

**BOUGH OF WIND GAP
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WIND GAP, PA 18091
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Wind Gap Borough Council meeting on Tuesday, November 21, 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 Alex Cortezzo, Steve Bender, Dave Hess, 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 was Councilman Jeff Yob.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the November 6, 2023, minutes and seconded by Patrick Webber. Roll call vote taken. In favor: S. Bender, D. Hess, G. Hinton, D. Manzo, P. Webber. Abstained: A. Cortezzo. Motion carried: 5 – 0 – 1.

NEW BUSINESS

1. Responsible Recycling Services LLC – E Cycling Event – Approval of Invoice to be Reimbursed by Northampton County - \$1,780.00

On motion by Steve Bender to approve payment for Responsible Services, LLC in the amount of \$1,780 and seconded by Alex Cortezzo. Roll call vote taken. Council agreed unanimously.

2. Approval Resolution for Statewide LSA Grant Application – Male Rd Bridge -

On motion by Steve Bender to authorize Louise Firestone to submit the Statewide LSA grant application for the Male Road Bridge Superstructure Replacement and Pedestrian Improvements Project and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

Louise Firestone reported that through a prior Multi-Modal Grant and private developer funding now would be a good time to have discussion about looking for an engineer to being the design engineering of the bridge and the pedestrian walkway. There will be environmental permitting required because the bridge and walkway goes over a waterway of the Commonwealth. If the Borough authorizes the work to begin the project will be that much further ahead when complete funding is available. When the bridge is designed, the Borough can move forward with putting the project out to bid so there will be no lag time waiting for permitting and preliminary design work to be completed. Gillmore and Associates have assisted with providing cost estimates for the grant applications and they would be contracted as a professional service.

On motion by Dave Manzo to approve contracting with Gilmore and Associates as the engineer to begin design detail engineering and permitting as part of the Male Road Bridge Superstructure Replacement and Pedestrian Improvements Project and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

3. Dave Manzo wanted to bring up the issues and importance of making sure that our Zoning Officer has a good line of communication with the Sewer Authority in terms of new issues, new purchases, new rentals coming into the Borough such as the change of use in the old Wells Fargo Bank building. Deb Harbison said that the Zoning Officer did issue a UCC permit for the work being done at Wells Fargo. The plan indicates that there will be eight apartments and one business in the building. Concern has been expressed regarding whether a sprinkler system exists in the building or if not, will one be required. George said they replaced the water line going into the building from a one-inch pipe to a two-inch pipe. Brian said that the plans should show if they are putting in a sprinkler system so the plan will be reviewed tomorrow.

OLD BUSINESS

1. Discussion – Home & Rental Inspection – Dave Manzo thinks it is important to have home and rental inspections. If the Borough requires inspections for rental properties or when properties transfer owners, an inspection will allow issues to be corrected at that time, such as sub-pumps discharging into the sewer. Especially relating to rental properties, tenants will rent knowing that the property is up to code and up to standards. Steve Bender respectfully disagreed, stating that when you sell a property, in the agreement of sale, the buyer and seller put together inspections. He does not think that the Borough needs to add another layer on top of that. The more zoning regulations enacted, the more zoning will have to be enforced. One of our issues is that we cannot enforce the zoning ordinances that we currently do have in our ordinances. Regarding surveys, that is a civil matter. Sometimes, we cannot always give the answer that people want to hear; we have to give the answer that is best for the Borough. Partick Webber said that he agrees in part with Steve; specifically stated that the survey issue is a civil matter between neighbors that the Borough does not have to be involved.

ZONING OFFICER’S REPORT

A written committee report was provided to Council prior to the meeting. See attachment one.

COMMITTEE REPORTS

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

Dave Hess asked that a couple updates be made to the Monthly Report under the Police section. It was confirmed that the Slate Belt Regional Police Department does not pay for a garbage fee as part of the lease. Plainfield Township has verbally confirmed that the electric rate has been shopped, but no confirmation of that rate has not been provided to Pen Argyl or to Wind Gap.

