

**BOROUGH OF WIND GAP
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WIND GAP, PA 18091
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The Council meeting of the Borough of Wind Gap on Tuesday September 7, 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, and David Manzo. Also in attendance were Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysner and Borough Manager Louise Firestone. Absent were Mayor Mitchell D. Mogilski, Sr., and Councilmen Steve Bender and Jeff Yob.

PUBLIC COMMENT

1. Eric Fleming came before Council regarding his status with the Fire Company. A year ago, he was told that he was not allowed on Wind Gap Borough property due to an incident that happened between himself and an EMS worker. The Fire Company is proposing to allow him to return, but he would be on probation for one year and any mess-up, he would not be allowed to remain as a volunteer firefighter. He would appreciate if Council would consider allowing him to return based on this proposal.

George Hinton stated that to his knowledge, this has not come up for discussion at a Fire Company meeting. Eric said that he is still considered an active member, he has his gear, class A's, he marched in the parade this weekend and he still goes to events when he can. George said that from the Borough, they have not discussed it any further and so before he can make a recommendation, he would need to hear from the Fire Chief and officers of the Fire Company.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the August 17, 2021 minutes and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

APPROVAL OF EXPENSES

On motion by George Hinton to approve the expenses in the amount of \$47,349.75 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

SOLICITOR'S REPORT

MEETINGS ATTENDED:

August 11, 2021 – attendance at regular monthly meeting of Borough Planning Commission.

August 17, 2021 – attendance at regular monthly meeting of Borough Council.

SUBDIVISION MATTERS:

Receipt, Review and Administration of Applicant and Revised Plan, Borough Engineer Review Letter and LVPC review Letter for Planning Meeting re Tanzosh Minor Subdivision Line Adjustment.

LAND DEVELOPMENT MATTERS:

Re-Review and Administration of Application, Plan and Five (5) SALDO Waiver Forms re GKIP II L.D. Plan (20 Green Knight Drive) for Planning Meeting.

Re-Review and Administration of Application and Borough Engineer Review Letter in Venture Capital, Inc, Relocation of Billboard for Planning Meeting.

ZONING AND OTHER LAND USE MATTERS:

Receipt, Review and Administration of telephone calls and e-mails to/from the Auctioneer, Borough Engineer and Borough Solicitor re Signed Agreement of Sale, the Borough Engineer’s Metes and Bounds Descriptions (for 29 Mechanic Street and 125 Water Street) and Preparation of First Draft of Deed.

Receipt, Review and Administration of the File and Preparation of the Final Drafts of the Newspaper Advertising Notice and Ordinance with enclosure e-mails and Letter to the Newspaper and County and Law Library re Snow Emergency Ordinance.

Receipt, Review and Administration of the File and Preparation of the Final Drafts of the Newspaper Advertising Notice and Preparation of a “Marked Up” copy of the Ordinance to review with Borough Council before finalization of the Ordinance re Parking Violations.

Receipt, Review and Administration of the File and Preparation of the Final Drafts of the Newspaper Advertising Notice and Ordinance with enclosure e-mails and Letters to the Newspaper and County Law Library re 2021 IPMC Ordinance

DEVELOPMENTS ON OUTSTANDING LITIGATION: None

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Preparation of the Borough Planning Commission Meeting Agenda 08-11-2021.

Preparation of the Borough Planning Commission Meeting Minutes 08-11-2021.

Preparation of Monthly Solicitor’s Report.

Outstanding Items:

Stop Sign Ordinance

Dog Park Ordinance

ENGINEER’S REPORT

Brian Pysher reported that he reviewed the revised Land Development Plans for 20 Green Knight Drive, Lot 6C at the Green Knight Industrial Park. The review letter was sent out last week for the Planning Commission Board meeting scheduled for this Wednesday. He also forwarded the plans to Terry from Benchmark Engineering, so he will be reviewing the traffic aspect of that project. The second submission was from David Tanzosh regarding a lot line adjustment for 633 South Broadway/Second Street, those plans were reviewed as well.

Brian reported that he spoke with Rich Fox and Louise Firestone regarding issues over at the Borough Garage. There are e-mails and pictures that he received from Rich that during the heavy rain, rain leaked through the penetration through the roof where the unit heater, hangs from the ceiling. Brian is not sure if it is Nu Cor Management who supplied the building or if it is KC Mechanical that is responsible for that, but he will follow-up. KC did the installation of the heater but the roof penetration is supposed to be done by the general contractor because they are the ones that guarantee the weather tightness of the roof. There is a one-year warranty on everything and there is a warranty on the roof. Brian said that he also spoke with Rich regarding the generator and hopes to coordinate with Wind Gap Electric to get the garage hooked to the generator as soon as possible.

