

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, December 20, 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, Alex Cortezzo III, Tony Curcio, Kerry Gassler, and Jeff Yob. Also in attendance were Mayor Shoemaker, Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysker and Borough Administrator Louise Firestone. Absent was Councilmen Jon Faust.

PUBLIC COMMENT

1. **31 West Street Land Development Waiver Request** – Joe DePue came before Council to ask them to waive Land Development for an addition he is proposing for the District Magistrate Court located at 31 West Street. He is proposing to add an addition of 10 feet by 60 feet, (600 square feet), across the north side of the building. Joe said there will not be any bathrooms or parking, the addition is specifically to be used for storage and Judge's quarters. He believes that keeping the District Court in Wind Gap is a big asset to the Borough. Joe said he already went through land development four times for the property and he is still required to go through Labor & Industry for this project.

On motion by Kerry Gassler to grant the land development waiver with the condition of the variance and seconded by Dave Valley.

On motion by Kerry Gassler to amend the previous motion to include the fact that this is a waiver of SALDO Sections 305 and 306 and seconded by Dave Valley. Roll call taken. In favor: A. Cortezzo, T. Curcio, K. Gassler, D. Valley, J. Yob. Opposed: D. Hess. Motion carried 5-1.

2. **Wind Gap Fire Company Social Hall** – George Hinton updated Council on the progress for the new Social Hall. The Fire Company has the drawing, the heat, cooling, and the layout already done, the only thing missing is the hood for the kitchen. The Fire Company is required to go through Labor & Industry for this project and the Fire Company would like to know if Land Development is required for the Social Hall since it is on Borough property. Attorney Karasek asked if they are changing anything. George replied that the existing building will be torn down and a new social hall built. Kerry asked if it would be in the exact same spot or moved elsewhere. Brian Pysker showed Council the plans and the new location for the hall which is located on the current property, but located slightly to the north. Brian added that there will be no change in impervious, it is currently all parking lot. He said it is a matter of demolishing the existing fire house, replacing that area with blacktop and lining parking spaces.

Brian said that the waiver for the social hall would make sense since there is no impact on stormwater because the amount of impervious will remain the same. The same type of facility has been functioning on the property for the past 50 years. He said it is simply a demolition of the existing structure and replacing it with a new one with a different location to serve the same purpose. Attorney Karasek said Council must have clarification from the applicant as to the specific reason for the Waiver Request.

On motion by Kerry Gassler to grant the waiver of land development SALDO Sections 305 and 306 for the Wind Gap Fire Company's new Social Hall at 111 N. Broadway and seconded by Tony Curcio. Roll call taken. Council agreed unanimously.

Jeff Yob asked if they settled on an agreement of sale or an understanding of use of the property between the Borough and the Fire Company. Dave Hess said the understanding is that it will continue to be leased for the balance of the existing lease.

APPROVAL OF MINUTES

On motion by Jeff Yob to approve the minutes of December 5, 2016 and seconded by Kerry Gassler. Roll call vote taken. Council agreed unanimously.

APPROVAL OF EXPENSES

On motion by Kerry Gassler to approve the expenses of \$54,000.63 for the month of November and seconded by Tony Curcio. Roll call vote taken. Council agreed unanimously.

NEW BUSINESS

1. Slate Belt Regional Police Department – Secure Storage Area – Dave Hess said Chief Mettin is interested in using a small parcel of our property for a fenced in secure area. He said that part of the accreditation process to have a secure storage for impounded vehicles and large items. They are thinking near the entrance to the driveway, off to the side. It will be a square that will be fenced in where they can keep a car and a shed. The Commission will be purchasing material needed to secure and maintain the storage area.

On motion by Jeff Yob to allow Slate Belt Regional Police Department to use a portion of our property for a secure storage area and seconded by Dave Valley.

On motion by Jeff Yob to amended motion to include upon condition of a mutually satisfactory agreement and satisfactory terms. Roll call taken. In favor: D. Valley, J. Yob, A. Cortezzo, T, Curcio, D. Hess. Abstained: Kerry Gassler. Motion carried 5 – 0 – 1.

2. 2017 Council Meeting Schedule Advertisement Approval. Dave Hess said the only date is questions is our August meeting. Attorney Karasek said he will be available for August 15th but not for August 22nd.

On motion by Kerry Gassler to advertise the 2017 meeting dates with the date of Tuesday August 22, 2017 and seconded by Tony Curcio. Roll call taken. In favor: J. Yob, A. Cortezzo, T. Curcio, K. Gassler, D. Hess, D. Valley. Opposed: A. Cortezzo. Motion carried 5-1.

