

# Delaware Water Gap Borough Council

## Regular Meeting Minutes

### May 4<sup>th</sup>, 2020

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#### Call to order

The Regular Meeting of the Borough Council of Delaware Water Gap was held on a virtual Zoom call accessible both online and by telephone on Monday, May 4<sup>th</sup>, 2020. The following officials were present: Mayor **Larry Freshcorn**, President **Jack Shoemaker**, Vice President **William “Bill” Buzzard**, Councilmen **Zack Booth**, **Tim Snow**, **Derek Anspach**, Councilwoman **Lisa Paulette**, and President Pro Temp **Eileen Noelle**. Also present were Borough Secretary/Treasurer **Shaina Serrano**, Borough Superintendent **Harry Kent Darlington**, Solicitor **Deb Huffman**, DWG Police Chief **Andy Yakubik** and Fire Department Chief **Howard Ike**. The following were excused for nonattendance: Zoning Officer **Mark Kirk** and Open Space & Trail Committee Chair, **Sue Cooper**.

President Jack Shoemaker called the meeting to order at 7:20 p.m. and lead the Pledge of Allegiance.

#### Reports

##### *Secretary/Treasurer’s Report (Shaina Serrano)*

- Vice President, Bill Buzzard made a **motion** to approve the Treasurer’s Report (*Ref. 1*) including current Accounts Payable as well as bills paid since approval at the last meeting on April 4<sup>th</sup>, 2020 with the exception of RCAP bills. Councilman Derek Anspach seconded the motion. The motion was passed unanimously.
- January 6<sup>th</sup>, 2020 Reorganizational Meeting & Regular Council Meeting Minutes. Will be provided by email and the decision of approval by council will be made to publish on the website. A motion will be made during Regular Council Meeting, on June, 1<sup>st</sup>, 2020.
- Councilman, Derek Anspach made a **motion** to approve April 6<sup>th</sup>, 2020 Regular Council Meeting Minutes. Councilwoman, Lisa Paulette seconded the motion. The motion was passed unanimously.

##### *Superintendent Report (Harry Kent Darlington)*

- Report Provided. (*Ref. 2*)
  - Councilman, Tim Snow shared his concern about the split ash tree near Shull Park needs to be removed.
  - President, Jack Shoemaker & Mayor, Larry Freshcorn both thanked Superintendent, Harry Ken Darlington on the beautiful paint job he did on the floor of the Borough Hall.

##### *Police Report (Chief, Andy Yakubik)*

- Parking tickets: 51 in April & 12 in May so far.
  - President, Jack Shoemaker commended both Chief Yakubik and Officer Ceccato for their efforts.
  - Visitors are now parking on Minsi Road.
- There is a new RMS System that is being looked into. The cost will be about \$300.00 and our current system costs \$1,200.00, saving us around \$900.00.
  - The new system will provide our Police Department with updates on all arrests within the Monroe County.

- Old RMS System (Informant) expires at the end of the month. The program is pointless and we will not be renewing. The new system should be available for purchase approximately 9.2020.
- A new AED & Defibrillator needs to be purchased.
  - There might be grant opportunities available.
    - Resident, Tammy Cornelius shared that The Greg Moyer Foundation might be able to assist in obtaining one.
    - President, Jack Shoemaker expressed that with or without a grant we need to buy one.
  - Chief Yakubik will obtain quotes.
  - Chief Yakubik has the credentials to train those who are interested in becoming AED certified.

### *Mayor's Report (Larry Freshcorn)*

- COVID-19 Update:
  - DWG participated in "Bells Across PA Day" to honor our frontline workers. At 7:00 PM on May 3<sup>rd</sup>, 2020, all Pennsylvanians and places of worship were encouraged to ring bells for three minutes.
- The survey for PEMA to recoup funds due to COVID-19 has been completed. We should keep track and submit: extra hours, overtime, signs installed, etc.
- Parking issues have increased, but this past weekend our officers were patrolling and have decreased the amount of traffic on Mountain Road.
  - Should we increase our fine to an amount over \$35.00? Lake and Minsi Roads are also becoming overloaded with parked cars blocking the road.
  - Further research needs to be completed by the Roads Committee regarding tows and increasing fines. Once research is done, forward to Solicitor, Deb Huffman for review.
  - Councilwoman, Lisa Paulette suggested that we should begin enforcing the usage of resident parking permits.
- Founder's Day will be postponed to a later date closer to the fall due to the current pandemic.
- Neighborhood Program Update
  - Our volunteers are now delivering meals to 15-20 people Monday through Saturday
  - A special thank you to: Jody Reynolds for all the delicious food you have been baking as your contributions and to the anonymous donation of \$500.00.
  - Please contact us if you or anyone you might know are in need. Larry Freshcorn at [l.freshcorn@dwgpa.gov](mailto:l.freshcorn@dwgpa.gov) or the Borough Office at 570.476.0331.
  - A link will be added to the website [www.dwgpa.gov](http://www.dwgpa.gov) to sign-up for services and possibly for donations.
    - Solicitor, Deb Huffman will provide us with legal guidance as to how we are allowed to receive monetary donations.
  - Thank you to many residents who have been contributing their time to help others in our community:
    - Resident, Tammy Cornelius for taking a resident to the hospital.
    - Councilman, Zack Booth and wife for doing store runs.

