

**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 Tuesday, August 18, 2020 was called to order at 7:05 p.m. by Council President Dave Hess, through Zoom Video Conferencing. Louise Firestone informed everyone that the meeting was being recorded.

A verbal roll call was taken by Borough Manager Louise Firestone – participating via Zoom computer link or Zoom phone link were Council members George Hinton, Joyce McGarry, Mike McNamara, David Manzo, and Steve Bender. Also participating were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher, and Borough Manager Louise Firestone. Absent was Councilman Jeff Yob.

**PUBLIC COMMENT**

1. Adrienne Fors, Waste Management, came before Council to thank and express her appreciation to Council for their vote at the August 3, 2020 meeting. Dave Hess asked if the landfill was seeing an increase of trash from the storm, as far as debris. Adrienne confirmed that there has been more debris being picked up by the haulers. Adrienne cautioned that if Wind Gap residents have an abundance of storm debris, they should order a bagster to make collection easier. Dave Hess suggested the possibility of putting a dumpster at the Municipal Building if there is a demand for this service. Adrienne will contact the route manager after this week's collection to see how the tonnage is to make a judgement call for next week.

George Hinton informed Adrienne that the Wind Gap Fire Company met last night and voted to write a letter of support as well. The Ambulance Corps will be meeting tomorrow night and will also discuss writing a letter. Adrienne said that she appreciates that, that is super helpful, thank you.

**SOLICITORS REPORT:**

**MEETINGS ATTENDED:**

July 6, 2020 – attendance at regular monthly meeting of Borough Council.

**SUBDIVISION MATTERS:**

Preliminary Review of Detzi Preliminary/Final Minor Subdivision Plans – 507 North Lehigh Avenue.

**LAND DEVELOPMENT MATTERS:**

Confirm Status with Applicant's Attorney of Temporary and Permanent Stormwater Easement Agreement re BioSpectra/RX Holdings Pipe Replacement Plan.

Preliminary Review of BioSpectra/RX Holdings Preliminary/Final Land Development Plan (with SALDO Waivers) – Alpha Road.

Receipt, Review and Administration of e-mails, Correspondence, Legal Memorandum, Maps and related documents on Emergency Access SALDO Waiver re JERC II, LLC Land Development.

**ZONING AND OTHER LAND USE MATTERS:**

Review of Correspondence and e-mails (with Map) for Access Easement Agreement between Dream Lehigh Valley, LLC and Borough re Access to Borough Park and Borough Park Trail.

**DEVELOPMENTS ON OUTSTANDNG LITIGATION:** None

**Miscellaneous:**

Responses Correspondence to Two (2) Right-to-Know Requests re Permits for 190 East West Street (address does not exist) and Listing of Landlords along with Research under PA Open Records (Right-to-Know) Act.

Preparation of Monthly Solicitor’s Report.

**OUTSTANDING ITEMS:**

- Stop Sign Ordinance
- Dog Park Ordinance

**NEW BUSINESS**

1. 1997 John Deere Backhoe - Repair/Replace – Purchase Options - George Hinton reported that the Borough’s backhoe has some mechanical issues related to the front end. The first estimate to repair the backhoe was almost \$12,000. In exploring different options, Plasterer Equipment provided a quote on an 84-month lease to own, with no buyout at the end, more like a loan to purchase a new one for around \$1,200 per month for 84 months. The discussion was based on making a repair to a 23-year-old backhoe with no guarantees that once that issue is resolved that something else mechanical does not go wrong with it. As of July 15<sup>th</sup>, there was a little over 5,700 running hours on the backhoe. The Borough originally purchased the backhoe new in 1997 for \$55,000 with a monthly payment of \$665.00. The Borough budget includes a line item of \$10,000 for capital purchases, so to purchase a new backhoe that line item would need to include an approximately \$5,800 a year. The backhoe is the main piece of equipment used by our street workers. George reported that Rich has borrowed a backhoe to do some jobs, but if the Borough needs a backhoe on a more regular basis until a new one is received a rental quote was received at \$1,400 per month.

**On motion** by George Hinton to purchase a new backhoe with a trade-in of the 1997 backhoe for a total of \$88,340.00 and seconded by Dave Manzo. Roll call taken. Council agreed unanimously.

**On motion** by George Hinton to lease a backhoe temporarily until the new backhoe arrives and seconded by Mike McNamara.

