

**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 Monday December 2, 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 Council members George Hinton, Joyce McGarry, Mike McNamara, David Manzo, and Jeff Yob. Also, in attendance were Borough Solicitor Ronald Karasek, Borough Engineer Brian and Borough Administrator Louise Firestone. Absent were Mayor Mitchell D. Mogilski Sr. and Councilman Kerry Gassler.

PUBLIC COMMENT

1. Adrienne Fors of Waste Management, reported that the landfill has completed the final capping on the seven acres. That area will not be nice and green until next spring. The landfill is business as usual, just preparations for winter.

Adrienne reported that the hauling company is looking into efficiency routing, focusing on safety and efficiency. Waste Management has done reviews of municipal contracts and were unable to locate a contract that extends free trash services to the residents of Wind Gap Borough. Waste Management has determined that in order to maintain efficiency they would like to move the trash and recycling collections from Friday to Wednesday. They would like to propose that they would come in on Friday right after the New Year to do their normal routine, January 4 and 10th, to clean up everything and then restart everything on January 15th and then move everything over to Wednesday. They realize that they will have to pick up any missed trash and recycling, but will work in conjunction with the Borough Office to satisfy all residents and their concerns. They are working on a mailer that they would like to get out immediately to all residents in Wind Gap, at their cost.

On motion by Jeff Yob to approve the hauling date change from Friday to Wednesday starting on January 15, 2020 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the November 19, 2019 minutes and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

APPROVAL OF EXPENSES

On motion by Dave Manzo to approve the expenses in the amount of \$33,806.40 and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

On motion by Jeff Yob to approve payment on the recommendation of W2A Design Group to NuCor Management, Pay Request No. 3, in the amount of \$78,850.00 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

On motion by Jeff Yob to approve payment on the recommendation of W2A Design Group to K.C. Mechanical Services Inc, Pay Request No. 1, in the amount of \$4,500.00 and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

Regarding approve Bracalente Construction Pay Request No. 2 in the amount of \$162,545.00, Brian Pysher reported that they are still waiting on PennDOT Liquid Fuels Certification Forms. Dominic Bracalente dropped off his payroll certification and material paving certificates, but the Borough still has not received the CS4171 Liquid Fuels forms for materials. If you want to condition payment, condition it upon receipt of those forms for required materials.

We did a final walk through with the contractor, Louise and Rich were there, and we created a punch list and Dominic was going to write up the punch list and distribute it. Mr. Bracalente is aware what forms are still outstanding.

Council will table this until the December 17th meeting.

SOLICITOR'S REPORT

MEETINGS ATTENDED:

November 4, 2019 – attendance at regular monthly meeting of Borough Council.

November 19, 2019 – attendance at regular mid-month meeting of Borough Council.

SUBDIVISION MATTERS: None

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of e-mail from Applicant's Attorney with Suggested Revisions to General Plan Note No. 10 re West Street Land Development,

Preliminary Review of Revised Easements (4-Utility, 2-Grading, 1-Preservation and ROW on Longcore Road) re West Street Land Development.

ZONING AND OTHER LAND USE MATTERS:

Receipt, Review and Administration of Mortgage Commitment for Financing of the Construction of Municipal Garage and the Refinance of Existing Note for 2013 Purchase of Municipal Building, Local Government Unit Debt Act and Preparation of First Drafts of Two (2) Advertising Notices and Adopting Ordinance.

Receipt, Review and Administration of Borough EIT Report on Colonial Springs Townhouse Storm Water/Drainage issue.

Receipt, Review and Administration of Signed Ordinance NO. 504 – Alpha Road Commercial Truck Restrictions.

DEVELOPMENTS ON OUTSTANDING LITIGATION:

Review Status of Guerin Writ of Summons against Borough

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Receipt, Review and Administration of Possible Borough Manager Position.

Preparation of Advertising Notice, Ordinance and forwarding e-mail to Express Times re Borough Ordinance NO 505-Repeal Per Capita Tax.

Preparation of Advertising Notice. Ordinance and forwarding e-mail to Express Times re Borough Ordinance No 506-Slate Belt Regional Police Department Charter Amendment.

Preparation of Advertising Notice, Ordinance and forwarding e-mail to Express Times re Borough Ordinance No. 507-2020 Real Estate Tax Millage Rate.

Telephone Conference with K. Guerin re Collapse of Stormwater Drains.

Preparation of Monthly Solicitor's Report.

OUTSTANDING ITEMS:

Stop Sign Ordinance
Bank Shell/Dog Park Ordinance

Attorney Karasek reported that over the past month he has reviewed the PA Local Government Unit Debt Act, notices etc. for the 2.5-million-dollar loan. He spoke with Attorney Al Pierce who represents Merchants Bank, who will prepare various banks documents for him to review. Attorney Karasek prepared a draft format, the pre-adoption notice, the post adoption notice that has to go in the paper, the ordinance that has to be adopted, the borrowing base certificate completed by the Borough Accountant so we can prepare that whole packet of documents and forward to DCED for approval and once the Department of Community Economic Development approves the loan, we can have a closing. He would need to know from Council, when they would like to adopt the ordinance with respect to this matter. There has to be drag time prior to the adoption to put in the newspaper and the post adoption notice goes in 15 days thereafter. There are 3 ordinances right now for the mid-month meeting, Slate Belt Police Department Ordinance, Real Estate Tax Millage for 2020, and also adopting the ordinance for the elimination of the per-capita tax. Assuming that the bank will extend beyond December 20th, what date would Council like to select for purposes of the adoption of this ordinance. Dave Hess said the mid-month, we have re-organization for the first monthly meeting in January. Attorney Karasek said that we need to see from the bank if they can extend and is there any potential issues with the five-year term. Louise said that she knows that the five year is for the fixed mortgage rate.

