

**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, July 20, 2021 was called to order at 7:00 p.m. by Council President Dave Hess, at which time he reminded those present that the meeting was being recorded. In attendance were Council members George Hinton, Joyce McGarry, Mike Laudano, David Manzo, Jeff Yob, and Steve Bender. Also, in attendance were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronald Karasek, and Borough Manager Louise Firestone. Absent was Borough Engineer Brian Pysher.

PUBLIC COMMENT

1. Keith Miller of Taft Street came before Council with concerns about tractor trailers parking on Taft Street and West West Street. He said that the weight of the trucks is damaging the roads. His neighbors said that they have been complaining about this for years. If the Dave Hess responded by saying that if the borough does not have an ordinance restricting the trucks, we cannot prevent anyone from driving or parking on public streets. In order to adopt an ordinance, a traffic study would have to be done and justification on why the trucks are not allowed on the local streets. Mr. Miller is asking for a weight restriction on the streets. Attorney Karasek said the engineer would have to perform a study traffic to see if the street is subject to a weight restriction and if the study supports that, then an ordinance would have to be prepared to establish that weight restriction, and then Council would have to determine who would enforce the ordinance.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the June 22, 2021 minutes and seconded by George Hinton. In favor: S. Bender, D. Hess, G. Hinton, D. Manzo, J. McGarry, M. Laudano. Abstained: J. Yob. Motion carried 6-0-1.

APPROVAL OF EXPENSES

On motion by Jeff Yob to approve the general expenses in the amount of \$197,949.80 and seconded by D. Manzo. Roll call vote taken. Council agreed unanimously.

On motion by George Hinton to approve the Final Pay Request for Nu Cor Management Application 19300.14 (Final \$5,000 / Change Order \$4,200 for Snow Bars) in the amount of \$9,200 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

On motion by Jeff Yob to approve Wind Gap Electric – Application No. 7 - \$15,662 (Final) and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

On motion by Jeff Yob to approve The Warko Group – Application No. 7 - \$12,169.47 (Final) and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

Louise Firestone reported that KC Mechanical has not completed all of their paper work necessary to approve their final invoice.

NEW BUSINESS

1. August Council Meeting Date/s - Dave Hess reported that two meetings are scheduled for the month of August, August 2nd and August 17. Council agreed to have only meeting for the month of August which will be on Tuesday, August 17, 2021.

OLD BUSINESS

1. 29 Mechanic St / 125 Water Street – July 31, 2021 Auction – Louise Firestone reported that there was an open house this past weekend and the auctioneer, Mr. Teel, has shown the properties at least a half dozen times. Mr. Teel has set the auction for Saturday, July 31st at 1:00 p.m. Attorney Karasek explained that in compliance with the Borough Code, he has prepared a resolution because when a municipality intends to sell property for more than six-thousand dollars that there is a resolution confirming that it is being sold either by bid or by auction. It is a very simple two-and-a-half-page resolution confirming that the sale can take place and no one can say that the borough is selling the property without discussing it at a meeting.

On motion by Jeff Yob to adopt Resolution 2021-01 and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

2. Attorney Karasek reported that he prepared the advertising notice for the International Property Maintenance Code, the Parking of Moto Vehicles on Borough Streets during a Snow Emergency, and the On Street Parking Prohibitions Establishing and Enforcement Proceedings. Those advertisements have been done as he was directed to do at the mid-month May meeting. Attorney Karasek said that there are some questions regarding the Property Maintenance Code that he has to answer. Dave Manzo asked if we would be able to vote on adopting this at the August meeting. Attorney Karasek said that he doesn't see why we cannot do this at the next meeting. Attorney Karasek said that he can put them on the August 17 meeting agenda, if that is what Council would want to do.

COMMITTEE REPORTS

1. EMS – George Hinton reported that for the month of April, the Ambulance responded to 155 calls, 16 ALS calls and 16 BLS calls in Monroe County, 26 ALS calls and 39 BLS calls in Northampton County, 58 non-emergency transports with an average response time of 2.24 minutes from dispatch to response. They are meeting with an ambulance manufacturer tomorrow night to discuss the purchase of a new ambulance. They put in for a grant but did not get any grant money. Staffing is still an issue, finding people who want to work has been a challenge.

