

**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, August 17, 2004, was called to order at 7:30 p.m. by Council President Kerry Gassler, at which time he reminded those present that the meeting was being recorded. In attendance were Council members: Winton Male, Jr., Karen Skorochood, George Hinton, Scott Parsons, and Tony Curcio. Also in attendance Mayor Kenneth George and Secretary/Treasurer Louise Firestone. Absent was Councilman Mitchell D. Mogilski, Sr.

PUBLIC COMMENT

1. Charles Oessenick, 105 Genoga Street. Chuck stated that a house was recently built and now he has water problems. Before the house was built, there were woods and a swale where the water would drain in a pipe that ran into the retention pond. The person who built was given permission to build a driveway without proper drainage under the driveway and the driveway acts just like a damn. The driveway backs up the water and then the water flows over. The water has caused damage to his pool because the water has washed the sand from underneath the pool. He stated that the contractor who put in the driveway broke his curbing and the contractor promised to fix it, but has not fixed it yet. He asked Council if they go give him some direction and guidance. Kerry stated that the Zoning Officer would have to look at the water problem because the owner cannot cause a water problem for the neighbor. Chuck stated that the road should have been put in correctly before building the house and the driveway. George and Kerry will look at the problem tomorrow and contact the Zoning Officer or Borough Engineer if necessary. Winton suggested that there should be recourse for any contractor who comes into the Borough and does not do a proper job.
2. Roger Bet, 23 Fairview Avenue. Roger stated that he is having water problems with the water coming over the curb since the work was done on Park Avenue. The upper end of his property has a curb of about an inch when he use to have five or six inches and if someone parks along there when it is raining, the water and mud will come onto property. He asked if Council could do something about this situation. Kerry stated that they will look at Roger's property tomorrow.
3. Vickie Allen. Vickie informed Council that in 2005, Pen Argyl is no longer accepting yard waste from their Borough residents and asked if Wind Gap will be doing the same? Kerry replied that nothing has been mentioned since the last contract was signed with Waste Management. He understands that Waste Management has not notified the Borough of any changes.

4. Mr. Malatestinic. He commented on the number of weeds that are growing in the curbs, streets and on the sidewalks. There are places that you can't even see the sidewalks. The sidewalks are cracked and uneven on Lehigh. He expressed a concern that some people put their garbage out for collection too early like Sunday morning. The Mayor replied that there is an ordinance and that could be enforced if an address is provided. Kerry to check the sidewalk ordinance. He suggested that during snow removal times the Borough have no parking on the road so the Borough can plow. Kerry stated that Council would give this some thought.

COMMITTEE REPORTS.

1. EMS – Karen Skorochood reported Friday, August 27, 2004 the Wind Gap Ambulance Corps would be serving a Spaghetti Dinner at the Blue Valley Farm Show. She asked that everyone support the event. The Corps has instituted a new inventory system for the rigs to better track supplies.

2. Police – George Hinton reported that the committee (Mayor George, George and Tony) have reviewed numbers for financing a full-time police officer in 2005 and will continue to hold discussions. George has asked the Police to spend more time around the Park especially during the nice weather.

3. Streets – George Hinton reported he received two bids for the wooded lot on Third Street. Scott Stevens submitted a bid of \$1,800, Bartley Cole will pay the Borough \$1,500 to log off the property and put the debris in the center of the lot. Bartley will have a skidder machine used in logging on the Third Street property. George spoke to Bernie Corbett regarding having this contractor remove the tree on Third Street that needs to be removed for the Third Street paving project. He carries a \$1,000,000 of liability insurance and will provide the Borough with a copy of this insurance. George has spoken to Victor Zucal, John and Bernie and they have no problem with this contractor removing this tree. Winton asked why the Borough is taking responsibility for this tree? Kerry stated that PennDOT says they are not responsible for anything under the street. George is making this suggestion because it could potentially save around \$6,000.

On motion by Karen Skorochood to contact Bart for \$1,500 and pull the tree down on Third Street and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

George spoke to Bernie Corbett from PennDOT regarding the parking up on North Broadway below the Ambulance Corps building. The curb was painted yellow and no parking signs were erected 75' on each side of the emergency driveway.

George reported that the street workers have been working in the Borough's old dungeon on rainy days to get the walls painted and installing shelves.

4. Finance – Kerry reported that Louise generated a report regarding the tipping fees received from Waste Management on the amount of money received and the amount of money spent. Kerry advised that the committees spend the money wisely, but if it is not spent it will go into the General Fund. A report was also distributed showing the legal expenses year to date and a report for engineering expenses for the next meeting.

