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# Delaware Water Gap Borough Council

## Regular Meeting Minutes

### July 6<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, July 6<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**, Open Space & Trail Committee Chair, **Sue Cooper**, Fire Department Chief **Howard Ike** and Guest Speaker **Melissa** representing all the local restaurants. The following were excused for nonattendance: Zoning Officer **Mark Kirk**.

President Jack Shoemaker called the meeting to order at 7:01 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 including current Accounts Payable excluding the Fabcor bill which is being ***tabled*** until next council meeting. Councilman, Derek Anspach seconded the motion. The motion was passed unanimously.
- Vice President, Bill Buzzard made a ***motion*** to have the Secretary/Treasurer provide a report of all expense reimbursements made via the Petty Cash account along with a receipt during the following month’s monthly council meeting. All bills must be received the Monday prior to the monthly council meeting. Councilwoman, Eileen Noelle seconded the motion. The motion was passed unanimously.
- Councilwoman, Lisa Paulette made a ***motion*** to approve June 1<sup>st</sup>, 2020 Regular Council Meeting Minutes. Councilman, Derek Anspach seconded the motion. The motion was passed unanimously.
- Completed insurance renewals and saved the Borough \$3,141.00 on the Worker’s Compensation policy.
- Rectified all reported water account billing issues.
- 2019 Worker’s Compensation Audit completed.
- Reported missing pieces to Dell regarding the monitors ordered for our new office computer. Pending a response.
- Completed all reporting in order to receive funds from our annual resources.
- Continue to make corrections within QuickBooks in order to provide efficient and accurate financial reporting.
- Shaina Serrano will contact vendors and attempt to alter due dates in order to prevent late payments, increased finance charges and late fees.

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

- Stormwater runoff by Route 611 by the Women’s Resource Center needs to be addressed with PennDOT.

- Stormwater runoff on Shepard Avenue needs to be addressed.
- Communicated with the Water Operator, Criag LaBarre and they plan to flush hydrants this month (July 2020). Councilwoman, Eileen Noelle asked if the residents should expect a reduction in water pressure and Harry informed her that there wouldn't.
- Belview Pump Sales & Service is almost complete with the work on the *Water Service Line & Valve Installation Project*.
- Has to contact RCAP regarding the *GIS Mapping Project*.
- There is a leak that has been noticed on the back side of our water tank.
- Police requested speed and stop lines have been completed.
- Painting of curbs and no parking lines in yellow continue to be completed.
- Trimming and mowing of the road shoulders continue to be completed.
- A weedwhacker along with supplies were purchased after approval at our last Regular Council Meeting spending a total amount of \$635.93 out of the allotted \$700.
- Our lawn mower needs to be serviced. Harry completed the repairs himself with the purchase of spindles and blades equaling \$315.
- PennDOT Municipal Services Representative, Jeff Robach requested that our Borough was to inspect the traffic signal pole and report information in the Department's TSAMS system. The street light and electrical lines were located and submitted with all requested information.
- There are garbage cans that remain out after garbage pick-up day located on Main Street. Council would like to see if there are Zoning Violations for this type of incident. **Tabled** to next council meeting.
- President, Jack Shoemaker requested that Secretary/Treasurer, Shaina Serrano write a letter to Andrew & Larisa Odolski regarding a driveway violation that is causing a draining issue. A letter is being written rather than a phone call due to the residents having a hearing impairment.
- Requested that the following accounts be updated/reestablished: Sherwin Williams & Stout's Mower Service.
  - Secretary/Treasurer, Shaina Serrano mentioned that the Sherwin Williams account was updated last month and she will work on reestablishing the account with Stout's Mower Service.

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

- 6.2020 Monthly Police Dept. Report Provided
  - 46 parking citations were issued in the month of June 2020.
  - There were 4 incidents in the month of 6.2020.
- New RMS System for Police Department (available approx. 9.2020). **Tabled** to next council meeting.
- President, Jack Shoemaker thanked Chief Yakubik for purchasing and delivering the new office door.
- A question arose regarding the ability to use fireworks within the Borough. As per Councilwoman, Lisa Paulette, there is an ordinance requiring a permit application for professional fireworks displays. Otherwise, our Borough only allows the use of "C Class" fireworks. Currently, if any residents have issues Council is advising them to call state police.
  - Alternate Solicitor, Deb Huffman will create and ordinance for Council's review. **Tabled** to next council meeting.

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

- COVID-19 Update – we have recently moved into the "green phase". However, there is talk about a 2<sup>nd</sup> and 3<sup>rd</sup> wave.
- Monroe County recognizes Darron Schaedel as the Borough of Delaware Water Gap's Emergency Management Coordinator.

