

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, October 22, 2013, was called to order at 7:30 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 Matthew Goodrich, representing the Law Office of Martino and Karasek, Borough Engineer Brian Pysher and Borough Administrator Louise Firestone.

PUBLIC COMMENT

1. Gayle Steinmetz, Wood Street. Gayle asked if anything had been done with regard to the No Parking on Wood Street. Brian replied that unfortunately he has not gotten to this yet, but he expects to do it sometime this week. He is unsure exactly what type of report Mr. Karasek requires in order to draft an ordinance for the no parking so he will be contacting him this week.
2. Rev. Scott Davis, Pastor, Slate Belt Baptist Church, and President of the Wind Gap Tree Lighting Committee also known as the Community Christmas Celebration Committee. Rev. Davis informed Council that the committee meets once a year to organize the Christmas program. He is attending Council because he has heard that there is some question about the program that is planned to be held at the Wind Gap Borough Park. George contacted Lucy Flinn, committee member, to ask if all the previous participating organizations had been notified that the committee had decided to change the venue from the monument/Legion to the Park. George explained that at a Fire Company meeting last evening it was discussed and no one was aware of the change. Rev. Davis apologized if there was a breakdown in communication and asked for direction moving forward. George suggested that someone from the committee attend the Fire Company meeting next Monday at 6:50 p.m. at the firehouse and get a hold of the Fire Chief, Jeff Thomas, to speak with him. Lucy added that the committee will be meeting on November 5, 2013.

APPROVAL OF MINUTES

On motion by Tony Curcio to approve the minutes of the October 7, 2013 Council meeting and seconded by Jon Faust. Roll call vote taken. In favor: T. Curcio, J. Faust, D. Hess, G. Hinton, J. Weaver. Abstained: K. Gassler, J. Maher. Motion carried with a vote of 5-0-2.

COMMITTEE REPORTS

1. EMS – Kerry Gassler reported that the Ambulance Corps responded to 72 calls in month of August for a total of 555 calls for the year. The Ambulance Corps has not had a meeting yet for the month of September.
2. Fire Co. – Dave Hess reported that the Fire Company will be meeting this Wednesday at 6:30 p.m. at the new municipal building to help with some demolition work.
3. Zoning – Tony Curcio reported that no new applications were submitted so the November 6, 2013, Zoning Hearing Board meeting has been cancelled.

4. Planning – George Hinton reported that there is nothing on the Planning Commission agenda so there will not be a meeting on Thursday, November 7, 2013.

5. Municipal Authority – John Maher reported that he attended the September 25, 2013 meeting. He presented the letter from the Borough's engineer regarding not having the Municipal Authority not having an engineer on site when they are backfilling trenches as part of repair projects. They accepted the letter and will take it under advisement and research it. John stated that the October meeting is tomorrow night and asked if there was any information that he should take back to the Authority. Brian stated that the Authority has to assure the Borough that the trenches will be inspected. Brian explained that the Borough just reconstructed Utica Avenue. The Borough contractor backed a partially loaded tri-axle diagonally across Utica after the bituminous was milled off and it was solid in the areas where the milling occurred. The Municipal Authority's contractor dug a trench as part of their sewer line project 90 days ago and then upon completion of the project where it had been backfilled, the tri-axle truck created 2" ruts in the stone backfilled trench. Brian is not sure if there is an inspector on site and he is allowing them to not adequately compact it to Borough standards or they are not watching the backfill. A decision has to be made on whether the Authority is going to require that the inspector fulfill the backfill requirements or the Borough will have to hire someone to inspect the work. In this case, the Borough's contractor, Hale Built, was asked to properly repair the trench by excavating, backfilling and compacting it to Borough standards. The Borough will be receiving a change order for the cost of the additional work as it was outside the original scope of work.

