

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
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The Council meeting of the Borough of Wind Gap on Tuesday, October 21, 2014, 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, David Valley, Kerry Gassler, Joe Weaver and Dave Hess. Also in attendance were Mayor James Shoemaker, Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysher and Borough Administrator Louise Firestone. Absent was Councilman Tony Curcio.

PUBLIC COMMENT

1. Deb Setar, representing Wind Gap Borough Park Board, submitted a quote for the purchase of six (6) seat swing set and full-coated chains from BYO Recreation. It is proposed that the Borough excavate and prepare the 57'X40' use area. It is estimated that the area will need 90 cubic yards of mulch. The estimated delivery time is three to five (3-5) weeks. Installation would be done by BYO and would take approximately three to four (3-4) days. The weight on the swings have been tested up to 750 lbs. The proposed to install the swing set in the open area by the bandshell where the previous swing set had been prior to removal. Joe reminded Council that Brian Pysher had discussed the need for a permit with Pennsylvania Labor and Industry (PA L&I). PA L&I informed the Borough engineer that if this is a replacement no L&I approval is required. The purchase price is \$3,965.54 and installation cost would be \$2,500. Brian expressed concern regarding the possibility of the proposed location having issues with standing water. Because of concern for water and drainage, during the reconstruction of the kiddie playground, construction included excavating down 24", installing 12" of clean stone, installing fabric and 12" of approved playground safety mulch.

On motion by David Valley to purchase the six swing set and installation from BYO Recreation at a cost of \$6,465.54 with prior approval of the Borough Engineer regarding the excavation and preparation of the ground and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

2. Ron and Mary Mainhardt, 54 Lehigh Avenue, Wind Gap. Mr. and Mrs. Mainhardt provided Council with photos from the neighboring property 59 and 61 Lehigh Avenue. They complained that the yard has not been maintained, the garbage has been piled high, there is an abandoned car in the back yard/alley and both sides of the duplex property has become vacant. One side of the duplex brought garbage from Monroe County and put it on the property, but neglected to actually set the garbage out at the curb for pick-up. The other side of the duplex, the owner has recently passed away and the Mainhardts are not sure the status of that half of the duplex. George explained that at a previous meeting, Council discussed this property and advised the Borough Engineer to proceeding with sending notification to both property owners to clean up their property. Brian Pysher confirmed that he did send enforcement notices to both properties owners, as listed on the County's website, and the letters were both signed for by someone. Attorney Karasek will review the Nuisance Ordinance to verify that the Borough can go on the property for the purpose of cleaning up the debris. The Borough has the option of issuing citation and a hearing be held before the District Judge. The District Judge can find the property owners in violation and at that point the Borough would have a basis for going on the property. Attorney Karasek explained that because there could be an issue regarding an estate and serving papers to an authorized person.

On motion by Jon Faust to direct Borough Solicitor, Attorney Ronold Karasek, and Borough Engineer, Brian Pysher, to meet and determine a citation procedure along with determining the service process to the homeowners and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

Attorney Karasek will do a lien search and if a mortgage is held on the properties.

3. Terry Lerch, 170 North Broadway, Apt B., Wind Gap. Terry complained that there is a tenant in the building that is a hoarder. She has contacted HUD, the Agency for the Aging, the Board of Health and the Fire Marshal. She has been informed as a tenant that she cannot file a complaint and was advised to contact her local municipality. She is concerned that the apartment is a fire hazard. The landlord and other tenants have asked her to clean up her apartment. There is an odor that has been identified as dead rats who have entered the second floor apartment by chewing through the drywall into the dishwasher. Terry asked Council if they could provide assistance because she does not know where to turn for help.

On motion by David Valley to send the Borough Engineer, Brian Pysher, to inspect and determine if there is a nuisance ordinance violation with the assistance, if necessary, of the Police Chief and seconded by Joe Weaver. Roll call vote taken. Motion carried unanimously.

On motion by Jon Faust to appoint Brian Pysher as the Wind Gap Borough Code Official and seconded by David Valley. Roll call vote taken. Motion carried unanimously.

4. Patricia Sutter, 413 South Broadway, Wind Gap. Pat asked if the Fire Company teaches resident how to use a fire extinguisher. Jon Faust offered an open invitation to attend a Fire Company meeting on any Monday. Joe added that the Park Board has in the past had a safety fair at the park and this training may be incorporated into this event. Pat asked how the Borough knew that all the buildings were emptied during the mandatory evacuation several years ago. Jon Faust replied that the County 911 Center used their reverse call program to notify residents. The Fire Company started at the top of Wind Gap and went door to door to make sure that all individuals were notified to evacuate.

