

**BOROUGH OF WIND GAP
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Wind Gap Borough Council meeting on Monday, April 3, 2023, was called to order at 7:00 p.m. by Council Vice President Dave Manzo, at which time he reminded those present that the meeting was being recorded. In attendance were Council members Steve Bender, Patrick Webber and Alex Cortezzo. Councilman George Hinton participated via telephone. Also, in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher and Borough Manager Louise Firestone. Absent were Councilmen Dave Hess and Jeff Yob.

PUBLIC COMMENT

1. Mr. Richard Smith, 34 Alpha Road, came before Council with questions regarding the monthly expenditures of the borough. Borough Manager, Louise Firestone, answered his questions and concerns.
2. Jason Keenhold, 104 East Third, came before Council to ask if he could receive copies of the expense report prior to the meeting. Borough Manager, Louise Firestone replied that the report will be available once approved by Council.

APPROVAL OF MINUTES

On motion by Steve Bender to approve the March 21, 2023, minutes and seconded by Patrick Webber. Roll call vote taken. In favor: S. Bender, G. Hinton, D. Manzo, P. Webber. Abstained: A. Cortezzo. Motion carried: 4 – 0 – 1.

APPROVAL OF EXPENSES

On motion by Patrick Webber to approve the expenses in the amount of \$176,243.09 and seconded by Steve Bender. Roll call vote taken. The council agreed unanimously.

Steve commented that of the total amount of expenses the quarterly Slate Belt Regional Police Department payment was \$141,364.69.

SOLICITOR'S REPORT

See attachment one (1)

ENGINEER'S REPORT

Brian Pysher reported that he reviewed the final documents for 20 Green Knight Drive, the land development for the warehousing building. The developer is still working on obtaining their final approvals because they are anxious to get started, but until the plans are recorded, they cannot start.

Brian Pysker reported that he met with Rich and Louise in person with George joining via the telephone last week to discuss multiple projects throughout the borough. The main focus project is the Constitution Avenue stormwater and paving project. This will be discussed under old business.

NEW BUSINESS

1. CRG Services Management LLC
905 Pennsylvania Avenue – Industrial Distribution Warehouse
Time to Take Official Action – As Per the Revised Plans dated 1/6/2023.
The time to act will expire on April 6, 2023

SALDO Section 506.D.2 deals with stormwater runoff and flows which require that all stormwater runoff flowing over the project site be considered in the design of the storm water management facilities. There are large off-site, upslope drainage areas (120+ acres) where the run-off exceeds the storm sewer system i.e., the storm sewer pipe off Alpha Road is undersized for a the amount of run-off so the Applicant cannot detain the entire flow coming off a 120 acre hillside. The diameter of the existing pipe is 24"; and, if that pipe is upsized to control the capacity of the flow, then all of the piped down the line need to be upsized also.

On motion by Alex Cortezzo to grant SALDO Section 506.D.2 with the contingents of the Borough Engineer for calculations and seconded by Patrick Webber. Roll call vote taken. The council agreed unanimously.

SALDO Section 506.G.4.d requires that stormwater velocity cannot exceed Ten (10) ft per second. The Applicant is of the position that velocities that exceed 10'/sec. are largely during the 100-year storm event with pipe runs that have large off-site drainage areas with undersized receiving storm sewer systems.

On motion by Steve Bender to grant SALDO Section 506.G.4.d and seconded by Alex Cortezzo. Roll call vote taken. The council agreed unanimously.

Attorney Karasek said that the matter before Council is approving this preliminary land development plan. The council has a resolution that he prepared, with the attachment of the Alpha Road design along with the Borough Engineer review letter dated February 1, 2023. There are twenty (20) conditions that have been specified, including compliance with the Borough Engineer review letter. The resolution also requires, as per the discussion that was entered into before the Planning Commission, that the Borough adopt an ordinance for no parking on North Broadway coming down for PennDOT to approve so the trucks can have a decent passage to make left turns. He has no problem in recommending that the Council consider this resolution.

On motion by Steve Bender to table the resolution until April 21, 2023, and seconded by Patrick Webber. Roll call vote taken. The council agreed unanimously.

