

WILSON BOROUGH  
NORTHAMPTON COUNTY  
PENNSYLVANIA  
JULY 13, 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  
James McGowan  
Louis Starniri  
David Williams

Joan Lilly  
Bob Reiss  
Tony Verenna

ABSENT:

James Klass, David Schug

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

READING OF THE MINUTES:

The Minutes of the June 22, 2009 Council Meeting were approved on a Motion by Mr. McGowan. Second by Ms. Lilly.

PRESENTATION OF MATTERS BY PERSONS PRESENT:

1. Bob Fehnel, James Lynch, Douglas Wagner and Attorney Terry Faul appeared before Council to discuss the Wilson Intermediate School project. Mr. Lynch requested Council to waive the \$10,000.00 building fee permit in return for the school district paying for paving Firmstone Street and improving the intersection of Stewart Street and Firmstone Street. The school district has already signed the contracts to do the work. The only fees to be waived are the building permit fees. The developer's agreement would have to be revised to reflect the change. The agreement would have to be reviewed by the Borough Engineer and the Solicitor. Mr. Drake agreed that the road improvements would cost between \$40,000.00 and \$50,000.00. Mr. Minotti would like to see the language in the agreement. Motion to approve the developer's agreement to include the waiver of the building fees in return for the road improvements subject to the approval of the solicitor and engineer by Mr. Reiss. Second by Ms. Lilly.

2. The school district has not received or executed the developer's agreement. Mr. Wagner added that the Board had already approved doing the improvements. The pre-construction meeting will be held on Wednesday, July 15, 2009. The site development will begin after the meeting. The work will include fencing, erosion control, earth movement and other work that can be completed without permits.

3. Mr. Fehnel wished to discuss the 2005-2006 agreement for the soccer fields. The Borough had been billed an additional \$13,00.00 for the fence and additional work, but the Borough had rejected it. Mr. Feinberg responded that the cost for the Borough was estimated at \$36,000.00. The actual cost was double. The Borough then paid it over two years. Mr. McGowan stated that the Borough was not updated on the progress of the fields or the cost overruns. Mr. Fehnel will share the Borough's response with the school board.

4. Judy Lerch appeared before Council to discuss snow removal. Ms. Lerch also wished to know why there was not Police coverage at the last two concerts. Mr. McGowan cannot remember having an officer in the park. Mayor Perruso responded that they had been there for years. Chief Nace stated that he could not get any officers to work the concerts the last two weeks. One of the weeks, Officer Riegel had been on duty and was there as much as he could be. Ms. Lerch complained about senior citizens not being able to park in the park. She was told that parking was only allowed in the park over the last few years, because the Police were not doing their jobs.

It was explained to Ms. Lerch that people who did not clean off their walks were cited at the Magistrate's Office. The Borough cannot make someone clean off their walks. Ms. Lerch suggested giving them warnings. Chief Nace responded that the Police had done so in the past. Snow removal information is put in the newsletter and papers. Chief Nace can cite people more than once for not cleaning their walks. Mr. Corriere added that the rental ordinance is now in effect. The Borough has access to contact information to the homeowners and/or property managers. Mr. Minotti agreed that the Borough could not make people clean off their walks. He felt that the steps the Borough had in place were enough. Ms. Lohrman was requested to put copies of the snow ordinance in Council packets so Council can review it. Ms. Lilly would also like copies of the weed ordinance.

5. Norman Shafer of 100 S. 18<sup>th</sup> Street did not like that the parking was removed from the parks for

concerts without notice. Parking was only behind the yellow line. 85% of the people who attend the concerts are senior citizens. The people who are renting pavilions want an area for the kids to play in. Mr. Shafer felt that the conditions of the park and the Strausser building are good.

Mr. Shafer complained that the utility companies are digging up streets like Northampton Street and the trenches are sinking in. Mr. Drake responded that Northampton Street is a state highway and he does call PennDot when there is a problem on the road. Mr. Drake is reviewing the trench ordinance to see if the Borough can get a quicker response from the utility companies in these cases.

