

**BOROUGH OF WIND GAP
545 East West Street
WIND GAP, PA 18091
610-863-7288
FAX 610-863-1011**

The Council meeting of the Borough of Wind Gap on Tuesday, April 20, 2021 was called to order at 7:01 p.m. by Council President Dave Hess, through Zoom Video Conferencing. Louise Firestone informed everyone that the meeting was being recorded.

A verbal roll call was taken by Borough Manager Louise Firestone – participating via Zoom computer link or Zoom phone link were Council members: Steve Bender, George Hinton, Dave Manzo, Joyce McGarry, and Mike McNamara. Also participating were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysker, and Borough Manager Louise Firestone. Absent was Councilman Jeff Yob.

PUBLIC COMMENT

No public comments were heard at this time.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the April 5, 2021 minutes and seconded by Mike McNamara. In favor: S. Bender, D, Hess, D. Manzo, J. McGarry, M. McNamara. Abstained: G. Hinton. Motion passed 5-0-1.

NEW BUSINESS

1. Appointment of Alternate Zoning Solicitor – Attorney Chad DiFelice - \$75/hr – Zoning Officer, Tina Serfass, reported that at the April 1, 2021 meeting, the Zoning Hearing Board Members voted, all in favor, to appoint Attorney Chad DiFelice as the Alternate Zoning Hearing Board Solicitor.

On motion by George Hinton to approve the payment of \$75.00 per hour for Attorney Chad DiFelice as Alternate Zoning Hearing Board Solicitor and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

2.. Community Wide Yard Sale Approval – July 9, 10, 11, 2021 – Dave Hess stated that the Borough did not have the Community Wide Yard Sale last year due to COVID-19.

On motion by George Hinton to schedule the Community Wide Yard Sale for July 9, 10, 11, 2021 and seconded by Joyce McGarry. Roll call vote taken. Motion carried unanimously.

3. Slate Belt COG Leaf Vac Bid Discussion - Dave Hess reported that the Slate Belt Council of Governments (COG) is looking to sell two leaf vacuums that they own with a minimum bid set at \$11,500 each. Steve Bender said he thinks the price is high, maybe we could do something together with Plainfield if they are planning on purchasing one. George said that, if he is correct, they purchased the vacuums with grant money so how are they allowed to sell them off. Mayor Mogilski said that he will raise that question with the COG. We already have an arrangement with Plainfield for all the paving equipment, roller and trailer so it may

make sense to add this piece of equipment to what is already shared between the two municipalities as an additional piece of shared equipment.

4. Recommendation for Award of Delaware/Burdette Paving Project - Brian Pysher reported that the Borough received three bids, Bracalente Construction, H & K Group, and Umbriac Trucking. Bracalente Construction was the low bidder at \$86,345.70. Umbriac Trucking was the second lowest at \$88,817.00, and H & K came in at \$96,235.75. Brian recommends that the Borough award the contract to Bracalente Construction for \$86,345.70.

On motion by George Hinton to award the Delaware/Burdette Paving Project to Bracalente Construction in the amount of \$86,345.70 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

5. Acceptance Councilman Mike McNamara's Resignation – Dave Hess reported that Council received a letter of resignation from Councilman McNamara. He is retiring and moving out of the area, his last day will be Friday, April 23, 2021. We regret seeing him go, but we all wish him the best of luck.

On motion by George Hinton to accept the resignation of Mike McNamara due to his retirement and relocating out of state and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. Parking Violation Tickets – DRAFT – Louise Firestone reported that she forwarded information for a parking violation ticket to Attorney Karasek in order for him to draft an ordinance. Attorney Karasek reported that he has questions on what the Borough is attempting to do and did Council want everything combined in one parking violation ordinance. Louise stated that the borough does not have an ordinance that would cover all the proposed violations so it would be her opinion that a stand-alone ordinance is necessary. George Hinton said that he was under the impression that Chief Hoadley was looking for an ordinance that would cover all of these violations so that the officers could enforce them. Attorney Karasek said that he will get an ordinance together for all of this information.

