

**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 18, 2005, 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 S. 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.

PUBLIC COMMENT

1. Dennis Benner. Mr. Benner introduced himself as an Attorney from Bethlehem representing Jack Muschlitz. Mr. Muschlitz owns approximately 23 acres in the Borough, which includes the Quarry and rock pile on West Street, which is adjacent to the Borough Park. He stated that the property is zoned industrial and was wondering if there is a development scheme that could be explored in this area? Because of the close proximity to the Borough Park he wanted to ask Council if there might be a project that could incorporate part of the land into the Park. To do that would require expensive planning and the hiring of land planners, but it should be done properly. He has made contact with land planners and they would be willing to take this plan on as a project. There would be no commitment on behalf of the Council at this point. They requested a copy of the Park map to explore the possibilities. Kerry asked if they would be doing home development or industrial? Dennis replied that at this point he doesn't know, but possibly a mix of uses. Before his client is willing to spend a lot of money, did Council have any input regarding this property or would they be willing to sit and discuss ideas? Scott cautioned that the quarry could be anywhere from 150' to 300' deep. He is concerned about the liability posed by the quarry. Dennis stated that provisions would be made for safety, but there is no thought to fill in the quarry. Winton explained that the Borough had an opportunity to purchase that particular property for \$38,000, but after discussions, the majority of Council felt that it would be a liability because of the quarry. Council did feel that it does have history value, like the old shanty on the property could be fixed and used as a tourist attraction. Dennis stated that is what type of input his client is looking for to make a project that would be worthwhile to him and to the Borough. Karen informed that the Park Board is planning a walking trail and this could possibly be in conjunction with that project. The Master Plan for the Park should be completed shortly and would offer suggests regarding property located near the Park. Council suggested that Mr. Benner and Mr. Muschlitz meet with the Borough's Park Board first. Karen will contact Rettew to get a copy of the Master Plan and then make contact with Mr. Benner regarding the next Park Board meeting.

COMMITTEE REPORTS.

1. EMS – Karen Skorochood reported that the Wind Gap Ambulance Corps is looking for paid and volunteer drivers for the ambulance corps. Anyone who may be interested should call 610-588-2797 and the ambulance will provide all training. The Corps is in the process of upgrading the security system in the building to better monitor the activity in and out of the building. They will be hosting an appreciation dinner for all volunteer personnel in conjunction with the Fire Company to be held on Sunday, December 11, 2005.
2. Police – George Hinton reported that he asked the Chief to contact Bushkill Township about doing the truck inspections with the scales. He reported that the tremendous amount of rain caused problems on 512. The Fire Company pumped water to the intersection and out of basements. The Street committee will have to discuss the problem areas. The new police cruiser is on the road. Mitch stated that according to the partnership agreement with Waste Management dated 2003, it said, "Waste Management will contribute to the purchase of an SUV type police vehicle equipped with portable scales for the weighing of motor vehicles". Kerry remembered that the agreement was for a SUV including scales up to a certain amount. Mitch stated that the Borough did not receive the scales that were promised to the Borough. The amount designated in the agreement was for \$35,000 and that is the amount of the check that Waste Management gave to the Borough. George will check the price of scales.
3. Streets – George Hinton reported there is a property on Roosevelt Street that is causing a growing concern. A swimming pool is being raised up out of the ground by all the ground water. The pool could be a potential health hazard because there are things growing in the pool. The Borough needs to make contact with the property owners to see what can be done to inspire the property owner to fix some of the water problems. The area in the Park that was being used for a staging area during the construction of the drainage project has been cleaned up. The Street Department installed French drainpipes and seeded the area. It looks a lot better. George encouraged residents to clean up the catch basins in front of their properties during a storm or call him and he will do it. Removing the leaves and debris will allow the water to flow down the drains and off the roadway. There is a swale between two houses on Liberty and during the rainstorm it have enough water in it to make it look like a stream. George and Scott walked up through the water up to GAF where the water runs down from the mountain, across the railroad bed, through GAF's parking lot, through the woods, through the development and comes out between the two homes. This area would need to be discussed for Stormwater control. Kerry stated that the water problem on Roosevelt Street was to be taken care of when the development in Plainfield Township was being discussed. Maybe the Borough should contact Plainfield Township to find out what is being done on this project.
4. Finance – Kerry Gassler asked that the numbers for the 2006 budget be submitted as soon as possible.
5. Administration – Winton Male reported that he is purchasing the upgrade for the ACT program because we are two years behind.
6. Zoning – Tony Curcio reported that the Zoning Hearing Board met on October 5, 2005 at

