

# Delaware Water Gap Borough Council

## Regular Meeting Minutes

### June 1<sup>st</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, June 1<sup>st</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 Guest **Monica McCaffrey**. The following were excused for nonattendance: Zoning Officer **Mark Kirk**, Open Space & Trail Committee Chair, **Sue Cooper** and Fire Department Chief **Howard Ike**.

President Jack Shoemaker called the meeting to order at 7:14 p.m. and lead the Pledge of Allegiance.

#### Reports

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

- Councilman, Derek Anspach made a ***motion*** to approve the Treasurer’s Report (*Ref. 1a*) including current Accounts Payable as well as bills paid since approval at the last meeting on May 4<sup>th</sup>, 2020. Vice President, Bill Buzzard seconded the motion. The motion was passed unanimously.
- Vice President, Bill Buzzard made a ***motion*** to have to Treasurer’s Report absolutely completed and distributed by the Wednesday prior to the monthly council meeting. The list of exceptions will be provided, but should be voted on via email and ratified at the following monthly council meeting. Councilwoman, Lisa Paulette seconded the motion. The motion was passed unanimously.
- Councilman, Derek Anspach made a ***motion*** to approve January 6<sup>th</sup>, 2020 Reorganizational Meeting & Regular Council Meeting Minutes. Councilwoman, Eileen Noelle seconded the motion. The motion was passed unanimously.
- Councilman, Derek Anspach made a ***motion*** to approve May 4<sup>th</sup>, 2020 Regular Council Meeting Minutes. Councilwoman, Lisa Paulette seconded the motion. The motion was passed unanimously.

##### *Borough Violation Disputes*

- Monica McCaffrey Ticket# 0611. (*Ref. 6a-6d*)
  - This violation was due to parking in a no parking zone. Councilwoman, Lisa Paulette noted that the vehicle was also parked against traffic.
  - Mayor, Larry Freshcorn will further discuss this matter with both Police Chief, Andy Yakubik and driver, Monica McCaffrey this week with a decision. Solicitor, Deb Huffman informed Monica McCaffrey that she will not incur any late fees during this process.
  - Vice President, Bill Buzzard asked if Mayor, Larry Freshcorn and Police Chief, Andy Yakubik could create a procedure for those who would like to dispute Borough Issued Tickets. The process should be reviewed by our Solicitor, Deb Huffman.

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

- Church concerts have resumed
- “NO Parking Signs” have been installed on Lake Road.
- Cutting and trimming trees and vegetation back.
- Painting lines on the roads for the DWG Police Department.
- Water meters are still being changed along with Derek Anspach.
- Road shoulders are roughly 2-miles with the need to be trimmed. Currently using personal weedwhacker and the Borough needs to purchase an industrial one.
  - Councilwoman, Lisa Paulette made a ***motion*** to purchase a weedwhacker that shouldn't exceed \$700.00. Vice President, Bill Buzzard seconded the motion. The motion was passed unanimously.
- Superintendent, Harry Darlington will be on vacation:
  - Saturday, June 20<sup>th</sup>, 2020 through Saturday, June 27<sup>th</sup>, 2020.
  - Thursday, August 20<sup>th</sup>, 2020 through Sunday, August 30<sup>th</sup>, 2020.
- There are 6 trees that will be removed near Lake Lenape by either the Borough or the Parks Service.
- We will be installing something in order to prevent parking on Lake Road.
- Superintendent job description has been submitted to the Personnel Committee.

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

- 5.2020 Monthly Police Dept. Report Provided (*Ref. 2*)
  - 46 parking citations were issued in the month of May 2020.
    - Cutting back trees have made a huge difference
    - Lake Road is still plugged up even with the installation of signs.
      - President, Jack Shoemaker informed everyone that the Superintendent will place rocks, concrete barriers or logs in efforts to prevent people from parking on that road. Another suggestion was to possibly close off one side of the road.
        - If we made Lake Road into a one-way street it would negatively affect out Liquid Funds.
    - Requesting a bridge inspection update from the Borough Engineer, Missy Prugar.
    - Resident, Tammy Cornelius shared that Oak Street is now experiencing same issues with parking and requested if the Borough might be able to install signs there as well.
    - Mayor, Larry Freshcorn requested if we are able to increase the fines on our tickets.
    - Roads Committee please come to next council meeting with information on ticketing for vehicles parked in the opposite direction.
  - There were only 5 incidents in the month of 5.2020 which isn't too bad.
  - Please remove old police vehicle out of the garage so the Borough is able to store our equipment inside.
  - The entire DWG Police Department should be working 20 hours a week combined.
    - We have received the resignation of Patrolman, Vincent Mezick.
    - We newly hired Patrolman, Louis Chirico.

