

WILSON BOROUGH
NORTHAMPTON COUNTY
PENNSYLVANIA
JUNE 27, 2011

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	Edwinna Howey
Joan Lilly-Kemmerer	Russ Lipari
James McGowan	Louis Starniri
David Williams	

ABSENT:

David Jones, Bob Reiss

Also present were: Mayor David S. Perruso, Attorney Louis S. Minotti, Jr., Superintendent Greg Drake, Chief Michael Collins, Police Officer Calvin Siegfried, Borough Clerk Lisa Guth

READING OF THE MINUTES:

The Minutes of the June 13, 2011 Council Meeting were approved by Mr. McGowan. Second by Mrs. Lilly-Kemmerer.

PRESENTATION OF MATTERS BY PERSONS PRESENT:

1. Emmanuel Dada of 24 S. 16th Street appeared before Council to discuss the shut-off of the water at his home. Mr. Dada admits that he owes for his garbage and sewer bill, but would like more time to pay the bill off. Mr. Dada had cancer in 2007. He spent 90 days in the hospital and because of his illness, lost his job. Mr. Dada collected unemployment for a time and then disability. Mr. Dada stated that his mortgage company was working with him. Mr. Dada paid his bill when he had the funds. Ms. Guth stated that he was sent to a collection agency, but did not make payments when he was permitted to because of the commissions charged. Mr. Dada got a job in September. Mr. Dada brought several hundred dollars last week, but was told that the Borough did not accept payment arrangements. Mr. Dada stated that the Borough must be compassionate. Mr. Dada presented the Council President and the Borough Manager with an affidavit last week. Ms. Guth accepted a \$300.00 payment, but Mr. Dada was told that he was still going to be shut off the next day. Mr. Corriere posted the house that it was uninhabitable the day the water was shut off. The sign stated that the property must be evacuated by Wednesday, June 29, 2011. Mr. Dada stated that he is not saying that he will not pay the bill. He is willing to pay another \$300.00 by the end of the week. Mr. Dada needs time to pay the \$1,239.00 he owes on the bill. Ms. Deneya Mosby informed Council that she is joint owner of the property and she was never notified that the bill was not paid. Ms. Mosby stated that she should have been notified separately. She would have paid had she known about the bill. Ms. Mosby is willing to make payments every two weeks. Mr. Minotti has read the affidavit and Mr. Dada and Ms. Mosby are owed a due process hearing. Mr. Minotti requested that the water be turned back on and a hearing be held. Mr. Dada and Ms. Mosby will be notified when the hearing will be held. Mr. Feinberg felt that the affidavit was written to delay payment. Mr. Minotti did not agree. Ms. Lohrman will check the Borough ordinances to see who is on the hearing board.

2. Kenneth Kors of 2302 Fourth Street also appeared before Council regarding the water being shut off at his aunt's house. Mr. Kors stated that his aunt has Alzheimer's Disease and is bedridden. Mr. Kors moved into the house last year in order to take care of his aunt. Mr. Kors works for LifeStar. He does not have the funds to pay the bill off. All the bills are past due. Mr. Kors would like more time to pay the bill. He was told that the Borough would not allow payment arrangements. Mr. Kors tried to get a loan, but was denied. Mr. Kors was willing to pay \$700.00 now and pay the difference off in two weeks. Mr. Kors may lose custody of his child if he does not have a place to stay after Wednesday. The Borough will accept payments, but not payment arrangements. If the entire bill is paid prior to the shut off date, then the water will not be shut off. Mr. Kors received a shut off letter from the Borough, but never received anything else. Motion by Mrs. Lilly-Kemmerer to deny making an extension for payments on the bill. Second by Mr. Starniri. Affirmative votes were cast by: Mr. Feinberg, Mrs. Lilly-Kemmerer, Mr. McGowan, Mr. Starniri and Mr. Williams. Negative votes were cast by: Mr. Lipari and Ms. Howey. Motion to deny extension was approved by a five to two vote.

3. Chris Cahoon of 1933 Fairview Avenue appeared before Council to discuss a diseased tree at 1931 Fairview Avenue. Mr. Cahoon stated that a large limb from the tree had fallen off and damaged his neighbors sidewalk to her home. Mr. Cahoon spoke to Mr. Corriere and he told the property owner that the tree needs to come down. The owner received an estimate for \$2,000.00. The owner instead hired someone for less money, but he was not experience enough to take the tree down. Part of the tree was

taken down, but it is still unsafe. Mr. Minotti stated that if the tree is deemed unsafe, the Borough could mandate the tree come down. Mr. Corriere will be directed to send a letter to the homeowner and give him so many days to have the tree removed. If the tree is not removed, the Borough can have it taken down and a lien put on the property. The damaged sidewalk is a civil matter.

