

**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 Monday, May 6, 2024, 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 Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher and Borough Manager Louise Firestone. Absent was Councilman Alex Cortezzo.

**EXECUTIVE SESSION**

Council was in Executive Session, from 6:30 p.m. to 6:50 p.m., to discuss the Slate Belt Regional Police Association contract. Councilman Alex Cortezzo did participate via telephone in the Executive Session but was not in attendance at the council meeting.

**PUBLIC COMMENT**

1. Richard Smith, 34 Alpha Road, came before Council with questions and concerns about water runoff when the parking lot at the Municipal Complex is paved. Brian Pysher explained how the water would run and where it would be collected on the property.
2. Pete Albanese questioned when the Green Knights would be on the agenda. George Hinton said that it is not on tonight's agenda, therefore it cannot be acted on this evening.

**APPROVAL OF MINUTES**

**On motion** by Dave Manzo to approve the April 16, 2024, minutes and seconded by Patrick Webber. Roll call vote taken. Roll call vote taken. Council agreed unanimously.

**APPROVAL OF EXPENSES**

**On motion** by Jason Boulette to approve the expenses in the amount of \$43,126.05 and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

**SOLICITOR'S REPORT**

See attachment one (1).

**ENGINEER'S REPORT**

Brian Pysher reported on the Sewer Authority's progress on the Constitution Avenue project and confirmation that the pipe is installed which now begins the ninety-day waiting period to let the trench settle. Brian is concerned that the asphalt price index has been increasing and awarding a contractor prior to the construction date may initially inflate the cost due to the price uncertainty. PennDOT does allow for an escalator clause to be included in the

specs which would protect both parties. He has already sent out an addendum to delay the bid opening to the first meeting of June as the original bid opening advertised was for bid opening and award at tonight's meeting. One of the caveats of using Liquid Fuels would require Borough Council adopting a Resolution to apply the escalator clause because the small quantity limit for the asphalt is under 100 tons. The intent is to draft this resolution and adopt it at the mid-month meeting and then send out an addendum with the escalator clause that will protect the Borough and any contractor bidding on this project. It is in the Borough's best interest to delay the opening. This proposed Resolution will apply to both the Constitution Avenue and Oak Street paving projects.

Brian informed Council that survey stakes were put in at School Alley for the reconstruction project that includes the public parking area. At a previous Municipal Authority meeting, there was discussion regarding the sewer main and what the scope of a sewer project would be in the alley. This project may be limited to just the installation of the parking lot until all the details are worked out.

Brian stated that the municipal complex parking lot has been staked out and marked with the locations for the light standards. Now that the stakes are present, Rich and the street workers can schedule the work to dig and install the poles as time permits with the other projects going on right now.

A design for the walking trail below the basketball court, was prepared. The walking trail will connect the Lehigh Street parking lot to the trail along the back of the park with a walkway to the pickleball court gate. This project includes the installation of five storm drains off of the recreation courts to ultimately drain into a rain garden. The slab for the old fieldhouse had to be removed, the backstop has to come out, and the light standards have to come down. The street department will continue working on these portions of the project.

Brian was onsite two weeks ago and witnessed the improvements that were still outstanding according to a previously composed punch list for the Green Knights. He reported that the developer has satisfied the comments list. It would be his recommendation to put it into the eighteen-month maintenance period. After eighteen months, it will be reassessed for any additional issues and if there were issues, those would have to be addressed prior to the road being dedicated to the Borough. This item will be on the mid-month Council meeting scheduled for May 21, 2024.

Brian mentioned that there are still ongoing inspections at 20 Green Knight Drive warehouse, however they did not solve any issues regarding the sewer.

## **NEW BUSINESS**

1. Slate Belt Regional Police Association Contract – Action to Be Taken, Discussion / Approval

**On motion** by Dave Manzo to accept the Slate Belt Regional Policer Association Contract as presented and approved by the Slate Belt Regional Police Commission and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

2. Wind Gap Municipal Authority Recommendation – Action to Be Taken - Approval of Board Member Appointment – G. Dittrich

**On motion** by Jason Boulette to appoint Gregory Dittrich to the Wind Gap Municipal Authority Board and seconded by Mark Crossen. Roll call vote taken. In favor: G. Hinton, P. Webber, S. Bender, J. Boulette, M. Crossen. Abstained: D. Manzo. Motion carried: 5 – 0 – 1.

3. Transient Ordinance Update Discussion – Possible Action - Louise Firestone outlined the requirements should a request for a transient license be received in the office. A transient license allows a salesperson to go door to door trying to sell products or services to residents. This specific applicant has multiple services to sell such as: electricity, insurance and solar panels. The current ordinance is somewhat dated and there is a growing concern with the population of Wind Gap that people are not comfortable with someone (someone unknown to them) knocking on their door. In the past when a transient license was issued it was common that residents call the borough office or even the police. As the ordinance is currently written, the mayor has the power to request a background check prior to issuing this permit, but typically the person who has the background check completed is not always the person going door to door. The mayor has expressed concern that he solely has the power to issue this type of permit Bangor Borough indicated that they have an ordinance that closely resembles our ordinance and Pen Argyl also allows solicitation. Neither of these boroughs would appear to have as many issues as we do. Mayor Smith said this is something he has to deal with since being elected and he would like Council to review and have discussions about this item. We need a team to work on this for a better future state.

4. Acceptance of Credit Card Payments – Discussion / Approval – Necessity of Resolution / Ordinance - Louise will send information to Attorney Karasek so he may draft a resolution for the office use of credit card payments.

