

# Delaware Water Gap Borough Council

## Regular Meeting Minutes

### August 3<sup>rd</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, August 3<sup>rd</sup>, 2020. The following officials were present: 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**, and DWG Police Chief **Andy Yakubik**. The following were excused for nonattendance: Open Space & Trail Committee Chair, **Sue Cooper**, Fire Department Chief **Howard Ike**, Zoning Officer **Mark Kirk** and Mayor **Larry Freshcorn**.

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. Councilwoman, Eileen Noelle seconded the motion. The motion was passed unanimously.
- Councilwoman, Eileen Noelle made a ***motion*** to approve July 6<sup>th</sup>, 2020 Regular Council Meeting Minutes and publish on [www.dwgpa.gov](http://www.dwgpa.gov) website. Councilman, Tim Snow seconded the motion. The motion was passed unanimously.
- Currently disputing a Worker’s Compensation Audit Premium charge as their finding include errors causing an overpayment.
- Vice President, Bill Buzzard made a ***motion*** to approve the closure of TCM Bank VISA credit card ending in 0884 and remove Allen Blakeslee as an authorized user. Then open a new VISA credit card for our current Superintendent, Harry Kent Darlington with the same credit line. Current President, John W. Shoemaker will replace former President Wayne MacWilliams as an authorized business officer on all TCM Bank accounts and credit cards. Also approved to sign the letter and Business Account Maintenance Form provided to be signed by the Council President, John W. Shoemaker (*Ref. 1*). Councilman, Zack Booth seconded the motion. The motion was passed unanimously
- Replaced Visa 0608 due to an attempt of fraudulent charges from a Coffee & Tea Company in California. It will take 30-120 days to credit our account for the two payments that posted equaling \$170.00.
- Vice President, Bill Buzzard made a ***motion*** to allow payment of the following bills in between Monthly Council Meetings in order to prevent late fees and interruption in services: Met-Ed 0469, Met-Ed 2481, Met-Ed 1627, UGI & insurance premiums. These bills will be ratified at the following Month’s Council Meetings. Councilman, Derek Anspach seconded the motion. The motion was passed unanimously.
  - Online accounts have been created for both Verizon Wireless and Verizon landlines in attempt to retrieve bills sooner and avoid late fees.

- Bill dates and/or due dates were changed on the following bills to prevent late fees: Blue Ridge Cable, Visa Credit Cards and De Lage Landen Financial Services, Inc.
- Working to change the bill dates and/or due dates for the following vendors: ESSA Commercial Loan & Verizon Wireless.
- Received return labels for the Dell monitors that were missing the stands. Planning to package, return and reorder the proper monitors with stands included for a comparable price.
- Changed our website again in attempt to direct sewer customers to the proper website to pay their bills.
- Worked with the Water Committee to resolve a water billing issue with a commercial account.
- The Informant Software renewal has been cancelled.
- Sherwin Williams account was updated again with the correct information as requested previously. Manager assured me the changes would be completed.

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

- A tree came down across from Kimberly Road. It was cleared out in a timely fashion with the assistance from Joe Foreman.
- Both Borough vehicles were successfully serviced and inspected by NextGen Auto Repairs.
  - The older Police Patrol Vehicle, Ford Crown Victoria is due for an inspection.
- The new office door has been installed and we are in the process of sealing the door with polyurethane as time permits.
- Depending on the aftermath of the current hurricane, Tim Snow has volunteered to take off of work and help clean up the roads if needed.

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

- 7.2020 Monthly Police Dept. Report Provided
  - Officer Ceccato attended Taser Instructor School and received his certification. This will better train officers in the use of defensive tactics and de-escalation skills.
    - The Dept. will be saving \$50-\$75/officer with this annual certification.
  - Working on 1033 Program with the Federal Government. This program will provide us with the ability to obtain free equipment, discounts on larger items like generators & storage units.
    - Chief Yakubik will submit bids with the guidance of Mayor, Larry Freshcorn.
    - Both President, Jack Shoemaker and Councilwoman, Eileen Noelle expressed their gratitude.
  - No reported parking citations issued
  - 5 incidents reported
  - 1 Written moving violation
- Hired one (1) new officer, Aspen Gaita.
- New RMS System for Police Department will hopefully be available next month. **Tabled** to next council meeting.