### *Engineer's Report (Melissa Prugar, Boucher & James, Inc.)*

- The **Water Service Line & Valve Installation Project**
  - Termination of 2" galvanized pipe is still pending. The contractor Bellview Pump will be returning to repave Vertellus' driveway.

- Councilman, Derek Anspach informed Engineer, Missy Prugar that we are unsure where the valve is. We are under the impression that the initial agreement was for the contractor to locate the valve, but are they also responsible to excavate?
      - Engineer, Missy Prugar will follow-up.
- The **Unnamed Cherry Valley Creek (Caledonia Creek) General Permit #5**
  - The waterline is located on 2 residential properties (7627 Cherry Valley Road and 7629 Cherry Valley Road). Our Solicitor, Todd Weitzmann sent letters to the above-mentioned property owners requesting access to survey the existing waterlines.
    - If no response is received by May 18<sup>th</sup>, 2020, we shall assume property owners are approving our request and we will resume with the survey.
  - Councilman, Derek Anspach reached out to both property owners requesting the same in order to create an appropriate easement.
- **Cherry Valley Road Improvements – LSA Grant**
  - Councilman, Tim Snow made a ***motion*** to approve the proposal provided to council by Engineer, Mellissa Prugar of Boucher & James totaling \$21,600. (*Ref 3*) Councilman Derek Anspach seconded the motion. The motion was passed unanimously.
    - Councilwoman, Lisa Paulette question if the remediation would be included and the drainage issue would be addressed. The Engineer, Missy Prugar assured us that the proposal does include the design for the drainage and accidentals.
- **Lot 15 Caldano Drive/Minsi Road – Stormwater Management Permit Review**
  - Construction Cost and Quantity Estimate provided. (*Ref. 3*)
  - Storm Water Management Permit Review No. 2 has been provided and all approved thus far.
  - We have to post escrow and sign agreement.
  - Councilwoman, Lisa Paulette made a ***motion*** to sign & notarize the O & M Agreement Storm Water management BMPs from Classic Quality Homes for new construction on Lot 15 Caldano Drive/Minsi Road. (*Ref. 4*) Councilman Derek Anspach seconded the motion. The motion was passed unanimously.
    - Zoning Officer, Mark kirk requested if he could review blueprints prior to the Borough signing. Engineer, Missy Prugar explained that this was standard and council agreed.
- **Lot 2 Henley Subdivision**
  - Still no response.

*DWG Fire Company (Howard Ike, Fire Dept. Chief)*

- No report or comments.

**New Business**

- President Pro Temp, Eileen Noelle made a ***motion*** to approve and sign the ***Resolution 2020-004*** Extension for the payment of property taxes to match Monroe County's that was passed. Vice President, Bill Buzzard seconded the motion. The motion was carried unanimously.
  - The school tax is **not** included in this resolution, because it was not included in the Act passed by Monroe County.
  - The Tax Collector, Christine Farber will also receive a copy.
- President Pro Temp, Eileen Noelle made a ***motion*** to approve and sign the ***Resolution 2020-005*** EIS Rockwall Mitigation Project. Councilman, Tim Snow seconded the motion. The motion was carried unanimously.

