

**BOUGH OF WIND GAP
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WIND GAP, PA 18091
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Wind Gap Borough Council meeting on Tuesday, February 20, 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, Patrick Webber, Jason Boulette and Alex Cortezzo. Also in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysner, and Borough Manager, Louise Firestone.

Councilman Alex Cortezzo joined the meeting at 7:07 p.m.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the February 5, 2024, minutes and seconded by Jason Boulette. Roll call vote taken. In favor; S. Bender, J. Boulette, M. Crossen, G. Hinton, D. Manzo. Abstained: P. Webber. Motion carried 5 – 0 – 1.

NEW BUSINESS

1. Adrienne Fors, Sr. Community Relations Specialist, Waste Management introduced herself to the new Council members. She shared landfill packets with Council. Inside the packet was information on the HRA update, LF detail, event list, and QR Code – video links. She confirmed that the Landfill Tour for February 27th still has a few spots available. Any events held are on their website and on Facebook and are updated regularly.

2. Emergency Operations Plan (EOP) - Adoption of Resolution 2024-01. Emergency Management Coordinator, Dave Hess, gave an overview of the necessity to update the EOP and adopt the resolution.

On motion by Alex Cortezzo to approve the adoption of Resolution 2024-01 Emergency Operations Plan (EOP) and seconded by Steve Bender. Roll call vote taken. Motion carried unanimously.

3. Junior Council Person Program - Jason Boulette gave an overview of the program and shared a resolution with Council.

On motion by Steve Bender to authorize Attorney Karasek to write a resolution and to have Jason Boulette, George Hinton, and Mayor Smith form the committee and seconded by Jason Boulette. Roll call vote taken. Council agreed unanimously.

4. Wind Gap Municipal Authority Recommendation/Approval – Kyle Dieter

On motion by Patrick Webber to appoint Kyle Dieter to the Wind Gap Municipal Authority Board and seconded by Jason Boulette. Roll call vote taken. Council agreed unanimously.

5. Zoning Ordinance Amendment - George Hinton reported that this was discussed at length at a Planning Commission meeting. Attorney Karasek said that a recommendation was made, but this was never brought to Council for review and approval to advertise. Suzanne said that the Board voted to send it to Lehigh Valley Planning for review and recommendations. Jason Boulette had questions on Section 608, General Sign Regulations, item i. Flashing, blinking, mechanically moving, twinkling or animated signs of any type are prohibited. Under Section 611, you have regulations for digital and electronic message signs. The current electronic signs, which prompted all this, would that go under 608 i in terms of being prohibited. He asked for clarification of sections 608 and 611. Suzanne replied that the flashing or blinking signs are normal signs. Digital signs do not meet that requirement. They have a separate set of requirements, such as how fast they can turn and change. Billboards are off premise signs, and they would have to follow the second set of rules. This amendment is because of the curb on Route 512. This will prohibit any off- premises signs except for Route 33. Steve Bender asked if a flashing sign, in his driveway, would be prohibited? Suzanne said he would be prohibited either way, his property in the residential district.

Alex Cortezzo said that in the proposed sign ordinance section 603 refers you to 601.C.2, but that section is not in this. Suzanne said it is a typo. Attorney Karasek said the question is whether Council is okay for this zoning amendment to be advertised or would Council like to read it and put it on the agenda for March for further discussion and approval to advertise. The recommendation was to table this topic until the March 4, 2024, meeting. Council directed Zoning Officer, Suzanne Borzak, to go over this draft and make corrections based on tonight's discussion and review it for clarity.

OLD BUSINESS

1. Male Road Bridge – Service Agreement Update – George said this agreement was approved at our last meeting, but additional questions came up, so Brian compiled a list and forwarded those to the engineer at Gillmore and Associates. George reported that Council was in receipt of the response correspondence which answered the questions and concerns of Council. As a follow-up, Jason requested that Council be provided the project timeline as previously discussed.

2. Verizon Cell Tower Update - Attorney Karasek updated Council on the Verizon Cell Tower Appeal. The matter was scheduled for disposition on brief (and without formal oral argument) at Argument Court today in Northampton County. The Court could potentially take up to six (6) months to render a decision. If Attorney Karasek has any correspondence and update regarding the case, he will provide it to Council.

