

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, September 21, 2021 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 Laudano, David Manzo, and Steve Bender. Also, in attendance were Mayor Mitchell D. Mogilski, Sr., Borough Solicitor Ronald Karasek, and Borough Manager Louise Firestone. Absent were Councilman Jeff Yob and Borough Engineer Brian Pysner.

PUBLIC COMMENT

1. Amie Howey of 104 E 2nd Street came before Council regarding harassment by Dave Manzo regarding the accusations of a business being run out of her property's detached two car garage.

Dave Manzo, 628 South Lehigh, excused himself from his Council seat. Dave addressed Council stating that it is his opinion that his neighbors are conducting an automotive repair business out of their garage. He showed videos that he found on-line of EFSpeedworks.

Emiliano Furtado, a family friend, stated that he does not have a business, he is a family friend who stores and works on his cars there and he uses the garage as a man cave.

APPROVAL OF MINUTES

On motion by George Hinton to approve the September 7, 2021 minutes and seconded by Dave Manzo. Roll call vote taken. In favor: D. Hess, G. Hinton, D. Manzo, J. McGarry, M. Laudano. Abstained: S. Bender. Motion carried 5-0-1.

NEW BUSINESS

1. Tanzosh Lot Line Adjustment – Planning Commission Recommendation – Attorney Karasek reported that this matter was heard by the Planning Commission and they recommended the approval of three separate SALDO Waivers and they also recommended Conditional and Final Plan Approval.

SALDO Section 402.C.1 requires contour lines at intervals of at least two (2) feet. This is unnecessary as all that the plan proposes is to adjust the existing parking line to allow more off-street parking for an existing apartment building.

On motion by Steve Bender to grant a waiver for SALDO Section 402.C.1 Existing Features and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

SALDO Section 402.C.4 requires that all existing features within two hundred (200) feet of the tract be shown on the Plan. A partial waiver is requested where all street designations and right-of-way dimensions have been shown but there is no need for the remaining features where the Plan is to simply modify a lot line between two parcels.

On motion by George Hinton to grant a partial waiver for SALDO 402.C.4 Existing Features within 200 feet of subject tract and seconded by Mike Laudano. Roll call vote taken. Council agreed unanimously.

SALDO Waiver 402.D.14 requires that permanent concrete monuments shall be placed at all outbound corners. A partial waiver is requested where the Applicant will place iron pins in lieu of the monuments with a signed and sealed certification by the Applicant's Planning Professional.

On motion by George Hinton to grant a partial waiver for SALDO Waiver 402.D.14 Concrete monuments at all outbound property corners and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

On motion by George Hinton to grant the Conditional, Preliminary, and Final Plan Approval for the Tanzosh Minor Subdivision and Lot Line Adjustment Plan seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously

2. Slate Belt Regional Police Department Commission Member – Dave Hess made a recommendation to appoint a new member since there will be ongoing discussions related to the lease agreement between the Slate Belt Regional Police Commission and Plainfield Township. The current lease is set to expire on December 31, 2021 and since these discussions will potentially continue into 2022, Dave thought it would make sense to allow another member of Council to sit on the commission to fully understand all the points of contention and for a smooth transition once Mayor Mogilski's term expires. Council and Mayor Mogilski had discussion on the topic and it was decided at this time to have the mayor continue to sit on the Slate Belt Regional Police Commission Board.

3. 29 Mechanic St/125 Water Street Agreement of Sale – Third Addendum – Attorney Karasek reported that he had a signed extension for the sale and purchase of the property. Speaking with the buyer and the buyer's title company, they were not able to get everything in place for the original proposed closing date of September 14, 2021. The third addendum allows for an extension through October 1, 2021. The document has been signed by Mr. Aashish Kharb with the potential to assign his interest in this property to an LLC who he chooses to designate. Attorney Karasek said that the deed for the property is prepared and he is ready to proceed. He expressed some concern that even the October 1 date may not allow Mr. Kharb enough time to get all the paperwork in order for closing so he recommended extending the date a little further into October.

On motion by George Hinton to sign the extension until October 15, 2021 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously

4. E-Waste Collection Event - Louise Firestone reported that Wind Gap in conjunction with Pen Argyl will be holding an E-Waste Collection Event which is scheduled for Saturday, November 6, 2021 from 9:00 a.m. until 12:00 p.m. Waste Management has offered to host the event since they have ample room for not only the trailers, but also cars waiting in line to dispose of electronics. There is a list of fees associated with disposing of electronics, but many items are no longer have a fee to drop off. This will be in the Borough Newsletter and will be

promoted by Waste Management. RRS is the vendor and allowed the boroughs to decide whether to include Plainfield Township, which will be done.

5. Resolutions Supporting gaming Grant Applications – Fire / Ambulance - Louise Firestone reported that the deadline for submitting grant applications on behalf of the Wind Gap Volunteer Fire Company and the Wind Gap Ambulance Corps is September 30, 2021. Council is committing any financial assistance, but in order to submit these applications, a Resolution must be adopted by Council. In the past, Council has supported grants submitted by both the Fire Company and the Ambulance Corps.

On motion by George Hinton to approve Louise Firestone to submit grants on behalf of the Wind Gap Volunteer Fire Company and the Wind Gap Ambulance Corps seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously

OLD BUSINESS

1. Verizon Cell Tower – Attorney Karasek reported that he had sent a memo to Council with his comments regarding the lease agreement that was prepared by Verizon. This would be a five (5) year lease that would be automatically extended for additional five-year terms. Attorney Karasek that we do not know if this will create a taxable event for this property. He recommends that Council get a plan prepared and seek a variance to make the smaller lot approved and cut that off of the main property, so if the cell tower lot would be taxed it would not affect the whole property. Louise Firestone asked if Council had any interest in having a Verizon Representative here at the next meeting. Dave Hess asked that Council jot down their questions and give them to the Borough office so we can have our questions ready to ask them. Louise will plan to invite them to one of our October meetings.

