

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

Wind Gap Borough Council meeting on Tuesday, August 15, 2023, was called to order at 7:00 p.m. by Council President George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Council members Dave Hess, Steve Bender, Dave Manzo, and Patrick Webber. Also, in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysker, and Borough Manager Louise Firestone. Absent were Councilmen Alex Cortezzo and Jeff Yob.

PUBLIC COMMENT

1. Mr. Smith, 34 Alpha Road, came before Council with general questions and concerns about the Wind Gap Fire Company grant, elevator rescue at Dream Lehigh Apartments, the billboard on Broadway, the warehouses, and site triangles throughout the borough.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the July 18, 2023, minutes and seconded Patrick Webber. Roll call vote taken. In favor: D. Hess, G. Hinton, D. Manzo, Patrick Webber. Abstained: S. Bender. Motion carried: 4-0-1.

APPROVAL OF EXPENSES

On motion by Dave Manzo to approve the expenses in the amount of \$58,221.59 and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

SOLICITOR'S REPORT

See attachment one (1).

ENGINEER'S REPORT

Brian Pysker reported that storm sewer pipes and inlets on Roosevelt have been staked out for the street department to begin installation. He forwarded the signed contract to Sauder Concrete for the curb work on the project and asked them to schedule the installation the last week of August or first week of September. Hopefully this will be wrapped up in the next few weeks.

Brian said that the storm sewer has been staked out on Constitution also. The contractor went out last week and installed the detour signs in Wind Gap and in Pen Argyl Borough. Brian has included Pen Argyl Borough in the discussion regarding the safest streets to include for the detour. The contractor will be installing three pipes across Constitution, so at the pre-construction meeting with the contractor, for the safety of the workers, it was decided to shut the road down on the days when the width of the road is closed for the cross pipes to be

installed. He received an e-mail confirmation from the contractor that more equipment will be delivered and the tentative start date will be Monday, August 21st.

Brian reported that he took a walk at Dream Lehigh Valley and inspected the infrastructure that was covered under the maintenance period. There are no issues other than cleaning inlets of debris.

Regarding the Municipal Complex, he has been working with Super Heat, they are the only ones to respond to his written request to discuss this project. They indicated that the dryer and the range upstairs are too old to obtain orifices to convert from propane to natural gas and so they are recommending that those two appliances be replaced. Super Heat is also recommending that the borough contact a Kohler representative to discuss potentially converting the generator from propane to natural gas or leaving it connected to the 1000-gallon propane tank. If it is decided that the generator stays on propane, it would be the only system on its own and potentially would be able to run for two weeks on that tank. He will have the contractor stub the line and get in contact with Kohler for more information. He asked Super Heat to give an estimate but has not heard back.

NEW BUSINESS

1. Approval 5K Race – Families First

On motion by Dave Manzo to send a letter of approval to PennDOT for the Families First 5K Race on Saturday, September 9, 2023, and seconded by Patrick Webber. Roll call vote taken. In favor: G. Hinton, D. Manzo, P. Webber, D. Hess. Opposed: S. Bender. Motion carried 4 –1.

2. Discussion of Male Road Bridge – Cabot Properties Funding Commitment

On motion by Steve Bender to accept the funds of \$100,000 to put in our Developers Escrow account specifically for the Male Road Bridge superstructure replacement project and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

3. Wind Gap Municipal Authority Board Appointment – Joseph Romano

On motion by Dave Manzo to appoint Joseph Romano to the Wind Gap Municipal Authority Board and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

4. Approval to Advertise for Park Walking Trail Project

On motion by Steve Bender to advertise for the Park Walking Trail Project including sidewalks on Third Street and South Lehigh and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

Dream Lehigh Valley – Confirmation that the Maintenance Period expired September 30, 2022 / Maintenance Bond obligation expiration

Brian Pysher reported that there was a Maintenance Bond in place and based on their letter of March 26, 2022, it included a reduction of the bond based upon the rest of the improvements that needed to be done and rain gardens that needed to be repaired. The

borough held maintenance for any additional improvements on East West Street and Longcore Road for inlet boxes and curbing. Brian completed an inspection of items related to the maintenance and all are in order. There are three/four inlets on the north side of West Street that he would ask the contractor to clean the debris. Attorney Karasek stated the Bond Obligation expired on September 22, 2022. Brian said he would draft a letter and forward to the Borough for review.

