

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

April 4, 2011

The regular monthly meeting of the Borough Council of Delaware Water Gap was held in the Francis (Casey) Drake municipal building on Monday, April 4, 2011.

Council members present: President Wayne MacWilliams, Vice President Bill Buzzard, Elvi DeLotto, Jack Shoemaker, Philip Farber and George Munn. Also present Mayor Walter Conway, and Engineer David Jones.

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. **George Munn made a motion to approve the minutes, Elvi DeLotto seconded it. Bill Buzzard made a motion to approve the treasurer’s report, & pay the bills seconded by Jack Shoemaker. All in favor.**

Superintendent’s Report – Bob Gallagher not in attendance.

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

- Broad Street drainage problem – still stymied, JM still trying to coordinate a meet & greet with Rep. Rosemary Brown – problem is that she is in session on the 1st Monday’s of the month.
- Log 4 – GM stated that Craig is monitoring it on a daily basis since 4/1/11.
- Well Grant – under water report.
- Women’s Resources – plans are on the desk for signatures, Solicitor worked on the developer’s agreement as long as DW is satisfied, which he is, then the plans can be signed.
- Open Space Grant – Conservation approval but still waiting on DEP & Army of Engineer approval. Moving forward with bidding in May being done in Smithfield Twp.
- Adam’s Outdoor – LF has been in touch with Mgr. Sean Sterner. Sean spoke to Don Small – he wants a couple of issues resolved, which can be easily taken care of. Once the weather breaks work can begin. DJ mentioned that it will need E&S approval which will take 30-45 days.
- Main Street sidewalks – DJ reviewed the figures again & he feels that they are ok. He will coordinate with JM & WC to figure out the best way to approach the DRJTBC. He met with Mr. Henry, Martz, but he didn’t commit to anything. He felt that the sidewalks wouldn’t be a help but would create a maintenance & liability insurance issue. WC responded that he spoke to Mr. Henry- his concern is litigation, having to shovel the sidewalks. Someone may slip & fall. DJ will await his final response. DJ also wondered if he should approach Vertellus for better leverage. BB agreed that having leverage is an outstanding idea, but time is of the essence. Should go for all 3 stages. DJ stated that by next meeting he will have an updated package together & speak to DRJTBC.
- PC training – scheduled for June 13th at 7:00pm.
- Fairway Estates – still waiting on them to address the comments the engineer previously made.
- Pocono Inn – PMC withdrew their contract & they already have made arrangements with Rich Matos, he already has a permit to park 150 cars.

Mayor’s Report

Sgt. Hoff reported that there was not much for March. In April the PD will be in training classes. Truck inspections begin next week. Shepard Avenue apartments are condemned by L&I, eviction notices were given to tenants.

Zoning Update

1. Women’s Resources – LF stated that he recently discovered that there is no zoning permit issued for this project & faxed one over to Lou; he also discussed the outstanding engineering fees with him as well. Jennifer Grubbe addressed the engineering fees comment by stating they are disputing some of the fees and asks Council to consider signing the plans as they wrap it up. DW responded

that the usual course of business is to have everything paid up before contracts are signed, money could be posted & refunded if need be. **Bill Buzzard made a motion to authorize signing after the fees have been paid for in full as outlined on page 19, discuss the bills afterward. Phil Farber seconded it. All in favor.**

2. Shepard Avenue apartments – they applied for a demolition permit. DW stated that it does look like they need to apply for a non-conforming permit. LF stated that it cannot be any bigger than the original. Council questioned off-street parking & LF stated he would look into it.

Phil Farber questioned the status on the streetlights at Castle Inn. Larry stated that he has not been able to coordinate with Frank. PF stated that he is upset that this is the 3rd or 4th time this has been brought up. LF suggested writing a letter to Frank. **Jack Shoemaker made a motion to be in compliance with the street lighting, Elvi DeLotto seconded it. Jack amended the motion to contact the Zoning Officer within 10 days. Phil Farber seconded it. All in favor.**

Old Business – None.

New Business

Marcellus Shale issue as it affects the Delaware River.

Elvi stated that they will be addressing public comments at the end of the month against it. In the past it created problems affecting the water, GM urged Council to send the Basin Committee a letter to wait until the NY study is done, concerned. **Wayne MacWilliams requested that George Munn assist Johanna in writing the letter since he knows a lot about this. Phil Farber seconded. All in favor.**

Renew terms for MA members: Roxanne Antonowich & Frank Davis.

George Munn made a motion to renew their terms, Bill Buzzard seconded it. All in favor.

Renew terms for Zoning Hearing Board members: LeRoy Kaiser & Carol Penna.

Elvi DeLotto made a motion to renew but rescinded it. Last year's resolution to only appoint members that are up to date on their Borough bills, Carol Penna is in arrears. Therefore, **Phil Farber made a motion to re-appoint LeRoy Kaiser to Zoning Hearing Board, Bill Buzzard seconded it. All in favor.**

MA shut off.

George Munn made a motion to shut off the properties, Phil Farber seconded it. All in favor.

MEMO: Carol Penna's letters regarding the DWG Train Station. WMW stated that they need to make an immediate assessment of the damages and send a bill. Marty Bartholomew stated that they spoke to Brian Hill & the site supervisor but no one seemed to be aware that it had happened. Discussion followed. Council decided to review the situation & go down to the site and check out what's happening down there. **Jack Shoemaker made a motion to table this until next meeting, Elvi DeLotto seconded it. All in favor.**

Committee Reports

George Munn – The chlorine monitoring in the wells, Craig is taking care of it.

Well #7: DCED sent a letter via email in reference to a recent payment request & they stated that the engineering fees were over budget. DJ stated that there needs to be a resolution with DCED a meeting should be held to talk to them about seeking additional funds because the improvement will be more that what the original grant asked for, engineering costs are pretty much complete aside from a few items. In the meantime there is an outstanding amount of money being carried over since 11/2010. DJ wondered if Council would consider paying at least half of it. Since the DCED has already invested in this project he feels that they have a better chance at getting the funding. **Bill Buzzard made a motion to pay out of the General Fund 50% of what is owed. Elvi DeLotto seconded it. All in favor.**

Elvi DeLotto – No update on the park, Heather Holbrook will have information for the park by next meeting.

Questions and Concerns of Citizens

Mr. Cridge stated that there is still a flashing sign. LF stated that there is grey area in the zoning ordinance about flashing & the appearance of flashing light sudden bursts of light; that has been the leverage. He said that he will talk to Mr. Cridge after the meeting to go over it further. PF let him know that Council has tried; they were appealing to someone who didn't let his manager know about the situation. JS stated that they are trying to resolve this without it going to court.

Sue Cooper – spoke to Brian Barrett they do have permits. She also stated that she was invited to sit on the Monroe County Transit Authority. Fernwood is working on a plan to have free bus service on Saturday & Sunday through the National Park. They are trying to get more people into the Park. Also if they use the bus they will not be charged to use the beach, starts 4/30. She is also gathering information from other trail towns & how those communities' property values increased \$17k/ house, great economic impact. She is finding out how they got the money & getting PennDOT involved. If she learns anything she will bring it home.

Wayne MacWilliams made a motion to go into Executive Session at 8:48 p.m. to discuss legal matters. Elvi DeLotto seconded. All in favor.

Respectfully Submitted,

Johanna Moreo, Secretary/ Treasurer