2. Snow Emergency DRAFT Ordinance – Louise Firestone reported the draft ordinance was forwarded to Attorney Karasek for his review. Attorney Karasek has some question that he will forward to Louise such as what is a hazardous condition, are we saying six inches and how are we going to measure that total. He stated that the draft ordinance covers all the streets, there is a map attached to the back, and it is thorough with what it is covering. Dave Hess suggests that the borough use the forecast from the National Weather Service since we will use the winter storm warning that is issued by them.

3. 29 Mechanic / 125 Water Street – Real Estate Sale - Louise Firestone reported that she received an e-mail with a proposed sale number for the property. The appraiser indicated that he will give her a written report on how he derived the number by the end of the week. As soon as she gets the report, she will send it out. The appraisal number is lower than anticipated, so if Council feels that the number is low, the questions is, do we get a second appraiser to come and look at the properties. Because this discussion includes a real estate transaction, it can be discussed in an Executive Session, but how does Council do that at length while conducting meetings via the Zoom format. Dave Hess said that he does not prefer executive sessions on Zoom. He is in favor of meeting if we need an executive session, we can schedule one at the Municipal Building where we can spread out accordingly.

COMMITTEE REPORTS

1. EMS – George Hinton reported for the month of March, the Ambulance responded to 124 calls, 10 ALS calls and 17 BLS calls in Monroe County, 12 ALS calls and 27 BLS calls in Northampton County, 58 non-emergency transports with an average response time of 2.57 minutes.

2. Fire – George Hinton reported that the Fire Company will be celebrating their One Hundredth Year Anniversary. The Fire Company is requesting permission to hold their carnival on June 24, June 25 and June 26, 2021. Steve Bender reported that Pen Argyl Borough will be having their Carnival and will be following the COVID-19 regulations which can be found on the CDC website. A copy of the insurance and the liquor license will be given to the Office.

On motion by Joyce McGarry to allow the Wind Gap Fire Company to have their carnival on June 24, June 25 and June 26, 2021 and to allow alcoholic beverages in the park while following all CDC Guidelines and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

3. Regional Police – Dave Hess reported that for the month of March, the Police Department responded to a total of 458 calls for service, 128 were for Wind Gap.

On April 5th through the 9th, three officers and a detective attended a Northampton County Crisis Convention Intervention Training at a Northampton County facility. The training encompasses how to help citizens with mental health crisis along with resources available for the communities throughout Northampton County.

The Police Commission meetings will move to Wind Gap Borough for the second four months of the year as they voted to go back to in-person meetings. The Police Commission will be using the Fire Company Social Hall.

4. Emergency Management – Dave Hess reported that he did send out a report related to Emergency Management issues over the last month.

Vaccines are becoming more available to the general public. Wind Gap Pharmacy is a distributor and organized a drive-thru vaccine clinic. Unfortunately, the two weekends they scheduled the vaccines within the borough, there were major traffic concerns that were not anticipated. Dave met with the pharmacy to discuss a potential solution and he suggested utilizing the facility at Waste Management in Plainfield Township. Dave contact Plainfield's Emergency Management Coordinator, they worked well together and they involved the Fire Companies from both municipalities for traffic control. They had a clinic last Saturday, it went smoothly, they ran three to four hundred cars through in less than two hours. The plan was to schedule more dates, but Wind Gap Pharmacy said that they do not need assistance anymore because they are moving their clinic out of the area.

Dave Hess reported that he completed the Spring Training Course which dealt with weather.

5. Zoning – Tina Serfass reported that a Zoning Hearing Board Meeting was held on April 1, 2021 for 67 Park Avenue. The prospective buyer of the property was requesting a variance, but the Board did not grant any variances. She does not know if the applicant is going to proceed with the purchase of the property or appeal the Zoning Hearing Board Decision. The applicant was afforded plenty of opportunity to continue the hearing and come up with additional background information as to why he should be granted the variance and he chose not to continue and proceed with the hearing. The Board voted 3 – 0, to not grant the variance.

6. Planning – Dave Manzo reported that the Planning Commission met with the applicants for 67 Park Avenue and when they were before the Board, they preferred not to divulge the proposed plan for the site. The Board denied their request that a letter be sent on behalf of the Planning Board to the Zoning Board recommending that a variance be granted.