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

- COVID-19 Update:
  - Declaration of Judicial Emergency was extended until May 7<sup>th</sup>, 2020.
  - We have recently moved into the “Yellow Phase”
  - Vice President, Bill Buzzard made a ***motion*** to amend **Resolution 2020-001 Joint Declaration of Disaster of Emergency** in order to open the Borough Hall building

for voting with *Resolution 2020-001A* Amendment to Resolution 2020-001 Joint Declaration of Disaster of Emergency. Councilman, Tim Snow seconded the motion. The motion was passed unanimously.

- New precautionary measures will be taken for tomorrow's voters:
  - Masks are required for all entering the building.
  - Gloves and hand sanitizer will be provided to all voters who do not have their own.
  - Individually sanitized pens will be provided to all voters.
  - 6-foot distance parameters will be enforced.
  - 3 Voters limit allowed at a time.
- [Neighborhood Program](#) Update
  - May 30<sup>th</sup>, 2020 was the last day of our program. This program included 51 days of meals provided to those in need within our community.
  - Mayor, Larry Freshcorn asks the Borough Council, "Might there be something special we could do for the volunteers that made this program possible?"
- There was a fugitive scare in our Borough the first day our new Patrolman was on the job. He worked along side of 30 State Troopers. Thankfully, it was the wrong person and just a visitor from Pittston taking a nap.

### *Engineer's Report (Melissa Prugar, Boucher & James, Inc.) Ref. 3*

- **Cherry Valley Road Improvements – LSA Grant**
  - Survey is tentatively scheduled for the next week during the same time as Unnamed Cherry Valley Creek (Caledonia Creek).
  - Boring was completed last week.
- **The Water Service Line & Valve Installation Project**
  - Termination of the 2" galvanized service line is still pending.
  - The remaining balance due to the contractor after completion is \$9,900.00.
  - Contractor is due to pave the Vertellus driveway and fix the paving on Oak Street.
    - Councilman, Derek Anspach asked if the Engineer might be able to inspect the paved work. Engineer, Missy Prugar responded that she would check it on June 3<sup>rd</sup> when she is in the Borough.
  - Borough Engineer informed Council that the contractors have reached "substantial completion" on/or before the specified date.
    - Councilman, Derek Anspach was informed by the Grant Administrator that he suggests to wait until the project is 100% complete prior to submitting any paperwork for grant reimbursement.
    - Vice President, Bill Buzzard asked what the final date is.
- **The Unnamed Cherry Valley Creek (Caledonia Creek) General Permit #5**
  - Currently working with the Borough to locate the waterline to establish an easement for construction and maintenance. (more info in CVR Improvements section above.)
- **Lot 15 Caldano Drive/Minsi Road – Stormwater Management Permit Review**
  - The project is regarding the construction of a single-family residential dwelling.
  - The Engineer has received signed and sealed plans. The plans will be provided to the Borough for its records and use by Tuesday, June 2<sup>nd</sup>, 2020.
- **Lot 2 Henley Subdivision**
  - Tentatively scheduled to meet the contractor on the project site Wednesday, June 3<sup>rd</sup>, 2020.

### *Zoning Officer/Building Inspector Report (Mark Kirk, SFM Consulting)*

- 5.2020 Monthly Report Provided. (Ref. 5)

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

- No report or comments.