COMMUNICATIONS AND PETITIONS:

1. A letter was received from Lester W. Pfeffer American Legion requesting permission to close S. 16th Street and Jefferson Street in order to host a customer appreciation day on Sunday, July 3, 2011 from 12:00 p.m. to 7:00 p.m. Ms. Lohrman added that West Easton has already approved the request and will provide barricades for Jefferson Street. Motion to approve request by Mrs. Lilly-Kemmerer. Second by Mr. Starniri.

2. A letter was received from Soul Winners Pentecostal Church requesting that the Memorial Church directional sign be removed and would like a new sign put up depending on the cost of the sign. Mr. Drake responded that he tried to contact the church, but no one returned his call. Council requested that the matter be tabled until Mr. Drake is able to contact someone from the church.

COMMUNICATIONS BY THE MAYOR:

1. Mayor Perruso informed Council that Chief Parkanksy had surgery today. Officer Siegfried added that the Chief was out of surgery and was doing well.

COMMUNICATIONS BY THE BOROUGH MANAGER:

1. Ms. Lohrman informed Council that she had received an email from Jack Graham of the Keystone Marker Trust. There was a marker on the east side of the 1600 block of Northampton Street and it is gone. The pole is there, but the sign is missing. If the Borough does not have the sign, Mr. Graham would like to remove the pole so it can go to another municipality where they have a sign, but no pole. Motion by Mr. McGowan to table the matter for further investigation. Second by Mr. Lipari. Mr. Drake was directed to contact Richard Siegfried and Dan Redington to see if either of them has information about the sign. Mr. Starniri would like to see if the Borough could get a new sign and new pole if the old sign cannot be found.

2. Ms. Lohrman informed Council that there is a lengthy procedure to follow when a request for payment on the bridge is received. In the end, PennDot will send the Borough a check for the approved work. Ms. Lohrman must deposit the check and remit a Borough check within 10 days of receiving the PennDot check. There are times that bills are not paid within a 10 day period. Motion by Mr. Starniri to authorize Ms. Lohrman to pay the contractor within the 10 day period of receiving a PennDot check. Second by Mrs. Lilly-Kemmerer.

REPORTS OF COMMITTEES:

GENERAL GOVERNMENT:

None

FIRE:

1. Chief Collins informed Council that the Fire Department had two cardiac arrests and two saves in the past week.

2. Mr. Starniri stated that the Emergency Operations Plan was a boiler plate. The Borough should have an Emergency Operations Center, but the Borough needs a new generator. Mr. Starniri informed Council that there had been a tabletop drill that was put on by the county. The Borough should be involved in one. Chief Collins will check about the cost. Mrs. Lilly-Kemmerer was wondering about a warning in case of a tornado. Chief Collins responded that the warning would come through Northampton County. One could sign up for weather alerts.

POLICE:

None

PUBLIC WORKS:

1. Mr. McGowan informed Council that he has spoken to Mr. Drake and he would like to hire one additional summer help. Motion by Mr. McGowan to hire Justin Scerbo of Hay Street for summer help. Second by Mr. Starniri.

2. Mr. McGowan has received an email from Phyllis Race regarding the alley behind Eastern Comfort Assisted Living. The alley has been washing out and it is a hazard. Mr. Drake responded that he would repair the alley tomorrow.

PARKS AND RECREATION:

1. Mr. Lipari informed Council that the opening weekend of the pool was successful. The attendance is good. Mr. Lipari thanked the Public Works Department for fixing the leak in the Olympic pool. The pool will be having two Dip & Dances this summer. One will be held on July 13, 2011 and the other one on August 10, 2011. Both will be held from 5:00 p.m. to 7:00 p.m. D.H. Productions will be providing the entertainment. The refreshment is getting a positive response. They are selling other items other than food. Circus Man Ice Cream is providing the service to the refreshment stand. Mrs. Lilly-Kemmerer would like a list of pool staff. Mr. Lipari will provide the list. Mr. McGowan questioned who authorized the removal of the freezer from the community center to the refreshment stand at the pool. Mr. Lipari responded that Mr. Feinberg had. Mr. Feinberg stated that the freezer was not being used and it was unplugged. Mr. Drake added that he would be taking the freezer back to the community center once the pool season is over.

