

BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, April 19, 2016 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: David Valley, Jon Faust, and Alex Cortezzo III. Also in attendance were Mayor James Shoemaker, Borough Solicitor Ronold J. Karasek, Borough Engineer Brian Pysker and Borough Administrator Louise Firestone. Absent were Councilmen Tony Curcio, Kerry Gassler and Jeff Yob.

PUBLIC COMMENT

1. Robert Matlock approached Council regarding the condition of the property behind his house. He said he is aware that Brian Pysker sent out an enforcement letter to the property owners. Bob said that they have brought in washers, dryers, stoves, tires, and trash. He said he would like to know if there is anything that can be done to expedite the process. Bob said he does not want the property value of his house to be affected by the neighboring property. He said he is pleading with Council that there must be some rule or ordinance to fix this problem and others within the Borough and he would appreciate any help on this matter. Brian said that the enforcement letter was sent to the home owners on April 12 and they have until April 27th, the date of compliance, to clean up their property. Brian said he spoke with Attorney Karasek and if not the property is not in compliance a citation will be sent to them and they will go in front of Judge Schlegel.

APPROVAL OF MINUTES

On motion by Alex Cortezzo III to approve the minutes of the April 4, 2016 Council meeting and seconded by Jon Faust. Roll call taken. In favor: A. Cortezzo, J. Faust, D. Hess. Abstained: D. Valley. Motion carried 3 – 0 – 1.

NEW BUSINESS

1. Resolution #2016-03 from PEMA Form DAP-2 Designation of Agent from the snowstorm of January 23, 2016. Dave Hess said this will allow the Borough to be reimbursed a portion of the money that was spent clearing and moving the snow from the storm.

On motion by Jon Faust to approve FEMA Resolution Form DAP-2 and seconded by Dave Valley. Roll call taken. Council agreed unanimously.

2. Water's Edge of Wind Gap – Attorney Karasek said there was an issue regarding the Water's Edge Plan that was discussed at the first meeting in December and then tabled to be heard at the Council Workshop Meeting. Unfortunately, it was not on the agenda and Council never discussed the issues related to the development. He said that Muschlitz contacted the Borough Engineer, Brian Pysker and stated that they want to begin construction of the infrastructure without putting up the necessary security. Council approved the Plan conditioned upon posting the required security which ensures that the development is built to the approved plan. Attorney Karasek informed them that they would not have an approved plan. He said if

Muschlitz begins construction now they will not get final approval until all improvements in, inspected, and meet Borough specifications or they can get their plan approved now and post security. Attorney Karasek said his recommendation is that the Plan approval should be rescinded. He advised that since not all of Council is present this evening, Council might want to wait for all members to hear their input. Brian said they intended to start construction April 18th as stated in his emails. Dave Hess said this topic will be tabled until the next Council meeting scheduled for Monday, May 2, 2016.

On motion by Jon Faust to table Water's Edge at Wind Gap until our next Council meeting and seconded by Alex Cortezzo III. Roll call taken. Council agreed unanimously.

3. 403 North Lehigh Avenue, Transfer of Property – Dave Hess reported that the office was contacted by the property owner of 403 North Lehigh Avenue who inquired about the possibility of donating the land (corner of Alpha Road and North Lehigh across from the PetroMart) to the Borough. Attorney Karasek said the Borough should pay for a title search on that property to make sure there are no liens against it. He said that the Borough is permitted to have property donated to it and if they want, he can prepare a deed or agreement of sale.

On motion by Alex Cortezzo III to request a copy of the deed and tax identification number to be sent to our Solicitor for a title search and seconded by Dave Valley. Roll call taken. Council agreed unanimously.

4. Street Sweeping – Rich Fox said he would like to start on Monday April 25th. Jon asked if fliers went out to inform residents that park on the street. Dave said he will put it on the Borough's Facebook page and Rich said he will put it on the sign at South Broadway and Third Street.

On motion by Jon Faust to approve ABE for street sweeping at \$100 per hour and seconded by Alex Cortezzo III. Roll call taken. Council agreed unanimously.

5. Election Day April 26, 2016 - Dave said that the polling place for Wind Gap is here at the Municipal Complex. As noted at the previous meeting by Keith Lysek, the building will be very busy and the parking will be a problem with this being a presidential election they anticipate the volume for voting being much higher. He said he would like to discuss if the office should be closed that day. Dave said that there will be a lot going on in a small area and he would like an opinion from Council. Attorney Karasek stated that other municipalities will stay open if they need someone there but if they are not needed they close. He said if we close we should provide an emergency contact for the Judge of Election. The office staff will open the building at 6:00 am and close at the end of the day. Dave said that the Borough office area will be secured for the day.

