

**BOROUGH OF WIND GAP  
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The Council meeting of the Borough of Wind Gap on Monday, August 3, 2020 was called to order at 7:00 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 George Hinton, Joyce McGarry, Mike McNamara, David Manzo, Jeff Yob, and Steve Bender. Also participating were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher, and Borough Manager Louise Firestone.

Councilman Steve Bender joined the meeting at 7:25 p.m.

**PUBLIC COMMENT**

1. Adrienne Fors, Waste Management, came before Council with the landfill operations neighborhood update.

Grand Central Landfill is committed to keeping the community informed. Below, you will find the most recent copy of the landfill operations neighborhood update.

1. Landfill Operations: We are currently accepting an average of 2500 tons per day
2. A new 18" gas header was installed recently to provide gas collection in Cell 17.
3. The GCSL operations team has plans to place temporary cap on approximately 14 acres across the top of the landfill. The project will begin in late August.
4. The PH Building is nearly complete. The team expects to see the building fully operational this week.
5. Grand Central Landfill received notice that the facility is one of five winners for the Pennsylvania Environmental Council's Partnership Awards. GCSL and Friends of Minsi Lake will be recognized in November at the Virtual Event.

The Grand Central Landfill website continues to be updated and includes the monthly landfill update notices. [www.grandcentrallandfill.com](http://www.grandcentrallandfill.com). Residents can also learn more about us by visiting our Facebook page as well.

**APPROVAL OF MINUTES**

**On motion** by Dave Manzo to approve the July 6, 2020 minutes and seconded by Joyce McGarry. Roll call vote taken. In favor: D. Hess, G. Hinton, D. Manzo, J. McGarry, M. McNamara. Abstained: J. Yob. Motion carried with a vote of 5-0-1.

**APPROVAL OF EXPENSES**

**On motion** by George Hinton to approve the expenses in the amount of \$46,561.33 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

**On motion** by George Hinton to approve Nu Cor Management pay request 19300.6 for the Maintenance Garage in the amount of \$57,600.00 for the pre-engineered metal building erection and for further work on the masonry and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

## **SOLICITOR'S REPORT**

### **MEETINGS ATTENDED:**

July 6, 2019 - attendance at regular monthly meeting of Borough Council.

### **RIGHT-TO-KNOW REQUEST:**

Landlord Tenant List  
Permits for an address that does not exist on West Street

### **EASEMENT AGREEMENTS:**

Easement Agreement for the Wind Gap Borough Park Trail

### **JERC:**

Reviewed various e-mails, maps, memorandums of law, and a number of documents that came in on JERC Emergency Access Drive matter which in on the Planning Agenda for August 6, 2020.

### **PLANNING COMMISSION MEETING:**

Prepare preliminary work for Thursday's Planning Commission dealing with the Detzi's Plan for 570 N Lehigh and BioSpectra Plan including the easement agreement that was finalized. BioSpectra submitted three SALDO requests. The meeting is scheduled for August 6, 2020.

## **ENGINEER'S REPORT**

1. Maintenance Garage Update - Brian Pysher reported that the building is completely under roof, they finished erecting the structure. There are some punch list items that he discussed with John from Nu Cor which will be addressed. The contractors are hopeful the work can begin on the interior tomorrow with laying out some walls. They have been in touch with the other contractors regarding HVAC installation, compressed air lines, and plumbing lines. They got shop drawing approval on the garage doors and are hopeful that the doors will be in within three to four weeks. Brian spoke with Johnson Control, formally TYCO, to request a proposal for FOB installation based on the needs of the maintenance garage.
2. Dave Manzo asked that after the fire last night, will someone be contacting the Green Knight about the emergency access to their property. Brian will reach out to them and inquire when they will be constructing their emergency access and asking them to make it a priority.
3. Brian reported that he worked with Rich and the road crew to install two inlets and some piping into the rain garden on the east side parking lot of the municipal complex. He anticipates that it will be finished by the end of the week.
4. Brian said that he has been spending the past few week reviewing the BioSpectra Land Development Plan and Detzi's Lot Line Adjustment. Both plans will be on the agenda for the August 6, 2020 Planning Commission Meeting.

## OLD BUSINESS

### 1. JERC Partners LII, LLC Land Development Emergency Access Driveway –

**On motion** by Dave Manzo to refer the JERC emergency access driveway options that were sent by JERC and received by Borough Council on Friday to the Planning Commission and seconded by Jeff Yob. Roll call taken. Council agreed unanimously.

Dave Manzo said he is suggesting that aerial photographs of those options are provided or a walk of the property is scheduled in order to see what the proposed options look like.

Joe Correia from J.G. Petrucci Co representing JERC Partners, said he would agree to at least walk through some of the options for the benefit of discussion, but also understand Mr. Manzo's motion. We want to work together to get this figured out, but if there is an opportunity to at least discuss them in concept tonight they would appreciate that.

