

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
610-863-7288**

The Council meeting of the Borough of Wind Gap on Tuesday, February 15, 2005, was called to order at 7:30 p.m. by Council President Kerry Gassler, at which time he reminded those present that the meeting was being recorded. In attendance were Council members: Winton S. Male, Jr., Karen Skorochood, George Hinton, Scott Parsons, and Tony Curcio. Also in attendance Mayor Kenneth George and Secretary/Treasurer Louise Firestone. Absent was Councilman Mitchell D. Mogilski, Sr.

Councilman Winton Male, Jr. arrived at 7:35 p.m.

PUBLIC COMMENT

1. Alfred S. Pierce introduced himself and explained that he is attending the Council meeting because of all the concern regarding the legal notice advertised on behalf of his client, Arlington Enterprises, Inc. He stated that a quiet title action had been filed on behalf of Arlington Enterprises, Inc. naming each lot owner in the Parkside Subdivision plan as a defendant. He explained that the purpose of the quiet title action is to eliminate the paper streets, which exist on the property of Arlington Enterprises, Inc. The property is identified as Northampton County Uniform Parcel E8/17/6A on the county tax maps. Because that parcel includes a portion of the original Parkside lots, each of the defendants has an interest in the plan. Arlington Enterprises, Inc.'s purpose is simply to confirm by Court Order that no one has a right to drive over and upon Arlington's property. There were questions from residents regarding whether this would have any impact on any properties for sale, if the twenty days would count from the date of the notice or when the legal notice was actually in the paper, how action would be taken. The answer to the property question was no, unless a person wants to drive on the paper street, the twenty days starts from date of publication in the paper, and if any disputes then a trial would take place. He explained that this is the same process as the developer, Emmanuel Vito, had to do when he started his plan in 1988. George asked Al how long he has been working on this and would he want to wake up one morning to find out that they are being named in a lawsuit? Al replied that he has been working for over a year. George suggested that he should have at least contacted the Borough to make them aware of what was transpiring. It was decided that Al would send out letters to each of the named property owners further explaining the intention of Arlington Enterprises and how it affects them as property owners.

2. John Hannon, 172 Alpha Avenue, Wind Gap. John stated that he read in the paper that Council voted to cut the tax collector's annual compensation, that the Borough is hiring an additional police officer and a second full-time street employee and he asked why? He added that no sane person would object to the additional police officer. George stated that in the past

the Borough has employed two part-time street workers and the union put pressure on the Borough to hire a full-time employee. It is a matter of safety, it is difficult to do many street projects safely with only one worker. The traffic through the Borough continues to increase and that creates more work for the Street Department. At one time, the Borough employed three full-time street workers, but as they retired they were never replaced and that only put the Borough at risk for years. The Mayor added that the Borough was sued several years ago and it is time to correct the problem.

John asked who came up with the monthly rent paid by the Wind Gap Ambulance Corps and how is it related to the \$2,093.98 monthly mortgage payment made by the Borough? Kerry replied that the Ambulance Corps has five directors to oversee the financial condition of the Corps. There was a committee of Tom Knitter, Joe Dell'Alba and Dianne Schippers from the Corps and Mitchell D. Mogilski, Sr. and Lewis Paulhamus from Council who met and decided on the monthly rent figure.

John complained that his wife was in the Slate Belt Medical Center and need transportation, but when the Ambulance Corp office was called, there was no response. Kerry stated that if the office was called, the calls were to be forwarded to Joe Dell'Alba's house, but the call for an ambulance should go through the 911 Control Center. Karen added that the Ambulance Corps does not do transports unless they have advance notice so a crew can be on call for any emergency. John added that a few years back when he was on Council the Corps had free rent for two years, why? Kerry replied that the Corps was in the process of purchasing a new ambulance and the Borough's contribution instead of a monetary amount, was to extend free rent for two years.

