

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
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EXECUTIVE SESSION

Council conducted an Executive Session prior to the start of the Council meeting at 6:30 p.m.

They discussed Grace Industries litigation, Schinstine Condemnation, Quarry Condemnation, Manor Haven Litigation and personnel.

The Council meeting of the Borough of Wind Gap on Monday, August 2, 2004, was called to order at 7:34 p.m. by Council President Kerry Gassler, at which time he reminded those present that the meeting was being recorded. In attendance were Councilpersons: Winton Male. Jr., Karen Skorochood, Mitchell D. Mogilski, Sr., George Hinton, Jr., Scott Parsons, and Tony Curcio. Also in attendance were Mayor Kenneth George, Borough Solicitor, Ronold Karasek, Borough Engineer, Ronald Madison and Secretary/Treasurer Louise Firestone.

APPROVAL OF MINUTES

On motion by Karen Skorochood to approve the minutes of July 20, 2004 and seconded by Tony Curcio. George stated that the date needed corrected. Roll call vote taken. Motion carried unanimously.

APPROVAL OF EXPENDITURES

On motion by Mitchell D. Mogilski, Sr. to approve the expenses in the amount of \$41,313.33 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

Public Comment

1. John Schwab, 37 Tenth Street, Wind Gap. John asked about the property in front and behind his house scheduled to be developed by Manor Haven. He stated that after looking at the plans, he would not be able to access his garage. Ron Madison stated that this is the first he has heard of a possible problem with access during the two years of discussion regarding this plan. Ron will contact the engineer for Manor Haven Corporation to discuss a possible resolution to this situation.

Solicitor's Report

Ronold Karasek, Esquire, introduced himself to Council and the public. He stated that he does not make decisions for the board, but will answer any legal questions brought before him. He has served Upper Mount Bethel for the last eight years and has served the Portland Borough Authority on special projects. He plans to issue a written report to be circulated a few days prior to each monthly meeting. He thanked Council for allowing him to serve the Borough.

Engineer's Report

Ron Madison reported that Hanover Engineering resubmitted the plans for approval to PennDOT today including sensors for the traffic light at South Broadway and Third Street. PennDOT requested that the indicators be included in the plans. Ron stated that he hopes to have approval by the end of the month so that the bid package can be approved at the September 7, 2004 Council meeting and awarded at the October 4, 2004 Council meeting.

On motion by George Hinton to allow Hanover Engineering to proceed with writing up the bid specs for the installation of the traffic light at the intersection of South Broadway and Third Street and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

Ron reported that Steven Miga wrote a letter indicating that he had replaced the arborvitae at the property on Constitution Avenue and would like the Borough to release his escrow money. Ron contacted the Mayor and the Mayor indicated that the trees look okay. Ron will write a final letter and calculate any expenses to be deducted from the escrow before it is released.

George asked if any decision has been made regarding the curb installation on East West Street. Ron contacted three contractors to provide a cost estimate to place upright and depressed curb along the south side of East West Street. Approximately 220' upright and 4' of depressed curb from just east of the intersection of East West Street and Fairview Street to the Borough Park entrance. A. J. Trunzo provided an estimate of \$3,370, Northeast Concrete, \$3,200 and S & S Concrete Contractors failed to provide a quote. The price is based on the Borough providing the excavating, stone base, and backfill for the contractor to set the forms and provide the concrete. The Borough will need to provide any traffic control if it is necessary. Northeast Concrete was the subcontractor during the original contract and inspected the site prior to providing their quote.

On motion by George Hinton to award the project to Northeast Concrete at a cost of \$3,200 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously. George to contact Northeast to set up a schedule with the Borough workers.

NEW BUSINESS

1. Building Code Books. Kerry reported that the Zoning Secretary has asked to order the Uniform Construction Code building book. When the Borough becomes a member at a cost of

\$100, the codebooks for building, residential, fire, plumbing, mechanical, private sewage, etc. are included in the membership fee. There is an additional fee of \$22 for the Energy Conservation Code.

On motion by George Hinton to purchase the books at a cost of \$122 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

2. County Bond – Approval of Invoices. Tony reported that one invoice was received from Hanover Engineering Associates, Invoice 68916 for a total of \$2,239.06 related to the Slate Belt Industrial Road.

On motion by Tony Curcio to pay Hanover Engineering from the County Bond funds in the amount of \$2,239.06 and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously.

3. Elwood Fenner. **On motion** by George Hinton to approve a .25 cent an hour increase to Woody retro back to July 1, 2004 and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

4. George Hinton reported that Chief Armitage asked if he could send an officer to an Identity Theft Seminar in Harrisburg. The seminar cost is \$225, plus room and expenses. The Chief has recommended that Officer Redmond attend on behalf of the Wind Gap Police Department. George stated that the money could come out of the tipping fees money received from Waste Management.

