

**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, October 15, 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 Mayor Kenneth George, Secretary/Treasurer Louise Firestone. Absent was Councilman John Hannon.

**Approval of Minutes –**

**On motion** by Kerry Gassler to approve the minutes of October 7, 2002 and seconded by Lewis Paulhamus. Mitch requested that the minutes on page 3 and page 5 include his comments regarding the Special Meeting. Kerry amended his motion. Roll call vote taken. In favor: K. Gassler, W. Male, M. Mogilski, L. Paulhamus, W. Pysher. Abstained: R. Getz. Motion carried 5-0-1.

**Public Comment**

1. County Councilman Ron Angle addressed Borough Council regarding the proposed \$37,000,000 bond issue that will appear on the ballot on November 5, 2002. Ron stated that the committee cannot answer questions related to the bond issue. It is confusing and they have not spelled everything out. It is his opinion that the County taxes will increase 50 - 60% in the next couple years. Mr. Sabatine and Mr. Merwarth stated that they would send out information booklets, but this has not been done and will not be done. He stated that they are selling this bond issue based on the term Open Space because everyone likes hearing that term. Ron explained that if the County put in \$1M this year they would probably get \$1.5M from the state. If the County puts in \$10M then the state would only give \$2M-\$3M. Why would you want to lose out on the proportionately more matching money by throwing all your money in at once? The bond would be financed over 30 year period for 2 or 3 years worth of farmland preservation money. Ron suggested if a commitment exists for farmland preservation, then make a commitment for the next ten years, put .5 mill of taxes into farmland preservation for the next ten years and capitalize on the most money back from the state. The Park money that is being discussed appears to him to be for Parks in the inner cities. The last bond issue, Bethlehem Steel benefited the most. County Council has an obligation to tell people what to expect, how the money will be administered and they can't answer those questions. Ron offered to have a public debate on the issue, but they declined. Bill Pysher stated that Council was led to believe that it was a unanimous vote of County Council for this bond issue. Ron replied that he was not

in attendance when the vote was taken. Ron explained that there is enough money from the last bond issue because not all the projects will be completed. He stated that the County is run out a back room by people with money. He stated that he was not here to tell Council how to vote, but just to inform them of the issue. He thanked Council for their time.

2. Roger Bet. Roger asked about the rider on the insurance policy for the Special Concert to be held at the Wind Gap Middle School. Winton replied that he needs the approximate attendance, but was quoted a price of somewhere between \$200 - \$300 for the special event. Mitch stated that they are already committed to this band. Roger explained that he received money from the Green Knights for this concert. Winton asked if the money was specifically for this additional concert or for the Summer Concerts? Roger stated that he can't say specifically, but this concert is just an expansion of the Summer Concert Series and the grant was for the concert series.

**On motion** by Kerry Gassler to put the rider on the insurance and seconded by Lewis Paulhamus.

Bill expressed concern about tickets that are not sold and will the Borough be involved? Roger and Kerry both stated that the Vogues are an excellent drawing group and there should not be any tickets left over. Kay Stampone added that the committee is trying to raise more money to be able to afford better groups. Winton stated that this would have run smoother if Roger had received pre-approval from Council. Roger replied that Council has been aware of this concert because he has reported it at previous meetings. Winton stated that the current insurance policy covers volunteers in the Borough, but this is a separate formed group and he is concerned about exposure for the Borough. Roger informed Council that a fundraiser was held to expand the music series and those monies will be used to offset the expense. Kerry stated that he feels the Borough should be picking up for the additional insurance. Roll call vote taken on motion. In favor: K. Gassler, W. Male, M. Mogilski, L. Paulhamus, B. Pysher. Opposed: R. Getz. Motion carried with vote of 5-1.

3. Paul Levits stated that it is his opinion that the representative from Hanover Engineering was not competent for Wind Gap. She read from the notes, did a poor job at best and the Borough did not receive what was promised as far as professional service.

