

**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 Tuesday, July 19, 2022 was called to order at 7:00 p.m. by President George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Council members David Hess, Steve Bender, Dave Manzo, Patrick Webber, and Alex Cortezzo. Also, in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher and Borough Manager Louise Firestone. Absent was Councilman Jeff Yob.

**PUBLIC COMMENT**

Mr. Johnson, President of the Plainfield Township Fire Company was in attendance and asked to address Council. Mr. Johnson expressed his concern with the social media on-line bantering that has occurred over the last several weeks with members of the Wind Gap Fire Company. Mr. Johnson and the past Plainfield Township Volunteer Fire Company President forwarded a letter to Council for their review and possible action. George Hinton stated that the original letter should have been addressed to the Wind Gap Fire Company not Council. He believes that these ongoing issues are between the two fire companies and in order to resolve whatever misunderstandings exist, both Fire Chiefs and Assistant Fire Chiefs, need to sit down and discuss. George will contact the appropriate officials to schedule a meeting as soon as possible.

**APPROVAL OF MINUTES**

**On motion** by Dave Manzo to approve the June 21, 2022 minutes and seconded by Alex Cortezzo. Roll call vote taken. In favor: S. Bender. A. Cortezzo, D. Hess, D. Manzo, P. Webber. Abstained: G. Hinton. Motion carried: 5 – 0 – 1.

**APPROVAL OF EXPENSES**

**On motion** by Dave Manzo to approve the expenses in the amount of \$177,744.39 and seconded by Alex Cortezzo. Roll call vote taken. Council agreed unanimously.

**SOLICITOR'S REPORT:**

**MEETINGS ATTENDED:**

June 6, 2022 - attendance at regular monthly meeting of Borough Council.  
June 21, 2022 - attendance at regular mid-month meeting of Borough Council.

**SUBDIVISION MATTERS:** None

**LAND DEVELOPMENT MATTERS:**

Receipt, Review and Administration of Correspondence from Applicant-Albanese and Alternate Borough Engineer-Ott re Request for Reduction in Maintenance Security re Albanese-Grimes Water Street LD Plan.

Receipt, Review and Administration of e-mail from Borough Engineer with Outstanding Items to be addressed and Request for Applicant’s Signature to Maintenance Obligation re JERC LD Plan.

Receipt, Review and Administration of e-mails, Land Development Improvements Agreement, Snow Storage Easement Agreement for Cul-de-Sac, Irrevocable Letter of Credit and e-mails to/from Applicant’s Engineer and the Borough EIT on Status of the O&M Agreement, WGMA Agreement and Third Street Dedication re Klump Third Street LD Plan.

Receipt, Review and Administration of e-mails as Need to file a Revised LD Plan, As-Built Plans, Paving Issues and Reduction in Performance Security re Green Knight EDC LD Plan.

**ZONING AND OTHER LAND USE MATTERS:**

Review of File, Borough Zoning Ordinance and Preparation of Borough Planning Commission Recommendation re Barber Shop/Tuxedo Rental-103 North Broadway.

Receipt, Review and Administration of e-mail to/from Property Owner-Goffredo and Borough EIT-Pysher re NuCor Storm Water and Sanitary Sewage Issues -108 North Broadway.

Receipt, Review and Administration of Bracalante Estimate for Replacement of Curbing on Lincoln Street.

Receipt, Review and Administration of Comprehensive Telephone Conversation-30 to 40 minutes with Guerin re long outstanding Rogers-Boundary Dispute, SBRPD -Wrongful Arrest and Borough-Failure to file Zoning Violations Issues (Charge to Borough at a Reduced Billing Rate).

**DEVELOPMENTS ON OUTSTANDING LITIGATION: None**

**COURT DECISIONS ON BOROUGH CASES: None**

**MISCELLANEOUS:**

Receipt, Review and Administration of June 2022 Monthly Committee Reports.  
Preparation of the Borough Planning Commission Meeting of June 2, 2022.  
Preparation of Monthly Solicitor’s Report.

