

**BOROUGH OF WIND GAP  
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The Council meeting of the Borough of Wind Gap on Tuesday, November 16, 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, Borough Engineer Brian Pysner, and Borough Manager Louise Firestone.

**PUBLIC COMMENT**

No comments were heard at this time.

**APPROVAL OF MINUTES**

**On motion** by Jeff Yob to approve the November 1, 2021 minutes and seconded by Dave Manzo. Roll call vote taken. In favor S. Bender, D. Hess, G. Hinton, D. Manzo, J. McGarry, N. Laudano. Abstained: J. Yob. Motion carried: 6 – 0 - 1.

**NEW BUSINESS**

1. Promote Street Worker Jeffrey Stanley from Probationary to Full-time Status – Rich Fox reported that Jeffrey Stanley is a very good and conscientious worker that listens well. He recommends promoting Jeff to a full-time employee.  
**On motion** by Steve Bender to promote Street Worker Jeffrey Stanley from probationary to full-time status and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.
2. Approval of 2022 Animal Control Contract – Cats – No Nonsense Neutering  
**On motion** by Jeff Yob to approval the 2022 Animal Control Contract for Cats with No Nonsense Neutering and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.
3. Approval of 2022 Animal Control Contact – Dogs – Pibbles Paws Safe Haven  
**On motion** by Dave Manzo to approve the 2022 Animal Control Contract for Dogs with Pibbles Paws Safe Haven and seconded by George Hinton. Roll call vote taken. In favor: D. Manzo, J. McGarry, M. Laudano, S. Bender, D. Hess, G. Hinton. Opposed: J. Yob. Motion carried 6 – 1.

4. Approval Invoice 6219 – Responsible Recycling Services, LLC - \$1,680 - Louise Firestone reported that this invoice is related to our E-cycling event held in conjunction with Pen Argyl, located at Grand Central Landfill, Waste Management. The funding is a grant through Northampton County, so the invoice must be approved, paid and then submitted for reimbursement which will be covered 100%. Northampton County had recycling grant money available because there were no events or very few events last year. The County encouraged communities to host joint events so we thought it would make sense to partner with Pen Argyl Borough and Waste Management offered their property for safety reasons at their site. We do not have the final report but, at least 75% of the people that came through were from Wind Gap.

**On motion** by George Hinton to approve payment for Invoice 6219 for Responsible Recycling Services, LLC in the amount of \$1,680 and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

## **OLD BUSINESS**

1. Verizon Cell Tower Land Lease Agreement - Louise Firestone said that there is nothing to report at this time. She will reach out to the Verizon Representative.

2. Exchange 6 LLC - Billboard Land Development Plan - Attorney Karasek reported that he has not heard from the Billboard Company with respect to their application and advises Council that they need to take action to recommend that the plan be denied. He sent them a request for an Extension of Time because the time to act is going to expire on November 22, 2021. Attorney Karasek will check tomorrow to verify that they received his e-mail.

**On motion** by Dave Manzo to deny the plan from Exchange 6, LLC unless an extension of time would be granted by the applicant, the application would be denied based upon the Engineer Review Letter dated June 28, 2021 and seconded by Jeff Yob. Roll call vote taken. Council agreed unanimously.

## **COMMITTEE REPORTS**

1. EMS – George Hinton reported that for the month of September the Ambulance responded to 128 calls, 6 ALS calls and 18 BLS calls in Monroe County, 23 ALS calls and 31 BLS calls in Northampton County, 50 non-emergency transports with an average response time of 2.25 minutes from dispatch to response. They held their quarterly meeting with the Board, employees and Administration to review how operations are going and to address any questions or concerns. The brand-new ambulance has been ordered, but is expected to take months to be manufactured and delivered.

2. Fire Co. – George Hinton reported that they are going to have the Christmas Lighting Ceremony at the Social Hall. They have two trucks that need to get inspected, but everything is up to date with their trucks. They have nominations for positions such as Chief, President, Vice-President etc. The Fire Company will be holding their elections in December and he report back the results of the election.

3. Regional Police – Dave Hess reported that for the month of October, the Police Department responded to a total of 406 calls for service, 79 were for Wind Gap.

The Department is in the process of completing the end of year training. Defensive Tactics training was completed earlier this month. Taser training is occurring now.

Dave reported that he did receive an e-mail from the Chief, one of the Police cruisers blew an engine so unfortunately, they are going to have to purchase a police car. This was not one of the cars that was scheduled to be decommissioned with the grant vehicles.

4. Emergency Management – Dave Hess reported he has registered to take a Disaster Case Management course next week. It is the end of the year and it is time to update and approve the Emergency Operations Plan. He will get that together and make the necessary changes in January with the newly elected officials. Again, we need to tell them if we are NIMS Compliant or not, until everyone completes that training, we are not.

Dave reported that he spoke with Louise today and we have an excessive amount of sanitizer, hand sanitizer, and wipes in the Street Department garage. He was in contact with Brandywine Transportation and they are in need of some so he will make a donation to them. He spoke with the County and there is no issue donating them, although the borough is prohibited from making a profit on the items.

5. Zoning – Tina Serfass reported that she had 9 application, 8 permits were issued and one was denied. The denial involved the vacant lot on Woodward Avenue where a proposed two-family dwelling unit was presented to be constructed on that lot. There were some issues with the site plan so it was denied, they can resubmit with some additional information. The Municipal Authority also requested some additional information for the site plan to be revised and resubmitted for their review. She sent out a notice for a new deck that was being put in, it was replacing a deck. This was one of the permits that was issued. She addressed a complaint for a camper at 250 S Broadway. There is no Zoning hearing Board meeting scheduled at this time.

