

**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, January 18, 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: Mitchell D. Mogilski, Sr., George Hinton, Scott Parsons, and Tony Curcio. Also in attendance Borough Engineer, Ronald Madison and Secretary/Treasurer Louise Firestone. Absent were Mayor Kenneth George, Winton Male, Jr. and Karen Skorochoch.

Winton Male, Jr. arrived at 7:34 p.m.

Karen Skorochoch arrived at 8:29 p.m.

COMMITTEE REPORTS.

1. EMS – Karen Skorochoch was absent. No report.

2. Police – George Hinton reported that he has received written notification from Sgt. Pepe and Officer Redmond stating that their contract expires at the end of this year. They are requesting that a meeting be scheduled between the Wind Gap Police Association representatives and Borough Council representatives.

George informed Council that the Police Department is running old programs which are DOS based. The Police Department needs to upgrade their computers and software as soon as possible. The computer connection between the Borough Office and the Police Station has been disconnected. One police car is no longer on the road and Council must decide what to do. George is suggesting that some funding for both of these items come from the Waste Management tipping fees.

3. Streets – George Hinton reported that the Street Committee met regarding the full-time street worker position that was advertised.

On motion by George Hinton to recommend the Borough hire Randy Bogart at a rate of \$12.18 per hour and seconded by Tony Curcio. Discussion regarding the possibility of waiving the probation period of 90 days since Randy has been a part-time employee for the past two years. Mitch suggested that the contract be adhered specifically as it is written. George modified his motion to include that Randy be hired as the contract reads. Roll call vote taken. Motion carried unanimously.

4. Finance – Mitchell D. Mogilski, Sr. reported that he would be getting together with Dave O'Brien, Lafayette College, to discuss the CDBG; the deadline is January 28, 2005. Hopefully, West West Street will qualify for a grant. Ron stated that he has been contacted by Dave

O'Brien to go over the 1998 study done by Hanover Engineering regarding Stormwater. He asked Council's permission to meet with Dave at his office. Council approved.

Kerry added that a meeting would be set up with Bill Weber, Morgan Stanley, to identify other options of investing the Borough's funds.

5. Administration – Winton Male reported that he would be contacting Governmental Services to find out if they could assist the Borough with several issues pending before Council.
6. Zoning – Tony Curcio had nothing to report.
7. Planning – Scott Parsons reported that the meeting was re-scheduled from January 6 to January 19 due to the weather. There are three plans on the agenda for discussion.
8. Parks – Karen Skorochood was absent. No report.
9. Fire Company – Mitchell D. Mogilski, Sr. reported that the picnic is scheduled for June 22, 23, 24 and 25, 2005. The picnic will run for four days this year. There were 15 alarms in December for a total of 187 for the year. The Fire Company has two new active members and four new social members. George added that the flat roof over the engine bays is failing again. The Fire Company has spent time fixing and painting the garage and once the rain returned the water damage from the leaks reappeared. Kerry suggested that George figure out a game plan and an approximate cost for repairs.
10. Sewer Authority – Paul Levits presented the Wind Gap Municipal Authority monthly report to Council. Paul highlighted several comments on the report including: capacity was exceeded on three days in November, total rainfall for November was 6.1 inches and the plant was in storm cycle five times during the end of November and December. Paul explained that a resident on Constitution Avenue requested relief from the \$2,200 tapping fee for a connection in a garage that was converted to living quarters and there would be a restriction that the property would not be rented to non-family members. This use was based on a zoning appeal with Plainfield Township and the Authority is requesting a copy of the restriction agreement with Plainfield Township. The Authority Engineer and Plant Supervisor met with engineers for the CVS project and to Paul's understanding, the meeting went well. The 2005 Budget was finalized with the consumption rate set at \$5.50 per thousand gallons and the well user rate set at \$100.00 per EDU per quarter. A representative from Pennsylvania American Water will be invited to their February 23, 2005 meeting. The Authority approved the meeting schedule for 2005 and a copy will be sent to the Borough for accurate inclusion in the Borough newsletter.
11. Insurance – Winton Male reported that he has received several quotes from Public Official and Police Professional and there is a big spread in the companies who quoted. He will do an analysis of the coverage before he makes his recommendation to Council. These policies expire on February 1, 2005. The package policy and workers compensation renews June 1, 2005 and he will be receiving additional quotes for those policies.

