

**BOROUGH OF DELAWARE WATER GAP  
MONTHLY COUNCIL MEETING**

**February 7, 2011**

The regular monthly meeting of the Borough Council of Delaware Water Gap was held in the Francis (Casey) Drake municipal building on Monday, February 7, 2011.

Council members present: President Wayne MacWilliams, Vice President Bill Buzzard, Elvi DeLotto, Jack Shoemaker, Susan Wilson and Philip Farber. Also present Mayor Walter Conway, and Engineer Mike Gable.

**Key of Terms:**

President Wayne MacWilliams – WMW  
Vice President Bill Buzzard – BB  
Jack Shoemaker – JS  
Susan Wilson – SW  
Elvi DeLotto – ED

Philip Farber – PF  
George Munn – GM  
Mayor Walt Conway – WC  
Solicitor David Williamson – DW  
Engineer Boucher & James – B&J

Borough Secretary/Treasurer Johanna Moreo - JM  
Superintendent Bob Gallagher - BG  
Delaware Water Gap - DWG  
Zoning Officer Larry Freshcorn - LF

President Wayne MacWilliams called the meeting to order at 7:30 pm with the pledge of allegiance. **Bill Buzzard made a motion to approve the treasurer’s report, pay the bills and accept the minutes of previous meeting seconded by Elvi DeLotto. All in favor.**

**Superintendent’s Report** – Bob Gallagher not present.

**Engineer’s Report** – *refer to Engineer’s report for further details.*

There are 2 outstanding review letters – Pocono Inn & Women’s Resources, which will be discussed in the Zoning update. As far as the Community Block Grant, JM sent out questionnaires for tenants to fill out and return; she has not received any responses yet.

**Mayor’s Report**

Sgt. Hoff reported: no parking signs posted in the winter time on Broad Street & Cherry Valley Road, it should also be on Main Street (the same side as the Boro building) because of snow it makes for a traffic problem. He requested that signs be posted. ED questioned, what if there is no snow can people park there. WMW pointed out that this year is unseasonable with all of the snow. **Elvi DeLotto & Phil Farber object to it.** Jack Shoemaker recommended clearing the snow to the curb from Cherry Valley to Shepard Avenue; he will talk to Bob about it. Bill also requested that the Post Office be cleared to the curb as well.

**Zoning Update**

1. Women’s Resources – Lou Cozza representing WR, 1700 sq ft addition in front of Main Street a connector for better flow for the facility & additional security, they also removed the garage for more parking. He addressed the engineer’s report regarding sidewalks. There is a recommendation for a fee in lieu of costs for the installation of sidewalks in the future (page 15, in italics). Lou stated that if & when the sidewalks happen on that side, then they can approach WR for cost sharing. Discussion followed. It was decided to take it into consideration & put the topic back onto the Agenda for the next meeting. JM stated that according to the MPC an extension letter is required from WR, Lou stated he send it over tomorrow.  
Lou also addressed the engineer’s comments on page 16 #7 – since this is an isolated site & there are no further improvements planned for the future, he feels that having an escrow agreement is not necessary. Mike Gable, B&J rep, stated that the purpose of the bonding is to protect the Borough. A developer’s agreement, hold harmless is best for the Borough. He stated that it would be \$8,000-10,000. performance bond, cost is 10% of that. This would be done through the solicitor with a developer’s agreement. DW stated that this is good advice. **Jack Shoemaker made a motion to table this and get an extension letter. Bill Buzzard seconded it. All in favor.**
2. Pocono Inn – Jim Jiatsu, owner, Brick, engineer & Manny, lawyer present. Manny addressed Council, since it is located in a flood zone triggers a site plan which they submitted to the PC & they have been working with the Boro engineer. They plan on continuing to Zoning Hearing after the PC has completed their review. Brick handed out the plot plan with the existing parking to Council. Both addressed the engineer’s comments, after reviewing the ordinance regarding loading, for this particular application there is no building or construction taking place. Also there is no loading in DWG it is being done in Smithfield Twp. WC stated that he has serious concerns

about this. There were 2 locations within the Borough who were put through a long process to accommodate the Borough. This is an insult to them for this project. Much discussion followed. Bill stated that since the Zoning Officer makes the ultimate decision on this and he is asking for input from Council. **Bill Buzzard made a motion to advise our Zoning Officer that we believe the application should be denied and he should implement the cease & desist order within 60 days. Elvi DeLotto seconded it. All in favor.**

3. Adam's Outdoor – everyone read Larry's letter; WMW requested that a thank you letter be sent to them for their input and Council will be expecting better results.

