

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
610-863-7288**

The Council meeting of the Borough of Wind Gap on Tuesday, May 20, 2003 was called to order at 7:30 p. m. by Council President Winton Male, Jr., at which time he reminded those present that the meeting was being recorded. In attendance were Council members: Lewis Paulhamus, Sandra Lockard, Mitchell D. Mogilski, Sr., William Pysher, Peter Stinson and Kerry Gassler. Also in attendance were Mayor Kenneth George, and Secretary/Treasurer Louise Firestone.

### **Approval of Minutes -**

**On motion** by Bill Pysher to approve the minutes of the April 24, 2003 public meeting and seconded by Peter Stinson. Roll call vote taken. Motion carried unanimously.

**On motion** by Mitchell D. Mogilski, Sr. to approve the minutes of the May 5, 2003 meeting and seconded by Sandra Lockard. Roll call vote taken. In favor: S. Lockard, W. Male, M. Mogilski, L. Paulhamus, B. Pysher, P. Stinson. Abstained: K. Gassler. Motion carried with a vote of 6-0-1.

Lewis asked if Public Comment could be held until after New Business because there are only a few people here.

Kerry passed out a copy of the letter to the editor written by Council President, Winton Male. He was absent at the previous Council meeting and asked if Council approved this letter to be written and signed by the Council President? It was stated that Council did not approve it. Kerry asked that it be noted in these meeting minutes.

In reply, Bill asked for an explanation regarding the flyer circulated which contained the names of Kerry Gassler, Lewis Paulhamus and Karen Skorochood stating that they are in favor of open meeting. He asked when have there been open meetings that they have been excluded? Bill stated that he took exception to this and explained that to his knowledge no private meetings have taken place in violation of the Sunshine Act. Lewis stated that the President of Council attends meetings and does not let the rest of Council know. Mitch said that it is work between actual meetings and if you are not doing that you are not doing your job. Bill added that committees do have meetings with their respective departments and they are not public meetings, such as police meetings, street committee meetings, etc. Kerry stated in defense that they were expressing a need for more openness. Mitch said that these flyers were distributed to every household in the Borough and that is misleading them. Bill would like this made part of the minutes.

### **Public Comment**

None.

### **Committee Reports.**

1. EMS – Kerry Gassler had nothing to report.
2. Police – Bill Pysher reported that Chief Armitage is conducting the orientation for the two new part-

time officers. Kerry asked if there are plans to hire any full-time officers in the near future? Mayor George replied that Council has not made a decision at this point. He advised that it might be advantageous to hire full-time officers as opposed to the part-timers because of the turnover of the part-timers. The Borough has to supply uniforms and vests to part-timers, but that does not guarantee they will stay if offered a full-time position elsewhere. Peter asked if this has been budgeted for this year? Winton replied that some money would be coming from Waste Management according to the agreement specifically for a full-time officer.

3. Mitch reported that he feels it necessary to work on the Borough's curbs tomorrow. The deadline is June 1, 2003. Mitch gave John Zucal a list of people looking for curb work because they are having difficulty securing a contractor on their own. John could do the work on his own time if he desires.

Mitch contacted Interstate Road Markings for Male Road and Alpha Road, both sections. Kerry suggesting marking what was done last year, including Lehigh and Longcore. Winton asked how long it would take John to do the Borough curbs? It would take a few days to complete the work. A curb radius needs done on Utica and on Second and Cherry. There is a question about the curb where Washington crosses West Street. Mitch stated that there is a need to find out who owns this because Paul Levits stated that he owns it, but on the Borough map it indicates that the Borough owns it. Mitch asked Council if a call could be placed to Ron or Len. Kerry reported that the Sewer Authority would be doing work in that area. Mitch replied that it is a good time to do it when the work by the Authority is done. Kerry explained that the Borough built the road up over the course of years and the curb now appears depressed. Mitch stated that the surrounding neighbors have curb, so where is the curb. Kerry suggested milling West West Street. Suggestion to send out reminder letters to property owners who have not completed the required curb work. Mitch stated that Paul Levits and Esther Constable have stated that they will not be doing their curb.

Bill asked the status of the grass cutters. Mitch spoke to Chuck Hellings from Local 773 and he has no problem with somebody mowing the Borough property. Mitch informed Kerry that the motion was to specifically mow the property, but not to work on streets. Mitch added that Mr. Hellings only concern was that John has work. It was confirmed, that John does have enough work.

Peter asked that since the Chief sent correspondence reminding Council that his contract expires at the end of this year and what is the timetable for sitting down with him? Bill reported that he found out that if anything is being changed it has to be in writing by September 10, 2003. Mayor George and Bill will sit with the Chief to discuss his proposal.

Mitch asked if John could get on the curbs this week. Kerry suggested talking to neighbors prior to sending John up to dig. It would avoid any misunderstandings or confrontations. John will be sent tomorrow to pick up forms and pins. Discussion regarding calling PA One Call. Mitch stated that he already talked to them and gave them the entire list of streets to be completed this year.

