

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
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The Council meeting of the Borough of Wind Gap on Tuesday, May 19, 2009, 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 Councilmen: Jon Faust, Dave Hess, George and Hinton. Also in attendance were Mayor Mitchell D. Mogilski, Sr., Borough Solicitor, Ronold Karasek, Borough Engineer, Brian Pysker, and Borough Administrator Louise Firestone.

Absent were Councilmen: Kerry Gassler, Joe Weaver and Tony Curcio.

PUBLIC COMMENT

1. Pete Layman, representing Gibraltar Development Corporation, Inc., informed Council that he continues to move forward with this project for his client, but he asked that a meeting regarding the outstanding issues with the neighbor, Mr. Karner, on East First Street be held. The meeting is scheduled for tomorrow, May 20, 2009 at 4:30 p.m. at the Karner property.

2. Ralph & Carmela Kahn, 265 East Center Street, Wind Gap. Ralph Kahn explained that he contacted the Borough office regarding activity on the wooded lot behind his property. Ralph believes that the property is being clear cut and this has caused water issues on his property. Brian Pysker stated that according to the 1910 Dr. Keller plan the paper street was never ordained and everyone on the plan has a right to that alley. The owner of the property, Mr. Papillon, should not be using an excavator for tree removal. The Borough Zoning Officer did take pictures and sent an enforcement notice to make the owner aware that there are permits and studies required prior to improving his property. He is still able to cut firewood with hand tools as long as there is no earth disturbance. If he disturbs the exceptional value wetlands DEP would enforce penalties against the property owner. Brian advised Mr. and Mrs. Kahn to report any work being done at that property to the Borough office. Brian will follow up with a phone call to Mr. Papillon tomorrow.

APPROVAL OF MINUTES

On motion by Jon Faust to approve the meeting minutes of February 17, 2009 and seconded by Dave Hess. Roll call vote taken. Motion carried unanimously.

On motion by Dave Hess to approve the meeting minutes of March 9, 2009 and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

On motion by Jon Faust to approve the meeting minutes of March 17, 2009 and seconded by Dave Hess. Roll call vote taken. In favor: S. Parsons, J. Faust, D. Hess. Abstained: G. Hinton. Motion carried with a vote of 3-0-1.

On motion by George Hinton to approve the meeting minutes of April 6, 2009 and seconded by Jon Faust. Roll call vote taken. Motion carried unanimously.

NEW BUSINESS

1. Techo-Bloc Trucks. Scott Parsons reported that he has made several phone call attempts to set up a meeting. He has spoken to Mike Goffredo and the Borough Zoning Officer and was told nothing to could be done to restrict the trucks on the MSG property. MSG has an agreement to make repairs on the trucks should they need any maintenance work completed. Scott believes that MSG is running two businesses out of that property. Jon Faust confirmed that MSG does have one mechanic still on shift. Resident, Mike DePowers, added that ten trucks drop off all day long from midnight on. He explained that the trucks are destroying Alpha Road and that Council should be concerned for the safety of the residents and the condition of the road. Brian Pysher explained that there is one principle use, a garage and mechanic and that a private garage is an allowed use in the IME District according to the Borough's Zoning Ordinance. Ron Karasek stated that a motor freight terminal is a place for the transfer of goods. Scott asked if the Borough could restrict the hours of operation from 6:00 p.m. to 6:00 a.m. Ron replied that as was the case with the quarry, according to interstate commerce, the Borough cannot restrict the street. Scott stated that he will continue to organize a meeting with representatives from MSG, Techo-Bloc and the Borough to sit and try to come up with an acceptable remedy to this problem.

2. Town Wide Yard Sale. Council set the yard sale as July 10, 11, 12, 2009. As in years past, no permit is required for this sale.

OLD BUSINESS

1. Tittle Property. Scott Parsons asked for an update on both properties. Ron Karasek stated that the Tittle property is in limbo until the judgment by the U.S. Government is satisfied. Jon Faust informed that a court hearing date has been set for May 26, 2009.

2. Borough Generator. George Hinton reported that different contractors were contacted and Dave Albanese provided a generator made by a Division of Cutler-Hammer, 7KW, he will maintain is for a cost of \$3,785.

On motion by Jon Faust to purchase the Cutler-Hammer 7KW generator for a cost of \$3,785 and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

COMMITTEE REPORTS

1. EMS – Kerry Gassler was absent.

2. Police – George Hinton reported that he was unaware that both ranking police officers were granted permission by the Mayor to be on vacation at the same time. This occurred last year and with a department of only five officers he strongly recommends that this does not happen again. He stated that a police officer was needed at the park on Saturday afternoon and one could not be found. Scott and George will meet to continue discussing the issues related to the police contract.

3. Sewer Authority – Dave Hess had nothing to report.

4. Fire Company – Jon Faust reported that the Fire Company responded to 16 calls in April for a total of 54 this year. He reminded those present that the annual firemen's' carnival will be held June 2 – 6, 2009. The parade will be held on Saturday, June 6, 2009 at 2:00 p.m.

5. Streets – George Hinton reported that the bulk of the work has been completed at the old Roberti property. Sherry Acevedo, D & L, has a plant list for the plantings and she is coordinating with Louise and volunteers to set up a planting day for the site. The paperwork for the permit to install the sidewalk has been sent to PennDOT.

The project across from the Candle Factory on North Broadway will begin. Brian Pysher to coordinate this project. There is a 36" concrete pipe that leaks from the joints so Brian has proposed bell fitting one into the other to eliminate the leaks and the undermining of the soil in the neighbor's yards.

6. Zoning – Tony Curcio was absent.

7. Planning – Scott Parsons reported that no new submissions have been made.

8. Parks – Joe Weaver was absent.

9. 911 – Tony Curcio was absent.

10. Buildings – Jon Faust reported that several meetings have occurred and he would like to discuss the agreement next meeting.

11. Finance – Louise Firestone reported that a worker's compensation auditor will be in the office.

MAYOR'S REPORT

Mayor Mitchell D. Mogilski, Sr. reported that the police responded to 164 calls in the month of April for a year total of 568. The cameras are being installed in the police cruisers. The next Council of Governments meeting is scheduled for May 27, 2009. He reported that the COG website has been corrected. The Easter Egg Hunt schedules was discussed and the members agreed that they need to coordinate the times next year.

On motion by Jon Faust to adjourn the meeting of May 19, 2009. Council agreed unanimously. The meeting of May 19, 2009 adjourned at 9:03 p.m.

Louise Firestone, Borough Administrator