6. Janice Beck felt that Council made a mistake by not allowing seniors to park in the park for the concerts. She understands why it is a problem if allowed on a daily basis. Ms. Beck thought the kids could be allowed to play on the other side of the park. People are parking at the pavilions. Mr. McGowan felt that people have total disregard for others when they are parking in the park. He felt that it would be unfair to allow parking in the park for concerts and not for other functions. Mr. Reiss and Mayor Perruso disagreed. Mr. Verenna has never seen any problems with parking there. Chief Nace questioned why there are three handicapped parking spaces for concertgoers. He felt that the Borough was lucky that not one has gotten hurt. Mr. Williams would like to have an officer on site. Mr. McGowan wondered if the library would be paying for the officer. Mayor Perruso responded that the concerts were the Borough's responsibility. Mr. Feinberg like the parking the way it was the last few weeks. No one is at the pavilions by the time the concertgoers come in around 6:00 p.m. There currently is no time limit for the pavilions. Mr. Reiss felt that the pavilion rental should end at 6:00 p.m. on Sundays. The current agreement does not pavilion rental contract allows the renter to have the pavilion all day. Mr. Williams made a Motion to allow parking in the park for concerts only. Second by Mr. Feinberg. Police will be directed to ticket others who park in the park. Affirmative votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. Reiss, Mr. Starniri, Mr. Verenna and Mr. Williams. A Negative vote was cast by Mr. McGowan. Motion carried by a six to one vote. Mr. Drake will post signs for no parking anytime and concert parking only.

#### COMMUNICATIONS AND PETITIONS:

1. Ms. Lohrman had a letter emailed to her from Tom Conti of 1461 Liberty Street. As Ms. Lohrman began reading the letter, Mr. Starniri made a Motion for Ms. Lohrman not to read the letter as Council had the letter in their packets for review. Second by Mr. McGowan. Mayor Perruso, Chief Collins and Ms. Lohrman acknowledged that they had all spoken to Mr. Conti in regards to his complaints. Chief Nace responded that he has not received any complaints for 110-112 N. 15<sup>th</sup> Street. Chief Collins responded that he had received one today and that he will be sending out a letter tomorrow. There has only been one disruptive conduct report for Liberty Park Apartments thus far.

2. Dan Redington from Mary Meuser Library requested permission to close N. 18<sup>th</sup> Street from Northampton Street to Church Street on September 12, 2009 at 7:00 a.m. to September 13, 2009 at 5:00 p.m. They are not requesting permission to close the street on the proceeding Friday as they have in the past. In the event of rain, the Book Fair will be postponed to the following weekend(s). Motion to approve request by Mr. Starniri. Second by Mr. Verenna.

3. Ms. Lohrman acknowledged a petition received from the concertgoers concerning the change in parking at Meuser Park. Matter was resolved.

4. Shiloh Baptist Church requested the use of Meuser Park on Sunday, September 27, 2009 for their church picnic. They have requested the use of the two pavilions, the amphitheater and the softball field. Ms. Lohrman added that they had used the park for the past few years without any problems. Motion to approve request by Mr. Reiss. Second by Mr. Williams.

5. A letter was received from Maria Voletto clarifying her position on a seat on the Recreation Board that she previously held. Ms. Voletto has been on Rec Board for approximately eight years. Her 5 year term was up two years ago, but she continued to serve. She was unaware that she had to write a letter to be reappointed until she was informed by Ms. Lilly. The seat had been advertised and someone else appointed. Ms. Voletto stated that she never resigned her seat. According to the bi-laws she did not feel that writing a letter to be reappointed was necessary. Ms. Voletto has missed Rec Board meetings. In all but one case, she had notified an officer of the Board that she would not be attending. Ms. Voletto is willing to stay on the Board.

Mr. Minotti responded that he had received a letter from Fran Roscioli in regards to his removal from Rec Board seat formerly held by Ms. Voletto. Mr. Roscioli contends that the Borough did not follow Roberts Rules. Mr. Minotti did not feel that Roberts Rules applied in this case. Mr. Minotti suggested to Council that they rescind the appointment of Kevin Coyle to the Recreation Board and reaffirm Maria Voletto as she never resigned her seat. Only Council can make appointments and they rescind their appointments. Ms. Lilly will supply Ms. Lohrman with the term expirations of the Rec Board members. Motion to rescind the appointment of Kevin Coyle to the Recreation Board and to appoint Maria Voletto to the Recreation Board. Affirmative votes were cast by: Mr. Feinberg, Mr. McGowan, Mr. Reiss, Mr. Starniri, Mr. Verenna and Mr. Williams. A Negative vote was cast by Ms. Lilly. Motion carried by a six to one vote. Mr. Minotti will respond to Mr. Roscioli's letter.

6. One bid was received for HOME program project HRH06-12 from Dutt Construction. The bid was in the amount of \$24,375.00. Ms. Lohrman will forward the bid on to Mr. Corriere and the Housing Rehab committee.

