

**BOROUGH OF WIND GAP
545 East West Street
WIND GAP, PA 18091
610-863-7288
FAX 610-863-1011**

Wind Gap Borough Council meeting on Monday, March 2, 2026, was called to order at 7:00 p.m. by Council President George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Council members: Mark Crossen, Jack Rissmiller, Patrick Webber, Dave Manzo, Joseph Romano and Danielle Weaver. Also in attendance were Mayor Heather Webber, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher, and Borough Manager Louise Firestone.

PUBLIC COMMENT

Blue Mountain Community Library - Jill Silvius, Secretary for Blue Mountain Community Library, President Valerie Viglione, and Board member Kathy Hinton came before Council to thank them for their contributions to the library. Jill acknowledged that Wind Gap Borough Council has been faithful supporters over the years, and they appreciate every penny they receive because it enables them to function as a library within the Pen Argyl Area School District. Jill Silvius gave the annual report regarding the programs, fundraisers and financials of the community library.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve February 17, 2026, minutes and seconded by Patrick Webber. Roll call vote taken. Motion carried unanimously.

APPROVAL OF EXPENSES

On motion by Patrick Webber to approve the expenses in the amount of \$65,528.11 and seconded by Joe Roman. Roll call vote taken. Motion carried unanimously.

On motion by Patrick Webber to approve the NorCO Grant funds Reimbursable to the Slate Belt Regional Police Department in the amount of \$20,000.00 and seconded by Jack Rissimmer. Roll call vote taken. Motion carried unanimously.

On motion by Patrick Webber to approve the release of retainage Park Trail to CMR Construction in the amount of \$10,178.20 and seconded by Dave Manzo. Roll call vote taken. Motion carried unanimously.

SOLICITOR'S REPORT

February 2, 2026 – attendance at regular monthly meeting of Borough Council
February 17, 2026 - attendance at regular monthly meeting of Borough Council
February 19, 2026- attendance at the Planning Commission meeting
Prepared the Agenda and Meeting minutes for February 19, 2026, Planning Commission meeting.

Legal research and comprehensive notes for the real estate tax duplicates
Addressed the notice of tort claim.
Reviewed and revised the Sump Pump and Grease Trap ordinance.
Reviewed the Wawa Quantity and Cost Estimates to make certain that they had included the sewer lines in that estimate.
Re-reviewed the Wawa Identification Agreement with respect to all the permit conditions.
Filed with the Court, for a Bench Trial for 332 North Broadway
Prepared the official action correspondence and SALDO waiver for Ocean State Job Lot Land Development Plan
Reviewed the Albanese Plan for Planning Commission meeting.
Reviewed the Kemmerer Plan for Planning Commission meeting.

ENGINEER” S REPORT

Brian Pysher reported that he spent time reviewing the two matters for the Planning Commission meeting held on February 19, 2026. He is currently working on the building renovation plans for the addition of a tax collector office. At the last meeting it was announced that the Borough received additional funding for the Male Road bridge superstructure replacement project, but this award is funding through the federal government so there are some specific requirements related to bid specifications and prevailing wage rates. Brian will review the documents in order to comply with all the requirements to avoid any complications due to the multiple sources of funding. The owner of Giant Plaza has been emailing requesting any updated timeline and the status of this project.

NEW BUSINESS

1. Peter and Christine Albanese – George reported that Pete and Christine Albanese went before the Planning Commission and asked for a waiver from Land Development for their property at 32 East Fourth Street. The commissioners voted unanimously to grant the waiver. Attorney Karasek said that it was his understanding that the commission did not want to make a recommendation, they wanted to send it to Council for official action. There was discussion as to whether this was land development. Attorney Karasek went over what land development was and said that this is not land development.

On motion by Patrick Webber that the Peter and Christing Albanese proposed addition to 32 East Fourth Street structure is not considered as land development and seconded by Jack Rissmiller.

Motion amended by Patrick Webber that the Peter and Christine Albanese proposed addition for 34 East Fourt Street structure does not require Land Development approval, but the Zoning Officer is to issue the appropriate permits based on the Wind Gap Borough Zoning Ordinance for this project and seconded by Jack Rissmiller. Roll call vote taken. Motion carried unanimously.

