

**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, July 20, 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 Skorochod, Mitchell D. Mogilski, Sr., Scott Parsons, and Tony Curcio. Also in attendance Mayor Kenneth George and Secretary/Treasurer Louise Firestone. Absent was Councilman George Hinton.

GUEST

1. Nolan Perin. Mr. Perin's engineer, Pidcock Company, called him in response to a motion passed by Borough Council requesting that lots 4 and 4A, the proposed commercial site for Wal-Mart, is included in the traffic studies for the road. Nolan explained that from his point of view, this would be a major stumbling block in order to get this project out to bid. They have already missed deadlines for submission with Plainfield Township because of the motion made by Wind Gap Council. If a study is required it will take time to complete and get submitted for review. If a traffic study were done, he as the developer could be required to make major off-site improvements that could cost in the multi-million dollar range. Currently, there is not application before Plainfield Township by National Realty Development, but it is his understanding that in their submission a traffic study would be done by NRD. Kerry asked as each lot is sold off a separate traffic study would be required? Nolan stated that the traffic study done by the owner of the lot would be specific to what type of business he is developing. Techno-Bloc told the Borough what their increase to traffic would be based upon their business, but it was not clear if a major traffic study was completed. Mayor George asked how much does Wind Gap have to say about the traffic study? Nolan replied that PennDOT requests that the traffic surveys include the affected communities and this could include as far south as Stockertown. Winton added that the Borough Engineer gave recommendation on the action that Council took and he should be here for his input. Scott stated that the engineer already made his suggestions to Council. Nolan said that the main objective is the road and not worry about what the developer is going to put on the land. Mayor George stressed that the Wind Gap Planning Commission and Wind Gap Borough Council should be involved in the discussions regarding traffic and any improvements. Nolan stated that he would make sure that their concerns are addressed. Nolan was not sure if lots 4 and 4A were left out of the study submitted by Pidcock or if standards numbers were used for those lots, but he would check into this issue and get back to Council. Winton asked if Waste Management has sold the property to NRD? Nolan said that there has not been a transfer of property.

On motion by Winton Male to table this until the next meeting when the Borough Engineer will be present. Motion died for lack of a second.

On motion by Scott Parsons to move forward with Pidcock traffic study eliminating lots 4 and 4A and seconded by Tony Curcio. Roll call vote taken. In favor: T. Curcio, K. Gassler, S. Parsons, K. Skorochood. Opposed: W. Male, M. Mogilski. Motion carried with a vote of 4-2. Ron Madison to be notified tomorrow.

Nolan asked about the improvements to 512 and 115? Kerry replied that Nolan could proceed as originally discussed and the shopping center will take care of these improvements. Nolan received a phone call from NRD and the content of their questions indicated to him that they plan on moving forward with their project. He will make sure that National Realty is informed that there is a keen interest from Wind Gap in regard to the traffic. He recognizes that Wind Gap will have serious traffic issues and he assured Council that Wind Gap would be made whole.

COMMITTEE REPORTS.

1. EMS – Karen Skorochood reported that she had a 911 issue and she will handle that with Tony by letter.
2. Police – George Hinton was absent.
3. Streets – George Hinton was absent.
4. Finance – Mitchell D. Mogilski, Sr. asked if everyone had an opportunity to look at the information distributed by Morgan Stanley. The Borough would have to open a money market account first and then make investments from that account. An initial investment of \$100,000 was discussed. Mitch will check with Wachovia Bank to find out what kind of investment opportunities they would have available to the Borough.

It has become necessary to purchase some items on line using a credit card. Mitch suggested that the Borough obtain a credit card because in the past, an individual's credit card was utilized when no other form of payment was accepted. Louise to check out credit card options with a minimal credit limit.

Mitch reported that he checked out heating oil for the Borough building and the garage. Currently, A & B Fuel will offer the Borough oil at \$1.189 a gallon if they pre-pay for the oil. If Council does not make a decision tonight their price will increase to \$1.249. He checked with Lessig Oil - \$1.469, Tolino's - \$1.299, Discount Oil - \$1.299, Griffin Brothers - \$1.249, Lehigh Fuels - \$1.339, Liberty Oil to call back – no return call.

On motion by Mitchell D. Mogilski, Sr. to purchase \$3,000 of heating fuel and seconded by Tony Curcio. After further discussion, it was decided that a yearly consumption of gallons should be looked at before placing the order. Louise to review historically consumption and provide Mitch with the number tomorrow. Mitch withdrew his motion.

