

WILSON BOROUGH  
NORTHAMPTON COUNTY  
PENNSYLVANIA  
OCTOBER 23, 2006

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:

Leonard Feinberg, President	James Klass
Joan Lilly	Daneen McGinley
James McGowan	Louis Starniri

ABSENT:

Ronald Nixon, Bob Reiss, Dave Schug

Also present were: Mayor David S. Perruso, Solicitor Louis S. Minotti, Jr., Chief Michael Collins, Assistant Superintendent Ron Behler, Code Enforcement Officer Paul R. Corriere

READING OF THE MINUTES:

The Minutes of the October 9, 2006 Council Meeting were approved on a Motion by Mr. McGowan. Second by Ms. Lilly.

PRESENTATION OF MATTERS BY PERSONS PRESENT:

1. Steve Guy, John McRoberts, and Lisa Perera attended the Council meeting to request the consideration of the final Ashley Development plan. The plan had been submitted in 2006. The approval is within the 90 day time frame with the extension. Ms. Lilly questioned the recreational fees. Mr. Guy responded that the facility has proposed a community building, a fitness area, and combined with the recreational facilities have met the requirements of the ordinance. Mr. Guy added that they did not have a problem with the \$100.00 fee contained in the ordinance. Mr. Klass responded that the recreational fees in the area had a significantly higher recreational fee. Mr. Guy agreed that the fee could be raised in the development agreement to \$500.00 per unit. Mr. Minotti informed Council that the plans have been presented to the Lehigh Valley Planning Commission. They support the project. However, they indicate that they had questions about the accuracy of the traffic study. Mr. Minotti reviewed the comment letter from Amy Montgomery from Boucher & James. Mr. McRoberts stated that Ashley Development will comply with all items outlined in Ms. Montgomery's review. Chief Collins will review the hydrant locations. Mr. McRoberts will comply with the Chief's comments. Mr. McRoberts stated that they are working on the HOP with PennDot. Mr. Feinberg will represent the Borough at any meetings. Ms. Montgomery stated that all zoning issues have been met and no variances or waivers are needed. All other conditions are in compliance. The revised traffic study has not been received. Ms. Montgomery stated that the Borough's traffic engineer did agree with the trip generation calculations in Horner & Kantor's letter of August 18, 2006. Mr. McRoberts stated that they cannot eliminate any access from S. 24<sup>th</sup> Street. One entrance is for the parking lot and the other three are for underground parking. Mr. McRobert continued that they have been unable to get any response to install an entrance into the parking lot at Weis Markets. Mr. Minotti stated that Weis Markets was moving to the old Giant building on William Penn Highway and are probably not interested. Motion by Mr. Starniri to grant Ashley Development conditional approval on the Dixie Lofts project as long as all items listed in the Boucher & James review letter are met, are agreeable to the \$500.00 recreation fee per unit, items in the Lehigh Valley Planning Commission are covered, and the reduction in the number of accesses to the parking on S. 24<sup>th</sup> Street is waived. Second by Mr. Klass. Ms. Montgomery will review the revised plans and other documents including those from the traffic consultant and will notify the Borough in writing when all the issues have been met. Mr. Minotti can then prepare the developer's agreement and funds will be escrowed.

2. Fred Lehman appeared before Council to find out why it costs \$15.00 to obtain a police report. Council responded that the fee is set up in an ordinance to cover the costs incurred by the staff in doing the report. Mr. Starniri added that in most cases an insurance company pays for the report. The fee has been in effect for years and is comparable to other municipalities. Mr. Lehman was not satisfied with Council's response.

COMMUNICATIONS AND PETITIONS:

1. A request was received from Goin' Postal for obtaining blue directional signage to be

mounted in 2 locations at S. 25<sup>th</sup> Street at Route 22 and on the southeast corner of S. 25<sup>th</sup> and Butler Streets. Goin' Postal will bear whatever costs are associated with the request.

2. A request was received from Tangles for obtaining blue directional signage to be mounted in 2 locations at S. 25<sup>th</sup> Street at Route 22 and on the southeast corner of S. 25<sup>th</sup> and Butler Streets. Tangles will bear whatever costs are associated with the request.

3. A letter of thanks was received from the Northampton County Children, Youth and Families for the use of Meuser Park for a Safety Day Picnic on September 9, 2006. Members of Suburban Rescue Square, Wilson Police and Fire Department along with the members of a dog agility club were present to conduct demonstrations for the children.

4. Mr. Lohrman reminded the Police Pension Board that the next meeting would be held on Wednesday, November 15, 2006 at 3:30 p.m.

5. Ms. Lohrman has received a request from Michelle Williams to obtain permission to hold an Election Day Bake Sale in the lobby of the municipal building for the benefit of the Wilson Elementary School.