5. Administration – Winton Male reported the tire pile removal would have to be put out to bid. Louise is working on the tire specs.
On motion by George Hinton to put the tire spec out to bid upon completion of the specs and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously. George explained that there has been a delay on the this because when the monies were awarded to Wind Gap to clean up the tire pile, the politicians stated that there was nothing that the Borough had to do when in fact the specs needed updated and then go through the normal bidding process.
6. Zoning – Tony Curcio stated that there is nothing to report on Zoning.
7. Planning – Scott Parsons stated that there is nothing to report on Planning.
8. Parks – Karen Skorochood reported at the last Park meeting, the Borough's backup engineer to discuss the Park Master Plan. It is difficult to receive other grants when the Park does not have a Master Plan. Rettew Engineering will be getting a proposal together for the Master Plan. Roger asked if there is any possibility of getting money earmarked this year for a special project be put aside for another project. Kerry replied that the Park Board would have to ask Council to approve another project. Winton suggested that money not spent be held until the budget for next year is completed.
Kerry reported that Council received a letter from the Borough Solicitor suggesting that a committee be formed to look into the Phoenix Quarry. Kerry stated that Winton will chair the committee along with Karen, two Park Board members, and Ron Madison. Kerry asked Karen to look at any potential projects at the Park where work release prisoners could help out.
9. Fire Company – George Hinton reported that a picnic was held over the weekend for all the volunteers from the Fire Company and the Ambulance Corps. They had a good turnout and everyone had a nice time. The Fire Company has started painting the engine room. They will be painting on Thursday at 6:30 p.m. They plan on painting the office and the social hall and then at some point the outside will be painted. George reported that the Fire Chief was involved in a car accident on Wednesday night. Another car ran a stop sign and totaled the Chief's truck. The Chief was in the hospital for four days, but is now home.
10. Sewer Authority – Ron DeCesare distributed the general report to Council members. He stated that the budget is going to be hit this year due to the project at the Route 512 and 33 interchange. The Authority has submitted paperwork requesting assistance for this project. The project on Jacobsburg Road will be served by an on-site septic system. George asked the Sewer Authority to pass along any information regarding the project on 512 and 33.
11. Insurance – Winton Male reported the Wind Gap Athletic Association provided a copy of their insurance to the Borough.
12. Land Use Committee – nothing to report.

13. 911 – Tony Curcio reported that on August 6, 2004 he met with Richard Teasdale. They discussed frequencies that are no longer being used. Nextel wants to swap frequencies. Richard suggested looking into the possibility of the Borough sell their frequencies. One radio frequency license expires October 4, 2004 and must be renewed. Richard suggested that Tony contact Mark Ludlow, Tu-Way. Tony was informed that 911 anticipates clearing out upstairs by the end of the month. They will be taking out their old equipment. Tony has been in contact with Ronold Karasek to discuss the possibility of requiring a FCC Attorney to assist the Borough with negotiations. He will contact Tu-Way for assistance also. Pat Sutter offered to go through Skip's old files in search of any records not currently in the Borough office. Nextel would take care of all the costs associated to switch frequencies. Kerry reminded Council that 911 has to send a certified letter 90 days prior to terminating the lease for upstairs.

Mayor's Report

Contractor's license collected in July was \$150 for a total of \$1,900 for the year and \$100 for a transient license for a total of \$2,100 collected year-to-date. The police responded to 149 calls, 7 motor vehicle accidents and wrote 46 citations in the month of July. Tomorrow night is a COG meeting at Washington Township at 7:30 p.m. The Mayor encouraged Council to attending because the COG will be discussing regional police. Winton asked the Mayor about receiving a monthly report from the Police regarding their activity. It is taken into consideration that the officers work different shifts and have different responsibilities. Council decided that they would like to receive this report again.

APPROVAL OF MINUTES

On motion by Tony Curcio to approve the minutes of August 2, 2004 and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

NEW BUSINESS

A. Zoning Officer's Clarification Letter. John Blick informed Kerry that he has three different people coming in put up a building or add onto their building. John believes that he should be able to issue the permit, but the Planning Solicitor feels that it should be turned over to the Planning Commission. John provided information to Council regarding this issue. John stated that it is his opinion that an addition to an existing structure of 50% or less does not need to get reviewed by the Planning Commission. The Zoning Officer believes that if it is a permitted use he should be able to issue a permit. Winton stated that Council should review the letter issued by the Planning Solicitor outlining his reasoning for stating that this should be land development prior to making a decision. Scott asked if the new SALDO defines a new subdivision or plan.

Land Development. Any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - a. a group of two more residential or nonresidential buildings, whether

proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision of land.

3. The following shall not be considered a land development:

a. the conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;

b. the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

On motion by Scott Parsons to allow up to 50%, for the three applicants who have applied prior to any changes in the Uniform Construction Code, as long as it conforms with all the zoning and seconded by Karen Skorochoch. Roll call vote taken. In favor: S. Parsons, K. Skorochoch, T. Curcio, K. Gassler, G. Hinton. Opposed: W. Male. Motion carried with a vote of 5-1.

B. County Bond - Approval of Invoices. Tony reported that N.A.P.E.R. Development submitted invoices showing that they paid for fees to Northampton County Conservation District for \$7,650, and the Clean Water Fund for \$500. Winton asked if Council knows for sure that this has to do with the road? Tony said that it deals with putting the road in.

On motion by Tony Curcio to approve payment in the amount of \$8,150 out of the County Bond money and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

No Old Business at this time.

Mayor Kenneth George took his leave at 8:48 p.m.

On motion by Tony Curcio to adjourn the meeting of August 17, 2004 and seconded by Karen Skorochoch.

The meeting of August 17, 2004 adjourned at 8:51 p.m.

Louise Firestone, Secretary / Treasurer