

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
863-7288
FAX 863-1011**

EXECUTIVE SESSION

The Council met from 6:45 p.m. to 7:30 p.m. for Executive Session at Wind Gap Borough Hall.

The Council reorganizational meeting of the Borough of Wind Gap on Monday, January 7, 2008, was called to order at 7:30 p.m. by Mayor Mitchell D. Mogilski, Sr., at which time he reminded those present that the meeting was being recorded. In attendance were Councilpersons: Jon Faust, Todd Beil, Scott Parsons and Tony Curcio. Also in attendance were Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysher and Borough Administrator Louise Firestone.

Administering the Oath of Office to Councilmen - At this time Mayor Mogilski administered the Oath of Office to: Kerry Gassler, George Hinton, Jr. and Joseph Weaver. Council then took their seats.

Mayor Mogilski then proceeded with the order of business by seeking nominations for Council President. Council made the following: **On nomination** by Kerry Gassler for Scott Parsons to hold the position of Council President. Voting for Scott Parsons: T. Beil, T. Curcio, J. Faust, K. Gassler. Scott was appointed Council President.

The next item of business was Mayor Mogilski seeking nominations for Council Vice President. Council made the following: **On nomination** by Kerry Gassler for George Hinton, Jr. to hold the position of Council Vice President. Voting for George Hinton, Jr.: T. Curcio, J. Faust, K. Gassler, G. Hinton. George was appointed Council Vice President.

Mayor Mogilski turned the meeting over to Council President Scott Parsons.

APPOINTMENTS

1. Borough Solicitor
On motion by Tony Curcio to appoint the firm of Zito, Martino and Karasek as Borough Solicitor and seconded by Todd Beil. Roll call vote taken. Motion carried unanimously.
2. Borough Planning Solicitor
On motion by Tony Curcio to appoint the firm of Zito, Martino and Karasek as Borough Planning Solicitor and seconded by Todd Beil. Roll call vote taken. Motion carried unanimously.
3. Borough Zoning Solicitor
On motion by Todd Beil to appoint The Molnar Law Offices as Zoning Hearing Board Solicitor and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.
4. Borough Engineer
On motion by Jon Faust to appoint Robert Collura Engineering as the Borough Engineer and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

5. Alternate Borough Engineer
On motion by Todd Beil to appoint Hanover Engineering Associates as the Borough's Alternate Engineer and seconded by Tony Curcio. Roll call vote taken. In favor: J. Weaver, T. Beil, T. Curcio, J. Faust, S. Parsons. Opposed: K. Gassler, G. Hinton. Motion carried with a vote of 5-2.
6. Borough Sewage Enforcement Officer
On motion by Kerry Gassler to appoint Robert Collura Engineering as the Borough's Sewage Enforcement Officer and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.
7. Borough Auditor
On motion by Todd Beil to appoint France, Anderson, Basile and Company as the Borough Auditor and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.
8. Zoning Hearing Board
 No letters of interest were received. Tony Curcio to contact Mark Sharp regarding his decision to remain on the Board.
9. Planning Commission
On motion by Scott Parsons to re-appoint Todd Beil and William Wallen to the Planning Commission and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.
10. Park Board
 No letters of interest were received.
11. Wind Gap Municipal Authority
On motion by Scott Parsons to re-appoint Brian Thompson to a five year term on the Wind Gap Municipal Authority and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

PUBLIC COMMENT

No one appeared before Council at this time.

APPROVAL OF EXPENSES

On motion by Todd Beil to approve the expenses in the amount of \$31,046.14 and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

SOLICITOR'S REPORT

Ron Karasek reported that all the matters being handled by his law office for the Borough during the month of December are outlined in a report. The report includes the meetings attended as Borough Solicitor.

Subdivision Matters: File Plan with Borough and prepare Application for Modification (SALDO Wavier - re: Grand Central Investment Co., Ltd. – Lot Annexation Plan. Submit Grand Central Investment Co., Ltd. – Lot Annexation Plan to LVPC for review.

Land Development Matters: Receipt, review and administration of correspondence from Keenhold's attorney re: condemnation case.

Zoning and Other Land Use Matters: File Borough Ordinance No. 460 (Real Estate Transfer Tax) with Northampton County Office of Recorder of Deeds.

Developments on Outstanding Litigation: Send personal injury claim of C. Garrett to Borough for submission to insurance carrier.

