

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Monday, May 4, 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 Pysner, and Borough Manager Louise Firestone.

Councilman Jeff Yob left the meeting at 7:35 pm.

PUBLIC COMMENT

1. Adrienne Fors, Sr. Community Relations Specialist – Waste Management joined the meeting on Zoom with information on the proposed Drop and Swap Operation.

The drop-and-swap operation is a very simple process – the driver backs into an open spot in the designated staging area and unhooks the loaded trailer from the truck. The driver (and truck) then hook to an empty trailer staged within the same area and leaves GCSL to return back to his loading facility. A designated driver will then shuttle the full trailers up to the active disposal area during GCSL's permitted operating hours, and dump the load into the active face (the load will be scaled in under GCS Standard Operating Procedures, and the weights/information will be recorded for the transaction). The staged trailers will not be unloaded at the designated parking lot – they are merely staged there loaded until the designated driver can take them up to be unloaded.

The drop-and-swap operation has been permitted at other locations with great success, and support drivers that have to manage their DOT hours of service. This operation will also help support additional volumes into GCSL – offsetting a service to a logistics network that is already strained by hours of service regulations, driver shortages and, more recently, the economic slowdown in waste related to the COVID-19 commercial business closures that is ultimately leading to reduced waste volumes in our region. These scenarios will continue to have a negative impact in the total revenue to the local communities from ACT 101 (Plainfield) and community benefit royalty payments (Plainfield, Pen Argyl and Wind Gap), all of which are driven by the number of tons GCSL can receive on a daily basis.

Waste Management does not have the ability to provide specific detail on the number of trailers that would be temporarily staged on site for this operation. The drop-and-swap concept results in fluid movement of trailers in and out of the designated staging area, and we have committed to ensure that all trailers are dumped before the end of the day. Only empty trailers would potentially be staged after-hours. These trailers would not be staged all night.

Wind Gap Borough Council had previously received the written report as follows:

Waste Management, landfill operations neighborhood updates as submitted by Adrienne Fors.

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 1,800 tons per day
2. The PH Building construction is ongoing.
3. The 2019 final cap project is complete. We plan to seed in the coming weeks. Planning for the 2020 intermediate cap is underway.
4. The landfill spring gas project planning is underway and has gone out to bid.
5. Litter fences – replacing the netting on the 50 ft section and extending it about 400 ft on the N side of the landfill (above the Green Knight building)
6. Wildlife Habitat Education:
 - a. The habitat team is continuing to monitor the habitat projects.

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

Joyce McGarry asked Adrienne about bulk items and debris being left behind. Adrienne said that a letter went out stating restrictions on what the crew can and cannot pick up. Bulk items will not be picked up at this time and waste has to be in a sturdy bag or garbage can, if not they cannot pick it up. Dave Hess asked if they could put out a reminder on social media.

Adrienne said that during this time DEP has not received any complaints regarding odor. She also reached out to Monroe County Waste letting them know about the truck restrictions on Alpha Road and that they can and will be fined.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the April 16, 2020 minutes and seconded by Mike McNamara. Roll call vote taken. In favor: S. Bender, D. Hess, G. Hinton, D. Manzo, J. McGarry, M. McNamara. Abstained: J. Yob. Motion carried 6-0-1.

APPROVAL OF EXPENSES

On motion by George Hinton to approve the expenses in the amount of \$36,718.41 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

SOLICITOR'S REPORT

MEETINGS ATTENDED:

April 6, 2020 – Attendance at regular monthly meeting of Borough Council.

April 21, 2020 – Attendance at regular monthly mid-month meeting of Borough Council (remotely and via ZOOM)

SUBDIVISION MATTERS: N/A

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of File and Review of Agreement/Addendum to Add Party/Extend to Complete Land Development Improvement Agreements and Status of 2017 Pennoni Quantity and Cost Estimate re Water's Edge at LLC West Street L.D. Plan.

Receipt, Review and Administration of Revised Pipe Replacement Plan and e-mail transmissions to and from Applicant's Attorney and Borough EIT re BioSpectra Rx Holdings L.D. Plan.

Preparation of Land Development Improvements Agreement (with Exhibits) and e-mails to and from Applicant's Attorney - J. Zator re JERC Partners, LII, LLC, L.D. Plan.

ZONING AND OTHER LAND USE MATTERS:

Preparation of e-mails to Borough Council President, Borough EIT, Borough Administrator (and other Borough Officials) Concerning Protocol of Remote Meetings and Subsequent Passage of SB 841 aka Act 15 2020.

DEVELOPMENTS ON OUTSTANDING LITIGATION:

Legal Research, Review of Controlling and Applicable Zoning Ordinance Provisions. Review of ZHB Decision and Preparation of Zoning Appeal (with Related Documents) re K. Guerin Special Exception Use Home Occupation Matter.

Travel to and from Courthouse and File Guerin Zoning Appeal and Service of Appeal upon Guerin, Zoning Officer and ZHB Solicitor.