On motion by George Hinton allow Officer Redmond to attend the seminar and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

5. George Hinton reported that there is concern regarding the confidentiality of the Police Department in regard to accessibility to their computers and files.

On motion by George Hinton to have a separate line for the Police Department for separate service for their computers and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously. Louise added that the Borough is currently receiving service from RCN Cable free of charge as a courtesy to governments and municipalities.

6. Mitchell D. Mogilski, Sr. reported that he received a complaint regarding the area of North Broadway and Eighth Street being too dark. A pole exists in the area, but does not have a light on it. Mitch to look into the installation of a light in that area and report back to Council.

OLD BUSINESS

1. Regional Police – COG Meeting Report. Tony reported that he and Kerry attended a meeting of the Slate Belt COG regarding Regional Police. Colonial Regional Police Chief Roy Seiple made a presentation to the COG. The Regional Police Chief is in charge of the budget. There is one member and an alternate from each municipality to conduct all business. Colonial specializes in the following areas of Law Enforcement: Northampton County Drug Task Force,

Emergency Medical Certifications, Detective Unit, Accident Investigation, Bike Patrol, Child Car Seat, D.A.R.E., Defensive Tactics Instructors, Firearms Instructors, Less-Lethal Firearms Instructors, Motor Carrier/Compliance Inspectors and a K-9 unit. Chief Seiple discussed how a group of municipalities would begin. He outlined the following: Contact the Department of Community and Economic Development (Diane Elliott), appoint a Regional Police Study Commission, gather data, meet with other municipalities who have already regionalized, open the process to the public for their comment, and meet with officers of your existing police department. Kerry added that at this point, the COG is looking at whether to proceed with a study for interested municipalities. He stressed that by having a regional police force it will cost the participating municipalities more money for the service than it currently does for individual departments. The Borough would send a monthly check to the Regional Department to cover the budget expenses of the department. George stated that it would make sense to have municipalities that are adjoining rather than having Washington Township and Upper Mount Bethel joining forces with Wind Gap to cover the three areas. Even if three officers are on duty at the same time and are assigned a sector to patrol, if they are needed on one end of the region the other end may not have any coverage. East Stroudsburg has decided to opt out of the Stroud Regional Police Department. He cautioned that the local coverage might not be the same in regard to checking building permits, moving permits, weeds, locking the Park restrooms. Kerry explained that at this point, Wind Gap is not committing to anything but to be involved in the study.

On motion by Winton Male to advise the COG that Wind Gap is interested in participating in further conversation regarding regional police and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

2. Mayor George reported that the Chief has reviewed the application for part-time police officers and would like some direction from Council regarding hiring one or two part-timers. The Mayor suggested to Council that they consider hiring a fifth full-time officer. At this point, with the summer almost over and the full-time officers willing to work overtime until a fifth officer is hired at the beginning of next year it would not make sense to hire a part-time officer at this time. The process in hiring a full-time officer takes time because of the advertising, the Civil Service testing, the interview process, the physical and psychological testing and the on the job training before that officer is able to patrol the Borough.

On motion by George Hinton to hire a full-time officer next year and seconded by Tony Curcio. Roll call vote taken. In favor: S. Parsons, K. Skorochood, T. Curcio, G. Hinton. Opposed: W. Male, M. Mogilski, K. Gassler. Motion carried with a vote of 4-3.

Winton asked that a cost analysis be done. Kerry appointed a committee of George Hinton, Mayor George and Tony Curcio to compile the numbers between full-time and part-time.

3. Grace Industries – settlement of litigation.

On motion by Karen Skorochood to settle with Grace Industries at a figure of \$4,000 with the understanding that the Borough is not waiving any claims and seconded by Tony Curcio. Roll call vote taken. In favor: M. Mogilski, S. Parsons, K. Skorochood, T. Curcio, K. Gassler, W. Male. Opposed: G. Hinton. Motion carried with a vote of 6-1.

Kerry explained that Grace Industries took the Borough to court because the Borough

withheld \$26,400 under the liquidated damages clause in the Park restroom contract. Council decided to settle for \$4,000. It was decided that the Borough could potentially spend \$4,000 in litigation fighting over the settlement.

4. Ron Karasek reported that he had been asked by Council President to review the service agreement between BASE Engineering and the Borough of Wind Gap in regard to the inspections under the Uniform Construction Code. Ron stated that this agreement does not refer to residential inspections so if the Borough wants it to include residential then the agreement needs to be amended. There is no hourly rate in this agreement. Ron to contact BASE Engineering and work with Tony

On motion by George Hinton to adjourn the meeting of August 2, 2004 and seconded by Tony Curcio. The meeting of August 2, 2004 adjourned at 8:49 p.m.

Louise Firestone, Secretary / Treasurer