#### COMMUNICATIONS FROM THE MAYOR:

1. Mayor Perruso inquired as to the status of the Police car. Ms. Lohrman responded that she was waiting for Mr. Drake and Mr. Bare to assist her with the ad. Ms. Lohrman will make sure the ad is placed this week.

2. Mayor Perruso reminded everyone that Trick or Treat would be held on Halloween evening from 6:00 p.m. to 8:00 p.m.

3. Mayor Perruso informed Council that the Borough would be holding a Veteran's Day parade on November 10, 2006 in the morning. Wilson Elementary School will be participating.

#### COMMUNICATIONS BY THE BOROUGH MANAGER:

1. The Borough has received an excess interest award for 2006 for the Wilson Borough Non-Uniform Pension Plan (48-111-3N). The award is in the amount of \$10,500.00. The Borough has also received an excess interest award for 2006 for the Wilson Borough Fire Pension Plan (48-111-3F). The award is in the amount of \$6,788.00. The Borough can allocate the funds into the municipal account, the member's accounts or to the retired member's accounts. Borough Council has the option to place money in any one option or split up the funds into more than one option. The deadline is November 15, 2006 for a decision.

2. Ms. Lohrman has received a letter from P.J. Lehman, Inc. requesting the reappointment of their company to be the engineer for the 24<sup>th</sup> Street bridge project for 2007. Motion to approve request by Mr. McGowan. Second by Ms. Lilly. Mr. Feinberg pointed out that the 24<sup>th</sup> Street bridge project was listed in the TIP 2007-2010 printed in the last LVPC newsletter. The amount of funds budgeted is \$900,000.00.

3. Ms. Lohrman had attended the last two meetings concerning the potential organization of the area municipalities to come together under an Act 67 Joint Municipal Comprehensive Plan. Mayor Perruso, Mr. Feinberg and Mr. McGowan had attended the first meeting. It is hoped that the municipalities could join together on zoning and subdivision issues. Mr. Feinberg added that the state is giving those municipalities who have a joint municipal comprehensive plan top priority on grant funding. Ms. Lohrman requested Council to consider proceeding with the plan and if so, appoint a representative and an alternate representative to attend meetings. Ms. Lohrman added that this is a lengthy process and the Borough's zoning and subdivision ordinances will have to be amended to correspond with the final regional comprehensive plan.

4. Ms. Lohrman provided Council with the updated information on the minimum wage rate to be effective in 2007. One of the exemptions listed is employment by a public amusement or recreational establishment that does not operate more than seven months in a year. Ms. Lohrman contacted the Bureau of Labor Law Compliance in Scranton to see if the swimming pool would qualify under the exemption as the Borough itself is operation all year around. The Bureau's response was that they did not know as they had not been trained as of yet. Training would not occur until after the new year. Ms. Lohrman informed Council that to be on the safe side, the pool budget contained minimum wages for all the employees at the pool. Ms. Lohrman will contact the Bureau in January 2007 to check on the minimum wage at the swimming pool.

5. Ms. Lohrman requested a maintenance agreement from Che Mechanical Services as they had recently installed the new boiler. Mr. McGowan questioned the automatic renewal of the agreement with a 4% increase. The agreement would renew without a 30 days prior notice. There were also questions about having only Che's technicians work on the equipment. This item may be a problem as the Public Works department changes the filters. The last question involved the additional work to be billed at \$80.00. Ms. Lohrman felt it meant \$80.00 per hour.

6. Ms. Lohrman has received information and a resolution to be passed concerning the Hazard Mitigation Plan Lehigh Valley, PA July 2006. Ms. Lilly inquired if Chief Collins had reviewed the plan. He responded that he had and it met with his approval. Motion by Mr. McGowan to prepare the resolution for passage at the November 13, 2006 Council meeting. Second by Ms. Lilly.

7. Ms. Lohrman request Council's approval to close the office on Black Friday, November 24, 2006 as they have in the past. The employees will use their Floating Holiday in compensation. Motion to approve request by Ms. McGinley. Second by Mr. Starniri.

8. Ms. Lohrman informed Council that one bid had been opened on the Safe Routes to School

Project on Wednesday, October 18, 2006. The bid was for \$60,125.00 from Asphalt Maintenance Solutions, LLC. Ms. Montgomery had reviewed the bid and felt that the handicapped curb cut was too expensive. She contacted AMS who contacted their subcontractor. AMS has come back and is willing to lower the curb cut portion of the bid by \$3,250.00. The total bid price has been lowered to \$56,875.00. The Borough's grant from PennDot is \$34,483.00 and an additional \$11,279.00 has been put aside in CDBG 2005 for the project. Ms. Lohrman has contacted Ms. Pandl and the remainder of the funds could come from Administrative funds in CDBG 2002 and CDBG 2003. Motion to award the Safe Routes to School bid to AMS in the amount of \$56,875.00 by Mr. Starniri. Second by Ms. McGinley.

