

WILSON BOROUGH  
NORTHAMPTON COUNTY  
PENNSYLVANIA  
JUNE 8, 2009

The First 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:

Leonard Feinberg	Joan Lilly
James McGowan	Bob Reiss
David Schug	Louis Starniri
David Williams	

ABSENT:

James Klass, Tony Verenna

Also present were: Mayor David Perruso, Attorney Louis S. Minotti, Jr, Chief Richard Nace, Chief Michael Collins, Superintendent Greg Drake, Code Enforcement Officer Paul R. Corriere

READING OF THE MINUTES:

The Minutes of the May 11, 2009 Council Meeting and the May 11, 2009 Public Hearing were approved on a Motion by Mr. McGowan. Second by Mr. Starniri.

PRESENTATION OF MATTERS BY PERSONS PRESENT:

1. Jim Mazza owner of 106 S. 18<sup>th</sup> Street purchased the property in 2004 as a two unit dwelling. Since the time he purchased the property, he was paying for three units of garbage. When he completed his rental license paperwork, it was discovered that he was being charged for an additional unit of garbage. Mr. Mazza requested a refund of the additional charges. Mr. Mazza only has one water meter on the property. Mr. Corriere issued a CO in 2004 as a two unit property. The office would not know the number of rental units unless it was notified. Mr. Minotti and Mr. Schug requested that Mr. Mazza produce some of the previous bills. Motion by Mr. Starniri to have the Borough Office rectify the situation and make the appropriate refund. Second by Mr. Feinberg. Affirmative votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. Reiss, Mr. Schug, Mr. Starniri and Mr. Williams. A Negative vote was cast by Mr. McGowan. Motion carried by a six to one vote.

COMMUNICATIONS AND PETITIONS:

1. Ms. Lohrman has received a call from Representative Freeman's office. They have received a complaint from a West Easton resident concerning the lack of visibility when pulling out of Centre and Low Street onto Freemansburg Avenue. Mr. Drake and Chief Nace agreed that the yellow zones were increased near the corners to increase visibility. Mr. Reiss responded that the Borough had made the streets one-way, but had to change it back because of all the complaints from West Easton residents. No one else had received any additional complaints about the problem. Chief Nace added that the only other solution was to take the parking away on the south side of Freemansburg Avenue. Council did not wish to pursue that as some of the residents had no other parking available.

2. Four bids were received for Housing Rehab project HRH06-29. They are as follows:

1. S.J. Sawyer & Co.	\$13,890.00
2. Williamson Home Improvements	\$12,325.00
3. Lifetime Services	\$15,972.00
4. TDM Construction	\$16,000.00

Ms. Lohrman will forward the bids to Mr. Corriere and the committee for review.

3. Mr. DeEsch has received a letter from Attorney David Ceraul concerning entering into an intermunicipal agreement which would provide Animal Control services to Washington Township through Mr. Bell. Ms. Lohrman responded that Mr. Bell was a part-time employee for both Wilson Borough and West Easton. He may also work for other municipalities. Ms. Lohrman was directed to contact Mr. Ceraul and have him contact Mr. Bell directly if they were interested in using his services.

4. Ms. Lohrman reviewed the letter from Tom Conti of 1461 Liberty Street concerning noise problems in the 100 block of N. 15<sup>th</sup> Street. Several of the families have children who play in their yards and are causing a nuisance. Mr. Conti has spoken to Chief Nace about the problem to no avail. Mr. Conti feels that the children's actions are a violation of the rental housing ordinance. Mr. Conti would like the tenants evicted and new tenants should have background checks. Mayor Perruso responded that all the complaints were about kids. Chief Nace reviewed two recent complaints. The Police responded to the

complaints only to find children playing in their yards. The timeframes of the disturbances were normal hours for children to be out playing. The Police Department did not feel that children playing were a violation of the noise ordinance. Borough Council concurred with Chief Nace's assessment of the matter. The Police Department will continue to respond to complaints.

#### COMMUNICATIONS BY THE MAYOR:

1. Mayor Perruso reminded Council that they had given Chief Nace permission to hire additional part-time officers. Chief Nace recommends hiring Joe Nunez in that capacity. Officer Nunez is retired from the City of Easton and is also a Code Officer in the city. Motion to hire Officer Nunez by Mr. Reiss. Second by Ms. Lilly.
2. Mayor Perruso informed Council that the fines collected by Judge Koury were \$7,919.97.
3. Mayor Perruso read the official notice of impending retirement of Chief Nace effective December 31, 2009. Chief Nace has provided the Borough with 43 years of service. Chief Nace thanked Council for everything they have done.