On motion by Dave Valley to close the office for Election Day, Tuesday, April 26th and compensate the staff for the day and seconded by Alex Cortezzo III. Roll call taken. Council agreed unanimously.

6. Beautification Committee – Dave Hess reported said that the Beautification Committee is doing a lot of work. Last Saturday, they cleaned the ramp coming off of Route 33. Danielle Seiple has been in contact with PennDOT and they are going to put signs up at the entrance and exit ramps off Route 33 stating that they are cared for/adopted by the Wind Gap Beautification Committee. Danielle is in a program to have wildflowers donated so they can plant and beautify the 33 ramps. Dave said that the Spring Clean Up is scheduled for May 7th.

OLD BUSINESS

1. Fire Department Social Hall – Randy George, President of Wind Gap Fire Company, said that the last time they met Council suggested having the new Social Hall constructed at the current firehouse property instead of here at the Municipal Building. Randy said that the majority of the firemen would rather have it at the old firehouse for convenience and a better location for them. He said they met with Brian and the parking will dictate the size of the building. Randy asked Council if they were still on board with them building a new Social Hall. Dave said yes he is all for them having the hall there. He said it is a better location and utilities are already there. Randy said any help and input from Council is greatly appreciated. Dave informed Randy to continue his fact finding and getting plans together to present to Council.

COMMITTEE REPORTS

1. EMS – Alex Cortezzo III said there is a meeting tomorrow evening, April 20, 2016.

2. Fire Company – Jon Faust reported they had 14 call for the month a total of 47 for the year.

3. Regional Police – The Mayor reported that the Slate Belt Regional Police Department responded to 510 calls for the month of March, 138 were for Wind Gap. On March 23rd and 24th oral interviews were held for a new Patrol Officer. Letters were sent to the top 5 candidates to continue the background investigation process. All Officers are required to sign out a kit for each shift along with the newly purchased trauma bags, officer only first aid kits and medical equipment used for officers injured.

4. Emergency Management – Dave Hess said the only thing he had to report was the Resolution from PEMA that just passed.

5. Zoning – Tony Curcio was absent.

Brian Pysher said Attorney Molnar sent out the Zoning Opinion for Albanese & Grimes for the vacant lot on Lehigh Avenue. Once the zoning appeal period is complete and no one appeals the project will move ahead. He said Albanese & Grimes submitted Subdivision and Land Development (SALDO) plans that are being review by the Borough's Alternate Engineer, Ott Consulting.

Brian said Chad Weeast, who has property on the corner of Water and Center, is proposing a subdivision on his property. Brian determined that Mr. Weeast does not have a sufficient amount of property to do develop. He stated that Mr. Weeast may appeal the decision to the Zoning Hearing Board.

Dave Hess asked for an update regarding the Auto Zone. Brian said that they initially wanted to come before Council this evening with the new plans that were received April 7, 2016. Brian called Auto Zone and informed them that he needed time to make a comprehensive review of the plans because they made changes according to discussions he had with the Attorney for Auto Zone. He said they submitted changes and agreed to pull the plan back to wait for the comprehensive review and to attend the May 2, 2016 Council meeting. Brian asked if they should go before Planning. Attorney Karasek said it is Brian's decision as to whether the plan has changed in such a fashion that it should go back to Planning Commission or if the plans are deemed minor. Attorney Karasek said generally they go before the Planning Commission, the Commission makes recommendations to Council, the applicant makes the recommended changes and then they go before Council. Attorney Karasek said this plan has been reviewed and revised several times. He said he received an extension from Auto Zone

with the date of May 19, 2016. Brian does not believe that AutoZone must go back before the Borough's Planning Commission and recommends that AutoZone be put on the agenda for May 2, 2016.

6. Planning – Alex Cortezzo III said there is a Planning meeting scheduled for May 12, 2016 for Albanese & Grimes Lehigh Avenue Subdivision Plan.

7. Municipal Authority – Jeff Yob was absent. Brian Pysher said there were some concerns expressed by the Municipal Authority because Muschlitz had submitted information on Water's Edge about it not being an age restricted community. He emailed Muschlitz who said it is still proposed as age restricted. Brian said there was nothing submitted or said to the Borough stating otherwise. He said they received their approval based on a homeowner's agreement that restricted the age in the community.

8. Streets – Jon Faust informed Council of the work that the Street Department has done. Jon said they discussed possibly purchasing a trailer for the skid steer. Jon said he spoke with Louise and there is money in their account for this purchases.

