

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
863-7288  
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The Council meeting of the Borough of Wind Gap on Monday, November 4, 2013, was called to order at 7:30 p.m. by Council President, George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Jon Faust, John Maher, Kerry Gassler, Tony Curcio, and Dave Hess. Also in attendance were Mayor James M. Shoemaker, Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysher and Borough Administrator Louise Firestone. Absent was Councilman Joe Weaver.

**PUBLIC COMMENT**

Scott Parsons, Northampton County Councilman, reminded Council that the County has earmarked one million dollars for Recreation Grant and the Borough is entitled to their fair share. He encouraged Council to support the Slate Belt Forward initiative. Northampton County Council is supporting this initiative. Scott stated that Bangor has committed \$15,000 and Pen Argyl has committed \$10,000. He asked the Wind Gap consider matching Pen Argyl's \$10,000 total. George stated that Council did discuss this extensively, but no money was put in the 2013 budget so it can be reconsidered for the 2014 budget. Scott said that the funding would assist with business fronts/facades, sidewalks to encourage and promote economic development.

Joyce, representing Envision Lehigh Valley. She thanked Council for the opportunity to address them and provide information on Envision Lehigh Valley, What will the Lehigh Valley be like in 5 years, 10 years, 20 years. Envision Lehigh Valley is a public outreach effort designed to engage the citizens of Northampton and Lehigh Counties to create a truly sustainable Lehigh Valley. They received a 3 year, \$3.4 million Sustainable Communities grant from the US Department of Housing and Urban Development. The project began in early 2012 and will conclude at the end of 2014. Envision LV will focus on six areas of smart growth, as well as catalytic projects in each of the three major cities: Affordable and Fair Housing, Fresh Food Access, Transportation, Economic Development, and Climate & Energy Efficiency. They have series of public meeting within all 62 municipalities in order to gain input from as many residents as possible. She distributed pamphlets and pens to get the word out in Wind Gap.

**APPROVAL OF MINUTES**

**On motion** by Kerry Gassler to approve the minutes of the October 22, 2013 Council meeting and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

**APPROVAL OF EXPENSES**

**On motion** by Tony Curcio to approve the expenses for the month of October 2013 in the amount of \$33,791.31 and seconded by Jon Faust. Joe Weaver was absent, but he conveyed a question regarding the bill from Overhead Doors through George Hinton. George explained that Overhead Doors installed eight radio receivers with two transmitters each, replaced sections, springs and windows on the garage doors at the new municipal building.

Roll call vote taken. Motion carried unanimously.

## SOLICITOR'S REPORT

Ron Karasek reported that all the matters being handled by his law office for the Borough during the month of October are outlined in a report. This report includes the meetings attended as Borough Solicitor.

**Subdivision Matters:** Preparation of Official Action Correspondence re: Denial of Preliminary Plan – Wind Gap Development Group – Emerald Forest Major Subdivision.

**Land Development Matters:** N/A.

**Zoning and Other Land Use Matters:** Review of Borough Code and Preparation of Template Borough Resolution for Sale of Borough Properties.

**Developments on Outstanding Litigation:** Enclosure Correspondence to Applicant's Attorney with Stipulation of Counsel re: Walden III Associates Real Estate Tax Assessment Appeal. Receipt, Review and Administration of newly filed Petition for Real Estate Tax Assessment Appeal by 977 South Broadway Property LLC – Car Wash.

**Court Decisions on Borough Cases:** N/A.

**Miscellaneous:** Meeting with Associate to familiarize him with outstanding Borough matters so that he could attend the October 22 Monthly Workshop Meeting. Preparation of Monthly Solicitor's Report. Review various correspondence, e-mails, prepare letters and make and receive telephone calls.

**Outstanding Items:** Home Occupation, Clear Site Triangle (and related) Zoning Ordinance Amendments. Stop Sign Ordinance. Dog Park Ordinance. Fire Company Ordinance. Dentith Stormwater counterclaim (filed in response to Borough's injunction lawsuit and request for Borough's expenses) – no action taken and remains pending. Ordinance for loitering, begging and panhandling – pending but inactive, Ordinance for reimbursement of equipment, materials and supplies in responding to environmental, hazardous, safety or rescue events (police, fire, or both?) – pending but inactive.

Ron reported that he recently received a copy of the real estate tax assessment appeal on behalf of 977 South Broadway Property, LLC. It is a car wash property located on South Broadway and sits upon .65 acres of land. He explained that the Borough has traditionally relied upon the County's Solicitors in litigating these matters along with following the County's settlement recommendations. Ron will not be taking any action on behalf of the Borough regarding this tax appeal.

He reported that he spoke to Mike Goffredo's attorney, Attorney Faul, regarding the property on West Street. George added that Mike called him to ask what was going on because he was contacted by attorney. George explained to him that the committee has been meeting at the new building and observed a car parking on Borough property. Two guys got out of the car and it appeared that they were headed to the quarry to fish. The original agreement included the installation of a fence by Mr. Goffredo, but to date, he has not installed a fence. The Borough is concerned about anyone getting hurt on our property and suing.