On motion by Steve Bender to authorize Brian Pysker draft a letter to Dream Lehigh Valley regarding the cleaning of the inlet boxes and payment of invoices and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

ZONING OFFICER'S REPORT

Suzanne Borzak reported that she spent most of this month doing enforcement. There are two upcoming court cases, one at the end of August and one mid-September. A lot of the issues are related to site triangle visibility at intersections because of overgrown vegetation. She sent out notices and will follow-up issuing citations if necessary. The Borough received a letter from the Pennsylvania Department of Environmental Protection regarding 217 North Broadway, regarding improper disposal of cooking oil that has been flowing down the alley so she also sent them a letter.

COMMITTEE REPORTS

A written committee report was provided to Mayor Smith and Council.

Dave Manzo said that he wanted to commend the Road Crew for the work that they did on the basketball courts in the park, the courts look great.

George Hinton reported that he received the Fire report last night and he went over the report.

Louise Firestone asked if Council had any questions on the written Committee Report and then reported specifically on the Male Road bridge. As a result of the condition of the bridge, PennDOT has mandated that the bridge is inspected annually at a cost to the borough. The most recent inspection occurred in April and based upon PennDOT specifications, the bridge has been further weight restricted because of structural deficiencies and it cannot carry legal loads safely. The borough was required to repost the weight limit within thirty days from receipt of notification, which has already been completed. The bridge weights went from 30 tons, combination 40 tons down to a weight limit of 23 tons, combination 31 tons. The borough received that letter two days prior to the submission of our latest Multi-Modal Transportation Fund (MTF) grant so that letter was made as an attachment to the grant application indicating the urgency for the grant funding.

MAYOR SMITH REPORT

Mayor Smith reported that was no COG meeting last month. There is a meeting scheduled for next Wednesday that he will attend. A quick thank you to Debbie, Louise, Rich and all the elected officials for providing support and attending National Night Out hosted in our

park. This was a well put together event, was well attended and he has heard nothing but positive feedback. He also attended Congresswoman Susan Wild's Town Hall meeting held in Pen Argyl last week. He had a chance to connect with her District Director, Megan Beste, who indicated that she would be happy to have discussions with him regarding how the Congresswoman's office can assist Wind Gap with any issues or concerns.

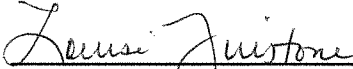
George Hinton stated that in the future, he will be changing the order of the agenda to allow for public comment at the end of the meeting. It will be more beneficial to allow the public to listen to discussion of agenda topics and then have the opportunity to ask questions.

Questions and Concerns

1. Mr. Smith had additional comments regarding the natural gas conversion of the municipal complex.

ADJOURNMENT

On motion by Steve Bender to adjourn the meeting of August 15, 2023. Council agreed unanimously. The meeting of August 15, 2023, adjourned at 7:37 p.m.



Louise Firestone, Borough Manager

AUGUST 15, 2023 MONTHLY REPORT

STREETS:

MALE ROAD BRIDGE:

Multi-Modal Transportation Funding Grant was submitted.

Male Road Bridge Replacement and Pedestrian Improvements

Cost Estimate = \$1,480,848 / Fund Request = \$1,030,848

Pickering, Corts & Summerson, Independent Bridge Inspectors, notified the Borough that the Male Road Bridge has been further load restricted:

Based upon Structural Analysis and Structural Condition - "This bridge's weight restriction is necessary because the main bridge members (prestressed concrete box beams) are deficient and cannot carry legal loads safely."

Previous Bridge Posting: Weight Limit = 30 Tons

Except Combinations = 40 Tons

NEW BRIDGE POSTING: Weight Limit = 23 Tons

Except Combinations = 31 Tons

Pre-Construction Meeting for Constitution Avenue – Tuesday, July 25, 2023

Attendees:

CMR Construction

Bracalente Construction

Brian Pysher, Robert Collura Engineering

Rich Fox, Louise Firestone

Project Start Date Scheduled for August 9, 2023

Resident to be notified by mail / NIXLE of project dates including Road Closure

Road Closure necessary to complete pipe installation crossing the street north to south.