**OUTSTANDING ITEMS:**

Stop Sign Ordinance  
Dog Park Ordinance

**ENGINEER’S REPORT**

North Broadway – Water Infiltration/Sewer Line – Sinkhole - Brian Pysher reported that last Tuesday he met with representatives of the Wind Gap Municipal Authority and the property owners, Nu Cor Management, to discuss the settling of the sidewalk in the front of Nu Cor’s office. There is a sanitary sewer manhole adjacent to where the sidewalks collapsed. The sanitary sewer runs along the sidewalk and then underneath the sidewalk, but it is an old terracotta line that has significant water infiltration in that stretch of line. The group met a month prior and the WGMA wanted evidence that the Borough’s storm-sewer was not leaking into their trench line or system causing the problem with the sidewalk. Brian suggested a dye test, all parties agreed. During this test, the Sewer Authority monitored their manhole for evidence of

dye, but no leaks were detected. Nu Cor Management was concerned with liability and Brian explained that the sidewalk belongs to the property owner. Consequently, Nu Cor decided to pull the sidewalks out and backfill it with stone, but still have the sidewalk area barricaded off. WGMA will be putting together a project design and proposal to replace this section of the line in order to expedite this repair project.

MS4 Permitting - Brian gave an update on the MS4 Plan that is being prepared by Mike Waldron of Acela Architects and Engineering. Mr. Waldron asked if a committee would be available to sit and review the plan. After the plan is reviewed and prior to adoption, a public meeting must occur, which can be held during a regularly scheduled Council meeting. Once Brian receives the draft, if anyone on Council is interested, we can facilitate a meeting to discuss it. If everyone is comfortable with it, we can present it at a subsequent Council meeting in order to fulfill the public meeting requirement.

Male Road Bridge Replacement and Upgrades - Brian reported that the Borough is working with Green Knight Economic Development Corp, who have contracted with Gilmore Associates, to put together a proposal to replace the superstructure of the bridge all in conjunction with the Multi-Modal Transportation Fund application. The proposed project concept is to keep the substructure as it currently sits and replace the beams and walls while widening the bridge a couple of feet to incorporate a five-foot sidewalk as well. Brian has designed a sidewalk on the northern side of Male Road to get pedestrian traffic from the bank on the corner to the plaza. The grant application is due on Friday, July 29, 2022.

## **ZONING OFFICER'S REPORT**

Zoning Changes – Amendment – Zoning Officer, Suzanne Borzak, reported that her written report was previously submitted, but she had additional topics to discuss including some amendments to the zoning ordinance. She would recommend that the Borough become proactive with regarding to defining and allowing parking lots. The reality is that in the future a lot of truck parking lots may be coming into this area, based on the need generated by proposed and developed warehouses. Currently, in other municipalities developers are applying for and getting permits to put parking lots in to avoid having trucks parked on the offramps and any available lots within that municipality. The other specific item is reactive for off premise signs, billboards, and electronic signs. She has a draft ordinance for Council to forward and comment on so the amendment process can begin. In the current Zoning Ordinance, the Zoning officer has fifteen days to issue a permit, the language should be clarified to state that allows for fifteen “business” days. Suzanne is proposing setting up a meeting with the Planning Commission to go over the proposed changes and get some feedback.

Suzanne reported that she sent out two notices of violation this last month regarding chickens. These violations were investigated after the borough office received written complaints from neighbors of the property owners owning and housing chickens. The Zoning Ordinance does not allow large animals and fowl such as chicken and pigeons. A resident did come to the office to ask if he could have pigeons and she said that they are not permitted in the Borough.

Mr. Smith from Alpha Avenue said that the chickens that he owns are emotional pets. He came to the meeting to hopefully resolve this issue. George Hinton said that this is in the hands of the Zoning Hearing Board. Alex Cortezzo said that he thinks that the chicken portion of the ordinance needs to be updated as well. Suzanne suggested that if this is a topic for the proposed zoning amendment, there should be restrictions such as: the number of chickens allowed per property, the lot size of the property which would include set back requirements. Attorney Karasek said that he can submit to the Borough, a copy of the ordinance that he wrote for Smithfield Township that specifically dealt with chickens. Unfortunately, Council cannot

change the Zoning Ordinance immediately; you cannot tell the Zoning Hearing Board what to do. Council does have the ability to make changes if the board feels that they are warranted.

