

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

The Council meeting of the Borough of Wind Gap on Monday, June 1, 2020 was called to order at 7:03 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, David Manzo, and Jeff Yob. Also participating were Mayor Mitchell D. Mogilski Sr., Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysker, and Borough Manager Louise Firestone. Absent was Councilmen Steve Bender and Mike McNamara.

PUBLIC COMMENT

1. Nolan Gerencser – Pen Argyl Area School District came before Council to discuss a contingency diploma procession for June 18, 2020 in the event that a traditional Class of 2020 commencement ceremony cannot occur. On that date, graduates and loved ones will view a virtual commencement ceremony in their homes. Following that, there are plans for three distinct procession routes to start at Plainfield Township Volunteer Fire Department, Wind Gap Fire Company, and Pen Argyl Lookout Fire Company #1. This procession will stop at the homes of each participating graduate where they will be handed a diploma from a Pen Argyl administrator. They will adhere to all social distancing guidelines and recommendations from the Department of Health. There will be representatives from Slate Belt Regional Police Department, Brandywine Transportation, Christmas City Studios, and vehicles and resources that the districts' fire department have offered. Dana Farace is working on the most effective routes. These routes will be e-mailed to the borough in a few days to give everyone ample time to study them. He will provide a fixed start time for the procession and will be in frequent contact with the municipalities over the next few days.

APPROVAL OF MINUTES

On motion by Jeff Yob to approve the May 19, 2020 minutes and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

APPROVAL OF EXPENSES

On motion by Jeff Yob to approve the expenses in the amount of \$207,212.27 with approval for Louse Firestone to write the checks for EM Kutz and Hunter Trucks and hold them until delivery of truck and is signed off by Rich Fox and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

On motion by George Hinton to approve Nu Cor Management pay request 19300.4 for the Maintenance Garage in the amount of \$200,790.00 and seconded by Jeff Yob. Roll call vote taken. Council agreed unanimously.

On motion by Jeff Yob to approve Warko Plumbing pay request No. 1 in the amount of \$42,030.00 and seconded by George Hinton. Roll call vote taken. Council agreed unanimously.

**SOLICITOR'S REPORT
MEETINGS ATTENDED:**

May 4, 2020 – Attendance at regular monthly meeting of Borough Council via ZOOM.
May 7, 2020 – Attendance at regular monthly meeting of Borough Planning Commission via ZOOM.
May 19, 2020 – Attendance at regular monthly mid-month meeting of Borough Council via ZOOM.

SUBDIVISION MATTERS: N/A

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of Borough Engineer Review Letter (3rd review), preparation of template for Storm Water and Drainage Temporary Construction Easement, preparation of SALDO Waiver Form with e-mail transmission to and from Borough EIT and Applicant's Attorney re: BioSpectra/Capitol RX Holdings Pipe Replacement Plan.

Receipt, Review and Administration of street address information, revised Quantity and Cost Estimate and review of revised Amendment/Extension of Land Development Improvements Agreement, with email to and from Applicant's Attorney RE: Water's Edge at Wind Gap LLC – West Street L.D. Plan.

Receipt, Review and Administration of file and preparation of comprehensive correspondence to alternate Borough Engineer requesting inspection to determine compliance with approved Soil Erosion and Sedimentation Plan re: Albanese and Grimes, LP, LD Plan – Water Street.

ZONING AND OTHER LAND USE MATTERS:

Receipt, Review and Administration of correspondence from Borough EIT RE: flooding, drainage problem on Sixth (6) Street.

Receipt, Review and Administration of packet (with comprehensive e-mails, plans, agreement, meeting minutes) re: Well Abandonment Agreement on Fairchild business property 435 North Broadway. .

DEVELOPMENTS ON OUTSTANDING LITIGATION:

Preparation of Certification of Record (attaching all Documents filed with ZHB plus Stenographic Transcript of ZHB Testimony), filing with the Office of the Prothonotary of Northampton County, enclosure correspondence to ZHB and Applicant re: Appeal of K. Guerin ZHB Decision.

COURT DECISIONS ON BOROUGH CASES: N/A

MISCELLANEOUS:

Receipt, Review and Administration of several e-mails to and from Borough Manager, Bank Representatives and Title Abstract representative scheduling settlement and closing along with review of revised Construction Mortgage and Construction Loan Agreement and attendance at closing and settlement on May 19, 2020 – re: LGUDA-GON 2020-refinance of existing debt and construction mortgage of maintenance garage.

Preparation of Statement of Financial Interest Form.

Preparation of Agenda and Monthly Meeting Minutes of Borough Planning Commission meeting held on May 7, 2020.

