

**BOROUGH OF WIND GAP
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WIND GAP, PA 18091
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Wind Gap Borough Council meeting on Tuesday, May 21, 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, Patrick Webber, Jason Boulette and Alex Cortezzo. Also in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher, and Borough Manager Louise Firestone. Absent was Councilman Steve Bender.

PUBLIC COMMENT

Mr. Smith of 34 Alpha Road commended Council for curtailing the shooting range activity. He also commended the Sewer Authority for the price that they received for the sale of their generator that was listed on Municibid.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the May 6, 2024, minutes and seconded by Patrick Webber. Roll call vote taken. In favor: J. Boulette, M. Crossen, G. Hinton, D. Manzo, P. Webber. Abstained: A. Cortezzo. Motion carried: 5 - 0 -1.

NEW BUSINESS

1. Green Knight Economic Development Corporation - Green Knight Industrial Park II – Roadway Dedication Collura Engineering Recommendation Letter dated May 14, 2024, Accept the Offer for the Dedication of Beers Way and Green Knight Drive.

George Hinton explained that subsequent to the last Council meeting, Brian Pysher provided Council with a letter dated May 14, 2024, outlining the outstanding punch list items and the status of their completion regarding the Green Knight Industrial Park dedication of Beers Way and Green Knight Drive. This letter was not provided prior to the May 6, 2024, Council meeting so no action was taken. Unfortunately, this recommendation letter was also sent to the Green Knight Economic Development Representative Peter Albanese who went to their bank in order to obtain an 18 Month Maintenance Bond. Mr. Albanese delivered this Maintenance Bond to the Borough Office. John Goffredo, who was in attendance representing GKEDC at the meeting, said that based upon Brian's letter, they are at the point that everything has been done. Brian expressed the concern of the Borough, the Maintenance Bond is dated for May 15, 2024, which pre-dates any official action taken by Council because as of tonight the offer for Dedication has not been accepted. Dave Manzo said that this may have been a procedural thing but, it still should have gone through the Borough. Brian added that the date on the bond has to be changed to the date of acceptance. Attorney Karasek said that before the dedication begins, there has to be an offer of dedication. The improvements have to be constructed to Borough standards and approved by the Borough Engineer. After that approval, Borough

Council has to vote to accept the dedication of that improvement. Once accepted, the period begins. John Gofredo with have the date changed to reflect the date of acceptance.

On motion by Dave Manzo to notify the bonding company that we have not accepted the dedication of the road and the maintenance agreement should not go into effect and the maintenance bond should not have been reduced. No second, motion died for lack of a second.

On motion by Alex Cortezzo to start the dedication process, have a resolution drafted, in accordance with Brian Pysher's letter dated May 14, 2024, and based upon Attorney Karasek's review of all legal documents and seconded by Jason Boulette. Roll call vote taken. In favor: A. Cortezzo, M. Crossen, G. Hinton, P. Webber, and Jason Boulette. Opposed: D. Manzo. Motion passed: 5-1.

2. Disposal of 1,000 Municipal Propane Tank

On motion by Patrick Webber to advertise the 1,000-gallon propane tank, range and dryer on Municibid and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

3. Resolution 2024-03 – Action to Accept / Adopt “Price Adjustment of Bituminous Materials for Small Quantities” As recommended by PennDOT

On motion by Dave Manzo to Accept and Adopt Resolution 2024-03 “Price Adjustment of Bituminous Materials for Small Quantities” as recommended by PennDOT and seconded by Patrick Webber. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

1. Transient Ordinance – Discussion – Attorney Karasek reported that he has two copies of Peddlers Ordinances from other municipalities that he will share with council. Jason Boulette reported that he read over our ordinance and made several comments on additions that would strengthen the overall enforcement of the ordinance. One item that could be changed was to allow the office staff the ability to deny the application if it is incomplete and not properly filled out without the three-day waiting period for the Mayor to approve or deny it. Jason approves the fee and hours of operation that we have for the applicants as it is more restrictive than other municipalities. Attorney Karasek to provide the other ordinances for review and further discussion.

ZONING OFFICER'S REPORT

Suzanne Borzak reported that there are problems with the warehouse at 332 North Broadway complying with the permitting process. She, along with Brian, spoke with the owner and informed him of the necessary procedures that must be taken to open, such as submitting a land development plan. The owner has failed to do complete any applications and has since started operating with trucks running during the night. Suzanne has been informed that there is fruit stored in the building but does not know if there is other products being stored. Suzanne issued a building code violation under the Uniform Construction Code. Attorney Karasek said a zoning violation should also be issued. They have received notice to apply for a Certificate of Occupancy within the next seven to ten days and submit a land development plan and explain what they are doing. She will follow up with the owner, who is currently in India.