On motion by Jon Faust to purchase a trailer for \$3,000.00 to haul our skid steer and seconded by Dave Valley. Roll call taken. Council agreed unanimously.

Jon said he would like to discuss the crack sealer, ours was stolen from the old Ambulance building. He said it is coming to the time of year that they would use it and he would like to consider purchasing or renting one. Rich Fox said it would cost between \$5,000 and \$30,000 to purchase one. Rich recommended renting one for a week or two, at \$1,500 per week, and get the work completed. Rich said he will meet with Jon and Jeff to thoroughly discuss prior to making a decision.

Dave Hess asked Rich to hang a flag on our building prior to Election Day.

9. Parks – Alex Cortezzo reported that he attended the Park Board meeting on April 12, 2016. He said the Park Board would like an update on the electrical upgrading in the Park. Brian Pysher said he would like input from everyone involved (Park Board, Street Department, Office Staff) in order to incorporate all of the needs into one plan. Brian said there are issues with electrical work that was done in one of the fieldhouse buildings. He said he spoke with Labor & Industry and all commercial work needs to be permitted through them which means the Borough has to apply to L&I prior to electrical work being done. Dave Valley questioned when the cameras would be installed. Brian said that the cameras require electrical upgrades because more electrical outlets are needed and that is why he needs input from everyone. Dave Valley said we should start getting estimates as to the cost to get this rolling and to have an expert to tell us what we need done. Dave Valley said we should meet with Cathie Yob. Dave Hess suggested that the Park Board put together a committee and have them meet with Council and Brian.

Alex said the Park Board also asked for the Street Department to get the Wind Gap park sign cleaned and put back out on the corner of South Broadway and Third Street. They said they did not get a report on the work being done on the Park.

Dave Valley said that Joe Weaver has questions regarding the Park Master Plan. Joe Weaver said he has not received any communication about the Master Plan since he left Council in December. He said some action was taken that he was not aware of and since he is designated as the Local Project Coordinator for the Master Plan, who has substantial time invested in this he would like the Borough to keep him included in this process. Joe said he

spoke with Sean Garrigan from SGA who said that nothing has changed and said he doesn't know why Joe wasn't included in certain actions that were taken. Joe said he would like the Borough to extend him the same courtesy. He said he would like the Borough to copy him on consequential communications.

Joe said he would like to thank the Street Department for all the work they did with the big snowstorm that we had this year.

Car Show, May 15th – Dave Hess stated that the Borough has Ordinance 424 that requires a \$75.00 deposit from everyone that reserves the kitchen. He said we had issues with the car show, they came in and left the kitchen a mess. Dave said that last year they left cash, food, soda and a mess in the kitchen. He said that the Fire Company, organizations, and other renters clean the kitchen and the Borough has spent money to have it professionally cleaned. Dave said that it has been decided going forward everyone must submit their \$75.00 deposit. He said you give the check to the Borough Office, clean the kitchen and the check goes back to you. Dave said that emails have gone back and forth and some issues are addressed but the kitchen deposit has not been acknowledged. Dave Valley said one option is no deposit, no kitchen. Dave Hess said they also open the kitchen for Summer Sounds and he is looking for direction on what to tell them.

On motion by Dave Valley that access will be denied to the kitchen if no security deposit is received and to send a letter to Tony Borger and seconded by Alex Cortezzo III. Roll call taken. Council agreed unanimously.

10. Tipping Fees - Tony Curcio was absent. The Borough received a check for tipping fees in the amount of \$65,880.90 for the first quarter of 2016.

11. COG – The Mayor reported that the biggest concern is to hire an Animal Control Officer. He said that they are looking into buying salt for next year at a COG group rate. The Mayor said that Washington Township joined COG.

12. Slate Belt Community Partnership – Mayor Shoemaker reported they voted in favor of joining and partnering with the Community Action Committee of Lehigh Valley. He said there will be a Trail to Town Jamboree on July 8 through the 9th at Wind Gap Park, hosted by Slate Belt Partnership Troop 33 celebrating Wind Gap as an Appalachian Trail Community.

13. Technology – Louise Firestone said she submitted the purchase order for the laptops. Brian said he met with Jim Albanese to discuss what is needed for the television in the Council Chambers. He said he contacted Jason Keenhold, the electrician, regarding the Council Chambers and the problem with the lights in the garage.

The Mayor would like to thank the Street Department for the work they did putting the banners up. Great Job!

On motion by David Valley to adjourn the meeting of April 19, 2016. Council agreed unanimously.

The meeting of April 19, 2016 adjourned at 8:06 p.m.

Louise Firestone - Borough Administrator