

**BOUGH OF WIND GAP  
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WIND GAP, PA 18091  
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Wind Gap Borough Council meeting on Tuesday, January 16, 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 Mark Crossen, Dave Manzo 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 were Councilmen Jason Boulette and Alex Cortezzo.

**APPROVAL OF MINUTES**

**On motion** by Dave Manzo to approve the January 2, 2024 minutes and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

**NEW BUSINESS**

1. Council Vacancy Appointment / Discussion – George Hinton reported that we received two letters of interest for the vacant seat on Council.

**On motion** by Dave Manzo to nominate Steve Bender to fill the vacant seat on Council and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

2. Adrienne Fors, Sr. Community Relations Specialist, Waste Management was not in attendance due to the weather.

3. A.J. Olszewski – Director of Operations, Wind Gap Ambulance Corps was not in attendance due to the weather.

4. Committee Appointment Approvals

**On motion** by Dave Manzo to nominate James Shoemaker as Vacancy Board Chair and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

**On motion** by Dave Manzo to nominate Patrick Webber as Wind Gap Planning Commission Board Member for a four-year term and seconded by Steve Bender. Roll call vote taken. In favor: S. Bender, M Crossen, G. Hinton, D. Manzo. Abstained: P. Webber. Motion carried: 4 – 0 – 1.

**On motion** by Dave Manzo for Council President George Hinton as Delegate and Mayor Wesley Smith as Alternate to the Slate Belt Regional Police Commission and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

**On motion** by Patrick Webber and second by Dave Manzo for the following:

Louise Firestone as Delegate and Mayor Wesley Smith as Alternate for the LVPC General Assembly,

Mayor Wesley Smith as Delegate and George Hinton as Alternate for the Slate Belt Council of Government (COG),  
Louise Firestone, Mayor Wesley Smith and George Hinton for the Municipal Comprehensive Plan Steering Committee,  
Louise Firestone and George Hinton for Slate Belt Rising,  
Debra Harbison as Open Records Officer.

Roll call vote taken. Council agreed unanimously.

## **OLD BUSINESS**

1. Municipal Complex Paving Project Discussion / Approval – Brian Pysher provided Council with a site plan drawing for the paving, concrete work, and electrical lighting.

**On motion** by Steve Bender to authorize Borough Engineer, Brian Pysher, to move forward with the final design of the paving project and authorization to put the project out to bid and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

## **COMMITTEE REPORTS**

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

Louise Firestone reported that the grant application was submitted for the \$25,000 for the natural gas conversion. The County acknowledged receipt of the application, but she has not heard back regarding any questions.

The bidding thresholds for 2024 has been provided by the State Association of Boroughs as outlined by the Pennsylvania Department of Labor & Industry.

Louise, George, and Rich are having a meeting tomorrow with the property owner who owns the wooded lot on the west side of Broadway, above the cell tower. The Borough had to close North Broadway and with the assistance of the Wind Gap Fire Company removed trees that had fallen across the road. The property owner was contacted and they agreeable to meeting onsite to discuss a plan to cut back some of those trees so they are not falling and causing a potential hazardous situation.

As per PennDOT, they are responsible for state roads, but the Borough is responsible for anything under the road.

Dave Manzo reported that he has one correction for the Municipal Authority report. The money from the H2O grant was awarded. It was applied for and supported by Lou Pektor.

Dave Manzo asked if the 53 Right-to-Know requests were for 2023. Louise said yes, they were from 2023.

**On motion** by Dave Manzo to accept the Committee Reports with the corrections and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

## MAYOR SMITH REPORT

Mayor Smith reported that the grant from Northampton County for the conversion of the building was discussed and thanked Louise for completing the paperwork.

The Mayor reported that he was unable to attend the last COG meeting due to a last-minute emergency. The members of the Council of Governments passed the 2024 budget. The re-organization will occur on January 24, 2024 along with discussion regarding the use of the camera system for sewer lines.

Mayor Smith explained that he was in favor of passing the COG budget, but that was based on the Borough being charged \$700 for the annual dues. The Borough has since received an invoice for \$1,400. The Chairman and Secretary of the COG indicated that going through previous years, they found a mistake and Wind Gap should have been paying \$1,400, the rate that Pen Argyl and Bangor are invoiced. Previously, Wind Gap was grouped with Portland, Roseto, and East Bangor, some of the smaller municipalities with dues set at \$700. As he looked into it, talking with Louise, Wind Gap was supposed to pay \$1400 a year, but the dues were reduced to \$700 more than 10 years ago because the COG feared that municipalities were going to drop out. He asked Solicitor Karasek what we can do if there was a motion and it was voted on unanimously. Attorney Karasek said that, if there if was a motion and it was passed, he does not believe that they can ask for \$1,400. Council agreed that this year Wind Gap should pay the \$700 and starting in 2025 the rate will be \$1,400.