**On motion** by Alex Cortezzo to look into the proposed Zoning ordinance changes and seconded by Dave Manzo. Roll call taken. Council agreed unanimously

## **NEW BUSINESS**

### 1. MTF Grant Resolution

**On motion** by Alex Cortezzo to move forward with the Multi-Modal Transportation Fund Grant Resolution No. 2022-06 for the Male Road Bridge and seconded by Patrick Webber. Roll call taken. Council agreed unanimously

### 2. Emergency Management Coordinator Discussion

George Hinton thanked Dave Hess for the job he is doing as Emergency Management Coordinator. This year's Fire Company Carnival is one of the first events where there was an emergency plan put together and submitted for a large event.

George said that in the minutes he read about firemen who came to Council with questions regarding the role of the Emergency Management Coordinator and what they do. He would like to set up a meeting with Dave, the Chief and Assistant Chief to discuss how all the officials approach an emergency event and what their individual roles and responsibilities are during an event.

3. Local Tax Enabling Act – George Hinton reported that Jeff Yob asked for this to be on the agenda tonight, unfortunately he is not here. Jeff would like Council to direct Attorney Karasek to investigate the local tax enabling act and how we could utilize this to offset infrastructure costs. Attorney Karasek said that this act has been around forever, it enables real estate tax to be paid to the Borough, enables occupational tax to be paid to the Borough, enables local services tax to be paid to the Borough. Attorney Karasek will research how the Local Tax Enabling Act could benefit the Borough.

4. September 11<sup>th</sup> National Memorial Trail Map – Request – George Hinton explained that the Director for the September 11 National Memorial Trail contacted the Borough requesting approval to put up signs from the trailhead by Waste Management, up Alpha Road and continuing north to the county line at Ross Township. Louise added that she was on a ZOOM meeting with the Director of Trails, and the request is being made primarily to properly mark and identify the trail which goes through six states. The Director would like to come out and visit the area to see where the signs could go and what is practical. This would be at no cost to the Borough as they will put them up and the provide extra signs to Northampton County should any signed be damaged.

**On motion** by Steve Bender to have the Director of Trails scope out locations to put their trailhead signs in Wind Gap and seconded by Alex Cortezzo. Roll call taken. Council agreed unanimously.

5. August Council Meeting Schedule – Aug 1 or 16 or both as scheduled

**On motion** by Dave Manzo to cancel the August 1, 2022 Council meeting and seconded by Patrick Webber. Roll call taken. In favor D. Manzo, P. Webber, S. Bender, D. Hess, G. Hinton. Opposed: A. Cortezzo. Motion carried: 5 – 1.

## **OLD BUSINESS**

### **1. Wind Gap Municipal Authority Resignation - Marguerite Mullin**

**On motion** by Dave Manzo to accept the resignation of Marguerite Mullin from the Wind Gap Municipal Authority and seconded by Steve. Bender. Roll call taken. Council agreed unanimously.

**2. Municipal Complex Site Plan for Proposed Upgrades Related to Paving Project –** George Hinton reported that everyone received a copy of the site map and proposal for this project. Brian Pysher stated that the intent is to extend the parking lot in the front and connect to the existing entrance at the east end of the property along with parking in the back and on the south side of the building. We installed a rain garden between the proposed parking lot and the edge of the existing gravel with two inlets in the middle of the parking lot. That side of the property was so flat that inlets were installed to get pitch to get the water to drain. It is going to require that the parking area be re-graded prior to base course and wearing being put down. Currently there are no design plans for lighting as existing lighting is on the exterior of the maintenance garage and the municipal building. He did propose three lights standards, one at the end of the existing sidewalk, one at the entrance, and one at the midpoint to illuminate the parking area. If lights need to be in the rear of the property, then cables will have to be installed now prior to putting the pavement down. Alex suggested illuminating the back of the property for safety and liability issues. Brian will add the additional light to the plan. This entire project may take place in three phases.

Brian said that he has to reach out to the gas company and set up a meeting so we can run conduit that is satisfactory with the Gas Company to the back of the building.