- Vice President, Bill Buzzard confirmed that the bridge leading to the DWG Wellness Center is owned by the Borough of DWG. There was a court ruling about 10-20 years ago confirming the ownership.
  - Vice President, Bill Buzzard will follow-up and email Solicitor, Deb Huffman the paperwork.
  - We will be following-up with Engineer, Missy Prugar to post a weight limit to ensure we are not obstructing the workflow at the DWG Wellness Center.
- Thank you, Jamie Levy, for bringing a new business to the Borough of DWG and we wish them the best of luck.
  - 84C Main Street is now occupied by, **Tru-Colours Makeup Studio & Spa.**
- Vice President, Bill Buzzard made a **motion** to approve Zoning Officer, Mark Kirk's request to work from the Borough Hall on Fridays beginning Friday, May 8<sup>th</sup>, 2020. Councilman Derek Anspach seconded the motion. The motion was passed unanimously.
- Minsi Road resident called requesting "No Parking" signs be installed due to the ordinance.
  - Trail visitors are blocking residents in their driveways.
  - If we decide we want to tow vehicles, we might have to include "offenders will be towed".
    - An ordinance or an amendment to one will be necessary if we tow vehicles.
    - Possibly "Residential Only Parking" signs can be installed in the meantime.

## Old Business

- A motion was requested by the Personnel Committee to accept the COVID-19 Work from Home Policy.
  - With the Solicitor's advice, Council decided that the policy's date and equipment need to be updated.
  - President, Bill Buzzard made a **motion** to table the decision for during the executive session to accept the COVID-19 Work from Home Policy. Councilman, Zach Booth seconded the motion. The motion was carried unanimously.
- Employee Handbook including employees paid holidays is still awaiting finalization. Tabled to the next council meeting.
- DWG Borough Hall Building security system. **Tabled** to next council meeting.
  - Quoting other companies and reviewing our current provider.
- Payment to Shaina Serrano for website creation and maintenance. **Tabled** for personnel suggestions to next council meeting.
- Water Operator, Craig LaBarre informed the Borough of an antiquated 8" check valve located at 61 Broad Street (Aleks Trucking) and would like to know if the line is necessary to keep. **Tabled** to next council meeting.
- As soon as Darron Schaedel's background check returns, he will be our new Emergency Management Coordinator.
- DWG requesting a "slow-light" to be installed due to the I-80 Rockwall Project. **Tabled** to next council meeting due to the COVID-19 pandemic. Mayor, Larry Freshcorn and councilwoman, Lisa Paulette will follow-up.

## Committee Reports

### *Water Committee/Zoning Ordinance (Derek Anspach)*

- The Zoning Ordinance Book has been completed aside from a question to Solicitor, Todd Weizmann about rehab centers and group homes/half-way house/transition housing.
  - Reviewing neighboring towns such as Lehigh Valley & Stroudsburg for input on creating conditional uses. Such housing is permitted, but we would like for the approval to go through a *conditional use* hearing prior to obtaining a zoning permit.
  - Councilwoman, Lisa Paulette asked what exactly “**group homes**” were considered. Councilman, Derek Anspach informed Council that we cannot discriminate one disability over another as per the ADA (American Disabilities Act). Alcoholism and drug addiction are both considered disabilities.
- There has been a fuel pump & switch generator failure at Wellhouse #6/7.
  - The Water Committee is still waiting for quotes with COSTAR pricing. A new generator will cost around \$30,000 with a system that is entirely automatic. The new generator will be the same type of system as wellhouse #4. Another advantage to this upgrade is that we will no longer lose water in any location due to a power outage.

### *Budget/Finance Committee/Personnel (Bill Buzzard)*

- No Comments.

### *Sanitation/Recycling Committee (Tim Snow)*

- Procedure for distributing recycling bin. **Tabled** to next council meeting.
  - Councilmen, Derek Anspach & Tim Snow

### *Economic Development Committee (Eileen Noelle)*

- Update on our local businesses:
  - Joe Bosco’s is now open for take-out
  - State police caught the Sycamore Grill thief and they retrieved their stolen items back.
- Both the DWG Police Department and Borough Hall need a new fleet service for our vehicles.
  - Gulf offered their fleet service, but we will not pursue this offer as there are limited locations opened and there is a need to use more than one provider.
  - Councilman, Zack Booth offered to assist in this matter with Secretary/Treasurer, Shaina Serrano.

### *Recreation/Parks & Special Projects Committees (Lisa Paulette/Zack Booth)*

- There has been an increased amount of traffic and the overload of nuisance parking due to an overwhelming number of hikers. In the beginning of the trail, there has also been an increased amount of vandalism and littering.
  - President Pro Temp, Eileen Noelle shared that “Jennifer” works for the parks service and inquired if we were looking to close the park trail entrance. She would work in conjunction with Soula Jacobs if this is an option we are looking to explore.
  - Councilwoman, Lisa Paulette thinks we shouldn’t close our entrance to the park/trail at this time. If we had been in favor of closing the entrance it should have been when NJ closed theirs. At this point NJ has reopened their parks and trails. At this point we are **not** closing our entrance to the park/trail.
- Councilwoman, Lisa Paulette has attended both Zoom meetings and interview with the East Stroudsburg Active Transportation Steering Committee.