Dan Sinclair, Chief Wind Gap Fire Company, said that when they walked the emergency access, they were given a drawing of the emergency access coming off of Mr. Giroux's property. We did have a fire across the street and the emergency access for that property had trucks blocking it so all the apparatus could not get in there. They ran their equipment from the back of Giant all the way to the fire. He feels that regarding JERC, that access has to come in the back of the property. How it is on the drawing, it is not going to work, everything is going to bottleneck at that intersection going into the property. We need to figure out some way to get the emergency access to the back of that property. Attorney Zator said that unfortunately the Route 512 access is off the table. If that is the direction that the Borough is going to be going because of what the Fire Chief said, they will have to figure out what they are going to do because that just does not work. They came up with six options for Male Road, five of which they think could work and they were prepared to present those options to Council this evening and prepare to answer any questions. Ultimately, they were going to let Borough Council decide which of those options they would prefer.

Dave Hess asked if the applicant would like to go over their options or would you rather go to the Planning Commission this Thursday. Dave Manzo said that if they are going to discuss this, he would like a time limit, 5 to 10 minutes, no more. Joe Correia said that 5 to 10 minutes would not do any benefit, they look forward to scheduling the on-site meeting and meeting with Planning member in the field.

Attorney Karasek said that we can review this matter at Thursday's Planning Commission Meeting, set the walk-through date, and return to the next Council meeting.

### 2. Dream Lehigh Valley – Water's Edge Plan Updates / Easement Agreement – Attorney Karasek finished the final draft which is basically an easement agreement that allows the Borough access to the stone drive that goes to the park and/or park trail property. The Easement Agreement allows the Borough access onto their property to be able to get to the park or park trail, if there is any injury or problem, they expect the Borough would be responsible for that, which he feels is reasonable. It is a standard agreement that he sent to Attorney Vogt who will get back to us with provisions and changes.

Attorney Karasek said that in the rest of the letter they are saying they need changes, if they need to be re-reviewed on the plan, such as the dry hydrant being eliminated, clarification on fencing reducing the height at the entrance, eliminate the concrete sidewalks in front of the carriage houses. He is not sure if they have been addressed and, are they significant enough to require re-review of the plan or just changes that have to be formally presented to Council for approval. Brian Pysker said that he spoke with Justin today, they met with him when they discussed the trail and the easement agreement and he made them aware of eliminating the

sidewalk where it crossed the driveway of the carriage houses. He responded to Justin and said that he thinks Council should weigh in on this if they are eliminating sidewalks.

Attorney Karasek asked Brian if he believes that this should be an item for Planning Commission review. Brian said the Planning Commission should review these requests prior to Council taking any action.

## **NEW BUSINESS**

1. Wind Gap Park Trail Project Award – Louise Firestone reported that the Borough received three separate bids, from three different contractors, last Friday through PennBid. There were alternate bids options to expand the sidewalk or remove the existing concrete walk. Our budget for this project is approximately \$200,000. We have \$130,000 granted from various funding sources. She forwarded everyone a spreadsheet that has all the numbers as provided by the Borough's consultant, Navarro & Wright. Louise went over the bid quotes for the sidewalks, pedestrian bridge, and demolition and remove the existing fieldhouse. Our consultant is suggesting is there is an apparent low bidder, the Committee's original thought was to spend \$100,00 to \$130,000 on the concrete walk.

**On motion** by George Hinton to have the committee meet with the apparent low bidder for the proposed walking trail, walk the property and come back to Council and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

2. Promote Street Worker Zach Saltern from Probationary to Full-time Status – Rich Fox recommended that we hire Zach Saltern on as a full-time employee.

**On motion** by George Hinton to promote Zach Saltern from probationary to full-time employee of Wind Gap Borough at the rate of \$17.93 per hour for the Street Department and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

3. Grand Central Zoning – Louise Firestone reported Adrienne Fors had anticipated being on tonight's Zoom Meeting to explain that Grand Central Sanitation's rezoning application went before Plainfield Township Supervisors and they voted to not allow it to move forward before it even had a chance to go before the Planning Commission or any public meetings. One of the follow up discussions that Adrienne Fors had with Plainfield Township was that they had not heard from Wind Gap or Pen Argyl either in favor or oppose to the rezoning project. Adrienne has asked to get people to send e-mails thanking Waste Management for their participations in support of the community and that ranged from the YMCA, CACLV, to Green Knight Economic Development. She just wanted everyone to be aware that there are people supporting the rezoning and appreciate what Waste Management brings to this Slate Belt area. Adrienne will be available to further discuss this topic either at a future meeting or calling her directly.

**On motion** by George Hinton to send a letter of support to Waste Management for their Grand Central rezoning project and to send a copy to Plainfield Township and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

## **COMMITTEE REPORTS**

1. EMS – Dave Manzo reported that the Ambulance responded to 18 ALS calls and 23 BLS calls in Northampton County, 10 ALS calls and 11 BLS calls in Monroe County, and 43 transports. Response time is 2.6 minutes.

EMS – Dave Manzo reported that for the month of May, the Ambulance responded to 8 ALS and 9 BLS calls for Monroe County, 17 ALS and 18 BLS for Northampton County and 32 non-emergency transports for a total of 84 calls. Response time is 2.9 minutes.