## **COMMITTEE REPORT**

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

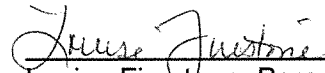
Dave Hess requested a more thorough report regarding the Fire Company, the grant awards and new truck purchases. George replied that he is waiting to hear if the grant is going to be applicable to the truck. If the grant money does not come through, the truck will not be purchased. Dave said it is his understanding that the truck was already purchased, George said that it was not. There is no way that they are going to give the Fire Company financing without the note. It is all about communication and the lines of communication have not been good recently. Dave said that Wind Gap Fire officials are saying that they purchased two trucks and it is all over the world. George said that at their meeting last night, under no uncertain terms, if the grants don't come through, there isn't going to be a truck. Unfortunately; our Chief was on vacation, so he was not there, but this is an internal thing. Alex said that he agrees that discussions have to occur between the two companies. George stated that with the construction of the apartments at Dream Lehigh Valley discussions have occurred regarding what apparatus is necessary for emergencies. Alex said every neighboring municipality has a ladder truck. George insisted that a meeting needs to take place and many topics need to be discussed. Alex expressed concern that the fire companies are wasting money and wasting efforts by duplicating trucks and it is hard enough raising money.

## **Mayor Smith's Report**

Mayor Smith reported that last month he attended the Waste Management workshop. He attended the COG meeting last month, the camera equipment for the sewer lines was ordered. The next COG meeting is on the July 27<sup>th</sup>, he will not be able to make it and would appreciate it if someone could attend on behalf of the Borough.

## **ADJOURNMENT**

**On motion** by Dave Manzo to adjourn the meeting of July 19, 2022. Council agreed unanimously. The meeting of July 19, 2022 adjourned at 8:37 p.m.

  
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Louise Firestone, Borough Manager

# JULY 19, 2022 MONTHLY REPORT

## STREETS:

Male Road Bridge Superstructure Replacement/Pedestrian Walkway  
Met with Senator Scavello to discuss Multimodal Transportation Fund  
Support Letters received to date:  
Senator Scavello, Senator Boscola, Plainfield Township

Gilmore & Associates will be handling the bridge items, along with excavation for the  
abutment work and backfill

Brian will be handling the roadway & associated work (paving, curbs, striping, signs,  
MPT during construction, etc.), grading & drainage [relocated inlet(s) and piping], safety  
improvements, and guide rail items.

### Street Dept:

Installed new "Welcome To Wind Gap" signs  
Photo Op with Lehigh Valley Chamber of Commerce – funding source  
As well as Slate Belt Rising  
Installed sidewalk lights, landscape in front of Municipal building/Garage

Installed M-top Inlet boxes and bike grates on lower Alpha in conjunction with  
PA American Water Co water main project

PA American Water Co - lower Alpha Road to be paved base repair  
Using Municipal Complex Lot to stage Equipment

Lincoln Street Project – Project Awarded to Bracalente Construction - \$45,031.06

Meeting on North Broadway to determine cause of sidewalk sinkhole

Winter Salt Delivery for 2021 to 2022 was 524.72 tons at \$63.29/ton total of \$30,222.87

### PENDING ITEMS:

2022 F-250 Delivery Status remains unknown

Meeting on East First St for placement of Street Light – B. Pysher to schedule meeting  
with Met Ed for location of existing wiring. Funding from Gap View Estates Escrow

**PARKING Ticket Report:**

June 2022 – Violations

▪ Inspections	\$30.00
▪ Registration	\$00.00
▪ Trailer on Roadway	<u>\$00.00</u>
	\$30.00

October 11, 2022 at 6:00 p.m. Wind Gap Social Hall  
Use of Force Simulation – Elected Officials Invited

**EMERGENCY MANAGEMENT:**

Met and discussed Incident Action Plan for Fire Co. Carnival with Wind Gap Fire Chief and carnival chairperson, Wind Gap EMS director and SBRPD Chief.  
Attended Fire Co. carnival when available  
Attended quarterly EM coordinators meeting at Northampton County – 6/15/2022

