

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
863-7288  
FAX 863-1011**

The Council meeting of the Borough of Wind Gap on Tuesday, March 19, 2002, was called to order at 7:30 p.m. by Council President Winton Male, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Lewis Paulhamus, Mitchell D. Mogilski, Sr., William Pysher, Richard Getz and Kerry Gassler. Also in attendance were Mayor Kenneth George and Secretary/Treasurer Louise Firestone. Councilman Charles Sutter participated via telephone.

**Approval of Minutes –**

Bill Pysher stated that the minutes of March 4, 2002 under New Business, Contract Award Waste Tire Removal should include that the vote was unanimous.

Mitch requested that he be provided copies of any discussions regarding the purchase of the new copier referenced on page 6, no. 3 that have been ongoing for a year.

Mitch stated the on page 7, the minutes incorrectly stated that he had a blank check for \$10,000. Mr. Male replied that the minutes do not reference that Mitch took a blank check.

**On motion** by Kerry Gassler to approve the minutes of March 4, 2002 as amended and seconded by Bill Pysher. Roll call vote taken. Motion carried unanimously.

Mitch asked Council's opinion on having the minutes re-distributed after corrections are made. Kerry stated that as long as the corrections are made and kept in the office that would be sufficient.

**Public Comment**

1. John Snuggs, referenced a letter dated October 22, 1998 from Waste Management reiterating their concern for the nearby communities of the Landfill. The letter states that the 512 corridor is not safe and specifically requests having the garbage trucks traveling in from the south to use 191 North and then onto Pen Argyl Road. John asked why this is not being enforced and why is it not being questioned. He stated that someone needs to find out about this ruling because the safety of the Borough citizens is in question.
2. Roger Bet, 20 Fairview Avenue, Wind Gap. Roger once again questioned when the sewer line will be put in for the new restrooms. He stated that the Park Board received quotes to have the work done and that Council decided not to accept them. He added that the Borough is in

receipt of the \$15,000 from Plainfield Township and that can be used for the sewer line installation. Mr. Male replied that the Plainfield money was included in the Borough's application for the grant from DCNR as part of the Borough's contribution. Mr. Male said that if the Borough can receive grant money we should wait and not use taxpayer's money for this project. He again stated that grant award announcements should be done soon. Roger commented that if the project is not started by the end of the month then the project may be lost until the Fall because digging will have to be done through the softball field and they start mid-April. Mr. Male replied that the line may be able to be run down the pathway direct to Lehigh Avenue. Kerry added that if the line runs through the softball field it would have gravity to flow. Another route would require the installation of extra manholes, possibly 4 or 5 more and every manhole would cost approximately \$1,000. Mr. Male stated that this will be addressed in a few days.

3. George Hinton stated that the bathrooms are very important. Last year it cost the Fire

Company about \$1,000 to have those bathrooms down in the Park for the picnic because adequate facilities do not exist. Every year that is cost \$1,000, the Fire Company has to ask Council for that money. The new facilities will benefit everyone. George asked about his request for cost of engineering for East West Street. He asked why Council should spend money on projects that are never going to get done. He said that Council should spend this money on streets. The longer Council puts projects off the more they are going to cost the taxpayers. He suggested doing a project a year and do it right and people will notice that things are getting done. He urged Council to stop wasting money and get the streets done.

4. Bob Matlock, 346 Alpha Avenue, Wind Gap. Bob stated that he came into the Borough office

on Saturday, March 9, 2002 to speak to Mr. Male. Bob said he was told by Mr. Male that, I'm not talking to you, you wrote a nasty letter and I'm busy, I'm not going to talk to you. Bob reminded those on Council that they were chosen by the people and are public servants. He added that if Mr. Male deems it necessary not to talk to him when the office is open, then you are slighting me as a taxpayer and I don't appreciate it. If the office is not open, close the door and turn out the lights. He requested that Council set forth some type of reprimand for Mr. Male because he doesn't think it is right. His second issue was the trucks in residential areas. Many people are complaining about the trucks and yet nothing is ever done about it. Bob stated that Mr. Male sent the Chief up to Bob's house to give him a citation for putting some garbage cans in front of his property, those cans were put there to preserve parking for him. He stated that Borough ordinance 333 specifies the painting of no parking areas, but he does not see anything in there about preserving a parking space. The reason it was done was because Council does nothing about the parking of tractor / trailer in a residential area. If this issue was addressed once and for all he would not have to put those cans out there to reserve his own parking. He does not

appreciate someone parking a truck in front of his property because it degrades the property and lowers the value. He is not grand standing, he is a taxpayer in this Borough and he would like some action. He asked the Mayor that if he does not like all the trucks going through the Borough then why don't you have the Police enforce it and if you are going to run the Police Department, then he suggests the Mayor do a better job.

5. Paul Levits. He stated that the money is there to hook up the lines, so hook it up. He said that there is potential for a child picking up hepatitis. If raw sewage comes to the surface during a wet spring, and it can be traced back to the Borough is it worth waiting for the grant money? His second issue was a suggestion to e-mail out the agenda, twenty-four hours ahead of time. His third issue was in regard to the fish store. He referenced the complaint received by the Mayor regarding the dumping of water in the alley behind the fish store. Paul received a phone call tonight with the same complaint. Paul suggested that the Municipal Authority and Council work together to resolve this issue. He said that Terry, the Plant Manager for the Municipal Authority, and a Councilman should contact the fish store owner for an internal inspection. If they are denied access, then Council can take further steps and contact the Sewage Enforcement Officer (SEO). He is asking Council to notify the SEO that this is a dead issue unless notified. He asked Council for support of the Municipal Authority to contact the owner for the inspection. Paul clarified that the Municipal Authority will set up the inspection appointment, they will contact the Borough to have a representative from the Borough, possibly John Zucal, to participate. Municipal Authority to keep Council informed of status.