The other applicant would be developing a manufacturing use on a lot within the Green Knight subdivision. The applicant was advised that he needs to get additional planning forms to the Solicitor.

7. Municipal Authority – Dave Manzo reported that JERC went before the Sewer Authority asking about the status of pump station. The Sewer Authority said that it was not energized and the Authority will be owning the pump station and all EDU's need to be paid upfront. Currently the Sewer Authority cannot review any documents because at this time, their solicitor is on medical leave. The Authority has retained France, Anderson, Basile, and Company P.C. to do their audits.

8. Streets – George Hinton reported that PA American Water will be turning the water back on at the park and the street workers will be checking all the lines for wear and leaks in the restrooms. Street sweeping is scheduled to begin next week. They are also working on the streets that are going to be paved, prior to Bracalente completing the paving. The concrete stoop between the salt shed and the new maintenance garage was not poured to the specifications and was too small so a new one was poured today. Rich is excited to start working in the garden and getting the park up and running.

Mike McNamara reported that he has been looking at West Street and is concerned with how cars park on the street. He suggests that between Alpha Road and 512 on East West Street, the street is made no parking. George asked if the plans called for restrictions on parking. Dave Hess said that he doesn't think so, and to reclassify the street to restrict parking a traffic study would have to be done. Brian Pysher stated that the developer did get a waiver for the street width, for 28 feet curb to curb which according to our ordinance allows for parking on one side, there are two ten-foot cartways and an eight-foot-wide parking lane. Dave Manzo said that the striping could slow traffic down a little bit. Steve Bender said that the temporary sign located on the left-hand side of Longcore and East West should be removed, you cannot see when you look to the left, it blocks the view. Dave Manzo said that the sign from the Kidney Center blocks the traffic if you are trying to look right at the stop sign. Dave Hess said that we can look at the site triangle for the two signs and get the street striped.

9. Park/Athletic Fields –

a. Community Garden - Joyce McGarry reported that one person called about possibly renting a spot. She had some people that took plots last year and they did not like when people came in and ate their vegetables. Dave Hess said this is a community garden and is to be shared. Joyce said they will start working on getting this together.

b. Boy Scout Jamboree – June 18, 19, 20, 2021 - George Hinton reported that he spoke to the Scout Master and asked him what can the borough do differently to get the Boy Scouts more involved with the Jamboree. Steve Reider, Slate Belt Rising, moderated a Zoom meeting that also included participation from a representative of Senator Scavello's office in order to gather thoughts and ideas how to host a successful event. The group formulated a plan for the jamboree which includes the scouts arriving at the park on Friday night, getting up early Saturday morning, getting bused to 191 in order to hike back across the Appalachian Trail into Wind Gap and then walk down to the park to do their events. They would stay over Saturday night and then clean up and leave on Sunday morning. The Fire Company had slotted

June 18, 19 and 20, 2021 as part of their 100th Anniversary to do a Firefighter Challenge in the park so the Boy Scouts could utilize the upper portion of the park. George said that they will be following the CDC guidelines.

On motion by George Hinton to allow the Boy Scout Jamboree in the park on June 18, June 19 and June 20, 2021, this will include a sleepover and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

c. Summer Sounds –

On motion by George Hinton to allow Summer Sounds to commence at the park and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

Steve Bender asked if they will be following CDC Guidelines and Dave Hess said they will. Louise Firestone said that she had a question regarding the tent that we put up in the park for Summer Sounds, do we want to put it up or is that encouraging people to be too close? Dave Hess said that we can put the tent up and put a sign up.

