

BOROUGH OF WEST EASTON
COUNCIL MEETING
January 11, 2016

The regular meeting of the Council of the Borough of West Easton, Northampton County, Pennsylvania, was called to order at 7:00 p.m. by Council President Dan DePaul in Council Chambers of the West Easton Municipal Building, 237 Seventh Street, West Easton, Pennsylvania.

Roll was taken and Council President noted there was a quorum. Present were Council President Dan DePaul, Council Members Ron Nixon, Matthew Dees, Henry Nodoline, Robert Lewis and Thomas Nodoline. Council Member Louis Nikos was absent. Mayor Gerald Gross and Solicitor Steve Goudsouzian were present. Pete and Sandy Rossi, Bruce Walter, Leon Stull, Paul Jones, Nick & Linda Voigt, Pete & Bonnie Mammana, Nancy Kutz, Kelly & George Illick and Tricia Mezzacappa of the public in attendance.

Council President DePaul turned the meeting over to the Borough Solicitor Steven Goudsouzian. Solicitor Goudsouzian suggested that the election of officers be reaffirmed and a motion should be made to reaffirm the actions of the new council.

A motion by Mr. Lewis and second by Mr. Dees the Council voted to reaffirm the election of officers and to reaffirm the actions of the new council. Motion passed 6-0.

Solicitor Goudsouzian asked the Mayor to hold the elections for officers. Mr. Nixon nominated Mr. DePaul, Mr. Thomas Nodoline nominated Mr. Nixon for president. The Mayor closed nominations. There was a majority of votes for Mr. DePaul as Council President.

The Mayor opened nominations for Council Vice-President. Mr. Thomas Nodoline nominated Mr. Nixon and Mr. Lewis nominated Mr. Dees. The Mayor closed nominations. There was a majority of votes for Mr. Nixon.

The Mayor opened nominations for Council Pro Tem. Mr. Nixon nominated Mr. Dees and Mr. Thomas Nodoline nominated Mr. Lewis. The Mayor closed nominations. There was a majority of votes for Mr. Dees.

A motion by Mr. Henry Nodoline and second by Mr. Dees the Council ratified the actions of the Council President, Vice-President and Pro Tem of the new Council. Motion passed 6-0.

A motion by Mr. Thomas Nodoline and second by Mr. Nixon the Council approved the minutes from Council meeting, December 14, 2015. Motion passed 3-0. Mr. Lewis, Mr. Dees and Mr. Henry Nodoline abstained since they were not on Council at the time of the December 14, 2015 meeting.

A motion by Mr. Thomas Nodoline and second by Mr. Dees the Council approved checks #14590 through #14671 from the General Fund.

Discussion – Mr. Dees asked about #14621 to Roger J. Connors Agency. Council President DePaul asked David Gehman. Mr. Gehman responded that this was the bonding for Elizabeth Hanni the Borough's tax collector. Mr. Dees also asked about #14635 and #14640 which were for Kelly Gross. Council President DePaul asked David Gehman again for an explanation. Mr. Gehman stated that check #14635 was for the annual amount paid to the Council President and #14640 was the check paid to Kelly Gross for the Emergency Management Coordinator. Council President DePaul stated he thought Mayor Gross was the Emergency Management Coordinator.

Mayor Gross stated that Bill Bogari, Sr. was Emergency Management Coordinator then was Bill Bogari, Jr. When Bill Bogari, Jr. resigned Mayor Gross thought that Council had voted on a replacement. Mr. Dees asked if it was brought up at a meeting and voted on. The Mayor said at least three or four years ago. Mr. Thomas Nodoline agreed with the Mayor. Council President DePaul suggested to Mr. Dees to look at last year to see if Ms. Gross was paid for the position. Mr. Nixon does not recall voting on it at a meeting.

Mr. Dees also questioned check #14669 to UGI, return of Street Opening escrow. The check amount was \$14,904.00. Mr. Dees questioned as to how long the escrow is held. Mayor Gross stated that the Engineer of Record would inspect the locations if the street looks the way it is suppose to be the Engineer would approve the release of the funds. Council President DePaul agreed that money collected in 2012, 2013 and 2014 be returned but the money from 2015 should have been held. Council President DePaul also asked where the money was held. Mr. Gehman replied the money was held in the General Fund. Mayor Gross was not sure of the time frame for the money to be returned. Council President DePaul stated if there is an ordinance he felt is should be voted on by Council if the money was to be returned. Mayor Gross felt that the engineer should be involved when developing the policy.