7:30 p.m. to hear case 6-2005, Karl and Julie Keppel. They requested a six-foot fence for privacy around their pool. The Zoning Hearing Board gave permission to install the fence.

7. Planning – Scott Parsons reported that there was no meeting held in October.
8. Parks – Karen Skorochood reported that the Park Board was working on their 2006 budget and it should be ready for Council at their November workshop meeting. There has been an issue regarding the lights at the Park coming on at inappropriate times. Karen talked to John and he stated that he believes that the timer is functioning fine. There is a way for the timer to be manipulated to extend the lights for an additional half hour. Tony suggested that residents who are complaining keep track of the times that the lights are on when they should not be on.
9. Fire Company – Mitchell D. Mogilski, Sr. reported that he was the relief meeting, but he left before the fire company meeting.
10. Sewer Authority – Paul Levits distributed his monthly report that covered the period of August 24 to September 28, 2005 and highlighted the following information: the plant registered a total rainfall of 14.85". The CVS project was moving smoothly along until when they were digging for the underground storm pond they hit a brand new 8" main line. Fortunately, the engineer was on-site at the time and it was quickly and properly addressed. The second round of wet testing for the Authority was successful, but it is possible that the third round will not pass due to the heavy rainfall. They would have to go back to the DEP to appeal for a re-test and that is usually granted because of the circumstances. The DEP did an inspection and they were pleased with the operation. Paul asked Council to send a letter to the Municipal Authority stating that the Roberti property should be disconnected and the neighbor property can be connected properly.
11. Insurance – Winton Male had nothing to report.
12. 911 – Tony Curcio has nothing to report. Karen stated that she was out during the storm and tried to make contact through 911 with the Northampton County Emergency Management Coordinator, but it took him two days to return the call. Council asked Karen to speak to her husband, Anthony Skorochood, the Borough's Emergency Management Coordinator, regarding the air raid siren that continues to sound every Monday. She will generate another letter to be sent and copy Tony to be hand delivered.

Mayor's Report

Mayor George reported that the Contractor's license collected in September was \$50.00 for a total of \$1,725 for 2005. The police responded to 170 calls in the month of September, 8 motor vehicle accidents and 28 traffic citations issued. Terry Lipyanic was going through the community, door to door bothering people, has now been arrested and is in prison. A COG meeting is scheduled for Thursday, October 27, 2005. They will be discussing regional police at this meeting and George will be attending along with the Mayor. The Mayor reported that he

attended the Plainfield Township planning meeting regarding the Wal-Mart project and the planning commission tabled their decision. They realize the serious traffic problem that this development will have on the surrounding communities. Plainfield will be contacting the Council members from Pen Argyl and Wind Gap and Planning Commission members to meet with PennDOT to express these concerns. There is a concern with the parking along the streets in the Borough including Alpha, 512, and Center Street. That roadway will help bring Wal-Mart to this area and the people in this town will have to give up something and they will have to make a sacrifice and he is against that. The Mayor stated that Council hired Karl Longenbach and the fact that Scott and Karl are friends should have been discussed prior to his appointment as special solicitor. Kerry replied that as long as Scott does not have a pecuniary interest in anything that Karl is doing, it is not a problem. Karl will give his legal opinions to the best of his ability to this Council regarding matters related to the Bond Issue. The Mayor stated that he does not agree with Karl Longenbach being the special solicitor for the Bond Issue.