2. Kemmerer Land Development Plan, 42-54 West Second Street, Six (6) unit building – Attorney Karasek reported that the Planning Commission did recommend that land development would not be required provided that all zoning requirements are met. Attorney Karasek explained that although this was the recommendation by the Planning Commission, he does not recommend that land development for this project be waived. He explained that zoning tells you what you can do, but land development tells you how to do it. If land development is waived for this six-unit building, the borough will have no control over storm water, sanitary sewer,

municipal water, sidewalks, landscaping, lighting, traffic, or off-street parking requirements based on the Subdivision and Land Development Ordinance (SALDO). He cautioned council that the next developer who is aware that land development was waived for this project will ask for the same courtesy based on the precedent that has been set. This is his opinion and advice, but he will rely on what council and the engineer decide. George added that based on the discussion at the planning meeting, the commission felt confident that requiring all the zoning requirements be met the project would be done properly. Attorney Karasek agreed that a condition of this project is it must comply with zoning, but he does not necessarily agree that zoning will address all the major components of a six-unit building and the impacts it may have to the surrounding properties. Dave Manzo asked how not going through land development would allow them to bypass sewer. Attorney Karasek corrected and stated that they cannot bypass sanitary sewer, but it might bypass storm sewer requirements. He reiterated, that his major concern is what precedent the borough is going to set. Attorney Karasek asked Brian if in fact the zoning ordinance would be enough to protect the borough. Brian said when SALDO gets waived, those requirements are not covered under the zoning ordinance.

On motion by Dave Manzo that land development is required in place of the waiver
Motion withdrawn by Dave Manzo.

On motion by Dave Manzo that the Kemmerer's need a site plan. **Motion withdrawn by Dave Manzo.**

Brian Pysher, acting as the zoning officer last year, denied the zoning application when it was initially submitted. When the newly appointed Zoning Officer, Darlene Plank, started last fall, the same application was re-submitted and she also denied the plan. She attached Brian's denial letter for reference to the applicants and advised them that they needed a sketch plan. This project does not comply with the borough's zoning ordinance. Brian recommended that prior to acting on this plan, the applicants should apply for variances to the Zoning Hearing Board. Once the Zoning Hearing Board has made a determination on the variance(s), the plan can then be reviewed.

On motion by Dave Manzo that there will be no vote on the waiver of land development at this time until the zoning issues have been resolved and seconded by Danielle Waiver. Roll call vote taken. In favor: D. Weaver, P. Webber, M. Crossen, D. Manzo, J. Rissmiller. Opposed: G. Hinton Abstained: J. Romano. Motion carried with a vote of 5 – 1 – 1.

Nolan Kemmerer asked to address council to explain that he is only 422 square feet larger than what exists now related to the stormwater issue. They have owned the property for forty-four years and have not had a water issue on the property as it drains well. The only thing he needs from zoning is relief of the 5,000 square feet. He has a site plan ready to go.

Mark Crossen asked if there is a lot of evidence requiring land development, why would someone not want to do it. Attorney Karasek informed that hiring professionals to do the research necessary to do plans and then attend meetings does get costly. Attorney Karasek also added that as defined in the zoning ordinance, a property can only have one (1) principle use on a lot and also this property does not have the required square footage needed.

3. Handicap Parking Space Request – Ordinance No. 401 for Mitchell D. Mogilski, Sr. at 422 South Broadway, Wind Gap. As required by the ordinance, Mr. Mogilski has provided the necessary documents to afford him a handicap parking space.

On motion by Patrick Webber to grant the handicap space at 422 South Broadway and seconded by Danielle Waiver. Roll call vote taken. Motion carried unanimously.

4. Tax Collector Checking Account approval to add Borough Manager as a Counter Signer

On motion by Patrick Webber to add the Borough Manager as a Counter Signer for the Tax Collector Checking Account and seconded by Dave Manzo. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

1. Proposed Ordinance No. 517 – Approval for Advertisement Prohibiting the Discharge of Stormwater, including Sump Pumps and Downspouts, into the Public Sanitary Sewer System, to Provide Enforcement by the Borough of Wind Gap – Review and Discussion

2. Proposed Ordinance No. 518 – Approval for Advertisement Requiring Grease Traps for All Commercial Food Service Establishments and Other Businesses that Produce Fats, Oils, and Grease (FOG); Establishing Maintenance, Inspection and Enforcement Provisions – Review and Discussion

On motion by Joseph Romano to approve the advertisement of the Proposed Ordinances No. 517 Prohibiting the Discharge of Stormwater, including Sump Pumps and Downspouts, into the Public Sanitary Sewer System, to Provide Enforcement by the Borough of Wind Gap and No. 518 – Requiring Grease Traps for All Commercial Food Service Establishments and Other Businesses that Produce Fats, Oils, and Grease (FOG); Establishing Maintenance, Inspection and Enforcement Provisions with the changes and seconded by Dave Manzo. Roll call vote taken. Motion carried unanimously.


3. George Hinton reported that he and Patrick conducted interviews for the Public Works Director position. There are some additional items that need to be finalized.

PUBLIC COMMENT

1. Christine Albanese expressed her displeasure with the inconsistencies amongst the borough, their officials, their boards and the planning process that she had to deal with regarding her property on Fourth Street.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of March 2, 2026. Council agreed unanimously. The meeting of March 2, 2026, adjourned at 8:00 p.m.



Louise Firestone, Borough Manager