

BOROUGH OF WEST EASTON
COUNCIL MEETING

June 13, 2016

APPROVED

The second monthly 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: Matthew Dees, Henry Nodoline, Thomas Nodoline, Robert Lewis and Paul James. Mayor Gerald Gross, Interim Borough Manager Pete Rossi and Solicitor Steve Goudsouzian were present. Chris Geary of Barry Isett & Associates was present to give the Engineer's Report. Pete & Bonnie Mammana, Tricia Mezzacappa, Sandi Rossi, Trude Hargraves, Jim & Elaine Jankowich, Ruth Keiber and her son, Nathaniel, and Dane Thatcher were members of the public in attendance.

A motion by Mr. Dees, second by Mr. Lewis; Council approved check # 15035 through #15066 and #15201 through #15210 in the General Fund.

Discussion – Mr. Dees questioned check # 15055 payable to Applied Micro Systems as to why we were still paying them. Mr. Gehman explained that we need to pay the service contract until we go live with the Caselle system in the event there is a problem with the AMS software. Mr. Gehman anticipated that it would be approximately another month until the new system goes live.

Motion passed 6 - 0.

A motion by Mr. Dees, second by Mr. James, Council approved check # 1953 through #1955 from the Sewer Fund.

No discussion. Motion passed 6 - 0.

A motion by Mr. Lewis, second by Mr. H. Nodoline, Council approved the Deposit & Receipts for May 2016.

Motion passed 6 – 0.

A motion by Mr. Lewis, second by Mr. H. Nodoline, Council approved the minutes from the May 9, 2016 Council meeting.

Motion passed 6 – 0.

A motion by Mr. Dees, second by Mr. Lewis, Council approved the minutes from the May 23, 2016 Council meeting, with corrections.

Discussion – Mr. T. Nodoline noted that the vote on top of page 3 was incorrect. The vote should have been 4-1 with Mr. Nixon abstaining and Mr. T. Nodoline dissenting.

Mr. Dees wanted the minutes to reflect Ms. Mezzacappa's exact words of bigotry and racism not just that he was harassing her.

Motion passed 6-0 with corrections.

A motion by Mr. H. Nodoline, second by Mr. Dees, Council approved the Treasurer's Report for May 2016.

Discussion – Mr. Dees questioned about the Sewer CD maturing. It was explained that this report was through 5/31/2016 so the CD had not matured. The CD from the Sewer fund was renewed but at Merchants Bank of Bangor for a higher rate of interest.

A decision to take money out of the General Fund to create a CD was referred to the Finance Committee. The Finance Committee also wants to see reports from the new system comparing actual vs budgeted numbers for the 2016 budget.

Public Comment

Tricia Mezzacappa of Ridge Street – Ms. Mezzacappa accused Councilman Dees of discussing items that were mentioned in Executive Session to the public. She asked Mr. Dees, "Do you discuss litigation outside of Executive Session?"

Solicitor Goudsouzian stated that Public Comment is allowed to make comments to Council and is not to start a discussion.

Ms. Mezzacappa stated that her litigation with the Borough was being thrown around.

Solicitor Goudsouzian did state that the Borough was in Court on Friday, June 3rd and he anticipated a formal report to be released soon by the Judge.

Ms. Mezzacappa also disagreed with his "bio" on the Borough's website; she felt it was more of a political statement rather than a "bio." Mr. Dees at first did not understand what she was referring to but when he did he agreed to take it off the site.

Mayor's Report –

Mayor Gross mentioned that there is currently a bill in the State House for municipalities that have State Police coverage to be charged for the coverage. The Mayor stated that it is the function of the Borough Council to negotiate a deal for coverage.

The Mayor investigated the cost to convert the Borough's street lighting to LED lighting. The Borough has 89 street lights. It would be a cost of \$230.00 per light for the conversion. Met-Ed, the Borough's current energy supplier, would do the work but the Borough would need to sign a 10-year contract. The savings are estimated at \$3,100/year and the savings would cover the cost in about 8 years.