APPROVAL OF MINUTES

On motion by Kerry Gassler to approve the minutes of the Council Meeting of October 6, 2014 Council meeting and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

COMMITTEE REPORTS

1. EMS – Kerry Gassler reported that the Ambulance Corps responded to 66 calls in the month of September. The total for the year of 2014 is 614 compared to 598 calls during the same period in 2013. The Ambulance Corps met and voted to turn their powers over to the Board of Directors. The next step is to mail out notices to every ambulance member within the next thirty (30) days. If the vote passes, the Trustee Board will run the ambulance more like a business.

2. Fire Company – Jon Faust reported that the Fire Company responded to eight (8) calls in September for a total of 126 for the year.

3. Zoning – Tony Curcio was absent.

4. Planning – George Hinton had nothing to report.

5. Municipal Authority – Joe Weaver reported that the Municipal Authority was informed that they will have a 3.88% increase in their health insurance premium for 2015 with the exact same coverage. Schmauder repaired the potholes on Eighth Street from a prior Authority project.

6. Streets – Jon Faust reported the street department has been milling streets in order to repair them. They have been patching and filling potholes throughout the Borough, taking down the banners, and cleaning drains. Leaf collection has begun throughout the Borough. George added that the Borough received notification for the amount of Liquid Fuel funds to be received next year, which would bring the balance in the account to \$187,000. Brian and Rich will get together to discuss and begin planning for 2015 street projects.

7. Police - Mayor Shoemaker reported that the Police Dept responded to 105 calls in September, 5 animal complaints, 7 motor vehicle accidents. They issued 16 traffic citations and 2 parking tickets.

8. Park – David Valley reported that the Park Board met last Tuesday. They discussed installing a chain across the West Street access road back to the WGAAA field house. Discussion regarding who will be responsible for allowing access to the dumpster for the garbage men and general policing of that area.

On motion by David Valley to install a chain with reflective tape on West Street to restrict access and seconded by Joe Weaver. Roll call vote taken. In favor: J. Weaver, K. Gassler, D. Valley. Opposed: J. Faust, D. Hess, G. Hinton. Mayor Shoemaker cast a nay vote. Motion did not carry with a vote of 4-3.

On motion by Joe Weaver to install a sign "Wind Gap AA Coaches Only" or a sign acceptable to the Wind Gap Area Athletic Association at the entrance to the access road on West Street and seconded by David Valley. Roll call vote taken. Motion carried unanimously.

David reported that the Park Board would like a second quote for tree removal.

Lucy Flinn informed Council that she is in search of assistance for decorating the park trees with lights. Lucy will have an answer by November 1 regarding the availability of Ron Miller who also puts up lights in the Easton circle every holiday season. She may need manpower from any and all volunteers along with a request to have the street workers assistance with the Borough bucket truck. She calculated that last year it took approximately fifteen (15) man hours to put up all the lights.

9. 911 – Tony Curcio was absent. Jon Faust had nothing to report.

10. Tipping Fees - Tony Curcio was absent. Kerry Gassler reported that the tipping fee check from Waste Management was received in the amount of \$44,521.52.

11. Municipal Building – George Hinton reported that the Borough received an eviction notice from Pennsylvania Labor and Industry for the current Borough building by December 31, 2014. It is anticipated that the Borough Office will be moved to the new location by the end of November. Brian added that Labor and Industry has a short punch list in order to obtain a Certificate of Occupancy for the new municipal building.

12. Regional Police – Dave Hess reported that the main concentration of the Regional Police Commission is finalizing the police contract. The commission is asking that each of the three communities, Wind Gap, Pen Argyl and Plainfield contribute an additional \$20,000 at this time. The commission hired the Meyner Center to assist in the contract negotiations, Chief Mettin is now working full-time, the uniforms have been ordered and they must advertise for additional police officers. George questioned if the committee has determined that the number of current officers will not be enough. Dave replied that several current active officers have indicated that they will not be going to the regional department so an additional two to four officers will be needed. The regional

police department will not have to hire under a Civil Service Commission. Chief will conduct interviews and make his recommendation to the Commission to hire. It is believed that the Charter Agreement specifies that the three municipalities' elected officials will grant approval for additional manpower hiring. The Agreement will have to be reviewed.

