

**BOROUGH OF WIND GAP
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EXECUTIVE SESSION

Council met in Executive Session from 7:00 p.m. to 7:32 p.m.

The Council meeting of the Borough of Wind Gap on Tuesday, September 18, 2012, was called to order at 7:35 p.m. by Council President, George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Jon Faust, John Maher, Kerry Gassler, Tony Curcio, Joe Weaver and Dave Hess. Also in attendance were Mayor James M. Shoemaker, Borough Solicitor Ronold Karasek, and Borough Administrator Louise Firestone.

Council President George Hinton informed those present that Council met in Executive Session to discuss property, but no action will be taken at this time. Ron advised that when the building committee has a specific number from the property owner then Council will have to take official action.

PUBLIC COMMENT

1. Glenn Redshaw asked for clarification regarding the property maintenance code article. At a previous meeting Councilman Maher said that the article did not state that the ordinance would be specific to the needs of Wind Gap. At a later date, Council said that Bangor's ordinance would be a guide for Wind Gap so Glenn got a copy of Bangor's Ordinance 868. Their ordinance says that the only thing Bangor is going to do is go by the International Property Maintenance Code. He asked when the final draft of Wind Gap's ordinance will be available for Borough residents to review and decide if they like it or don't like it. George replied that the committee met again yesterday and is in the process of compiling a draft for all of Council to review. Joe Weaver added that this is a work in progress. The committee is determined to draft an ordinance that is definitely specific to Wind Gap's needs and address concerns related to our Borough. They plan on meeting several more times in order to complete their research and use the proper language. Glenn suggested that the Borough send a friendly reminder letter to a property owner about maintaining their property before they start fining or arresting anyone.

Glenn spoke to a real estate agent who is knowledgeable about real estate in this area and he suggested that the Borough work out a lease agreement. The Borough properties that will be for sale are not worth much with the real estate market being down so a lease option might be the way to go until the market rebounds. Council thanked him for his suggestions. George added that the Borough and the School District used different appraisers on this property and the numbers were almost identical.

APPROVAL OF MINUTES

On motion by Kerry Gassler to approve the minutes of the September 4, 2012 Council meeting and seconded by Tony Curcio. Roll call vote taken. In favor: T. Curcio, J. Faust, K. Gassler, G. Hinton, J. Maher, J. Weaver. Abstained: D. Hess. Motion carried with a vote of 6-0-1.

COMMITTEE REPORTS

1. EMS – Kerry Gassler reported that the Ambulance Corps has not met for two months. They meet tomorrow so he will give a full report at next month's meeting.
2. Fire Co. – Jon Faust reported that the Fire Company responded to five calls for the month, two motor vehicle accidents, two structure fires, one PennStar landing, for a total of 105 calls for the year.
3. Zoning – Tony Curcio reported that a Zoning Hearing Board meeting was held on September 13, 2012. The Borough of Wind Gap submitted an application for approval pertaining to Lehigh Avenue parking lot property. The parcel was broken down into three lots; Lot 1 would be the parking area right off A Alley. The other two properties are about 9,600 sq. ft. each which is the minimum to hold a dwelling. The Zoning Hearing Board approved the variance requests. There was discussion regarding establishing a parking limit so cars are not there 24 hours a day.
4. Planning – George Hinton reported that the Planning Commission reviewed the proposed changes to the zoning ordinance. The next meeting is scheduled in October to discuss the Lehigh Avenue property.
5. Municipal Authority – John Maher reported that there was nothing outstanding at the last Municipal Authority meeting, just the usual business. He asked if a bill would be ready to submit to the Authority related to the A Avenue project. Louise stated that to date no bill has been received from the contractor, but once it is an invoice will be generated for John to hand deliver to the Authority.
6. Streets – Dave Hess reported the Street workers have been cutting grass and weeds. They have been filling holes in the alleys. They replaced posts along Utica for the firehouse. He reported that the leaf vacuum needs a new hose. A quote was received from ODB Company, for a 12' X 120' hose at a cost of \$400 plus \$98 for shipping for a total of \$498. There are funds in the budget so it will be ordered tomorrow. Council received a letter from John Zucal informing the Borough that his last day of actual work will be November 15, 2012. Dave stated that the Borough will have to do something when he is gone. George asked if everyone received a copy of the Job Description in their box for a Street Leader. He requested Council review the job description and asked for any input regarding additions or deletions to what the committee presented. The Teamsters Union has notified the Borough that they are ready and willing to negotiate a new contract. Council wants the Job Description to be included in the next contract.