#### COMMUNICATIONS BY THE MAYOR:

1. Mayor Perruso informed Council that the total fines collected by Judge Koury were \$8,311.21.

#### COMMUNICATIONS BY THE BOROUGH MANAGER:

1. Mrs. Klass has received a Disabled Veterans Real Property Tax Exemption Certification Exemption Certification for a resident. The letter is dated June 26, 2009, but the exemption is for real estate taxes that become due on or after February 24, 2009. As Council does not have a policy regard exemptions, Ms. Lohrman inquired whether Council would be willing to refund the 2009 Borough Real Estate Tax or \$701.78. Motion by Mr. Feinberg to reimburse the 2009 Real Estate Tax. Second by Mr. Reiss.

2. Ms. Lohrman and Ms. Pandl have discussed the closeout of CDBG 2005. Between CDBG 2005 and CDBG 2006, there will be \$22,000.00 of Administrative Funds that are available to use on an activity. Ms. Pandl was wondering if Council wished to use the funds for another project such as Housing Rehab or the Bike Path. Motion by Mr. Feinberg to use the \$22,000.00 for the Bike Path. Second by Mr. Starniri. Ms. Lohrman will have Ms. Pandl draw up the appropriate paperwork.

3. Ms. Pandl would like to come to the next Council meeting to complete the discussion on the next HOME program application. Ms. Lohrman suggested having Ms. Pandl discuss the HOME program application at the beginning of the July 27, 2009 Council meeting at 7:00 p.m. Motion by Mr. McGowan. Second by Mr. Starniri.

4. Ms. Lohrman has received a letter from Northampton County with information on the Tax Collection Districts. The County will be hosting a meeting on Thursday, October 22, 2009 at 6:00 p.m. in the County Council Meeting Room. The Borough had appointed Jim McGowan to serve as its delegate. The county is recommending that at least one alternate is selected. Motion by Mr. Feinberg to appoint Lisa Guth as the First Alternate Voting Delegate. Second by Mr. Starniri. Motion by Mr. Williams to appoint Dave Perruso as the Second Alternate Voting Delegate. Second by Mr. Starniri.

In addition, the Northampton County Association of Township Official will hold an informal meeting on Act 32 on Thursday, July 16, 2009 at 9:00 a.m. at the Williams Township Municipal Building. Mr. McGowan and Ms. Guth will attend the meeting. Mayor Perruso was directed to let Ms. Lohrman know if he wished to attend.

5. Ms. Lohrman informed Council that a Pre-Bid meeting was held for the Bike Path project last Wednesday, July 8, 2009. 13 contractors attended the meeting. The bid opening is scheduled for Wednesday, July 22, 2009 at 11:00 a.m. Ms. Montgomery hopes to have the bids reviewed and a recommendation for Council's approval for the July 27, 2009 Council meeting.

6. Ms. Lohrman has received a telephone call from the Barry Moyer, bridge inspector. Mr. Moyer has performed an interim inspection of the 24<sup>th</sup> Street bridge. The conditions are continuing to deteriorate at the base of the columns. Mr. Moyer is considering lowering the posting limit of the bridge to 10 tons or less. He also may request the encasing of the column in a block of reinforced concrete. Mr. Moyer will contact PennDot about the status of the bridge construction project and possibility the Borough's bridge engineer. A final report will be coming. If the bridge limit is dropped, Ms. Lohrman will notify the school district if school buses are prohibited from crossing the bridge. Chief Collins will divert the fire trucks away from the bridge.

7. Ms. Lohrman has received a notice from Santander that the Borough needs to convert the 24 shares of Sovereign Bank stock into Santander stock. The stock was given to the Borough years ago for a police dog. Mr. Reiss added that it was for Officer Siegfried's dog. Mr. Minotti has reviewed that paperwork and finds it acceptable to execute. Lafayette Bank will perform the signature guarantee. Council discussed cashing in the stock. Motion by Mr. McGowan to execute the paperwork to convert the stock to Santander stock. Second by Mr. Feinberg. When the new stock certificate arrives, Ms. Lohrman will come back to Council to see if they wish to cash it in. The funds would go into the General Fund as the dog was purchased years ago.