3. Enactment of Ordinance No. 491 – Attorney Karasek said Louise has the formal document to be signed for the new real estate tax millage. The Ordinance was advertised on December 6, 2016. It proposes a .50 mill increase, last year's rate was 12.25, 12.75 for 2017. This was adopted by the budget and advertised.

On motion by Jeff Yob to adopt Ordinance No. 491 for the 2017 real estate tax and seconded by Tony Curcio. Roll call vote taken. Council agreed unanimously.

4. Appraisal of Borough Garage Water Street – Dave said we have two appraisal one from Key Realty, William T. Stoerrle for \$750.00 and the other one from Richard J. Belon Appraisal Group for \$800.00.

On motion by Kerry Gassler to accept the appraisal bid from Key Realty at the price of \$750.00 and seconded by Tony Curcio. Roll call vote taken. Council agreed unanimously.

Brian showed Council the plans for the subdivision/lot line adjustment of 29 Mechanic Street and 125 Water Street. He said there are concerns regarding the placement of the generator at the Maintenance Building that is installed in the macadam area adjacent to the north side of the garage. The existing property line on the north side of the Maintenance Building is only about one foot from the edge of the building so the macadam area, generator, and possibly the sewer mains are located in that area. Brian recommends that Council hire Tom Knoll, who has a camera and locator that can be run through the existing cleanouts to determine where the sewer lines are and where the lines connect together. Jeff was going to contact Terry of the Sewer Authority to see if they have information on how many laterals are there. If there is a sewer line issue there may have to be another lot line adjustment which might bring up a Zoning issue with 29 Mechanic that is an existing non-conforming with respect with building setbacks.

Dave Hess said the buyers want the two car garage with 29 Mechanic Street. He asked if we could make the road garage and 29 Mechanic all one piece of land and sell it as one. Attorney Karasek said he will see if the buyers want to buy 29 Mechanic with easement conditions. Brian said initially we hoping there was no zoning issue to deal with but if we move the line over there will be zoning issues.

Attorney Karasek said he would like to know where the sewer line is prior to sending an agreement to the buyer's attorney.

Brian will contact the Municipal Authority to verify if there are one or two lateral sewer lines for 29 Mechanic Street.

On motion by Jeff Yob to hire the services of Tom Knoll, Not-to-Exceed \$700.00, to identify and mark the building sewer for 29 Mechanic Street and 125 Water Street and seconded by Tony Curcio. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. Jeff Yob said that in his quest to learn about the history of Borough Council, he was going through old minutes and he is looking for direction. Council talked about the Uniform Construction Code and he knows there was an initial vote back in 2005 to Opt Out. In February 2007 there was another vote to Opt In but cannot find anything on the State website that the Borough ever did. He said this would change the complexity of how we are doing business in the Borough and how we should be doing business. Kerry said back then he was President of Council and the decision went 4 to 3 to Opt In. Apparently the letter was never sent, which allows the Municipality 180 days after the State receives the letter that the Municipality is Opt In.

On motion by Jeff Yob that Wind Gap Borough stay Opt In and have a letter sent stating such and that we fill all the requirements to do so and seconded by Kerry Gassler. Roll call vote taken. Council agreed unanimously

Brian said he believes the Borough has to either designate or employ a Building Code Official and then the Borough will have to maintain records for commercial building, for the life of the structure. The State will they come in and audit the Borough to produce documentation and

maintain it. Brian said that for the time that Robert Collura Engineering has been here the Borough has always been Opt Out. He said he did discuss this with Bob Hebel, PA Labor and Industry Inspector, who gave him the information outlining the requirement of having a Code Official. Attorney Karasek said Opting Out means the Borough does not need a Building Code Official, if Opted In the Borough would need their own Building Code Official and we will have to keep very detailed records and be subject to audits and reviews. Dave Hess said we will have to meet those requirements within 6 months and either hire or appoint someone. Kerry said we can hook up with someone else that has a Code Official. Brian said he doesn't know if you could have a third party maintain the records. Attorney Karasek said he has seen some towns or Boroughs have the Code Official rely upon the third party inspector. He said if the Code Official does not have all the necessary requirements than they can rely on an electrical or plumbing inspector if needed. The Borough would need to designate a Building Code Official in the Borough to handle questions and to deal with issues.

Brian printed out the PA Code for Council. He said there is a section in administration, Municipalities Electing to Enforce the Uniform Construction Code.