Court Decisions on Borough Cases: N/A

Miscellaneous: Preparation of Memorandum re: salaries for Mayor and Council, Preparation of Memorandum re: Mayor-in-Charge-of Police Issue, Review various correspondence, subdivision and land development review letters, prepare correspondence, prepare extension agreements and approval forms for subdivision and land development matters, and make and receive telephone calls.

Outstanding Items: West Seventh Street: received metes and bounds description from Borough Engineer. Does Borough wish to proceed with street ordination and attempt to obtain property from adjoining property owners? Keenhold Condemnation – PPL Cell Tower matter – only partial condemnation needed. Dentith storm water counterclaim (filed in response to Borough’s injunction lawsuit and request for Borough’s expenses) – no action taken and remains pending. Ordinance for loitering, begging and panhandling. Ordinance for Office Staff pension – pending meeting with Principal’s Representatives. Ordinance and agreement to adopt Intermunicipal Comprehensive Plan. Ordinance for reimbursement of equipment, materials and supplies in responding to environmental, hazardous, safety or rescue events (police, fire or both?)

Ron stated that at a Council meeting on December 3, 2007 he was directed by motion to draft an ordinance for the purpose of increasing compensation for the Mayor, Council President and Council members. He added that even though there were enough members of Council to constitute a quorum that evening, the vote was not the majority of a full board of members and not a majority of the new Council and would recommend that this Council revote on this issue.

On motion by Kerry Gassler to re-affirm Council wishes that the compensation for the Mayor be increased from \$2,000 to \$2,400, Council President from \$1,200 to \$1,600 and Council from \$720 to \$1,200 per year and seconded by Todd Beil. Roll call vote taken. In favor: S. Parsons, T. Beil, T. Curcio, J. Faust, K. Gassler. Opposed: J. Weaver, G. Hinton. Motion carried with a vote of 5-2.

Ron reported that Attorney Monahan, attorney for Richard Keenhold, is asking for a settlement conference and he will report to Council when the conference is scheduled.

Ron reported that all the necessary paperwork has been completed for the matter related to Grand Central Investment and a portion of East West Street. He is asking Borough Council to waive the requirements of the Subdivision Ordinance since this would give the Borough that portion of East West Street which is currently owned by Grand Central Investment.

On motion by Todd Beil to waive the planning process for the Grand Central Investment property on East West Street and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

ENGINEER’S REPORT

Brian Pysher reported that a meeting was held at the Roberti property today with George, Louise, Sherry Acevedo and a representative from Land Studies to discuss the design of the property. Land Studies specializes in reclamation and native vegetation and will be designing the stream bed on that property. Brian will report as this project progress.

He reported that he spoke to Scott McMackin regarding the Manor Haven project. Brian will be fully reviewing the plans of this project to determine if the size of the pipes could be reduced, but still be sufficient to carry the water.

NEW BUSINESS

1. Approval to Advertise 2008 Borough Meetings.

On motion by George Hinton to advertise Borough Council meetings for the first Monday and third Tuesday of every month with the exception of Labor Day (September 4) will be scheduled for Tuesday, September 5, 2006 and schedule only one meeting in July and that would be Monday, July 10, 2006 and seconded by Jon Faust. Roll call vote taken. In favor: T. Beil, T. Curcio, J. Faust, K. Gassler, G. Hinton, S. Parsons. Opposed: J. Weaver. Motion with a vote of 6-1.

2. A & B Fuel. The Borough did purchase fuel on a pre-paid basis from A & B Fuel and they have been shut down.

On motion by Kerry Gassler to contact Lessig Oil, Cortez, Reimer, and Tolino securing the lowest quote per gallon and purchasing for immediate fill up and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

On motion by Kerry Gassler to put the fuel contract out to bid for the remainder of this heating season and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

3. Filing Cabinets. Scott Parsons asked the Borough Engineer to determine if the floor on the second floor of the Borough building could hold the filing cabinets that currently sit in Council Chambers. There are five fire proof cabinets and several other files that could be moved out of the way because they are not needed on a daily basis.

OLD BUSINESS

1. Scott asked if the letter was sent to PennDOT requesting the speed limit being reduced from 35 m.p.h. to 30 m.p.h. on Broadway. Louise to make sure this letter is signed by the Mayor and the Chief of Police.

On motion by Tony Curcio to adjourn the meeting of January 7, 2008 and seconded by Todd Beil. Council agreed unanimously.

The meeting of January 7, 2008 adjourned at 8:24 p.m.

Louise Firestone, Borough Administrator