

**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, September 21, 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 Secretary/Treasurer Louise Firestone. Absent was Mayor Kenneth George.

COMMITTEE REPORTS.

1. EMS – Tom Knitter reported that the Ambulance Corps during 2004 has taken 310 trips, 228 trips have been billable with 82 trips non-billable. The average for collections is 52%, but Wind Gap is collecting at a rate of 54%. Waste Management will be providing the Corps with lime green reflector safety vests. Tom asked if the downspout on the back of the Ambulance building could be checked because the water is not going into the runoff.
2. Police – George Hinton reported that the Police Department is officially down to four police officers. He asked for direction from Council regarding starting the advertising process to hire another full-time officer. The 1999 Crown Vic has had some electrical problems that appear to be fixed now.
3. Streets – George Hinton reported that the tree on Third Street has been taken down and the road patched and temporary curb installed. The loggers are trimming trees on the Third Street property. George received a question regarding how much property is owned by the Borough at that location. It was determined that the Borough owns 163'. He reported that over the weekend with the heavy rains, flooding occurred throughout the Borough. The Fire Company was called out at 5:30 a.m. to shut down 512 by Roberti's Garage. Chief Armitage contacted George to pump water at the intersection above the PetroMart. During the heavy rains it was determined by PennDOT that the design approved by the Borough would need to be modified because the pipe will not be able to handle all the water. This plan must be re-designed prior to putting it out to bid early next year as originally planned. George is looking at a 36" snow blower to do the municipal sidewalks in the Borough at a cost of \$2,429. He asked Council to think about this request. Mitch suggested looking at an attachment for the tractor.
4. Finance – Mitchell D. Mogilski, Sr. had nothing to report.
5. Administration – Winton Male had nothing to report.

6. Zoning – Tony Curcio reported that the Zoning Hearing Board will meet on Wednesday, October 6, 2004 to hear John Page of 402 Harding Avenue, Pen Argyl request a variance for a day care center at the old Catholic Church on North Lehigh Avenue. The property is owned by Ronald and Kenneth DeCesare.
7. Planning – Scott Parsons had nothing to report.
8. Parks – Karen Skorochoch reported that a vacancy still exists on the Park Board. The Board voted to initiate the process on moving forward with the Master Plan. They unanimously voted to approve the proposal submitted by the Borough's Alternate Engineer, Rettew. Rettew proposed a Sketch Plan (lump sum) \$7,600, Master Plan (lump sum), \$3,000 and Meeting attendance (time & expenses), \$2,900 for a total of \$13,500 with estimated expenses for reprographic services, telephone calls, photocopies, faxes and mileage at \$325. If their services are not completed within one year from the date of the proposal, there will be an increase to the fees of 3% for the remaining work. Winton asked if any other quotes were requested? Karen replied no. The next deadline for grant applications to DCED is October 15, 2004, but this will not allow time to submit a grant application to request funding for a Master Plan. If the Borough does not have an adopted Master Plan from which to work, grant money for the Park is difficult to obtain. Sherry Acevedo, a resident of the Borough, has offered to serve as a technical consultant throughout this process. Karen consulted with Attorney Karasek regarding the Borough Code and the necessity of making this a project to be publicly bid and he responded by saying that professional services are not required to be put out to bid. Mitch and Winton agreed that another proposal should be obtained.

On motion by George Hinton to approve Rettew to develop a Master Plan for the Borough according to their proposal and seconded by Tony Curcio. Roll call vote taken. In favor: T. Curcio, K. Gassler, G. Hinton, S. Parsons, K. Skorochoch. Opposed: W. Male, M. Mogilski. Motion carried with a vote of 5-2.
9. Fire Company – George Hinton reported that the Fire Company held their monthly meeting last night. They are still painting the engine room on Thursday night and are asking for any volunteers. The Fire Company is purchasing the same PA System for the fire hall so if a public meeting were necessary there the Borough would only have to bring the mics. Prior to the calls related to the weekend storm the Fire Company responded to 110 calls this year. Karen, speaking on behalf of her husband Anthony, who is the Emergency Management Coordinator for the Borough, wanted to commend the emergency responders to their actions regarding the fuel spill on Broadway. Kerry and George attended a Terrorism Symposium with Tom Ridge as the keynote speaker. Monroe County is a key area and they host meetings on the last Monday of the month at 10:00 a.m. to review any updates, anyone is welcome. They were informed that equipment is available on a regional basis, including a cascade system. The symposium was very informative. Monroe County has training classes available for emergency responders.
10. Sewer Authority – Paul Levits presented the Wind Gap Municipal Authority monthly report to Council. He highlighted the following: Terry Miklas and Bill Beal have both received

Class A, E and sub class, 1, 2, 3 and 4 licenses. These are the highest-class certifications issued in Pennsylvania. PennDOT has accepted cost sharing on the Route 33 and 512 project. More information must be exchanged and submitted to PennDOT. The Authority will keep Council informed regarding this issue. A list of unpaid sewer bills, totaling \$101,590.48 was presented to the Board. The Jacobsburg Road sewer extension has run out of funds. Paul explained that under the current rules the service area serviced by the Wind Gap Municipal Plant is restricted to where it is now. This is mandated from the Federal level to the State level to the local level. He stated that no one knows for sure if this will change. The plant discharges to a high quality stream.