**Memo:** Trail's End Café, ED would like to ask Noreen about the bypass being removed.

## Old Business

### **DWG Fire Department.**

Fire Chief Brad Miller addressed Council; he presented a P&L report from last year. *Refer to statement for further details.* BB would like to see a budget and also look into the worker's comp claims over the years. Brad stated that he would do that. Brad also discussed a few other items:

1. They have a problem with parking the diesel trucks while the garage doors were being installed. Rich Matos offered to have them parked at the Storage Unit if they needed.
2. They were just approved for a \$10K grant for new radios. PF questioned if they bill the insurance companies for Route 80. Brad – they were reimbursed \$1,286. last year, the Fire Department only gets the deductible. After some discussion it was recommended that Brad bring the information to WC to review.
3. DWG Village Apartments hydrants are not being maintained, they are still frozen. PF stated that he will let GM look into it, have it checked. There must be something wrong with them.

### **Public Hearing Outdoor Dining & Alternate Energy Ordinances.**

**Elvi DeLotto made a motion to convene the outdoor dining & alternative energy ordinance, Jack Shoemaker seconded it. All in favor.** DW stated that this has been discussed at the last couple of meetings. The solar ordinance # 299 follows the model of the MCPC (*refer to ordinance*). The reason is that it is not currently on the books. On 1/31/11 received letter from MCPC that the ordinance is consistent. Outdoor dining # 298: not currently in use (*refer to ordinance*). On 2/4/11 received letter from MCPC stating that there is a discrepancy in the numbering. The current ordinance does not have specific numbering or lettering, it is not consistent. DW stated that it is not necessary to do anything because it does not make the ordinance invalid. There were no comments from Council or citizens. **Jack Shoemaker made a motion to cease the public hearing, Susan Wilson seconded it. All in favor. Jack Shoemaker made a motion to adopt the 2 ordinances tonight, Elvi DeLotto seconded it. All in favor.**

### **Revisit curb & sidewalk replacement on Main Street.**

Discussion followed on deciding where Council would like to pursue grant funding first - which section(s) of Main Street and/or Waring Drive. Mike mentioned that one benefit of going up to the Martz bus station is that it gives you the public transportation & safety credit; he also recommended devising a master reconstruction plan and break it down into goals. **Bill Buzzard made a motion to adopt Waring Drive and both sides of Main Street with an option of a sidewalk to the bus station, to seek funding for 2011 year. Susan Wilson seconded it. All in favor.**

### **Pittsburgh City Council request help to enact an ord banning hydro-fracturing natural gas drilling.**

Council decided not to get involved with this.

**Re-addressing.** – Revisit at next meeting.

## New Business

### **MA requesting shut off.**

**Phil Farber made a motion to shut off the water, Susan Wilson seconded it. All in favor.**

### **Water damage in the office.**

BB recommended doing what the secretary would like within reason.

**MEMO:** Broad Street ponding issue, Mike will contact Robert Mudrick.

### **Committee Reports**

Elvi DeLotto & Phil Farber – nothing to report.

Jack Shoemaker – thanked Ralph & Bob for plowing the roads and doing a great job. Everyone applauded.

Susan Wilson – ran out of recycling containers, JM received quotes – best price \$1,416. for 54 32G cans & lids. Prior to purchasing it was recommended that JM contact Waste Management Authority about grant \$, when the Borough should be receiving it. If not soon, just order them in March.

### **Questions and Concerns of Citizens**

Walt Conway introduced the gentlemen who own the Wind Mill Company. They stated that they were there for informational purposes, waiting on what the outcome will be on the Laird property.

David Williamson introduced Fred Cutaio, fulltime public defender office, Smithfield Twp resident. He had been approached by citizens; therefore he decided to run against Germano for magistrate. He will follow the rules that are there and will not interpret them.

Bill Buzzard was interested in knowing what the outcome was with the DRJTBC. Walt stated that it had been approved in Executive Session. JM spoke to the engineering firm involved, in the process of obtaining the spreadsheets to submit invoices.

ED volunteered to register for the successful neighborhood revitalization webinar on 2/15.

WC mentioned that he had been asked to sit on the Mayor's Association Executive Committee. He hasn't decided yet if whether or not he will accept. He will Council know/

**Jack Shoemaker made a motion to adjourn at 9:20 p.m., Susan Wilson seconded it. All in favor.**

**Respectfully Submitted,**

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**Johanna Moreo, Secretary/ Treasurer**