Mr. Lewis questioned how Council members are paid. Council President DePaul asked Solicitor Goudsouzian about policies set at the State level. Solicitor Goudsouzian stated that any policies set at the State level supersedes any decision made at the Borough level. Mayor Gross said that Council has been paid annually for the last 30 years when Council members were paid \$9/meeting.

A motion by Mr. Dees and second by Mr. Nixon the Council approved that the Finance Committee review how Council members compensation be paid. Motion passed 6-0.

Motion passed 6-0.

A motion by Mr. Dees and second by Mr. Nixon the Council approved #1937 for the Sewer Fund. Motion passed 6-0.

A motion by Mr. Henry Nodoline and second by Mr. Nixon the Council approved December Receipts and Deposits. Motion passed 6-0.

A motion by Mr. Dees and second by Mr. Nixon the Council approved the Treasurer's Report for December 2015. Motion passed 6-0.

Public Comment

Tricia Mezzacappa of Ridge Street – Thank you for reorganizing, it is a refreshing change. Ms. Mezzacappa reiterated that she is owed \$424.00 by the Borough.

Council President DePaul told Ms. Mezzacappa to provide the information to the Borough Clerk so that it can be taken care of.

Matthew Dees of Second Street – Would like to see that no one be Council President for more than four years.

Council President DePaul said he also believes in term limits.

Paul James provided a report on the Easton Joint Sewer Authority. The Authority has passed a budget for 2016. The amount the Borough pays is two parts; one part is the actual cost of running the Sewer Authority and the second portion is to cover the cost of the Bond Issuance.

Mayor Gross asked Paul James to have the Sewer Authority check out the Sewer Mains. Mayor Gross said that one is on Seventh Street and the other is on Keystone Avenue that the rings need to be reset and the Borough should not bear the cost of having them reset.

Mayor's Report

Earth's First Recycling is considering buying a building from the Hubcap Store. Mayor Gross also reminded Council as to the present condition of property where the Hubcap Store is located. Mayor Gross again reiterated that Fire Chief, Bill Bogari, Jr. has a concern due to the quantity of trailers; there is no safe way to fight a fire at the Hubcap Store if one would occur. Mr. Dees stopped counting at 18 trailers. Mr. Henry Nodoline counted 43 trailers on the property. Mayor Gross stated it is a violation of the zoning ordinance and it is an issue that the code inspector should be dealing with.

The Mayor read a portion of his "State of the Borough." Long-term planning of at least five years for capital planning will help prevent from the shoot from the hip reaction. Mayor Gross said when a grant becomes available the grants could be used for these projects.

Solicitor's Report – None

Office Report

Mr. Gehman reported that the office is at a standstill. There is no financial software for use in the office to prepare checks, billing or any other necessary financial information.

Council Roundtable

Mr. Henry Nodoline has been obtaining bids for repairing potholes in the borough. He expects one company to inspect the Borough in the next day or two and provide a bid. Mr. Nodoline is also concerned with the condition of the Borough building specifically with the corner near Seventh and Spring Streets sinking.

Mr. Nodoline also reported to Council on the dumping off of Glendon Hill Road. The State Police were called and are investigating the incident.

Mr. Nodoline noted that this Borough should have a manager and not have a Council President acting as the Borough Manager.

Mayor Gross can make a motion for a specific amount for repair. Mr. Nodoline is looking to repair the potholes now. Solicitor Goudsouzian reminded Council that if the amount is more than \$10,000 then the project needs to be put out for bid.

Mayor Gross said that there are potholes on Main Street, down on Adamson Street and underneath the trellis are the worst areas in the Borough. Mr. Dees questioned the cost and if \$5,000 was enough to handle the repairs. Mr. Nixon said that using the heated material will eliminate the problems when using cold patch.

A motion by Mr. Nixon, second by Mr. Lewis the Council is giving the Council President the approval to spend up to \$5,000 on road repairs now. Motion passed 6-0.

Mr. Thomas Nodoline is questioning the amount of medical waste that is being kept on site at the company on Lehigh Street. The business is located on George Johnson's property.

Mr. Thomas Nodoline was disappointed that he wasn't contacted regarding the dumping on Glendon Hill Road. Mr. Dees suggested a "Deer" camera. The camera is operated by batteries and photographs are taken when motion sensor is activated. Mr. Thomas Nodoline suggested a camera like the neighboring municipalities have at some of the intersections if we could get a grant. Mr. Dees will report back to Council at the meeting on January 25th.