2. Attorney Karasek informed Council that Green Knights will be attending the October 4th meeting with their plan. They have about seven (7) SALDO waivers that were recommended by the Planning Commission with exception of the request for the sidewalk waiver. They would also be looking for the Conditional, Preliminary, and Final Plan Approval.

COMMITTEE REPORTS

1. EMS – George Hinton reported that for the month of August the Ambulance responded to 150 calls, 8 ALS calls and 24 BLS calls in Monroe County, 9 ALS calls and 26 BLS calls in Northampton County, 83 non-emergency transports with an average response time of 2.96 minutes from dispatch to responding. They are moving ahead to purchase a new ambulance.

2. Fire – George Hinton reported that they got through all of their fundraisers and are doing well. They have a firefighter that is going in for surgery and they may have another fundraiser to try to help the firefighter out. They did well in the parade and they put together a float at the last minute and won first place.

3. Regional Police – Mayor Mogilski reported that for the month of August, the Police Department responded to a total of 413 calls for service, 114 were for Wind Gap.

4. Emergency Management – Dave Hess reported that he attended the quarterly Emergency Management Coordinators meeting at the 911 Center. The main topic was the ongoing oil spill in Bangor which is coming from an unknown source and is going into storm sewers and ending up in the Martins Creek. The State is involved, they are collecting the water in Martin's Creek

5. Zoning – Tina Serfass reported that she processed 6 applications and conducted a site visit at Tractor Supply for their sponsored four-day Fresh Market Sale. Tractor Supply wanted to block the parking lot off and put a tent in the middle of the lot, but Tina directed them to put the tent behind their fenced in area. She addressed the complaint the Mr. Manzo submitted and reviewed the online videos that he sent her regarding his neighboring property. Tina's conclusion was that the videos are not current, they are older. She has a copy of the police report where it says that there was no business at that location. She has done numerous drive-byes at different hours and has other employees check when they travel through Wind Gap. She expressed her opinion that she cannot confirm that there is a business there. The homeowner addressed the letter that Tina sent her and she put it in writing that she does not have a business there.

6. Planning – Dave Manzo reported that the Planning Commission heard Mr. Tanzosh's plan for a lot line adjustment. The Planning Commission granted the waivers and forwarded to Council. The next meeting is scheduled for October 7, 2021.

7. Municipal Authority – Dave Manzo reported that the Authority talked about the Green Knight Development being locked in for one (1) EDU per lot and the pump station. There were issues with billing related to multi-unit dwellings and the number of EDU's they have. One Board member said someone was camping on the lower ball field in the park that night. He went by at night and did not see anyone camping on the lower ballfield.

8. Streets – George Hinton reported that the Street Department did all their normal stuff. Rich Fox said that Jeff, the new employee, is working out well.

9. Park / Athletic Fields – Dave Manzo reported that they did have an Athletic Association meeting this month. The next meeting will be on September 27th at the Social Hall. The previous administration did show up. He hopes things get better at the next meeting.

Louise Firestone reported that she had had a meeting with the consultant for the walking trail from East West up behind the Babe Ruth Field. They did talk about removing a tree that will be in the way of the trail. Rich Fox met with Snow Scapes to discuss removal of trees at the park which include that tree, four (4) trees behind the girl's backstop on Lehigh and two (2) trees by the large pavilion. They are also going to grind down the stumps that are in there by the gazabo.

10. Tipping Fees – Louise Firestone had nothing to report.

11. Slate Belt Council of Governments – Mayor Mogilski reported that Laura started working on a grant for the camera which is a matching grant and they do have \$30,000 in matching funds. Wind Gap's leaf vac was repaired and the COG issued the \$9,000 check to the office for payment and now they are looking for a place to house for the small leaf vac. During the street sweeping season, the street sweeper was damaged while being used by Portland Borough so they will be paying for those repairs. The mayor asked if there is anything Council wants him to have included in the COG's 2022 budget. So far, they have the camera for the sewer and the storm jetty. Starting next year, they would like two representatives to represent other municipalities that are not currently members of the COG. The next meeting is tomorrow at 7:00 p.m.

12. Slate Belt Rising – Louise Firestone reported they had a zoom meeting last Thursday. The main topic was Bangor Borough’s small vendor event scheduled for this Saturday, September 25 from 10:00 a.m. to 3:00 pm. They currently have seventy (70) vendors signed up to attend.

13 Multi-Municipal Plan – Louise Firestone reported that no meeting was held due to the forecast for torrential rain and possible road flooding.

Louise reported that she and Dave Hess were on a zoom meeting with the County, one of the things they discussed was Hazard Mitigation. The Hazard Mitigation Plan identifies areas in the borough that might have potential flooding issues, any hazardous areas, warehouses, businesses. In order to receive any Federal or State funding these areas must be identified in the Hazard Mitigation Plan. She would like to have a discussion with Brian Pysner to understand what is involved with correcting the flooding on South Broadway at the site of the old Roberti property and then include in the plan for future funding.

14. Mayor’s Report – Mayor nothing to report.

ADJOURNMENT

On motion by Steve Bender to adjourn the meeting of September 21, 2021. Council agreed unanimously. The meeting of September 21, 2021 adjourned at 8:28 p.m.

Louise Firestone, Borough Manager