## New Business

- Adams Outdoor Advertising requested proration of lease for 4.2020-3.2021.
  - Vice President, Bill Buzzard made a ***motion*** to accept and sign the proposed lease agreement and addendum II which allows Adams Outdoor Advertising to pay the missed \$ 10,436.34 in 5 monthly installments of \$ 2,087.27 during the months of February, March, April, and May of 2021. They will be making a payment of \$52,181.80 by the end of June 2020. Councilman, Derek Anspach seconded the motion. The motion was passed unanimously.
  - Councilwoman, Lisa Paulette asked if Council could review the lease terms.
  - President, Jack Shoemaker thanked both Todd and Deb for all of their efforts in assisting the Borough with this situation.
- Vice President, Bill Buzzard made a ***motion*** to approve the insurance proposal provided to us by Brown & Brown subject to review and complete submission of requested documents by the Borough Secretary/Treasurer, Shaina Serrano. Councilman, Derek Anspach seconded the motion. The motion was passed unanimously.
- Councilman, Derek Anspach made a ***motion*** to pass ***Resolution 2020-006*** Amending the Fee Schedule Regarding Fees for Certain Septic Permits. Vice President, Bill Buzzard seconded the motion. The motion was passed unanimously.
- The Borough has a copy of the “Replacement of Authority – Demolition Fund of Monroe County Program” in the Borough Hall available to view.
  - This is an excellent program started by the Monroe county commissioners. If there is a property that is deemed not safe and secure... this program can be utilized to help have the property taken care of.

## Old Business

- Posting weight limit on the bridge at the end of Mountain Road in order to protect our waterline. ***Tabled*** to next council meeting.
  - Engineer will provide information at the 7.2020 Council Meeting.
- 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.
- Solicitor, Deb Huffman has advised the Borough not to accept donations for the Neighborhood Program, but the program has since been ***terminated***.
- Monroe County has recognized Darron Schaedel as our Emergency Management Coordinator.
  - Still awaiting the recommendation from Governor Wolfe. This will take some time. ***Tabled*** to next council meeting.
- New RMS System for Police Department (available approx. 9.2020). ***Tabled*** to next council meeting. Waiting on supervisor from control center. This program is based on the number of residents in our town. It is less expensive and more efficient.
- New AED & Defibrillator needs to be purchased. ***Tabled*** to next council meeting.
  - Chief has a quote for a new AED & Defibrillator that is around \$1,500.00.
  - President Pro Temp, Eileen Noelle will check with Rachel Moyer for grant opportunities.
  - Allow Emergency Management Coordinator, Darren Schaedel to assist with this purchase.

- Chief, Andy Yakubik informed council not to purchase one from the manufacturer, Phillips because their units have been reported to have issues.
- DWG Borough Hall Building security system. **Tabled** to next council meeting.
  - Eileen Noelle & Andy Yakubik met with Select Security, our current security provider and received a quote. Need to obtain 2 more quotes before we make a decision.
- Awaiting an updated COVID-19 Work from Home Policy to be submitted by the Personnel Committee. Solicitor, Deb Huffman will resend the original policy to be altered. **Tabled** to next council meeting.
- Payment to Shaina Serrano for website creation and maintenance. **Tabled** for personnel suggestions to next council meeting.
- The new computer for the Borough Office has been purchased along with 2 monitors. The new PC will be programed this month and the old PC will be brought into the Office. Once everything is completely functional. A monthly subscription will be purchased to remote into the new PC.
- Zoning officer has returned normal hours in the office (Wednesdays & Fridays 11AM to 1PM).
- Employee Handbook awaiting finalization. **Tabled** to next council meeting.
  - Employee paid holidays awaiting approval.
- President Pro Temp, Eileen Noelle requested that Shaina Serrano provide a description of creation and maintenance in order to pay for Shaina Serrano for her services on the website. **Tabled** 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 and Water Committee needs to speak with Water Operator, Craig LaBarre.