6. Streets – Dave Hess reported on the work completed by the Street Department last month. Jon asked about the status of the roller that had been discussed at the previous meeting. Kerry stated that he purchased the roller as the second highest bidder on the E-bay sale at a cost of \$731.00. Dave reported that he was just informed that the big dump truck is out of service. There appears to be a problem with the transmission, but it only has 5,000 miles on it. The truck was at Scotty's and could not be moved forward. Rich will contact Star tomorrow and make arrangements to have it towed to be repaired. Rich asked for direction regarding replacing light bulbs in the decorations that hang over the street. He received a price quote from Rileigh's to replace the bulbs with LEDs at a cost of \$806.25.

On motion by Kerry Gassler to purchase replacement LED lights at a cost of \$806.25 after assessing if the wiring in the decorations is in working order and seconded by John Maher. Roll call vote taken. Motion carried unanimously. Council decided that only two sets of decorations will be hung up this year until a possible third location can be determined.

7. Police - Mayor Shoemaker reported that the Police Department responded to 116 calls for the month of September, 7 animal complaints, 8 motor vehicle accidents were investigated, they issued 13 traffic citations and 2 parking tickets.

8. Regional Police – Dave Hess reported that the Articles of Incorporation are just about completed and should be ready to go the Commission Solicitor and the participating municipality solicitors probably after the next meeting. The focus of the discussions will be the pensions which will require Louise to attend the meetings. The Commission is asking that each municipality share with all the pension providers each other's pension plans. It has already been discussed that pension representatives be invited to attend a meeting and go through the pension. It is not known whether the current police pensions can be merged or if a new one has to be formed and if so, how does that affect the current individual pension plans. The next meeting is scheduled for November 7, 2013.

9. Park – Joe Weaver reported that the Park Board would like to be notified once the Borough has received the Certificate of Occupancy from Labor and Industry so that they can issue a press release. They are discussing a Grand Opening to possibly occur in the spring. The Park Board is proposing to move their regular monthly meeting from Tuesday, November 12 to Tuesday, November 5, 2013. He said that the tree lighting was discussed and their main concern is getting lighting to the tree. He suggesting running conduit with electrical extension cords through it to get the lights lit on the tree. George explained that in the process of the Kiddie Play Area project, there were lights to be installed for that area and because of the Labor and Industry inspections, any electrical upgrades to the park must be approved by L&I. Borough Council must decide how to proceed with this electrical issue. Brian was to receive a schematic/drawing outlining the proposed future plans for any lighting to the park related to the tree lighting and decorations. Brian did receive a drawing, but it only indicated what the plan is for the island decorations and they already have power to the islands. Dave explained that part of the confusion stems from who is responsible for what – the Park Board or the Tree Lighting Committee. He understood that the decorations for the islands were done by the Park Board last year, but the Tree and those lights are being done by the Tree Lighting Committee. At the end of the day, the Borough is responsible for applying for and obtaining any necessary permits because the Borough is the property owner – not the Park Board and not the Tree Lighting Committee. Labor and Industry has already issued a permit for the Kiddie Play Area, the parking lot and the handicap ramp and railing and the electrical has been discussed for illuminating the play area. Brian acknowledges that it can be done, but a panel schedule of what is there has to be put on a plan and submitted to L&I to obtain the permit. Brian to meet with Rich at the Park tomorrow to assess the options available to the Borough in order to get the tree lit. Joe added that the Park Board has submitted their budget for 2014 to Louise.

10. 911 – Tony Curcio had nothing to report.

11. Tipping Fees - Tony Curcio reported the third quarter landfill tipping fee check was received from Waste Management in the amount of \$36,396.58. Tony stated that the fees were distributed according to the report.

12. GIS – John Maher reported that he has submitted the final report on the gaming grant. He reported the accounting on how the grant funds were spent. All the programming that was proposed to be done by the engineering company has been completed. He will be visiting the company to pick up all the information so that he can load the Borough's database.

14. Zoning Ordinance Changes (Signs) – John Maher reported that he was supposed to have a meeting, but that has not happened yet. He will schedule that asap.