- The RCAP invoices that we initially received in 2019 might have been for the DWG Municipal Authority. Councilman, Derek Anspach will review and have Secretary/Treasurer, Shaina Serrano update accordingly.

### *Open Space & Trail Committee (Susan Cooper)*

- Excused. No Comments.

### *Building/Roads/Maintenance Committee (Jack Shoemaker)*

- In the event of a fire or another emergency Lake Road has been blocked with illegally parked cars and prevents emergency vehicles from getting through.
  - We will be reviewing the ordinance for no parking signs on Lake Road. Superintendent, Harry Darlington will be strengthening shoulders and bring suggestions to Council.
  - At least 2 signs will be installed, but fines are not yet allowed to be issued. Larry suggested using paper signs until new signs are ordered and installed.
    - Minsi Road will have the temporary “No Parking” signs posted.
  - In vehicles are blocking owners in their driveways, please contact the police department and the police will contact a towing company to remove the vehicle.
- We are looking into using “oil and chips” to seal our sideroads. Councilman, Zack Booth will reach out to neighboring municipalities to see if they have used those materials to prolong the life of our roads.
- There is a steel grate that needs to be replaced on Waring Drive. In the past Shaina had received some quotes and they were very costly. We will reach-out to Bob Marki and request for him to fabricate something that fits and is up to code.
- The Cherry Valley Road Improvements Grant was decreased by \$1,000 due to the “Grant Audit” initially included in our budget no longer being a requirement. We will also plan to utilize what the Borough has in our Liquid Fuels account to contribute towards the completion of this project.
- There is a sinkhole on Kimberly Road that Former Superintendent, Allen Blakeslee filled up with materials. Current Superintendent, Harry Darlington will look into ways this can be fixed or further secured.
  - We have a clogging issue with the drain located at the bottom of Kimberly Road and Cherry Valley Road. Borough is requesting that Engineer, Missy Prugar includes this repair in her proposal.
- Superintendent, Harry Darlington has filled any hotspots that need patching with cold patches. He will continue to fill potholes.
  - We will follow-up with Engineer, Missy Prugar in order to assure UGI fixes Main Street and Rt. 611 potholes.
- The gas station on Mountain Road repaved over a portion of the road. Superintendent, Harry Darlington will reach-out to the owner.
- The Building/Roads/Maintenance Committee will follow-up regarding the bridge on Mountain Road.

### **Public Comments**

- No further comments contributed by the public.

## Executive Session

Councilman, Derek Anspach made a ***motion*** to enter Executive Session and Shaina Serrano transferred Admin control to Zack Booth. Councilman, Tim Snow seconded the motion. The motion was carried unanimously.

Entered Executive Session at 9:55 P.M.

Vice President, Bill Buzzard made a ***motion*** to exit Executive Session. Councilman, Tim Snow seconded the motion. The motion was carried unanimously.

Returned from Executive Session at 11:07 P.M.

- Councilman, Derek Anspach made a ***motion*** to purchase a laptop and necessary accessories from the Water Budget at an amount not to exceed \$750.00. Councilman, Tim Snow seconded the motion. The motion was carried unanimously.
- President Pro Temp, Eileen Noelle made a ***motion*** to purchase a laptop and necessary accessories from the General Budget at an amount not to exceed \$750.00. Councilwoman, Lisa Paulette seconded the motion. The motion was carried unanimously.
- Vice President, Bill Buzzard made a ***motion*** to hire Patrolman Louis Chiaico at the normal starting rate. Councilman, Tim Snow seconded the motion. The motion was carried unanimously.
- President Pro Temp, Eileen Noelle made a ***motion*** to authorize our Solicitor to respond to the letter received from Water Gap Capital Partners, LLC and to notify our insurance carrier of the potential claim. Councilman, Zack Booth seconded the motion. The motion was carried unanimously.

## Adjournment

Councilwoman, Lisa Paulette made a ***motion*** to adjourn. Councilman, Derek Anspach seconded the motion. The motion was carried unanimously.

The meeting adjourned at 11:12 P.M.

*Respectfully Submitted,*

Shaina Serrano  
Borough Secretary/Treasurer



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Borough Secretary/Treasurer

6/11/2020

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Date of approval