On motion by Dave Hess to pay \$20,000 to the Slate Belt Regional Police Department and seconded by Joe Weaver. Roll call vote taken. In favor: D. Hess, D. Valley, J. Weaver, J. Faust. Opposed: G. Hinton. Abstained: K. Gassler. Motion carried with a vote of 4-1-1.

13. Park Master Plan – Joe Weaver reported that he received the contract update from Attorney Karasek and forwarded the corrected contract to the members of the committee. Joe has scheduled a tentative meeting for the committee on Monday, October 28, 2014 at 7:30 p.m. at Borough Hall should it be necessary to discuss any of the suggested corrections. After the committee agrees to the contract, Joe will forward a copy to DCNR for their approval. Joe expressed his gratitude to Attorney Karasek for his assistance with this contract.

MAYOR'S REPORT

Mayor Shoemaker said that the Slate Belt Council of Governments will be meeting on Wednesday, October 22, 2014 at 7:00 p.m. They have been discussing a regional zoning official, creating a regional recreation program and possibly forming a combined animal control department. The Borough's trick-or-treat will be held on Sunday, October 26, 2014 from 2:00 p.m. - 4:00 p.m. Currently, there is a vacancy on the Borough Park Board, any interested persons should submit a letter of intent to the Borough Office. The Street Department will be picking up leaves the first week of November. He anticipates purchasing more banners shortly, the goal for the order is 20 banners. It has been reported that someone is dumping garbage at the old Catholic Church. The Mayor asked if any citizen sees this being done, please contact the police department.

NEW BUSINESS

1. Electricity Supplier. George reported that the Borough is currently reviewing the electricity rates for a new contract. Kerry to contact suppliers and provide them to Council for review.

2. Slate Belt Community Partnership (SBCP) - "Trail Head Community". George reported that a meeting of the SBCP was held in Wind Gap to discuss how to promote Wind Gap. The Partnership suggested that Wind Gap be designated as a "Trail Head Community" because of the Appalachian Trail. They would promote the idea which would be at no cost to the Borough and would allow for advertising events that relate to the trail, hikers/campers. Hikers on the trail take a break in Wind Gap because the Borough offers a Laundromat, a post office, banks, food and supplies. The possibility of a new store to carry items that would be important for campers/hikers (boots/equipment) would help generate business in the Borough.

On motion by Joe Weaver to grant Slate Belt Community Partnership permission to move forward with promoting Wind Gap as a "Trail Head Community" and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

Sharon Davis, Manager - SBCP, addressed Council and thanked them for their participation in the Community Partnership. She explained that the partnership completed painting murals in Bangor and Pen Argyl. They are currently looking for a building/buildings in Wind Gap to paint. SBCP partners with the Totts Gap Institute to design the mural and the murals are a specific moment in time theme that reflects the Borough. SBCP, Totts Gap Institute and the Slate Belt Heritage Center and various artists meet to come up with a theme and since the Borough has approved being a Trail Head community that might lend itself to a theme. They are looking for a building and a building owner who

will support the program because once the mural is painted, the hope is to maintain the mural for a long period of time. She asked that Borough Council think and discuss because their input will be included during the planning stage of the mural next spring. They will plan the mural in the spring, paint in the summer, and dedicate sometime in September of next year.

3. Service Electric - Franchise Renewal Proposal. Attorney Karasek stated that he would be willing to contact The Cohen Firm because they specialize in communication and franchise agreements. It is possible that Cohen could negotiate a better agreement with Service Electric.

4. Banners. Lucy Flinn, representing the Slate Belt YMCA, informed Council that a fundraiser will be held at Bangor High School auditorium on Saturday, November 22, 2014 in support of the YMCA. Many local businesses supported the YMCA by sponsoring banners to be hung throughout the Slate Belt across 512 to advertise the fundraiser. She stated that the YMCA received approval from PennDOT to hang the banners and she is here tonight to ask for Council's approval to hung banners in Wind Gap.

On motion by Kerry Gassler to hang two (2) banners in Wind Gap for the Slate Belt YMCA fundraiser and seconded by Joe Weaver. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

1. Slate Belt YMCA - Attorney Karasek reported that he completed that the resolution for support of a grant application for the YMCA and needs original signatures. Council approved the resolution at their October 6, 2014 meeting.

On motion by Mayor Shoemaker to adjourn the meeting of October 21, 2014. Council agreed unanimously.

The meeting of October 21, 2014 adjourned at 9:15 p.m.

Louise Firestone, Borough Administrator