Bracalente Construction anticipates 3 days of restoration paving

8/3/23 – Rented Camera System from Slate Belt GOG for Constitution Ave. pipe inspection

2003 GMC Bucket Truck – Heavy Duty Annual Inspection

Needed Visor Light – Mileage 37,792

Training: 2 new street workers attended a free class "Public Works Safety" on August 15, from 8:00 a.m. to 12:00 p.m. sponsored by PennDOT.

POLICE:

July 2023 – Parking Violations – 2 total

- Registration - \$10.00
 - Commercial Vehicle – \$10.00
- \$20.00

Year-to-date fines received from SBRPD = \$365.00

Year-to-date fines received from Magistrate related to appeal hearings = \$318.38

TOTAL = \$683.38

Next Slate Belt Police Commission Meeting is scheduled for Thursday, August 17, 2023 at the Wind Gap Municipal Building

NATIONAL NIGHT OUT – Held in Wind Gap Park on Tuesday, August 1, 2023.

Plainfield Township Lease Agreement – Approved at **\$13.00 sq.ft.**

Annual Rent = \$48,958 or \$4,079.83/month (\$13 x 3766 sq.ft.)

NO annual increase for duration of Lease-August 1, 2023 to December 31, 2026

Wind Gap is awaiting answers to the following:

Security Deposit of \$4,707.50 – was it paid during the inception of the SBRPD – if so, should it be reimbursed?

Does SBRPD pay a garbage fee to the Township as part of the 70% Utilities?

Has Plainfield Township shopped/locked in an electric rate? If not, this needs to be done as soon as possible in order for the SBRPD to better accurately budget for electric as it currently stands, the electric rate for Plainfield Township fluctuates.

EMERGENCY MANAGEMENT:

Contacted NCEM requesting their participation in National Night Out at Wind Gap Park. They sent three representatives, a Command truck and the HazMat Truck.

REMINDER to complete NIMS Training

Website: training.fema.gov/nims

Under Heading “ICs and NIMC Courses”

ICS-100 Introduction to the Incident Command System

IS-700 National Incident Management System – An Introduction

WASTE MANAGEMENT:

Neighboring Partnership Agreement:

Total Funds Received in 2023 = \$470,729.36

WIND GAP AMBULANCE:

July 2023 - 117 total calls – Wind Gap Boro = 74 / Monroe Cty = 16
Transports = 26 / Standby = 1 / Cancelled Transports in Progress = 2
Response Times 1.85 Minutes Avg (from dispatch to responding)
Wind Gap Ambulance put their new ambulance into service on July 26, 2023

FIRE COMPANY:

Next Business Meeting is scheduled for Monday, August 21, 2023

PARK:

The poles and netting for the Wind Gap Baseball Field were delivered and are currently stored by the maintenance shed at the park.

Craig Bachik, Navarro & Wright, met with R. Fox and L. Firestone on August 2, 2023 to discuss and finalize the plans for the bid specifications to be put out to bid.

The basketball courts were sealed 2 coats black and then green / blue were used to seal the court area to match the pickleball courts. SealMaster assisted the borough street workers in completing this project at an approved cost of \$28,825.85

WIND GAP MUNICIPAL AUTHORITY:

Colton RV – Discussion regarding the clean out of RVs on-site causing potential harmful bacteria being transported into the sewer plant. An independent lab to conduct testing for a period of 1 month.

67 Park Avenue – On-site meeting held on 8/3/23 – Correspondence from property owner to the WGMA:

E-mail correspondence received from property owner, Nolan Thevenet, Stryker Farms
“Per our discussion, we will not be performing any cooking that will generate grease at our 67 Park Avenue location. In this location we will be baking bread in ovens and using warmers for holding the meat which will not discharge any grease into the sewer system. The cooking and smoking of meat will be performed off site at our Saylorsburg location where we already have a USDA and PA department of Agriculture inspected facility.”

Dave Manzo made the board aware of the proposed development off Second Street which is entirely in Plainfield Township

The WGMA received a Letter from a Wind Gap resident who is interested in becoming a Wind Gap Municipal Authority board member. WGMA has forwarded correspondence to Council asking for appointment of Joseph Romano.