COMMITTEE REPORTS

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

Dave Manzo reported that he attended the Plainfield Township Supervisors' Meeting to listen to the presentation by David Jaindl, developer for the proposed warehouses in Plainfield Township with an access road off of North Broadway in Wind Gap Borough. Mr. Jaindl and his engineers informed the elected officials in Plainfield Township that they have reduced their proposed warehouse project by 35%. Mr. Jaindl indicated that they are making significant changes to the scope of the project which will require him to resubmit/reappear before Wind Gap Borough Planning Commission and Wind Gap Borough Council.

MAYOR SMITH REPORT


Mayor Smith reported that the Planned Slate Belt meeting is scheduled for the first Thursday of June. He will attend the COG meeting tomorrow evening. Earth Day Clean up went well with employees from Giant and several volunteers involved in the trash pick-up along Male Road. The mayor awarded the Mayor's Scholarship to a Pen Argyl Area High School graduating senior who resides in Wind Gap.

PUBLIC COMMENT

Mr. Smith said that the historical home at the top of Broadway is for sale and offered his opinion that the Borough should look into grant funding to preserve it for hikers to stay.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of May 21, 2024. Council agreed unanimously. The meeting of May 21, 2024, adjourned at 8:16 p.m.



Louise Firestone, Borough Manager

MAY 21, 2024 MONTHLY REPORT

STREETS:

2021 Peterbilt – Inspection – No Repairs Necessary
2022 F550 – PA State Safety Inspection – No Repairs Necessary
Street Sweeping Completed – May 6 – May 10, 2024
Guidemark Inc. Quote approved and submitted for scheduling
Signal Services – Traffic Light Repairs
 Lehigh & Alpha – Replaced failed southbound inboard red LED = \$320.00
 Male Road – Replaced failed red LED on right turn signal = \$521.00 (double time)

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

MALE ROAD BRIDGE PROJECT:

Gilmore and Associates, Inc.: 3/1/24 – 3/31/24 \$2,484.00

- Initial project setup & startup; initial engineering assessment of scope of replacement work required for the bridge, desktop evaluation of environmental & permitting requirements and studies; initial project screening; preparation anticipated design-phase & construction-phase timelines; initiation of permitting including jurisdictional agency coordination; project-related administration, coordination, scheduling; correspondence and communication provided through March 31, 2024.
- PA One Call submitted by Gilmore & Associates – 5/3/2024

ZOOM Meeting held on Thursday, April 25, 2024

Jeff Kirkpatrick, Property Manager, Metro Commercial for CenterPoint Properties
(Wind Gap Plaza / Fulton Bank property)

Brian Pysher / Louise Firestone

Discussion with Mr. Kirkpatrick outlining the Scope of Project and proposed timeline as provided by Borough Professional Bridge Engineer, Gilmore & Associates, Inc. - (including a copy of the drawing). Mr. Kirkpatrick will be forwarding information from meeting to Ms. Lindy Miller, CenterPoint Properties, and a follow-up Zoom meeting will be scheduled.

POLICE:

2024 – April Parking Violations – 2 total	
▪ Prohibited Parking – 1 total	\$15.00
▪ Parked Against Traffic – 1 total	<u>\$15.00</u>
	\$30.00

Year to date totals: (Jan – March)

Wind Gap = 559	Pen Argyl = 448	Plainfield Township = 1,073
April Monthly Calls for Service Police Activities - 678		
Wind Gap – 180	Pen Argyl – 161	Plainfield Township – 337

Chief Hoadley is meeting with a consultant firm that provides Police Departments with an analysis of structural needs.

Officer Lowe and K9 Zorro were deployed 6 times from April 1 to April 30, 2024. A total of 5 arrests were made. Officer Lowe and K9 Zorro assisted Tatamy Borough and Nazareth Borough.

Slate Belt Regional Police Commission meeting held at Wind Gap Municipal Building on Thursday, May 16, 2024 at 5:00 p.m. Meetings held at Wind Gap Municipal Building – May, June, July, August.

