Borough kids jobs over the summer. The new Assistant Manager is looking forward to the challenge of making the refreshment stand profitable this year. It is hoped that there would be more accountability this summer.

6. Ms. Lohrman requested a Caucus on a personnel matter.

REPORTS OF COMMITTEES:

GENERAL GOVERNMENT:

None

FIRE:

1. Chief Collins requested Mike Joseph be promoted to the driver's list. Motion to approve the request by Mr. Starniri. Second by Mr. Williams.

2. Ms. Lilly questioned the results of the audit on the Fire Relief Association and why the audit findings had not been remedied. Chief Collins responded that he was not involved in the Relief Association, but had heard the auditor tell the association that there were not any audit finds. The Relief Association should contact Ms. Lohrman about the audit.

POLICE:

1. Mr. Starniri informed Council that he and several Council members have spoken to the Police Department regarding the lack of sufficient space the department has to operate in. Mr. Starniri requested permission to have the committee meet with the Borough Engineer to discuss possible solutions to the space problem. Any suggestions will be brought back to Council. Council requested that Mr. Starniri and the committee are to meet to discuss the situation. Any solutions will be discussed with the Engineer to see what is feasible.

2. Mr. Starniri informed Council that the arbitration hearing for the Police contract will be held on Wednesday, April 1, 2009. Mr. DeEsch will be representing the interests of the Borough.

PUBLIC WORKS:

1. Mr. Starniri inquired about having the gas company repair the patches in front of Strunk Funeral Home were they had dug it up. Ms. Lohrman will have Mr. Drake look into the matter.

PARKS AND RECREATION:

1. Mr. Williams informed Council that the committee will be having a meeting tomorrow evening.
2. Mr. Drake will be putting new sand back into the volleyball court.

ATTORNEY:

1. Mr. Minotti is in receipt of the lawsuit involving the police dog. The Borough is covered up to \$1,000,000.00 with a deductible of \$15,000.00. The insurance company has appointed a local attorney to represent the Borough.

2. Chief Nace has been released to return to unrestricted duty.

3. Mr. Minotti has reviewed the sample resolution from the Meyner Center involving the comprehensive plan. Mr. Minotti agrees with the points contained in the Williams Township Solicitors letter. Ms. Lohrman will modify the draft to comply with the comments and bring it to Council for the next meeting.

4. Mr. Minotti is working on the potential lawsuit against Brown-Daub. The vehicle has been returned, but the check engine light is on.

5. Mr. Minotti has received a letter from the Anthony Martino, Northampton County Solicitor, regarding the TIF and PRD that applies to the Dixie property. The Borough will have to advertise and hold a public hearing on any amendment of the plan. Mr. Starniri responded that the Borough was not in receipt of a revised plan. The TIF would have to be updated. Mr. Minotti will respond to the County Solicitor and request additional information.

6. Mr. Minotti is working on the Developer's Agreement with Alexandria Manor.

MECAB:

1. Mr. McGowan informed Council that the next MECAB meeting will be held on April 29, 2009 in Wilson Borough. Mr. McGowan has invited Ed Knitter be the guest speaker for the meeting. Spring safety would be the topic.

OLD BUSINESS:

None

DEFERRED BUSINESS:

None

NEW BUSINESS:

1. Ms. Lilly questioned why the Safety Committee was discussing parking problems. Ms. Lohrman explained that people were parking in front of the Police and Fire garages. There could be a delay for emergency vehicles to respond to calls if they were parked in.

2. Mr. McGowan informed Council that the state was working to raise the sales tax. Mr. McGowan felt that the tax was unfair. Some of the funds would go to planning and COGs. Mr. McGowan felt that any municipality who participates in planning activities should pay for it.

3. Mr. Starniri informed Council that a Fire Ops session will be held on May 8, 2009. Any elected or appointed official is invited to attend the training. If an official is unable to participate in the training, he/she could observe the session. Interested parties should contact Brad Harron, Lou Starniri or the Borough Office.

ORDINANCES:

None

RESOLUTIONS:

1. Resolution 1161 – Supporting House Bill 795 and Senate Bill 419. Motion by Mr. Verenna. Second by Ms. Lilly. Mr. McGowan felt that there were numerous people that do not use the internet. Not using newspapers to advertise bids may put them out of business. Affirmative votes were cast by: Mr. Feinberg, Mr. Klass, Ms. Lilly, Mr. Schug, Mr. Starniri, Mr. Verenna and Mr. Williams. A Negative vote was cast by Mr. McGowan. Resolution 1161 passed by a seven to one vote. Mr. McGowan added that he was not aware of this issue prior to receiving his packet and would like advance notice of issues prior to a vote taken on it.

BILLS AND ACCOUNTS:

Bills of \$93,839.79 for were paid on a Motion by Mr. Feinberg. Second by Mr. Williams.

ADJOURNMENT:

Mr. Verenna made a Motion to adjourn at 8:35 p.m. Second by Mr. Starniri and Council concurred.

Transcribed from a tape.

KAREN A. LOHRMAN, BOROUGH SECRETARY