15. Municipal Building – George Hinton reported that there will be a meeting this Thursday at 10:00 a.m. The committee consists of Tony Curcio, John Maher, Louise Firestone, Brian Pysher, Rich Fox and himself. He invited anyone else who would like to sit in on the meeting to voice their opinion or comment is welcome to attend. Ultimately, it is the Borough building so the more input the better. The committee met at the building last week and as everyone was arriving at the building, a car pulled up and parked, two men got out and walked across the property to fish in the quarry hole. The property is not continually policed, so No Trespassing signs should be put up in order to protect the Borough. George asked Mr. Goodrich or the law office to send Mike Goffredo a letter asking him when he is going to put up his fence. If the fence was installed then the Borough would not have a problem. He promised to have a fence up and that has not happened. Brian added that the Borough did issue a driveway permit off of Longcore Road and he did start to clear the area. The letter should incorporate the agreed upon language from the agreement and his ability to access his property from

Longcore Road for recreational types of uses. There have been other people back at the shooting range on Mr. Goffredo's property also.

George reported as previously stated, the Fire Company plans on meeting at the building tomorrow at 6:30 p.m. to assist in anyway possible.

George said that copies of the current Borough properties that are to be sold have been sent out to different groups and copies are available in the Borough Hall to be picked. The packet includes a map of Wind Gap and a description of all the properties which will be advertised in this Friday's paper.

MAYOR'S REPORT

Mayor Shoemaker reported that the Slate Belt COG will meet on October 23, 2013 at 7:00 p.m. at the new Slate Belt COG office which is located in the bottom floor of the Garofalo Real Estate building. The Park project is almost complete. The first week of November begins leaf collection. Trick-or-Trick is Sunday, October 27, 2013 from 2:00 p.m. – 4:00 p.m.

NEW BUSINESS

1. Community Christmas Celebration Requests. Dave Hess requested that a letter be sent to the Borough informing Council what the plans for the celebration would be in the Borough Park.

On motion by Dave Hess to allow the Community Christmas Celebration Committee to hold their annual ceremony in the Wind Gap Borough Park and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

2. Blighted Properties. George explained that the Borough has never given Mr. Karasek a directive to look into what the Borough would have to do regarding these properties. The Borough and the Animal Control Officer have received complaints regarding a house that has previously been an issue. Matt Goodrich stated that in preparation for tonight's meeting he reviewed the Abandoned and Blighted Property Conservatorship Act. The process is fairly involved in dealing with what are considered to be abandoned and blighted properties. It involves appointing a conservator. The Solicitor has to file a petition with the court; the court appoints a third party that would be named the conservator, who would make determinations about whether they are in violation of the Abandoned and Blighted Property Conservatorship Act. He suggested that Council look at Borough Ordinance 481 – Nuisance Ordinance under Section 3 – Maintenance of Premises, Buildings, Structures, and Exterior Property Areas "subsection a through g". He suggested sending out the Codes Enforcement Officer or if necessary send out the engineer. The Borough could obtain an injunction and pursue it that way. George stated that it has become a health and welfare of the individual living in the home that might be at risk. There is an overabundance of cats in the house. The complaint was received by the Animal Control Officer.

On motion by John Maher to authorize the Zoning Officer inspect the property and take necessary steps to correct and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

There was no Old Business to be discussed at this time.

EXECUTIVE SESSION

Council adjourned to Executive Session to discuss police personnel at 8:29. Council reconvened at 8:33 p.m.

On motion by Tony Curcio to approve a raise for the Police Chief in the amount of 65 an hour for 2014 and seconded by John Maher. Roll call vote taken. In favor: G. Hinton, J. Maher, J. Weaver, T. Curcio, J. Faust, D. Hess. Abstained: K. Gassler. Motion carried with a vote of 6-0-1.

On motion by Tony Curcio to adjourn the meeting of October 22, 2013. Council agreed unanimously.

The meeting of October 22, 2013 adjourned at 8:34 p.m.

Louise Firestone, Borough Administrator