PLANNING:

No meeting was held in August.

ZONING:

No meeting was held in August.

249 South Broadway – Property owner changed the grading on the property, which is a violation of Article 506 of the Wind Gap Zoning Ordinance and which adversely affected the neighboring property.

Commonwealth of Pennsylvania, County of Northampton, Magistrate District No. MDJ-03-3-02 Civil Action Hearing scheduled for Friday, September 15, 2023 at 9:15 a.m.

8/3/23 – PA DEP contacted Wind Gap Borough via e-mail regarding a complaint that their office received. DEP provided written documentation they received from a concerned party regarding 217 N. Broadway. Complaint in part read:

“Their disposal of their cooking oil from their deep fryers.... They dump it in a barrel and it overflows... the oil then runs on a Borough dirt road.. it’s all over the building and has a 6’ to 8’ track up the road.”

Zoning Officer, Suzanne Borzak, did a site visit on 8/8/23 and sent an enforcement notice to the property owner.

FINANCIALS: – Balances as of July 31, 2023:

General Funds:	\$132,555.75
Money Market Funds:	\$1,284,766.35
Capital Reserve Funds:	\$1,769,956.09 (\$665,104.39 – Sale of Borough Properties)
State Liquid Fuels Funds:	Current Balance = \$242,530.90 (Allocation Based on 9.36 miles / Population of 2720)

BOROUGH PROPERTIES:

Municipal Building – ANNUAL Fire Alarm Inspection / Smoke Detectors
Completed by Johnson Controls – July 20, 2023

RECOMMENDATIONS: Replace batteries due to corrosion, battery temp, bulging casings
Replace power supply back up due to age

Maintenance Garage – ANNUAL Boiler Inspection
Completed by PA Department of Labor and Industry

FINDINGS:

1. The pressure indicator is damaged, missing or incorrect.
2. The pressure protection device has not been demonstrated at the time of the external inspection
3. Move safety relief valve to an accessible location for testing

MISCELLANEOUS:

No Nonsense Neutering has a cat transport scheduled for September 27 – Spaces available by Appointment Only. Pick-up site is 11 Robinson St., Pen Argyl rear parking lot.

Thank you letter received from Blue Mountain Community Library, Judy Piper, Program Coordinator. BMCL held their Summer Fun Program at Wind Gap Park on Wednesday, July 12 and July 26, 2023. The first week was a program themed scavenger hunt. The second week was a themed Christmas in July.. The children made ornaments for the holidays – a snowman and a lollipop. The program was attended by 15 children both weeks.

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

MEETINGS ATTENDED:

July 18, 2023 - attendance at regular monthly meeting of Borough Council

SUBDIVISION MATTERS:

Receipt, Review and Administration of File, e-mails and "No Comment" by Borough re WTDWG, LLC-Lot Line Adjustment-271 East First Street

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of pending Conditional Plan Approval Resolution (still to be signed by Borough) and e-mail confirmation that the minor Solicitor revisions and attached exhibits were approved by Applicant's Attorney and Engineer re CRG Services Management aka 900 Pennsylvania Avenue-Industrial Development Road

Receipt, Review and Administration of e-mails from Applicant's Attorney as to Release of Maintenance Security and End of Maintenance Period re Water's Edge at Wind Gap n/k/a/ Dream Lehigh Valley-West Street LD Plan (Tabled at July Meeting)

ZONING AND OTHER LAND USE MATTERS: None

DEVELOPMENTS ON OUTSTANDING LITIGATION: None

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Receipt, Review and Administration of File, Comprehensive Correspondence from Plainfield Township Solicitor (Backenstoe) with forwarding e-mail to Council President-Hinton and SBRPD Liaison-Hess and SBRPD Solicitor (DeFelice) re Lease Overpayment and Non-Profit Issue

Receipt, Review and Administration of Right-to-Know Request for Delinquent Property Taxes for Calendar Years 2017 through and including 2022

Preparation of Ordinance to Allow Amendments to the SBRPF Charter Agreement by Resolution

Preparation of Monthly Solicitor's Report

OUTSTANDING ITEMS:

Stop Sign Ordinance

Dog Park Ordinance