8. Ms. Lohrman informed Council that she has received the approval from Ms. Montgomery to pay the last installment to Alfero, Inc. for the bocce courts. Some of the wood had been replaced and additional infield mix was added. Boucher & James, Inc. has inspected the construction and found it acceptable. Grass has been growing out of the infield mix. Mr. Drake has had the weeds pulled and the courts have been sprayed. Mr. Drake rolled the courts today and opened it up. There is a bond in place if there are any problems with courts, they will have to come back and repair it for a period of time. Motion by Mr. Feinberg to pay Alfero. Second by Mr. Starniri.

#### REPORTS OF COMMITTEES:

#### GENERAL GOVERNMENT:

1. Mr. McGowan informed Council that there will be a COG meeting at the Chrin Building on July 15, 2009. The following matters are on the agenda: regional comprehensive plan, ecycle, Environmental Steering Committee, PACOG conference and rebuilding S. 25<sup>th</sup> Street from Freemansbrug Avenue to the Glendon bridge. All are welcome to attend.

FIRE:

1. Chief Collins informed Council that the grant application for the generator had been submitted last Friday. The applications will be awarded in December.

POLICE:

None

PUBLIC WORKS:

1. Ms. Lilly inquired about the status of the curb painting. Mr. Drake responded that the curbs on the north and south side of the Borough had been painted. They are working on both sides working inward.

2. Mr. Drake had used the graffiti machine at the Dixie warehouse. It worked well.

3. Mr. Starniri inquired about the cannon on Washington Blvd. The bracket is missing. Mr. Drake will see if something could be fabricated to fit the cannon for support.

4. Mr. Starniri reminded Mr. Drake that chunks of concrete are coming off the steps at 5 points. Mr. Drake will have them repaired.

5. Mr. Drake informed Council that the state inspector had been at the swimming pool this week. The inspection went well.

6. The sand in the volleyball has been put in. The court is open for use.

PARKS AND RECREATION:

1. Mr. Reiss questioned why the Borough paid summer help vacation pay. The employee was paid for a week while on vacation. The employee is paid a salary for the summer. Mr. Whilden was in charge of the pool in the absence of the Manager and Assistant Manager. The matter will be addressed next year. There will not be any more paid vacations.

2. Mr. Reiss also questioned why the Assistant Manager was not certified for chemicals. The Assistant Manager has a certified Pool Operations License which is not currently recognized in PA. The certification did not allow someone to use chemicals. Council questioned whether he was working under someone else's license. Mr. Williams will check into the matter.

ATTORNEY:

1. Mr. Minotti had presented a graffiti removal agreement and release form that the City of Easton uses. Mr. McGowan questioned what would happen if an employee got hurt. Mr. Minotti responded that the employee should be covered under Workmen's Comp. The graffiti machine has its own water supply. Only the area that had graffiti on it will be cleaned off. Mr. Minotti felt that the agreement could be used for the Borough.

2. Mr. Minotti informed Council that the Fire Arbitration hearing would be on September 24, 2009 at 10:00 a.m. in Council Chambers. Mr. DeEsch will be the Borough's representative. If any subpoenas are needed on any issues, Mr. Minotti would like to know beforehand.

3. Mr. Minotti has spoken to representatives from Good Shepherd Church about the parsonage. The church is still not sure what they wanted to do with the property. Mr. Minotti may have to negotiate with the committee.

4. Mr. Minotti has sent a letter about the bike path to Bimbo Bakeries. He has included a cost estimate. He also mentioned that several trailer trucks were being stored on the Borough's proposed bike path. They will have to be moved prior to construction.

MECAB:

None

OLD BUSINESS:

None

DEFERRED BUSINESS:

1. Mr. Starniri has been to the library and looked at the sunken garden area behind the library. There is a 5 ½ feet drop off the wall. Mr. Starniri felt it was a hazard and something needs to be done. Mr. Drake will secure the area. The library is looking into doing something with the area, but does not currently have any funds to do a project.

NEW BUSINESS:

None

ORDINANCES:

1. Ordinance 749 – Amending Police Pension Ordinance. Affirmative votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. McGowan, Mr. Reiss, Mr. Starniri and Mr. Williams. No Negative votes were cast. Ordinance 749 passed by a six to zero vote.

RESOLUTIONS:

None

BILLS AND ACCOUNTS:

Bills of \$369,347.62 were paid on a Motion by Mr. Reiss. Second by Mr. Starniri.

ADJOURNMENT:

Mr. Starniri made a Motion to adjourn at 9:03 p.m. Second by Mr. Starniri and Council concurred.

Transcribed from a tape.

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KAREN A LOHRMAN, BOROUGH SECRETARY