John stated that Mrs. Sutter has been tax collector for twenty years and has always been a faithful employee of the Borough, is this another vendetta against her? Kerry stated that Council eliminated the OPT tax which she was paid 4% to collect, but that was only on \$10 or \$13,000 for the year. The Emergency Municipal Services tax should generate \$66,000 and she still would be paid .5% commission or an increase of approximately \$2,400. The vote was taken for the tax collector starting in 2006 and had to be set by February 15, 2005 to be in effect.

3. Patricia Sutter. She replied to the earlier comments regarding the OPT stating that she would make 40 cents, but the new commission would only pay 26 cents per bill. Kerry replied that Council is aware that it is a pay cut, but the new rates will be effective for the next tax collector. Pat stated that Council has no idea what work is involved in collecting the Earned Income Tax. John Hannon asked if Council was aware of the duties of tax collector and if there was any discussion prior to that meeting when Council acted on the motion? Kerry replied that it was discussed at the January workshop meeting when he asked Council to review the information regarding the tax collector's commission and to think if any action should be taken. Mrs. Sutter called and wrote letters to all of Council expressing her opinions

COMMITTEE REPORTS.

1. EMS – Karen Skorochood reported that the Ambulance Corps officers are: Captain, Nick Potochnick, First Lieutenant, Sean Shoemaker, Second Lieutenant, Toby Lawson, President, Tom Knitter, and Maintenance Wendell Kulp. There will a CPR class held this Thursday.

2. Police – George Hinton reported that the police computer upgrade is necessary to have done by April 1, 2005 to do the UCR reports and receive fine monies. The equipment is through the State contract price. George to contact Ron Karasek regarding the ability of the Borough to purchase the computer through the company that gave a proposal. George received prices on the new police cruiser, but he stated that the computer is a more immediate need for the department.

Karen added that the oral exams for the new full-time police officer are scheduled for Saturday, March 26, 2005. There is not an earlier date available. Fifteen applicants passed the written exam and are eligible for the oral exam. The Civil Service Commission has already discussed amending the process to shorten the time it takes to hire a full-time officer.

3. Streets – George Hinton reported that the painting of the lines for the traffic light at South Broadway and Third Street is scheduled for tomorrow weather permitting. The Woodward and Lehigh Stormwater project and the park drainage project are scheduled to be completed this year. He has been talking with the Street Department and critiquing the snow removal process relating to where and how to put excessive snow. Kerry added that a grant application was submitted for a CDBG grant for West Street Stormwater project in the amount of \$144,000 with the project estimated to cost \$179,000.

4. Finance – Kerry Gassler asked Council to consider putting more funds into the Morgan Stanley money market. Kerry and Louise met with Bill Weber from Morgan Stanley and he informed them that at the current PLGIT return the Borough is only earning 1.99% on their money when the cost-of-living is 2.7%. The funds in the Morgan Stanley could be laddered out over several investments so that they come due at different times during the year when the Borough is in need of revenue.

5. Administration – Winton Male had nothing to report.

6. Zoning – Tony Curcio had nothing to report.

7. Planning – Scott Parsons reported that Joe DePue is expanding his property on First Street, Converter Accessories on Alpha Road wants to build a storage shed and Lessig Company wants to move their office building from Plainfield Township to Alpha Road. All three were before the Planning Commission for the first time. Winton added that he checked into the complaint that the Chair of the Planning Commission is not getting his mail and found out that it has been mailed and delivered by Borough personnel to his residence. Kerry stated that the complaint wasn't that he didn't get it, it was that he gets the day before a meeting.

8. Parks – Karen Skorochood reported that the Park Board understands the necessity to complete the Master Plan prior to applying for any grant monies for the Park. Rettew has provided a change order to include doing the wetland delineation at an additional cost of \$20,000. The Park Board has decided that all the projects in the Park are secondary to completing the Master Plan and they are willing to use their allocation of tipping fees to get it

completed.

On motion by Karen Skorochood to allow the Park Board to use their tipping fees to complete the additional \$20,000 for the Master Plan completion and seconded by Tony Curcio. Roll call vote taken. In favor: T. Curcio, K. Gassler, G. Hinton, S. Parsons, K. Skorochood. Abstained: W. Male. Motion carried with a vote of 5-0-1

9. Fire Company – George Hinton reported that the Fire Company meeting is scheduled for the third Monday. The Fire Company will be holding election of officers. The Fire Company responded to a fire call with Bushkill Township on 512 and they were the first on scene. He added that the Fire Company did a nice job.

