

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, December 22, 2020 was called to order at 7:02 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, David Manzo, Joyce McGarry, and Jeff Yob. Also participating were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher, and Borough Manager Louise Firestone. Absent was Councilman Mike McNamara.

Councilman Steve Bender joined the meeting at 7:21 p.m.

PUBLIC COMMENT

1. Jill and Matt Silvius of 24 S Lehigh asked if there was any update regarding a noise or vibration ordinances being drafted. Dave Hess said that this will be discussed under the Committee Reports later on in the meeting.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the December 7, 2020 minutes and seconded by George Hinton. Roll call vote taken. Council agreed unanimously. In favor: D. Hess, G. Hinton., D, Manzo, J. McGarry. Abstained: J. Yob. Motion carried 4-0-1.

APPROVAL OF EXPENSES

On motion by Jeff Yob to approve the expenses for December in the amount of \$5,802.28 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

NEW BUSINESS

Nothing to report at this time.

OLD BUSINESS

1. JERC Agreement Approval - Attorney Karasek reported that Attorney Zator and Mr. Correia have joined our meeting regarding the recording of the Subdivision Plan for JERC, not the Land Development Plan. Mr. Zator prepared a letter with respect to the three outstanding items which include the preparation of the Consolidation Merger Deed, Temporary Access Easement Agreement, and Placement of the Pins and Monuments. Attorney Karasek said that even though Mr. Zator did a letter, he felt more comfortable if a written agreement would be

prepared. That agreement has been prepared, reviewed and it meets with his approval. Attorney Zator said that assuming Borough Council is in agreement with the recommendation from their Solicitor, they would request that they approve the agreement and Mr. Correia is intending to have the executed document delivered to the Borough staff tomorrow, assuming that is the action taken by Council this evening. As they were preparing the final document for execution, recognizing that Attorney Karasek suggested it be recorded, it occurred to them that they are not the property owners at this time. It is possible that the Recorder of Deeds office will not take that document to record it. If it is not accepted to be recorded by the Recorder of Deeds, that can be dispensed as with the requirement and the requirements that are spelled out in this contract that will be executed and in his letter are all requirements that are going to be completed by the time, they get to the Land Development Plan being proposed for recording or they will be incorporated in the Developers Agreement in connection with the Land Development Plan. He just wanted to be prepared for the possibility and not have to come back for subsequent meeting in the event that the Recorder of Deeds does not take it. The Giroux property is being subdivided and the intent is to go into closing with Giroux soon after the recording of the plan but, that has not happened yet.

Attorney Karasek said that Council should know that he is in agreement with that analysis, if for some reason the Recorder of Deeds would not take the agreement, the Borough still continues to be protected at the Land Development stage if this agreement cannot be recorded the Borough. As to the monuments, the Borough has the escrow they received from JERC so they are fully protected. Attorney Karasek said that he requested this written document signed by both parties whether or not it could be recorded.

On motion by George Hinton to approve the agreement so it can be signed by Borough Officials and seconded by Jeff Yob. Roll call vote taken. Council agreed unanimously.

COMMITTEE REPORTS

1. EMS – Dave Manzo reported that the Ambulance responded to 144 calls, 5 ALS calls and 20 BLS calls in Monroe County, 26 ALS calls and 33 BLS calls in Northampton County, 60 non-emergency transports. Response time is 2.1 minutes.

2. Fire – George Hinton reported that the Fire Company had their last meeting for the year. The officers were appointed last night, once the minutes are read and approved the Fire Company will provide Council with their names and positions. On Saturday, the Fire Company had their tree lighting ceremony. They used their ladder truck up at the Social Hall and put Santa up in the bucket, then he disappeared and came out of the front door of the Social Hall. All went well, they did a drive through, waived to the kids and gave them some stuffed reindeer, coloring books, and crayons. There was hot dogs and hot chocolate for them to enjoy.

3. Regional Police – Dave Hess reported that for November, the Police Department responded to a total of 446 calls for service, 135 were for Wind Gap.

Dave Hess reported that Officer Wales has been permitted to return to an “on Duty” status under the Department’s light duty policy. He is undergoing extensive rehabilitation three (3) times a week and has been assisting the Department with Administrative functions while in this capacity.

Slate Belt Regional Police Department is coming to the close of our first year (Year One) of Accreditations. They are pleased to report that, with the help of Pat, Sergeant Daly and Sergeant Connolly, they have been able to amass all necessary proofs of compliance for this year. They are staying COVID-19 free and doing the best that they can.

4. Emergency Management – Dave Hess reported that the Borough received an e-mail that there will be no funding available from tropical storm Isaias. We did suffer some road damage and submit it along with everything else, but no funding will be available.

5. Zoning – Deb Harbison reported that there will be a Zoning Hearing Board Meeting on January 6, 2021 via Zoom for the relocation of the Male Road billboard. Dave Hess reported that he along with Steve Bender met with Louise and Deb to go over zoning issues.