ATTORNEY:

1. Mr. Minotti has reviewed the agreement for the bike path with Palmer Township. Mr. Starniri questioned if it were true that the deed would be recorded and not the agreement. Mr. Minotti stated that only the deed would be recorded. The legal description and the map will be attached to the deed. Motion to finalize and execute the agreement by Mr. Starniri. Second by Mrs. Lilly-Kemmerer.

2. Mr. Minotti has prepared a draft ordinance for pre-treatment as requested by Easton Area Joint Sewer Authority. Motion by Mr. Starniri to advertise the ordinance. Second by Mr. Williams.

3. Mr. Minotti found the Official Payment Agreement confusing. Mr. Feinberg stated that there will be a flat for on sewer payments and a 3% fee on taxes. All the fees go to the payee. Official Payments will accept MasterCard, Visa and Discover. The maximum payment accepted will be \$1,000.00. The payments must be on-line and will not be accepted in the office. The Borough pays nothing for the service. Motion by Mr. Starniri to have the proper representative sign the contract. Second by Mrs. Lilly-Kemmerer.

4. Mr. Minotti has prepared the "No Parking" ordinance on the east side of N. 21st Street from Northampton Street to Liberty Street. Once the ordinance is passed, Mr. Drake will remove the other "No Parking" signs. Council approved the ordinance for advertisement.

5. Mr. Minotti stated that he had spoken to Ms. Lohrman about executing municipal liens. The Borough can file the lien, but it may not wish to execute it. Depending on what other liens are on the property, it may not be in the Borough's best interest to proceed. The Borough could contact Oz Abstract about who the other lien holders are. Mr. Feinberg responded that the Borough is having problems with rental properties. Large sewer bills are owed, properties are being foreclosed on and the yards are not being cared for. Banks are not taking possession of the properties. Mr. Minotti suggested contacting Oz Abstract about each specific property the Borough is having problems with.

MECAB:

None

COG:

None

OLD BUSINESS:

None

DEFERRED BUSINESS:

1. Mr. Lipari apologized to Council on his over-exuberance on his pool committee report. Mr. Lipari was unable to attend the last meeting because he was out of town on family responsibilities. Mr. Lipari would like to revisit the Lion's Fair. Mr. Lipari would like to supply the Lions with a list of problems that need to be addressed. He would like the Borough to send them a letter and allow them the opportunity to respond to the concerns and a plan of action drawn up. Mr. Feinberg responded that he had several Lions thank him for voting to have the fair removed from the park. After the stabbing, Mr. Feinberg stated that the Lions talked about moving the fair and fencing it in. Mayor Perruso denied that the Lions ever discussed moving the fair. Mayor Perruso stated that he is a Lion and very proud to be one. The Lions provide scholarships, baskets and glasses. Mayor Perruso acknowledged that there have been problems, but they cannot control who comes to the fair. Mayor Perruso feels Council voted in haste. Mr. Lipari made a Motion to rescind what was done and send a new letter with a list of concerns about the fair and ask the Lions to address those concerns with possible solutions. Mr. Feinberg responded that the Lions had discussed getting a price on fencing and charging admission, but they have opted not to do anything. Mr. McGowan felt that the Motion was out of order. Second by Mr. Williams. Affirmative votes were cast by: Mr. Lipari, Ms. Howey and Mr. Williams. Negative votes were cast by: Mr. Feinberg, Mrs. Lilly-Kemmerer, Mr. McGowan and Mr. Starniri. Motion was defeated by a four to

three vote. Mr. Starniri stated that nothing can stop the Lions from addressing the concerns. Mr. Lipari responded that the letter does not give them an opportunity to do so.

NEW BUSINESS:

None

ORDINANCES:

None

RESOLUTIONS:

1. Resolution 1179 – Passage of the Emergency Operations Plan (EOP). Motion to approve Resolution 1179 by Mrs. Lilly-Kemmerer. Second by Mr. Starniri.

BILLS AND ACCOUNTS:

Bills of \$230,470.09 were paid on a Motion by Mrs. Lilly-Kemmerer. Second by Mr. Starniri.

ADJOURNMENT:

Mrs. Lilly-Kemmerer made a Motion to adjourn at 8:57 p.m. Second by Mr. Williams and Council concurred.

Transcribed from a tape.

KAREN A LOHRMAN, BOROUGH SECRETARY