The Mayor introduced Nathaniel Keiber. Nathaniel is an Eagle Scout life rank working on his Citizenship in Community merit badge and was attending the Council meeting as part of the requirements in completing his badge.

Engineer's Report –

Chris Geary from Barry Isett & Associates reported to Council on the road repair on Spring Street and also on Adamson Street.

Chris Geary stated that the projects would be advertised in the Morning Call and also on PennBid. He did not have an exact date because he was waiting for PennDOT to respond to an inquiry he had made with them.

The MS-4 report for the Borough has been completed and sent.

Mr. Geary is expecting a reply by July 7th for the grant the Borough was hoping to use for the Storm Sewer repair.

Solicitor's Report –

Solicitor Goudsouzian stated that there are two items that need to be discussed during an Executive Session.

The first item is codification. Solicitor Goudsouzian stated that the Borough can no longer ignore the issue and it needs to be done. He also mentioned that there are companies that can complete the work and then have it put on-line for the Borough. Solicitor Goudsouzian stated that many of the Borough's ordinances cannot be enforced because of the way they are written and that the Borough has no police presence to enforce them.

The second item is the Mezzacappa litigation which would be discussed in Executive Session.

Office Report

Mr. Gehman reported that the majority of the funds have now been moved from Lafayette Ambassador Bank to Merchant's Bank of Bangor. The Sewer CD that matured at Lafayette Ambassador has been renewed at Merchant's at an interest rate of 1.3% for a 2-year period.

Mr. Rossi recommended that the Borough hire Hunter Velekei for summer help pending passing a drug test. Mr. Rossi stated that Hunter was at his high school graduation and was not able to attend the Council meeting. He does have a valid driver's license.

A motion by Mr. H. Nodoline, second by Mr. James; Council approved the hiring of Hunter Velekei for summer help pending the outcome of his drug test.

Motion passed 6 – 0.

Mr. Rossi asked Council to set a date for the Gerald W. Gross park dedication. Scheduling of the date was referred to the Recreation Committee. The Recreation Committee set a meeting date of Monday, June 27th, 7pm to meet at the Borough office.

Mr. Rossi also mentioned that Council President DePaul is the contact person for the Borough in regards to the MS-4 report. MS-4 information was provided with the last newsletter. Dane Thatcher, the Borough's Maintenance worker, inspects the drains on a weekly basis. Mr. Rossi stated that coming in the near future the inspections and fines will be serious and the fines higher if municipalities don't comply with the state mandates.

Finally, Mr. Rossi asked Council to advertise the position of Borough Manager.

A motion by Mr. Lewis, second by Mr. H. Nodoline; Council approved to advertise the position of Borough Manager.

Motion passed 6 – 0.

Council President Report

Council President DePaul started off his report by discussing the need for Pet Waste Stations at the parks. Mr. DePaul found that the stations can be purchased for \$215/station. Council agreed to wait to purchase the stations when they are mandated by state law.

Mr. DePaul again brought up the condition of the property located at 813 Ridge Street. The poor conditions – weeds, abandoned cars, high grass – have been an eye sore to the neighborhood for more than three years. Mr. Rossi stated that the office staff has been on top of the issue with the plighted properties in the Borough. The office has a contact for the property and is working with them to get the property secured and cleaned up.

Council Roundtable

Mr. Henry Nodoline started the discussion on what to do with swimming pools within the Borough. There are properties within the Borough that the pools are not being maintained and are a serious threat for mosquitoes.

Mr. H. Nodoline continued with a list of items that should be addressed: (1) Property owners should be responsible for the curbs and sidewalks in along their properties. Many sidewalks are in need of repair or replacement. (2) Trees & shrubs should be trimmed back along the edges of properties. There are several properties that the trees and shrubs are so overgrown that it is limiting driver's vision. Drivers actually need to pull out into the street to be able to see oncoming traffic. (3) Speaker system for Council chambers. Mr. H. Noldoline stated his hearing is not good and he cannot understand what most people are saying when they speak. (4) DUI Center – Mr. Nodoline stated that the Center is not used just for someone with a DUI on their record. The Borough should be made aware as to the type of individuals that are being housed at the DUI Center.