**WASTE MANAGEMENT:**

2<sup>nd</sup> Qtr 2022 Tipping Fee - \$76,586.28 / Total checks for 2022 = \$226,052.50  
E-Cycling Event in Conjunction with Pen Argyl Borough  
Saturday, November 5, 2022 Waste Management Parking Lot

**WIND GAP AMBULANCE:**

June total calls – Wind Gap Boro = 49 / Monroe Cty = 10  
Response Times 2.1 Minutes Avg (from dispatch to responding)  
6 Month Call Report – Jan to June 2022  
Wind Gap Boro = 263 / Monroe Cty = 128 for total of 314

**FIRE COMPANY:**

Received 2 LSA Grants for purchase of Fire Apparatus  
Northampton County - \$416,497  
Monroe County - \$38,387

**PARK:**

Slate Belt Rising – Mural at the Park  
Meeting with the Artist and Director Vincent Behe  
Suggestion to paint a mural on the Gray Restroom building – will provide sketch

Green Knight Economic Development Corporation Grant Applications  
Grant Request for Summer Sounds  
Grant Request for Sports Surface Sealing/Painting  
Quotes Received from SealMaster  
3 Basketball Courts \$17,831.37



2 Tennis Courts/Pickleball Court \$18,141.17  
Grant Award Announcement expected shortly

**Awarded Funding:**

Lehigh Valley Mini Grant – Interpretive Signage along trail - \$6,800  
Lehigh Valley Mini Grant – Rain Gardens - \$9,600  
Slate Belt Rising Budget for Community Garden - \$250 (potentially \$500)  
Slate Belt Rising Plan Implementation (Master Plan) - \$10,000

**Trail:**

September 11<sup>th</sup> National Memorial Trail Map  
Zoom Meeting with Jeff McCauley, Director of Trail Development  
- Request to Install Signage within Wind Gap Borough

**Boy Scout Trail to Town Camporee:**

2023 Dates = June 16, 17, 18, 2023  
Meeting with Troop Leader J. Kondisko to discuss the 2023 Camporee

**WIND GAP MUNICIPAL AUTHORITY:**

7/14/2022 Meeting:

Attendees:

WGMA: R. Yordy, M. Laudano, Solicitor: Chad DiFelice

WG Boro: G. Hinton, D. Manzo, L. Firestone

Discussion was centered on the feasibility and logic of one entity.

The Borough would deal with administrative responsibilities and the current Authority would become an Advisory Board to Council. The Advisory Board would run the day-to-day operations of the plant and remain involved with all sewer plant related issues, approve all invoices, meet as a board and report on a monthly basis to Council.

**PLANNING:**

July 7 – CRG Plan Submission – Awaiting B. Pysher Review Letter

**ZONING:**

Billboard Variance Request – South Broadway Property between Arby’s and ATM

Platinum Cutz Variance Request - 2<sup>nd</sup> Use – Barber Shop and Tuxedo Shop

ZHB overturned Zoning Officer determination

Limited to One Employee

Limited to Two Businesses / Barber (haircut) and Tuxedos

S. Borzak - Proposed Zoning Ordinance Changes

**OFFICE:**

Computer System - Purchased and Installed:

Dell PowerEdge T140 Server with MS Server license, Xeon processor, RAID hard drives, 16 GB memory, iDrac, 3 years Dell ProSupport and Next Business Day Onsite Service – Installation and Configuration included in Support Plan - \$3,247.38

**FINANCIALS:** – Balances as of June 30, 2022:

**General Funds:** \$89,223.09

**Money Market Funds:** \$1,027,492.09

**Capital Reserve Funds:** \$1,390,652.74  
(\$665,104.39 – Sale of Borough Properties)

**State Liquid Fuels Funds:** Current Balance = \$152,426.60  
(Allocation Based on 9.36 miles /  
Population of 2720)

Bridge Inspection Fee - \$1,703 (April 2021 Inspection)

**MISCELLANEOUS:**

Liquid Fuels Audit Completed on June 22, 2022

Real Estate Transfer Tax:

May 2022 \$22,955.52 (Includes Tax - Sale of Walden III for \$3,600,000 - \$18,000)

**INSURANCE:**

Package Policy Renewal 2022-23 - \$34,077/yr  
(2021-22 was \$33,930 increase of \$147.00)