11. Insurance – Winton Male reported that the insurance company did an inspection of the Borough buildings and property. One item was that the fire extinguishers needed inspected and that has already been completed. The other items are minor in detail and nothing that will cost money.

12. Land Use Committee – nothing to report.

13. 911 – Tony Curcio reported that Bill Landis from Tu-Way Communications will be checking on the fees and should any changes occur he would communicate with the Borough Secretary. The filing fees are estimated to be \$230.

Mayor's Report

Since the Mayor was not present, Kerry reported the following: The police responded to 117 calls, 9 motor vehicle accidents and put 3,253 miles on the vehicles in August. Contractor's license collected in August was \$200 for a total of \$2,100 for the year and \$75 for an amusement license for a total of \$2,375 collected year-to-date. George represented the Borough at the COG meeting and reported that the COG approved the Director at a rate of \$19,000 per year. There will be a special meeting on September 29, 2004 to review the contract. The COG feels the Director will secure grants for the COG so they will get more than the \$19,000 back in grants. A questionnaire was distributed to the municipalities regarding regional police as part of the date gathering process. George handed all the necessary completed paperwork into the COG. Discussion was held on joint municipal waste and joint purchasing.

APPROVAL OF MINUTES

On motion by Tony Curcio to approve the minutes of September 7, 2004 and seconded by Karen Skorochood. A typo to be corrected on page 4. Roll vote taken. Motion carried unanimously.

PUBLIC COMMENT

1. Walter Neidlinger, 456 Lehigh Avenue, Wind Gap. Walter expressed his concern

regarding the water and related problems at the corner of Woodward and Lehigh Avenue. He explained that there is a water problem in the summer that floods his house and a freezing problem that occurs in the winter because of the snow and slush. He asked if there is anything the Borough could do to fix this problem? George responded by saying that during the rain on Saturday, Bernie Corbett, PennDOT, witnessed first hand the water problem associated with this intersection. A meeting will be set up to discuss the plans already approved by Council and what needs to be changed to correct the situation. One of the problems associated with this area is the gas line located there. It does not leave much room for a large pipe to be installed without moving the line. George could not confirm a definite timeline for Walter, but promised that it is being worked on and worse case scenario could possibly be the spring. Mrs. Neidlinger stated that they have gone eight years with the problem believing it to be a PennDOT problem and now they find out that it is a Borough problem. She stated that the cracks in her basement are getting worse. Walter added that when there is standing water at that intersection flares be set up to warn motorists of the dangerous condition. Walter expressed concern regarding the dirt and gravel coming out of the parking lot of Kocher's Deli and building up in the intersection. George stated that the entire curb would be replaced when the project is being done.

2. Paul Quear, 524 South Broadway, Wind Gap. Paul stated that he received notice from the Zoning Officer regarding the property. He stated that the property is being cleaned up and hopefully it will be sold within a short time

3. Ron Angle, Northampton County Councilman, stated that he has been following the Industrial road situation and that there is new developments that Borough Council should be made aware because no one from Council was at the Plainfield Planning Commission meeting. He said that Mr. Male has repeatedly told the Borough that the road will take a great deal of the traffic out of Wind Gap. The developer submitted a sketch plan to the Plainfield Planning Commission. The shopping center plan would call for a parking lot to hold 3,000 cars, but they are looking for a variance for a lot to hold 1,900 cars. There will be two restaurants. He feels that Wind Gap will have much more traffic than they currently have today. He said from his research that 75% of the businesses in the Borough within the first three years and 50% in the first year. The Fashion Bug has already put their name in to move to the new shopping center. There is no guarantee that the remaining land will not turn into commercial property also instead of the intended industrial use. Scott stated that Wind Gap is the host community for the road. Wind Gap cannot change the zoning in Plainfield Township and they can't make the developer hook onto the road. Kerry added that he attended a meeting along with Tony of the Pen Argyl Borough Council and they are still in favor of the bond. He attended a meeting at Plainfield Township and they are in agreement. All three municipalities agreed to this bond issue and project with resolutions and with an agreement with developer Nolan Perin. Winton stated that the bond issue should have been better put together. The Borough does have a letter from the developer that the remaining land in the Borough will be used for industrial development and it is on file at the County. Ron argued that the original numbers showed that the road would cost \$6,000,000 (\$3,000,000 from Nolan Perin and \$3,000,000 from the bond), but three weeks ago he was told that the road would cost \$3,000,000. The Industrial Park was all a gimmick to get the money. Ron suggested to Council that if the project is not what Wind Gap wants then don't

take the bond money.