Mr. Thomas Nodoline questioned why the Utility billing was late.

Mr. Gehman replied that the first quarter billing was sent out on February 12 nearly a month after it should have been sent (January 15). The second quarter billing was sent out on May 2 due June 2.

Mr. T Nodoline made a motion to waive all late fees incurred by Borough residents. There was no second to the motion. Motion failed.

**Mr. Thomas Nodoline left the Council meeting at 8:49pm.

Committee Reports

Finance Committee

The Finance Committee set a meeting for Thursday, June 16 at 1pm to discuss moving General Funds out of the checking account and into a CD and also to discuss the rising costs of legal expenses.

Property/Highway Committee

Mr. H. Nodoline provided a list of jobs that should be done in the Borough.

- (1) Borough Hall lawn – use screened top soil and have the lawn reseeded.
- (2) Purchase mulch and finish spreading mulch around at the Borough properties
- (3) Seal the cracks and stripe the Borough Hall parking lot.
- (4) Power wash and point the Belgium stones
- (5) Fill-in and re-point brick wall of Borough Hall building
- (6) Repair cracks in Iron & Keystone Avenues
- (7) Repair cracks in Adamson Street.

A motion by Mr. Dees, second by Mr. Lewis; Council approved getting estimates for the work that Mr. Nodoline would like to be done.

Motion passed 5 – 0.

Public Safety/Personnel

The Public Safety Committee has set up a meeting at the Borough office on Friday, June 17th at 10am, followed by the Legal committee at 11am to discuss the Pool Ordinance.

Solicitor Goudsouzian stated that the problem with many of the ordinances is that many ordinances do not deal with a specific problem. Codification would help to eliminate most of these issues.

Old Business

Mr. Rossi asked Council to purchase a home generator for the Borough. A home generator would be strong enough to power the computers in the office so that Borough business could be done.

A motion by Mr. Lewis, second by Mr. Dees; Council approved purchasing a portable general.

Motion passed 4 – 1. Dissenting Mr. H. Nodoline

Mr. DePaul mentioned purchasing a folding machine for the Borough. The folding machine could be purchased for about \$500 plus shipping.

If Dallas Data Systems would print and send out our quarterly billing and newsletter the folding machine would not be needed.

Mr. H. Nodoline would also like the streets to be swept. He asked if Wilson Borough or the City of Easton could be contacted to see if they would provide the service to the Borough. If not, contact Martin to see what that company would charge.

New Business

Mr. Dees requested that he be removed from the Legal Committee. Mr. James and Mr. Dees will switch chairs of their respective Committees.

Council President DePaul asked about the cameras that were to be put up on Lehigh Drive. Mr. Rossi responded that we have one bear box and the one camera will be placed at a lower level.

Council President DePaul also asked about the repair to the Glendon Hill Road. Mr. Rossi stated that he had contacted PennDOT in regards to the issue. PennDOT is understaffed and they will get to it when they can.

Public Comment

Trude Hargaves of Second Street asked about 813 Ridge Street. Ms. Hargaves asked if the home has been empty. Mr. DePaul replied, "Years." She wondered if someone has been paying the property taxes on the property.

Ms. Hargaves also inquired about someone peddling meat inside the Borough. She mentioned that she was sitting out on her patio when a man in a white van pulled up in front of her home and got out of his vehicle and asked if she was interested in buying meat. Ms. Hargaves wondered if the person should have a business license.

Mr. Gehman stated that anyone doing business in the Borough should have a business license.

Mr. Jim Jankowich wanted to let Council know that Lehigh Drive is littered with paper and bottles. He felt mainly from fishermen who were fishing in the river.

Council Entered Executive Session at 9:51pm

Council Exited Executive Session at 10:19 pm

A motion by Mr. Lewis, second by Mr. James, Council approved the Solicitor to settle the Mezzacappa litigation as per the discussion in Executive session

Motion passed 5-0.

A motion by Mr. Lewis, second by Mr. James; Council approved to adjourn.

Motion passed 5 – 0.

Meeting adjourned 10:22pm.