2. Fire – George Hinton reported that the ladder truck is in service, they have their certificate and stamp for it. They had one of the best Carnival turn outs for their 100th year anniversary. The fireworks were donated and it was a great fireworks display. The event was a great success because of the support of the local merchants throughout the town chipping in and helping out this year such as Wind Gap Chevrolet, Detzi's Tavern, Rapid Wraps and more. Dave Manzo helped out in the beer tent and Dave Hess patrolled the perimeter, taking care of any possible headaches. Many thanks to all the volunteers as the Fire Company continues moving in the right direction.

3. Regional Police – Dave Hess reported that for the month of June, the Police Department responded to a total of 450 calls for service, 142 were for Wind Gap. The Officers reported to the Chief that the majority of the calls have been dealing with mental health issues.

Two 2022 Dodge Chargers have been ordered as a result of the LSA Grant. They will also be purchasing one new vehicle because all the older cars are wearing out and not passing inspection.

Car #8 was sold on Muncibid for approximately \$1,700.00.

Detective Donaldson is registered to attend Homicide Investigation and Crime Scene Management from 7/20 – 7/22 (hosted by Allentown Police Academy).

Sgts. Moskella, and Daley, attended Project Livesaver training. This program allows the Department to assist in locating missing autistic and dementia individuals through the use of a bracelet that emits a radio signal. We are only one of four municipalities, in Northampton County, that is trained to use this technology and set up as a hosting agency.

4. Emergency Management – Dave Hess reported that we received another allotment of hand sanitizer. He attended Stop the Bleed training. He was called out to 250 S. Broadway a few weeks ago for a truck that went into the house. DEP was notified as a result of the truck spilling diesel fuel on the property. The trucking company that is responsible for the spill has contracted with a remediation company to do the clean-up of the property.

5. Zoning – Tina Serfass reported that seven zoning applications were reviewed, five permits were issued, two were pending UCC, which have now been issued. They did the site visit at Tractor Supply with our Fire Chief, Store Manager, District Manager, and someone from their corporate office with herself and one of her inspectors. They walked through, they moved their merchandise up against the building and the Fire Chief approved, they are in compliance and can keep their stuff outside, there is enough walkway on the sidewalk now.

They inspected 250 S Broadway, where the truck went into the house. They posted the house as uninhabitable. She sent the property owners a letter telling them the house is uninhabitable.

She had two complaints; one was a fence issue which has been resolved. The other was regarding a business that might be run out of a home. She sent them a notice and they responded that there is no business. The police were called out, they did an inspection and verified no business. The police closed out their report and said there is nothing further they can do at this point. There is no evidence of a business and she is closing this for now. If something comes up or is seen that there is proof of a business, she will address it again.

Dave Manzo would like to make a suggestion that we ask for the Zoning Officer's report in written form so we have that as part of our files. He did talk to some Council people today and he believed that this is a way of assuring that along with the Solicitors report, Engineer's report and eventually the IPMC Enforcement Officer report that we have all the reports as hard copies.

On motion by Dave Manzo that Council be provided a paper report from the Zoning Officer, beginning August 2021 and seconded by George Hinton.

6. Planning – Dave Manzo reported that there was supposed to be a meeting earlier this month for the Male Road Billboard, but it was cancelled due to unresolved issues that were outlined in the Engineer's review letter. The next planning meeting is scheduled for Wednesday, August 11 for a lot line change on South Broadway.

7. Municipal Authority – Dave Manzo reported that Chad DiFelice was approved as acting solicitor and Attorney Molnar will remain as solicitor until the end of the year. There was another discussion as to why there could not be seven members on the board. He explained

that we did not have any additional viable candidates to move to seven members. There was a switch in roles with the Chair and Vice Chair regarding who would watch the office and who would be at the sewage plant, that was approved. The Travel Inn came up. He did see the letter that the Borough Manager prepared for Plainfield Township regarding the Travel Inn.