ENGINEER'S REPORT

Brian Pysher reported he will be contacting the Municipal Authority to set up the dye-testing. He will facilitate that this week so we can get that wrapped up.

Brian has been meeting with Louise to talk about projects for next year, we will be doing Lincoln Street as part of Community Development Block Grant (CDBG) funding. They will be working on Center Street as well.

NEW BUSINESS

1. Approve Slate Belt Regional Police 2020 Budget - Dave Hess reported that Council has copies of the budget. This is not a concrete budget because the police contract has not been finalized, but Council needs to adopt the formula used for the budget. Chief Mettin did the best that he could estimating the numbers and was cautiously on the high side.

On motion by Jeff Yob to adopt the Slate Belt Regional Police 2020 Budget and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

2. Re-Organization Meeting January 6, 2020 Advertising

On motion by Jeff Yob to approve advertising for the Re-Organization Meeting for January 6, 2020 at 7:00 p.m. and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. Wind Gap Ambulance – Stove Hookup (Shut-off) – Dave Hess reported that three months ago, Council voted to shut off the gas to the stove for Wind Gap Ambulance and he was asked by the Director if we could hook it back up.

Dave Hess said that there is a new Director running the business that will be putting together a code of conduct/rules for the staff. Dave Manzo said that he is in favor of hooking it back up knowing there are consequences for their actions.

2. Appalachian Trail Zoning – Overlay Zoning – Dave Manzo said that Attorney Karasek is working on this agenda item.

3. East First Street (Deed of Dedication) - (Liquid Fuels)-Metes/Bounds – Brian Pysher will forward all the information to Attorney Karasek and let him know if he needs any other documents.

Brian reported that he has to get together with Rick Fox to see if he did a PA One Call so we can install the light on First Street. The Borough cannot determine where the light pole goes until the electric line is located.

4. Dave Manzo reported that the barriers are still out at East West Street as part of the Water's Edge Development. Brian will make sure that there is one moveable barricade at either end so the emergency and utility vehicles that may have to use that road have access.

5. Louise Firestone reported that she had a phone call from the Northampton County Emergency Management regarding the Borough's Emergency Management Coordinator (EMC). When the paperwork was submitted to Northampton County to change the Deputy Emergency Management Coordinator, they put it through as a change of the EMC. She requested verification from Council that they are intending to keep Mr. Yob as the EMC. The Borough has been asked to provide a copy of our Emergency Operations Plan (EOP) to the Police Department for their pending accreditation. Wind Gap Borough's EOP is dated 2003. Louise attended a Northampton County COG meeting was told that Wind Gap Borough's EMP is dated 2003 and we need to get that update immediately and at that time out of 62 Municipalities, ours is the second oldest. Jeff Yob said that he submitted an updated EMP two years ago, but the County doesn't seem to have it. He will update it again and send out a new one. George Hinton asked if the Borough has a copy on file, but Jeff did not know. George asked Jeff if he had all of his certifications up-to-date and Jeff said the ones he has are, but there might be some new ones that he needs. George stated that Dave Hess got his certifications completed as the Deputy EMC. George said that he is disappointed that the Borough does not have that done.

On motion by George Hinton to assign Dave Hess as Emergency Management Coordinator and Jeff Yob as Deputy Chief and seconded by Dave Manzo. Roll call taken. In favor - G. Hinton. Opposed – D. Manzo, J. McGarry, M. McNamara. Abstained – J. Yob, D. Hess. Motion did not carry 1 – 3 – 2.

Dave Manzo asked about the certifications. Dave Hess said NEMS, National Emergency Management System, you need to know Federal acts, chain of command structure, that you would use depending on the incident. Dave Manzo asked if these would have changed from 2003. Dave Hess said that training changes constantly, the basic concept doesn't change they just make it more in-depth. NIMS was supposed to be a uniformed nationwide system. Dave Manzo asked if it is just filling in the blanks, could Council have it by mid-month. Jeff said the new one, yes but this has to be passed by ordinance.

On motion by Dave Manzo that Council have a draft of the Emergency Management Plan by mid-month meeting in December and seconded by Jeff Yob. Roll call vote taken. In favor – D. Manzo, J. McGarry, M. McNamara, J. Job, D. Hess. Opposed – G. Hinton. Motion carried 5-1.

6. Pete Albanese said that he has a question for Brian Pysher, for Green Knights Economic Development II, street lighting fixtures were sent to you for approval, our company approved them. The power company approved them and Plainfield Township wanted to confirm prior to the township engineer also approving. There are a couple of street light fixtures that will be in the Borough of Wind Gap, they will be the same as the rest of the street. Brian said that he will check, because they were different than what was on the plan. Pete said the only other thing on this is going to Plainfield Township because there are two options with the power company, one is a bill per month per light or unmetered option. Wind Gap Borough utilizes the unmetered option.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of December 2, 2019. Council agreed unanimously. The meeting of December 2, 2019 adjourned at 8:15 p.m.

Louise Firestone, Borough Administrator