

BOROUGH OF WEST EASTON
COUNCIL MEETING

SEPTEMBER 12, 2016

APPROVED

The regular monthly meeting of the Council of the Borough of West Easton, Northampton County, Pennsylvania, was called to order at 7:02 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 Matthew Dees, Robert Lewis, Henry Nodoline, Tom Nodoline and Paul James. Council member Ron Nixon was absent. Also present were: Borough Manager, Joan Heebner; Solicitor, Steve Goudsouzian and Borough Senior Clerk, David Gehman. Members of the public in attendance: Pete & Bonnie Mammana, Tristen Wickkiser, Pete & Sandy Rossi, Leon Stull, Bruce Walter, Kevin Stull, Trude Hargraves and David Bogusky.

Upon motion by Mr. H. Nodoline, second by Mr. James; Council approved check #15328 through #15392 from the General Fund Account.

Discussion - Mr. Dees questioned check #20296. Mr. Gehman explained that check #20296 was printed incorrectly and the number was out of order. The check was voided.

Motion passed 5 - 1. Mr. T. Nodoline was the dissenting vote.

Upon motion by Mr. Lewis, second by Mr. James; Council approved check #2008 and #2009 from the Sewer Fund Account

Discussion – Mr. Dees asked if the Borough has always paid meter reading fees. Mr. Gehman replied yes. If the Borough would charge a Sewer rate per water usage the readings would be necessary.

Motion passed 6 - 0.

Upon motion by Mr. James, second by Mr. Dees: Council approved check #335785 from the Liquid Fuels Fund Account.

Discussion – Mr. Lewis asked if the funds had to come out of Liquid Fuels. Mr. Rossi stated that the Borough had obtained a job number from PennDOT for the purpose of using monies from the Liquid Fuels Fund.

Upon motion by Mr. James, second by Mr. Lewis: Council approved the Deposits & Receipts for August 2016.

Motion passed 6 - 0.

Upon motion by Mr. H. Nodoline, second by Mr. Dees; Council approved the minutes from the August 8, 2016 meeting.

Motion passed 6 - 0.

Upon motion by Mr. Dees, second by Mr. Lewis; Council approved the Treasurer's Report for August 2016.

Motion passed 6 - 0.

Public Comment –

Leon Stull of Second Street wanted to discuss the paper street that is behind his son's property. His son has maintained the land behind his property, cut the grass and even put up a fence with a gated entrance. Mr. Stull stated that the Borough Solicitor at the time, 23 years ago, stated that the Borough had no plans to use the land or maintain it. Mr. Stull stated that a neighbor of his son, the Breidinger's, drive in and out of the paper street to their property multiple times a day.

Solicitor Goudsouzian stated that the law is if the Borough does not make use of the land the property then becomes part of the land owner's to the midpoint of the paper street. It is the responsibility of the land owners to maintain the property and they cannot deny access to anyone that owns property down the paper street.

Kevin Stull of Center Street continued the discussion his father started. He questioned that even though he maintains the property it does not show on his deed and his insurance company will not insure the property.

Solicitor Goudsouzian said that this is a real problem and there is no easy solution.

Mayor's Report –

No Mayor's Report.

Engineer's Report –

Doug Brown from Barry Isett & Associates provided the Engineering report. Mr. Brown told the Borough Council that AMS has completed the first half of their contract and the second phase of the work will be done September 22 through 28. It will take approximately three days, depending upon the weather.

A clarification on the work being done by GoreCon, Inc. for the repair project of Adamson Street and Spring Street will result in an additional cost of \$805.80. Mr. Brown strongly suggested that an Engineer oversee the project. Their rate for inspection services would be \$70/hour and not to exceed \$4,200.00 for the project over the course of three weeks (20 hours per week).

Mr. Brown also contacted GoreCon, Inc. for an estimate to replace the first 12 feet of sanitary sewer from the manhole down the street. GoreCon has yet to reply with an estimate. Mr. Brown said that he worked the numbers and estimated that the cost would be approximately \$5000.

Barry Isset and Associates provided costs to prepare a base map and incorporate information from the Borough paper maps. Barry Isset and Associates has offered to provide training to the Borough staff on MS4.

A rough draft of the LSA Grant Application has been provided to the Borough. Mr. Brown asked that the rough draft be marked up with any corrections and then returned to Barry Isset & Associates so that a completed application could be filed by September 26, 2016.

Mr. Gehman noted that the check for the \$100 application fee was approved earlier by Council.

Upon motion by Mr. Lewis, second by Mr. James; Council approved the additional spending of \$805.80 for the Adamson Street and Spring Street Repair Project.

Motion passed 6 – 0.

Upon motion by Mr. H. Nodoline, second by Mr. James; Council approved spending up \$4,200.00 for an Engineer/Inspector from Barry Isset and Associates to be on site for the Adamson Street and Spring Street Repair Project.

Motion passed 6 – 0.

Upon motion by Mr. Lewis, second by Mr. T. Nodoline; Council approved spending up to \$10,000.00 to replace the 12 feet of sanitary sewer pipe starting at the manhole on Adamson Street.

Motion passed 5 – 1. Mr. Dees was the dissenting vote.

Solicitor's report –

Solicitor Goudsouzian stated that in executive session he will discuss the Mezzacappa litigation and the Investigation.

Upon motion by Mr. H. Nodoline, second by Mr. James: Council voted to enter Executive Session.