## PUBLIC COMMENT

1. Attorney Karasek said that he has a comment that deals with a matter that he would like to advise Council about. In November, Crossroads LLC, Green Knight, wanted to begin earth moving and other things without having the Land Development Agreement recorded. It was agreed by Council that, as long as there was no vertical construction, the letters of credit, performance, and security was posted, and escrows were paid, they could perform that with an indemnification agreement which was signed. The reason why the plan could not be filed was that they still needed zoning approval of whether or not the size of the building, that went up by 0.2%, was within the 40% impervious coverage rule or whether it was over the 30% impervious cover rule. The Zoning Board decision just came down at the end of December, and the Lawyer asked if we can now file the plans. As far as he is concerned, he does not have a problem with that because they did what we asked them to do. They went to the Zoning Board, and they did allow them the extra increase in the footprint. They take their own risk if there is an appeal. Their plans can now be recorded.

2. Pete Albanese had questions regarding plans and agreements being recorded. Attorney Karasek verified that the plans were recorded in 2020. Pete wanted to know if the paving at the Municipal Complex was going to be done by the Street Department. Louise said this project will go out to bid because of the extensive base work that needs done, but we will do what we can do in-house. Pete indicated that Wind Gap Electric will help in any way he can, so Brian will forward the plans.

## ADJOURNMENT

**On motion** by Steve Bender to adjourn the meeting of January 16, 2024. Council agreed unanimously. The meeting of January 16 adjourned at 7:44 p.m.

  
Louise Firestone – Borough Manager

## **JANUARY 16, 2024 MONTHLY REPORT**

### **STREETS:**

1/12/2024 – Meeting with Rich Fox, George Hinton, Brian Pyscher, Louise Firestone to discuss 2024 projects and general street department projects.

1/17/2024 – Meeting scheduled with property owner, T. Calantoni, of North Broadway regarding falling trees obstructing the roadway. Borough Street Dept. / Fire Co. closed North Broadway on 1/12/2024 to cut up and remove a tree blocking the road. Observation/concern regarding additional trees that may fall during the winter/spring weather.

### **PENDING ITEMS:**

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

### **POLICE:**

Slate Belt Regional Police Commission meetings are scheduled for first Tuesday and third Thursday of every month – 5:00 p.m. at the following advertised locations:

January thru April	Pen Argyl Borough Hall
	11 N Robinson Ave
May thru August	Wind Gap Borough Municipal Complex
September thru December	Plainfield Township Municipal Building
	6292 Sullivan Trail

2023 – December Parking Violations – 2 total

▪ Inspection – 1 total	\$10.00
▪ Prohibiting Parking – 1 total	<u>\$15.00</u>
	\$25.00

December 2023 Monthly Calls for Service Police Activities - 330

Wind Gap – 72	Pen Argyl – 108	Plainfield Township – 150
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Slate Belt Regional Police Department – Contract Negotiations are continuing.

**EMERGENCY MANAGEMENT:** Dave Hess, Emergency Management Coordinator

November Activity

- 11/25/2023 – Responded to the area of 241 E. Center St for raw sewerage discharging from a manhole into the street and storm sewer – WGMA took responsibility. No Assistance Required

December Activity

- 12/13/2023 – Attended quarterly meeting. Presentation from Northeast Counter Terrorism Taskforce.
- Beginning to update the Borough's Emergency Management Plan (EMP)
- **REMINDER:** All Elected Officials should complete NIMS IS-700 and ICS-100. Contact Dave Hess if there are any questions.

