

**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 February 5, 2018, was called to order at 7:00 p.m. by Council President Alex Cortezzo III, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Kerry Gassler, David Manzo, Mike McNamara, and David Valley. Also in attendance were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysner, and Borough Administrator Louise Firestone. Absent were Councilmen Dave Hess and Jeff Yob.

PUBLIC COMMENT

1. Judy Piper, Treasurer for Blue Mountain Community Library, came before Council with their annual library report. Jill Silvius highlighted some of the things that they did over the past year. They have volunteers that oversee the daily operation of the library with a part time manager who is paid. They have over 8,000 patrons, of which 1,154 are from Wind Gap. Membership is free for residents of the Pan Argyl Area School District. They have several programs and fundraisers. The board decided to switch to gas and will be replacing the two furnaces and air conditioners this spring. GKEDC gave them \$10,000 to help defray the costs. Last March their operating system was switched to Resource Mate.

Judy said that they are very thankful for what Wind Gap contributes to them. It makes a difference and helps them buy more books and items to put in their library.

2. Adrienne Fors, Community Relations for Grand Central Landfill came before Council to introduce herself to the new Councilmen. The District Manager for the Pen Argyl site is Ron Meyer and they would like to invite those on Council to come on a landfill tour. Part of her job is to do Public Outreach Community Relations with projects such as education with scouts, partner with Library, YMCA, Northampton County Junior Conversation Group, and Lehigh Valley Greenways. They have a wildlife habitat and they would like to invite all to the Winter Bird Walk on February 18, 2018. They are also doing a blood drive and they are looking for a few more donors.

3. Jill Silvis reported that her real estate taxes have gone up 10% since last year and she would like to know if that is an annual increase and if there is any specific plan for that money. Alex Cortezzo said that the plan is to add a third full time street worker to our Road Department so we are able to take care of the roads in this town. We also had a few significant tax refunds that came due which took a major hit to everyone in the town.

APPROVAL OF MINUTES

On motion by Dave Valley to approve the January 16, 2018 minutes and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

APPROVAL OF EXPENSES

On motion by Kerry Gassler to approve the expenses in the amount of \$38,003.10 and seconded by Mike McNamara. Roll call vote taken. In favor K. Gassler, D. Manzo, M. McNamara, D. Valley. Abstained Alex Cortezzo. Motion carried 4-0-1.

Alex Cortezzo said there is an invoice for the company he works for so he will be abstaining from approval.

SOLICITOR'S REPORT

Attorney Karasek reported that all the matters being handled by his law office for the Borough during the month of January are outlined in a report.

MEETINGS ATTENDED:

January 2, 2018 – attendance at regular monthly meeting of Borough Council.
January 16, 2018 – attendance at regular workshop meeting of Borough Council.
January 18, 2018 – attendance at regular monthly meeting of Borough Planning Commission.

SUBDIVISION MATTERS:

None

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of e-mail from Attorney C. Vogt and Responsive e-mail attaching copy of West Street L.. D. Improvements Agreement.

ZONING AND OTHER LAND USE MATTERS:

Review of conditions of Ordinance Approval re Vacation of Barto Alley. Review of Sanitary Sewer Easement Agreement and Approval by Wind Gap Authority Solicitor, J. Molnar, and Metes and Bounds Description and Approval by Borough EIT re: Vacation of Barto alley.

Review of Access Easement Agreement Along with Metes and Bounds Description and Approval by Borough EIT re Vacation of Barto Alley.

Review of Unification and Merger Deed and Metes and Bounds Description with Approval by Borough EIT re Vacation of Barto Alley

Preparation of Comprehensive e-mail transmission to Borough Administrator L. Firestone outlining Borough's UCC Opt-In Responsibilities (including copies of Resolution for COG UCC Joint Board of Appeals, Intermunicipal Agreement and Ordinance to Establish Slate Belt COG as Borough's UCC Appeals Board).

Receipt, Review and Administration of Lehigh Valley Planning Commission Review Letter re Borough Zoning Amendments for No Impact Home-Based Business, Home Occupation, Certificate of Compliance, Fences, Vehicle Signs and Clear Sight Triangle.