6. Planning – Dave Manzo reported that the Planning Commission met on December 3rd regarding the request to relocate the existing Male Road Billboard. The Commission recommends approval of their request. There was also a brief discussion regarding JERC and the Sanitary Sewer Pumping Station.

7. Municipal Authority – Dave Manzo reported that they discussed the agreement between the Municipal Authority and JERC.

8. Streets – George Hinton reported that an excavator was rented from Plaster Equipment, unfortunately before the project was completed, the cables were cut and the batteries were stolen, which were taken to a salvage yard for cash. The police were able to track down the batteries the next morning. Plaster had to come back up to put new batteries and cables in for the street works to finish the removal of the fieldhouse project.

The Ford truck previously had some transmission problems, was at Nazareth Ford for a week and a new harness was installed and returned in time for the snow storm. The truck was used it for the snow storm and the next day it was acting up again. It is back down at Nazareth Ford. The small Chevy Mason Dump, 2007, the straps on the fuel tank broke so that is down at Wind Gap Chevy having new straps put on this week.

The street workers, with the assistance of a part time worker worked around the clock plowing the roads. There were only a handful of minor complaints, overall, it went very well.

Jeff Yob reported that he spoke with Rich Fox about the leaf vac and they will put some information together late January to bring to Council so they can have a discussion about what they should pursue for next year. There are a couple of different alternatives that they want to bring before Council.

Jeff Yob said that it was brought to his attention that there was a possibility of needing another part timer worker. There was an application pending for another part time snow plow driver to have on the roster just in case someone is not available, but to be used on an “As Needed” basis at a rate of \$15.00 an hour.

On motion by Jeff Yob to hire Alex Keenhold as a part time, as needed, Street worker for snow plow driving and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

Dave Hess reported that the Street Department garage and trucks did undergo an emergency cleaning and disinfectant this evening.

9. Park/Athletic Fields – Dave Hess reported that the fieldhouse is gone. Dave Manzo said the Street Department did a very good job making sure the sidewalks that were put in correctly then taking down the building and removing it.

Walking Trail – Louise Firestone reported that they had a walk about last Monday with the contractor from CMR Construction, Craig Bachik from Navarro and Wright, and Sherry Acevedo from Northampton County. There were a couple of minor issues on either end of E

West Street, the handicapped ramp is a couple of inches too high because of how the road feathers out. They will be back in the spring to fix those. Vince, the President of CMR wanted to make sure that she passed along to Council that he appreciated the willingness of our Street Department to work with him. They were able to coordinate when things needed to be moved or issues with the traffic so he said it was enjoyable to work with the Wind Gap Street Department. The Borough has a little over \$79,000 grant funding through a Livable Landscape Grant that will be used for the actual trail that goes through the access road where we got the easement. Sherry Acevedo is very excited that the Borough made the determination and moved ahead making the sidewalks eight (8) feet wide as opposed to four (4) or six (6) feet wide. It makes it a lot different when two people and a dog walking, they can now stay on the sidewalk because it is wide enough to do so. At that meeting, they spoke about potentially finding more money to do the next phase of the project. Louise reported the same day she received an e-mail from DCED where a grant application had been submitted for additional funding for the trail. She answered some of the representative's questions and then passed it along to Mr. Bachik who provided her with additional information. Positive feedback was received from DCED.

10. Tipping Fees – Nothing to report

11. C.O.G. – Nothing to report.

12. Slate Belt Rising – Nothing to report.

13 Multi-Municipal Plan –Nothing to report. They will not meet potentially until March of next year.

14. Mayor's Report – Mayor Mogilski reported that he did send his report to Council. He had prepared a proclamation for school choice week (January 24th to January 30th) 2021 and he also recognized Randy George for his service to his community as well as his country volunteering for 46 years with the Wind Gap Fire Co. and 4 years in the United States Army.

15. International Property Maintenance Code (IPMC) – Dave Manzo reported that he went through the ordinance books and discussed the issues with Louise and the other members of the committee. There is an ordinance that deals with noise pollution, but as Louise had explained, it has to be at a certain decimal level for a certain amount of time and has to be measurable. Louise said that she found the Pennsylvania Diesel Powered Multivehicle Idling Act 124 from 2008 on the DEP website. She is not sure if this would be something that would assist us, it is covering what type of vehicles for how long they can sit idling. Attorney Karasek said that there is a sign in the Easton area that reads, no diesel idling is permitted for a specific amount of time and it refers to that act. Louise said she will forward a copy of what she found to him.

Dave Manzo said that he believes that we could adopt the International Property Maintenance Code by February. There needs to be penalties attached to issues that occur if anyone does not adhere to the IPMC. The IPMC does not have penalties, his guess is that it must be up to each Municipality to determine the kind of penalties they want to attach.

Dave Manzo reported that when going through the ordinance books he found duplicate ordinances or ordinances that need to be removed because they are so outdated.

On motion by Dave Manzo to authorize Louise Firestone to research companies that could provide the Borough with codification of the Borough Ordinances and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of December 22, 2020. Council agreed unanimously. The meeting of December 22, 2020 adjourned at 7:40 p.m.

Louise Firestone, Borough Manager