

**BOROUGH OF WIND GAP
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EXECUTIVE SESSION

The Council met from 6:30 p.m. to 7:30 p.m. for Executive Session at Wind Gap Borough Hall.

The Council meeting of the Borough of Wind Gap on Monday, February 6, 2006, 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 Councilpersons: Jon Faust, Karen Skorochood, Todd Beil, George Hinton, Scott Parsons and Tony Curcio. Also in attendance were Mayor Mitchell D. Mogilski, Sr., Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysher and Borough Administrator Louise Firestone.

Kerry informed those present that Council was in Executive Session to discuss the lawsuit regarding Community Services Group, litigation regarding PPL Cell tower, and Manor Haven/Towns at the Gap.

On motion by George Hinton to share ½ of the engineering expenses on the redesign work on the Manor Haven Towns at the Gap project and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously.

PUBLIC COMMENT

1. Arlene Zona stated that she is concerned about the abused and stray animals in Wind Gap. She contacted the SPCA and was informed that the Borough does not have an agreement with them. It is her understanding that the problem is getting the animals to the SPCA and if that is the case, she will volunteer. If Borough Council wishes her to transport the animals, she would need a large carrier. Kerry stated that according to the agreement sent to the Borough by the SPCA, it would cost the Borough \$40 per animal that is sent from Wind Gap. During prior discussions, it was stated that animals can be dropped off from other municipalities and Wind Gap would be responsible for transporting the animals and paying the fees. Since the Borough does have a kennel license, they are obligated to pick up the animals. In order to pick up the animal the Police Chief has put in a request to purchase the necessary equipment. Chief Armitage informed Council that the Borough has a licensed kennel and animals can be housed there for up to five days and then if they are not claimed they can be auctioned off. Cats are not covered under the law. If Council desires, Ron Karasek should review the agreement received from the SPCA before Council makes any type of decisions. This will be discussed at the workshop meeting.

2. Rick Snyder, 149 Jefferson Street. Rick stated that he was informed over one year ago that the Borough was working on an ordinance to improve the appearance of the Borough, what is the status? Ron Karasek replied that he has completed a draft of the ordinance for Council to review. He emphasized that this ordinance must follow in conjunction with the Borough's Zoning Ordinance. He offered to provide Mr. Snyder with a draft copy.

APPROVAL OF MINUTES

On motion by Karen Skorochood to approve the minutes of the January 3, 2006 meeting and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

On motion by Jon Faust to approve the minutes of the January 17, 2006 meeting and seconded by Todd Beil. Roll call vote taken. Motion carried unanimously. Correction to be made on page 6, item 20.

APPROVAL OF EXPENSES

On Motion by Scott Parsons to pay the expenses for the month of January 2006 in the amount of \$30,578.14 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

SOLICITOR'S REPORT

Ron Karasek reported on the nuisance ordinance. He informed Council that it would be consistent with the Zoning Ordinance with fine provisions from \$300 up to \$1,000 and include a provision to file an injunction to stop the nuisance. The property owner would be responsible for all fees. It is a comprehensive ordinance that will include water on the roadway, dogs and cats, etc.

He reported on the Police Pension Plan. He was asked to review the plan for early retirement options. He stated that Act 600 (The Police Pension Law) was amended in 1998 to provide for an early retirement benefit with 21 years or more of service, but the plan has to be reviewed to make sure that it is actuarially sound (that there would be enough money to pay any early retirement) and still pay the other retirements when they come due. He advised Council that if any changes were to be made it would require a formal ordinance and that the agent, Mr. Saveri, be contacted.

He stated that all others issues had been discussed in Executive Session.

ENGINEER'S REPORT

Bob Collura introduced himself to Council and thanked them for the appointment as Borough Engineer. He introduced Brian Pysher who will represent his firm at Council meetings.

NEW BUSINESS

1. Handicap Parking Space Request – D. Barnes. Kerry stated that Borough Council received a request from Donna Barnes for a handicap parking space at 416 South Broadway. The Borough Office is in receipt of all paperwork required under Borough Ordinance 401.

On motion by Scott Parsons to approve the handicap spot at 416 South Broadway and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

2. Statement of Intent – Participation in Multi-Jurisdictional Hazard Mitigation.

On motion by Karen Skorochood on the recommendation of the Emergency Management Committee to signed the Statement of Intent and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

3. Hanover Engineering – Project Completion List – Letter of Approval. After meeting with the Council committee appointed to make the transition from Hanover Engineering to Bob Collura as Borough Engineer, Hanover provided Council of a list projects they have agreed to continue working on through completion. After reviewing the list, Ron Karasek suggested adding the Schinstine Condemnation and the Dentith litigation.