- Still awaiting the acknowledgement from Governor Wolfe. **Tabled** to next council meeting.
- New AED & Defibrillator purchase update – Councilwoman, Eileen Noelle spoke to Rachel Moyer, EMC, Darron Schaedel will obtain competitive prices and explore other possible grants. Prices are ranging from \$1,700 - \$1,250. Andy agrees that \$1,250 is a good price. **Tabled** to next council meeting.
- Monroe County received \$15 million in Federal CARES Act funding and we will have the opportunity to apply for a grant covering those businesses affected by the COVID-19 pandemic.

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

- **Cherry Valley Road Improvements – LSA Grant**
  - Survey fieldwork was completed on June 30<sup>th</sup>, 2020 & Boucher & James is hoping to receive the plans for the survey this week.
- The **Water Service Line & Valve Installation Project**
  - Termination of the 2" galvanized service line is still pending.
  - Upon site review on June 25<sup>th</sup>, 2020 the pavement restoration with seal was completed along three (3) areas Vertellus, Matos, Oak Street. Seed & mulch were placed at the Vertellus Driveway and the area near the Mosier water valve along long Main Street.
  - Boucher & James requested the final project closeout June 30<sup>th</sup>, 2020 and are still waiting.
    - The remaining balance due to the contractor after completion/submission of closeout is \$9,900.00.
- The **Unnamed Cherry Valley Creek (Caledonia Creek) General Permit #5**
  - On site June 30<sup>th</sup>, 2020 to locate the existing waterline to establish an easement for construction and maintenance. Site was successfully surveyed and an easement will be obtained.
- **Mountain Road Bridge Weight Limit Study**
  - A cursory investigation was completed and cracks along the wingwalls, delamination of grinders, deterioration of the bridge deck and more were noted. Although the weight limit study is the primary interest of the Borough, the engineer is encouraging the pursuit of grant monies to rectify the issues noted.
  - A detailed investigation of the bridge that provides a report of the findings and recommendations will cost no less than \$2,000. The report will aid the Borough in deciding if a weight limit is sufficient or if additional measures will need to be made to correct the bridge deficiencies.
- **Construction Statuses:**
  - Lot 15 Caldano Drive/Minsi Road – Stormwater Management Permit Review
    - No current actions
  - Lot 2 Henley Subdivision
    - Met on-site with the developer on June 4<sup>th</sup>, 2020 to discuss basin modifications. The basin modifications were completed and as per the developer, the revised "as-builts" will be submitted upon completion.

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

- 6.2020 Monthly Report Provided.

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

- Working on firehouse renovations: the roof will be replaced next week, over the doors will be resealed, main roof will be patched and maintained. Total cost will be between \$7,000-8,000 instead of the initial estimate of \$30,000.

- Kitchen is now fully functional and has been repainted as well as the floor of the Hall. Someone has called to rent the hall. However, they need to check on the new regulations and guidelines pertaining to COVID-19.
- 3 quotes have been obtained for the needed electrical work. The generator is old and might be the original one from the 1960s. The generator will be replaced and installed on the exterior of the building rather than the interior. The electrical panel will be repaired, LED lighted have been purchased and a Borough family will be installing them free of charge. The LED light will also help to conserve energy and decrease the electric bill.
- DWG fire Dept. meeting will take place next week and the Treasurer's Report will be supplied to the DWG Borough Office. President Pro temp, Eileen Noelle requested if the 5.2020 & 6.2020 Treasurer Reports can be supplied to Secretary/Treasurer, Shaina Serrano by email and Fire Chief, Howard Ike said he would notify the proper staff to do so.
- The Fire Dept. has two (2) fully functional AED machines and on-call volunteers. They also paid \$1,200 for each AED machine.