Motion passed 6 – 0

Executive session entered 7:46pm

Executive session exited 8:05pm

Upon motion by Mr. Lewis, second by Mr. James, Council voted to exit Executive Session.

Motion passed 6 – 0.

Upon motion by Mr. Lewis, second by Mr. Dees; Council elected not to take action on any of the items from Executive Session at this time.

Motion passed 5 – 0. Mr. T. Nodoline abstained.

Mr. H. Nodoline left the Council meeting at 8:07pm.

Office Report -

Ms. Heebner, Borough Manager, and Mr. Gehman, Borough Senior Clerk, had two items to be discussed. The first item is replacement of the copier/printer/scanner in the Borough office. The machine is 6 years old and there have been numerous calls to Konica Minolta for service because the “printer” portion of the machine consistently loses contact with the new computer system and no users are able to print larger jobs to the machine.

EZ Micro has provided the office with a list of local vendors to contact regarding the replacement of the copier/printer/scanner.

The second item for discussion is this year’s Halloween Parade. The office staff has spoken to Mr. Bill Bogari, Sr. The parade is scheduled for Monday, October 24th. The parade forms at 5:30pm on Tenth Street and will proceed to the Gerald W. Gross Park at 6:00pm.

Mr. Bill Bogari, Sr. recommended a letter be sent to the Fire Company asking them for their donation of 20 dozen hot dogs and a 1/2 barrel of birch beer. Mr. Bogari stated that he and his wife would donate the hot dog rolls.

President’s Report –

Upon motion by Mr. Lewis, second by Mr. Dees; Council approved Dan DePaul as the official to execute all documents between the Borough and the Commonwealth

Financing Authority to obtain the requested grant to build the Ridge Street Maintenance Building.

Upon motion by Mr. James, second by Mr. T. Nodoline; Council approved Bob Lewis' travel request to attend the Fall Conference and attend a seminar on Basic Budgeting and David Gehman's travel request to attend three day training on Zoning.

Motion passed 5 – 0

A discussion was held regarding the use of 84 Main Street. The property was being considered to be used as an Outpatient Drug & Alcohol Abuse Treatment Center. The zoning officer reviewed the letter regarding the use and agreed that it was feasible.

Ms. Heebner stated that this type of business could be placed in the "RS" zoning area whereas "LI" could be an "office." There is no definition of office in the zoning book. Mr. Rossi noted that in the current zoning book there is no definition for "office." This is not a conditional use; it is a use by right.

Upon motion by Mr. James, second by Mr. Lewis, Council approved the granting of use for 84 Main Street on the findings of the Solicitor and office staff.

Motion passed 4 – 1. Mr. T. Nodoline was the dissenting vote.

Committee Reports –

Finance Committee – Scheduled meetings for Thursday, September 15th at 12pm and Thursday, September 22nd at 1pm.

Upon motion by Mr. Lewis, second by Mr. Dees; Council approved the adjustment of the budget proposed by the Finance Committee.

Highway/Property Committee – Council President DePaul mentioned that the streets are in process of being resurfaced.

Public Safety/Personnel Committee – Will be meeting with Wilson Borough Council on Monday, September 19th to continue discussions on Police protection.

The Personnel/Public Safety Committee scheduled a meeting for Tuesday, September 20th @ 10:30am.

Legal/Newsletter/Computer Committee – set a meeting for Thursday, September 22nd @ 2pm. The committee will be discussing the new quality of life ordinance.

Ms. Heebner asked if nuisance burning and open burning was included in the ordinance.

Utilities Committee –

Upon a motion by Mr. Lewis, second by Mr. Dees; Council approved Mr. James to begin the process for buying out the lease for the two street lights that are currently being leased by Met-Ed.

Motion passed 5 – 0.

Upon motion by Mr. Dees, second by Mr. Lewis; Council approved spending \$200.00 to buy out the lease on two remaining leased street lights.

Motion passed 5 – 0.

Recreation – Mr. T. Nodoline said that the three signs are done; one for the renaming of the Ninth Street Park and the two for the renaming of Keystone Park. He will call to find out when they can be delivered and the cost.

Grants – Mr. Dees commented that he attended the meeting on August 22nd regarding the Casino Gaming Uncommitted Funds Grant. He expected little chance of the Borough receiving funds because there were 33 communities applied for more than \$700,000 in grant money with only about \$200,000 available from the fun. West Easton's request was for sidewalks. Most other communities were asking police items, such as...car, body armor, additional manpower.

Old Business -

None

New Business -

Council President Dan DePaul again told the members of the audience that the Borough is seeking an individual to represent West Easton on the Wilson Recreation Board. The Wilson Recreation Board is currently rewriting their by-laws.

Mr. DePaul requested that a notice be placed on the Community Bulletin Board also at the front window of the business office.

Additional Public Comment

Trude Hargraves of Second Street asked when the representatives of West Easton were meeting with representatives from Wilson regarding police protection. Mrs. Hargraves was told that the next meeting on police protection would be Monday, September 19th at the Wilson Borough Council Chambers.

There will be no second meeting for the month of September. The next Council meeting will be Monday, October 10th at 7pm.

Upon motion by Mr. Lewis, second by Mr. Dees; Council voted to adjourn.

Motion passed 5-0. Meeting adjourned at 9:02pm.

Respectfully submitted by:
David W. Gehman, Borough Senior Clerk