Brian reported that the Lincoln Street project is on hold until we can get the 700 feet lineal of plastic pipe. Monarch has the inlet boxes, but will not hold them anymore so Rich will bring them over here and store them in the back.

NEW BUSINESS

1. Adoption of Ordinance No. 510 – Snow Emergency
On motion by Dave Manzo to adopt Ordinance No. 510 - Snow Emergency and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.
2. Adoption of Ordinance No. 511 – International Property Maintenance Code (IPMC) –
On motion by Dave Manzo to Adopt the Ordinance No. 511 – International Property Maintenance Code and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

Louise Firestone explained that Slate Belt Rising is comprised of the four boroughs: Portland, Bangor, Wind Gap and Pen Argyl. Ongoing discussions have taken place regarding the possibility of having a Regional Code Enforcer. All four boroughs have the same issues, the same complaints, the same challenges and the same needs. Another meeting will be held shortly to continue those discussions and maybe at some point in time a regional code enforcement officer could be employed by the four boroughs.

3. Resolution 2021-03 Disposition Resolution for Destruction of Records – Louise Firestone reported that as far as borough records, Wind Gap Borough has never thrown anything away. The old borough building still has records that the State Records Management Manual allows to be disposed of by resolution. In order to dispose of documents, those documents must be identified and adopted by ordinance.

On motion by George Hinton to adopt Resolution 2021-03 Disposition Resolution for Destruction of Records and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

4. Resolution 2021-04 2021 Grow NORCO Grant – SBRPD Police Vehicle -
On motion by George Hinton to adopt Resolution 2021-04 2021 Grow NORCO Grant – Slate Belt Regional Police Department Vehicle and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.
5. Resolution 2021-05 – 2021 Grow NORCO Grant – Parking Lot Improvement
On motion by George Hinton to adopt Resolution 2021-54 2021 Grow NORCO Grant – Municipal Complex Parking Lot Improvement and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. Verizon Cell Tower Land Lease Agreement Review / Approval - Louise Firestone reported that she forwarded a copy of Verizon's proposed agreement to everyone. They are fully aware that they have to comply with our Ordinance and do all the permit paperwork. They will be here tomorrow to survey and set the pins for the proposed location. Attorney Karasek went over the terms of the lease and said that the only thing that he does not see is where the Borough can terminate the lease. He said that they are going to need land development approval for this project. We are going to have to rely on them telling us what they want to do in respect to this project. They are requiring that our insurance stays in place and they will also

get insurance for their project, etc. According to an e-mail, it looks like they are going to do a phase one environmental. George said that as far as technology, if the cell tower is no longer needed, who is going to take it down? Attorney Karasek said there is a provision, at the end of the term, the lessee will remove their equipment except for the footings and will restore the premise as it was before. Attorney Karasek would like a little more time to give Council a synopsis of what the lease agreement says.

On motion by George Hinton to table this until Attorney Karasek can give us more information on the lease agreement seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

2. Park Walking Trail Update – Louise Firestone reported that she has a meeting tomorrow at 2:00 pm, in the park with Craig who is our consultant and the contractor. They will be discussing the trail from East West Street up past where the old fieldhouse was and up to the top at the paved area. If anyone is available, they are encouraged to join in the meeting.

3 Street Vehicle – Pick-up Truck. George Hinton reported that we discussed purchasing a truck for the Street Department. He did receive two quotes, and he also looked into the 4-wheel drive option. In comparison to a 2-wheel drive truck, a 4-wheel drive truck is less than a \$3,000 upgrade. The quote from the Ford Dealer, after CoStars pricing, is \$29,876 and the 4-wheel drive is \$32,309. The price for the 4-wheel drive Chevy is \$33,995.

On motion by George Hinton to go with the proposal for the Ford 4 x 4 2022 F250 and seconded by Mike Laudano. Roll call vote taken. Council agreed unanimously.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of September 7, 2021. Council agreed unanimously. The meeting of September 7, 2021 adjourned at 8:07 p.m.

Louise Firestone, Borough Manager