On motion by Scott Parsons to send Hanover Engineering a letter agreeing to the project list and including the Schinstine Condemnation and the Dentith litigation and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

4. Part-time Police Officers. Mayor Mogilski asked Council to hire two Part-time officers and one to do truck inspections. He suggested using the \$29,000 budgeted for overtime to pay for the new officers. Scott stated that PennDOT does truck inspections of Waste Management trucks going into the landfill and he does not see a lot of violations that would make the truck inspections worthwhile.

Council asked Chief Armitage how many men does it take to do a truck inspection? The Chief replied that they have three officers, two who are mobile and one to stay with the truck. The Mayor stated that he spoke to Steve Horvath and in indicated that it only takes one officer. The Mayor would like to have the truck inspections done three or four times a month. Kerry stated that there are issues to resolve in the Police Department. George added that it is not as easy as just going out and hiring officers. In the past, the Borough has difficulties with the part-time officers working the hours needed by the Borough. Right now the Police Department is close to running 24 hours a day, 7 days a week. George asked Council what expense does Council want to go through, because the hourly rate is set in the Police Contract. The Mayor suggested that the Borough get an agreement with the officers full-time department so they can use their equipment in Wind Gap with the exception of the gun. Jon added that it did not think it was a good idea to deplete the Police overtime budget on part-time officers. Kerry suggested that the Mayor, George and Chief Armitage get together to discuss the idea of part-time officers after reviewing the cost to the Borough and then Council can make a decision.

5. Joe DePue – Release of Escrow Funds. Joe asked Council to consider releasing the

escrow funds to him. The Borough Engineer reviewed the property and indicated that five items were still outstanding. Joe has addressed what is possible now. He will plant grass when the weather warms up. He is asking Council to allow him to leave the parking lot spaces as 9' wide and with the construction of the new building he was not required to increasing the number of parking spaces, but the lot is painted to 9' not the required 10'. He proposed to paint the parking spaces in the fall of 2007.

On motion by Jon Faust to retain \$750 and release the balance of the escrow funds and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

6. Kochmansky – Park Rental. George stated that this would be discussed at the next Park Board meeting. The Park Board will provide Council with their decision.

7. Committee for Appointing the Zoning Officer / Administrative Assistant Position. Kerry appointed a committee, Tony (chair), Kerry and Louise. They will schedule a meeting to review the applications next week.

8. Community Development Block Grant. Louise reported that the Borough received an application to apply for a grant. Victor Rodite, Slate Belt COG, contacted the Borough to ask if they would be interested in applying as part of the COG. Council is interested, but would like further information on the process. Kerry, Tony and Louise will meet with Victor as soon as possible. The Mayor would be interested if the meeting is held in the morning. The grant deadline is February 24, 2006.

OLD BUSINESS

1. Cable Television Franchise Agreement. Council asked Ron Karasek to review the information provided by the COG.

2. Park Parking Lot Project. Kerry informed Council that the Park Board has asked that the project be put out for re-bid.

On motion by Karen Skorochood to put the Park paving project out to bid and seconded by Scott Parsons.

George asked if a decision has been made regarding the specifications since the project was projected to cost \$20,000 and the bids came in at \$56,000 to \$60,000. He suggested having Bob Collura look at the specs and make recommendations after his review.

Amended motion, Karen Skorochood amended her motion to include after the Borough Engineer, Bob Collura, reviews the specifications and makes modifications the project will be put out to bid and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously.

3. Emergency Management Services. Winton Male asked that Mitchell D. Mogilski, Sr. and

Tony Curcio be added to the committee. Kerry stated that they would be added.

4. NIMS Class. Jon Faust reported that the Fire Company has set a date to hold the mandatory NIMS Class at the Wind Gap Fire Hall on Thursday, March 9, 2006 from 6:30 p.m. to 10:30 p.m. He distributed forms to be completed by those interested in attending the class.
5. Siren. Jon Faust reported that the owner of the property of the Bank would like to have an agreement drawn up regarding the fire siren that is situated on top of the Bank building, with the controls secured in the basement. The Borough Solicitor would have to be involved during discussions and review of any type of agreement.
6. Wind Gap Fire House Roof. Jon Faust has contacted several contractors and hopes to have a quote by the workshop meeting.
7. Police Pension. Kerry appointed Scott, Jon and George to look into the Police Pension issue regarding early retirement.
8. Building Renovations. George Hinton reported that on rainy days, the Street workers have been tearing out upstairs. Dave Albanese was in to disconnect some of the wires. The wiring conditions throughout the upper floor are not good. George will have a layout draft of the floor plan by the workshop so that Council can discuss and get some more ideas.

On motion by Tony Curcio to adjourn the meeting of February 6, 2006 and seconded by Scott Parsons. Council agreed unanimously.

The meeting of February 6, 2006 adjourned at 8:30 p.m.

Louise Firestone, Secretary / Treasurer