

**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, October 19, 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, Mitchell D. Mogilski, Sr., George Hinton, Scott Parsons, and Tony Curcio. Also in attendance Mayor Kenneth George and Secretary/Treasurer Louise Firestone.

**COMMITTEE REPORTS.**

1. EMS – Karen Skorochood reported the Wind Gap Ambulance Corps would be hosting a blood drive in December. Interested individuals can call 610-863-7623 for more information.
2. Police – George Hinton reported that a meeting was held with the Police Officers.
3. Streets – George Hinton reported that he met with Bernie Corbett, PennDOT, to check the water hazard on Wind Gap hill. PennDOT put up a drum there and then patched the road. They also checked the water problem at the intersection of Woodward and Lehigh. It must be determined what type of design will alleviate the water problem. PennDOT is looking into this problem.
4. Finance – Mitchell D. Mogilski, Sr. stated that there was nothing to report.
5. Administration – Winton Male reported that he has located the property maintenance code on a website. He will verify that it is the right one and then order and copy everyone.
6. Zoning – Tony Curcio reported that the Zoning Hearing Board met on Wednesday, October 6, 2004 to hear case 8-2004. The applicant was requesting a special exception for 201 North Lehigh Avenue for more than one principle use. The Zoning Hearing Board granted the variance on the condition that the daycare meets all Federal, State and local requirements for a daycare center.
7. Planning – Scott Parsons reported that the Planning Commission heard two plans. Richard Rutt, Engineer for McDonald's submitted a plan to expand the parking for the restaurant. When the Route 512 expansion project occurs, McDonald's will lose 5' from the front of the building. They plan to expand their parking to the rear of the adjacent property, which has the bank building on it.

**On motion** by Scott Parsons to grant a waiver to McDonald's for their plan, but to receive copies from Plainfield Township regarding this plan and seconded by Tony Curcio. Roll

call vote taken. Motion carried unanimously.

Giant Food Stores received conditional approval from the Planning Commission. Giant agreed to put in sidewalks. The turning radius met the approval of the Borough Engineer.

8. Parks – Karen Skorochood reported that the Master Plan is getting started. The Borough Engineer will provide Rettew with any maps related to the wetland delineations for East West Street and Lehigh.

9. Fire Company – Mitchell D. Mogilski, Sr. reported that the Fire Company responded to 49 alarms in September for a year-to-date total of 154. There was an application for junior firefighter membership. The picnic is being looked into. George reported that at halftime of the Pen Argyl/Wilson football game, John Smith would honor volunteers from Wind Gap, Pen Argyl and Plainfield Township. Mitch asked that one the Fire Company Relief Association is received by the Borough that it is turned over to the Fire Relief Association. Kerry stated that it will be and a motion is not necessary.

10. Sewer Authority – Paul Levits presented the Wind Gap Municipal Authority monthly report to Council. He stated that the monthly averages were high. The board is reviewing the 146 page document from DEP about the “Implementation of the Anti-degradation Requirements”, that will impact the community. State Representatives will be invited to the Authority meetings to discuss the new regulations.

11. Insurance – Winton Male reported that the Borough received a dividend check in the amount of \$194.74. He reported that he sent a letter to Posh Properties requesting payment of legal and engineering fees related to the CVS project. He asked to be kept up to date regarding the completion of items on the list compiled by the insurance inspector. George to call about an ansul system. John will forward his list to Winton.

12. Land Use Committee – nothing to report.

13. 911 – Tony Curcio reported that the frequency has been renewed and the new password is in the file.

14. Kerry asked Scott to report on the discussions occurring with Waste Management. Scott stated that he would rather wait to report since there have been only two meetings to date. He did inform Council that Waste Management is not too receptive to increasing the price per ton being paid to the Borough under the current agreement. Waste Management suggested that the Borough approach them when they have projects the Borough could use financial assistance with on an individual project basis. Scott suggested that Council come up with a “wish list” of specific projects and submits ideas to him so that he could approach Waste Management during their discussions.

**On motion** by Mitchell D. Mogilski, Sr. to send a letter as Council asking Waste Management to continue the “Keep the Needles off the Streets” program. Motion died for lack of a second. Mitch explained that this program was started to keep hypodermic needles safely

disposed of at Medic 9 and Liberty Ambulance buildings and not directly disposed of in regular garbage. Waste Management was supporting this program, but they are taking the funds out of their 2005 budget. Kerry suggested that the Borough contact Medic9 and Liberty Ambulance to see if they want Wind Gap's support.

Scott stated that he would report back to Council after further meetings have taken place with Waste Management regarding their financial support of the Borough.

The DEP is hosting a meeting regarding the proposed Grand Central Sanitary Landfill Expansion. The meeting will be held on Monday, November 8, 2004 at 7:30 p.m. at the Plainfield Township Municipal Building. The purpose of the meeting is to allow municipal officials or their representatives from the area affected by the proposal to voice their concerns or ask questions. Kerry appointed Winton and Scott to attend this meeting.

## Mayor's Report

The Mayor reported that the Contractor's license collected in September was \$125 for a total of \$2,225 for the year and a total of \$2,500 collected year-to-date. The police report includes 206 calls in the month of September, 10 motor vehicle accidents, and 41 citations written. This report includes a report for each officer. There is a COG meeting tomorrow night at Washington Township. The Mayor thanked all the Councilpersons who attended meetings in his absence.

## APPROVAL OF MINUTES

**On motion** by Tony Curcio to approve the minutes of October 4, 2004 and seconded by Karen Skorochood. Roll vote taken. Motion carried unanimously.

