

**BOROUGH OF WIND GAP
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WIND GAP, PA 18091
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Wind Gap Borough Council meeting on Monday, July 1, 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, Dave Manzo, Jason Boulette, and Alex Cortezzo. Also in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysker and Borough Manager Louise Firestone. Absent were Councilmen Mark Crossen and Patrick Webber.

PUBLIC COMMENT

Richard Smith, 34 Alpha Road thanked Council for putting three items on Municibid.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the June 18, 2024, minutes and seconded by Jason Boulette. Roll call vote taken. Roll call vote taken. In favor: S. Bender, J. Boulette, G. Hinton, D. Manzo. Abstained: A. Cortezzo. Motion carried 4 – 0 – 1.

Jason Boulette thought the mid-month meeting was going to be cancelled. George Hinton stated that Council will keep the mid-month meeting as scheduled in case Council must take action. If no meeting is necessary, Council will be notified 24 hours before the scheduled meeting time. The necessity of holding both August meetings will be discussed at the next Council meeting.

APPROVAL OF EXPENSES

On motion by Dave Manzo to approve the expenses in the amount of \$222,439.07 and seconded by Alex Cortezzo. Roll call vote taken. Council agreed unanimously.

SOLICITOR'S REPORT

See attachment one (1).

ENGINEER'S REPORT

Brian Pysker reported that he is continuing to work on the park walking trail, specifically the retaining wall quantities, which has recently been staked out. A meeting was held on-site last week to discuss other options for the materials to construct the wall. The committee is in the process of obtaining three proposals for the wall.

He met with Rich at the municipal complex regarding the site lighting and the location of the light poles. Brian reported that he spoke with Pete Albanese of Wind Gap Electric who will provide an electrical schematic to be submitted to KeyCodes for approval and permitting.

NEW BUSINESS

1. Families First of Pen Argyl – 5K Race – Sept 14th, 2024 - Approval of Authorization for Families First to submit PennDOT Paperwork (Form, Race Map, Insurance)

Louise Firestone reported that the Borough has been asked by Mike Sabatine, the Director of Families First of Pen Argyl, to send a letter authorizing them to run their 5K Race on Saturday, September 14, 2024, because a portion of the race will take place in the borough, and permission is required to move forward with the required paperwork to PennDOT allowing them to run the race on a state road.

On motion by Dave Manzo to approve the Families First of Pen Argyl 5K Race on Saturday, September 14, 2024, and to send them a letter of approval and seconded by Jason Boulette. Roll call taken. In favor: A. Cortezzo, G. Hinton, D. Manzo, and J. Boulette. Opposed: S. Bender. Motion carried: 4 – 1.

2. KeyCodes Inspection Agency – Resignation as Zoning Officer – George reported that the Borough received a letter from KeyCodes Inspection Agency informing the Borough that effective July 12, 2024, they will no longer be able to provide zoning services to Wind Gap.

On motion by Dave Manzo to accept the resignation of KeyCodes Inspection Agency and their employee who serves as the Borough's Zoning Officer, Suzanne Borzak, and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

3. Interim Zoning Officer – Recommendation for Collura Engineering Appointment

On motion by Steve Bender to recommend Collura Engineering as the Zoning Officer and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

4. JVI Letter of Credit Reduction – B. Pysker Letter of Recommendation

On motion by Steve Bender to approve the request from JVI, LLC for a Letter of Credit Reduction in the amount of \$240,498.07 with the remaining securities of \$362,678.03 and seconded by Jason Boulette. Roll call vote taken. Council agreed unanimously.

5. 3 Aide Properties, 357 Lehigh Avenue - The plan is for low-rise multi-family residential units – 2 stories and 8 units on a lot of 40,000 square feet. George reported that the planning meeting scheduled for June was canceled which necessitated a request for an extension of time from the developer for this project. If the Borough does not receive a written extension a decision will have to be made tonight to either approve or deny the plan. Attorney Karasek said that he believes Debra did request or contact them for an extension, but the developer nor his engineer has responded as of this afternoon. Attorney Karasek referenced the Borough Engineer's review letter that indicates a number of things that have to be done in addition to the number of units and parking, etc. This matter will expire by Monday, July 8, 2024. He recommends that Council take action to deny the plan based upon the Borough Engineer review letter, dated May 15, 2024. You can send a letter stating that you are making a motion to deny the plan unless an extension of time is received prior to July 8, 2024. Borough Council can make a motion to deny the plan or make the denial if no extension is granted prior to Monday, July 8, 2024, but if one is received the denial can be rescinded.

On motion by Dave Manzo that Council deny the plan unless an extension of time form is received from the developer, Mr. Aide, prior to close of business on July 8, 2024, and seconded by Steve Bender. Roll call vote taken. Council agreed unanimously.