## New Business

- President, Jack Shoemaker called the office of U.S. Senator, Pat Toomey. We are encouraging all residents to complete the 2020 Census. They will be sending notices to homes between August 8<sup>th</sup>, 2020 and October 31<sup>st</sup>, 2020. Post cards will be mailed between July 22<sup>nd</sup>, 2020 and July 28<sup>th</sup>, 2020. Residents can complete the Census survey [online](#), over the phone or by mail.
- Ordinance review pertaining to outdoor restaurant seating and restrictions on music.
  - Councilwoman, Lisa Paulette shared that due to temporary permits and outdoor seating, might it be possible to offer an opportunity for restaurant owners to have musical entertainment during certain hours, decibels, etc.? Mayor, Larry Freshcorn shared that we should also be considerate to the residents that live across the street.
  - Manager of Sango Kura & resident for seven (7) years, Melissa Hershorn spoke representing all the restaurants in the Borough of Delaware Water Gap.
    - There are amendments that they are requesting to Ordinance 298 sections F, G, and H. COVID-19 has been a detrimental hit on local businesses. Our local businesses rely on tourist business in order for growth and prosperity.
    - Currently there is no outdoor entertainment allowed, but according to the 1987 Noise Ordinance they requesting the permission of outdoor entertainment until 10pm Noise Ordinance guidelines.
    - Current directional signage is restricted to a three (3) foot menu board. This size is not adequate and they are requesting that the size be increased.
    - Currently, all restaurant service needs to be finished by 10PM and staff must leave by 11PM. They are requesting to extend the times by one (1) hour.
    - There is currently a ban on outdoor cooking and they are requesting that that ban be lifted as residents are allowed to cook on grills/smokers and other forms of outdoor cooking units.
  - Melissa Hershorn has agreed to email DWG Council with the list of considerations that are being requested to be had as request by Councilwoman, Eileen Noelle.
  - Councilwoman, Lisa Paulette thinks that we should take the above issues into consideration. She also informed the public that rather than requiring restaurant owners to pay and apply for the temporary permit for COVID-19 Outdoor Dining, we waived the fee. If restaurant owners would like to continue to offer outdoor dining on a permanent basis, they will have to pay and apply for the permanent permit.
  - Councilwoman, Eileen Noelle informed council and the public that she has been in close communication with the Zoning Officer, Mark Kirk and had discussed this matter in depth. The Permanent Outdoor Dining Ordinance was established in the year 2011. This ordinance was created to provide restaurant owners with the capability to serve their

customers outdoors. According to our current Zoning Officer, there are no records on file that any of our current restaurant owners possess this particular permit. Mr. Kirk made the suggestion to Council that rather enforcing the current permit which accompanies a one-time payment of \$82.50, we should offer a temporary permit in lieu of COVID-19 and waive the fee. Council agreed to the temporary permits being issued at no cost to restaurant owners in conjunction to no violations being filed as long as the ordinance was followed. The temporary ordinance also respects the guidelines set forth in the initial ordinance written in 2011.

- Regarding to the Noise Ordinance and business outdoor entertainment, Mayor, Larry Freshcorn feels strongly against providing business owners with permission to play music. He feels that the consideration of nearby residents should be respected.
  - Councilwoman, Eileen Noelle shared that we have to consider both the resident and the business owners.
  - Business Owner & Long-Time Resident, Sue Cooper shared that business has changed along with society throughout the years and it is **not** fair for certain permissions to be allowable for residents and not business owners and vice-versa.
- Councilwoman, Eileen Noelle thanked Melissa and business owners for the information that they provided and ensured the public that DWG Borough Council will take all shared into consideration when reviewing the ordinance. She also requested that Melissa included realistic timeframes and specific days for musical entertainment within the email that is being composed for the DWG Borough Council.

## Old Business

- We received the 1<sup>st</sup> payment from Adams Outdoor Advertising and invoices have been entered for the payment plan agreed upon.
- For those that would like to dispute Borough fines /tickets, they will have to go to the magistrate and an additional amount will be incurred. Solicitor, Deb Huffman will supply the Borough with the proper information that should be included on the back of the tickets/fines. Mayor, Larry Freshcorn and Police Chief, Andy Yakubik will reach out to Monica McCaffrey regarding fine dispute of Ticket# 0611.
- During the June Council meeting, the Department was asked to remove the old police vehicle out of the garage so the Borough is able to store our equipment inside. Since the previous Council meeting, Mayor, Larry Freshcorn informed Harry that both patrol vehicles are being utilized and need to be stored in the Borough Hall garage.
  - Councilman, Derek Anspach researched the ability of purchasing a used shipping container with the possibility of installing it behind Wellhouse# 6/7. The measurements are 40' x 9' x 8' and would cost around \$2,300. This will be utilized for the storage of equipment and supplies, because there is no place to store them as the garage is now full.
  - Police Chief, Andy Yakubik was directed by Mayor, Larry Freshcorn to look on the government site for a more economical price. Chief Yakubik agreed to talk to his representative this week and supply a quote to Council for approval.
- 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 work with Senator, Mario Scavello as his office just reopened. Vice President, Bill Buzzard suggests that a pause light or stop light should be installed rather than a slow light.

## Committee Reports

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

- We are currently reviewing the addendums to the Zoning Ordinance Book to ensure that they have all been included. We are currently half way through the review. Once completed, everything will be sent to Carson.
- 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.
- 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 quote from a Costar vendor for the generator. The final price is \$24,700 for the generator and \$3,500 for the labor of installation as well as the removal of the old one. Tabled to next council meeting.
  - The contractor that we have chosen for the labor comes highly recommended by our Water Operator, Craig LaBarre and Critical Systems. The former contractor we used retired.
  - Still need to contact an electrician for some specifics.
  - Once the installation for the new generator has been made at Wellhouse #6/7 we will be fully automated.
- Awaiting the submission of the final bill from Bellview Pump Sales & Service for the Small Waterline & Valve Installation Project. Once we have a total, we will be able to submit our paperwork for reimbursement which will be close to 85% of our total cost.