### *Mayor's Report (Larry Freshcorn) – Delivered by Eileen Noelle*

- Councilwoman, Eileen Noelle was provided with the 8.2020 Mayor's Report in lieu of his absence.
- COVID-19 Update
  - Monroe County received \$15 million in Federal CARES Act funding and we will have submitted the application for a grant covering those businesses affected by the COVID-19 pandemic in the approximate amount of \$25,000. It is told that about \$50,000 has been budgeted for each municipality.
- Councilwoman, Eileen Noelle requested that Shaina Serrano also include Mayor, Larry Freshcorn on all forwards from our local COG.

- NJ DOT has requested that we recommend possible members to serve on the I80 Rockwall Committee to represent the Borough of Delaware Water Gap.
  - It is suggested that the members not be elected officials. The Public Advisory Group must include three (3) members. Time availability will begin with 2-hours per meeting on a bi-weekly basis for the first few months, then 2-hours per meeting on a quarterly basis.
  - Possibly some of the local business owners might be interested in becoming members.
- Stephanie Seal is currently working on parking issues.
  - Still awaiting Governor Wolfe's acknowledgement of Darron Schaedel as the Borough of Delaware Water Gap's Emergency Management Coordinator. **Tabled** to next council meeting.
- New AED & Defibrillator purchase update
  - Councilwoman, Eileen Noelle reached out to Emergency Management Coordinator, Darron Schaedel for grants or discounts and there aren't any currently available. will obtain competitive prices and explore other possible grants.
  - Police Department has one (1) dependable unit.
  - Councilman, Derek Anspach made a **motion** to purchase one (1) new AED & Defibrillator at the approximate cost of \$1,275.00 now and **budget to purchase a second unit next year 2021**. Councilwoman, Eileen Noelle will contact Rachel Moyer to purchase the unit. Councilman, Tim Snow seconded the motion. The motion was passed unanimously.
- Update on Monica McCaffrey's fine dispute Ticket# 0611. **Tabled** to next council meeting.

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

- **Cherry Valley Road Improvements – LSA Grant**
  - Completed the survey and has provided a plan including stairs, driveways, and walls.
  - Currently has a rough draft of the costs. The costs continue to increase and have already exceeded the grant.
  - The grading and drainage design of Cherry Valley Road is ongoing. A draft timeline for bidding is provided with this report for Council's review and discussion.
  - Planning on meeting with the Roads Committee soon.
  - The current costs through PenBid are estimated to be a total of \$193,000 and the original project scope was awarded through the grant at \$179,000. This amount only included construction costs. The project will include the following:
    - Mill overlay, pave and overlay areas & replace speed bumps. This is based on the bid including drainage improvements.
    - Extension of curb on 77 Cherry Valley Road, installation of 6-inch curb from 7725 to 7721 Cherry Valley Road and 7689 & 7693 Cherry Valley Road existing curbs should be removed and replaced.
    - Roads are expected to be closed for about 5-6 weeks.
    - The total estimate including our revised project scope is estimated at a total of \$230,000.
      - President, Jack Shoemaker expresses that we should complete the entire project proposed and use the Liquid Funds that we currently have available which is around \$127,700.
  - Boucher and James would like to proceed with our first bid on September 28<sup>th</sup>, 2020. In order to do so, we will have to advertise for bids on August 24<sup>th</sup>, 2020 and all bids will be due in by September 10<sup>th</sup>, 2020. Notice of awarded bid will be provided at the next council meeting on September 14<sup>th</sup>, 2020.
  - Engineer will like to proceed with some drainage calculations and will schedule to meet with the Chair of the Roads Committee, Tim Snow in order to get the bids out in a timely fashion. If we need more time, we could always extend the contracts.