## ENGINEER'S REPORT

Brian Pysher reported that the contractor finished up the paving on Utica. There were a few soft spots, but not as bad as Lehigh Avenue. There was one inlet up by Poplar that was collapsing pretty badly so it was replaced. The contractor was supposed to complete the seal coat today. A meeting was held with the Municipal Authority to discuss why there was a soft spot where their trench was dug and that it had to be backfilled. Brian had Hale Built (Borough's contractor) fix the soft spot and then use a trench roller to compact the area before the paving was done. The contractor will be billing the Borough an additional \$2,000 because that work was not part of the original contract for paving project. The group also went to look at Fairview and West and Washington. The proposed solution would be to excavate the area to determine why the street is settling. Council will have to discuss sharing the cost of the excavation and possible repair. Brian indicated that water possibly washed away the fill from the Municipal Authority project years ago. The problem area on West Street is in front of Paul Levits' building entrance. Because of the grade in the street, the water just lays there.

## NEW BUSINESS

1. Fire Company Social Hall Engineering Approval. John Maher stated that the engineering should be started for the new social hall along with starting the appropriate zoning and planning submissions. It will most likely take a year to complete. Dave asked if this is a Borough or Fire Company issue. George responded that the Borough has taken on the responsibility of trying to put all the Borough entities on one property. When the firehouse is sold, the fire company needs a social hall because they will be losing their income. Council must decide whether to and how much to assist them. Kerry stated that we should get the drawings done, break ground and get the shell up. He asked if the size of the building has been determined. Jon asked how big of an area, where the placement of the building will be and will it go into Plainfield Township. Brian reported that the regulations dictate that if the area of disturbance is greater than one acre then NPDES permit must be obtained which will be time consuming and costly. A great amount of discussion was heard regarding the size of the building, size of the area, the wants and needs of the fire company. Brian stated that he would put a proposed maximum sized building on paper to determine the area and the parking requirements for the building. He would start with a building 60' x 130' which would equal 7,800 sq. ft. less 1,800 sq. ft. for kitchen and restrooms which would potentially could hold 400 people. A building that size would require approximately 150 parking spots. Brian stated that although he has no problem with designing the structure he highly recommends that an architectural firm be contacted to design the interior of the building.

**On motion** by John Maher to authorize the Borough Engineer to do a preliminary plan to determine size and parking for a Fire Company social hall and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

2. SALDO – Discussion regarding Social Hall plan. Brian Pysher stated that a social hall will require a land development submission.

**On motion** by Tony Curcio to waive SALDO requirements for the social hall and seconded by John Maher.

Prior to roll call vote, Ron Karasek stated that Council has the right to waive the SALDO requirement, but should be mindful of similar projects submitted by other developers making the same request. Council has the ability to waive the SALDO requirement in whole or in part.

Tony Curcio **withdrew his motion** to waive SALDO and table this issue until workshop meeting. Brian will have his recommendation for the workshop meeting.

3. Employee Handbooks. Dave Hess asked if he could share the draft of the employee handbook with the regional police committee. Council agreed. John Maher suggested that the Chief be provided with a copy for review. George asked that Council review for further discussion at the mid-month meeting.

**On motion** by Tony Curcio to authorize Ron Karasek to review the handbook and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

4. GIS – SSM Engineering. John Maher reported that during discussions with SSM they informed him that all municipalities are required to have a plan in place regarding replacing safety signs. They do not have to be changed, but a plan must be approved prior to June 2014. It is John's intent to put all stop signs and safety signs in the GIS system to track when they were replaced.

**On motion** by John Maher to plan for the replacement of safety signs by June 2014 and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

## OLD BUSINESS

1. Jon Faust stated that he would like to attend the meetings on Thursday at the new building but he is unable to attend. He requested to be informed about what is being discussed. George stated that minutes are taken at those meetings and a copy of the minutes will be put in everyone's box. Jon questioned why the trees were removed. George explained that portions of the sidewalk have to be removed because of the installation of the handicap ramps. Jon asked if discussions have occurred regarding hooking up to the sewer system. Brian replied that the sewer has to be extended up to West Street to in front of the existing driveway. The lateral will be 6" with the main being 8". Jon indicated that he might be able to get the 6" pipe donated. Brian will be contacting the Municipal Authority.

2. Dump Truck. Rich reported that the 2006 Dump Truck was towed to Star. It had to be towed to another shop to be fixed. The Allison transmission only has 5,000 miles on it. The preliminary diagnosis is that the internal clutches went bad. They estimated that repair to be \$3,492. The truck needs to be fixed and after it is repaired we will have to contact Allison transmission to determine if any of the parts are under warranty.

**On motion** by John Maher to repair the 2006 Dump Truck at a cost of \$3,492 and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

3. Park handicap ramp railing. George asked for an update on the Park ramp paving project. Brian said that he has to do one more field test and he will get the specs out this week for the welding of a railing.

**On motion** by Tony Curcio to adjourn the meeting of November 4, 2013. Council agreed unanimously.

The meeting of November 4, 2013 adjourned at 8:44 p.m.

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Louise Firestone, Borough Administrator