**WASTE MANAGEMENT:**

Neighboring Partnership Agreement: (\$1.20 per ton)  
December 2023 = \$70,079.89 – Checked Received January 2024  
Actual Funds Received in 2023 = \$838,982.35  
Total tonnage in 2023 = 707,263.46

**WIND GAP AMBULANCE:**

Meeting scheduled for Wednesday, January 17, 2024

**FIRE COMPANY:**

Calls for the Month of December 15 / 164 Calls for the Year

- 2 Motor Vehicle Accidents – unknown injuries
- 1 Elevator Rescue
- 3 Dwelling Fires
- 2 Trees Down
- 5 Fire Alarms
- 1 Trash Fire
- 1 Wire Down

**2024 Officers:**

Fire Chief Dan Sinclair  
Deputy Chief Brett Riker  
Asst. Chief Kyle Reinert  
Capt. Allen Jennings



**PARK:**

2019 Northampton County Livable Landscapes Grant Close Out Report Completed  
Funding through the Livable Landscapes Grant assisted with the cost of the surface paving of the Wind Gap Park Trail Loop  
Grant Award was **\$79,303**

**1/12/2024 Funds Received – to be placed in Capital Reserve**

2021 Northampton County Livable Landscapes Grant  
Funding through the Livable Landscapes Grant will be used to assist with the cost of the Cross Section Trail (below the fenced in courts going east/west), the Rain Gardens/Signage  
Grant Award was \$75,000  
Extension Granted through December 31, 2024

**WIND GAP MUNICIPAL AUTHORITY:**

Meeting – Wednesday, December 27, 2023

CRG Property is now CUBE (another property located on Airport Road) – Reviewed the documents for the agreed upon \$1,400,000 to be invested in infrastructure (pipe) upgrades to allow for the increase in flow

No money from H2O Grant applied for and supported by Lou Pektor

WGMA discussed concerns related to possible water issues at the T. Klump Third Street Development

WGMA has drafted an Employee Handbook and they are currently reviewing the document

The Constitution Avenue project was awarded to J. Phillips Excavating & Hauling  
\$302,821.52:

- Remove / Dispose 6 Sanitary Manholes
- Furnish / Install 6 Sanitary Manholes
- Remove Existing Gravity Sewer Main
- Install Owner Supplied 8" PVC Gravity Sewer Main including backfilling
- Install Owner Supplied 6" PVC Gravity Sewer Lateral including backfilling
- Reconnect Lateral & Install New Two-Way Tee

2024 Budget Approved

**ZONING:**

Zoning Hearing Board Meeting scheduled for **Thursday, January 18, 2024**

L. Albanese – Alpha Road/Pear Street

- Appeal by applicant seeking a Variance to Article 402.A.2 of the Zoning Ordinance for relief of bringing Pear Street up to Borough standards in order to construct a single-family dwelling. The ordinance requires every principal building shall be built upon a lot with frontage upon a public or private street improved to meet Borough standards. The applicant is seeking relief of this requirement.

A. Kharb, (Xclusive Auto Ltd.)

- Appeal by applicant seeking to establish an Auto Service Station on two properties adjacent to 29 Mechanic Street. The properties are located in the R-8 Medium Density Residential Zoning District. The applicant is requesting a Variance by Estoppel or, in the alternative, a Variance from Article 307.B, uses Permitted by Right in the R-8 District. The applicant will also seek a Dimensional Variance from Article 701, Table 7.1 for off street parking spaces – Required spaces = 27 / Proposed spaces = 15.

Property at 389 North Broadway Fined for Exterior Structure – Court Fine = \$1,256

**PLANNING:**

No Planning Meeting was held in January 2024

**OFFICE/BUILDING:**

Submitted GROW NorCo Grant Application for \$25,000  
“Wind Gap Borough Municipal Complex Natural Gas Conversion”

Parking Lot - \$35,000 from 2021 Grow NORCO Grant  
Request for Extension until December 31, 2024

**FINANCIALS:** – Balances as of December 31, 2023:

<b>General Funds:</b>	\$49,354.89
<b>Money Market Funds:</b>	\$595,462.98
<b>Capital Reserve Funds:</b>	\$2,078,040.82 (\$665,362.83 – Sale of Borough Properties)
<b>State Liquid Fuels Funds:</b>	Current Balance = \$247,821.70 (Allocation Based on 9.36 miles / Population of 2720)

**ESTIMATED** Liquid Fuels Allocation for 2024 = \$79,703.19  
**ESTIMATED** Turnback Allocation for 2024 = \$1,680.00  
(Turnback allocation is for Male Road .42 miles)

2023 – Open Receivables for Real Estate      Balance = \$18,266.73

2023 Borough Audit Scheduled for Thursday, February 1 and Friday, February 2, 2024

**BIDDING THRESHOLDS FOR 2024:**

- Purchases and contracts below \$12,600 require **NO** formal bidding or written/telephonic quotations.
- Purchases and contracts between \$12,600 and \$23,200 require **THREE (3)** written/telephonic quotations.
- Purchases and contracts over \$23,200 **REQUIRE FORMAL** bidding.

**RIGHT-TO-KNOW REQUESTS – 2023:**

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