- President, Jack Shoemaker asked Secretary/Treasurer, Shaina Serrano to check with Michele Moore on any expiration dates that we should be aware of.
- The **Water Service Line & Valve Installation Project**
  - Payment application No. 2 has been reviewed and a recommendation has been made from Boucher & James for payment.
  - Bellview Pump Sales & Service included \$3,000 to be approved for payment. This was for pavement restoration completed.
  - Councilman, Derek Anspach made a ***motion*** to approve the final payment to Bellview Pump Sales & Service in the amount of \$12,900.00. This payment includes ***Change Order# 5*** for the additional \$3,000.00. Vice President, William Buzzard seconded the motion. The motion was passed unanimously.
  - Councilman, Derek Anspach made a ***motion*** to approve the final payment to Bellview Pump Sales & Service in the amount of \$12,900.00. This payment includes ***Change Order# 5*** for the additional \$3,000.00. Vice President, William Buzzard seconded the motion. The motion was passed unanimously.
  - Councilman, Derek Anspach made a ***motion*** to approve the final payment to Bellview Pump Sales & Service in the amount of \$12,900.00 to be made on this check run. Councilwoman, Eileen Noelle seconded the motion. The motion was passed unanimously.
  - Councilman, Derek Anspach informed the rest of Council and public that once this final payment is made, we will be able to complete our final paperwork for submission of our grant reimbursement to close this project. The reimbursement will be for 85% of all approved expenses.
- The **Unnamed Cherry Valley Creek (Caledonia Creek) General Permit #5**
  - Field survey is complete and plan processing will begin.
- **Mountain Road Bridge Weight Limit Study**
  - Recommendations were made and the project was tabled during the 7.2020 Council Meeting.
- **Construction Statuses:**
  - 146 Caldano Drive (Lot 15 Caldano Drive/Minsi Road) – Stormwater Management Permit Review
    - Requested a schedule for construction of the rain garden from the developer with no response. Boucher & James, Inc. will continue to contact the developer for the schedule.
    - Both Councilman, Derek Anspach and Secretary/Treasurer Shaina Serrano shared that a complete payment for water hook-up has yet to be received from Classic Quality Homes.
  - Lot 2 Henley Subdivision
    - An as-built plan was received July 22<sup>nd</sup>, 2020. A request for additional information regarding size and volume of the constructed rain garden has been made.
- **Grants**
  - The LSA Grant is due September 30<sup>th</sup>, 2020. No match is required, but one is encouraged. It should be noted that the LSA Grant monies may be used to purchase equipment using COSTARS.
  - Councilwoman, Lisa Paulette shared that she attended a grant seminar that was very informative and she was able to obtain great contacts. The planning phase is the longest part of the grant process. There are books that are available to every municipality and are only distributed upon request.

- Councilman, Zack Booth shared that Secretary/Treasurer, Shaina Serrano reminded him that the Fire Company was interested in taking advantage of the LSA Grant this year for necessary repairs needed. President, Jack Shoemaker agreed.

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

- 7.2020 Zoning Officer's & Building Inspector's Monthly Report provided.

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

- Howard Ike was unable to attend due to the attendance of a required training.
- The 5.2020 Treasurer's Report was provided.
  - Both Councilwoman, Eileen Noelle and President, Jack Shoemaker requested that Secretary/Treasurer, Shaina Serrano obtain the missing reports from the DWG Fire Company.
- President, Jack Shoemaker asked Councilwoman, Lisa Paulette to provide Shaina Serrano with the list of First Responders.

### **New Business**

- There is no new business this month.

### **Old Business**

- Letter written and sent to Andrew & Larisa Odolski regarding a driveway violation that is causing a draining issue. We will follow-up with the resident.
- Decision for outstanding Fabcor bill. **Tabled** for Executive Session.
- Secretary/Treasurer has successfully updated account with Sherwin Williams & will establish an account with Stout's Mower Service when they reopen.
- Ordinance to be created by Solicitor regarding firework usage.
  - As per Solicitor, Deb Huffman, there is nothing we are able to enforce regarding individual use of fireworks. This is controlled by the State of PA not by municipalities. There only fireworks that we are able to control are display fireworks, which are defined very specifically.
  - Harry shared that individuals are not buying professional fireworks. They are buying legal fireworks that are being purchased at local stores.
  - Councilwoman, Eileen Noelle asked if there is a legal distance that fireworks are allowed to be used from a home? Answer was provided that the legal distance is 150-feet. If any resident feels that the law is being violated, they will need to call the State Police.
- Obtain missing Fire Company Treasurer's Reports. **Tabled** to next council meeting.
- Mountain Road Bridge Weight Limit Study Project. **Tabled** to next council meeting.
- Zoning violations updates for those who leave garbage cans out after garbage day.
  - 3 letters will be mailed certified.
- Ordinance review pertaining to outdoor restaurant seating and restrictions on music.
  - President, Jack Shoemaker expressed that the specifications regarding outdoor entertainment will not be changed due to COVID-19 and we are not encouraging congregating. If anyone would like to dispute, please direct your concerns to the Planning Commission.
  - President, Jack Shoemaker made a **motion** to use the DWG Outdoor Dining Memo - Solicitor's Edited Version and to extend to September 30<sup>th</sup>, 2020 to be mailed to all DWG restaurant owners. Councilman, Zack Booth seconded the motion. The motion was passed unanimously.

