

**BOROUGH OF WIND GAP  
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The Council meeting of the Borough of Wind Gap on Tuesday March 19, 2019, 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 Councilmen: George Hinton, Mike McNamara, David Manzo, and Kerry Gassler. Also in attendance were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysher, and Borough Administrator Louise Firestone. Absent was Councilman Jeff Yob.

**EXECUTIVE SESSION**

Council went into Executive Session at 7:01 pm to discuss Personnel to appoint a Council person and returned at 7:06 pm.

**On motion** by Dave Hess to appoint Joyce McGarry to fill the vacant Council position term expiration December 31, 2019 and seconded by Mike McNamara. Roll call taken. Council agreed unanimously.

Joyce McGarry was sworn in as a Wind Gap Borough Councilwoman by Mayor Mogilski.

**Public Hearing – Giant Food Stores – Liquor License**

Attorney Ellen Freeman, Flaherty & O'Hara Law Firm, representing Giant Food Stores, introduced herself and explained to Council the request for a Hearing on the Inter-municipal Transfer of a Liquor License into Wind Gap Borough, Northampton County, Pennsylvania. Attorney Freeman presented Council with Exhibit A (Beer Garden Layout) for the Wind Gap Giant Store. In order to sell beer and wine in its restaurant in Wind Gap Borough in accordance with its business plan, Giant must secure a restaurant liquor license. As a result, Giant has entered into an agreement to purchase a liquor license currently located outside of the Borough and plan to move the license into the Borough. The license was purchased via auction with the PLCB. Giant formally requests that, pursuant to 47 P.S. 461, Wind Gap Borough issue a resolution approving the transfer by Giant of a restaurant liquor license from outside the municipality to within the municipality.

**On motion** by Dave Manzo to approve the Giant Food Store Liquor Application, Inter-Municipal transfer of the Liquor License and seconded by George Hinton. Roll call taken. In favor: D. Hess, G. Hinton, D. Manzo, J. McGarry, M. McNamara. Abstained: K. Gassler. Motion carried with a vote of 5-0-1.

## **PUBLIC COMMENT**

No one appeared before Council at this time.

## **APPROVAL OF MINUTES**

**On motion** by Mike McNamara to approve the March 4, 2019 minutes and seconded by Dave Manzo. Roll call taken. In favor: G. Hinton, D. Manzo, J. McGarry, M. McNamara, D. Hess. Abstained: Kerry Gassler. Motion carried 5–0–1.

## **OLD BUSINESS**

1. Slate Belt Multi-Municipal Plan Committee – 3/20/19 Kick-off Meeting – Louise Firestone reported that a representative from the Lehigh Valley Planning Commission (LVPC) attended the Council's last meeting and provided information regarding a Multi-Municipal Comprehensive Plan for all ten (10) municipalities in the Slate Belt. LVPC requested that each of the ten municipalities name three representatives to be appointed to the committee. George and Louise are both members of Slate Belt Rising, so they will be attending the meeting based on SBR's participation in the plan. The kick-off meeting is tomorrow at 7:00 p.m. at Pen Argyl Borough's Weona Park Community Building. Council agreed that Louise, George and Mayor Mogilski will attend.

2. ARLE Grant Update – Brian Pysher reported that the Borough received an estimate to change the scope of work to include additional radios to eliminate the broken fiber-optic line. In discussions with Plainfield Township, they asked us if it was possible to eliminate the last run of fiber-optic connection to the signal at Jacobsburg Road, if it could be done with another radio. In order to facilitate that, we did the aerial radio survey to make sure there was a good signal from Park Avenue to Jacobsburg Road. Plainfield Township Manager, Tom Petrucci, took this information back to the Board of Supervisors of Plainfield Township and they approved both the cost for the additional radio and the labor. As part of the change, Wind Gap has to request the change from PennDot since our permitted plans show this being connected by fiber-optic cable. Brian asked if Council could approve this conditionally based on getting the official change order, that way if it happens between meetings, the project can keep moving forward. Wind Gap will pay for everything upfront and then Plainfield will reimburse the Borough. We do have to authorize and approve the entire amount of \$5,466.60.

**On motion** by George Hinton to grant conditional approval and seconded by Kerry Gassler. Roll call taken. Council agreed unanimously.

Brian reported that he is in the process of getting a quote to repair the loop sensors at Male Road and also Center Street. Brian requested an estimate for purchasing and doing the necessary electrical work to add generators on each of the Borough traffic lights. If the power goes out the Borough will have the ability to attach a portable generator to work for the duration of the power outage.