OLD BUSINESS

1. Constitution Avenue – Discussion of Project Scope and Approval to Advertise Stormwater / Paving Project

Brian Pysker reported that he was in touch with Tom Duffy, the Municipal Authority Engineer, to discuss their project which includes potentially replacing their sewer main in the

same time frame the Borough was talking about replacing storm drain and paving Constitution. If the Authority were to replace the sewer main, the Borough would expect them to restore their trench with base course and the overlay would be completed by the Borough the following year. Brian is proposing that the structure of the bid would be the storm sewer inlets, curbing and the restoration of the trenches and the overlay as an alternate. If the cost comes in and they are reasonable and we can do it all this year, we will do it all. At least as an alternative, it gives us a chance to leave the overlay off until next year. Randy Yordy, Wind Gap Municipal Authority, was present at the meeting and stated that some of that pipe has already been replaced. They would rather do their portion of the project next year, but if they have to do it this year they will get it done. Brian said that the Borough would want to advertise for at least a month which means getting it advertised in the next two weeks and then award the project at mid-month in May.

On motion by George Hinton to bid out the work for the project on Constitution Avenue and seconded by Patrick Webber.

After further discussion and clarification, the following was made:


Amended motion by George Hinton to advertise the stormwater project for Constitution Avenue with the paving as an alternate line item, but potentially at holding off on the complete overlay until next year and seconded by Patrick Webber. Roll call vote taken. The council agreed unanimously.

QUESTIONS AND COMMENTS

1. Curtis Ott came before Council regarding the proposed warehouse in Saylorburg on the Scott Farm property. He expressed his concern with the size and use of the building as well as the traffic impact in Wind Gap. Brian Pysher stated that Wind Gap was notified about the proposed development, and he responded on the Borough's behalf. Unfortunately, Wind Gap does not have any jurisdiction on the approval process as it is not in our municipality. Wind Gap has requested to be involved in the PennDOT scoping meetings and we indicated that our request is for the developer to take all of the truck traffic northbound.

ADJOURNMENT

On motion by Steve Bender to adjourn the meeting of April 3, 2023. The council agreed unanimously. The meeting of April 3, 2023, adjourned at 8:02 p.m.



Louise Firestone, Borough Manager

**SOLICITOR'S REPORT – R. J. KARASEK, ESQUIRE
WIND GAP BOROUGH
NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA
MONTH: March 2023**

MEETINGS ATTENDED:

March 6, 2023 - attendance at regular monthly meeting of Borough Council

March 7, 2023 - attendance at regular monthly meeting of Borough Planning Commission

March 21, 2023 - attendance at regular mid-month meeting of Borough Council

SUBDIVISION MATTERS: None

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of e-mails to and from Applicant's Attorney and Applicant's Engineer as to PENNDOT Resolution of Left Turn Lane on So. Broadway and Attendance at Borough Council Meeting of March 21, 2023 re CRG Services Management aka 900 Pennsylvania Avenue-Industrial Development Road

ZONING AND OTHER LAND USE MATTERS:

Receipt, Review and Administration of e-mails from Verizon's Attorney, Review of Proposed Access-to-Tower Easement Agreement and Comprehensive and Responsive e-mail Requesting Various Revisions to Agreement

Receipt, Review and Administration of Revised Access Agreement with Metes and Bounds Description and Site Plan re Verizon Cell Tower

DEVELOPMENTS ON OUTSTANDING LITIGATION:

Receipt, Review and Administration of copy of ZHB Decision as to Verizon Cell Tower Special Exception Use and Variance Requests

Receipt, Review and Administration of Smith Notice of Appeal Filed to the Borough ZHB Decision on Verizon Cell Tower Special Exception Use and Variance Requests

Receipt, Review and Administration of e-mails to and from ZHB Solicitor and Objector's Attorney and Preparation of Notice of Intervention by Borough and Praecept for Appearance with enclosure e-mails re R. Smith Appeal of Wind Gap ZHB Decision on Verizon Cell Tower Special Exception Use and Variances

Receipt, Review and Administration of Notice of Oral Argument on Matlock Objections, Telephone Conversation with Borough Manager and Preparation of Correspondence to Northampton County Office of Court Administration re Borough's Non-Attendance at Argument in Gassler Quiet Title Action

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Receipt of Navarro-Wright Professional Services Agreement for Mid-Park Cross Trail

Preparation of Borough Planning Commission Meeting Agenda for Meeting of March 7, 2023

Preparation of Borough Planning Commission Meeting Minutes of March 7, 2023

Receipt, Review and Administration of e-mail from Borough Manager re Northampton County Release for Broadband Study

Preparation of Monthly Solicitor's Report

OUTSTANDING ITEMS:

Stop Sign Ordinance

Dog Park Ordinance