- Sango Kura Manager, Melissa expressed that the restaurants are being bet-up left and right and are back to 25%. They are requesting to sit with Council to discuss concerns. She thanked Councilwoman, Lisa Paulette for acknowledging her emails and it would have been appreciated if other elected officials would have also responded.
  - Councilwoman, Eileen Noelle said that she will respond to the email with a couple of extra questions.
- Both Councilwoman, Lisa Paulette and Councilman, Zack Booth told the public that the ordinance states that you are able to have outdoor dining, as long as you have indoor dining. The permit fee is \$84.00 and is now being enforced. We are not able to control what was not previously being enforced. Council collaboratively decided to provide the temporary pandemic permit to all restaurant businesses in the Borough for FREE as a kind gesture. Any restaurant that would like to continue outdoor dining on a permanent basis will have to apply for the permit.
- Councilwoman, Lisa Paulette informed the public that the ordinance will not be re-written and could not be done due to COVID-19 social distancing restrictions. However, we are trying our best.
- President, Jack Shoemaker stated that we all want our businesses in the Borough of DWG to be successful. The local Post Office has provided us with the permission to put a flyer together to post on the bulletin boards and place on the tables. We will try to help in any way we are able, but we need to follow the guidelines of our ordinances.
- DWG requesting a “slow-light” or “stop-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 have not yet been able to meet with Senator, Mario Scavello.

## Committee Reports

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

- Fire Hydrant Flushing completed.
  - There are stones located in the lower hydrant pipeline located on Shepard Court. Both the Water Operator and the Fire Department were both notified.
    - Council asked that Harry get written confirmation that Fire Chief, Howard Ike is aware.
  - The hydrants located at the Delaware Water Gap Village & Alex Trucking were not completed.
  - There is a question of private property at both in front of Delaware Water Gap Village and the Toll Bridge Garage. Neither hydrant is functional.
  - The hydrant on Parkway Drive near the Powel residence and the hydrant on Cherry Valley Road near Tim Snow’s residence are both difficult to operate, but are still functional.
  - Overall, the water was clear and moderately stained condition.
- A request was made for water service at **84 Broad Street**. A new meter was installed and they now have running water.
- **168 Maple Avenue** reported low water pressure. The problem was discovered as a leak on the property owner’s side (pressure & volume to curb stop). A temporary fix was completed by running hoses to the houses directly. The leak is the owner’s responsibility to fix. Currently, 9lbs of pressure is going to house via a wire adapter and hoses. Property owners are now happy with progress, leak is presently stopped. Property owner’s contractor will come back to locate leak and provide a permanent solution.
- A new water service line was due to be installed at **13 Oak Street** on July 31<sup>st</sup>, 2020, but has been cancelled by our Water Operator, Craig LaBarre due to loss of a loved one. Installation has not yet been rescheduled.
- The addendums to the Zoning Ordinance Book are still being reviewed.

- 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. The quotes were submitted to Bill Buzzard and we will look for an possible grants to cover the expenses. **Tabled** to next council meeting.
- After the check is cut for the final bill from Bellview Pump Sales & Service for the Small Waterline & Valve Installation Project, we will submit our paperwork for reimbursement which will be close to 85% of our total cost.

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

- Comments and concerns reserved until the Executive Session.

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

- We have received a 2<sup>nd</sup> quote for the DWG Borough Hall security system who was from Royal Security. The quote seems to be really goo and will be shared with the rest of Council. **Tabled** to be discussed during next Executive Session.
- The Work from Home Policy needs to be amended. **tabled** to next council meeting.
- Secretary/Treasurer, Shaina Serrano's office hours will be Mondays and Fridays 9Am – 1PM and Wednesdays 1pm – 5pm until August 30th, 2020. Beginning August 31st, 2020, office hours will change to Thursday & Friday 9AM – 5PM. All hours not in the office will be worked remotely.
- The Employee Handbook & holidays approval. **Tabled** to next council meeting.
- Next Monthly Council Meeting will be held on September 14<sup>th</sup>, 2020 due to the Labor Day.

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

- A **Request Form** has been created for the distribution of recycling bins. The form has been emailed to the DWG Council for review and revisions and will be send to Secretary/Treasurer, Shaina Serrano.
  - Broken cans will be replaced
  - Councilman, Derek Anspach made a **motion** to charge \$45.74/bin to any customer who would like an additional recycling bin. With the exception of a free replacement bin for those residents who have a broken bin. Councilman, Tim Snow seconded the motion. The motion was carried unanimously.
- Last month Solicitor, Deb Huffman sent over the current contract for garbage pick-up. Minor changes need to be made before the new contract and an advertisement for bids go out for Fall 2020. **Tabled** to next council meeting.

