

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

PUBLIC COMMENT

No one appeared before Council at this time.

APPROVAL OF MINUTES

On motion by Dave Valley to approve the April 17, 2018 minutes and seconded by Dave Manzo. Roll call vote taken. In favor: D. Manzo, M. McNamara, D. Valley. Abstained: D. Hess. Motion Carried 3-0-1.

APPROVAL OF EXPENSES

On motion by Dave Manzo to approve the expenses in the amount of \$75,213.15 and seconded by Dave Valley. Roll call vote taken. Council agreed unanimously.

SOLICITOR'S REPORT

MEETINGS ATTENDED:

April 2, 2018 - Attendance at Regular Monthly Meeting of Borough Council
April 3, 2018 –Attendance at Regular Monthly Meeting of Borough Planning Commission.
April 17, 2018 – Attendance at Regular Monthly Workshop Meeting of Borough Council (with Executive Session).

SUBDIVISION MATTERS:

Receipt, Review and Administration of Comprehensive e-mail from Attorney for Male Road Properties Objecting to the proposed Land Development Improvements Agreement re Green Knights Industrial park II-Major Subdivision.

Receipt, Review and Administration of Correspondence from Applicant's Attorney as to Deadline to Complete Various Improvement re Green Knights Industrial Park II-Major Subdivision.

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of SALDO Waiver Requests (13) re Albanese and Grimes Properties, LP, L.D. Plan-Water Street.

Receipt, Review and Administration of LVPC Stormwater Review Correspondence re Albanese and Grimes Properties, LP, L.D. Plan- Water Street.

Receipt, Review and Administration of Bearings/Distances for Various Easements including Land Preservation, Longcore Road, Temporary Grading Easement and Four (4) Utility Easements re Waters Edge at Wind Gap, LLC-West Street L.D. Plan.

Receipt, Review and Administration of e-mail from Applicant’s Attorney and resending copy of proposed Land Development Improvements Agreement re Waters Edge at Wind Gap, LLC-West Street L.D. Plan.

Receipt, Review and Administration of LVPC Stormwater Review Correspondence re Klump L.D. Plan-Third Street.

ZONING AND OTHER LAND USE MATTERS:

Receipt, Review and Administration of Final Documents re the Vacation of Barto Alley including Deed for Alley, Consolidation Deed, Sanitary Sewer Easement and Access Easement.

DEVELOPMENTS ON OUTSTANDING LITIGATION: N/A

COURT DECISION ON BOROUGH CASES: N/A

Miscellaneous:

Receipt, Review and Administration of Correspondence from the County Real Estate Tax Assessment Office as to the Exempt Status of Seventeen (17) Borough Properties.

Receipt, Review and Administration of Deputy Real Estate Tax Collector Statute Telephone Conference with Attorney AJ. Clark re K. Guerin matters.

Receipt, Review and Administration of e-mails concerning the Proposed Meeting with the Borough Officials and the Borough AO, Brief Legal research and responsive e-mails re Pa Open Meeting Law.

Preparation of Borough Planning Commission Meeting Agenda for April 3 Meeting.

Preparation of Monthly Solicitor’s Report.

OUTSTANDING ITEMS:

Stop Sign Ordinance

Dog Park Ordinance

Fire Company Ordinance

Ordinance for reimbursement of equipment, materials and supplies in responding to environmental, hazardous, safety or rescue events (police, fire or both?)

ENGINEER’S REPORT

Below is a comprehensive description of current and upcoming engineering project in Wind Gap Borough from Borough Engineer, Brian Pysher. In his report, he apologized for his absence at tonight’s meeting. Ryan Dentith was in attendance representing Robert Collura Engineering.

1. Wind Gap Borough ARLE Grant - TDP sent copies of the contract documents to Northeast Signal an Electric Co., Inc. on April 20, 2018. The contractor has been instructed to execute the documents and send the originals back to the Borough for execution. We would

ask the office staff to please notify Council President when the documents are received. We will be coordinating with Chief Mettin regarding the computer and software to be installed at the police station.

2. Municipal Building Back Up Generator – The generator was delivered by PALCO on Thursday, April 26. The generator was set in place with the backhoe by the Borough Road Crew with assistance from lifting straps borrowed from Bushkill Township. Wind Gap Electric was also on site to inspect the generator and automatic transfer switch. The generator was anchored to the concrete slab and Wind Gap Electric is tentatively scheduled to do the hook up sometime this week. Eastern Propane (formerly Lessig) installed the dedicated propane line April 18 and connected it to the generator on Thursday, May 3. Once the automatic transfer switch has been installed and wired to the generator and existing panel, a certified technician from Kohler will come onsite to do the start up.