Committee Reports –

Mayor Gross would like to be notified of all committee meetings.

Finance - Council President DePaul was told by the Borough tax collector that the County has been notified of our tax rate for year, 11.7 mils down from 14.2 mils. The additional line item on the 2016 budget is the late fee that is added onto the Real Estate taxes when they are paid late. The other item that is in question on the 2016 budget is the annual amount that can be collected in DUI Impact fees. Council President DePaul has referred to Solicitor Goudsouzian to follow up with Attorney Mickey Thompson on the annual amount.

The income lines are just an estimation of what will be collected. We have a reserve that we can pull from. Solicitor Goudsouzian verified that reserves can be used to make up the difference between budget and actual.

Mr. Nixon reviewed the Sewer budget line items and questioned the amount of interest that is earned from the Sewer funds.

Mr. Lewis said the Financial Committee members divided up the budget and they were to report back with their findings. Mr. Lewis wanted to set a meeting for Friday, January 15th.

Mr. Henry Nodoline also questioned about the additional money being spent on interest on the new truck if the Borough actually has the money to buy the truck.

Solicitor Goudsouzian cautioned about not using all your reserves. Council President DePaul mentioned that if the budget is opened and adjusted it needs to be advertised and voted on by February 15, 2016.

Solicitor Goudsouzian stated if the budget is restructured it must be advertised. The same as the initial budget was previously and the costs are rather large. If you are changing things slightly you don't need to reopen the budget and you don't need to advertise the budget you would just show the variances to the budgeted amount.

Council President DePaul wanted to schedule a Personnel Committee meeting on Friday, January 15th at 10:30am.

Computers/Legal/Newsletters Committee – Mr. Dees told the Council that Mayor Gross paid for the Domain name for the West Easton Borough for 10 years in 2015. Mr. Dees is in the process of moving the Domain name to a different server. The amount of the website will be approximately \$400.00. Mr. Dees is also exploring the possibility of advertisers for the website to cover some of the costs. Mr. Dees stated he will bring the Borough into the digital age. He mentioned if we could upload the newsletter to the Borough's website we also could save money.

Recreation Committee – Mr. Thomas Nodoline wanted to schedule a meeting to discuss the expectations of this coming year.

OLD BUSINESS

Council President DePaul stated the office was allowed to spend \$200/item by ordinance.

Solicitor Goudsouzian drafted a resolution leaving the amount and the needs blank for the Council to decide. The hard questions are who is going to do it and the amount allowed. Solicitor Goudsouzian also stated that these expenses needed to be presented and approved by Council.

Mr. Thomas Nodoline suggested that \$200.00 be allowed.

Mr. Dees noted that recently we replaced the router in the office and \$200.00 just barely covered the cost. He also mentioned that we need a backup system for the office computer system.

Solicitor Goudsouzian emphasized that the amount can be adjusted.

A motion by Mr. Dees and second by Mr. Lewis that Joan Heebner and David Gehman (office personnel) can spend up to \$800/month on necessary expenditures. Motion passed 5-1. Dissenting vote, Mr. Thomas Nodoline

Council President DePaul addressed having a representative on the Wilson Area Recreation Board. Mayor Gross agreed and mentioned it had to do something with the Wilson School District.

A motion by Mr. Nixon second by Mr. Henry Nodoline the Council approved to donate \$1,000.00 to the Wilson Area Recreation Board.

Council President DePaul raised the question on a donation to the Mary Mueser Library of \$8,500.00, same as last year.

A motion by Mr. Thomas Nodoline and second by Mr. Nixon, the Council make a donation of \$8,500.00 is given to the Mary Mueser Library.

Discussion - Mayor Gross said that there are 500 transactions attributed to the residents of West Easton. Mr. Dees questioned the amount of the donation due to more and more people using computers. Mayor Gross said that the library has provided the Council with their budget and Council can see how the money is being spent. Mr. Thomas Nodoline stated the library is good for the community. Motion passed 6-0.

A motion by Mr. Dees second by Mr. Nixon, the Council make a donation of \$10,000 is given to the Safety First Volunteer Fire Company.

