

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
863-7288
FAX 863-1011**

EXECUTIVE SESSION

Borough Council met in Executive Session from 6:45 p.m. to 7:30 p.m.

The Council meeting of the Borough of Wind Gap on Tuesday, December 21, 2010, was called to order at 7:30 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Kerry Gassler, Dave Hess, George Hinton, John Maher, Joe Weaver and Tony Curcio. Also in attendance were Mayor James M. Shoemaker, Borough Solicitor Ronold Karasek, and Borough Administrator Louise Firestone.

Council President, Scott Parsons informed those present that Council met in Executive Session this evening from 6:45 p.m. to 7:30 p.m. to discuss personnel issues, but there is nothing to report and no action will be taken at this time.

PUBLIC COMMENT

1. Evanne Maher asked if the Property Maintenance Code committee is meeting. Scott replied that Scott and Tony met a couple weeks ago and they have asked Brian Pysner to sit in on the next meeting when they will discuss the issue and the fees related to a code. They hope to have a code in place within several months.

NEW BUSINESS

1. Advertise for January Council meeting and/or all 2011 meetings. Council decided to set the meetings for 2011 on the first Monday and the third Tuesday of each month except for July and August when only one meeting will be held and the first Tuesday in September due to Labor Day. Louise will provide a listing of the dates of the meetings.

2. Ordinance 472 – Real Estate Tax Millage. Scott Parsons read Ordinance 472. “An ordinance of the Borough of Wind Gap, Northampton County, Pennsylvania, fixing the Real Estate Tax Millage Rate for Calendar Year 2011. Whereas, the Borough of Wind Gap is a duly organized and existing municipality and political subdivision with the County of Northampton, Commonwealth of Pennsylvania with offices located at 29 Mechanic Street, Wind Gap, Northampton County, PA 18091; and Whereas, pursuant to the Borough Code (53 P.S. Section 45101 et seq.), the Borough has the power to levy and collect a tax (not exceeding 30 mills) for general Borough purposes and such tax shall be levied on the valuation of real estate situate within the Borough as assessed for county purposes. See 53 P.S. Section 46302; and. Whereas, on December 6, 2010, at the regular meeting of Wind Gap Borough Council, the annual budget for the calendar year 2011 was directed to be advertised on December 8, 2010; and, Whereas, the aforesaid budget proposes a tax upon real estate situate in the Borough in the amount of 11.25 mills (which is an increase of 1.0 mills from the 2010 rate of 10.25 mills); and, Whereas said budget has been adopted by Borough Council; and, Whereas, pursuant to the Borough Code, it is the duty of Borough Council to adopt an ordinance levying the taxes aforesaid, See 53 P.C. Section 46310. Therefore be it ordained and enacted, and it

is hereby ordained and enacted, by the Council of the Borough of Wind Gap, County of Northampton and Commonwealth of Pennsylvania, as follows:

SECTION 1 All of the above recitals are herein incorporated by reference.

SECTION 2 That a tax be and the same is hereby levied on all real estate situate within the Borough of Wind Gap subject to taxation for the Borough purposes (as assessed by Northampton County, PA) for the calendar year of 2011 as follows: the tax rate for general Borough purposes is the amount of 11.25 mills on each dollar of the county assessed valuation of real estate; thereby making a total real estate tax rate for Borough purposes of 11.25 mills on real estate assessments.

SECTION 3 All taxpayers, subject to the payment of taxes, who shall pay the whole amount of such taxes within two (2) months of the date of the tax notice shall be entitled to a discount of two (2%) percent of the amount of such tax. All taxpayers, subject to the payment of taxes, who shall fail to make payment of any such taxes charged against them after four (4) months after the date of the tax notice shall be charged a penalty of ten (10%) percent of the amount of such tax, and that penalty shall be added to the taxes and collected by the Borough Tax Collector.

SECTION 4 The terms, conditions and provision of this Ordinance are severable. If any such term, condition or provision of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining terms, conditions or provisions of this Ordinance, and it is hereby declared to be the intent of the Borough that this Ordinance would have been adopted and enacted had such unconstitutional, illegal or invalid term, condition or provision not been included herein.

SECTION 5 The terms, conditions and provisions of any other Borough ordinances that are inconsistent herewith shall be deemed vacated and/or repealed; but, any other terms, conditions and provisions of those other Borough ordinances which are not inconsistent herewith shall remain in full force and effect.

SECTION 6 This Ordinance shall become effective January 1, 2011.

ORDAINED AND ENACTED into an Ordinance this 21st day of December 2010.

On motion by Kerry Gassler to adopt Ordinance 472 and seconded by John Maher.

Prior to roll call vote being taken, Scott Parsons apologized for not being at the last Council meeting. He stated that at the November 22, 2010 budget meeting Council discussed a zero mill increase which six Council members attended. He added that it was his understanding since no one had any questions or concerns at that time with taking \$56,762.90 out of savings and tipping fee monies to balance the budget for 2011 no tax increase was necessary. Council seemed in agreement that with no tax increase for 2011 it would help the strain on the Borough residents for one year. George said that there are things in the Borough that need fixed, there is a commitment to go after grants, but the Borough would be required to match those funds and if those funds are taken out of savings how would that money be replaced. George asked the Council members present at the prior meeting if after review of the budget from the budget meeting what was Council's wishes, to raise taxes or use funds from savings. Scott reiterated that he feels there are sufficient funds in savings to balance the budget and that is what should be done for 2011.

There was no further discussion and roll call vote was taken at this time. In favor: K. Gassler, D. Hess, G. Hinton, J. Maher. Opposed: T. Curcio, S. Parsons, J. Weaver. Motion carried with a vote of 4-3.

3. **On motion** by John Maher to draft an ordinance to have the Police Officers contribute to their Pension Plan and seconded by George Hinton. Roll call vote taken. In favor: D. Hess, G. Hinton, J. Maher, S. Parsons, J. Weaver, T. Curcio. Abstained: K. Gassler. Motion carried with a vote of 6-0-1.

4. Approval December 2010 Expenses. **On motion** by Kerry Gassler to approve year end expenses in the amount of \$14,695.73 and seconded by Tony Curcio. Joe Weaver asked if the large expense for the police radios was the best price that the Borough could get. Louise stated that the radios were order under the State purchasing contract and that is the best price and does not require obtaining three bids. Roll call vote taken. Motion carried unanimously.

5. **On motion** by George Hinton to transfer funds from Capital Reserve in the amount of \$1,410.74 from line item 274.311 for the police radios and seconded by Dave Hess. Roll call vote taken. In favor: G. Hinton, J. Maher, S. Parsons, J. Weaver, T. Curcio, D. Hess. Abstained: K. Gassler. Motion carried with a vote of 6-0-1.

6. On motion by George Hinton to donate the 1990 car owned by the Borough, but used by the Fire Company to the Fire Company and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

There was no Old Business before Council at this time.

On motion by Tony Curcio to adjourn the meeting of December 21, 2010 and seconded by John Maher. Council agreed unanimously.

The meeting of December 21, 2010 adjourned at 8:04 p.m.

Louise Firestone, Borough Administrator