MAYOR SMITH REPORT

Mayor Smith reported that at the last Slate Belt COG meeting, one topic of discussion was EMS. Jim Potter discussed getting EMS service back into the Slate Belt. Suburban EMS is requesting additional money from the municipalities they serve in the Slate Belt. The COG discussed doing a feasibility study, including reviewing the County run sheets. The 2024 COG budget was tentatively approved. There is no meeting in November, the next meeting is scheduled for December 27, 2023.

Mayor Smith was at a budget hearing for County Council and had the opportunity to speak with the County Commissioner Tom Giovani, who represents this District. They found unallocated funds in the county budget. He put in a budget amendment to get funding for the conversion of propane to gas for the Municipal Complex in the total of \$22,398.22. He spoke on behalf of the Borough at this budget hearing and the County Committee gave the project tentative approval. This will be up for adoption on December 7th, in front to the entire body. If it does get adopted, the conversion will not cost the Borough taxpayers any money.

PUBLIC COMMENT

1. Pete Albanese asked for an update regarding the funding offered by CIVF VI DEV – PA1M02, LLC, 600 Male Road, Wind Gap. Louise stated that the Escrow Agreement has been received and reviewed by Attorney Karasek. Attorney Karasek has included some minor corrections to the document. The Agreement will be forwarded for review and execution.

Pete said that, regarding property maintenance and survey, he does not understand having someone survey their property upon sale. He is not aware of any community in Northampton and Lehigh County that requires this to be done as part of the sale of the property. That is something between the buyer and seller which is disclosed in their agreements along with inspections.

2. Mark Crossen from North Lehigh Avenue wants to know if there are any other boroughs doing anything similar with the IPMC and inspections. Dave Manzo said Bangor and Pen Argyl require inspections. This topic is being discussed due to property disputes throughout Wind Gap.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of November 21, 2023. Council agreed unanimously. The meeting of November 21, 2023, adjourned at 7:26 p.m.



Louise Firestone – Borough Manager

NOVEMBER 21, 2023 MONTHLY REPORT

STREETS:

Constitution Avenue:

Contractor Total Project	= \$455,926.50
Total Completed	= \$302,348.75
Total Paid	= \$287,231.31
5% Retainage of Work	= \$15,117.44

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:

October Monthly Calls for Service 330 Police Activities

Wind Gap – 86 Pen Argyl – 97 Plainfield Township – 147

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:

Louise Firestone attended the Lehigh Valley Hazard Mitigation Plan Meeting on Thursday, October 19, 2023. The Wind Gap Borough Plan requires updates every five years. Ms. Chelsea Morganti, Witt O’Briens, consultant, moderated the meeting and reviewed all requirements necessary for the updates.

WASTE MANAGEMENT:

Neighboring Partnership Agreement:

October 2023 = \$76,951.45

Total Funds Received in 2023 = \$766,295.83

ELECTRONICS RECYCLING EVENT – Saturday, November 4, 2023

In conjunction with Pen Argyl (Borough Manager Robin Zmoda) and Wind Gap (Borough Manager, Louise Firestone) served as on-site coordinators for the event.

TOTAL VEHICLES = 89

39 Wind Gap, 34 Pen Argyl, 9 Plainfield Twp, 2 Bushkill Twp, 1 Washington Twp, 2 Bangor Boro, 1 Bethlehem Twp, 1 Palmer Twp

RRS, LLC – Invoice to be reimbursed through Northampton County Recycling Grants = \$1,780.00

WIND GAP AMBULANCE:

111 total calls for October – Wind Gap Boro = 66 /Monroe Cty = 12 /Transports = 32

Standby = 1

Response Times 1.80 Minutes Avg (from dispatch to responding)

FIRE COMPANY:

14 Calls for the Month of October / 130 Calls for the Year

- 2 CO Alarms
- 1 Vehicle Fire
- 1 Odor Investigation
- 1 Gas Leak/Alarm
- 1 MVA / Unknown Injuries
- 3 MVA with Injuries
- 2 Commercial Fire Alarms
- 1 Dwelling Fire
- 1 Fire Alarm
- 1 Structure Fire

PARK:

Nine (9) cameras have been installed in the Park to include the upper tier of the park and the recreational courts.

Worldwide Enterprise Solutions will be training the office staff next week.