Patricia Sutter stated that Leatha Strunk has a problem with curbing that was damaged years ago by the snowplow, which has been made worse by the digging at the Park. Mayor George responded that he spoke with Mrs. Strunk and this will be monitored for repair.

Potholes will be repaired after the curbing work has been completed.

4. Finance and Administration – Winton reported that he sent letters to Senator Dent, Senator Boscola and Representative Craig Dally. Senator Dent called Winton and confirmed that nothing had been allocated and he was not very encouraging. Tom Woy, PA DEP, called and he was somewhat confident that the Borough would receive some funding. He expressed hoped that Plainfield Township would also follow up. During the walk through at the site, mosquito larvae were found to be present and it

will be checked on a weekly basis this summer. There is concern because of the West Nile Virus so DEP has arranged for Beers to spray on a regular basis. Kerry asked if more money was received, would it run under the same contract? Winton replied that it would remain under this contract. The contractor is not at the \$400,000 limit of the second phase of the contract. Winton replied that not all the tires from Wind Gap could be removed because they were frozen in the ground and in the quarry, so they continued with tires in Plainfield. Secretary to follow up with contractor regarding any outstanding bills for reimbursement. Lewis asked if the Borough would be reimbursed by the owner for the tire removal because we are grants, won't the owner of the land reimburse us? Winton replied that there has been legislation that has passed. The State has the right to put a lien on the property for the difference of the amount of the value that was there before the tires were removed and the increase after the tires were removed. Winton reminded Senator Dent that when the property was transferred to the company, which ultimately went bankrupt, those tires were of value. The tires were intended to be shredded and sold as part of the operation of the business. The property could have been worth more when the tires were there as opposed to the value now that they are gone.

5. Zoning and Planning – Sandra Lockard had nothing to report.

6. Parks and Recreation – Ralph Stampone had nothing to report. Lewis added that John has to dig up for electricity at the present bathroom. Winton stated that he had discussion with John regarding purchasing a metal detector. John will get estimates and forward them to Kerry.

Mitch asked if the damage to the gate at the Park had been looked into prior to paying the bill? The Park restroom contractor did not damage the gate.

Tony Borger, President of the Wind Gap Athletic Association, thanked John Zucal, the Wind Gap Park Board and Council for all the work done at the Park making it presentable for the Car Show. He reported that the Car Show was a great success. He expressed concern that no one from Council or the Park Board was in attendance for the walk through with the contractor and the Borough Engineer. He was the only representative for the Borough. He stated that the fields are not completely restored to pre-construction condition. Council is waiting for a report from the Ron Madison.

7. Fire Company – Mitch Mogilski reported that anyone willing to help out with the picnic contact a fire company member. Big concern with the new restroom being hooked up in time for the picnic on June 27, 28, and 29. Council had received a letter from the contractor requesting a new deadline of June 30, 2003. There are two new members. Bill suggested that if the new bathroom is not in by then, the contractor should be responsible for any port-a-potties rented.

Lewis asked if the flags at the Fire House are going to be changed because they are torn and worn. Borough Secretary already contacted Representative Dally's office today requesting new flags.

8. Municipal Authority – nothing to report.

9. Insurance – Winton Male reported that the Wind Gap Association had insurance on the building, but not the contents. The Borough already had building insurance so both companies will pay their pro-rata share. Tony Borger was not aware that the WGAA had insurance only on the building and not the contents. Winton had contacted the broker and he confirmed that the WGAA had building coverage and suggested Tony contact him also. Tony stated to his knowledge the adjuster was waiting to contact the police department. He was under the impression that the premium had been paid. Winton explained that in lieu of making a contribution to the WGAA, the Borough would pay the premium for the insurance so

there is no exposure to a lapse in coverage. Winton offered to sit with Tony to go over the coverages and rectify the situation if it is not correct. Winton asked if the whole annual premium has been paid? Tony stated that they could not pay that much up front and they have it budgeted to make the payments. If payment has been made by the WGAA, it can be converted from the building coverage to contents coverage.

Winton reported that he received renewal quotes. The premiums for the coming year are not much more than this past year. He will provide the information prior to the next meeting. Bill asked since there was not that much of an increase, could the Borough afford the million dollar rider that previously had been voted on to discontinue because of the large premium increase? Winton replied that it was a rider for the police. Companies by law must provide terrorism coverage and they are concerned by the liability imposed on police departments. The reinsurance market is made up primarily of European/foreign money and that created the large increase in the additional coverage. There is not extra money in the insurance budget to pay this high premium.

10. Land Use Committee – Bill Pyscher reported that he attended the last meeting. The comprehensive plan between Pen Argyl, Plainfield and Wind Gap is still being updated. There was discussion to include Bushkill because of the prospect of the road. At this point, it is still information gathering.

## Mayor's Report

Mayor George reported that the contractor's license fee for April was \$125.00. Total contractor's license collected through April is \$1,425.00. Transient license of \$100.00. Total to date is \$1,525.00.