On motion by Jon Faust to advertise for a new Street Leader and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

Jon Faust reported that there is an auction coming up with a couple rollers in it just to make Council aware that he is still shopping for one.
7. Police - Mayor Shoemaker reported that the Police Department responded to 103 calls for the month of August, 5 animal complaints, 5 motor vehicle accidents were investigated and they issued 27 traffic citations. The 2002 SUV is in need of a rear replacement. The Mayor read a letter addressed to Chief Armitage received from the Pennsylvania State Police regarding the satisfactory completion of a recent audit of the Wind Gap Police Department. Jon asked who determined that the SUV needed a rear end replacement. George replied that there was work done on the SUV and it did make noise, but he does not know if that has subsided after the brakes and calipers were replaced. Jon stated that it seems like the Borough is continually putting money into the Police vehicles month after month. He acknowledged that the cars are getting older, but he is curious as to who is overseeing the repairs of the vehicles. The Mayor suggested that whenever major repairs are

necessary, a couple estimates should always be received. Mayor Shoemaker will follow up with the Chief.

8. Park – Joe Weaver reported that the Park Board met last week. Joe had a list of items that was discussed, mostly having to do with maintenance. Joe stated that anything that pertains to safety should be addressed immediately. The water heater in the small kitchen is leaking and the Park Board is recommending that it be replaced. George asked if at this time of year, does it make sense to replace it. If a new water heater is purchased now, it will sit in the kitchen for almost six months before it is needed and any warranty will elapse while it is not even in use. It was agreed to drain the water heater now. Joe stated that the lights in the large pavilion are not caged so somebody could easily knock a light off exposing a live circuit. The board is concerned that the equipment that was removed from the park and placed on the Rubenstein property is attractive to kids and should be disposed of immediately. The electrical box on the bandshell needs a new cover. There is a bunch of wires by the Lehigh Avenue entrance that are all balled up. George stated that when the tree came down in the Park, RCN was contacted because some of that cable belongs to them and Met-Ed was there and they are aware that there are three balled up guide wire cables. There is still fencing that needs repaired. The fence around the kiddie play area has been repaired. If there is a LifeFlight landing, the ambulance is brought right onto the ball field. The quote previously received from Tri-Boro that was rather expensive included the industrial grade gate on wheels. Joe suggested asking Tri-Boro and another fencing company for a quote just for replacement of this gate on wheels.

Joe informed Council that the Park Board would like to solicit donations from local businesses to put holiday lights in the Park. The proposed plan would include affordable, regular outdoor strings of lights around the bushes and trees. The Board will try to get enough donations to cover the expense, but they are willing to cover the difference out of their budget. The total is estimated to be approximately \$1,200.

The Park Board would like to move forward with the repairs to the kiddie play area now that summer is over. Joe asked if it is Council's wish to have the Borough street workers do the work. Council would prefer to have bid specs completed and quotes obtained for the work. Joe stated that the Board has voted to replace the swing sets at a cost of \$1,956 plus shipping. This cannot be replaced until issues regarding the lawsuit have been satisfied. The swing set by the bandshell will not be replaced in that same location because of the proximity to the paved driveway. Council suggested installing the new piece of playground equipment in the kiddie area since it is already purchased and currently in storage. The Board would like to install a piece of fitness circuit equipment in the Legion area on the bottom of page 31 at a cost of \$9,997. Council cautioned that the cost of upgrading the kiddie area should be determined prior to the purchase of any new equipment. George will contact the Borough Engineer regarding specs and scope of work.

9. 911 – Tony Curcio had nothing to report.

10. Tipping Fees - Tony Curcio reported that there has been no change to the tipping fee report.

11. Building Finance Committee – George Hinton reported that the committee will report back at the next meeting.

12. GIS Update. John Maher reported that he has not started collecting data due to a discrepancy with the versions of the software which he is currently trying to resolve. He hopes to have it resolved in the next couple days and is currently working with the engineering company and the vendor. The Slate Belt COG and the Borough of Wind Gap was awarded a grant for GIS. The grant application requested \$50,000, but Northampton County awarded 55% of the money or a total of \$27,500. John had discussions with Victor and tentatively he agrees to a split of the COG receiving \$10,000 and the Borough receiving \$17,500 for our project. Since the Borough is responsible for the accounting of the

grant, all of the expenses of the COG for this project will have to be submitted to the Borough prior to reimbursement to the COG. John will draft a letter to Victor outlining the procedure that will be followed for this grant.