DEVELOPMENTS ON OUTSTANDING LITIGATION: NA

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Preparation of Borough Planning commission Meeting Minutes for January 18, 2018.

Receipt, Review and Administration of Comprehensive Correspondence from Solicitor to SBRPD S. Goudsouzian re Appointment of Borough Representative to SBRPC.

Receipt, Review and Administration of File, Telephone Conference with PA State Association of Boroughs (PSAB) Representative (S. Houck) and Preparation of Comprehensive Memo with e-mail transmission to Borough and SBRPD Solicitor S. Goudsouzian re: Appointment of Borough Representative to SBRPC.
Preparation of Monthly Solicitor's Report.

OUTSTANDING ITEMS:

One-Way Ordinance for Third Street and E Alley
Stop Sign Ordinance
Dog Park Ordinance
Fire Company Ordinance
Ordinance for reimbursement of equipment, material and supplies in responding to environmental, hazardous, safety or rescue events (police, fire or both?)

ENGINEER'S REPORT

Brian Pysher reported that he has been in contact with Rob Hoffman from Traffic Planning & Design with respect to the ARLE Grant. Last month there were alterations to the mylars that needed signatures, which have been done. Subsequent to that, the plans being recorded, they sent a copy of the proposed advertisement, there were minor changes that he had them make. Currently, we are accepting bids until March 13th and we will award the contract at our March 20th mid-month meeting. They will be advertising on Pen Bid. A web site that notifies contractors and is free to upload information on it. We are also required to advertise in local newspapers.

Brian Pysher contacted contractors to submit a bid for the Wind Gap Municipal Complex Generator to include the installation of the generator and the transfer switch. Brian sent out a formal bid proposal, similar to the specs that are done, to three different contractors, BEI Electrical and Wind Gap Electric were the only two to respond. All documents are required to be signed and notarized. BEI only submitted an electronic copy of a proposal on their letterhead. They did not complete the formal bid document included in the bid specs, nor did they submit a signed and notarized non-collusion affidavit. Wind Gap Electric's bid was \$12,770 and BEI was \$9,500.

On motion by Kerry Gassler to accept the bid from Wind Gap Electric for installation of the generator and transfer switch in the amount of \$12,770 and seconded by Dave Valley. Roll call vote taken. Council agreed unanimously.

Brian reported that Alpha Road is on the schedule for the field work. Once we get a decent stretch of weather we can get the PA One call done. The Borough was awarded \$75,000 for the Alpha Road project through the Community Development Block Grant program, but the total project cost is approximately \$410,000. Louise Firestone has been in contact with Northampton County Department of Community and Economic Development. There is a new Director who is reviewing the grants and there might be some flexibility to carry that over to next and in the meantime apply for more money in this year's grant round. They will come visit the Borough the project can be further discussed.

Brian said he will together with Louise regarding putting out an RFP for an architect for the Borough Garage.

NEW BUSINESS:

1. Tar Buggy Purchase - Rich Fox would like authorization to check pricing on the purchase of a tar buggy to assist with patching. Council agreed that Rich should get information on what is needed.

2. Barto – Deed of Easement-Sanitary Sewer & Special Warranty Deed – Attorney Karasek reported that he received both deeds from Mr. Barto’s Attorney. They have been reviewed and now need to be signed, notarized and returned back to him so he can return them to the Attorney to be recorded.

On motion by Kerry Gassler to approve the Deed of Easement for the Sanitary Sewer and the Special Warranty Deed and seconded by Dave Valley. Roll call vote taken. Council agreed unanimously.

4. Ordinance 496 – Vacate Unnamed Alley (Barto Alley) Attorney Karasek reported that all conditions were met and in order so that the Borough can formally approve and sign the ordinance

On motion by Dave Valley to pass Ordinance 496 – Vacate Unnamed Alley (Barto Alley) and seconded by Kerry Gassler. Roll call vote taken. Council agreed unanimously.

