

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
863-7288
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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 7, 2011, was called to order at 7:30 p.m. by Council President Scott Parsons, in attendance were Councilmen: Dave Hess, Kerry Gassler, George Hinton, and Joe Weaver. Also in attendance were Mayor James Shoemaker, Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysner and Borough Administrator Louise Firestone. Absent were Councilmen Tony Curcio and John Maher.

Council President Scott Parsons asked Council if there was a motion from the personnel discussion during Executive Session.

On motion by George Hinton to proceed with the discharge of Brian Redmond's employment with the Borough. Motion died for lack of a second.

On motion by Scott Parsons to require Officer Brian Redmond to seek a second medical opinion and evaluation from a choice of three doctors and seconded by Joe Weaver.

After discussion Attorney Karasek suggested that the motion include the type of doctor to complete the examination is specified as an orthopedic surgeon to evaluate based on a non-work related disability.

Amended motion by Scott Parsons to include that Officer Redmond will be evaluated by an orthopedic surgeon and seconded by Joe Weaver. Roll call vote taken. In favor: D. Hess, S. Parsons, J. Weaver. Opposed: G. Hinton. Abstained: K. Gassler. Motion carried with a vote of 3-1-1.

PUBLIC COMMENT

1. Leroy Albanese. Leroy questioned Council regarding the proposed Zoning change on North Broadway. Scott replied that a notice was sent to property owners adjacent to the proposed changes and a special hearing will be held on March 7, 2011 to discuss specific questions and concerns.

APPROVAL OF EXPENSES

On motion by Kerry Gassler to approve the January expenses in the amount of \$27,934.48 and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

SOLICITOR'S REPORT

Ron Karasek reported that during the month of January his primary work was related to Police personnel issues. He completed the notice for publication in the newspaper for the zoning change. He stated that the property needs to be posted, but not more than thirty days prior to the hearing. The paperwork for the NAPER Development matter has been forwarded to Borough Council. He has prepared the ordinance for the police pension, but is waiting for confirmation from Principal Financial

regarding the police officers contribution to their plan. He has forwarded a copy of the draft ordinance for the Borough's Animal Control Officer and is awaiting Council's direction regarding this ordinance.

ENGINEER'S REPORT

Brian Pysher reported that he has received a Change Order from Muschlitz Excavating for West Street culvert project. They installed an additional type C inlet, sawcut, installed curbing, riprap and wearing course using the same prices as the original contract. Brian stated that these funds should not be released until Muschlitz has provided the Borough with a 15% Maintenance Bond.

On motion by Kerry Gassler to approve Change Order No. 1 in the amount of \$9,637.00 to Muschlitz Excavating and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

Brian had completed the draft for the Lehigh Street truck traffic restrictions, but he has to make some additional adjustments and then he will present it to Council.

Brian reported that he attended County Council Open Space Committee meeting with George to present the Borough's grant application request to upgrade the park basketball and tennis court upgrades to ADA accessibility. County Council approved the grant application in the amount of \$73,269. Brian plans on attending the Borough's Park Board meeting tomorrow night and then contacting the Wind Gap Area Athletic Association President, Tony Borger to discuss specific issues with both committees. Previously, the WGAAA had requested that a concession stand be included in the specifications. Brian stated that he could have the specifications put together in a short period of time and get this project out to bid. The time frame is a concern because of the summer basketball program and other activities at the park.

Ron Karasek asked if the stop sign issue regarding the Gap View development has been resolved. Brian believes that the signs are installed, but he will verify they are in place.

Scott Parsons asked if Brian would re-schedule a meeting with Bangor's code enforcement officer to discuss Wind Gap's desire to adopt a Property Maintenance Code.

NEW BUSINESS

1. NAPER Development, Inc. – Preliminary/Final Plan – Lot Line Adjustment. Ron Karasek stated that NAPER requested two waivers from the SALDO requirements. Scott Parsons read a letter from Arthur A. Swallow Associates dated January 31, 2011. All of the property comprising of ten separate tax parcels in both Wind Gap Borough and Plainfield Township will stay in the ownership of NAPER Development, Inc. This proposed property division of E8-5-1 and the four other parcels attached are being pledged by NAPER for RPM's anticipated refinancing package. The amount of property pledged for RPM must meet a value threshold for said financing and it appears that the approximate 33 acres being pledged will rise to that level. There is no new building or development intended in the application for subdivision.

SALDO requires plan scale to be 1"=50' (Section 402,A,1) The request is to enlarge the scale to 1"=100'. **On motion** by Kerry Gassler to grant a waiver of SALDO Section 402,A,1 and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

SALDO requires plan sheets to be 24" X 36" (Section 402,A,4). The request is to enlarge the sheets to 30" X 42". **On motion** by George Hinton to grant a waiver of SALDO Section 402,A,4 and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

Ron stated that the Agreement for Conditional Plan Approval that includes compliance with all conditions set forth in the Borough Engineer's letter of January 6, 2011, nos. 2 and 3, monuments, pins and/or markers to be set in the field and certified, in writing, by Application's Engineer. Other conditions include: SALDO waivers (for drafting) if granted shall be added to the plan, need for plan approval by Plainfield Township and amount of security as determined by the Borough Engineer. The Agreement was signed by Art Swallow, agent for owner.

On motion by Kerry Gassler to grant conditional/final plan approval with the conditions as stated by the Borough Solicitor, Ronold Karasek and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

2. Ron Karasek stated that it is unfortunate that Officer Redmond has already left the meeting because he feels that it is important to be more specific with regard to the early motion. He suggested that Council include that the orthopedic surgeon provide a report indicating that Brian Redmond can return to his job as a police officer with no restrictions from his non-work related injury and that a time limit be given for that report to be provided to the Borough. Council discussed how much time should be allotted for Brian Redmond to schedule the appointment and have a report provided back to Council.

Amended motion by Scott Parsons to be included in the original motion that Brian Redmond be given five (5) days after receipt of an orthopedic surgeon list of three doctors to respond to the Borough regarding which doctor he chooses and the Borough will schedule the appointment and seconded by Joe Weaver. Roll call vote taken. In favor: D. Hess, S. Parsons, J. Weaver. Opposed: G. Hinton. Abstained: K. Gassler. Motion carried with a vote of 3-1-1.

3. Mayor Shoemaker stated that the police hiring committee met with several part-time police applicants to conduct interviews.

On motion by Dave Hess to hire Keith Allen Snyder as a part-time police officer as soon as possible and seconded by Joe Weaver. Roll call vote taken. In favor: S. Parsons, J. Weaver, D. Hess. Opposed: G. Hinton. Abstained: K. Gassler. Motion carried with a vote of 3-1-1.

OLD BUSINESS

1. Dave Hess asked if the lights at the park basketball courts can be fixed. They were on the other night at 10:00 p.m.

On motion by George Hinton to hire Dave Albanese to look at the light box and timer and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

On motion by Dave Hess to adjourn the meeting of February 7, 2011 and seconded by Joe Weaver. Council agreed unanimously.

The meeting of February 7, 2011 adjourned at 8:19 p.m.

Louise Firestone, Borough Administrator