Steve Bender asked Dave Manzo if the Municipal Authority has an agreement with the water company that they can shut down the waste water. Dave Manzo said that the issue is the PUC will only shut down so many businesses per month and you have to get on the list, they are on the waiting list to shut down the water at the Travel Inn. Louise Firestone spoke with the Manager for Plainfield Township and he said that they are in the process of filing a complaint with the Magistrate. We have received multiple e-mails and complaints regarding the Travel Inn and have forwarded them to Plainfield Township.

8. Streets – George Hinton reported that the Street Department was doing work on Sixth Street with the assistance of Plainfield Township. The Borough and the Township received a \$70,000 grant for materials to be used in Low to Moderate Income Neighborhoods through the Community Development Block Grant (CDBG). Wind Gap took our \$35,000 and put it into materials for milling and paving Sixth Street, trying to give Sixth Street a crown so water runs down in the gutters rather than across the street. Approximately \$25,000 was used in materials so there is an additional \$10,000 for materials to begin work on Mechanic Street. We received CDBG grant money to do Lincoln Street, but unfortunately, we cannot get plastic pipe for the project so that project is on hold until the materials are received.

George Hinton reported that applications have been received to fill one open position on the Street Department. After reviewing the applications, Jeff, Rich and himself came up with the same names so interviews will be set up. Hopefully by the August meeting they will have someone to recommend to the board.

George reported that the 2007 Green Chevy continues to have maintenance issues and needs to be replaced. Rich received a proposal for a new Ford 550 like the one he currently drives around now. The question is how will the borough pay for a new truck. Louise explained The American Rescue Plan Act of 2021 (ARPA) is a stimulus bill enacted by the Federal Government allowing funding to all states as a way to combat the effects of COVID-19. Wind Gap Borough is entitled to \$286,584.30. The State required that a grant application be completed to track the funding. The State decided to release half of the money now so the borough received a check for \$143,292.15. The additional 50% will be released next April or May. Louise participated in a county-wide Zoom meeting with Congresswoman Susan Wild and the spending of those funds has to be related to the pandemic based on the reduced amount of revenue generated from taxes or anything being associated to being out of work. The money can be used to purchase equipment, repair roads, offset any utility expenses or major projects.

George said that the package to outfit a Ford 550 would total approximately \$97,000. Rich Fox added that the truck would need to be ordered now, but would not be delivered until March or April of 2022 because the truck is not made yet. Jeff Yob asked what we need to do to secure the order for the truck, do we need a deposit. We can put the funds aside knowing that in eight months we would use that for this purchase.

On motion by George Hinton to order a Ford F550 from Koch & E.M. Kutz and seconded by Jeff Yob. Roll call vote taken. Council agreed unanimously.

9. Park / Athletic Fields – Dave Manzo reported that he is happy to report that the basketball courts are being used nightly and he would like to see some type of tournament set up to fully utilize the courts.

Louise reported that County Executive Lamont McClure and Northampton County Conservation Coordinator, Sherry Acevedo will be in the park tomorrow at 10:30 a.m. for

presentation of the check for the 2021 Northampton County Livable Landscape grant in the amount of \$75,000 which is helping fund phase two of the park walking trail.

Louise reported that she applied for a Giant Food Keep America Beautiful Grant for \$15,000 for new recyclable picnic tables. The grant application includes a funding request for four handicapped tables and 16 regular tables. She provided Council with all the other grants that have come through Lehigh Valley mini grants, that they are working on with the signs and the rain gardens up at the park. Dave Manzo said that Louise deserves a lot of credit for what she is doing getting the grants and getting the park in shape.

Community Garden – Joyce McGarry reported that the garden is growing. We need something to get better water pressure.

Dave Hess said that during the installation of the concrete sidewalk at the bottom of South Fairview and East West Street made that fire hydrant inaccessible because the sidewalks are higher than the hydrant. He believes we contacted the water company and asked for them to put a riser on it to lift it and make it usable. This issue has not been resolved and the borough pays monthly for rental for the fire hydrants.

