

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
863-7288  
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The Council meeting of the Borough of Wind Gap on Tuesday, December 16, 2008, was called to order at 7:30 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilpersons: Jon Faust, Kerry Gassler, George Hinton, and Joe Weaver. Also in attendance were Mayor Mitchell D. Mogilski, Sr. and Borough Administrator Louise Firestone. Absent was Councilman Tony Curcio.

**PUBLIC COMMENT**

No one appeared before Council at this time.

**APPROVAL OF MINUTES**

**On motion** by Kerry Gassler to approve the minutes of the meeting of October 21, 2008 and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

**On motion** by Kerry Gassler to approve the minutes of the meeting of November 3, 2008 and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

**On motion** by George Hinton to approve the minutes of the meeting of November 18, 2008 and seconded by Jon Faust. Roll call vote taken. In favor: G. Hinton, S. Parsons, J. Weaver, J. Faust. Abstained: K. Gassler. Motion carried with a vote of 4-0-1.

**On motion** by Kerry Gassler to approve the minutes of the meeting of December 1, 2008 and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

**APPROVAL OF EXPENSES**

**On motion** by George Hinton to approve the expenses in the amount of \$15,363.12 and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

**MAYOR'S REPORT**

Mayor Mitchell D. Mogilski, Sr. reported that the fees collected for the month of September, contractor's license was \$125 and October was zero for a total year-to-date of \$1,825, amusement license fee for both September and October was zero for a total year-to-date of \$625 and transient license fee for September was \$100 and October was zero for a total year-to-date of \$225 and a grand total of \$2,675. Council received the police reports for October and November. They responded to 113 calls in October for a total of 1,403 and 123 calls in November for a total of 1,528. The COG will be meeting tomorrow at the old Washington Elementary School at 6:30 to adopt the 2009 budget and at 7:15 p.m. they will be having a Christmas dinner.

## NEW BUSINESS

1. Enactment of Ordinance 468 – Real Estate Tax Millage Rate for 2009.

**On motion** by Kerry Gassler to enact Ordinance 468 and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

2. Advertise 2009 Meeting – January 5, 2009.

**On motion** by Kerry Gassler to advertise the meetings for the first Monday and third Tuesday of each month with the exception of July and August and the first Monday in September as follows: January 5 and 20, February 2 and 17, March 2 and 17, April 6 and 21, May 4 and 17, June 1 and 16, July 6, August 3, Tuesday, September 8 and 15, October 5 and 20, November 2 and 17, December 7 and 15 and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

## OLD BUSINESS

1. Appointment to Vacant Council Seat. Council received two letters of interest, David Hess and John Maher.

**On motion** by Kerry Gassler to appoint David Hess to fill the vacant council seat expiring December 31, 2009 and seconded by Jon Faust. Roll call vote taken. yea - G. Hinton, yea - S. Parsons, nay J. Weaver, yea – J. Faust. David Hess received the majority of Council's votes and was appointed.

Mayor Mitchell D. Mogilski, Sr. swore in Councilman David Hess. Councilman Hess took his seat at the Council table.

2. Teamster Contract – Wind Gap Street Workers. George Hinton explained that the street committee met with the workers and their agent. The committee is recommending a three year contract with a 50 cent increase for 2009, a 60 cent increase for 2010 and a 70 cent increase for 2011, an increase of \$25 per month into their retirement, the sick days have now been changed to personal days and those days cannot accumulate over time, but John Zucal can retain the accumulated days he currently has. Scott pointed out three typos that need corrected prior to the execution of the contract, page 1 "Borough or the employer, s/b employee", page 5, "weekly, s/b bi-weekly", page 7 "48 hours notice for personal and floating".

**On motion** by George Hinton to approve the Teamster Contract on the condition that the typos are corrected and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

3. Keenhold Condemnation. George Hinton spoke to Richard Keenhold regarding an offer for the property on North Broadway that was condemned by the Borough. Rick agreed to \$15,000 if it is paid prior to the end of the year. Brian Pysher shot the metes and bounds lines for accurate description. Scott stated that he spoke to Tony Curcio who is away on vacation and Tony is in agreement with the proposed settlement amount.

**On motion** by George Hinton to settle the Keenhold Condemnation on North Broadway before the end of the year in the amount of \$15,000 with a signed settlement agreement or deed and seconded by Jon Faust. Roll call vote taken. In favor: J. Weaver, J. Faust, K. Gassler, G. Hinton, S. Parsons. Abstained: D. Hess. Motion carried with a vote of 5-0-1.

Kerry Gassler informed Council that there are taxes due on the property, the first four years have been paid, but the last three years have not been paid as of yet. Ron Karasek to double check with the County to verify the taxes due on the property.

4. Jon Faust asked where the Council stands with regard to the COG membership. Scott stated that he spoke to Pen Argyl Mayor Judy Piper and they are considering joining the Nazareth COG. Scott suggested that Pen Argyl, Plainfield Township and Wind Gap sit down together every quarter. Mayor Mogilski reminded Council that the COG requires a year notification prior to leaving the COG. Ron Karasek added that the COG has a formal Appeals Board that the Borough would lose should they decided to leave the COG. This topic to be discussed at a later date.

**On motion** by Joe Weaver to adjourn the meeting of December 16, 2008. Council agreed unanimously. The meeting of December 16, 2008 adjourned at 8:04 p.m.

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Louise Firestone, Borough Administrator