New Slate Belt Regional Police Department Collective Bargaining Agreement Approved with Contract signing scheduled for Monday, May 20, 2024.

EMERGENCY MANAGEMENT: Dave Hess, Emergency Management Coordinator

April 2024:

- Contacted EMS Director and Fire Chief regarding how many new Emergency Response Guidebooks each agency needs – Placed the order accordingly with the County EMA
- REMINDER: All Elected Officials should complete NIMS IS-700 and ICS-100. Contact Dave Hess if there are any questions.

WASTE MANAGEMENT:

Waste Management coordinated with Pen Argyl High School Character Education class to cleanup North Broadway. The group included 15 - 9th grade students and their teacher, Mr. Brady Mutton, WM crew and L. Firestone representing the Borough. In total, the group collected 340 lbs. of trash.

Neighboring Partnership Agreement: tons (\$1.20 per ton)
April 2024 – To date check has not been received

WIND GAP AMBULANCE:

113 total calls for April:

Wind Gap Boro (Northampton Cty) = 51
Monroe Cty = 18 Transports = 44

Response Times 1.51 Minutes Avg (from dispatch to responding)

FIRE COMPANY:

Calls for the Month of April 9 / 54 Calls for the Year

- 2 Motor Vehicle Accidents
- 1 Wire Fire
- 1 High Occupancy Fire Alarm
- 1 Commercial Structure Fire
- 2 Brush Fires
- 2 ALS Assist

PARK:

Walking Trail Project – trail from South Lehigh parking lot to connect to eastern portion of trail with a pathway to the gate for the Pickleball courts. Installation of 5 storm drains and pipe to capture water runoff to a rain garden. This project is being partially funded by Northampton County Livable Landscapes and Lehigh Valley Greenways Mini Grants.

Fountain with bottle filling station – concrete slab to be poured.

Spigot / hose installed to allow water of Community Garden

WIND GAP MUNICIPAL AUTHORITY:

WGMA Meeting was held on Wednesday, April 24, 2024

Received a copy of the 2023 Annual Report of Municipal Authorities and Financial Statements / Independent Auditors' Report / Supplemental Information JVI – 20 Green Knight Drive requires an oil/water separator – JVI does not agree.

Feasibility Review Agreement for 40 Green Knight Drive submitted, still waiting on escrow deposit to be made.

WGMA – Of the opinion that School Alley sewer does not have to be worked on An Escrow Account will be necessary should the Borough move forward with a connection to the sewer in order to build a fieldhouse/concession stand at the Park.

Fresh Hills – Owner replaced sidewalks around manholes with no permits.

WGMA approved a new member for appointment to the board – Greg Dittrich

PLANNING:

Planning Commission Meeting held on Thursday, May 16, 2024

The meeting was continued as additional information is necessary

Preliminary Land Development for 537 Lehigh Avenue

3 Aide Properties

Review Letter (6/7 Unit Townhouses)

ZONING:

Dated May 20, 2024 -
Decision from Court of Common Pleas of Northampton County
Appeal Richard D. Smith v Wind Gap Borough Zoning Hearing Board
For the Verizon Wireless tower.
The Court upheld the decision of the Board and variances sought.
Richard Smith now has 30 days to appeal to the Commonwealth Court

OFFICE/BUILDING:

Bethlehem Pre-Cast delivered 8 Light Pole bases.

Worldwide Enterprise Solutions has wired the Municipal building (interior/exterior) and the Garage in preparation for cameras to be placed on the light poles. The wiring will be run in conduit.

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

FINANCIALS: – Balances as of April 30, 2024:

General Funds: \$489,411.11
Money Market Funds: \$1,353,708.00
Capital Reserve Funds: \$2,182,657.46
(\$665,362.83 – Sale of Borough Properties)

State Liquid Fuels Funds: Current Balance = \$334,486.06
(Allocation Based on 9.36 miles /
Population of 2720)

Earned Income Tax (EIT) Receivables (Comparison):
1st Qtr 2024 \$114,707.90 Increase of \$12,795.05
1st Qtr 2023 \$101,912.85

Local Services Tax (LST) Receivables (Comparison):
1st Qtr 2024 \$12,301.76 Increase of \$84.61
1st Qtr 2023 \$12,217.15

Giroux Land LLP, 550 Male Road, sold to Stealth Equities, LLC
Real Estate Transfer Tax from sale = \$9,400

Tax Assessment Refunds:

OSJ of Wind Gap, LLC 375 Commerce Park Rd. North Kingstown, RD - \$8,541.59
117 East First St., Wind Gap - \$418.19

BOROUGH PROPERTIES:

Propane Tanks removed on April 24, 2024.