3. Municipal Building Quick Recovery Heater Replacement – I sent a revised agreement for \$15,530.00 to Jim Fish from Super Heat, Inc. and asked him to send back a signed copy. I am still waiting to receive confirmation for when they will be here to demolish the existing heater. I expect that to happen within the next couple of week. After the existing heater is removed, I will coordinate with Rich on demolishing the existing slab and pouring the new one.

I will also be coordinating the installation of our second propane tank.

4. Proposed Municipal Garage/Brick Façade – The RFP has been published on PennBid. PennBid helped revise some of the documents to facilitate electronic bid submissions. There will be a mandatory pre-bid meeting for all interested professionals on Tuesday, June 26 at 10:00 am. The pre-bid meeting will be held at Borough Hall.

5. Alpha Road Reconstruction – We have obtained the field work for the storm sewer and road design. We will be working on the design. Nothing new to report currently.

6. Paving Projects – The specifications for the overlay and slurry seal coat projects will be completed this week. The advertisement is complete and has been sent to the Borough Office for advertisement. The contract will be awarded at Borough Council's June 19th meeting.

7. Muschlitz Natural Gas – I spoke with Carmelo Alicea from UGI Utilities, Inc. regarding the Water's Edge project and the natural gas extension associated with it. He will be researching the design associated with Waters Edge and compiling some costs to provide natural gas to the Municipal Building.

He is going to contact me with additional information along with a date and time to meet on site. I will forward the meeting time to Council Members in case anyone would like to attend. I have not heard back from Carmelo Alicia. I will contact him again.

NEW BUSINESS:

1. Curbs – Alpha Ave / Fairview Ave – In reference to the paving projects on Alpha Avenue and Fairview Avenue, there were questions about replacing the curbing. Louise reported that the Borough has an Ordinance that states that homeowners are responsible to replace the curbing. Mike McNamara asked Ryan Dentith if the Borough puts new paving down and some people do not have curbs would that ruin the new paving. Ryan said that generally if there is new paving, we like to take that opportunity to have them replace the curbs. Mayor Mogilski said that when the contractor went through this past year doing 512, they did a lot of damage to the curbing with their backhoe. He tried to contact Steve from PennDot, now he is going

through Marcia Hahn's office. If the resident did not intend to replace failing curb, the Borough would hire a contractor to replace the curbing and a municipal lien would be placed on the property. Ryan estimated the price for a lineal foot of concrete to be approximately \$40.00/LF. Louise stated that the bid specifications are complete and the project will be advertised shortly, so if Council intends to send a letter out, that decision needs to be made now. Attorney Karasek suggests that we get some numbers from the Engineer as to what the curbing would cost than we can readdress this at the mid-month meeting.

On motion by Dave Manzo to table until the mid-month and seconded by Dave Valley. Roll call vote taken. Council agreed unanimously.

2. Northampton County Gaming Revenue – Uncommitted Funds - \$31,440 - Louise reported that Northampton County Gaming Revenue & Economic Redevelopment Authority awarded Uncommitted Funds to Northampton County municipalities at a regular meeting held on April 17, 2018. That amount for each municipality will be \$31,440. Attorney Karasek said that it is his understanding that the General Purpose Authority is going to be disbanded and the money that they held they would decide what to do with it. They decided to give it to the municipalities.

On motion by Dave Valley to have the contract signed and sent back to Northampton County and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

3. Borough Webpage – Louise Firestone said she received two proposals and she would like to look at more of their references and report back.

4. Nixle/Savvy Citizen App – Dave Hess said that Council spoke about this at a previous meeting. This is a fast way to reach residents of the Borough for an emergency or any information. This will give every land line phone a call with a message or the residents can register their cell phone to receive a text with the information. He reached out to Nixle last year and found out that our Police Chief, Plainfield Township and Pen Argyl Borough are all interested in a similar system. He suggests that Louise gets with Tom, Robyn and the Police Chief and they sit down and go through both of them and decide which one is going to be best for us. The Police Commission is okay with the Police Department hosting the contract similar to a cell phone policy. The initial set up is around \$5,500 with an additional annual fee.