Kerry appointed a committee to represent Wind Gap at the Planning meetings in Plainfield Township. Tony will chair the committee, which includes Mitch and Winton.

On motion by Karen Skorochood to put a seize to the road and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. In favor: M. Mogilski, K. Skorochood. Opposed: G. Hinton, W. Male, S. Parsons, T. Curcio, K. Gassler. Motion did not pass with a vote of 2-5.

4. Dorothy Thorpe, Constitution Avenue, Wind Gap. Dorothy asked Council if they could contact Plainfield Township and suggest that Plainfield lower the speed limit on Constitution Avenue. Also the speed limit signs posted for 25 m.p.h. on Constitution are not really visible. At either end of Constitution Avenue, Wind Gap end and Pen Argyl end the posted speed is 25 m.p.h., but in the middle where it is Plainfield Township the limit is 40 m.p.h. Kerry stated that if Council is in agreement, a letter will be written to Plainfield Supervisors asking for their consideration in reducing the speed limit. George stated that he would contact Dr. Haberl from the school district also.

Dorothy commented on the industrial road. She stated that the bond money was for a road to be built to an industrial park and now years later the project turn into a commercial project. She said that Borough Council should have taken a stand when it turned commercial. She is concerned about the access to backyards of properties along the road, the safety issues and the noise. She suggested that an eight-foot fence be erected around the properties. Winton explained that the money from the bond was to go for the road to the industrial park. When the developer advised that National Realty was going to developer the land as commercial, Winton spoke to the Borough Attorney and because the way that the agreement was written there was nothing the Borough could do to stop them. Dorothy stated that she does not feel that Council has done what they could because not only are the taxpayers in Wind Gap paying for this bond issue, but all of Northampton County.

5. Patricia Sutter. Pat stated that businesses will close in Wind Gap and the Borough will lose tax dollars. She said that from day one, Council should have voted no for anything associated with that road because nothing good has ever come from it. She asked if it was possible to take another vote and give the money back to the County. Pat suggested that since the developer has stated that they do not need this road, the Borough call the developers bluff and stop everything that has to do with the road.

6. Vickie Allen stated that during the landfill expansion meetings, Borough Council did not represent Wind Gap and she sees that same thing with this plan. The committee should have been in attendance at last night's planning meeting. Kerry replied that at this point it is only a sketch plan, but the committee will be in attendance at all future meetings. Wind Gap and the other municipalities have to look at the traffic issue along with issues related to EMS, Fire and Police because all of these departments will have move involvement with the traffic related to this development.

NEW BUSINESS

1. Northampton Generating Plant – Tires. Kerry explained that Northampton Generating Plant provides electricity to Met-Ed. They are interested in getting the tires off the J.H. Beers property, grinding them up and hauling them away. Kerry said that this would not hold up the bidding process for the \$1,200,000 waste tire removal grant received by the Borough, but if this removal can be done it would not cost taxpayers any money. He explained that Northampton Generating Plant needs a permit, which is currently in the DEP process. Scott added that Representative Dally is setting up a meeting with William Pound of the DEP and Don McCallum of Northampton Generating Plant. Winton suggested contacting Tom Woy, DEP, because he is the Borough's contact for the tire grant.

2. Approval County Bond Issue Invoices. **On motion** by Scott Parsons to approve payment from the County Bond issue to pay Hanover Engineering in the amount of \$106.65 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

3. Zoning Officer Rate. Kerry stated that he had contacted the Council members individually to get an idea for an increase for the Zoning Officer.

On motion by Tony Curcio to increase John Blick's hourly rate by \$.50 and seconded by Karen Skorochod. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

1. Paul Quear Property. Mitch reported that he contacted the DEP regarding the oil looking substance on the weeds on the property. DEP advised that if oil is on the ground that it be removed and disposed of properly. Kerry stated that John Blick did not detect oil on the property. Paul stated that he used weed killer to kill the weeds. Paul will be at the property this Saturday from 9 a.m. to noon.

2. 2005 Budget. Kerry stated that Council has to keep in mind that the plan is to add another Police Officer next year. If anyone needs assistance with their portion of the budget, Kerry will help them out. He hopes to get moving on the budget next month.

3. Schinstine Matter. Kerry stated that the Borough Engineer recommends not approving the plan, but offered suggestions. Scott requested that he be allowed to speak to Mrs. Schinstine with some suggestion and he will report back to Council.

On motion by Tony Curcio to adjourn the meeting of September 21, 2004 and seconded by Karen Skorochod.

The meeting of September 21, 2004 adjourned at 9:44 p.m.

Louise Firestone, Secretary / Treasurer