Paul questioned why the vendors who submit their bills on the last day of the month only have to wait a couple days for payment? Winton replied that the Borough as well as other government entities pay their bills once a month and all bills for the month are typically processed for payment.

4. Winton stated that the agenda is full and asked if the meeting tonight could be extended past the curfew to 10:30 p.m. **On motion** by Bill Pysher to extend the meeting past the curfew and seconded by Winton. Roll call vote taken. In favor: W. Male, B. Pysher. Opposed: K. Gassler, R. Getz, M. Mogilski, L. Paulhamus. Motion was defeated by a vote of 2-4.

## Old Business

1. Police Safe. Bill reported that the Chief found a safe for the Police firearms. It is a

Browning Safe and will be delivered for a cost of \$1,199. Bill suggested using the figure of \$1,250 for any unforeseen cost. **On motion** by Mitchell D. Mogilski, Sr. to purchase the Browning safe at a maximum cost of \$1,250 for the Police and seconded by Bill Pysher. Roll call vote taken. Motion carried unanimously.

## **New Business**

1. Park Sidewalk Payment. The work has been completed for the sidewalk in the Park. **On motion** by Kerry Gassler to release payment to John Pinto in the amount of \$6,360 and seconded by Richard Getz. Roll call vote taken. Motion carried unanimously.

2. Bracalente Construction Street Payment. **On motion** by Kerry Gassler to pay Bracalente in the amount of \$136,239.37 subject to tonnage verification and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

3. Advertisement for Part-time Police Officer. Discussion regarding who will interview and how many officers the Borough is looking to hire. The Mayor, the Chief and Bill Pysher will do the interviewing and currently the desire is to hire two officers. On motion by Lewis Paulhamus to advertise for two Police Officers and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

4. Robert Stasak resignation from Planning Commission. On motion by Kerry Gassler to accept the resignation letter of Robert Stasak and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

The Planning Commission is in need of two members and Richard is still searching for any interested residents. The Municipal Planning Code requires that the members be residents of the Borough.

5. Installation of Fire Suppression System. Mitch stated that the Fire Company is in need of a new Fire Suppression System and the vendor is asking for 50% of the payment up front. Kerry asked what company did the Fire Company get a quote from for the installation? Mitch replied that he believed it was Kistler. Kerry suggested getting in touch with Be Safe out of Brodheadsville because they can do inspections.

## **Public Comment (cont'd)**

2. Carol George reported that the last six years the Christmas Tree Lighting Ceremony held at the monument on Lehigh was a big production. She informed the Borough Office a couple months ago that she would no longer be organizing this event. Unfortunately, no one has expressed interest in taking over this ceremony. She suggested contacting one of the churches in the Borough and asking them to handle erecting the tree. Christmas carols and reading of the Christmas Story may be possible suggestion for the ceremony. Carol had hoped that the Boy Scouts would be interested in continuing the tradition, but the troop left the Borough. Carol volunteered to contact the churches with approval from Council. On motion by Richard Getz to

have Carol George contact groups in the hope of securing an organization to permanently carry on this tradition and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

3. Paul Levits questioned the topic to be discussed under Old Business regarding a draft letter from Hanover Engineering regarding illegal dumping. Winton replied that the letter was requested by Council from Hanover to address the dumping of garbage and leaves in streams that is causing clogging of grates and streams.

### **Old Business (cont'd)**

2. Hanover Engineering - Illegal Dumping Draft Letter. Hanover Engineering prepared a draft letter to be sent to homeowner adjacent to streams to remind them that it is illegal to dump any garbage or yard clippings in the stream. **On motion** by Bill Pysher to send the letter that was drafted by Hanover to property owners adjoining to the streams and seconded by Kerry Gassler. Richard suggested sending a friendly letter to make people aware of the situation. Suggestion to notify all property owners through a general mailing and include a notice of the suggested Town Meeting. Bill **revised his motion** to include sending the letter and meeting notice to everyone and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

