

WILSON BOROUGH  
NORTHAMPTON COUNTY  
PENNSYLVANIA  
OCTOBER 9, 2006

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, President	Joan Lilly
James McGowan	Bob Reiss
David Schug	Louis Starniri

ABSENT:

James Klass, Daneen McGinley, Ronald Nixon

Also present were: Mayor David S. Perruso, Solicitor Mark Minotti, Chief Richard Nace, Superintendent Greg Drake, Code Enforcement Officer Paul R. Corriere

READING OF THE MINUTES:

The Minutes of the September 25, 2006 Council Meeting were approved on a Motion by Mr. McGowan. Second by Ms. Lilly.

PRESENTATION OF MATTERS BY PERSONS PRESENT:

1. Angelo DiBiagio and Attorney Ted Lewis appeared before Council to review a request for subdivision at 29 North 17<sup>th</sup> Street which had been approved by the Wilson Zoning Board. Borough Engineer Amy Riddle Montgomery has reviewed the subdivision plans twice. Attorney Lewis indicated that all the zoning issues within Ms. Montgomery's letter had been addressed. A final plan will address items 11 through 13. Mr. DiBiagio is requesting waivers from items 7, 8, and 10. Mr. Feinberg informed Council that the Wilson Planning Commission had recommend the subdivision not be approved. The zoning ordinance allows variance for hardships. Mr. Feinberg felt that the applicant created his own hardship by requesting the subdivision. Mr. McGowan stated that there was already a parking problem there and an additional home would only add to the problem. Attorney Lewis responded that off street parking was available by using the garages. Mr. Minotti reviewed a letter from Attorney Joseph McDonald regarding the variances approved at the hearing. All lot dimension aspects were relieved. Attorney Lewis requested waivers on Items 7 and 8. Item 7 dictates the width of a street or cartway. As N. 17<sup>th</sup> Street has been in existence for years, providing additional width at the proposed residence is impracticable. Item 8 requires all existing development, including streets, and buildings, and natural features within 500 feet of the proposed subdivisions must be shown. Attorney Lewis requested Item 8 be waived as the cost incurred by the applicant does not benefit Wilson Borough. Item 10 can be waived by a letter from the engineer in regard to negligible stormwater drainage increases. Mr. Starniri stated that he disagreed with the Zoning Board's decision. Motion to approve waivers on Item 7 and 8 by Mr. Starniri. Second by Mr. Schug. Affirmative votes were cast by: Ms. Lilly and Mr. Starniri. Negative votes were cast by: Mr. Feinberg, Mr. McGowan, Mr. Reiss, and Mr. Schug. Motion was denied by a four to two vote. Mr. Minotti informed Council that Council could appeal the Zoning Board's decision. Ms. Lilly questioned whether the matter should be tabled. Attorney Lewis did not feel that would be appropriate. Mr. Feinberg made Motion to approve the waiver on all items with the exception of Item 8. Second by Mr. Starniri. Affirmative votes were cast by: Mr. Feinberg, Ms. Lilly, Mr. Reiss, Mr. Schug, and Mr. Reiss. A negative vote was cast by Mr. McGowan. Motion carried by a five to one vote.

COMMUNICATIONS AND PETITIONS:

1. Ms. Lohrman reminded Council that the TIF hearing was scheduled on Monday, October 23, 2006 at 6:30 p.m. Ms. Lohrman will put reminders in Council packets.

COMMUNICATIONS FROM THE MAYOR:

1. Mayor Perruso informed Council that the total fines collected by Judge Koury were \$6,568.04.
2. Mayor Perruso inquired as to what Council would like to do with the extra Police car. Chief Nace responded that Covington may be interested in purchasing the vehicle. Motion by Mr. Reiss to advertise in the newspaper the sale of the vehicle. Second by Mr. Starniri.
3. Mayor Perruso inquired as to the status of the street paving. Mr. Drake replied that Ferry and 17<sup>th</sup>

Streets were posted for “no parking” for tomorrow’s date. Mr. Reiss inquired as to whether more work would be done on 20<sup>th</sup> Street. Mr. Drake replied in the affirmative and that the streets would also be sealed.

#### COMMUNICATIONS BY THE BOROUGH MANAGER:

1. Ms. Lohrman informed Council that she had spoken to John Earl, our representative at the DCNR, regarding our bike path grant. Amy Riddle Montgomery has applied for our HOP from PennDot. Mr. Earl has supplied the Borough with a checklist for the certification of design. The form must be completed by Ms. Montgomery along with the signed and sealed plan documents. Once the bid has been approved by the Borough, a bid tabulation must be sent to the DCNR. Additional funds would then be available for the project. Ms. Lohrman hopes that all the items will be completed over the winter months and the project can be completed by early spring. Our grant expires in April of 2007.

2. Ms. Lohrman attended a meeting with Mr. Stoffa and the other four entitlement communities in Northampton County on Friday, October 6, 2006 regarding Northampton County’s qualification as an Entitled Urban County under the Community Development Block Grant Program. The county will attempt to provide the five entitlement communities funding as they had received in the past if they opt into the program. If the Borough opts out, it would no longer be an entitlement community through the state and would have to apply for competitive grants. The activities the Borough currently has would all be eligible for funding with the county. The county’s program is for a three year period. If the Borough opts in, the County would be responsible for the public hearing and application process. The county has not determined exactly the process for the disbursement of funds as of yet. The Borough may get the funds directly from the county instead of the DCED. Motion to opt in with Northampton County by Mr. Reiss. Second by Ms. Lilly.

3. Ms. Lohrman requested that the Police Committee stay after the meeting to discuss a date and time for a meeting on Police accreditation.

