

**BOROUGH OF WIND GAP
545 East West Street
WIND GAP, PA 18091
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Wind Gap Borough Council meeting on Monday, February 3, 2025, 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 Steve Bender, Mark Crossen, Dave Manzo, Jason Boulette, and Patrick Webber. Also in attendance were Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysner, and Borough Manager Louise Firestone.

Absent were Councilman Alex Cortezzo, Mayor Wesley J. Smith, and Junior Council person Olivia Bentley.

PUBLIC COMMENT:

1. Blue Mountain Community Library - Jill Silvius, Secretary for Blue Mountain Community Library, along with Treasurer, Judy Piper and President Valerie Viglione came before Council to thank them for their contributions to the library. Jill acknowledged that Wind Gap Borough Council has been faithful supporters over the years, and they appreciate every penny they receive because it enables them to function as a library within the Pen Argyl Area School District. Jill Silvius gave the annual report regarding the programs, fundraisers and financials of the community library. Judy asked Council to think of Borough residents who may be willing to serve on the library board as the objective is to have board members representing all three municipalities.

2. Douglas Kulp, recently elected Fire Chief of Wind Gap Volunteer Fire Company, reported that the Fire Company is here to serve the community. Obviously, the fire service of Wind Gap Borough is their top priority, making sure that your property and all properties in the borough are kept safe. Doug stated that before there is too much misinformation circulating in the community, he wanted to personally inform Council of the Fire Company's decision to put their social hall on the market for sale. He explained that as an organization, they have determined that the building is no longer an asset to them; it has become more of a financial burden. Currently, the social hall is not financially profitable as the mortgage, taxes, related expenses, and utilities have been more than the income that is generated from their bingo and hall rentals. The proceeds from the sale of the building will allow them to pay off the balance of the mortgage and the outstanding debt of one of their firetrucks. The generous donation from the Borough goes specifically toward their truck payment and related fire equipment along with all funds they raise from the carnival. Those funds will go towards payment of the other truck. Attorney Karasek stated that Council should be aware that back in 2017, the Borough gifted the property to the Fire Company. It was a conditional gift so that if the fire company did not meet certain requirements, the property would come back to the Borough if, the fire company dissolved, becomes defunct, bankrupt, is no longer operating as a fire company rendering services to or in the Borough, or defaults on mortgage, the property would go back to Borough. George said that many years ago, the fire company owned the property, but gifted it to the

Borough. As part of the acquisition of the Municipal Complex property, the plan was for all borough services to be housed at 545 East West Street. When the time came for the fire company to build their social hall, Council decided that it should go on 111 North Broadway, so the fire company purchased that property back. As a result, the property was no longer tax exempt and that has added to the expense of the building. Jason Boulette mentioned that if the property were to be sold, Council would have to revisit a place to vote in the borough. Dave Manzo asked Doug if he can provide Council with their financial information. This will let Council know how much the Borough would be liable for if they default in terms of their responsibility of the trucks. Doug will gather the financial information and get that to Council as soon as possible.

APPROVAL OF MINUTES

On motion by Dave Manzo approve January 21, 2025, minutes and seconded by Patrick Webber. Roll call vote taken. Roll call vote taken. In favor: J. Boulette, M. Crossen, G. Hinton, D. Manzo, P. Webber. Abstained: S. Bender. Motion carried: 5 – 0 – 1.

APPROVAL OF EXPENSES

On motion by Dave Manzo approve the expenses in the amount of \$46,754.01 and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

SOLICITOR'S REPORT

Attorney Karasek will forward his monthly report to Council.

ENGINEER'S REPORT

Brian Pysher reported that a revised land development plan for Wawa was received on January 30, 2025. The developer intended on being present for the February 20, 2025, Planning Commission meeting. Unfortunately, Brian will be out of town that week and does not know if he can get a representative from his office to attend on his behalf; however, a review letter will be provided for the meeting. Council agreed that without the updated traffic study numbers it does not make sense to have Wawa at a meeting as the traffic is the main concern of the Planning Commission Board and Council. The developer is aware that traffic is a major discussion point with this plan. Brian will advise the developer that he is unavailable, and the meeting will be postponed until the scheduled March meeting. He did forward their revised electronic copies to Council.

Regarding 332 N Broadway, we sent them an enforcement notice with a return certified receipt. The letter was sent to the address as listed on the Northampton County website, but came back as "not deliverable as addressed, unable to forward ". We hired a constable to serve or post the enforcement notice. The Constable went to the property, knocked on the building doors, the building was empty, the garage doors were open, the heater was running with no heat, the water was running, lights were on, and trucks were running. He observed two cars there with expired inspection and temporary New Jersey license plate. He posted the notice on the front door of the building; pictures were taken as proof.

KeyCodes were contacted to assist with the UCC portion of the building violation. They visited the site and started their citation process. To date, they have posted two citations with a fine of \$500 for each one. The next step is for them to put in a plea at the District Court. After that they will start the citation process with fines of \$1,000 a day.

Attorney Karasek stated that if you want to proceed with zoning, we will have to file an injunction in Northampton County Court. If they do not appeal the zoning notice, we can start citing the property owner.

Attorney Karasek said that if you served them with an enforcement notice and they have not appealed to the Zoning Hearing Board, they are in violation, and you can start the citation process and if you want, an injunction process. Dave Manzo said that the Municipal Authority is having issues also. Attorney Karasek said that he has a letter dated August 12, 2024, that is signed by the owner stating that he is the owner of 332 N Broadway and Silver Line Inc.

Brian said that we need to pursue the zoning portion. One of the main issues is that they are running refers - refrigerated trucks. The zoning portion would stop the use of the property as the owner is in violation of the Zoning Ordinance and the Uniform Construction Code will prevent them from using the building as the building is not in compliance with the UCC.

The property that they purchased has no frontage. When he enters 7th Street, he has to cross private property in order to access his own. They do have a little bit of direct access onto 7th Street but there is an unimproved portion further to the west. The only deeded access is via 8th Street.

On motion by Jason Boulette upon receipt of contact information and violation information from KeyCodes as the Borough's UCC Official, Council authorizes Attorney Karasek to proceed with the injunction and second by Dave Manzo. Roll call taken. Council agreed unanimously.

Borough Manager

Louise Firestone reported that she received an update from Gillmore and Associates, the schedule for the bridge replacement has been pushed back as they are looking to bid the project out in October 2025 and award the project in February 2026.

As a follow-up to information provided to Council regarding an incident with a street worker, a workers' compensation claim has been filed. The accident appears to be operator's error in judgement while trying to rectify a malfunction with our 2006 GMC dump truck tailgate / salt spreader. The worker has a follow-up appointment next Monday and will be out of work until that appointment. The 2006 GMC will be looked at by our Street Leader to see how to proceed in preventing this from happening in the future.

As promised at the previous Council meeting, Attorney Kate Durso followed through regarding the status of our rent money for the cell tower. As per the rental agreement with Verizon, we received payment from August 1, 2024, through February 2025 for a total of eight (8) months of rent that totals \$10,500.

NEW BUSINESS

There was no new business to discuss at this time.

OLD BUSINESS

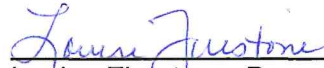
There was no old business to discuss at this time.

PUBLIC COMMENT

No public comments were heard at this time.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of February 3, 2025. Council agreed unanimously. The meeting of February 3, 2025, adjourned at 8:17 p.m.



Louise Firestone, Borough Manager