3. Park Restroom. Winton explained that an upgrade from ceramic fixtures to stainless fixtures would cost approximately \$8,000 more. Kerry asked if the restroom committee looked into having an architect design the restroom? Winton replied that he called the others on the committee and the consensus is that the pre-cast would be the way to go. The architect's fee would be roughly 10% of the cost. Kerry asked if the committee is in agreement? Winton replied that most of the committee went to the pre-cast plant to observe the quality and construction of the pre-cast building. Bill asked if there would be any hidden costs? Winton replied that no engineering would be involved for the building because it is already designed. **On motion** by Lewis Paulhamus to approve stainless steel fixtures at the Park restroom and have Hanover Engineering proceed and seconded by Bill Pysher. Roll call vote taken. Motion carried unanimously.

Mayor George left at approximately 8:55 p.m.

Winton stated that the Borough will be short money for the restroom. Lewis replied that the Park budget has \$8,000 earmarked for the sewer line. Kerry suggested putting money in the budget for next year to complete the restroom project.

### **New Business**

6. Park Sidewalk Installation Bids for additional 200 feet of sidewalk in the Park. **On motion** by Kerry Gassler to open the bids and seconded by Lewis Paulhamus. Roll call vote taken. Motion carried unanimously.

## Bids received from:

3M Construction	\$3,200
John Pinto	\$3,600

The bid is \$16/foot. They would do the 200 feet and go up to 225 feet at \$16/foot. **On motion** by Kerry Gassler to award the bid to 3M Construction and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

7. Harry Oaten's roof release of 10% retainage (\$1,265). The year is up at the end of the month, but it needs to be looked at prior to releasing the funds. Kerry will check the roof.

8. Bridge Inspection. Winton reported that the bridge on Male Road was inspected again. Some cracks were found that need to be repaired. Two years ago, Winton said that he contacted the owners of Wind Gap Plaza. The Borough has a signed agreement with the owners that they would pay for any repairs that need to be done on the bridge. Gustine asked Winton to get J. H. Beers and another contractor of the Borough's choice to get bids. Winton stated that no one he has contacted is interested. Bill suggested calling the County Bridge Department. Kerry will make contact with Beers. The Borough is just making contact with local contractors and the owners will handle the bid opening and the billing process. Kerry suggested having the bid include short and long term repairs. The work would involve permits from the DEP. Kerry cautioned that the Borough would have to involve the Borough Engineer and Guistine must be aware that they would have to reimburse the Borough for those expenses. Discussion whether the bond length was 20 or 25 years. Paul stated that Guistine has not been very co-operative with the Municipal Authority and an escrow feasibility account should be set up. Guistine paid the Borough for insurance premiums paid on the bridge in a timely manner.

9. 2003 Budget. This topic will be discussed at the next meeting.

## Reports

1. EMS - Kerry Gassler had nothing to report.

2. Police - Bill Pysher reported that the arbitration is still pending. Bill responded on September 30, 2002. He has not had a reply to his letter, but will keep Council updated. Lewis asked what is being done with the third police car? Winton replied that a police officer is attending a training class for two weeks and he will use that vehicle as opposed to the Borough reimbursing him for use of his private vehicle. That vehicle is out of police service, but still can be driven.

3. Streets - Kerry Gassler reported that all the streets are completed. John is working on having the leaf vacuum installed on the big truck to begin leaf pick up the first week of November. John will filling cracks next week. Winton asked if an evaluation was done after Pocono Spray Patch. Kerry and Mitch agreed that they should be called to return.

4. Finance and Administration - Winton Male stated that Council has to agree on a date

for the Town Meeting. **On motion** by Kerry Gassler to hold the Town Meeting on Thursday, November 21, 2002 and seconded by Richard Getz. The meeting will be held at the Firehouse and begin at 7:00 p.m. Roll call vote taken. Motion carried unanimously.

Winton received a call from Nancy Hale who supervises girls who have made bad choices and offered their services to the Borough. Nancy is in charge of approximately eight girls. They will be cleaning the Park on Mondays. They bring their own rakes, bags and other supplies. John stated that they are doing a good job. Bill asked if this is through the juvenile justice program? Winton replied that yes it is and Nancy is out of Kunkletown. He stated that they will be available to stuff envelopes. Mitch asked if they could mow the Park next summer. Winton replied that they are supervised and all appear to be under 18. Winton also suggested that these girls assist with the tree lighting ceremony.