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

- Councilwoman, Eileen Noelle requested that Secretary/Treasurer, Shaina Serrano send by certified mail, the approved "Outdoor Dining Memo" (*Ref. 3*) along with a Permanent Restaurant Outdoor Dining Permit Application to all the Borough's restaurant owners.

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

- DWG Route signage Plan Update
  - We hope that the signs have been helpful and we plan to provide more pamphlets to local businesses.

- RCAP Mapping Project Update:
  - Superintendent, Harry Darlington reported that RCAP meeting was completed pending review by the Water Committee.
    - Councilman, Derek Anspach to purchase an application for the tablet.
  - Trinity Subsurface Engineering for PA1 Calls will be terminated shortly.
  - Councilwoman, Lisa Paulette is unable to open files sent and GIS Mapping application on her iPad. Councilman, Derek Anspach will meet with Lisa assist her with technical difficulties
  - We have a detailed book of our water systems maps including a total of 29 pages.
  - Councilwoman, Lisa Paulette will be connecting with both RCAP Representative, Seth, Councilman, Derek Anspach & Harry Darlington to review and provide feedback. We will decide either to accept or if we need to make further adjustments.
- ESAT Plan Update
  - We are close to the completion stage. The next meeting will be at Dansbury Park on August 8<sup>th</sup>, 2020.

### *Building/Roads/Maintenance Committee (Tim Snow)*

- Superintendent, Harry Darlington reported that the Roads Committee is still awaiting a response from Penn DOT about the area near Women's Resource Center as well as the Farber residence on Mountain Road.
- Penn DOT Representative, Jeff Robach suggested many ways to preserve our roads. There are a couple of drains that are collapsing. Councilman, Zack Booth created tabs for each road in Microsoft Teams in order to keep track of the progress of each road and share with the team.
  - Tar and chipping are cheaper than regular tar paving. It would cost about \$5,500 to tar & chip Minsi Road and \$20,000-25,000 to repave the road which wouldn't extend the life of the road. This would potentially save us close to \$19,500 and extend the life of the road.
- Replacement of the steel grate on Waring Drive.
  - 4 quotes were received and the best quote was \$525 for one (1) grate and \$980 for two (2) grates shipping included. The grate near the tool bridge might not be our property. We need to contact the Toll Bridge to see if they own it. If so, we might be able to bill them for half of the cost.
  - Vice President, William Buzzard made a ***motion*** to purchase the two (2) grates for \$980 including shipping. Councilman, Zack Booth seconded the motion. The motion was carried unanimously.
    - Councilwoman, Eileen Noelle made a ***motion*** to make the payment this pay run. Councilman, Derek Anspach seconded the motion. The motion was carried unanimously.
- The project for the drain across from the Sycamore Grill has been rescheduled to be completed the same day as the project on 13 Oak Street (Levy). ***Tabled*** to next council meeting.
- Mountain Road Bridge weight limit study. ***Tabled*** to next council meeting.
- There is no current update on sealing our roads.
- 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.

### **Correspondence**

- ***Ref. 1*** – Letter & Business Account Maintenance Form for TCM Bank
- ***Ref. 2*** – Payment App No.2. Change Order No. 5 - Bellview Pump (Small Water Line & Valve Installation Project)

- *Ref. 3* – DWG Outdoor Dining Memo - Solicitor's Edited Draft

## Public Comments

- No further comments contributed by the public.

## Executive Session

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

Entered Executive Session at 8:42 P.M.

Councilman, Derek Anspach made a ***motion*** to exit Executive Session. Councilman, Zack Booth seconded the motion. The motion was carried unanimously.

Returned from Executive Session at 10:06 P.M.

- Councilman, Derek Anspach made a ***motion*** to authorize solicitor to send letters and institute litigation in relation to outstanding water and sanitation accounts. Councilwoman, Lisa Paulette seconded the motion. The motion was carried unanimously.
- Vice President, William Buzzard made a ***motion*** to hire part-time person to work in office with responsibilities to be set by Personnel Committee. Councilwoman, Lisa Paulette seconded the motion. The motion was carried unanimously.

## Adjournment

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

The meeting adjourned at 10:14 P.M.

*Respectfully Submitted,*

Shaina Serrano  
Borough Secretary/Treasurer



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Borough Secretary/Treasurer

9/14/2020

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Date of approval