

**BOROUGH OF WIND GAP
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WIND GAP, PA 18091
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Wind Gap Borough Council meeting on Tuesday, September 19, 2023, 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 Dave Hess, Steve Bender, 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 Jeff Yob and Alex Cortezzo.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the September 5, 2023, minutes and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

NEW BUSINESS

1. Rob Hoffman – Traffic Planning & Design – CRG Warehouse Project – PennDOT Highway Occupancy Permit - Rob Hoffman came before Council on behalf of the CRG warehouse project. Traffic Planning & Design is advancing through the PennDOT approval process with the completion of some clerical items. PennDOT requires a permit application for the removal of Alpha Road and since it is a borough road the permit application must be signed by the Borough. Traffic Planning and Design would file that permit on behalf of the Borough. George Hinton asked for an update of this project as far as the planning process with Plainfield Township. Rob Hoffman assured Council that if all the approvals do not go through with the township for the warehouse project, the submitted permit application would not be necessary since this project would not happen. Mr. Hoffman added that they are still in meetings with Plainfield Township and working through their planning process. Attorney Karasek stated that if Council has concerns about signing a permit application related to this project, then language can be added to safeguard against any liability such as this permit is in condition upon completion of the project with Plainfield Township. Rob Hoffman said that Attorney Karasek would have to do that as a separate, stand-alone letter attachment. Brian Pysher added that he feels discussion still needs to occur regarding ownership of the road.

On motion by Dave Hess to grant signing the PennDOT application, but with an attached letter stipulating that the permit is conditioned upon the project being approved and made part of the PennDOT application and seconded by Steve Bender. In favor: D. Hess, G. Hinton, P. Webber, S. Bender. Opposed: D. Manzo. Motion passed: 4 – 1.

2. Proposed Industrial Development – 480 & 454 Male Road - Request from Bushkill Township for Comments – Reference – Dynamic Engineering Consultants letter dated Sept 14, 2023 – Steve Walsh and Lou Pektor came before Council regarding the proposed development on Male Road. Although the proposed industrial development is physically located in Bushkill Township, they are looking to minor Male Road improvements by widening the road through Plainfield into the Borough along with specific improvements to the driveway into the property.

PennDOT is looking for comments from Plainfield and Wind Gap. The proposed development would include light manufacturing and processing warehouse buildings. George stated that since the development is located in Bushkill Township, Wind Gap does not have any specific comments other than informing them that Wind Gap owns the bridge, and the bridge has been weight restricted. Plainfield and Bushkill townships can approve of developments within their municipalities and gain real estate taxes, but ultimately Wind Gap is stuck with the traffic issues with no revenue to assist in resolving infrastructure problems. Lou Pektor asked if there has been any attempt to improve the bridge or campaign for help. Dave Hess said yes, the Borough has been proactive discussing our concerns with State Representatives and applying for grants. Louise said that the Borough applied for a Multi Modal Transportation Grant in 2022, with matching funds committed through the Green Knight Economic Development Corporation and from Cabot Properties. During that grant funding round, the Borough was awarded \$200,000. This year another application was submitted for the Multi-Modal Transportation Grant for the "Male Road Bridge Replacement and Pedestrian Improvements Project". For this year's application, we received an updated estimate from Gilmore and Associates for the same project scope and that quote was roughly \$200,000 more than it was last year. As part of PennDOT bridge program, all bridges must be inspected every other year at a cost to the owner of the bridge. Because of the rating, the Male Road Bridge is now on an annual inspection cycle, which is an additional cost to the Borough. We do not possess funding in-house to replace the superstructure as recommended by PennDOT. The Borough hopes that we can secure enough funding through grants and private ownership to not only replace the bridge, but to construct a safe pedestrian walkway to the Wind Gap Plaza.

Brian Pysher questioned whether the Traffic Impact Study addressed the intersection at Male Road and Broadway. Steve Walsh replied that a study was completed, but the results were similar to previous studies. Brian asked if they are looking at the buildout of the industrial development that is there, as far as the traffic projection. Steve Walsh said they are building on the prior reports. Brian said our concern would be the Male Road intersection, we know it is an issue from previous studies. Attorney Karasek said if the Borough wants to make comments with respect to Male Road or the bridge, he will do a letter. Brian said it would be about Male Road bridge and the condition that it is in and the functionality of the intersection.