On motion by Tony Curcio to base the purchase on gallon usage for the past five years and determine how much to purchase and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

5. Administration – Winton Male reported that a new fax machine was purchased for the office.
6. Zoning – Tony Curcio reported that a Zoning Hearing Board meeting was held on July 7, 2004, Case 6-2004, Renee Schinstine, 111 South Fairview Avenue, for a bridge over a swale. A variance was granted, but with the stipulation that it must be to the Borough Engineer's specifications. Case 7-2004, Tonino and Karen Diodoardo were requesting a variance for a single family dwelling in a C District for setbacks for building a two story home and that variance was granted.
7. Sewer Authority – Russ Deiter reported that the Authority replaced the roof on the plant building. A defective chlorine detector was replaced. The main focus of the Authority's business is the 512 and 33 Interchange. Russ thanked George Hinton for notifying the Authority that the utilities were meeting with PennDOT and that the Sewer Authority should be involved. The plans call for the bridge being built over the current location of the sewer lines. Winton asked who would pay for it? Russ replied that PennDOT would have to pay for what has to be changed to go around the bridge. The lines have to be moved back away from where the bridge will be. On the north side of the bridge, is where the east and west main lines connect and the will have to be moved because of the bridge expansion. The problem is that these main lines are out of the travel way and in the sidewalk area, but upon the expansion, the lines will be right in the street, north and south bound. The Authority is in the process of trying to convince PennDOT to take into consideration moving those lines into the sidewalk area. Those lines are thirty plus years old. The old lines are concrete and clay and may be damaged if heavy equipment used for the bridge construction is allowed to travel on them. The Authority passed a resolution at their meeting last night entering into a contract with PennDOT to do the work and submit the necessary paperwork for their review to get reimbursed for moving the sewer lines out of the roadway.
8. Planning – Scott Parsons reported that the SALDO meeting was cancelled. Giant submitted plans for increasing the size of the store. There was talk at the meeting about the bridge and sidewalks. The Slate Belt Industrial Road was also discussed.
9. Parks and Recreation – Karen Skorochood reported that the next meeting will be Tuesday, July 27, 2004 at the Park and will be a combined meeting for the months of July and August. John Zucal reported that the shingles are being pulled off the large pavilion and the tables are being constantly moved from under the pavilion. Suggestions included fastening the tables to the pavilion floor; lighting up the area better to discourage vandalism and having the officer on duty make a presence in the Park. Karen to take some of the suggestions back to the Park Board.

10. Fire Company – Mitchell D. Mogilski, Sr. reported that the Fire Company discussed a property tax abatement incentive so the Fire Company could do some recruiting. The document to be faxed to the Borough Solicitor to look at the legality of this option and then the response can be forwarded to the Fire Company for discussion. The Fire Company already started discussions regarding next year's picnic. The Fire Chief informed the Fire Company that the roof is leaking over the kitchen and the bay. Kerry will call the contractor to return and take a look at the roof. The Fire Company is anticipating receiving \$9,800 to \$9,900 in grant monies. They have two new members, one active and one social. The action member is Sean Marsh. The Fire Company responded to 15 calls in May and 13 calls in June for a total of 86 in 2004. The picnic brought in around \$10,000 and they are looking for the check from Waste Management.
11. Insurance – Winton Male reported that he has to evaluate the statement of values for the insurance company. He said that there is money available for a safety school grant, but the deadline is August 1, 2004. Kerry and Winton to look into this grant.
12. Land Use Committee – nothing to report.
13. 911 – Tony Curcio had nothing to report.

Mayor's Report

Contractor's license collected in June was \$125 for a total of \$1,750 for the year and \$100 for a transient license for a total of \$1,850 collected year-to-date. The police responded to 161 calls, 11 motor vehicle accidents and wrote 17 citations in the month of June. The Mayor received a letter from the Lehigh Valley Planning Commission regarding the Comprehensive Plan for Lehigh and Northampton Counties. The Slate Belt COG will hold their monthly meeting on July 21, 2004 at the Washington Township municipal building. The COG will be discussing the building code and the appeals board. They will also discuss regional police.