5. Project Child Tortoise and Hare Race May 28, 2018 – Support Letter Approval

On motion by Kerry Gassler for Wind Gap’s support for the Tortoise and Hare Race scheduled for May 28, 2018 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

6. Slate Belt Rising - Steering Committee– Alex Cortezzo reported that their meetings are during the day and he would like to have a Borough representative attend. Dave Valley does attend as many as he can as does Louise Firestone. He would like to formally appoint Louise to the Slate Belt Rising Steering Committee.

On motion by Dave Valley to appoint Louise Firestone to the Slate Belt Rising Steering Committee and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

7. Louise informed Council that the Borough had an insurance claim from the last snow. One of the Borough’s part-time street workers was plowing an intersection and a car came behind the truck as he was backing up and he hit the car. There was minor damage to the hood of the car, but no damage to the truck.

Louise reported that she will be meeting with Senator Scavello, to discuss his annual Get Outdoors PA Festival. The festival will be held in Wind Gap Borough Park this August in conjunction with the Appalachian Trail outing which is incorporated with the Boy Scout Jamboree. All are invited to attend this meeting tomorrow at the Senator’s office at 2:00 p.m. in Pen Argyl.

The Borough Auditor will be at the office this Wednesday and Thursday.

Petrucci Development is looking at property on Male Road for development. They spoke with Plainfield Township who suggested that they come to Wind Gap. Brian Pysker will attend the meeting this Wednesday at 1:30 p.m. Council is invited to attend if they are available.

Louise reported on the Hazard Mitigation Meeting she attends every month as a representative of Wind Gap. Lehigh County and Northampton County combined their efforts to update the Hazard Mitigation Plan, which has to be done every five years. FEMA informed all 62 municipalities in Lehigh and Northampton Counties that if we do not participate in the update process then we will not get any kind of funding for emergencies. Of the 62 Municipalities, there

are 59 participating so these monthly meetings are mandatory. The Borough received worksheets that I completed with the help of Brian and out of the current participating 59 municipalities there are only 19 completed and approved, ours is one of them. As part of the plan, the Borough had a designated emergency shelter which was the firehouse. After Council discussion, it was decided that Louise will do fact finding on where the other Municipalities would go and check with FEMA on what constitutes a shelter.

8. Alex Cortezzo said that regarding the Park Board, there were discussions about having issues with Park Board meetings because of a lack of a quorum. Borough Council did the ordinance to change the amount of members, but unfortunately participation is still an issue. There has been discussion about taking it from a formal board to several small committees. He would like to have a discussion with Council to see if that is something that they want to have, shifting a board to a committee. Dave Valley said that the Park Board is meeting next Tuesday and he will let report back to Council what the board would like to do.

OLD BUSINESS:

1. Zoning Hearing Board Appointment

On motion by Kerry Gassler to appoint Bob Matlock as alternate on the Zoning Hearing Board and seconded by Dave Valley. Roll call vote taken. Council agreed unanimously.

2. Planning Commission Appointment

On motion by Kerry Gassler to appoint Michael McNamara III to the Planning Commission Board and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

3. Park Board Appointment – Tabled until the next meeting.

4. E Alley – One Way – Attorney Karasek reported that he needs a motion to advertise to adopt on March 5, 2018.

On motion by Kerry Gassler to authorize Attorney Karasek to advertise for a March 5, 2018 meeting and seconded by Dave Valley. Roll call vote taken. Council agreed unanimously.

5. Fire Co. Ordinance – Collection for Services – Attorney Karasek said he has worked on this, but has not yet had a chance to finalize it.

6. UCC Board of Appeals / Opt-In Update (Resolution 2018-01)

On motion by Kerry Gassler to advertise for a March 5, 2018 meeting and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

7. Alex Cortezzo reported that the Planning Commission discussed the Zoning Amendments. Dave Manzo said that Attorney Karasek sent the amendments to the Lehigh Valley Planning Commission and the response was the ordinance is an issue for Wind Gap. Attorney Karasek said he completed the minutes for the last planning meeting from when they discussed the changes, when approved he will distribute to Council for their review.

ADJOURNMENT

On motion by Dave Valley to adjourn the meeting of February 5, 2018. Council agreed unanimously. The meeting of February 5, 2017 adjourned at 8:00 p.m.

Louise Firestone – Borough Administrator