#### COMMUNICATIONS BY THE BOROUGH MANAGER:

1. Ms. Lohrman has received the 2009 CDBG application for completion. The due date is June 26, 2009. Ms. Lohrman has spoken to Lori Swyensky from Northampton County DCED and although the Fisk Field will have begun or possibly completed funds the Borough's 2009 CDBG program could be used for the project. Motion by Ms. Lilly to fund the payment of the fire truck and the remainder to the Fisk Field project. Second by Mr. Reiss.
2. Ms. Lohrman will be receiving a contract from the PA DCED for the Business Revitalization program. The program was renewed last year, but the contract has not been sent out as of yet. In order to expedite the process, Mr. Starniri made a Motion to allow the appropriate officer to sign the document pending a favorable solicitor's review. Second by Mr. Reiss.
3. Ms. Lohrman has received an agreement from PSAB for participation in the TEAM program. Mr. Minotti feels the program is beneficial, but he has had a turn around time problem. The solicitor for the program has changed. Hopefully the problem will have been solved. Motion by Mr. Starniri to execute the document pending Mr. Minotti's review. Second by Mr. Reiss.
4. Ms. Lohrman has received a request from P.J. Lehman, Inc. to authorize another time extension for a three month period to end September 10, 2009. Motion to approve request by Mr. Feinberg. Second by Mr. Starniri. Ms. Lohrman will check to see if a longer period of time could be done in the next extension letter.
5. Ms. Lohrman has been in contact with Jay Schreiber from the DCNR concerning the bike path grant. Mr. Schreiber had requested a completion timeline for the DCNR's review and approval prior to tonight's meeting. Ms. Montgomery had prepared the timeline and it was approved by the DCNR. Ms. Lohrman requested permission to advertise for bids. If the project is not completed, the Borough will have to repay the amount it spent on the project. Ms. Lohrman is preparing other documents for the grant completion. Mr. Minotti stated that he had received a call from the President of the bakery concerning surface rights agreement. Mr. Minotti requested a ballpark figure for the bakery's portion of the bike path. Ms. Lohrman will request the information from Ms. Montgomery. The Weis Market property has already been condemned. The Appeals Board has not yet met, but the property is owned by the Borough. Motion to authorize the solicitation of bids by Mr. Reiss. Second by Ms. Lilly.
6. Ms. Lohrman contacted the owners of the Dixie Warehouse inquiring about the possibility of renting the parking lot adjacent to the building during the months of May to September. The owners were agreeable. The rental price would be \$1,500.00 per month. Mayor Perruso felt that the price was excessive. Ms. Lilly felt that the Borough would only need the lot on weekends. Council wished to see if there was a counteroffer for a shorter period of time.
7. Ms. Lohrman has spoken to Tom Dittmars about a Treetenders Grant. The application deadline is July 1, 2009. Mr. Dittmars was wondering if the Borough wished to apply for the grant. Mr. McGowan responded that the Borough would need to submit a plan. The grant also requires matching funds. Mr. Starniri suggested that a survey of trees be completed to see what needs to come down and be replaced. The grant funds can only be used for planting only. Mr. Corriere stated that many trees were taken down, but not replaced. Council did not seem to be interested in pursuing the grant at this time. Mr. McGowan felt that several streets such as Washington Blvd, Lehigh Street, Fairview Avenue and even Northampton Street could use additional trees. Mr. Feinberg requested that the General Government committee review the Shade Tree Ordinance.
8. Mr. Feinberg informed Council that the Good Shepherd parsonage will be going up for sale. The house does need electrical work. If the electrical work was completed before a sale, the asking price would be approximately \$225,000.00. If not, the price would be approximately \$200,000.00. The Greek Orthodox Church will be moving in several years and that lot may become available. Council did not seem interested in purchasing the property.

#### REPORTS OF COMMITTEES:

#### GENERAL GOVERNMENT:

None

#### FIRE:

1. The Fire Code was never been formally adopted by Council. The only provisions that can be used is what is referenced in the Building Code. Chief Collins will copy the Administrative Section for Mr. Minotti to review. Ms. Lohrman will put the topic on the agenda for the second meeting in July.
2. Chief Collins requested permission to hire Brian Allen and Derick Gibson as part-time firefighters. Motion to approve request by Mr. Starniri. Second by Ms. Lilly.

#### POLICE:

1. Mr. Starniri made a Motion to hire the Meyner Center to assist the Borough in finding a candidate to replace Chief Nace. Second by Mr. Feinberg.
2. Chief Nace informed Council that the cameras have been installed in all but two of the vehicles. Chief Nace has completed training on the devices. The DA still needs to provide authorization before the audio can be used.
3. Chief Nace has had a LoJack system installed in one of the cars. The system allows the Police to find a stolen vehicle if the system has been installed in the vehicle. Chief Nace has tested the system and it works great. The system was purchased through grant funds and there are no maintenance fees.

