

**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 Monday, March 6, 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 Dave Hess, Steve Bender, Patrick Webber, Jeff Yob, 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.

PUBLIC COMMENT

1. Mr. Richard Smith came before Council with questions regarding liability should ice fall off the Verizon Cell Tower and hit his property. Attorney Karasek stated that there are so many factors as to why the ice would blow off a structure that it is impossible to answer that question in the abstract.

APPROVAL OF MINUTES

On motion by Patrick Webber to approve the February 21, 2023, minutes and seconded by George Hinton. Roll call vote taken. In favor: S. Bender, A. Cortezzo, D. Hess, G. Hinton, D. Manzo, P. Webber. Abstained: J. Yob. Motion carried: 6 – 0 – 1.

APPROVAL OF EXPENSES

On motion by George Hinton to approve the expenses in the amount of \$21,044.89 and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

Mr. Smith would like to know what expenses are being paid. He was informed that he could visit the Borough office tomorrow to receive a list of expenses for February from the Borough Manager.

SOLICITOR'S REPORT

See attachment one (1)

ENGINEER'S REPORT

Brian Pysher reported that the building for 20 Green Knight Drive has been delivered and is on their site. Brian originally issued a review letter based upon the revised documents received back in February. The Borough is waiting for the applicant to revise the documents per Brian's review letter. Once the developer has satisfied all their conditions and approvals from outside agencies, then they can move this project forward.

Again, the Borough received complaints regarding the condition of Male Road due to the amount of mud being drug out on truck tires from the tire quarry, so Green Knight Economic Development Corp was notified in writing that the site must comply with their NPDES permit approval. Northampton County Conservation District was also notified that GKEDC has violated their NPDES permit.

The Traffic Engineer for CRG contacted Brian and indicated that they are in receipt of correspondence from PennDOT. After further review of the plan, PennDOT shortened the restriction on the plan and will allow for the on-street parking area on North Broadway from the corner of Eighth Street where the residents currently park. The recommended restrictions will be just above the residential properties on the west side of North Broadway. This topic to be discussed at the Planning Commission meeting tomorrow evening.

NEW BUSINESS

1. Approval of Professional Services Agreement with Park Consultant, Navarro & Wright Consulting Engineers, Inc. – Park Walking Trail – Cross Trail (Retaining Walls, Connect to Underdrains to Drainage Swales and Incorporate Rain Gardens) - \$12,400 - Louise Firestone reported that the rain gardens need to be designed as part of the next phase for the walking trail to be constructed below the basketball, pickleball and tennis courts. The Borough has already received funding for the rain gardens and signage through the Lehigh Valley mini grants program. Craig Bachik, from Navarro & Wright, met with Louise, Brian and Rich to discuss the appropriate requirements to design this next phase of the trail. Mr. Bachik was asked to provide the Borough with a quote for this design work. Navarro & Wright Consulting Engineers, Inc. has been the architectural design engineering firm that has already designed the previous phases of the park walking trail. Louise is asking for approval to sign this continuation agreement and to move forward with Navarro & Wright professional services.

On motion by George Hinton to approve the Professional Service Agreement with Park Consultant, Navarro & Wright Consulting Engineers, Inc. for the amount of \$12,400 and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. Constitution Avenue Borough Stormwater Paving Project in Conjunction with Wind Gap Municipal Authority Sewer Line Replacement - Dave Manzo reported that this came up at the last Sewer Authority meeting regarding the potential of coupling the two projects together. He said the he would bring this to Council. The Authority is questioning if the concept of combining two projects will save both entities, the Borough and the WGMA, money because only one bid would be required. Brian Pysher expressed his concerns with the overall logistics of bidding and inspecting two projects as one. Included in Borough project specs, there is a performance bond, payment bond, and materials bond requirements and typically the Sewer Authority provides all of the material to the contractor so the contractor is only bidding on labor. He is concerned that this is a substantial project and combining both would be difficult at best. If Council desires, he can contact the WGMA Engineer, Tom Duffy, to discuss more specific details of both plans.

As the Borough has already committed to completing the engineering and getting this project out to bid this year, Brian was attempting to gauge if Constitution Avenue is a priority project for the WGMA this year. The idea is to break it up into two portions that will give the Sewer Authority more time to get their design and work done. Our intent is to do the storm sewer and curbing this year, restore all the trenches to our base repair, paving and then come back next year and do our curb milling. Jeff Yob said that it is important for them to know that

we are going to move forward with the project. George Hinton said that we should find out what they intend to do. We need to know when they are going to move ahead with their project. If the Borough can only afford to do the storm drain work this year and wait until next year to do the overlay would that work in WGMA's timeframe. The road is forty-four feet wide and a half a mile long; it is a substantial amount of paving to be done and will drive the cost of the entire project up.


On motion by George Hinton to approve the procedure to pave Constitution Avenue and to have further discussion with the President of the Sewer Authority Board regarding this project and seconded by Patrick Webber. After further discussion, no action taken on this motion.

On motion by George Hinton that before the Borough requires the Borough Engineer to prepare specifications and other matters with respect to this Constitution Avenue project that the Borough first determines the intention of the Wind Gap Municipal Authority and seconded by Patrick Webber.

Motion Amended by George Hinton to include that a quorum of the Municipal Authority must be present for this process and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

ADJOURNMENT

On motion by George Hinton to adjourn the meeting of March 6, 2023. Council agreed unanimously. The meeting of March 6, 2023 adjourned at 7:33 p.m.


Louise Firestone, Borough Manager

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

MEETINGS ATTENDED:

February 2, 2023 – attendance at regular monthly meeting of Borough Planning Commission

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

February 21 2023 – attendance at regular mid-month meeting of Borough Council

SUBDIVISION MATTERS:

Receipt, Review and Administration of Borough Engineer Review Letter (Fourth Review) dated February 1, 2023 and Quantity and Cost Estimate dated January 29, 2023 re GK Industrial Park II-revised Lot Annexation Plan

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of Borough Engineer Review Letter (Third Review) dated February 1, 2023 and e-mail dated February 16, 2023 as to Left Turn Lane vs. On-street Parking on Southy Broadway re CRG Plan – 900 Industrial Drive

ZONING AND OTHER LAND USE MATTERS:

Receipt, Re-Review and Administration of Access Easement Agreement, Suggested Additions to Agreement and e-mails to/from Verizon Attorney-K. Durso and Borough Solicitor and Borough EIT Pysher and Borough Engineer Status of the Site Plan Review (Second Review) re Verizon Cell Tower

Receipt, Review and Administration of emails to/from Borough EIT Pysher as to violations of the issued NPDES Permit re Green Knight Industrial Park II

Receipt, Review and Administration of emails from Borough EIT Pysher and Borough ZO Borzak re need for a LD Plan for Billboard on 976 So. Broadway

Receipt, Review and Administration of emails form Councilman and Emergency Management Coordinator-D. Hess, Borough ZO-S. Borzak and Borough Manager-Firestone re Fire Protocol

DEVELOPMENTS ON OUTSTANDING LITIGATION:

Receipt, Re-Review and Administration of File and Telephone Conference with Attorney A. McFall re Gassler Quiet Title Action and Related Maps

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Receipt, Review and Administration of Several Right-to-Know Requests by R. Smith (with Borough Open Records Officer Responses) including requests for text messages, e-mails and making copies of all Zoning Ordinance Amendments from 2004 to date

Preparation of the February Planning Commission Meeting Agenda

Preparation of Monthly Solicitor's Report

OUTSTANDING ITEMS:

Stop Sign Ordinance

Dog Park Ordinance