12. Land Use Committee – nothing to report.
13. 911 – Tony Curcio reported that he was notified at a meeting in mid-December that the radio names have been changed from PW to A1 for location effective January 4, 2005.

Mayor's Report

The Mayor was absent.

Engineer's Report

Ron Madison reported that the pre-bid meeting for the Third Street Park Entrance drainage project and the Woodward and Lehigh Avenue Stormwater drainage projects is scheduled for Tuesday, January 25, 2005. To date, eight contractors have picked up bid specs for the Park entrance and six contractors have picked up bid specs for Woodward and Lehigh.

The Third Street traffic light has been hooked up by Met-Ed earlier this week, but the temperatures are too cold to paint the line strips. Ron will be in contact with John Zucal regarding the signage.

The attorney for Towns at the Gap is requesting an extension on their behalf to secure approvals from the Pennsylvania Department of Transportation, the Northampton County Conservation District and the Municipal Authority.

On motion by Scott Parsons to grant Towns at the Gap an additional 90 day extension and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

Ron gave an update regarding the Stormwater Management – MS4, NPDES Permit requirements. There is a March 9, 2005 permit deadline that requires the Borough adopts a sufficient Stormwater Management Ordinance to meet the guidelines of the Department of Environmental Protection with regard to Stormwater quality and the prohibition of illicit and illegal discharges. The Lehigh Valley Planning Commission is still finalizing a "draft" and is hoping to provide guidance to the participating municipalities in Lehigh and Northampton Counties in the near future. If the Borough does not hear from the Lehigh Valley Planning Commission by February 1, 2005, Hanover may recommend that the Borough adopt an ordinance based upon the knowledge of ordinances being adopted around other parts of Pennsylvania. Ron Karasek to verify that there is a thirty-day advertising period.

APPROVAL OF MINUTES

On motion by Mitchell D. Mogilski, Sr. to approve the minutes of December 21, 2004 and seconded by Scott Parsons. Roll call vote taken. In favor: G. Hinton, W. Male, M. Mogilski, S. Parsons, K. Gassler. Abstained: T. Curcio. Motion carried with a vote of 5-0-1.

Mitch requested that approval of the minutes from the January 3, 2005 meeting be tabled until February 7, 2005. Council agreed.

PUBLIC COMMENT

1. Patricia Sutter. Pat asked Council why news from the Borough does not get into the newspaper? A woman had her purse snatched and an apartment was broken into and the people in the Borough should be made aware of this for safety reasons. George stated that he would speak to the Chief and get his input on this issue.

NEW BUSINESS

1. Lenni Electric Pay Request. Ron Madison stated that Lenni Electric submitted a partial pay request for the Third Street Traffic Light. He explained that installation of a traffic light does not usually warrant a partial payment, but recommends making payment after completion of the project when the light has been tested and is operational.

On motion by Mitchell D. Mogilski, Sr. to reject payment of Invoice 041289 to Lenni Electric and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

George stated that he is impressed with the contractor and their performance. They have worked in the cold and rain to complete this project. When they said that they would be out to work, they would be there working.

2. Grace Industries. Grace Industries has sent payment to Ron Karasek to satisfy the claim against them for expenses incurred by the Borough for the park restroom. Hanover Engineering made payment for those outstanding debts and they should receive reimbursement. Additionally, Hanover Engineering has not been paid for an outstanding invoice related to the restroom.

On motion by Tony Curcio to approve payment to Hanover Engineering Associates, Invoice 69345 in the amount of \$2,249.20 and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously.

On motion by Mitchell D. Mogilski, Sr. to pay the full amount (\$11,497.57) of the check from Grace Industries over to Hanover Engineering and seconded by Winton Male. Roll call vote taken. Motion carried unanimously.