On motion by Steve Bender to authorize Borough Engineer, Brian Pysher, to draft up a letter regarding Male Road Bridge and the Route 512 intersection related to the Proposed Industrial Development at 480 & 454 Male Road (Bushkill Township) and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

On motion by Dave Manzo to accept Mr. Pektor's offer of a \$350,000 contribution for the Male Road Bridge Replacement Project and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

3. Approve Resolutions for Northampton County / Monroe County Local Share Account (LSA) Grants for Slate Belt Regional Police Dept Vehicles - Louise Firestone reported that on behalf of the Slate Belt Regional Police, she will be submitting a grant application to Monroe County and one to Northampton County for police vehicles, with no monetary commitment on behalf of the Borough.

On motion by Dave Hess to authorize Louise Firestone to submit LSA grant applications to Monroe County and Northampton County on behalf of the Slate Belt Regional Police Department for police vehicles and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

4. 2024 Draft Budget - George Hinton reported that a draft copy of the 2024 budget was sent to Council.

On motion by Dave Manzo to table and discuss the 2024 Budget at the next council meeting and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. Plan Slate Belt Comprehensive Plan Update – George Hinton reported that he attended the last meeting. At that meeting, they made a motion to start the 45 days to move the plan forward and the vote was unanimous. Lehigh Valley Planning Commission (LVPC) will make the necessary plan to schedule the public meetings. No official action by Wind Gap Borough Council is necessary at this time.

2. Complaints about Bicycles on Basketball/Pickleball Courts-Park Ord No. 410 – George Hinton reported that we do have an ordinance in place and there is a fee schedule not to exceed three-hundred dollars (\$300.00). Attorney Karasek reported that ordinance 410 deals with the park has been amended twice. He recommended having the ordinance reviewed and making any proposed additions and changing the enforcement from Wind Gap Borough Police Department to list the Slate Belt Regional Police Department to enforce the ordinance keeping in mind that an ordinance must be advertised prior to adoption. Steve Bender said his suggestion would be for the basketball court, tennis court, and pickleball court to prohibit the bicycles, rollerblades, etc. and not the entire park. He thought that dogs should be allowed, but specifically not in the play area. This ordinance will be reviewed with proposed changes for further discussion.

ZONING OFFICER'S REPORT

Suzanne Borzak reported that she had submitted a written monthly zoning report and asked if there were any questions or concerns.

COMMITTEE REPORTS

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

Dave Hess stated that he had additional comments to his report under Emergency Management regarding an event in the park. He would like to suggest that a special application be submitted to Council prior to approving any special events and a permit be issued for any event in town or at the park. Families First had a 5K race and there were people all over the street. There need to be guidelines on what is acceptable and a checklist confirming that all necessary entities will be notified prior to the event. Attorney Karasek stated that other municipalities have a specific release form that must be signed prior to races. Louise will research and draft up a check list along with rules.

MAYOR SMITH REPORT

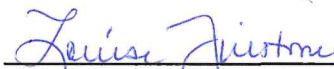
Mayor Smith reported that the COG met on August 23, 2023. He will attend the next meeting scheduled for September 2, 2023.

PUBLIC COMMENT

No one appeared before Council during Public Comment.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of September 19, 2023. Council agreed unanimously. The meeting of September 19, 2023, adjourned at 8:04 p.m.



Louise Firestone – Borough Manager

SEPTEMBER 19, 2023 MONTHLY REPORT

STREETS:

Completion of Roosevelt Street Inlet boxes / pipe
Contractor to install curbing – Tentatively scheduled for Thursday, September 21, 2023

General maintenance completed on street vehicles
2013 Ford F-550 – replaced rear brakes/rotors
Scheduled for Inspection – September 19, 2023

Minor storm damage to Maintenance Garage – Tree fell on backside of building

PENDING ITEMS:

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

POLICE:

July Monthly Calls for Service 502 Police Activities
Wind Gap – 166 Pen Argyl – 136 Plainfield Township – 200

August Monthly Calls for Service 424 Police Activities
Wind Gap – 146 Pen Argyl – 112 Plainfield Township – 166

The Department's hiring process continues. Five (5) applicants have been chosen to move forward in the background phase of hiring. All applicants are to have their completed background packets returned to the Department no later than September 22, 2023.