850 gallons credit @ \$1.7470/gal less Labor of \$795.00 (Total Credit = \$689.95)

PLAN SLATE BELT – Multi-Municipal Comprehensive Plan:

Meeting scheduled for Thursday, May 2, 2024 was cancelled. The next meeting is scheduled for Thursday, June 6, 2024.

SLATE BELT RISING:

Slate Belt Litter Pick-up scheduled for Saturday, April 27 from 10:00 am – 1:00 pm

Sign up on www.slatebeltrising.org

Received 14 Applications for Slate Belt Rising Scholarships for both Pen Argyl Area School District and Bangor School District Students – Will award a minimum of 6 scholarships. To be announced in May

Commercial Lease Subsidy Program will be assisting “Just Dance Dance Studio” in Pen Argyl in offsetting their rent payments.

Pen Argyl Borough mural will be started the last week of April.

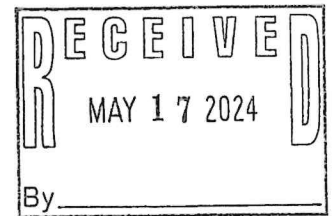
SLATE BELT COUNCIL OF GOVERNMENT (SBCOG):

Meeting held on Wednesday, April 24, 2024

MISCELLANEOUS:

Tuesday, May 21, 2024

Wind Gap Borough awarded \$40,000 LSA Grant
for Slate Belt Regional Police 2024 Ford Explorer



1. Sign ordinance revision. Awaiting advertisement and adoption.
2. 36 W 1st Street. They applied for a sign permit. However, they do not understand the English language. They indicated a 55'x40' sign. They actually have 18"x 24" sign and an "open" sign in the window. No permit has been issued yet due to the application being incorrect. Received a complaint that they were living in the building. During a site visit, it was determined that they are living there. A Notice of Violation will be sent.
3. Issued permit for an addition at 103 Fairview Street
4. 249 Delaware applied for a shed permit. Requested additional information.
5. 424 N Lehigh Ave. Received a complaint that 2x4s are holding up the porch. Notice sent to owner. Owner called and indicated that the porch is attached to the neighbor's porch and the neighbor has the 2x4. Neighbor removed the 2x4.
6. 17 N. Lehigh Ave. Received a permit to repair/replace porch.
7. 50-52 S Broadway. Awaiting permit pickup for sidewalk. Also, Keycodes is awaiting additional information for the conversion of the commercial space into a residential space.
8. 396 N. Broadway. Issued a permit for a deck.
9. Attended ZHB meeting for Water Street to convert the old Borough building into a garage exclusively for the detailing of vehicles for sale on Broadway.
10. Received a complaint of a "eggs for sale" sign at 432 N Lehigh. Site visit. No chickens on the premises. The owner will be removing sign.
11. Issued fence permit for 436 Liberty Street.
12. 101 S Broadway. The ice cream place changed ownership. Issued CO and sign permit.
13. 101 S Broadway. The door to the apartments on the 2nd floor "blew off" during a storm. Permit was issued to replace door.
14. 24 Water Street. Spoke to owner regarding setbacks for an addition.
15. 6 S Broadway. Issued citation for the dilapidated garage. Notice of Violation was originally sent at the end of 2022. Owner, in February, 2023, requesting additional time (until summer) to repair the garage. Nothing happened. Court was continued twice. Owner obtained a demolition permit. Court is scheduled for the end of June.
16. Reviewed a plan for 537 N. Lehigh Avenue. Originally an 8-unit apartment building. Changed to 7 townhouses development.
17. Attended Zoning Hearing regarding 502 N. Broadway. Bank called to confirm the building is a 6-unit apartment. Our records indicated it was a 4 unit building. At the Hearing, the Board granted five units. Owner requested a meeting on site regarding eliminating one unit. Awaiting solicitor's written decision.
18. Attended a hearing for Pear Street. Awaiting solicitor's written decision.
19. Spoke with PennDOT's billboard permit coordinator. He indicated that there were several problems and that they did not approve their permit to date. They want approval from Plainfield Township as well as the Borough. The billboard was sold to a 3rd party. Awaiting further information from PennDOT.

Suzanne Borzak,

Zoning Officer