Dave Manzo said that money being spent by the Borough needs to be determined whether or not we are getting our bang for our buck. He said that we never vetted Tina in terms of implementing the IPMC because we wanted to pass the IPMC. He asked Tina if she could provide how she plans on implementing the IPMC at the next meeting. Tina said that it would be on a complaint driven basis, just like she does with every other municipality. Dave Manzo told her to take her time and write it out, he wants to see it in writing. Dave Manzo said the second question he has for her is, when does zoning evidence expire? He said he has been taking classes in Zoning with the PSAB and he has been in touch with some other zoning officers and attorneys regarding zoning. When does zoning evidence expire? When does evidence in a zoning dispute expire? Tina asked, are you talking on a complaint basis, it expires when the situation is addressed and rectified, or when it goes in front of the Magisterial Judge and a decision has been made.

6. Planning – Dave Manzo reported that there was no meeting this month for planning.

Louise Firestone reported that she received an e-mail from the Zoning Officer for Plainfield Township regarding plans for a warehouse in Plainfield. She wanted to let Wind Gap know that a recommendation will be made to the applicant that a traffic study for the new warehouse at 6615 Sullivan Trail should be submitted to Wind Gap for review. Also, there is a meeting this Thursday for development at the Blue Valley Lanes property located in Plainfield Township for a proposed Sheetz. Brian Pysher added that the applicant had a pre-zoning application that they want to get together to discuss if there are any other required zoning variances.

7. Municipal Authority – Dave Manzo reported that at the meeting, they talked about Health Care renewal and the renewal of Professional Services. Attorney Molnar will not be practicing after the first of the year so they have to look for a new solicitor. If meetings go back to the Municipal Authority building, it needs to be made handicapped accessible. There is an issue with the Auditor asking what the Municipal Authority is worth, they were not quite clear what that meant, but the Engineer was going to try to clarify the question with the Auditor. There was a Borough Cooperation Agreement needed for grant money, that was all done with Louse, so they

could get reimbursed. There was an issue with the Huratiak construction proposal on Woodward Avenue. Most of the evening was about an issue with the Green Knight, JERC and Municipal Authority regarding the pump station. Roger Bet is retiring and he did speak to someone on Council about possibility filling that seat when his term is done.

Brian Pyscher reported that he was at the JERC site inspecting the curbing and sidewalks along Male Road and Met Ed is installing the power lines back at the Green Knights development. He knows that has been a problem for almost a year now, regarding the pumping station. Brian said that JERC intends to finish up in February and the last he spoke with Joe Correia from Petrucci, they have an interested occupant.

Louise Firestone said that she spent extensive time going through files because of the WGMA audit. Monica has been having issues finding documentation to support questions from the auditor. This is a brand-new auditor that has no knowledge of past Municipal Authority practice or their Rules and Regulation or Articles of Incorporation. Unfortunately, the borough files are not comprehensive regarding all the related documentation. There is going to be a lot of things that will need to be straightened out to get through this audit. Louise wants Council to be aware that she is trying to assist as needed.

8. Streets – George Hinton reported that the Street Department has been picking up leaves. The trail is paved. They also received their snow blower and plow.

9. Park / Athletic Fields – Louise Firestone reported that the trail is completely paved so that portion of their contract is complete. They should be installing and painting the markings along the trail by the end of the week. She has a walk through with Northampton County on Friday for a final inspection so she can do the report to get reimbursed for the grant money. There should be an invoice coming from the contractor CMR that we can approve at our next meeting. Dave Manzo said that Louise did a good job with the park and the trail.

Dave Manzo reported that the Athletic Association will be meeting on November 22<sup>nd</sup>.

10. Tipping Fees – Louise Firestone reported that we received our third quarter check so that will be the end of our funds for the year. We received \$273,527.75 for the year. She will allocate those funds to the capital reserve, where they need to be. Funds that we spent on the Street Department have already been expended.

11. Slate Belt Council of Governments – Mayor Mogilski reported that in September the COG applied for a grant for the cameras for \$31,500 that they were awarded and they have the matching funds. As of January 1<sup>st</sup>, the new e-mail will be [sbcog187@gmail.com](mailto:sbcog187@gmail.com). The boots are in for the leaf vac and Rich picked them up.

12. Slate Belt Rising – Louise Firestone reported that they had their final meeting of the year. There was a six-year commitment by the funding sources, being Waste Management, Fidelity, ESSA and Futon Bank. We are trying to get funding for the next six years and they did secure funding with Northern Trust Bank.

13. Multi-Municipal Plan – Louise Firestone reported that they had their last meeting for the year, they will go back in January. They reviewed all the answers for the survey. They actually said they had more responses to this survey than they had for other Comprehensive Plans. She has copies and can share their responses. They found it interesting that as much as everyone identified with the quarries, nobody wants them. Everyone is trying to preserve them but in reality, no one wants to preserve them. People do want development here. This was opposite of what they heard from the committee.

14. Mayor's Report – Mayor Mogilski reported that the next meeting for the COG is tomorrow evening at 7:00 at the Chamber office.

## **ADJOURNMENT**

**On motion** by Jeff Yob to adjourn the meeting of November 16, 2021. Council agreed unanimously. The meeting of November 16, 2021 adjourned at 7:36 p.m.

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Louise Firestone, Borough Manager