## **New Business**

1. Salt Contract Participation Agreement. The Borough has not been able to satisfy the minimum purchasing requirement of salt because the winter weather has not be very severe. Cargill Salt may handle this problem on a case by case basis. Mr. Male asked Council for approval to negotiate with Cargill to reduce the minimum purchase requirement of 110.45 tons of salt. He would like to offer to purchase the required amount of salt, pay for it, have Cargill store it and then have them deliver it when it is needed next winter. By the end of this month, the Borough must complete the agreement for next winter and it must be determined what is required for the remainder of this year and what has to be carried over into next winter. Bill added that the needs for next year will change because the Borough no longer takes care of the hill. The Borough must purchase at least 60% of the agreed amount and no more than 20% over that amount.

**On motion** by Bill Pysher to authorize Winton Male to try to negotiate less than the 110 tons that the Borough is obligated and pay up to 110 tons if they can store it for us and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

Bill suggested that the Borough may negotiate with the state to store this salt in combination with the Agility Program. Mr. Male stated that the Agility Program is not yet in

place, but must be done.

2. International Property Maintenance Code. Mr. Male gave a copy of the code to Council. This maintenance code would address the house that burned on Eighth Street and the house that has the chimney falling off the house. Mr. Male discussed this topic with the Zoning Officer and he did not foresee a problem if it was instituted by the Borough. He could handle it if the Borough just responded to complaints. Mr. Male asked Council to review and further discussions will be held.

## Old Business

1. Wind Gap Athletic Association Insurance.. Mr. Male stated that Erie Insurance withdrew their cancellation notice because payment was received on their policy. There is nothing Council has to do at this point.

2. Committee Spending Limits. Mitch reported that he and Lewis are still working on this issue.

3. Bog Turtle Habitat Update. Mr. Male attended a meeting last Thursday with Ron Madison and Sharon Gent, Hanover Engineering, in Wilkes-Barre. They met with the Army Corp of Engineers and representatives from DEP regarding the habitat problem. It is in the hands of the U.S. Forestry Service at the moment. The Army Corp representative, Amanda, will continue to keep after the people at the Forestry Service. The swale through the wetlands down to the creek was discussed. Mr. Male feels that they are trying to help and they understand the grant money for this project has a deadline of December 31, 2002. They will take a closer look at the amount of wetlands are along the access road.

4. Mowing Borough Property. The Borough has received two bids for the Borough property grass cutting - one was received and is still sealed from last year, one was a faxed quote and today another party offered to quote on the cutting.

**On motion** by Mitchell D. Mogilski, Sr. to contact the two contractors who gave bids last year to give us a bid this year in sealed envelopes. Motion died for lack of a second.

Richard cautioned Council regarding the Street Leader being a member of a union and the grass cutting has been a past practice. Mitch stated that it is not in the contract. Richard replied that it may not matter since this job has been completed by the Street Department as part of their duties and they should look at the legality of the issue prior to making any decisions. He added that maybe Council should look into the subject when contract negotiations occur at the end of

this year.

5. Third Street Traffic Count. Mr. Male distributed a letter from Hanover Engineering to Council on March 15. Hanover is quoting \$2,970.00 to complete a traffic study on Third Street for the possible installation of a traffic light. Kerry stated that the last time a quote received from Hanover to do this study was \$1,500. Mr. Male to follow up with Hanover regarding the recently quoted cost. Kerry stated that Council should decide if they are serious about installing a traffic light or not. If this is a project that Council will commit funds to then why not just have PennDOT do the initial study at no charge and cut out the study to be done by Hanover. If PennDOT deems a traffic light must be installed, then Council must spend the estimated \$55,000 - \$70,000 for the light. Mr. Male stated it is his understanding that PennDOT only does traffic surveys two days of the week and he doesn't believe Saturday morning is one of them. Kerry said that he feels from the Town Meeting that most citizens are in favor of a traffic light at that intersection. Richard asked that if PennDOT does the study and denies the light can Council go back to Hanover to have another study done by them as Borough Engineer to justify the light? This is something that can be discussed. The hope is that PennDOT can do this survey prior to school letting out for the summer.

**On motion** by Kerry Gassler to have PennDOT do the survey and see what the results are and commit funds from our reserve account and seconded by Lewis Paulhamus. Roll call vote taken. Motion carried unanimously.

Mr. Male stated the School District should be contacted to send a letter explaining why the school buses have changed their traffic pattern to avoid this intersection.

6. Frequency Use Agreement. **On motion** by Kerry Gassler to accept this agreement and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

7. Lewis asked why do we have to wait until the middle of April to have the hookups for the bathroom when the money is already there. Mr. Male stated that the Park Committee will meet shortly and this issue will be addressed. **On motion** by Lewis Paulhamus to have the Park have the line from across the curb to the other curb and seconded by Kerry Gassler. Mr. Male stated that this item was not on the agenda and will not be voted on tonight. Kerry stated that if a motion is brought up on an item that is not on the agenda, then the public has a right to comment. Mitch concurred that because this item was not on the agenda it does not have to be voted on tonight.

Mr. Male asked for a motion to adjourn the meeting. **On motion** by Mitchell D. Mogilski, Sr. and seconded by Winton Male to adjourn the meeting of March 19, 2002 at 8:46 p.m., motion carried.

---

Louise M. Firestone, Secretary / Treasurer