6. Dave Manzo said that the Wind Gap Sewer Authority would like to work in conjunction with the Borough and have discussions regarding housing inspections, new builds, rentals, and property transfers so everyone is on the same page. This is something to think about for the future.

7. George Hinton reported that he has become aware of a proposed land development located in Plainfield Township but proposed to be accessed off of Alpha Road at the old quarry. It is his understanding that the proposal includes an oversized pipe yard, with machinery that is overweight. George asked that if Alpha Road is a borough road would it be possible to restrict overweight vehicles and machinery. Attorney Karasek said that if an engineering study is done, pursuant to PennDOT regulations due to weight, size, etc., restrictions can be imposed. The Borough would have to direct Brian to do an engineering and traffic study to determine if the road can only hold so much weight. Council directed Brian was directed to contact Plainfield Township and request a courtesy copy of any plans related to that property and proposed development.

OLD BUSINESS

1. Junior Council Person Discussion – Appointment of Pen Argyl High School Student - Mayor Smith reported that he, along with George and Jason, interviewed four students. The committee is recommending Olivia Bentley. She is a rising junior, who is very articulate and is involved in music and all the great leadership organizations at the high school. Jason added that he believes that she is the best candidate and concurs with the mayor's recommendation. She is a member of the National Honor Society, works at Weona Park, and is a peer mediator with a lot of great leadership qualities. As the committee previously discussed with Council, they would look to have the other applicants get involved serving on other borough boards. Jason stated that the Junior Council Member term would be for the duration of the school year and as such Olivia would not be seated until school starts up again in the fall. Mayor Smith will communicate this to Olivia and extend the offer of being involved in the committee for the three other students.

On motion by Jason Boulette to appoint Olivia Bentley as Wind Gap Borough Junior Council Member and seconded by Alex Cortezzo. Roll call vote taken. Council agreed unanimously.

2. Alex Cortezzo reported at the last meeting in Upper Mount Bethel, Cetronia Ambulance did their presentation. Alex stated that it seems like Upper Mount Bethel has already made up their mind and there will be changes coming. He will continue to update Council as this will have an effect on Wind Gap in the long run.

PUBLIC COMMENT

1. Bruce Eppensteiner from Center Street had questions on the development on Alpha Road. George Hinton said that a company bought the property at the old slate quarry. Their equipment is extremely heavy.

2. Richard Smith asked if the shooting range would be disassembled by the borough workers once the police are finished practicing. George confirmed that it is the plan. Mr. Smith appreciates what has been done.

3. Dave Manzo asked if there would be a mid-month meeting. George said the committee has not started interviewing applicants yet for the street worker position. If we do not have the July 16, 2024, meeting, then a recommendation for a new employee would have to wait until the scheduled meeting on Monday, August 5, 2024, so for now July 16, 2024 meeting is still scheduled.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of July 1, 2024. Council agreed unanimously. The meeting of July 1, 2024, adjourned at 7:45 p.m.



Louise Firestone, Borough Manager

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

MEETINGS ATTENDED:

June 03, 2024 - attendance at regular monthly meeting of Borough Council
June 18, 2024 - attendance at regular mid-month meeting of Borough Council

SUBDIVISION MATTERS: None

LAND DEVELOPMENT MATTERS:

Receipt, Review and Administration of e-mails and Correspondence from the Applicant's Engineer and the Borough EIT Correspondence as to Letter of Credit Reduction Request re 20 Green Knight Drive-Green Knight Industrial Park II

Receipt, Review and Administration of e-mails and Correspondence from the Applicant's Engineer and the Borough EIT Correspondence as to Release of Maintenance Security re 550 Male Road & SR 33-JERC LII, LLC

Receipt, Review and Administration of Borough Engineer Review Letter and Borough Zoning Officer Review Letter-Revised Plan for 537 Lehigh Avenue-Single Family attached dwelling with seven (7) units re 3 Aide Properties

ZONING AND OTHER LAND USE MATTERS:

Computer Search on County Website and Google Earth for Deed, Tax Parcel Information and Aerial View of the Property and the Preparation of the Use and Occupancy Agreement for the Minnich DCNR Forestry Vehicle Parking on Borough Property

Receipt, Review and Administration of Addenda for Constitution and Oak Street Paving along with Resolution for Price Adjustment of Bituminous Materials for Small Quantities

Brief Legal Research re Gun Range

DEVELOPMENTS ON OUTSTANDING LITIGATION: None

COURT DECISIONS ON BOROUGH CASES: None

MISCELLANEOUS:

Preparation of Borough Planning Commission Meeting Agenda for Meeting of June 20, 2024 (with Meeting cancelled)

Preparation of Borough Resolution No. 2024-04 (as Revised)-Acceptance of Credit and Debit cards for Borough Fees and Costs

Preparation of Monthly Solicitor's Report

OUTSTANDING ITEMS:

Stop Sign Ordinance

Dog Park Ordinance