d. Small Park Pavilions - Louise Firestone reported that the two small pavilions both have cracks in the concrete pad that is under the picnic tables. Two weeks ago, she met with Brian and Rich to discuss a course of action which could include using a jackhammer to remove the concrete pad but leave the pillars and the roof standing. Brian's review was that the pavilion roof and poles are actually structurally sound. Louise had asked the Park Committee to take a look at them and voice their opinion on what they saw. Dave Manzo said that he went and looked at them, he thinks that the right thing to do in order to not be liable for accidents that may occur would be to take them down and jackhammer the concrete. Joyce McGarry said that she looked at them and number 3 was worse than number 2. Steve Bender agrees, he also checked them out. Dave Hess also took a field trip and looked at them. He agrees that they need to go, are we planning on replacing them right away. Louise said that according to the Park Master Plan, there are supposed to be 5 small pavilions in an arched area along Third Street. She has not done any pricing on how much it would be to replace the pavilions, but we can look into how much it would cost to replace maybe two and do three at a different time. George Hinton recommends that we try to work it out, if not this year, definitely put it in the budget for next year to put the two back up. He concurs that those two should go down but they should be replaced if not this year, next year we can get it in the budget if possible and maybe the year after do another one or two until we get them where they are supposed to be according to the Master Plan. Maybe we could look at the cost of putting up two tents and some tables under them so people can still go and read a book, eat lunch in the shade.

On motion by Mike McNamara to remove both small pavilions in the park due to safety concerns and seconded by Dave Manzo. Roll call vote taken. In favor G. Hinton, D. Manzo, J. McGarry, M. McNamara, D. Hess. Opposed: S. Bender. Motion carries 5-1.

e. Girl Scout Day Camp - Louise Firestone reported that the Girl Scouts would like use of the park for June 28 through July 2, 2021 to have their day camp.

On motion by George Hinton allow the Girl Scout Day Camp to be held at the Borough Park and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

f. Field Rentals – Louise Firestone reported that the office was contacted by a local men's softball league that has two teams that are looking for fields to hold games on Sundays between 10:00 am and 1:00 pm. They are asking if the fields are available and if there is a fee associated with using the fields. Dave Manzo suggested looking at surrounding areas and see what they charge for the use of their fields. Next year we can implement some type of fee schedule similar to what surrounding communities charge. Attorney Karasek advised checking with your insurance carrier to make certain that you renting fields to different parties there is not

going to be an insurance issue in case someone gets injured and Council may want to consider some type of release being signed and prepared.

10. Tipping Fees – Louise Firestone had nothing to report.

11. C.O.G. – Mayor Mogilski reported that everyone should have the report from the COG.

12. Slate Belt Rising – Louise Firestone reported that the meeting was held two weeks ago. The retiring Executive Director, Allen Jennings, gave his farewell speech and in the process, he told Slate Belt Rising Steering Committee, that options for having more money invested in the program needs to come from our merchants and commercial property owners, but the proposed dollar amounts was not enthusiastically received. Hopefully, the incoming Executive Director has a better handle and a different approach to fundraising and commitment on behalf of CACLV. Two weeks ago, we did a clean-up in the four boroughs and we pulled 300 pounds of garbage off of the top of Wind Gap Hill and down upper Alpha Road.

13. Multi-Municipal Plan –Nothing to report.

14. Mayor’s Report – Nothing to report.

15. International Property Maintenance Code (IPMC) – Dave Manzo said that he has done everything he can with the International Property Maintenance Code (IPMC). Dave Hess asked Council if this is now at point that we can vote to advertise. Attorney Karasek said an Appeals Board has to established and he is not sure if the Slate Belt Council of Governments still has an Appeals Council which can be used. Dave Manzo said a decision would have to be made identifying an agent, either the Zoning Officer or the Engineer to check out any issues with the code. Tina Serfass reported that she enforces the Property Maintenance Code in multiple municipalities. She does not know if the COG would be the Appeals Board. She thinks the Borough has to establish a five-member board. The COG is the Building Code under the UCC where they would go to appeal decisions by the plan reviewer. She is not sure if the COG does the Property Maintenance, all the other Municipalities have the own five-member board, whether it is Planning Commission, Council or Council appoints five people at random to make up your Appeals Board. Tina said that Attorney Karasek has to write an ordinance to adopt the Property Maintenance Code. Attorney Karasek said that he would like to see the copy that Council is working with so he can consider the ordinance.

ADJOURNMENT

On motion by Mike McNamara to adjourn the meeting of April 20, 2021. Council agreed unanimously. The meeting of April 20, 2021 adjourned at 8:50 p.m.

Louise Firestone, Borough Manager