3. George Hinton asked Attorney Karasek what would happen if the Wind Gap Borough Zoning Hearing Board made a decision, and he or any other member does not agree with their interpretation: what is our appeal process? Attorney Karasek said the Borough is always a party to any Zoning Hearing decision, even if they do not participate in the hearing and can always appeal a decision. The Borough could intervene in this case, but would have to have a basis to intervene, such as something about the decision affects you more than the ordinary citizen of the Borough. Attorney Karasek stated that there are strict time guidelines on when a decision must be provided and then a period of time to appeal that decision.

ZONING OFFICER REPORT

Suzanne Borzak sent in a written report prior to this evening's meeting. Suzanne reported that she has been working with PennDOT regarding the billboard on South Broadway. The piece of property that the billboard is on is very narrow. There is a Plainfield Township sign around 20 feet away from the billboard and PennDOT wants a zoning permit approval from Plainfield Township. PennDOT indicated to Suzanne that they will be amending their permit for the billboard. Suzanne asked Council if they had any questions related to her written report.

George Hinton had questions regarding 502 N Broadway. Suzanne said that it is a multi-family dwelling. The property is currently owned by a trust and one of the daughters is buying it from her siblings. The bank called the office looking for the number of rental units in the house as reported to the Borough. Suzanne reviewed the file and documentation in the file indicated that there are four units, but the bank indicated that were informed that the property has six units. Suzanne went to the site to verify the number of units, and there are currently six units. Suzanne explained to the family that they must make application to the Zoning Hearing Board and prove a hardship. This hearing is scheduled for April. George added that this property is important to Council due to the proposed warehouses being built in Plainfield Township which potentially includes the realignment of roads and parking restrictions on North Broadway.

George inquired if Suzanne was able to contact the property owner to cut the trees that are falling in the road for the mobile home park at the top of the hill. She contacted the management company and asked them to go look at their trees and cut down the ones which could potentially fall onto Broadway. Suzanne was informed that two of the mobile homes that were condemned would be demolished. She will review the original plans to find out how many homes are approved for the property.

George asked about the proposed apartment building on North Lehigh Avenue. Suzanne responded that she does not think the plan as submitted will work on that parcel of land. That project is scheduled to be on the agenda for the March 3, 2024, Planning meeting.

COMMITTEE REPORTS

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

Louise Firestone reviewed the financial statements of the General account, State Liquid Fuels account and the Capital Reserve account. The WM landfill tipping fees report was also reviewed.

MAYOR SMITH REPORT

Mayor Smith reported that George Hinton attended the last Slate Belt Council of Governments (COG) meeting and expressed Wind Gap's concern that the SBCOG 2024 budget was approved with Wind Gap dues set at \$700, but when the invoice came and the total amount due from Wind Gap was \$1,400. The COG will discuss this topic at their next meeting which is scheduled for February 28, 2024.

The COG discussed allowing the camera system to be used for sewer systems. An SOP is being created now. He attended the Plan Slate Belt meeting earlier this month. He will provide additional updates within a month or so. Mayor Smith reported that the volunteer fire fighters were sworn in at their meeting last night.

PUBLIC COMMENT

No public comments were heard at this time.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of February 20, 2024. Council agreed unanimously. The meeting of February 20, 2024, adjourned at 8:22 p.m.



Louise Firestone – Borough Manager

FEBRUARY 20, 2024 MONTHLY REPORT

STREETS:

Meeting with Tyler Bartron, PA American Water (PAWC) – Feb 15, 2024

- Constitution Avenue Project – Stormwater / Street Paving
 - PA American will be doing pipe restoration work – several days
- Male Road – Water Main Installation
 - Will be boring under wetlands on east side of Rt 33. PA DEP denied PA America Water’s application because the project encroached on the EV status of the wetlands. (EV = Exceptional Value Wetlands). Since the letter dated November 29, 2023 PA American Water has reconfigured their plan and re-submitted their application. Awaiting PA DEP determination for project.
- East Second Street Water Main Project
 - This project has been re-scheduled for 2026-27
- CRG Warehouse Project (The Cubes at Wind Gap LLC) – Water Service
 - PA American Water – has not received any updated information from the developer
 - If project approved – Extensive work for water main on North Broadway
- Miscellaneous Items
 - Installation of water line to WG Community Garden to be scheduled

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:

Exploring options for Animal Control Officer (ACO)

Chief Hoadley presented information regarding Ms. Christine Mammi acting in the role of Animal Control Officer for the Slate Belt Regional Police Department (SBRPD)

2024 – January Parking Violations – 7 total

▪ Inspection – 5 total	\$50.00
▪ Registration – 2 total	<u>\$20.00</u>
	\$70.00

January Monthly Calls for Service Police Activities - 701

Wind Gap – 165 Pen Argyl – 146 P Plainfield Township – 390

Slate Belt Regional Police Department – Contract Negotiations are continuing.

