

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, June 21, 2011, 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: John Maher, Dave Hess, Kerry Gassler, George Hinton, and Joe Weaver. Also in attendance were Mayor James M. Shoemaker, Borough Solicitor Ronold Karasek and Borough Administrator Louise Firestone. Absent was Councilman Tony Curcio.

Council President Scott Parsons requested that those present observe a moment of silence in memory of Joseph Dell'Alba (former Wind Gap Borough Mayor). Scott added that Mr. Dell'Alba continued to give back to the Borough of Wind Gap even after his twenty years of service as Mayor was over, as he worked for the Borough, the Fire Company, the Ambulance Corps and the good of everybody. He will be sorely missed by all.

PUBLIC COMMENT

No one appeared before Council at this time.

COMMITTEE REPORTS

1. EMS – Kerry Gassler reported that the Ambulance Corps made 62 trips in the month of May, 15 calls were non-billable for a total of 317 calls year-to-date. The numbers are slightly up from last year, but everything is running smooth. Kerry added that the Wind Gap Ambulance Corps will truly miss Joe Dell'Alba.
2. Fire Co. – Dave Hess reported that the Fire Company responded to 18 calls in the month of May – (3 accidents, 2 fire police, 1 structure fire, 5 fire alarms, 2 wires down, 1 flood , 2 spills). No meeting was held last night, the next scheduled meeting is next month. He asked about the ordinance regarding residency for the Fire Company.
3. Zoning – Tony Curcio was absent. Scott stated that no Zoning Hearing Board was held in June.
4. Planning - Scott Parsons reported that the Planning Commission did hold a meeting, but he was not in attendance and deferred the report to Ron Karasek. Ron stated there was review of the matter, but no action was taken.
5. Municipal Authority – John Maher reported that at the last meeting of the Wind Gap Municipal Authority a lengthy discussion was held regarding the timeliness of paying bills. John informed the Authority that they would not be allowed to start the "F" Alley project until the outstanding bill owed to the Borough was paid in full. Since the Authority meeting the bill has been paid and they are current with fees owed to the Borough. The alley project has started.

6. Streets – George Hinton reported the bid project currently going on is down at the Park. The Street workers removed the fence between the basketball courts and tennis courts. The electrical panels were evaluated, upgraded and enclosed within a small shed so they panels are not exposed to the weather. George suggested that a surveillance system be installed. He explained that with the grant money and the money spent by the Borough this project costs well over \$100,000 and any deterrent to vandalism should be taken. The project included fixing up the basketball and tennis courts, install a retaining wall, install handicap parking spots, and a refreshment stand. Unfortunately the kids carry spray paint and permanent markers and the Borough needs to take a stance on anyone that causes destruction in the park. The security system committee will further investigate this issue.

7. Police – Mayor Shoemaker reported that the Police Department responded to 175 calls for the month of May, they responded to 8 animal complaints, 9 motor vehicle accidents and the police issued 12 traffic citations.

8. Park – Joe Weaver reported that the Park Board met on Tuesday, June 14, 2011. There were no pertinent activities on their part. They are expressing concern regarding the completion of the basketball court project by June 30, 2011. George replied that the contractor was laying asphalt today and the basketball courts will be ready for the tournament.

9. 911 – Tony Curcio was absent.

10. Tipping Fees - Tony Curcio was absent.

11. Property Maintenance Code – Scott Parsons promised that he met with George, Tony, Brian Pysner and the Property Maintenance Zoning Office from Bangor this month. Scott stated that Council will have a proposed ordinance by the July meeting and hopes to adopt the ordinance by the August meeting. The Borough has three Property Maintenance Code books if Council wishes to review the book prior to Council adopting an ordinance.

12. Building Finance Committee – John Maher reported that he received property values back from the consultant. John suggested taking the three properties: The Ambulance building, the firehouse, and the vacant lot and put those properties on the market. A structure bid would be due by a certain date and the Borough would reserve the right to reject any bids. Kerry asked what the cost would be to the Borough. John said a standard six percent realtor commission fee would apply.

On motion by John Maher to enter into an agreement with the consultant to put 111 North Broadway, 435 North Broadway and Lehigh Street vacant lot on the market and seconded by George Hinton.

George suggested prior to turning the listing over to the realtor Borough Council has to determine what numbers would be acceptable to set as a reserve amount.

On motion by John Maher to table the previous motion until further discussion in an Executive Session and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

John suggested that it would be important that Borough Council do a press release to explain to the general public why Council is doing this and what the plan is so everyone is aware of what is occurring.

MAYOR'S REPORT

Mayor Shoemaker reported that the Slate Belt Council of Government will meet June 22, 2011, at 7:00 p.m. at the new COG headquarters. The Borough sent flowers to the former Mayor Joe Dell'Alba's funeral service. Mayor Dell'Alba was laid to rest today, June 21 at Wind Gap Cemetery, Plainfield Township, may he rest in peace. Mayor Shoemaker had some complaints about dogs

running in the Borough and he reported those complaints to the Borough's Animal Control Officer, Philip Bell. Dave Hess asked if there was adequate police coverage for the carnival. Mayor Shoemaker replied yes a part-time officer was there.

NEW BUSINESS

1. Resolution 2011-01 – Appointment of Animal Control Officer and establishes his fee. Joe asked if this resolution appoints a specific individual and his rate, but if he were to quit, would a new resolution be necessary? Scott stated that a new resolution would have to be adopted. Kerry asked if Borough Council already agreed to the rate of \$125 per month. Scott stated that Council discussed his rate when Mr. Bell first agreed to the position back in November.