OUTSTANDING ITEMS:

Stop Sign Ordinance
Dog Park Ordinance

ENGINEER'S REPORT

1. Center Street Update – Brian Pysher reported that Bracalente Construction was the low bidder for the paving project. Once he receives the executed contract and bond, the Notice to Proceed will be sent to them.
2. Maintenance Garage Update – Brian Pysher reported that the foundation has been poured and the underground plumbing has been installed for the radiant heat floor. The steel structure has been delivered and is currently stored on our property.
3. Alpha Road Update – Brian Pysher reported that he, Louise Firestone, and Rich Fox will meet with Bracalente Construction on Alpha Road tomorrow at 11:00 a.m. to discuss the yard restoration and any punch list items that need completed prior to the release of the \$25,000 retainage.
4. 6th Street Drainage Problems – Brian Pysher reported that he sent a letter to the owner of Colonial Springs and they did reach out to him. They were going to dredge the channel but as of today, nothing has been done. He will follow up with the owner tomorrow.
5. MEA – Cost Estimate to Abandon Monitoring Wells at 435 N. Broadway - Brian Pysher reported that he spoke with property owner, Ken Fairchild, and informed him that the Borough needs an agreement to enter his property and complete the project. We did send one to Attorney Ceraul in 2016 but never received a signed copy back. He did get an estimate for MEA, it was a few \$100 cheaper than it was previously.
6. George Hinton asked Brian Pysher if the Municipal Authority needed to do any work on Center Street. Brian said that he spoke with Terry regarding the riser rings. Brian will assess which ones need to be raised up and how many.
George Hinton asked Brian if there were new sidewalks by Ken Fairchild's property. Brian said there were a few slabs missing that were fixed along with the handicapped ramp. George also notice that dirt was missing around the horse stable.
George Hinton said that Green Knights was pouring cement at the back side of the pond on their property off Male Road. Brian said they were working on curbing in Plainfield. They will be working on Male Road curbing tomorrow.

NEW BUSINESS

1. West Street Land Development Plan – Dream Lehigh Valley, LLC. – Revised Amendment & Extension of Land Development Improvements Agreement – Attorney Karasek reported that the Amendment and Extension for Land Development Plan was extended until May 2021 for the completion of the plan and Dream Lehigh Valley was added to the agreement, making them another entity responsible for the completion of this project. The agreement and extension were signed by West Street Land Development and Dream Lehigh Valley LLC.

Brian Pysher reviewed the Quantity and Cost and said that they are good as long as the contingencies remain in place.

On motion by Jeff Yob to approve the Amendment and Extension for Land Development, extending the agreement by one year to May 2021 and adding Dream Lehigh Valley as a signatory to the agreement and seconded by Joyce McGarry. Roll call vote taken. Council agreed unanimously.

2. BioSpectra – Pipe Installation – Agreement – Attorney Karasek reported that an Easement Agreement has been prepared and signed by RX Holdings and the adjoining property owner N.A.P.E.R. Development. The question is if that the manhole is on the property line, who is responsible, Attorney Faul said the Borough should be responsible. This will be discussed during Land Development.

On motion by George Hinton to approve the RX Holdings Easement Agreement and seconded by Jeff Yob. Roll call vote taken. Council agreed unanimously.

3. Reopening of the Borough Office – Dave Hess reported that Northampton County is set to go to yellow on Friday. He met with Louise, Rich and Deb to see what changes we would need. Bangor Glass will be at the office on Wednesday to discuss changes to the front desk window. The Street Department will provide a temporary fix until the window is changed. Dave Hess said that our meeting room is too small to hold a public meeting, we will continue with Zoom while the emergency disaster is in place.

OLD BUSINESS

1. Albanese & Grimes Property LLC Land Development – Ott Correspondence – Attorney Karasek reported that, as a follow up to our meeting last month, there were concerns regarding the Albanese & Grimes Water Street storm water and erosion plans. He contacted Mr. Ott, the Alternate Engineer for this project. A letter was received regarding that status. Do we want an inspection of the property?

George Hinton said that he drove down the alley and there is another bridge back there with a car parked over it. They also have a foot bridge there. Brian Pysher said that he will look at the bridge structure.

2. Wind Gap Area Athletic Association Park Update – Dave Manzo reported that he has been in touch with Tony Borger regarding the park and what will be allowed when we go into the green phase.

3. 2006 GMC Truck – Value/Reserve Amount for Municibid - Louise Firestone said she can put it on Municibid but she does not have a reserve amount yet. Jeff Yob said that he has not gotten anything but if our reserve is not met, he would like us to continue to use the vehicle for this season. Maybe Rich can take the truck to the GMC dealer and have them evaluate it.

4. Property Maintenance Code – Dave Manzo stated that the committee received a copy of the code to read. Louise Firestone will set up a meeting for the committee.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of June 1, 2020. Council agreed unanimously. The meeting of June 1, 2020 adjourned at 8:12 p.m.

Louise Firestone, Borough Manager