On motion by Dave Valley to have Louise check into this and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

5. Flagpoles - Louise reported that said that she priced two additional flag poles for the Municipal Complex. She would like to recommend this purchase prior to the 125th Anniversary Open House. Fire and Ambulance would be responsible for their flags.

On motion by Dave to purchase two flag poles and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

6. Paint Sprayer - Rich Fox said the paint sprayer that does parking lots line striping and could be used as an out building sprayer, spraying bleachers, buildings, and band shell. Dave Hess saw it last year when the Borough had a demonstration on Longcore Road. The Borough received a quote for Seal Master for \$3,950 that would come out of Capital Purchases.

On motion by Dave Manzo to purchase the paint sprayer from Seal Master at a cost of \$3,950 and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

7. Park Little League Concession Stand – Louise reported that Little League Concession Stand/Fieldhouse was opened for business after it was observed to be covered in mice feces. She called the Department of Agriculture but they will not come and inspect because the stand

is run by the Wind Gap Area Athletic Association, which is an entirely volunteer organization, so they do not need a license to operate. The stand is in obvious disrepair, with the feces, overhead exposed insulation, and electrical outlets that are not operational. The ceiling insulation appears to be mold, but they are not experts, it is dark and black. The Borough Park is Borough Property, this building is the Athletic Association Building. We are responsible for the health and safety of everything that goes out of there. Attorney Karasek said Councils needs to have someone look at the building and give an estimate on what the cost is to fix, repair or replace and bring this matter back to Council. We cannot have the Borough being subjected to liability for something like this, until that point he does not think it should be used. Louise informed the Wind Gap Area Athletic Association President, Tony Borger, and showed him these pictures prior to tonight's meeting.

On motion by Dave Valley to shut down the Park Little League Concession Stand and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

On motion by Dave Valley to call a professional to get rid of the rodents and to get an estimate on cleaning the Par Little League Concession Stand and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

On motion by Dave Valley to have Louise Firestone contact Rid-It for an estimate For the concession stand and seconded by Mike McNamara. Roll call vote taken. Council agreed unanimously.

Louise will check for a lease or maintenance agreement.

Louise reported that the Street Workers found a hole 4 to 5 feet deep that was dug by either the Little League or the WGAAA to put in a flag pole. Dave Hess said that we need to re-establish communications with them.

8. Removal of Hazardous Park Trees - Louise Firestone and Rich Fox met with an Arborist this morning at the park. There are 2 trees that need to come down by a professional. Friendly Tree Service will provide a quote to remove these immediately as this is a safety issue. They are busy and will try to find a day to come and take them down. There are a couple trees that can be taken down by the Street Workers. Louise asked the Arborist to prioritize the removal in phases so the Borough can plan the removal and work to replant according to the Park Master Plan.

9. – Slate Belt Rising 2018-19 Budget – Dave Valley said the Slate Belt Rising budget is showing a deficit of \$27,000. They did not receive all of the committed funds from the local merchants yet for the year.

Louise reported that Slate Belt Rising will be installing the Slate Belt Rising branding sign on North Broadway and one across from the Petro-Mart.

OLD BUSINESS:

1. Waste Management Meeting – Louise Firestone is trying to get dates from all the parties so a meeting can be set up as soon as possible.

2. Sewer Hook-up – Tabled until next meeting.

3. Appalachian Trail Committee – Economic Assessment Program Meetings – Louise Firestone attended both of those meetings. The committee is hoping to continue with the Appalachian Trail having meetings to keep everyone in the same circle for Economic Development.

4. Trail to Town Family Jamboree – August 4 – Senator Scavello – Senator Scavello just sent out his invitations to all Municipalities and contacts that they have on file. This will be at Wind Gap Borough Park on Saturday, August 4 from 12:00 p.m. to 3:00 pm.
5. Bond / Loan- Tabled
6. Recoupment of Fire Company Costs and Expenses – Nothing to report.
7. 2006 GMC Dump Truck – Nothing to report.
8. Animal Control Officer – Mayor Mogilski reported that the Animal Control Officer is insured with the insurance that the COG purchased. She does not carry any insurance on herself and she did not sign the contract. The Slate Belt Council of Governments is currently looking for an Animal Control Officer that the COG will insure but they still have to be self insured.

ADJOURNMENT

On motion by Dave Valley to adjourn the meeting of May 7, 2018. Council agreed unanimously. The meeting of May 7, 2018 adjourned at 8:00 p.m.

Louise Firestone – Borough Administrator