Discussion – Council President DePaul spoke with Fire Chief, Bill Bogari, Jr. and the expenses for the Fire Company are already at \$13,500.00 for the year of 2015 and not all expenses for the year have been recorded. Mayor Gross has been after the Fire Chief to get the budget together and presented to Council. Mayor Gross said that the Borough has gotten off cheap every year. The policy has been that a budget has to be supplied to the Council. Council President DePaul said that everyone here understands the value of the fire company. Mayor Gross said the current amount of \$10,000 was dictated by the needs of the fire company.

Council President DePaul said Fire Chief, Bill Bogari, Jr. would be willing to attend the next Council meeting on January 25th and present the Fire Company's budget.

A motion by Mr. Dees second by Mr. Lewis, to table the discussion of the Fire Company donation until the next Council meeting, January 25th. Motion passed 6-0.

NEW BUSINESS

Mr. Lewis opened up a discussion on replacing T&M Associates as our Engineering firm with Barry Isset and Associates.

A motion by Mr. Lewis second by Mr. Henry Nodoline for Council to change Engineering firms from T&M Associates to Barry Isset & Associates.

Discussion - The Mayor asks that a letter be sent to T&M Associates thanking them for their work done on behalf of the Borough.

Motion passed 6-0.

Council President reiterated that he is only here in the office supervising the office staff and answering any questions that the staff may have.

Council President brought up the employment contract with Accountemps for David Gehman. Accountemps stated that they only had a verbal agreement and no signed contract with Kelly Gross.

David Gehman mentioned that the Borough office is now opened from 9:00am to 6:00pm on Mondays and 9:00am to 4:00pm Tuesday through Friday.

Mr. Henry Nodoline is getting a bid from Action Glass to have security glass and a drawer put in for residents/customers.

Mr. Henry Nodoline updated the situation with the furnace for Council chambers. He stated that the issue with the furnace is actually with the thermostat. The furnace has been inspected, cleaned and filters have been replaced.

Mr. Dees submitted paperwork that the video camera located in the back of Council chambers is being used as a private citizen. Mr. Dees also made mention that the electrical outlets in Council chambers be available to anyone who needs to use them. Mr. Dees talked with a representative from PSAB and it was suggested that he give the information.

Solicitor Goudsouzian offered to draft a motion for the use of the electrical outlets in Council chambers.

Council President DePaul opened up the discussion regarding the \$10,000,000.00 liability insurance that the garbage haulers are required to carry for trash pick-up within the Borough. Mr. DePaul did a right-to-know request for Wilson Borough and Wilson Borough only requires \$5,000,000.00. Mr. DePaul asked the Solicitor Goudsouzian to investigate this matter.

Council President DePaul mentioned how well Advanced Disposal did on their initial pick-up within the Borough. He did not think they missed anything. He also stated that with the new contract with Advanced Disposal the new rates will be resident under 65 years of age from \$72.00 down to \$60.00, senior citizen from \$61.00 to \$51.00 and commercial/club \$156.00 down to \$130.00. Sewer is currently determined by a standard rate whereas other communities charge their sewer rates according to the water usage. Solicitor Goudsouzian suggested to Council to revise the ordinance and show a variance from budget to actual.

Mr. Leon Stull asked Council if new recycling cans could be ordered. Council President DePaul told everyone that there was a grant available last year but the Borough missed it.

A motion by Mr. Dees and second by Mr. Lewis; the Council approved the new trash fees as proposed and authorized the Solicitor to draft the new ordinance. Motion passed 6-0.

Council President DePaul asked Council members about attending the New Council Member Boot Camp. Mr. Dees wanted to thank his current employer, Colonial IU Unit 20 for giving him the day off.

Solicitor Goudsouzin began the discussion of the "Quality of Life" ordinance that was given to him at the reorganizational meeting on January 4th. The old ordinance would be repealed and the Borough would then implement the new ordinance.

A motion by Mr. Henry Nodoline and second by Mr. Lewis, the Council approves Barry Isset & Associates to become the Borough's new code enforcement officer. Motion passed 6-0.

Mr. Dees reminded the members of the Public Safety Committee that the next meeting be Friday, January 15th at 5pm.

Mr. Henry Nodoline asked about giving the Borough's maintenance worker, Dane Thatcher, a raise above what the new budget calls for. Mr. Thomas Nodoline stated that Dane Thatcher has been given a raise every year. Mr. Nixon said to check the payroll records to see what actually has happened.

Adjournment – A motion by Mr. Nixon, second by Mr. Dees, the Council approved adjournment at 9:25 PM. Motion passed 6-0.