WIND GAP MUNICIPAL AUTHORITY:

Meeting held on Wednesday, October 25, 2023

67 Park Avenue – Sewer Service Amendment

GAF – Amend Discharge Permit to add lab reports and calibration reports must be submitted to WGMA and Engineer.

Payment Application for generator project = \$20,700

Medical Renewal for Employees – 8% increase

101 South Broadway – Currently in escrow. Discovered there should be a total of 11 EDUs for the property.

Discussed Proposed 2024 Budget

PLANNING:

Planning Commission met on November 2, 2023 to discuss:

- Zoning Ordinance Amendment of Keeping Chickens within the Borough
- Zoning Ordinance Amendment for New Definitions of "Parking Lot," Types of Uses for "Parking Lot," Amendment of Sign Provisions and Clarifications of Signage Issues or Refuse Zoning Permits.

ZONING:

Zoning Hearing Board Scheduled for Thursday, November 16, 2023:

Appeal of Crossroads OC, LLC – 20 Green Knight Drive

The applicant is proposing to construct a manufacturing building on their parcel, a 3.82 acre parcel and seeking an appeal of an interpretation and believes the property is part of a planned development which provides for 40% maximum building coverage of "Planning Development" instead of the 30% maximum building coverage of "Other Uses". In the alternative, the applicant is seeking a dimensional variance to maximum building coverage to allow 30.2% building coverage in accordance with Article 310.E of the Zoning Ordinance.

OFFICE/BUILDING:

Hendershot Doors replace 2 torsion springs on the Municipal Building – Bay No. 1 on the Wind Gap Ambulance side at a cost of \$1,716.10

Parking Lot - \$35,000 from 2021 Grow NORCO Grant – Deadline Dec 31, 2023

FINANCIALS: – Balances as of October 31, 2023:

General Funds:	\$118,554.10
Money Market Funds:	\$1,139,198.42
Capital Reserve Funds:	\$1,776,316.70 (\$665,362.83 – Sale of Borough Properties)
State Liquid Fuels Funds:	Current Balance = \$245,688.75 (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)

10/12/23 - Sale of 906 North Broadway, Indian Steps Trailer Court - \$2,940,000
Real Estate Transfer Tax (.5%) = \$14,700

MISCELLANEOUS:

Lehigh Valley Planning Commission invites Community Partners to join the November 2023 Lehigh Valley General Assembly meeting on Wednesday, November 29, 2023 at 7:00 p.m. During the virtual meeting, LVPC will review the Long-Range Transportation Plan, trends in regional development, the Priority Climate Action Plan (PCAP) for the region.

**REGISTER for this meeting at Lehigh Valley General Assembly – November 29, 2023
Registration, Wed, Nov 29, 2023 at 7:00 PM Eventbrite**

Keycodes Inspection Agency

Monthly Report – ending November 17, 2023

Suzanne Borzak, Zoning Officer

Council	Attended council meeting in September
10 E West St	Met with the owner regarding a pole building on his property.
Ordinances	PC meeting to discuss chicken and sign ordinances. The Planning Commission indicated that they would NOT like to change the zoning ordinance regarding chickens. They voted to forward the sign ordinance to Council with the recommendation to adopt the revision.
176 N Lehigh	Issued fence permit
23 S Lehigh Ave	Issued solar permit
389 N Broadway	Issued re-roof permit
29 Mechanic St	Prepared documentation for the ZHB hearing. Attended hearing
318 W Center	Sent application for permit to keycodes for garage conversion to bedroom
36 W 1 st St	Denied permit for a massage parlor
396 N Broadway	Applied for fence permit; needed additional information
249 Delaware	Applied for a shed; need additional information
	Completed the Census report
803 Male Road	Applied for a commercial roofing permit
20 Green Knight	Prepared ZHB documents; adjoining list, public notice, ad. Attended hearing on 11/16/23
Billboard	Contacted company regarding the brightness of the billboard. Apparently, they did not install the a dimmer (which would make the brightness less during nighttime hours). I also indicated that there are numerous signs in the area which may cause the dimmer to not work (the sign brightness would indicate daylight). The manufacturer was called. They did not install the dimmer; however, they did turn the brightness down 50% for both day and night.

Respectfully submitted,

Suzanne Borzak, Zoning Officer