## COMMITTEE REPORTS

1. EMS – Dave Manzo reported that the Ambulance responded to 21 ALS calls and 33 BLS calls in Northampton County, 3 ALS calls and 12 BLS calls in Monroe County and 84 non-emergency transports. For the month of February there were 153 calls, response time is 2.37 minutes, calls in Wind Gap Borough 44, calls year to date 409
2. Fire – Mike McNamara reported that the Fire Company had 36 calls for the year. George Hinton reported that the Fire Company is running a gun raffle event on Saturday March 23<sup>rd</sup> at the new social hall. Anyone interested in attending is welcomed to join us.
3. Regional Police – Dave Hess reported that Police Department responded to a total of 529 calls for service, 166 were for Wind Gap. The Citizens Police Academy will be held on Wednesdays from April 17 through June 5 from 6 to 8:30 p.m. If anyone is interested they can register with Pat at the Police Station. The Junior Police Academy is also being scheduled for the week of June 24<sup>th</sup> through the 28<sup>th</sup>, for youth between 12 and 15 years of age. They can get applications at their school. The Chief is back from his trip to the UAE representing Pennsylvania and the Slate Belt Regional Police Department at the Special Olympics. All of Council should have gotten an invitation for a surprise get together for the Chief on Tuesday, April 2, 2019 starting 5:30 p.m., at the Plainfield Township Municipal Building.
4. Emergency Management – Jeff Yob was absent so there was nothing to report.
5. Zoning – Mike McNamara had nothing to report.
6. Planning – Brian Pysher reported that the engineer for the Green Knight Industrial Park dropped off their final plans for review to make sure that all the conditions have been met to his satisfaction. Brian needs to discuss the developer's agreement and other paper work that needs to be done with Attorney Karasek. They are looking for the go ahead from his office to submit mylars for Planning and Council signatures. Brian believes that the Green Knight Economic Development Corporation will have an issue meeting one of the conditions because the Wind Gap Municipal Authority will not go into agreement with them until the plans are recorded. WGMA wants to see the plans recorded, but they cannot be recorded because one of the Planning Commission conditions is there has to be a sewer agreement. The GKEDC has addressed all the Sewer Authorities comments.
7. Municipal Authority – Jeff Yob was absent so there was nothing to report.
8. Streets – Kerry Gassler asked Rich to look at the pipe sticking up out of the ground at the monument on Lehigh. Rich Fox said he would like to dig a trench and replace the wire and the pipe. He would like to get all the wires off of the old telephone pole and have them connected to the new pole so we can get rid of the old pole.
9. Park/Concession Stand – Dave Manzo reported that he met with Waste Management about 2 weeks ago. He shared information from that meeting with Dave Hess, George Hinton, and Louise Firestone. Waste Management would be willing to help, but the Borough needs to get into their donation cycle. He also received an e-mail for Adrienne Fors regarding a Think Green Grant. He said he thinks we need to develop some kind of relationship with the Wind Gap Athletic Association. Currently there is an issue with the car show because Tony Borger has indicated that he does not have time to run it. Dave Hess said that we do need to establish

some kind of communication on a permanent basis with the Wind Gap Area Athletic Association.

10. Tipping Fees – Kerry Gassler reported that allocation percentages are, General Fund 45%, Mortgage of Building / Street 37%, Park 7%, Buildings and Grounds Maintenance 5%, Administrations 4%, Community Library 2%.

11. C.O.G. – Mayor Mogilski reported that last month they spoke about the Multi-Municipal Comprehensive Plan that has already been discussed tonight.

12. Slate Belt Rising – George Hinton reported that they spoke about the Multi-Municipal committee and the meeting scheduled for tomorrow evening. They spoke about finishing up some housekeeping issues from last year, expenditures and the future of the fundraisers and athletics.

13. Community Garden - Louise Firestone reported that the Slate Belt Rising Director, Steve Reider came over and they did a ride about to look at the locations that Council had discussed. Obviously 403 N. Lehigh would not be conducive because there is no access to water. Down off of W West St and Center, there was concern because of the number of trees and would there be enough sunlight and again the water issue. Steve's recommendation would be the lower portion of the park off of East West Street and Lehigh. We would have access either out of the creek or provide a barrel to put water where the Street Workers could actually drive it up in there. The proposal is to install three raised beds, so if we get enough interest we can expand, but if it does not work it can be removed. Pen Argyl is also looking into a Community Garden so we can work in conjunction with them. They have donations from Lowe's to give the materials at a discount and a greenhouse to provide the plants. We will see if there are organizations that will take ownership, maybe a neighborhood group or master gardeners. Dave Hess asked Louise to put Joyce McGarry on this committee. Joyce said that she will speak with the master gardeners.

13. Mayor's Report – Mayor Mogilski reported that he has looked into placing an order for additional banners, but he needs one more person to buy a banner then an order can be placed at a quantity discount price. He did swear in three Animal Control Officers. A property on Washington Street actually had house number out of sequence so he did some research to change the house number from 133 A Washington Street to 13 Washington Street. This change was made so that the house could be found should there be an emergency at the property and will be effective April 1, 2019. Mayor Mogilski welcomed our new Council member.

14. Brian Pysker reported that representatives from both Tyco and CSI came to the Municipal Complex to discuss options for security for the ladies in the office. As part of the façade project, we are replacing all the windows and one of the windows in the conference room could be replaced with a door and mark it as an emergency exit only, not accessible, locked and have a panic bar. There is already a concrete sidewalk, so additional concrete could be poured to connect it. There would be some additional electrical work for the Emergency Exit lighting. He would like to talk to the architects to see if they can amend the façade plans to do a doorway and add whatever is required by code. Dave Hess said this would be fine as long as they have a second way out.

**On motion** by George Hinton to have Brian Pyscher direct the architects to amend the façade plans to replace a window with a door for the safety of the staff and seconded by Mike McNamara. Roll call taken. Council agreed unanimously.

15. Kerry Gassler said the new website looks great and would like to know if we are going to put all the ordinance on it? Louise said there is a company that does that does that and Plainfield and Pen Argyl both use them. She will research cost and report back to Council.

16. George Hinton stated that the Fire Company has concerns with fire calls for wires down during high wind events throughout the Borough. The wires are the old cables that are left on the poles or worse when a pole gets knocked off, the pole is replaced and the Borough is left with two poles until the companies move the wires. Attorney Karasek said he can contact Harrisburg and review the Borough Code to see what authority the Borough would have to enact an ordinance.

## **ADJOURNMENT**

**On motion** by Kerry Gassler to adjourn the meeting of March 19, 2019. Council agreed unanimously. The meeting of March 19, 2019 adjourned at 8:24 p.m.

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Louise Firestone – Borough Administrator