**On motion** by Mitchell D. Mogilski, Sr. to approve the minutes of the August 19, 2004 SALDO public meeting and seconded by George Hinton. Roll call vote taken. In favor: G. Hinton, W. Male, M. Mogilski, K. Gassler. Abstained: S. Parsons, K. Skorochood, T. Curcio. Motion carried with a vote of 4-0-3.

## PUBLIC COMMENT

1. Wallace Putkowski, Carbon Service Corporation. Wally asked Council to review the proposals for the Waste Tire Pile Removal. Wally does not feel that the two low bidders complied with the bid specifications. Magnum Industries failed to enclose a certified check, cashier's check, money order or bid bond as stated in the general instructions to bidders. Instead they submitted a letter of credit; this is not one of the options in the bid specifications. They failed to specify the amount of tires to be delivered to the Tarrtown Project. Seneca Meadows clearly stated that all tires are going to their facility in New York. They failed to specify the amount of tires to be delivered to the Tarrtown Project. Wally stated that Carbon Services Corporation provided the correct bid bond. They specified that the tires were to be delivered to the Tarrtown Project. Carbon Services Corporation has already successfully removed tires from this site. Kerry stated that Council would not be awarding this project at tonight's meeting. Winton to contact Tom Woy from the DEP and get a legal opinion regarding the items mentioned

by Wally.

2. Paul Levits. Paul asked what the practice is to dispose dry cell type batteries? Kerry stated that the old contract would have to be reviewed. Winton added that Northampton County is currently looking at programs for hazardous disposal items.

Paul stated that several years ago the question arose regarding placing a lien on the property where the tires are being removed, what is the status? Winton replied that currently all the tires have to be removed before a lien could be placed on the property. At this point, the DEP does not feel strongly about removing all the tires buried in the quarry. He will continue to follow any legislature that is related to this issue.

Paul expressed his disappointment regarding the lack of attendance by Wind Gap Borough Council at the Plainfield Supervisor's meeting. Discussions were held related to the Wal-Mart and Lowe's development. The developer is asking for a variance from the 9' parking spaces in their shopping plaza. Paul checked and the width of the parking spaces in the Wind Gap Plaza is 10' as defined by Urban Research as being adequate. National Realty stated that if they do not receive this variance for their project, they would just buy more property from Nolan Perin. Kerry explained that the money from the Bond Issue is specific to the engineering of the road. The Zoning Secretary contacted Plainfield today regarding meetings and was not informed that a meeting was being held. There will be a meeting on November 10, 2004 at 7:00 p.m. to further discuss this development. Council will be represented at this meeting. Paul reported that currently the plan has two free standing restaurants, a bank and a gas station along with the major stores. He added that Plainfield Supervisors did not seem overly enthusiastic about this development and they want it to go back to their Planning Commission.

## **NEW BUSINESS**

1. Police Procedures – Section 5-02 and 5-03. Mitch stated that he has reviewed the Police procedures and is not agreeable to their system. He explained that they could receive four verbal warnings within a month and three written warnings before they could be suspended. He stated that it would be foolish to adopt this procedure manual. George stated that it is not written that way. The Mayor added that if Mitch or any Councilpersons has a problem with the procedures, then they should sit with the committee to discuss their issues. George explained that the Chief wrote the procedures with the other officers. It has been presented to the FOP for approval. Mitch stated that there is no way to fire any police officer under any circumstances. The Mayor replied that there is a procedure that must be followed and then the Civil Service would become involved. Mitch to meet with the committee to discuss his concerns regarding the police procedures.

2. Kerry asked Council who was planning on attending a meeting with Representative Craig Dally on Thursday, October 28, 2004 at 9:00 a.m. regarding the Route 33 and 512 interchange. Representatives from PennDOT will be in attendance to review the plans. Louise to call Representative Dally's office to confirm five will attend this meeting.

3. George Hinton asked Council's permission to purchase concrete for one bay at the

Oaten Building. He is suggesting using funds from the landfill tipping fees to cover the expense

**On motion** by George Hinton to install 4" of concrete in one bay for the Borough trucks and use tipping fee and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

4. Approval County Bond Issue Invoices. **On motion** by Tony Curcio to approve payment from the County Bond issue to Pidcock in the amount of \$23,072.35 and Hanover Engineering in the amount of \$142.21 and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously

5. Karen Skorochood asked if there is anything Council can do to have the traffic markings in the Wind Gap Plaza repainted? It was discussed that this constitutes a safety issue and the Zoning Officer, John Blick, should contact the owners of the Plaza.

Winton asked if Council could move on securing a contractor to repair the bridge on Male Road. He has contacted numerous companies and no one has replied back. Karen also stated that the retention pond in the Plaza is folding over and may become another safety issue. Kerry will look into the bridge issue.

## OLD BUSINESS

1. Fee Schedule for SALDO. Kerry asked Winton to review and explain the numbers that he has worked on for the fees.

	Filing Fee	Escrow
Sketch Plan	\$75.00	\$ 100.00
Site Plan Review	\$75.00	\$ 300.00
Land Development	\$75.00	\$1,500.00
Preliminary	\$75.00	\$1,500.00
Final	\$75.00	\$1,500.00
Amended	\$75.00	\$1,500.00
Lot Line Change	\$75.00	\$ 300.00
Minor Subdivision	\$75.00	\$ 500.00
Major Subdivision	\$75.00	\$3,000.00
	Plus \$5.00 per lot	plus \$50.00 per lot
	or dwelling	or dwelling
Final	\$75.00	\$3,000.00 must be retained

On motion by Karen Skorochood to accept these for the fee schedule pending legal and engineering review and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

**On motion** by Scott Parsons to adjourn the meeting of October 19, 2004 and seconded by Tony Curcio.

The meeting of October 21, 2004 adjourned at 9:05 p.m.

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Louise Firestone, Secretary / Treasurer