On motion by Kerry Gassler to adopt Resolution 2011-01 and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

2. Resolution 2011-02 – Act 44 of 2009. Scott informed Council that this is related to the audit down by the Auditor General and is "Procedures for Compliance with the Professional Services Contract – Provision of Act 44 of 2009".

On motion by John Maher to adopt Resolution 2011-02 and seconded by George Hinton.

Joe stated that some wording appears to be missing on page two of the attachment, and should include "Borough of Wind Gap". Ron stated that this form was provided by the Auditor General's office and he is suggesting that additional language be added that is standard legal language as referenced in Resolution 2011-01. "Section 1 – All of the above recitals are here incorporated by reference", "Section 2 – The terms, conditions and provision of this Resolution..." and "Section 3 – The terms, conditions and provisions of any other resolutions and ordinances which are inconsistent..."

Amended Motion by John Maher to adopt Resolution 2011-02 with the recommendations of Joe Weaver and Solicitor Ron Karasek and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

3. Resolution 2011-03 – Gasoline Credit Cards. Ron stated that the Heading should indicate that the cards can be used to purchase oil and/or motor vehicle fluids as already indicated in the body of the resolution.

On motion by John Maher to adopt Resolution 2011-03 "Resolution Authorizing the Purchase and the Use of Credit Cards to Purchase Gasoline, Oil and/or Motor Vehicle Fluids for Use by Borough Vehicles" and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

Dave Hess asked if the Fire Company is included in this resolution? Louise explained that the cards are specific to the vehicles and the pin numbers are specific to the individuals so to include the Fire Company all possible drivers would need to provide their social security numbers as identification. The Fire Company can continue to purchase diesel fuel at Reimers because there are not many stations that sell diesel and provide ample room for fire vehicles to maneuver in their lot.

On motion by George Hinton that Borough Council's policy should be set forth that all Borough Police Department and Street Department vehicles with a credit card shall purchase their fuel at the cheapest station within Borough limits and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

4. Appointment Chief Administrative Officer of Police and Non-Uniform Pensions. Scott reported that the Borough has not recently appointed a position to legally sign on behalf of the Police and Non-Uniform Pension plans. Louise added that it was noted as a verbal observation during an audit by the Auditor General and their recommendation is to appoint a position and not an individual to sign an annual report that is submitted to the Auditor General.

On motion by John Maher to appoint the Council President and/or the Council Vice President as the Chief Administrative Officers for the Police Pension Plan and the Non-Uniformed Pension Plan and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

5. Joe Weaver stated that the Borough was notified to update their website regarding the Right-to-Know requirements. Louise sent an e-mail to John Trail, who updates our website, but he has not responded to date.

On motion by Joe Weaver to update the Borough website to be in compliance with Right-to-Know and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

EXECUTIVE SESSION

Council adjourned to Executive Session at 8:14 p.m. to discuss personnel and real estate issues. Council reconvened at 8:54 p.m.

On motion by John Maher to return to our realtor with the Borough Council's proposal and values and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

On motion by John Maher to give the Chief of Police a 50 cent per hour pay increase effective immediately and seconded by George Hinton. Roll call vote taken. In favor: G. Hinton, J. Maher, S. Parsons, J. Weaver. Opposed: D. Hess. Abstained: K. Gassler. Motion carried with a vote of 4-1-1.

OLD BUSINESS

1. Ron Karasek reported that he did finish the Street Opening Ordinance. He will copy and distribute, so the final draft has been prepared, but some policy decisions must be made. Council to review and act upon this ordinance possibly at their August Council meeting.

Dave asked about abolishing Ordinance 81 with respect to the Wind Gap Fire Company.

On motion by Dave Hess to direct Ron Karasek prepare an Ordinance to abolish Ordinance 81 and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

Joe asked if getting rid of outdated Ordinance 81 have any negative consequences to the Fire Company or the Borough. Dave replied that most of this ordinance speaks to the fact that Wind Gap Fire Company belongs to Wind Gap Borough and that is not the case. They are separate organizations with the Fire Company having their own by-laws. Borough Council will probably have to re-appoint the Wind Gap Fire Company as their primary fire fighting department each year.

APPROVAL OF MINUTES

On motion by Dave Hess to approve the minutes of the May 2, 2011 Council meeting and seconded by John Maher. Roll call vote taken. In favor: S. Parsons, J. Weaver, D. Hess, G. Hinton, J. Maher. Abstained: K. Gassler. Motion carried with a vote of 5-0-1.

On motion by John Maher to approve the minutes of the May 17, 2011 Council meeting and seconded by Joe Weaver. Roll call vote taken. In favor: J. Weaver, D. Hess, G. Hinton, J. Maher, S. Parsons. Abstained: K. Gassler. Motion carried with a vote of 5-0-1.

On motion by Joe Weaver to approve the minutes of the May 19, 2011 Council meeting and seconded by John Maher. Roll call vote taken. In favor: G. Hinton, J. Maher, S. Parsons, J. Weaver. Abstained: K. Gassler, D. Hess. Motion carried with a vote of 4-0-2.

On motion by Kerry Gassler to approve the minutes of the June 6, 2011 Council meeting and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

Kerry asked about Louise attending electric meetings. Louise did attend meetings regarding electricity, but it was determined that the Borough did not consume enough kilowatts to receive any quantity discount. Paul Levits from the Wind Gap Authority was going to look into combining the Borough's consumption with the Authority's consumption, but he never retrieved electric bills from the Borough.

On motion by John Maher to adjourn the meeting of June 21, 2011 and seconded by Joe Weaver. Council agreed unanimously.

The meeting of June 21, 2011 adjourned at 9:02 p.m.

Louise Firestone, Borough Administrator