4. Ms. Lohrman informed Council that a pre-bid meeting was held on Friday, October 6, 2006 on the Safe Routes to School Project. AMS was the only company that attended the meeting or had picked up the bid packet. Ms. Montgomery felt one other company may be interested in the project.

5. Ms. Lohrman informed Council that a pre-construction meeting was held with Nimaris Construction on the parking lot project. Ms. Montgomery will be reviewing the stormwater inlets prior to Mr. Ciccone ordering the inlets. As soon as the inlets arrive, the project will start. Mr. Ciccone felt it would take about two weeks for the inlets to be on site. There will be little or no parking available during the construction. No work will be done on Election Day as the office is a polling place. With weather permitting, the project should be completed in approximately three weeks after starting.

6. Ms. Lohrman presented Council with the completed Act 537 Special Study Municipal Agency Task Activity Report from the Easton Area Joint Sewer Authority. Mr. Ron Behler, Mr. McGowan, and Ms. Lohrman worked on the report for the authority. Mr. Minotti has reviewed the corresponding ordinance he has received from the authority’s attorney. Estimated costs are needed for the ordinance. Ms. Lohrman and Mr. McGowan will complete the ordinance. Costs of the meters were reviewed. The Borough would be using 12 meters for the study. Mr. Minotti stated that the Borough would pay approximately 10% of the metering costs. A representative would be required.

7. Ms. Lohrman informed Council that the boiler is to be installed this week. She is hoping that the boiler would be operational prior to the cold weather coming in at the end of the week.

#### REPORTS OF COMMITTEES:

##### GENERAL GOVERNMENT:

1. Mr. McGowan informed Council that the General Government committee had reviewed Ordinance 425 concerning truck parking. Several ideas were discussed about increasing the weight limit and truck length. The committee is recommending leaving the weight limit at 5,500 lbs. and a length limit at 22 feet.

##### FIRE:

None

##### POLICE:

1. Mr. Starniri reminded the committee to remain after the meeting in order to set up a meeting time for police accreditation

##### PUBLIC WORKS:

1. Mr. Drake requested Council to award the paving bid to AMS. The bid from AMS was \$109,226.00. The only other bid was for \$122,450.00 from Bracelente Construction, Inc. Motion to award the paving bid to AMS by Ms. Lilly. Second by Mr. Starniri.

2. Mr. Drake informed Council that Firmstone Street would be paved on October 26, 2006 and October 27, 2006 with the assistance of the City of Easton.

3. Mr. Drake has ordered the new gas pumps. They should be on site within the next four weeks.
4. Mr. Minotti inquired about the information on Edelman Street. Mr. Drake responded that he would deliver the information to Mr. Minotti tomorrow.

#### PARKS AND RECREATION:

None

#### SOLICITOR:

1. Mr. Minotti has received hearing notices on assessment matters from Northampton County. Mr. Minotti does not normally attend the hearings. Mr. Minotti will only get involved if the matter goes further. He did not feel a need to respond to the notices.
2. Mr. Minotti has reviewed the letter sent to Mayor Perruso from Ron Angle concerning the county's open space policy on exempting properties from further millage increases. Mr. Minotti felt the letter was sent to the Borough as a courtesy as it did not apply to Wilson.
3. Mr. Minotti has reviewed a letter from the Recorded of Deeds on the Act 40 Amendments to the Realty Transfer Tax. It requests that the municipalities update their ordinance so it is current under the state law. Although the Borough's ordinance does not contain interest provisions, Mr. Minotti did not feel that the ordinance needs to be updated.
4. Mr. Minotti reminded Council that the final plan for the Dixie Loft project will be reviewed at the October 23, 2006 Council meeting. Ms. Lohrman will supply Council with copies of Ms. Montgomery's last review comments, the traffic study, and the final PRD. Mr. Minotti requested Council to review the information for the next meeting.
5. Mr. Minotti requested a Caucus before adjournment to discuss the Wilson Manor Apartment assessment case.
6. Mr. Minotti reminded Mr. Drake to get the Edelman Street information to him tomorrow so the 2 hour parking by permit ordinance can be on the agenda for the next meeting.
7. Mr. Minotti reminded Council that the TIF hearing would be held on Monday, October 23, 2006 at 6:30 p.m.

#### MECAB:

1. Mr. McGowan did not have any information concerning the next MECAB meeting except that it would be held in Northampton.

#### OLD BUSINESS:

None

#### DEFERRED BUSINESS:

1. Mr. Feinberg suggested that Mr. Corriere post a sign for the collection of review fees for subdivision. Mr. Feinberg added that the funds would be put into an escrow account to pay the costs the Borough incurs for plan review. Mr. Feinberg felt that a minimum deposit of \$750.00 would be sufficient for a minor subdivision. A larger project would require a larger deposit. The subdivision and land development ordinance provides for the collection of fees. The applicant is responsible to pay any and all fees. Motion to proceed by Mr. Feinberg. Second by Mr. Reiss. Mr. Minotti stated that the fees would have to set up within a resolution.
2. After a short Caucus, Mr. Feinberg made a Motion to accept the Solicitor's suggestion to reduce the county's assessment of the Wilson Manager property under the condition that all the other government units approved the reduction. Second by Ms. Lilly.

#### NEW BUSINESS:

None

#### ORDINANCES:

None

#### RESOLUTIONS:

1. Resolution 1142 – Authorizing Expenditures of the General Municipal Pension System State Aid. Motion by Ms. Lilly. Second by Mr. Reiss.

#### BILLS AND ACCOUNTS:

Bills of \$45,710.95 were paid on a Motion by Mr. McGowan. Second by Mr. Starniri.

ADJOURNMENT:

Mr. Reiss made a Motion to adjourn at 8:57 p.m. Second by Mr. Schug and Council concurred.

Transcribed from a tape.

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KAREN A. LOHRMAN, BOROUGH SECRETARY