

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, March 20, 2007, was called to order at 7:30 p.m. by Kerry Gassler at which time he reminded those present that the meeting was being recorded. In attendance were Councilpersons: Jon Faust, Nathan Hinton, Todd Beil, George Hinton, Scott Parsons and Tony Curcio. Also in attendance were Mayor Mitchell D. Mogilski and Borough Administrator Louise Firestone.

PUBLIC COMMENT

1. Vickie Allen. Vickie asked Council if it correct that the Borough is suing the County regarding the Bond money and how much is this costing the taxpayers? Kerry replied that a retainer has been paid in the amount of \$2,000, but the cost will depend on how long and how much has to be done. The Borough would have to pay the outstanding invoices of \$25,000 if the bond money is pulled. The lawsuit with the Slate Belt Concerned Citizens cost the taxpayers \$5,000 before they dropped their lawsuit.

Vickie asked if Jeff Yob was representing Borough Council at the DEP hearing last Thursday? Kerry replied that Jeff was representing Wind Gap Fire Company, not Wind Gap Borough Council. Vickie asked if anyone from Council was there representing the Borough of Wind Gap? Kerry replied that he was there and George was there. She asked if any provided any testimony? Mayor Mogilski stated that he sent comments through the Morning Call to DEP.

2. John Maher. John reported that the laptops for Emergency Management are being processed through the office with a purchase order. The committee is deciding whether to continue with the ACT database or look into software that is being used by Upper Mount Bethel Township. The laptops are designated for the Police, Fire and Ambulance Corps with a floating laptop. Jeff, Emergency Management Coordinator, and John attended a rehearsal to determine what and who would be responsible at a local level in the event of a disaster. They intend on having more rehearsals.

COMMITTEE REPORTS

1. EMS – Nathan Hinton had nothing to report.

2. Police – George Hinton reported that a Police meeting is scheduled for Thursday, March 29, 2007. The SUV was in the garage to replace the battery and reprogram the anti-theft mode.

3. Streets – George Hinton reported that there were a few complaints related to the recent snowstorm. They were all addressed and handled. The Borough snowplow was involved in a minor mishap. John Zucal backed into a car that was following too closely behind the plow. The car sustained damaged to fender and door. A police report was completed on the accident. George stated that removing the snow from the sidewalks is always a concern, some residents comply and some do not. The Borough Ordinance specifies that snow is to be removed 24 hours after the snow has fallen. Some residents remove the snow in a timely fashion and some do not and they were cited for failure to remove the snow. Chief Armitage stated that the residents were personally reminded of the ordinance and given an extra 24 hours to remove the snow before a citation was issued. George suggested that a reminder be in the newsletter for next winter regarding sidewalk snow removal.

4. Zoning – Scott Parsons reported that there were two cases before the Zoning Hearing Board. The Deli is changing from a deli to a futon mattress store, but they will still sell lottery tickets. The Zoning Hearing Board granted permission. The property next to CVS is changing to a used car lot. There will be two uses on the one lot and the Board granted permission. Scott informed Council that the Zoning Hearing Board questioned the tattoo parlor and if they received an occupancy permit. He asked if Council or an individual has a right to appeal the decision? He understands that the Zoning Hearing Board does not have the right to appeal, but they were discussing it after the meeting. Kerry replied that a resident can appeal, but he is not sure about Council's right to appeal. An appeal has to be filed within thirty days after issuance of the certificate of occupancy. Scott asked if an appeal would go before the Zoning Hearing Board? Kerry replied that once it is appealed at the local level it goes to the County level. If someone feels that the Zoning Officer make an incorrect decision, the appeal process does not go through the Borough or Zoning Hearing Board. George stated whether you agree with the tattoo business or not, that property was an established business as long as he can remember? Scott replied that there are health concerns related to needles. George stated that it would be County Health Department or a State Health issue. No one is sure what type of permit is required at the County or State level to own/operate a tattoo parlor. Kerry asked Louise to contact Ron Karasek, Borough Solicitor, to get an opinion. George added that if this is a health concern, what license do they need and is this a function that the Borough needs to be involved with regarding businesses in the Borough.