2. Fire – George Hinton reported that the Fire Company has been trying to figure out ways to raise money. He spoke with State Representative Marcia Hahn and Senator Mario Scavello explaining how bingo is being run such as social distancing and requiring masks to be worn.

3. Regional Police – Dave Hess reported that in June the Police Department responded to a total of 449 calls for service, 119 were for Wind Gap. The calls have increased significantly from June as people are feeling safer, getting back to work, and being out in public again.

Administratively, there was a Black Lives Matter march on June 27, 2020 in Pen Argyl Borough, the Department was involved with traffic control and ensuring safety and reported no major problems were reported. The Officers are still required to wear masks when interacting with the public during the green phase. All the Officers are healthy, none had exposure, there was no need to quarantine anyone. The Chief is continuing to meet with the managers of each municipality to work on the budget which seems to be going well. We should have the budget a little earlier this year. Louise e-mailed everyone a copy the Charter Agreement which we have discussed and gone over. The motion was passed to send the Charter with the changes to the Municipalities for their approval or rejection. They were unwilling to put in the change that we requested in regards to who the Commission Members can or cannot be. Everyone should have that and either tonight or at the next meeting, we will have to decide to either accept that Charter or if we choose not to accept it, we continue to operate with the original charter which we have had since day one. Dave will report that we are not taking any action at this time. We will bring this up at the next meeting while continuing to operate with the original Charter.

4. Emergency Management – Dave Hess reported that there is nothing going on with the pandemic, it has calmed down. They are monitoring that on a weekly basis instead of a day to day basis. There are a lot of emails coming out on the tropical storm that we are supposed to get tomorrow. We are in the target for the heaviest rains. Last Wednesday, there was north bound closure due to an accident on Route 33 during evening rush hour and we put the new traffic timing system into effect. It was simple, they got the key and flipped the switch and as the traffic eased, they turned it off and it returned to the normal operation so the timing of the traffic flow worked as it was designed to do.

5. Zoning – Deb Harbison reported that we currently have 44 permits issued with 8 applications on hold for UCC permits. George Hinton voiced his concerns about inconsistencies on how permits are given out.

6. Planning – Dave Manzo reported that there is a Planning meeting scheduled for Thursday, August 6, 2020 for JERC, Dream Lehigh, Detzi's and BioSpectra.

7. Municipal Authority – Dave Manzo reported that at the meeting on July 23, 2020, the Authority did send a letter to the office on the resignation of a board member and need for a replacement, if we are going to replace. They discussed the Engineer's report for Dream Lehigh Valley, Green Knights and BioSpectra plans. There was an issue with the increase of water usage at JERC's property at Jacobsburg Road.

8. Streets – George Hinton reported that the contractor completed the punch list on the Alpha Road project. The East Center Street paving project is completed. They have been mowing, weed whacking, fixing potholes, and alleys. The left front wheel of the backhoe needs to be repaired. Jeff Yob reported that they received a letter from Plainfield Township for the labor we provided for their paving project on Hower Road and we hired the new worker. Dave Hess said that West Street has been improved from Lehigh to Longcore Road. When you come off of Broadway, there is not one piece of signage, street striping, or lights all the way to

Longcore Road so we need to review who is responsible for signage and lights. Brian said West Street was unique because it was a Borough Street. If lighting was their responsibility, he thinks that they would have installed it already. He will look to see what signage is required.

9. Park/Athletic Fields – Dave Manzo reported that after the committee meets, they will make a decision, send a letter to Tony Borger, and get back to Council about demolition of the field house.

A. Community Garden – Joyce McGarry reported that a resident contacted the Borough and she contacted them. They want to contribute soil and plants for the pots and be involved

10. Tipping Fees – Louise Firestone reported that she forwarded the second quarter Waste Management check to Council.

11. C.O.G. – Mayor Mogilski reported that there was no July meeting. Back in June they did have a meeting.

12. Slate Belt Rising – George Hinton said they did not have a meeting this month. There is \$1750 that each one of the municipalities that were involved received. George and Louise spoke about it and if possible, they would like to do something with the meals, giving back to the community.

13 Multi-Municipal Plan – No meeting was held so there is nothing to report.

14. Property Maintenance Code – Louise Firestone reported that she has to make copies so the committee can review them.

15. Mayor's Report – Mayor Mogilski reported that he joined a couple in matrimony in July.

16. Dave Manzo had copies of the letter from Plainfield Township e-mailed to Council to see if there were any inconsistencies with what JERC is telling them and us. He would like everyone to take a look at those minutes, especially page 5 where they discuss the Emergency Access and a PennDOT Highway Occupancy Permit.

17. Steve Bender reported that a resident asked if we could install the tennis court nets. Dave Hess and Louise said that we can take care of that.

18. Dave Hess reminded everyone that the next meeting is scheduled for Tuesday, September 8, 2020 at 7:00 p.m.

## **ADJOURNMENT**

**On motion** by Dave Manzo to adjourn the meeting of August 3, 2020. Council agreed unanimously. The meeting of August 3, 2020 adjourned at 8:27 p.m.

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Louise Firestone, Borough Manager