Wind Gap is awaiting answers to the following:

Security Deposit of \$4,707.50 – was it paid during the inception of the SBRPD – if so, should it be reimbursed?

Does SBRPD pay a garbage fee to the Township as part of the 70% Utilities?

Has Plainfield Township shopped/locked in an electric rate? If not, this needs to be done as soon as possible in order for the SBRPD to better accurately budget for electric as it currently stands, the electric rate for Plainfield Township fluctuates.

Slate Belt Regional Police Department – Contract Negotiations are continuing.

EMERGENCY MANAGEMENT:

Several phone conversations with Industrial Communications for programming of the new portable radio – cost offset by grant funds received from Green Knight Economic Development Corporation.

WASTE MANAGEMENT:

Neighboring Partnership Agreement:

August 2023 = \$77,989.62

Total Funds Received in 2023 = \$618,783.56

WIND GAP AMBULANCE:

126 total calls for August – Wind Gap Boro = 69 / Monroe Cty = 15 / Transports = 42
Response Times 1.63 Minutes Avg (from dispatch to responding)

FIRE COMPANY:

12 Calls for the Month of August / 99 Calls for the Year

- 1 Motor Vehicle Accident – unknown injuries
- 1 Motor Vehicle Accident – with injuries
- 1 Burn Complaint
- 1 Fire Alarm
- 1 Move up Assignment
- 2 Dwelling Fires
- 5 BLS Assist

2023 Commonwealth State Aid Allocation supporting the Volunteer Fire Relief Association is **\$16,403.88**. The allocation is in accordance with Act 205 of 1984, which stipulates that 50 percent of the allocation is based on population of the municipality, and 50 percent is determined by the market value of the real estate in the municipality compared to the state average.

WIND GAP MUNICIPAL AUTHORITY:

67 Park Avenue – Letter was sent requiring the property owner to install a 1,000-gal grease trap prior to opening the business.

Sump pumps – can sump pumps legally be discharged into the sewer system

Discussion for increasing revenue for the Sewer Authority in order to do more capital improvements.

PLANNING:

No planning meeting was held in August / September.

ZONING:

No zoning hearing board was held in September.

FINANCIALS: – Balances as of August 30, 2023:

General Funds:	\$108,535.21
Money Market Funds:	\$1,385,936.97
Capital Reserve Funds:	\$1,771,459.34 (\$665,362.83 – Sale of Borough Properties)
State Liquid Fuels Funds:	Current Balance = \$243,585.08 (Allocation Based on 9.36 miles / Population of 2720)

ESTIMATED Liquid Fuels Allocation for 2024 = \$79,03.19

ESTIMATED Turnback Allocation for 2024 = \$1,680.00

(Turnback allocation is for Male Road .42 miles)

PLAN SLATE BELT – Multi-Municipal Comprehensive Plan:

Meeting was held Thursday, September 7, 2023 at Pen Argyl Borough Hall

Steering Committee voted to begin the 45-Day Public Review Process

“Article XI of the Pennsylvania Municipalities Planning Code (MPC) enables municipalities to enter into intergovernmental cooperation implementation agreements to implement multi-municipal comprehensive plans. While the MPC does not necessarily compel municipalities to enter into these agreements, without one in place, the comprehensive plan remains in effective. These agreements, pursuant to Article XI of the MPC, allow for municipalities who have adopted a multi-municipal comprehensive plan to continue working cooperatively to provide the local and regional benefits that these plans can offer. Besides the financial benefits of working together and potentially sharing resources, one of the greatest benefits of a multi-municipal plan is the ability to share land uses among the multi-municipal region. Case law has held up the MPC’s requirement that Pennsylvania has fair share zoning doctrine, which declares that all municipalities with zoning need to provide for a fair share of all potential uses. In 2000, Act 67 amended the MPC to allow municipalities to share uses if they are within a multi-municipal plan and have developed an implementation agreement. Without the implementation agreement, municipalities cannot restrict certain uses within their boundaries. With an implementation agreement, participating municipalities can restrict uses, if another municipality will accept those uses. By utilizing this effectively, proper land uses can be planned for in appropriate locations.”

Elements of an Intermunicipal Cooperative Planning Agreement for Implementation of Multi-Municipal Plan – Outlines how communities will collectively implement the multi-municipal plan – Copies provided to Council