Attorney Karasek said that the motion may want to include a not to exceed the amount of \$1,400 or \$1,500 per month or whatever is a reasonable cost.

**Motion amended** by George Hinton to lease a backhoe temporarily, not to exceed \$1,600, and seconded by Joyce McGarry. Roll call taken. Council agreed unanimously.

2. Constitution Avenue – Storm Damage – Dave Hess reported that the tropical storm two weeks ago, caused some damage to our streets and to the park. Brian Pysher reported that he met with Rich to assess the damage on Constitution and to what extent the repairs will need to be made. The only other area that they are aware of was on Longcore Road. Plainfield Township was out patching washouts and they put some 2A modified stone in to stabilize the shoulder in that area, Rich was going to go back with another ton of material to finish it up. The

only other location where damage occurred was at the small Borough park on South Broadway. He took pictures of the damage, documented it and put the pictures on a flash drive. The County Officials feel that enough damage occurred in Northampton County to have the State declare a disaster and warrant FEMA to release funds, although that has not happened yet. Brian said he spoke to Rich and he is capable of making the street repairs on Constitution. The damage at the small park is more cosmetic, the mulch washed away and the paver walkway sustained some damage. Dave Hess said that Rich repaired a sinkhole at the Park.

Dave Hess said that as far as Emergency Management, he did write down some notes on the storm. He broke it down into three categories, pre-storm, the response to the storm, and post storm. The pre-storm went okay, he spoke with Rich and they were proactive in cleaning all the storm drains out to take as much water as they could. He also visited the Fire Department, they prepared all the portable pumps and made sure everything was working and ready to go. The response to the storm was okay since the storm happened during the weekday and the street workers were already here working. It was not so great for the Fire Department since they are all volunteers and most of them were at work. As the day went on, they got home and they handled the situation as best as they could. They did get overwhelmed with pumping cellars, which was expected. Post-storm, we need to work a little bit quicker on getting out to assess the damages so we can find out what did go wrong and what needs to be repaired quicker. Some of the worst areas of the town seemed to be the first block of East Third Street, the creek along South Broadway, there was one home there and we were just waiting for the creek to overflow. In the future, maybe that area could be the first area to be included in storm preparation and have "Road Closed" signs ready to go for when it does overflow. The Fire Department could probably use some more portable pumps and some gas pumps to pump basements. Other than that, everyone did as good as they could have done with the available equipment.

## **OLD BUSINESS**

1. Dave Hess reported that the AED in the Council room needed new batteries. The AED should be checked more often.

2. George Hinton reported that members of the Borough's Planning Commission met with JERC today in the field. JERC presented options and basically stated that the Borough needs to pick one. George explained, as he had previously, that JERC is proposing options that will not be viable because in the event of an emergency, too many vehicles will be trying to exit and enter at one particular point on the property. The Fire Department responded to a fire across the street and had issues because the emergency access road has yet to be installed in conjunction with the Green Knight Economic Development Plan. The Planning Commission asked JERC to get with PennDOT and set up a meeting to discuss an emergency entrance off of Route 512. The emergency entrance was on the drawing, but JERC did not want to budge and did not see the need to set the meeting up with PennDOT. At this point, what JERC is offering is not sufficient for an emergency access with cars and tractor trailers on that property. It keeps coming back to the same intersection on the property, it just does not work.

Plainfield Township Fire Chief, Alex Cortezzo, said that as far as the other side, from an operational standpoint, with the major incident that was back there, the one access road that was put in worked. He had two supply lines laid in from the road, tankers running across Male Road. George said there are major differences between one side of the road and the other side of the road. JERC is proposing over 160 parking spots for cars and parking spots for 54 tractor trailers with 54 loading spots so that is 108 tractor trailers possible trying to get out one exit. We were fortunate across the street that the fire happened at 1:30 – 2:00 in the morning and nobody was back there except one vehicle. Green Knight Economic Development was

supposed to have an emergency entrance that they did not put in as of yet, but they are going to put one in as included in the Land Development Plan.

## **ADJOURNMENT**

**On motion** by George Hinton to adjourn the meeting of August 18, 2020. Council agreed unanimously. The meeting of August 18, 2020, 2020 adjourned at 7:38 p.m.

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Louise Firestone – Borough Manager