10. Sewer Authority – Scott Parsons reported that Representative Craig Dally attended the Authority Meeting in January to discuss the 537 Plan. The Plan allows the Sewer Authority to work in Wind Gap, Plainfield Township and Bushkill Township. The State has changed regulations and because the discharge of the plant is into a quality stream it will be almost impossible to increase the amount to the Wind Gap Treatment Plant. Craig will try to assist on behalf of the Authority to get the legislature changed. A representative from PA American Water Company will be attending the Authority meeting on February 23, 2005 to go over his presentation regarding analyzing the Treatment Plant. Scott stated that the Borough sent a letter to Waste Management on behalf of the Authority asking for free sludge and screening disposal. It cost the Authority approximately \$27,000 to dispose the solid waste. At that time, Harry Smith from Waste Management stated that it would not be a problem. Scott to follow up with the Authority and Waste Management regarding this issue.

11. Insurance – Winton Male reported that he contacted Brown and Brown regarding the punitive damages. The broker called Selective Insurance and he has not heard anything back to date.

12. Land Use Committee – nothing to report.

13. 911 – Tony Curcio reported he had conversation with Mr. Teasdale regarding the lease agreement. They are aware that they need to send a registered letter to the Borough 90 days prior to terminating the lease agreement. He is not sure when this is likely to take place.

Mayor's Report

The Mayor reported that the Contractor's license collected in January was \$975. The police report includes 146 calls in the month of January, 11 motor vehicle accidents, and 26 citations written. The Mayor suggested contracting with Bushkill Township to work the scales and check the trucks traveling through Wind Gap for safety issues. He will have the Chief check with Bushkill. There will be a COG meeting on February 23, 2005 at Washington Township. Victor is to report back to the COG regarding the insurance issues and the regional police study. The Borough received a check for \$3,210 for the 2003 Recycling Grant. He will be looking into what the Borough can spend the funds on related to recycling. The Mayor expressed regarding a

property at Eighth and North Broadway. The Fire Company was called to the property. The Mayor also went to the property and stated that it is not safe and in desperate need of repair. He will draft a letter to be signed by Kerry and himself and sent to the property owner. The Mayor reported that there has been a problem with cats up near the Post Office. He has contacted the SPCA in Northampton and Monroe Counties. He believes that at one time there were approximately twelve cats running loose, but now only a few may still be loose. He suggested that the Borough gets an ordinance in place since the Borough does not support the SPCA. There needs to be some actions that can be taken by the local authorities more quickly and efficiently.

On motion by Winton Male to send a letter of support for the formation of a County Health Department and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

APPROVAL OF MINUTES

On motion by Tony Curcio to approve the minutes of January 29, 2005 and seconded by Winton Male. Roll call vote taken. In favor: G. Hinton, M. Male, T. Curcio, K. Gassler. Abstained: S. Parsons, K. Skorochood. Motion carried with a vote of 4-0-2.

NEW BUSINESS

1. Public Meeting for Zoning Ordinance Amendment – Section 402, Kerry suggested that the public meeting be held prior to the regular scheduled meeting on March 7, 2005 since the change is only two paragraphs. Council was in agreement.

2. Approval of Ordinance 444 Stormwater Quality for Advertisement.

On motion by Karen Skorochood to advertise Ordinance 444 and seconded by Tony Curcio. Kerry stated that he is concerned about page 16, Section 706 – needs to be changed to Northampton County and page 21, Section 905 Penalty Phase should include a penalty amount and a timeframe. Ron Karasek should be contacted to give input. It was decided that these were minor issues and Council could proceed with the advertising. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

No Old Business was heard by Council at this time.

On motion by Tony Curcio to adjourn the meeting of February 15, 2005 and seconded by Scott Parsons.

The meeting of February 15, 2005 adjourned at 9:10 p.m.

Louise Firestone, Secretary / Treasurer