NEW BUSINESS

1. Special Solicitor Longenbach's Rate Discussion. Council received correspondence from Attorney Karasek stating that Karl Longenbach will work for the Borough at a rate of \$90 an hour as opposed to Borough Solicitor a rate of \$75 per hour.

On motion by Winton Male, Jr. to approve the rate of \$90 an hour for Attorney Longenbach and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

1. County Bond Issue. Kerry reported that George, Winton and himself went to a meeting today with members of County Council regarding the County Bond Issue. They listened to the discussion and recommended that Kerry attend the meeting from 4:00 p.m. to 6:00 p.m. this Thursday with the Borough's Solicitor, Karl Longenbach. The County wants to know, explicitly, does Wind Gap want to give the money back to the County or do they want to pursue the ongoing road? That is the question that needs to be answered, not if you can do this or do that. Council either wants the money or they don't want the money. The money is funded for this project, the Industrial Road, if Wind Gap does not want the road, then the money will be given back to the County, there is no such thing as flipping the money over to the other side. Mitch stated that Winton told Council before the meeting that County did not understand the motion, so he wrote a different motion that they might understand. A mixed message is being given to this Council. Winton replied that he only wrote a motion to throw something out on the table, because obviously the motion that was passed was apparently unacceptable, "convoluted". County Councilman Nick Sabatine was presiding over the meeting and they want Wind Gap to give them a very definitive answer regarding the Bond Issue. Mitch stated that County Council should hear from Wind Gap on Thursday before Borough Council even addresses the issue. Kerry said that Thursday is decision time for the County. County Council wants Wind Gap Borough Council, Pen Argyl Borough Council, Plainfield Township Supervisors, and the Mayors. Scott stated that Borough Council has voted on this issue six times in the last 22 months.

On motion by Scott Parsons to proceed with the Bond Issue and finish the road as

originally proposed and seconded by Winton Male, Jr. Roll call vote taken. In favor: K. Gassler, G. Hinton, W. Male, S. Parsons, T. Curcio. Opposed: M. Mogilski, K. Skorochod. Motion carried with a vote of 5-2.

Before roll call was taken, further discussion occurred regarding this motion. The Mayor stated that if that roadway is put in, Wal-Mart will come and that will screw up this town big time. There is no guarantee that there will be 1,200 jobs. If you go ahead with this, you are going against what the people want and you are out there on your own. Mitch requested that Council ask Attorney Longenbach how many times Council can vote on this same thing? Is Borough Council going to keep voting on things if we don't like how they turn out? Winton said that he would like to remind everyone that it was his fault that the motion passed in the first place since he wasn't here for the meeting. George added that there was a motion made to ask County Council if it was possible to move the money and if it wasn't possible to move the money the motion also stated that the money would stay where it is. He doesn't understand why Council has to vote now, because at the meeting on Thursday, chances are Borough Council will have to individually express their opinion on the bond money. Scott added that this issue has been voted on six times, the vote was 3 to 3 twice and the Mayor broke the tie, it was 4 to 2 or 4 to 3 in favor of proceeding and Mitch keep bringing up this vote until it was in his favor and now you are arguing about an issue that you have done in the past. George said that the newspaper reports that Wind Gap is giving the money back and giving the money back was never the issue. Mitch asked Kerry if it is true that he has a private interest because of his property at the intersection. Kerry replied that he was contacted, but he asked that the intersection be improved to a four-way intersection and PennDOT told him that it would back up traffic to Bangor, so it was no advantage to him, so he is out of it, he is not selling anything. Wind Gap Borough Council is going to inform County Council to proceed with the Bond Issue at the Thursday night meeting.

On motion by Tony Curcio to adjourn the meeting of October 18, 2005 and seconded by Scott Parsons.

The meeting of October 18, 2005 adjourned at 8:29 p.m.

Louise Firestone, Secretary / Treasurer