On motion by George Hinton to send PA American Water a letter asking them to make the needed repairs to the fire hydrant on East West Street and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

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

11. C.O.G. – Mayor Mogilski reported that Laura McClain gave a letter of resignation stating that she is retiring at the end of this year and for those of you that were unaware, she has been working for \$100.00 a month. George added that they talked about the leaf vac and they agreed to make a motion to purchase our old leaf vac for \$9000 with the new motor on it, which has already been installed. We did not receive the bill for the motor and the work but he believes it is going to be less than \$3,000.

Dave Hess said that we are storing the leaf vac that we purchased.

12. Slate Belt Rising – Louise Firestone reported that Slate Belt Rising is hosting a small business venture at the Wind Gap Park on July 31 from 10:00 a.m. to 3:00 p.m. and being advertised as “Shop-N-Stroll with Your Pup at Wind Gap Park”. Dave Hess said he received several requests through Facebook messenger about getting a Gaga pit for the park so one was rented as this event would be a great opportunity to test it out and if it is used, maybe we can get one in the park.

13 Multi-Municipal Plan –Dave Hess reported that the last meeting was focused on Emergency Services. They invited all the Fire Chief’s, EMS people, the Emergency Management Coordinators, Police Departments and the County Emergency Management Personnel to attend. There was a lot of discussion about traffic, people, and population increases. Dave mentioned during the meeting the opportunity to discuss regionalizing the fire departments because of duplicate expenses related to personnel and cost of equipment. It was a good discussion, there was knowledgeable people there but unfortunately there was not enough time to get everyone’s thoughts out. Warehouse development was a key topic as emergency responders need to know the contents of the buildings, but the majority of the time municipalities are permitting and pushing plans through planning, but nobody knows what is going in them. The County is pushing for municipalities to inform what is housed in the warehouses, but the buildings are being constructed without having a specific tenant and

knowledge of their industry. You cannot have an evacuation plan without information. Their next meeting will be in September.

14. Mayor's Report – Mayor Mogilski reported that he received a call regarding the Travel Inn. He explained that the Travel Inn is not in Wind Gap, it is in Plainfield so they should call the Plainfield Municipal Building. He also told them to contact Senator Scavello and State Representative Ann Flood's office.

15. International Property Maintenance Code (IPMC) – Dave Manzo reported that he would like the Enforcement Officer to provide a written report every month on any complaints that come in, where they are in the complaint process, and whoever gets that position should provide some idea of what they have done in the past as an Enforcement Officer.

16. Verizon Cell Tower – Louise Firestone reported that a meeting was held on Wednesday, July 14, 2021 with the representatives from Verizon to discuss location on this property of where a cell tower might fit. They did learn that it will be one hundred - fifty feet tall. Their recommendation so it would not hinder our traffic flow on this property or potential growth would be behind where the dumpsters. The initial design had a concrete pad of 50' by 50', but they also discussed different dimensions of a pad such as 30' by 70'. Brian provided them with all the drawing, survey and everything he had from when the borough purchased this property. Verizon is projected a construction period beginning in 2022. Dave Manzo asked if this would be paid monthly, yearly, of this this be a lease. Louise said that they did not say, but the original proposal had the amount broken down monthly. Attorney Karasek said that Council should be aware that there are two zoning issues, the one issue is under the present cell tower ordinance that the Borough has in place is the cell tower could be the only principal use of a lot so they will need a variance if they are going to put a cell tower on this lot and it also has to be approved as a special exception use. They need to apply for both a variance and special exception in order to get them granted for what they want to do here. George Hinton said that they were going to have their engineers send the design and the area they are going to need. Attorney Karasek said that they Borough might want to subdivide a little piece off, but Verizon still might need a variance.

ADJOURNMENT

On motion by Jeff Yob to adjourn the meeting of July 20, 2021. Council agreed unanimously. The meeting of July 20, 2021 adjourned at 8:17 p.m.

Louise Firestone, Borough Manager