3. Tax Collector Commission Percentage. Kerry informed Council that the deadline to set the Tax Collector rate is February 15, 2005. The current commission collected by the tax collector is 2% on the current real estate and 5% on the prior year real estate, 2% on the current per capita and 5% on the prior year per capita, 5% on the prior year occupation, tax, 4.50% on earned income and 4% on occupational privilege tax. With the increase in the real estate tax to 7.75 mills the tax collector will potentially collect 2% on \$426,072 or \$8,521.44 and with the projection of the new Emergency Municipal Services Tax collected at 4% of \$67,600 the tax collector will gross almost \$4,000 over last year. Kerry explained that Council received a research summary from the Pennsylvania Economy League informing legislators that they have until February 15, 2005 to modify the method and/or rate of compensation of the Borough's tax collector. If it is not modified by February 15 then it cannot be changed for four years. According to the survey the Wind Gap Borough Tax Collector collected \$320,220, was paid \$19,228 or 6%. In comparison to other municipalities in this survey, it is the highest compensation percentage. Kerry asked Council to review this information so that it can be

discussed at the next Council meeting.

4. Waste Management Tipping Fee Allocation. Tony distributed a proposed allocation of the expected tipping fees for 2005. The committee is estimating an income of \$200,000 for the year based on the fourth quarter of 2004 and the first three quarters of 2005 to be received in this calendar year. Kerry asked that money be set aside for the Roberti condemnation and George added that money is needed to complete the Third Street Stormwater project and the Woodward and Lehigh Stormwater project. George explained that the police department put their tipping fee from last year into Capital Reserve to upgrade their computers, so \$2,974.84 is already set aside. He received an estimate to upgrade the computers around \$15,000 and Council must decide what to do about the car. Bushkill just purchased a vehicle at a cost of approximately \$26,000. There is \$17,850 put aside for a new car, but more funds would be needed. A grant application was submitted on behalf of the Police Department for new computer equipment, but the announcement may not take place until late May or June.

Karen Skorochood arrived at this time – 8:29 p.m.

5. COG – Request for Pen Argyl Area School District to join the COG.

On motion by Winton Male to send a written request to PAASD to join the COG and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

George stated that he would be attending the COG meeting. There will be discussion regarding health insurance for the municipalities and the hope that a group rate can be found.

OLD BUSINESS

1. Borough Auditor. France, Anderson, Basile and Company, P.C. submitted a quote of a not-to-exceed amount of \$2,720.

On motion by Karen Skorochood to re-appoint France, Anderson, Basile and Company, P.C. and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

2. Borough Solicitor. Zito, Martino and Karasek submitted a quote of \$75.00 per hour indicating that Ronold J. Karasek would serve as Borough Solicitor.

On motion by Scott Parsons to re-appoint Ronold J. Karasek as Borough Solicitor and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

3. Borough Engineer. Hanover Engineering quoted \$75.35 an hour, Keller Engineering quoted \$95.00 per hour and Rettew Associates quoted \$88.00 an hour.

On motion by Winton Male to re-appoint Hanover Engineering Associates and seconded by Tony Curcio. Roll call vote taken. In favor: W. Male, M. Mogilski, S. Parsons, T. Curcio. Opposed: K. Skorochood, K. Gassler, G. Hinton. Motion carried with a vote of 4-3.

4. Alternate Borough Engineer. **On motion** by Mitchell D. Mogilski, Sr. to re-appoint Rettew Associates as the Borough's alternate engineer and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

5. Borough Zoning Solicitor. **On motion** by Tony Curcio to re-appoint John Molnar as the Borough Zoning Solicitor at a rate of \$65.00 per hour and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

6. Base Engineering Third Party Inspection Agreement. Scott suggested since Council is discussing opting out in February that this topic be tabled until the February meeting. Kerry said that there will still be a need for a third party inspector in the Borough for residential inspections so property owners have an option on who they want to do their inspection.

7. Planning Commission. **On motion** by Scott Parsons to re-appoint Todd Beil to the Planning Commission and seconded by Karen Skorochood. Winton stated that he has reservations and suggested that this be tabled until other people have the opportunity to apply. Mitch added that if Council does not re-appoint him, he serves until someone else is appointed. Scott stated that after discussion he is rescinding his motion. On motion by George Hinton to re-appoint Todd Beil and seconded by Karen Skorochood. Roll call vote taken. In favor: K. Skorochood, T. Curcio, K. Gassler, G. Hinton, M. Mogilski, Sr. Opposed: W. Male, S. Parsons. Motion carried with a vote of 5-2

On motion by George Hinton to adjourn the meeting of January 18, 2005 and seconded by Scott Parsons.

The meeting of January 18, 2005 adjourned at 9:04 p.m.

Louise Firestone, Secretary / Treasurer