COURT DECISIONS ON BOROUGH CASES: N/A

MISCELLANEOUS:

Receipt, Review and Administration of e-mail from Applicant R. Mutchler, Review of PA Open Records (Right-to-Know) Act and Preparation of Comprehensive Responsive e-mail transmission Responding to Right-to-Know Request re Meeting Minutes.

Preparation of Newspaper Advertisement, Forwarding to Newspaper and Borough and Preparation of Final Draft of Borough Ordinance No. 509 – Borough Manager.

Review of Monthly Solicitor's Reports for all of 2019 Calendar Year and Preparation of Comprehensive Correspondence to Borough Auditors needed to Complete and/or Supplement 2019 Borough Audit.

Preparation of Monthly Solicitor's Report.

Attorney Karasek reported that he is working on the 2019 Audit Letter for the Borough Accountant to complete the audit.

OUTSTANDING ITEMS:

Stop Sign Ordinance

Dog Park Ordinance

ENGINEER'S REPORT

Brian Pysher reported that in accordance with Governor Wolf's order, construction companies may start working under specific guidelines. Nu Cor Management was here on Saturday and did site preparations for the Borough Garage, grading the site. The plumber is scheduled to start next week. PA Water is scheduled to be on site this week to connect to the main and hook up a water meter. Rich Fox will coordinate with them and close the road if needed.

A PA-One call went out for the fire department side of our building. The soil needs to be tested to determine the mixture of mulch and dirt that will be needed for the rain garden

Brian reported that a letter is being mailed to the owners of the apartment complex on Sixth Street regarding the drainage problems. The culvert needs to be dredged prior to the Borough doing any necessary repairs.

NEW BUSINESS

1. Wind Gap Park Baseball Field (DM) – Dave Manzo reported that Tony Borger, Wind Gap Area Athletic Associations, called and informed that the car show has been cancelled for this year. Ron DeCesare, Green Knight Baseball, contacted Dave regarding preparations for the park should baseball get the okay to start within the State guidelines. Brian Pysher said that Ron was trying to prepare in advance, but on Friday evening the league discussed and cancelled baseball for this season. They will try for the fall if we are out of social distancing.
2. Digital Sign at the Social Hall – George Hinton reported that the digital sign is now working at the Fire Company Social Hall. He asked that if the Borough would want to put on the board, please let him know.
3. COVID-19 Testing Site – Dave Hess reported that the new drive through COVID-19 testing site has been set up at Easton Hospital for residents who live in Northampton County. A doctor's note is not necessary; you just have to have one of the symptoms. The site will be open on May 6, 2020. The County anticipates that the confirmed case numbers will go up since testing is now available.
4. Bells Across America – Mayor Mitch reported that a Proclamation Bells Across Pennsylvania Day for May 3rd called upon all residents and churches at 7:00 p.m. to ring bells for three minutes to honor their hometown heroes, rally with other Pennsylvanians on the frontlines of the COVID-19 battlefield and show resolve to restore their local businesses and civic life to their former prominence.

OLD BUSINESS

1. Sixth Street – Colonial Springs Drainage Issue – Dave Manzo reported that he was on Sixth Street after it rained and there is water bubbling up through the street. He is concerned that this is going to ruin our roads in that area and we will have to repair them. Brian Pysher said he will be sending the letter. The overflow is coming from the culvert because there is no place for the water to go. George Hinton said that we need to talk to the owners of Colonial Springs to have them dredge the culvert. We will have to fix the pipe, elevate the road, and install a stormwater drain there.

Councilman Jeff Yob disconnected from the Zoom Meeting at 7:35 p.m.

2. International Property Maintenance Code (IPMC) – Residential Interior Conditions – Dave Hess said that Council discussed adopting the Property Maintenance Code and he would like to know what we need to do next. Attorney Karasek said that they should look at the current 2016 version to see if those provisions are what the Borough wants to institute. In the past, some Councilmen thought the IPMC was too restrictive with policing issues. How involved does the Borough want to be? At one point there was discussion to amend the Nuisance Ordinance and make it more stringent. Dave Hess said we can check to either purchase or download a copy of the most updated version of the IPMC. Dave Hess said that he is looking to put a committee together that can go over the code and report at mid-month under committees.

Dave Manzo, George Hinton, Mike McNamara along with Louise Firestone and Dave Hess will be on the committee.

3. Attorney Karasek reported that since the construction is resuming for the Maintenance Garage, he contacted the bank to inquiry about what the Borough needs to do to close the loan for the garage. The closing will take place as soon as the paperwork has been completed and all pertinent parties can participate in the closing.

4. New Hire – Dave Hess reported that the new hire for the Street Department started today. He did meet with him today and Rich said all is good with no issues.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of May 4, 2020. Council agreed unanimously. The meeting of May 4, 2020 adjourned at 7:45 p.m.

Louise Firestone, Borough Manager