#### REPORTS OF COMMITTEES:

#### GENERAL GOVERNMENT:

None

#### FIRE:

None

#### POLICE:

None

#### PUBLIC WORKS:

None

#### PARKS AND RECREATION:

1. Mr. Klass thanked the Public Works Department for the work completed on the Fisk field parking area. Unfortunately, the work had to cease because of the two grant applications the Borough has applied for to further the development of the field.

2. Mr. Klass inquired if anything had been resolved in regard to the letter from the Baseball Association discussing the lack of available playing fields. Ms. Lohrman replied that the letter was to be added to the grant applications for Fisk field.

#### SOLICITOR:

1. Mr. Minotti informed Council that all the requirements for the triangle area adjacent to the Dixie Lofts project can be met. An easement may be required. Mr. Minotti requested Council's authorization to proceed with an easement agreement if a letter of conditional final approval is needed by the developer. Motion by Mr. Starniri to authorize Mr. Minotti to negotiate an easement with Ashley Development. Second by Ms. Lilly.

#### MECAB:

1. Mr. McGowan informed Council that the next MECAB meeting will be held on Wednesday, October 25, 2006 at 7:00 p.m. in Freemansburg.

2. The November meeting will be held on November 29, 2006 at 7:00 p.m. in the Coopersburg Borough Hall. The Bucks County Railroad will have a train display in the basement.

#### OLD BUSINESS:

None

#### DEFERRED BUSINESS:

1. Motion to approve the directional signs for Goin'Postal and Tangles by Ms. McGinley. Second by Mr. Starniri.

2. Motion to credit all monies in excess interest award for the Non-Uniform Pension Plan and the Fire Pension Plan into the Municipal Account. Second by Ms. Lilly.

3. Mr. Feinberg and Ms. Lohrman felt it would be in the best interest of Wilson Borough to participate in an Act 67 Joint Municipal Comprehensive Plan with other adjacent municipalities. Mr. Feinberg added that a recent newspaper article explained that the State would give grant funding precedence to those municipalities who have a joint municipal comprehensive plan. Motion to appoint Mr. Feinberg as Wilson's representative to the committee and Mr. Starniri as the Borough's alternate delegate. Second by Mr. Klass.

4. Mr. McGowan questioned to items on the maintenance agreement from Che Mechanical. Ms.

Lohrman will verify what the \$80.00 fee is and make sure having the Public Works employees change the filters on the units will not nullify the agreement. Motion to approve the agreement if the items in question are answered to Ms. Lohrman's satisfaction by Mr. Starniri. Second by Ms. McGinley.

5. Motion to approve the Election Day Bake Sale for the Wilson Elementary School by Ms. McGinley. Second by Ms. Lilly.

#### NEW BUSINESS:

1. Mr. Feinberg has received a request from Joe Hurd, a member of the Wilson Planning Commission, for permission to attend a Planning class costing \$60.00 at the Borough's expense. Motion to approve request by Mr. Starniri. Second by Mr. Klass.

#### ORDINANCES:

1. Ordinance 731 – Approving the EAJSA Act 537 Special Study Inflow/Infiltration Evaluation Agreement. Affirmative votes were cast by: Mr. Feinberg, Mr. Klass, Ms. Lilly, Ms. McGinley, Mr. McGowan, and Mr. Starniri. Ordinance 731 passed by a six to zero vote.

2. Ordinance 732 – 2-Hour Parking by Permit on a Portion of Edelman Street. Ms. Lilly inquired if businesses were included and Mr. Starniri replied that they were not and had not been considered previously. Affirmative votes were cast by: Mr. Feinberg, Mr. Klass, Ms. McGinley, and Mr. Starniri. Negative votes were cast by: Ms. Lilly and Mr. McGowan. Ordinance 732 passed by a four to two vote.

#### RESOLUTIONS:

1. Resolution 1143 – Instituting the Collection of Additional Review Fees for the Review of Subdivision and Land Development Projects. Motion by Ms. Lilly. Second by Mr. Starniri.

#### BILLS AND ACCOUNTS:

Bills of \$143,612.44 were paid on a Motion by Mr. Starniri. Second by Ms. McGinley.

#### ADJOURNMENT:

Ms. Lilly made a Motion to adjourn at 8:19 p.m. Second by Ms. McGinley and Council concurred.

Transcribed from a tape.

---

KAREN A. LOHRMAN, BOROUGH SECRETARY