5. Slate Belt Regional Police Department Discussion – Qualifying at the Shooting Range – Posted on Property/Social Media – George Hinton said that we have an ongoing problem with the access to the shooting range that is located behind the Municipal Complex on the adjacent property, which allows the land to be used as a shooting range. Our building remains locked out of an abundance of caution, so something needs to be done to protect the safety of our employees, EMS and Fire Department people. In the beginning, the range was used for police gun qualifications for the Police Department. As time passed, additional departments including Bangor and Bushkill started using the range. George said we can post the property when our police department is back there using the range and then post where the gravel starts, No Trespassing signs. The only way we will know if someone is trespassing is to call the police. Dave Manzo said his suggestion is if we want to stop the public from going back through our property, put a gate up, and if the public wants to use it, since it is not our property, make them go through the other road. Brian Pysher said there is a deeded access across the property to get to the range which is part of the sub-division. The borough agreed to give the property owner access to the property in the back. George said the Attorney Karasek can look at the ordinance and give Council information on what we can do.

6. Park Committee Recommendation to Proceed – Action to be Taken Lehigh Valley Center for Independent Living Site Feasibility Study – George said that Louise and Dave Manzo had discussion on this. He would like them to come out and let us know the cost of doing the feasibility study.

**On motion** by Steve Bender to give the committee permission to move forward and get the cost for the feasibility study and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

## OLD BUSINESS

1. Street Intersection Pavement Marking Quotes – GuideMark Quote – The Borough received a quote from GuideMark to come in and to do the pavement markings at the intersections at Male Road and Route 512, S Broadway and 3<sup>rd</sup> Street, Broadway and Center Street, N. Broadway and Park. As requested by Council, two additional companies were contacted to potentially provide a quote. Those companies did not give a quote for the requested job.

**On motion** by Patrick Webber to have GuideMark do the pavement markings at the following intersections: Male Road and Route 512, South Broadway and Third Street, Broadway and Center Street, North Broadway and Park and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

2. Wind Gap Ambulance Recommendation for ALS Provider – Action to Be Taken – George Hinton reported that Wind Gap Ambulance met with several ALS providers. Their recommendation to the board is to have Nazareth Ambulance Corps as the ALS provider.


3. Junior Council Program – Mayor Smith reported that he received letters of interest from the six students that the Pen Argyl Area High School Principal has provided. The next step is to do the interviews.

## PUBLIC COMMENT

Pete Albanese and Council had discussion regarding 20 Green Knight Drive and School Alley.

## ADJOURNMENT

**On motion** by Dave Manzo to adjourn the meeting of May 6, 2024. Council agreed unanimously. The meeting of May 6, 2024, adjourned at 8:16 p.m.

  
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Louise Firestone, Borough Manager

**SOLICITOR'S REPORT – R. J. KARASEK, ESQUIRE  
WIND GAP BOROUGH  
NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA  
MONTH: March-April 2024**

**MEETINGS ATTENDED:**

March 4, 2024 - attendance at regular monthly meeting of Borough Council  
March 7, 2024 - attendance at regular monthly meeting of Borough Planning  
Commission  
March 19, 2024- attendance at regular mid-month meeting of Borough  
Council  
April 1, 2024 - attendance at regular monthly meeting of Borough Council  
April 16, 2024- attendance at regular mid-month meeting of Borough  
Council

**SUBDIVISION MATTERS:** None

**LAND DEVELOPMENT MATTERS:**

Receipt, Review and Administration of e-mails, Correspondence and updated Quantity and Cost Estimates as to Letter of Credit Reduction No. 2 re 20 Green Knight Drive LD Plan  
Receipt, Review and Administration of Deed/Right-of-Way for Dedication of Green Knight Road and Beers Way re 20 Green Knight Drive LD Plan  
Receipt, Review and Administration of Application, Plan-Revised Plan and Supporting Documents, Borough Engineer Review Letter (03-06-2024), Borough ZO Review Letter (03-07-2024), Computer Search on County Website for Deed and Tax Parcel Information re 3 Aide Properties LD Plan-537 Lehigh Avenue  
Receipt, Review and Administration of Application, Plan and e-mails re GK Industrial Park II-40 Green Knight Drive

**ZONING AND OTHER LAND USE MATTERS:**

Receipt, Review and Administration of e-mails and Computer Search on County website for Deed and Tax Parcel Information, Landex Search for Deed and Mortgage Information re Keenhold-Crane Cap, LLC-173 West Eighth Street (Units A, C and D)  
Receipt, Review and Administration of e-mails and Borough Ordinance No. 374-Lanlord Notification Ordinance  
E-mail from the Borough Engineer/EIT School Restoration Project

**DEVELOPMENTS ON OUTSTANDING LITIGATION:**

Receipt, Review and Administration of e-mails, ZHB Decision and Order granting Variances, Stenographic Transcripts of the Two (2) hearings, Preparation (and Filing in court) of Notice of Land Use Appeal and Praecipe for Appearance, Service of the Land Use Appeal upon the Applicant, Applicant's Attorney and the ZHB Solicitor and Receipt of the Notice of the Appeal from the Northampton County Office of the Prothonotary

**COURT DECISIONS ON BOROUGH CASES:** None

**MISCELLANEOUS:**

Preparation of Planning Commission Meeting Minutes of March 7, 2024  
Preparation of Monthly (February) Solicitor's Report  
Legal Research and Preparation of Open Meeting Law-Executive Session and Fire Company and Borough Council Conflict-Advice of Counsel

**OUTSTANDING ITEMS:**

Stop Sign Ordinance  
Dog Park Ordinance