Paul Levits asked if they have insurance? Winton stated that he will arrange to have the insurance. They are volunteers and they are already covered.

6. Zoning and Planning - Richard Getz reported that for the month of October there was nothing before Zoning. Planning reviewed the Calantoni Twins at the Gap and that has been extended to November 30, 2002. Gassler Land Development and Cortazzo Subdivision will be heard. Richard asked that it be noted again that there are openings on the Planning Commission Board. Winton stated that a special note will be included with the mailings. Kerry asked if all of Council has reviewed all the waivers given by the Planning Commission for the Twins at the Gap. Kerry suggested having Council discuss these waivers prior at some point so the developer does not assume that Council has no problem with the waivers. Winton informed Council that Len Zito called today. Zoning Officer, John Blick, had questioned the twins on one lot. They wanted to subdivide the lots. Their attorney corresponded with Len some time ago and Len responded to them that this is a zoning issue. Their attorney called Len back today and explained that the Zoning Officer did not make a mistake, but the zoning code that is unconstitutional. Kerry suggested discussing and then informing Planning Commission of any disagreement.

7. Parks and Recreation - Lewis Paulhamus reported that a group attended a safety meeting with Northampton County yesterday. He stated that a lot of the stuff in the Park is outdated and he will bring this up to the Park Board. Richard has distributed a safety handbook to all but two of the Park Board members he has not been able to contact. The Borough might have to modify some equipment and do some things better. The fall area might be an area that could use improvement. Mr. Heller suggested that prior to a major purchase, the engineer should review for the latest safety standards. Kerry had John remove the signs from the climbing wall today. Once the equipment is altered, then the manufacturer can say the equipment was not installed according to their specs.

8. Buildings and Grounds - Winton reported that Jack asked John to get information regarding installing a heater in the ladies' room.

9. Fire Company Mitchell D. Mogilski, Sr. reported that their meeting is this coming Monday.

10. Sewer Authority Kerry Gassler reported that at their meeting Community Services requested for three years of billings because the Sewer Authority billed them for the second EDU. There is a full-time staff, 24, 7 and they treated it as they do any assisted care or nursing type facilities. Winton stated that he thought this was resolved. Kerry explained that they paid the second EDU, but they paid it under a protest demand and they are asking for three years of the bills throughout the whole Borough. A cost estimate just went out at \$750. The Sewer Authority has not heard anything from Walden III. Paul stated that the attorney for Walden III, everything is going in the right direction.

11. Insurance - Winton Male asked what the estimated attendance will be for the March concert at the Middle School? Roger Bet replied seating for 750 people. He called the insurance broker so the Borough could have a copy of the insurance policy for the AA. When the broker sent them, he noted that a bill has not been paid for the Umbrella Policy. Winton to review and inform Council.

12. Land Use Committee - Winton reported that the meeting for the Land Use Committee will be on Thursday, October 24 at 7:00 p.m. The public is welcome to attend.

Mayor's Report. Mayor George had previously distributed the Police Report. Winton informed Council and those in attendance that Waste Management sent a check for \$1,000 for the Wind Gap Ambulance Corps as a third quarter donation. The Borough received a check for \$500 for the Fire Department in honor of Councilman Charles Sutter.

Mitch asked the Chief if everything is in tact with the car maintenance? Chief stated that it is.

Winton questioned if anyone knows if the Boy Scouts are still utilizing space in the Borough building. Mitch asked if someone could contact Ron Mainhardt.

**Executive Session** - Council adjourned to Executive Session at 9:39 p.m. to discuss Borough building security and John Zucal's contract.

Council meeting adjourned the meeting of October 15, 2002 at 10:00 p.m. due to the meeting curfew.

---

Louise Firestone, Secretary / Treasurer