#### PUBLIC WORKS:

1. Mr. Drake is in the process of putting sand in the volleyball court at Meuser Park.
2. Mr. Drake is getting the bid specs together for the paving of Hay Street. Easton Suburban Water Company will be paying for some of the repaving.
3. Mr. Richard Behler will be having aortic valve replacement surgery tomorrow. He will be out of work for about three months.
4. The swimming pools are up and are running good.
5. Council inquired about when the graffiti removal will begin. Mr. Drake does not have a release form. Mr. Minotti will ask the City of Easton for a copy of what they use. Ms. Howey is preparing a list of properties that has graffiti on it. The property owner has the option of removing the graffiti themselves. Mr. Drake has an offer from HomeDepot for paint donations. The company that the Borough purchased the graffiti machine from will go out the first day of the machines operation to help.
6. Chief Nace inquired about the property next door. Ms. Lohrman responded that once a citation has been issued, she will have the grass cut. Ms. Lilly inquired about the weeds at Victor Balata. Mr. Corriere will look into the matter.

#### PARKS AND RECREATION:

1. Ms. Lilly has received a request from the swim team for permission to install a ceiling fan in their storage shed. The team has the fan and someone to install it. There is electric in the shed. Council denied the request.
2. Ms. Lilly informed Council that when the appointment to the Recreation Board last month, the letters of interest were due by April 22, 2009. The letter written by the appointee was written after the deadline. Ms. Lilly had other people interested in the seat, but told them it was too late. Ms. Lilly requested that Council disqualify Mr. Roscioli as his letter was late. Second by Mr. McGowan. Mr. Reiss felt that this action was because of a personality conflict. Affirmative votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. McGowan, Mr. Schug and Mr. Williams. Negative votes were cast by: Mr. Reiss and Mr. Starniri. Motion carried by a five to two vote.  
Ms. Lilly made a Motion to appoint Kevin Coyle to the Recreation Board. Second by Mr. Williams. Mr. Starniri felt that Council should open it back up again. Affirmation votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. McGowan, Mr. Schug and Mr. Williams. Negative votes were cast by: Mr. Riess and Mr. Starniri. Motion carried by a five to two vote.

#### ATTORNEY:

1. Mr. Minotti informed Council that copies of the Police Arbitration Award was included in their packets. Mr. Minotti was not sure that the appeal period had passed. Mr. Feinberg responded that the Borough did not wish to appeal the award. Mr. Minotti stated that the Borough did not have to do anything in that case. Mr. Minotti will incorporate the award in a new contract.
2. Council is in possession of a draft ordinance to amend the Police Pension Ordinance. Mr. Hildebrant had sent comments to Mr. DeEsch. Ms. Lohrman was requested to put the Ordinance on the agenda in July. Motion to advertise the Ordinance by Mr. Starniri. Second by Mr. Reiss.
3. Mr. Minotti informed Council that Negrao had signed the developers agreement. Ms. Lohrman responded that the Borough had not signed off on it nor has the Borough received the escrow funds. Motion by Mr. Starniri to execute the agreement if the conditions set by the solicitor and engineer are met. Second by Ms. Lilly. Affirmative votes were carried by: Mr. Feinberg, Ms. Lilly, Mr. Reiss, Mr. Schug, Mr. Starniri and Mr. Williams. A Negative vote was cast by Mr. McGowan. Motion carried by a six to one vote.
4. Mr. Minotti informed Council that Mr. DeEsch had sent a letter to Kmart concerning the grate in

their driveway. The grate is not on Borough property nor in its right-of-way. Kmart may need to contact PennDot as Wood Avenue is a state highway.

5. The Borough has received a letter from the County stating that the Palmer Fire House is considering removing them from an exemption from paying real estate taxes. A hearing will be held in August.

MECAB:

1. Mr. McGowan stated that the MECAB tour to Carbon County was completed. It was an enjoyable day. The next meeting will be held in September.

OLD BUSINESS:

1. A question arose about if the Borough was able to shut the water off on a renter. Ms. Lohrman responded that Mr. DeEsch had received a call from the Attorney General's office to inform that the law had been changed late last year and you could not shut their water off. Mr. Minotti will check to see if any of our paperwork needs to be updated.

DEFERRED BUSINESS:

None

NEW BUSINESS:

1. Mayor Perruso has been informed that kids are locking their bikes on the light standards on the boulevard. Mr. McGowan responded that a bike had been left there for two days. Mr. Drake stated that the bikes will scratch the poles. Mr. Starniri stated that the issue should be addressed on a case by case basis.

ORDINANCES:

1. Ordinance 748 – Revising Inspection Fees. Affirmative votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. McGowan, Mr. Reiss, Mr. Schug, Mr. Starniri and Mr. Williams. No Negative votes were cast. Ordinance 748 was adopted by a seven to zero votes.

RESOLUTIONS:

None

BILLS AND ACCOUNTS:

Bills of \$157,466.06 were paid on May 25, 2009 and bills were paid of \$72,202.44 on a Motion by Mr. Feimberg. Second by Mr. Williams.

ADJOURNMENT:

Ms. Lilly made a Motion to adjourn at 8:45 p.m. Second by Mr. Williams and Council concurred.

Transcribed from a tape.

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KAREN A. LOHRMAN, BOROUGH SECRETARY