COMMITTEE REPORTS

1. EMS – Bryan Cole from the Ambulance Corps said they had 906 calls year to date, last year they ended with 619. He said the Board has decided to go paid 24/7 with integrating volunteer staff starting January 1, 2017. They are looking for letters of interest for the Ambulance Board. They are also looking at purchasing one or two ambulances in 2017, maintaining three units for the year. Brian asked Council if the Ambulance was included in the budget. Dave Hess said that Brian was informed of the budget meetings and was asked to submit a letter stating what they were looking for in the way of monetary assistance. Brian did not attend any meetings and to date nothing has been received. Dave said the budget has been completed and approved.
2. Fire – George Hinton said they held their election last night and Allen Predmore is their new Fire Chief and Randy George remains Fire Company President.
3. Regional Police – Mayor Shoemaker said Slate Belt Regional Police responded to 490 calls in November, 135 were for Wind Gap. The Department continues to work on their accreditation process with no major roadblocks.
4. Emergency Management – Jeff said there is a new Director, Todd Weaver has been named by the County Executive and confirmed by County Council as the Director of Emergency Management for Northampton County.
5. Zoning – Tony Curcio said there is a meeting scheduled for January 4, 2017 regarding storage area at 31 West 1st Street.
6. Planning – Nothing to report.
7. Municipal Authority – Jeff said there were recent discussions between the Municipal Authority and the Borough. An old standing policy is going to be reinstated that the Borough will send the Municipal Authority all applications for permits. If they feel there is something required by the Municipal Authority to take action on they can take action on it prior to and not after the fact of a permit being issued and/or a plan being registered. It is with the hopes that with that

communication we can minimize any inconvenience between the two agencies. Jeff said we should place on our January agenda, the discussion of the cost of our sewer tie in.

Paul Levitz said that after their last meeting they were awarded a \$100,000.00 grant for a project on Roosevelt in Plainfield Township to fix the line. Jeff said there was discussion, we are going to look to complete overlay work on the Borough's behalf. Rich Fox said we should look at the water problem at the residents' houses at that time.

Paul said they are also doing the line behind the old school where Albanese and Grimes are putting up their townhouses. They are going to be doing part of it and they are talking of going all the way out to the manhole.

8. Streets – Jeff Yob said great job to our Street Department for keeping everyone safe during last weekend.

Brian said regarding the MS4 requirement, he spoke with Louise and they have not received any notification. The MS4 project or program is administered through DEP, it is a Federal program that has to do with outfalls, storm sewer, and monitoring what is being discharged. It is something that is coming up in 2017, typically they want to see mapping of all outfalls. Brian reported that he was contacted 6 months ago to schedule a meeting, but PA DEP never followed up with a call. Brian will research this and report back to Council.

9. Park – Nothing to report.

10. Tipping Fees – Tony Curcio said there were no changes from our last report. He said the total funds available are \$444,967.45.

11. C.O.G. – Mayor Shoemaker said the COG is still working on the cat ordinance. The next meeting will be December 28, 2016.

12. Slate Belt Community Partnership – The Mayor said they will have between 25 and 30 thousand at the end of the year. After all loose ends are tied up the funds will be turned over to the Partnership Boroughs. The CACLV will take over in 2017 and there will not be any monetary investments after that.

13. Technology – Nothing to report.

14. Zoning Ordinance Amendment – Nothing to report.

15. Mayor's Report – The Mayor said the COG will meet on December 28th at the COG office at 7:00 pm, Council members may attend. As winter begins remember to shovel and clear the snow from walk ways. Thanks to all Borough employees and I wish you all a Merry Christmas and a Happy and Healthy New Year.

Jeff said this is a good time of year to add to our pole display for holiday lights. He asked if we could use tipping fees to purchase lighting. Jeff will look into pricing of some new decorations. Rich Fox said a lot to the poles, the wires are completely out of the boxes. He said we have to get Met ED to fix them.

QUESTIONS & COMMENTS

1. George Hinton asked the Board if anyone attended the Synagro meetings. Mayor Shoemaker said the meeting was cancelled and rescheduled for January 9, 2017. George stated that truck traffic through Wind Gap is atrocious. Our infrastructure cannot support more

truck traffic with all the water trucks, Waste Management trucks. The truck traffic seems to only put the burden on Wind Gap out of the three affected municipalities. Paul Levits added that where they want to put the plant is not zoned correctly. They have submitted for a variance through Plainfield Township. Dave said yes Council will be there. Louise advised Council that they will be receiving formal invitations. They do anticipate having an open house at a plant down in Philadelphia in the 11th, 12th and 13th of January. If anyone is available and would like to go more information will be provided in the near future.

On motion by Tony Curcio to adjourn the meeting of December 20, 2016. Council agreed unanimously.

The meeting of December 20, 2016 adjourned at 8:43 p.m.

Louise Firestone, Borough Administrator