Council received a copy of the police report for April. The police responded to a total of 118 calls, 12 motor vehicle accidents, 10 citations were issued. The Chief reported that the Park watch is being re-instituted. Neighbors bordering the Park will be issued numbers so they can report problems without having their name broadcast over the air. They need to feel confident that no one will know who is reporting.

The Slate Belt Municipal Authority meeting will be on May 21, 2003 at Washington Township. There will be discussion regarding the Articles of Agreement. Some members suggested that it may be cost effective to only advertise the ordinance as a group. The Mayor will report back to Council.

The Mayor attended a seminar on homeland security. They feel that the terrorist will not react the same way that they did before. They may attack rural areas. Nick Tylenda will be speaking to the Borough coordinator, Neal Stackhouse. Winton added that Neal is concerned that he will be leaving the area because of his job. Council will have to appoint a replacement. The Mayor will speak to Neal and then report to Council.

Bill asked if the Park has a curfew? The Park is open from dawn to dusk. The tennis courts are opened later. Bill suggested that if vandalism is a problem, most parks have a curfew and maybe Council should consider spelling out a curfew and enforcing it.

## Old Business

1. Zoning Ordinance and Comprehensive Plan Public Hearing Process. Winton reported that Council is still waiting for Urban Research to provide a hard copy to Council. Peter asked if a timetable has been set. Winton replied that it was requested prior to the June 2 meeting.

2. Wind Gap Ambulance Lease. Mitch asked the status of the lease? Kerry stated that the lease has been reviewed and they will come to Council's committee to discuss their proposal. The committee

consists of Mitch, Lewis and Winton. They hope to have something this summer. It has to be done before the end of the year.

## **New Business**

1. Town Wide Yard Sale. Mitch stated that people he spoke to suggested having the sale earlier in the summer and not waiting until Labor Day weekend. Mitch suggested having the sale the first weekend in August 1, 2, 3. Discussion starting a Community Day in the Park. Tables could be set up, the refreshment stand could be opened and the traffic could be all centralized at the Park. This topic to be on the June 2 agenda.

2. Third Street adjacent to Wind Gap Park – Rubenstein property. The Rubensteins donated the property to be used as part of the Park. Kerry suggested to Council that they consider cutting trees on the property to start making a parking lot with fill dirt from the park or other places in the Borough. When PennDOT is in the area doing road work, their vehicles could use it as a staging area as part of the Agility Program. Eventually, there will be a trail in that area and this lot would benefit the trail.

Suggestion to mark the area out so Council could look at the area at their convenience.

3. Sherry Acevedo. Sherry shared a Girl Scout Gold Award project with Council. She explained that the project was done in Catasauqua Lake in Hanover Township, part of Lehigh County. The area was pretty desolate with an old house on the lot. The house was purchased and torn down to make way for a large pavilion, two gazebos, a canal lock that has been exposed and a beautiful lake with a trail around it. The Corridor Trail goes through the middle of it. The Girl Scout looked at and identified all the wildlife in an area of approximately three or four acres. Other groups partnered with this project including the Lehigh Valley Audubon Society and the Girl Scouts. This is a great example of highlighting and promoting some of the positive things in the community. She stated that the Wind Gap Borough has troops who could be involved in similar projects and it would free. The raised money for their projects with food drives, bake sales, and some support from the community in the form of donations. Sherry asked Council if the Delaware and Lehigh National Heritage Corridor (including herself and her colleagues) could have a special workshop or town meeting to make a presentation of these ideas. They could assist in planning and development for bringing tourism into the community. It would include options and opportunities that have been done in the past. Bird watching is one of the fastest growing outdoor activities. This presentation could be done sometime in the next couple months. Sherry gave the website: [delawareandlehigh.org](http://delawareandlehigh.org) and she will drop off some literature for review by Council. They are involved in a lot of grants including façade grants to revitalize downtowns. She will provide referrals where these programs have been successful.

One of the Corridor's initiatives is to connect the Delaware and Lehigh Corridor Trail, which goes from Wilkes-Barre to Bristol, from Easton coming up the Bushkill Creek, connecting to Jacobsburg State Park and coming up to the Plainfield Township Rail Trail and hopefully on the former Lehigh and New England Railroad up to the Delaware Water Gap. Delaware Water Gap is building a new visitor's center and facility when you cross the border. They anticipate linking up six to eight trails at that area. They are affiliated with the Department of the Interior.

Discussion to having this part of the potential Community Day.

4. Roger Bet asked for an explanation of the \$18,000 that was in the Park budget. He stated that he understood that it was taken out of the Park budget. Winton explained that when the Borough applies again for the grant again this year, there must be matching funds available. Sherry offered to assist in the grant preparation this year. The DCNR is offering a grant workshop in late July and plans are being made

to send a representative.

**On motion** by Mitchell D. Mogilski, Sr. to adjourn the meeting of May 20, 2003 and seconded by Sandra Lockard. Roll call vote taken. Motion carried unanimously. Meeting adjourned at 9:05 p.m.

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Louise Firestone  
Borough Secretary