## Committee Reports

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

- The Zoning Ordinance Book has been completed aside from a question to Solicitor, Todd Weizmann regarding transition housing.
  - Will talk with both Todd Weizmann & Carson to verify all verbiage is legal.
- There has been a fuel pump & switch generator failure at Wellhouse #6/7. A new generator needs to be purchased that is similar to the one at wellhouse #4. We received a \$24,000.00 quote for the generator, but still awaiting the quote for the installation. **Tabled** to next council meeting while we wait for quote on installation.
  - Craig has suggested that once the new generator is purchased, he would be able to run both wellhouses in an automated manner.
- Awaiting the completion of the Small Waterline & Valve Installation Project in order to submit paperwork for grant reimbursement. Both Derek and Harry will review the punch list provided by the Engineer.

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

- Councilman, Zack Booth and Secretary/Treasurer, Shaina Serrano established an account with an adequate fleet service, Wex Bank and both the Superintendent, Harry Darlington and Police Chief, Andy Yakubik says that the service works perfectly.

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

- A **Request Form** has been created for the distribution of recycling bins. The form will be available for review by Council at the 7.2020 Council Meeting. **Tabled** to next council meeting.

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

- Update on our local businesses:
  - Asparagus Sunshine might do appointments only or private small parties.
  - Sycamore Grill will be reopening for outdoor dining.
  - There will be a rescheduling of Founder's Day to be announced.
  - Lee Myles requested a reimbursement for the sign they paid for due to them going out of business.
- There is an EDC sign down by the Edge of The Woods and a large vine that needs to be pruned.
  - Superintendent said he will take care of the vine.

### *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.
  - RCAP Mapping Project Update:
    - Michael Kors needs to provide us with an update to see if we can direct him resume work on the project. So far, he has completed 13 hours with GPS Locating and we have 7 hours remaining. 36% of the field work has been completed.
    - Most of the work can be completed following social distancing regulations. The Mapping will begin once all the GPS Locating has been completed.
    - Councilwoman, Lisa Paulette contacted Sen. Scavello & PA State Rep. Rosemary Brown for guidance.
      - Solicitor, Deb Huffman informed us that there should be no problems for the work to be completed under Governor Wolfe's orders.
      - Councilwoman, Lisa Paulette will contact RCAP and ask them to resume the project.
    - Once we complete this project the Borough will **terminate services with Trinity Subsurface Engineering.**
- ESAT Plan (*Ref. 4a-4c*)
  - We will be included in the Proposal for the Connectivity for Transportation in Monroe County.
    - Councilwoman, Lisa Paulette has proposed that the addition of sidewalks and maintenance be included.
    - Also advocating for more funding with MCTA so we are able to receive funding for the bus services we desire.
    - There are certain ordinances that need to be added and/or reviewed in order to be covered.
    - We have been included in the project.

*Open Space & Trail Committee (Susan Cooper)*

- Excused. No Comments.

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

- Roads Committee will be meeting regarding tows, increasing fines due to weekend parking issues and updating Resolutions. **Tabled** to next council meeting.
- The project for the drain across from the Sycamore Grill is projected to be completed by L. Marki & Sons by the end of the month, 6.2020.
- The gas company is in the process of making repairs to Mountain Road where a portion was repaved due to the repair of a gas line.
- The sinkhole on Kimberly Road has been filled in.
- Councilman, Tim Snow will reach out to L. Marki & Sons, Inc. to make a new steel grate to replace the one on Waring Drive or provide us with a source. The grate we have is very old and is not commonly used. **Tabled** to next council meeting.
- Councilman, Zack Booth and President, Jack Shoemaker did research on the effectiveness and longevity on the usage of “oil and chips” to seal our sideroads. They spoke with PennDOT Rep., Jeff Robach.
  - The first priority is Cherry Valley Road and Minsi Road is a possibility.

**Public Comments**

- No further comments contributed by the public.

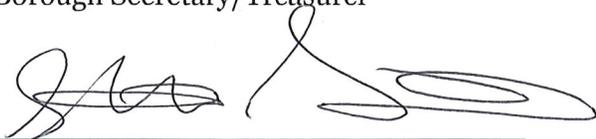
**Adjournment**

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

The meeting adjourned at 9:08 P.M.

*Respectfully Submitted,*

Shaina Serrano  
Borough Secretary/Treasurer



Borough Secretary/Treasurer

7/6/2020

Date of approval