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

- Payment to Zemis Management Group for website creation has been approved and included in the Accounts Payable Report under the General Fund.

### *Office/Personnel Committee (Bill Buzzard/Zack Booth/Eileen Noelle)*

- We have received the quote from our current security system provider (*Ref. 1*) for our DWG Borough Hall security system. We are currently awaiting quotes from two other providers; AIC and Royal Security.
- The Work from Home Policy has been **tabled** to next council meeting.
- The Employee Handbook & holidays approval. **Tabled** to next council meeting.

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

- A **Request Form** has been created for the distribution of recycling bins. The form will be emailed to the DWG Council for review and revisions. **Tabled** to next council meeting.
- Solicitor, Deb Huffman sent over the current contract for garbage pick-up. We need to create a new contract and an advertisement for bids that will go out Fall 2020.

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

- President Pro Temp, Eileen Noelle planned to discuss the Restaurant Outdoor Dining Permit and had planned to email all restaurant owners an application for permanent outdoor dining due to Monroe County’s recent transition into the “Green Phase”. Due to the concerns and requests from restaurant the owners during the meeting, Eileen will make the Zoning Officer, Mark Kirk aware as well as holding off on sending the email with the permit application to the restaurant owners.

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

- DWG Route signage Plan (*Ref. 2*)

- Harry and Lisa did a walkthrough with the National Park Recreation Association & MCTA to discuss where to place the signs and the sizes that they should be. The signs are professionally done and look beautiful. The signs are due to be installed next week or the beginning of the following week.
  - President, Jack Shoemaker expressed a special thank you to councilwoman, Lisa Paulette for assisting in this project. Her efforts will lead to help alleviate parking and there wound-up being less signs needed than originally anticipated.
- RCAP Mapping Project Update:
  - Began working again and hopes that the project will move along to the next stage soon.
- ESAT Plan Update
  - Attended the final meeting and now working on the final report. Requested if the sidewalks on Shepard Avenue may be included. Awaiting confirmation of the inclusion request.

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

- Received funds for engineering and studying. Now moving along with the wall issue.

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

- President, Jack Shoemaker made a ***motion*** to step down as Chair of the Building/Roads/Maintenance Committee and accepted Councilman, Tim Snow as the new Chair. Councilman, Zack Booth seconded the motion. The motion was carried unanimously.
- Mountain Road Bridge weight limit study. ***Tabled*** to next council meeting.
- The project for the drain across from the Sycamore Grill has been postponed by L. Marki & Sons. Due to COVID-19 the company is behind in projects. ***Tabled*** to next council meeting.
- Replacement of the steel grate on Waring Drive is still pending. Councilman, Zack Booth has researched different vendors online and has requested catalogs from five (5) different vendors. The size for the grate is odd. Councilman, Tim Snow will reach out to L. Marki & Sons for guidance on this purchase. Councilwoman, Eileen Noelle suggested that we reach-out to Pocono Mountain Council of Governments for possible assistance in this purchase. The Grate is 32” x 60”.
- Superintendent, Harry Darlington and Councilman, Zack Booth plan to meet with PennDOT Rep., Jeff Robach on Wednesday, July 8<sup>th</sup>, 2020 to come-up with a 10-year plan to seal our sideroads.
- Roads Committee met regarding tows, increasing fines due to weekend parking issues and updating Resolutions. The issue regarding fines has been ***tabled*** to next council meeting. The committee will move forward with a recommended proposal after looking into neighboring municipalities procedures. The change is planned for 2021 along with updated types of fine.

### **Correspondence**

- ***Ref. 1*** – Select Security Quote
- ***Ref. 2*** – DWG Route & Signage Plan

### **Public Comments**

- No further comments contributed by the public.

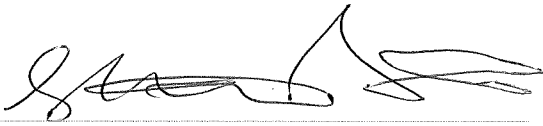
### **Adjournment**

Councilwoman, Lisa Paulette made a ***motion*** to adjourn. Councilwoman, Eileen Noelle seconded the motion. The motion was carried unanimously.

The meeting adjourned at 9:01 P.M.

*Respectfully Submitted,*

Shaina Serrano  
Borough Secretary/Treasurer



Borough Secretary/Treasurer

8/3/20

Date of approval