EMERGENCY MANAGEMENT: Dave Hess, Emergency Management Coordinator

January 2024 report: Completed updating the Borough's Emergency Operations Plan (EOP) for Council to adopt. Resolution 2024-01

WASTE MANAGEMENT:

Neighboring Partnership Agreement: (\$1.20 per ton)
January 2024 = \$68,279.05
Actual Funds Received in 2023 = \$838,982.35
Total tonnage in 2023 = 707,263.46

WIND GAP AMBULANCE:

2023 Year End Calls Summary:

Wind Gap Boro	= 800
Monroe Cty	= 147
Transports	= 488
Standby	= <u>8</u>
TOTAL CALLS	=1443

Response Times 1.96 Minutes Avg (from dispatch to responding)

2024 January

Wind Gap Boro	= 61
Monroe Cty	= 14
Transports	= 29
Standby	= <u>2</u>
TOTAL CALLS	=106

Response Times 2.63 Minutes Avg (from dispatch to responding)

FIRE COMPANY:

20 Calls for the Month of January

- 5 Motor Vehicle Accidents – unknown injuries
- 2 Vehicle Fires
- 2 Fire Alarms
- 6 Tree Downs
- 3 Dwelling Fires
- 1 ALS Assist
- 1 Red Structure

PARK:

Scheduling meeting with Craig Bachik, Navarro & Wright Consulting to discuss the east west connection below the courts. Installation of rain gardens and signage.

WIND GAP MUNICIPAL AUTHORITY:

- Meeting – Wednesday, January 24, 2024
- Green Knight Economic Development Corp – Maintenance Fee – need to be able to determine fee
- Letter of Interest – Kyle Dieter
- Request from 173 8th St for payment plan. Wants to put current outstanding, \$25,214.50 in separate column and make \$500 - \$1,000 payments every month. Then keep current with account moving forward, average quarterly bill is \$700. Hasn't paid on this account since 2014.

CRG Property is now "THE CUBES AT WIND GAP" – *Meeting February 8, 2024*

Main Points:

- **Side of North Broadway to Connect:** Based on the fact that the west side of North Broadway has additional pipe slope (and therefore pipe capacity) and that the east side has had some sewer overflows, the developer will need to connect to the west side.
- **Monitoring Manhole:** The developer is required to provide a 6-foot inner diameter manhole on the east side of North Broadway, directly at the right-of-way line, serving as the discharge point for the forcemain.
- **Gravity Pipe:** A new gravity sewer line will be installed crossing under North Broadway within a casing pipe to ensure protection.
- **Connection:** This gravity pipe will connect to the existing sewer main on the west side of North Broadway. The connection will involve cutting into the existing sewer main and installing a new manhole between manholes 223 and 217.
- **Additional Consideration:** Some Authorities mandate lining all manholes that receive a discharge from a forcemain to mitigate additional corrosion caused by hydrogen sulfide release.

PLANNING:

No Planning Meeting was held in February 2024

ZONING:

No Zoning Hearing Board Meeting was held in February 2024

OFFICE/BUILDING:

Received \$25,000 for Natural Gas Conversion through 2023 Grow NORCO Grant
Parking Lot - \$35,000 from 2021 Grow NORCO Grant
Request for Extension December 31, 2024

FINANCIALS: – Balances as of January 31, 2024:

General Funds:	\$81,498.17
Money Market Funds:	\$397,090.41
Capital Reserve Funds:	\$2,164,989.29 (\$665,362.83 – Sale of Borough Properties)
State Liquid Fuels Funds:	Current Balance = \$248,905.03 (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 Borough Audit Scheduled and completed on-site Friday, February 9, 2024
Auditors – Campbell, Rappold & Yurasits, LLP – will continue Audit off-site
2023 – Open Receivables for Real Estate Balance = \$18,266.73