13. Zoning Ordinance Changes (Signs) – Kerry Gassler informed Council that he was supposed to have a meeting, but he did not have one. He realized that at this time he is too busy with his own business and asked George or John to meet with the business people to move this forward. He provided George with the business owner's phone numbers. Jon Faust offered to sit on this committee as a third member.

14. Banners – Mayor Shoemaker reported John Maher, Jon Faust and himself met to discuss new banners. They agreed to advertise in the Borough newsletter and the free papers. They are hoping to get at least thirty banners so the cost of the banner is \$70.50 each not including the brackets/hardware. George stated that he would be interested in two banners, Ron would be interested in two and Kerry would like to order one banner.

15. International Property Maintenance Code (IPMC) – The committee will continue to work on the Maintenance Code.

MAYOR'S REPORT

Mayor Shoemaker reported that the Slate Belt COG will resume their meetings on September 26, 2012 at 7:00 p.m. There will be a Christmas concert to support the Slate Belt YMCA. Numerous letters have been sent out in violation of Ordinance 402 and some fines have been issued. The residents should be proud to live in the Borough. The A Street is completed and finally opened again and he thanked the Borough Engineer and the Street Committee for the work on this project. The grass and weeds have been cut on the vacant lot on East First Street. Northampton County Council will be holding two informational meetings, one on Wednesday, September 26, 2012 at 7:00 p.m. at Klecknersville Fire Company and one on Thursday, September 27, 2012 at the Bangor Administrative Building, Bee Hive Community Center. A letter was received from County Councilman Scott Parsons outlining the agenda for these meetings. He asked for a response to include the number of those attending one of these meetings.

NEW BUSINESS

1. Wertheimer – Combination of 2 parcels at 124 North Lehigh Avenue. George explained that the new owners of 124 North Lehigh wrote a letter to Council requesting approval to combine two parcels of property since one is too small to build on and it would reduce their taxes. Ron Karasek explained that the Assessor's office in Northampton County will not combine lots, that is up to the municipality to okay. The combination of lots might affect the tax base for the municipality. Other municipalities customarily grant these requests after having done a review to verify that there is no zoning issues by combining lots, no sewage issues, no water issues, that the taxes have been paid and then they have their lawyer prepare a unification and merger deed for review by the Borough or Township Solicitor.

On motion by Tony Curcio to approve the combination of the two lots at 124 Lehigh Avenue if all the conditions have been met and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

2. Joe Weaver informed Council that he was contacted by Mr. Mogilski at the 400 block of South Broadway regarding odors of cat urine and feces that he and his neighbors have been dealing with all summer. Mr. Mogilski asked Councilman Weaver what the Borough can do for them. Joe suggested

that they contact the Animal Control Officer (ACO) to investigate this property. John stated that if it is a nest of feral cats, the ACO must trap the animals and clean out the property. After further discussion, Council determined that it is possible that the ACO has not been contacted regarding this property. Ron reminded Council that the Borough does have a nuisance ordinance or the Borough could file a lawsuit in court for a public nuisance. The neighbors also have the right to file a lawsuit on their own and not go through the Borough. Joe asked for a copy of the nuisance ordinance.

3. George Hinton received a phone call from a Plainfield Township Supervisor regarding the Police Officer that was placed in the Wind Gap Middle School under a grant for a three year duration. During the past election, several candidates for the supervisor's seats ran on a platform to try to cut the police department and their costs. The Police Officer that is at the Middle School spends 80% of his time in the school and only 20% in Plainfield patrolling. Plainfield Supervisors got bombarded at their meeting last week because they decided to pull the officer out of the school. Following that meeting, Plainfield contacted the School District to ask if they could help fund the officer and the District replied that they had to lay off school teachers and had their own budget issues. The next step, Plainfield contacted Pen Argyl and Wind Gap in the hopes that the municipalities would contribute to the salary of this officer. It would cost Wind Gap approximately \$20,000 to \$24,000 a year, but the only way the Borough could afford to do this would be to cut somewhere else or increase taxes by a half mill.

OLD BUSINESS

No further Old Business was discussed at this time.

On motion by Tony Curcio to adjourn the meeting of September 18, 2012. Council agreed unanimously.

The meeting of September 18, 2012 adjourned at 8:40 p.m.

Louise Firestone, Borough Administrator