4. Planning – Todd Beil reported that the Planning Commission heard three plans. One for the Deli, change of use and was submitted back to the Zoning Hearing Board. Albanese Subdivision on Alpha Avenue, the developer's engineer has to revise the plans. There was a submission for Emerald Forest development. The commission granted six (6) waivers and the waivers have to come before Borough Council for approval. The Planning Commission has tabled this development until Council grants the waivers. This plan has to be resubmitted, but they cannot revise the plans until it is determined if Council will grant the waivers that they are requesting.

5. Parks and Recreation – Nathan Hinton reported that the Park Board would like to put the parking lot paving project out to bid. The Park Board has \$18,486 from 2006, the \$5,000 that they were going to put toward the bandshell roof, summer sounds profits for 2004, plus tipping fees of \$12,000. They applied for a Green Knight Economic Development Corporation grant in the amount of \$10,000. If they do the project this year that would deplete their savings and any project money from the 2007 budget. The project bid from last year was \$41,000. They discussed just doing the binder as opposed to the entire paving project this year and overlay it next year. Scott suggested that if they have the money to do the whole job, they should do it this year instead of in two pieces. Nathan reported that the Park Board put a grant application in to GKEDC for a total of \$20,000 - \$10,000 for paving, \$5,000 for security system, \$5,000 landscaping at the park. Scott added that if the Park Board is willing to spend every penny they have, it would be better to do the entire project this year and possibly Council will assist them with the money to get it done.

On motion by George Hinton to put the Park paving project out to bid as a split package and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

Nathan reported that the car show would be held on Sunday, May 20, 2007, it is their 24th year. A production company from Pittsburgh will be traveling the state and taping a series of car shows to be aired on PBS. They will be trying to do a motorcycle benefit for Bobby Erwig, but they are still working out the details.

6. Fire Company – Jon Faust reported that the Fire Company responded to 17 calls in January and 8 calls in February for a total of 25 calls year to date. The Fire Company had nominations for officers: President - Jeff Yob, Vice President – Roger Teada or Randy George, Treasurer – George Hinton, Secretary – Patrick Capiano, Fire Chief – Jon Faust, First Assistant – Sean Shoemaker, Second Assistant – Brent Shoemaker or Sean Marsh. The Fire Company will vote next month.

7. Sewer Authority – Paul Levits reported that Lou Ronca has submitted a conceptual plan for 350 homes to Bushkill Township, Male Road out to 512 by Country Junction. He was told what he has to do, but he does not feel that he has to follow those rules. He wants to avoid confrontation with the Bushkill Township officials. He wants to get Wind Gap Municipal Authority involved. He has an opinion letter from Len Zito stating that he could enter into a private agreement with the WGMA. The WGMA attorney advised the authority that if they go into a private agreement then they would be subject to PUC regulations. Paul does not believe that anyone on the WGMA wants to go in that direction.

Scott informed Council that there is a meeting on Friday regarding the bridge project. The meeting is scheduled for 2:00 p.m. in the construction trailer.

8. 911 – Tony Curcio had nothing to report.

Mayor's Report

Contractor's license for the month of February was \$175 for a total in 2007 of \$875, transient license \$25 for a total in 2007 of \$25 for a grand total collected of \$900. Police have responded to 257 calls through February. Next COG meeting is scheduled for March 28, 2007 at 7:30 p.m.

He received an application for grants on libraries that asks for a 50% match of funds. Louise informed Council that the Blue Mountain Community Library does not qualify for this grant.

He informed Council that the Borough has received paperwork on the census. He asked for volunteers. Kerry replied that Council would have to think about how this will be handled.

He asked Council to stay informed about the illegal immigrants in Hazelton because once that has been decided he will be coming back to Council to take a stand on the issue.

NEW BUSINESS

There was no new business.

OLD BUSINESS

There was no old business

On motion by Tony Curcio to adjourn the meeting of March 20, 2007 and seconded by Todd Beil. Council agreed unanimously. The meeting of March 20, 2007 adjourned at 8:16 p.m.

Louise Firestone, Borough Administrator