APPROVAL OF MINUTES

On motion by Tony Curcio to approve the minutes of June 7, 2004 and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

On motion by Mitchell D. Mogilski, Sr. to approve the minutes of June 15, 2004 and seconded by Scott Parsons. Karen pointed out that Winton's name was left out of the list of attendees and should be included. Roll call vote taken. Motion carried unanimously.

On motion by Karen Skorochood to approve the minutes of July 6, 2004 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

PUBLIC COMMENT

1. John Zucal asked if the checks from the Picnic raffle had been sent out to the winners? Mitch replied that George is taking care of the checks.

NEW BUSINESS

1. Third Street Letter. Kerry reported that Harry Smith indicated that Waste Management would assist the Borough in all the improvements associated with the Third Street traffic light, but not the light itself.

On motion by Scott Parsons that a letter be written to Waste Management asking for assistance with the improvements for the Third Street traffic light and seconded by Winton Male. Roll call vote taken. In favor: K. Skorochood, T. Curcio, K. Gassler, W. Male, S. Parsons. Opposed: M. Mogilski. Motion carried with a vote of 5-1.

2. Proposed Comprehensive Plan Public Meeting Date. Council received notification from Urban Research indicating that a public meeting must take place for the proposed comprehensive plan. Council decided on either August 12 or August 19 at the Wind Gap Firehouse at 7:30 p.m. Date to be confirmed.

3. County Bond – Approval of Invoices. Tony reported that Pidcock submitted Progress Invoice #9 related to the changes requested by Borough Council for reimbursement.

On motion by Scott Parsons to approve Pidcock invoice in the amount of \$23,657.50 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously. Winton stated that the Borough should not just stamp the invoices approved without setting goals and having an idea what to ask in response to the traffic that will be coming through Wind Gap. Kerry stated that the invoices only have to do with the road. Winton replied that it has to do with sewer lines, stormwater, and the road. Kerry said that the road is being built to Plainfield Township specs, which exceed Wind Gap's requirements; there will be sidewalk and curb along Wind Gap's section of the road.

On motion by Scott Parsons to approve Pidcock Company bill for expenses in the amount of \$303.19, Plainfield Township's engineer – Keystone Consulting in the amount of \$4,822.50 and a legal bill from Plainfield Township related to the agreement with NAPER Development in the amount of \$153.00 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

Mayor George took his leave from the meeting at 8:55 p.m.

OLD BUSINESS

1. Schinstine Property Estimate. This topic to be tabled and discussed at the Council meeting on Monday, August 2, 2004.

2. SALDO Special Meeting. The July 29, 2004 meeting to review the draft SALDO was cancelled because the Planning Solicitor, Peter Layman, will not be available. Meeting to be re-scheduled.

3. Uniform Construction Code. Tony Curcio headed the committee, which included, Scott

Parsons and Karen Skorochood, appointed to review the Third Party Inspectors. The committee met with BASE Engineering and Keystone Engineering on Monday and recommends that Council appoint BASE Engineering as Wind Gap's Third Party Inspectors. Karen reported that BASE Engineering has Moore Township, Smithfield Township and Bushkill Township as local municipalities who have already appointed them as Third Party Inspectors. Tony added that BASE has more than one on staff qualified to inspect electrical and mechanical. Scott explained that the residents will apply for the permit here and the plans and fees will be forwarded to BASE for inspection. The Zoning Office will be responsible for any paperwork necessary for the Borough files. If any re-inspections should be necessary, the resident will be required to contact BASE directly. The resident will work with whom they choose and use them from the start of the project to the end of the project. If John Blick is available and the resident is willing to wait for John, John will do the inspections. Karen added that State Bill 1139 has removed the renovations from inspection at this point, but additions and new construction are mandatory.

On motion by Tony Curcio to appoint BASE Engineering as the Borough's Third Party Inspector and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

On motion by Mitchell D. Mogilski, Sr. to appoint John Blick as alternate inspector and seconded by Karen Skorochood. Roll call vote taken. Motion carried unanimously.

The Borough will be using the Appeals Board set up through the Slate Belt COG. Scott stated that the Pen Argyl School District, Pen Argyl and possibly Plainfield Township are considering joining the COG.

On motion by Tony Curcio to adjourn the meeting of July 20, 2004 and seconded by Scott Parsons.

The meeting of July 20, 2004 adjourned at 9:12 p.m.

Louise Firestone, Secretary / Treasurer