

DECEMBER 15, 2022  
PENN LAKE PARK BOROUGH COUNCIL MEETING

The Penn Lake Park Borough December Council meeting was held at the Penn Lake Park Community House. Council President Paul Rogan called the meeting to order at approximately 7:21 PM with the Pledge of Allegiance to the Flag followed by a statement that the meeting is streamed through the conferencing app., Gotomeeting, and is being recorded.

Council President Rogan announced the passing of Donna Martin, and offered condolences to the family.

**ROLL CALL:** Mayor Tom Carter, Council President Paul Rogan, Council members John Burden and Dan Eustice were present. Council members Shaun Kuter and Dave Longmore were remote, all present.

**MINUTES:**

Minutes from the both the November Council Meeting and the Special November Council Meeting were distributed to council via email and posted on the Penn Lake Borough website. The copies will be recorded as the official minutes and will be posted on the Borough's website. A **Motion** to accept the November Council Meeting Minutes was made by Kuter, 2<sup>nd</sup> by Longmore.

Roll Call: Kuter, Longmore, Burden, Eustice, and Rogan, all in favor, none opposed.  
Motion carried.

A **Motion** to accept the Special November Council Meeting was made by Kuter, 2<sup>nd</sup> by Longmore.

Roll Call: Kuter, Longmore, Burden, Eustice, and Rogan, all in favor, none opposed.  
Motion carried.

**TREASURERS REPORT:**

The Treasurer's Report was presented. A **Motion** was made by Kuter, 2<sup>nd</sup> by Eustice to accept the November Treasurer's Report.

Roll Call: Kuter, Eustice, Burden, Longmore, and Rogan, all in favor, none opposed.  
Motion carried.

**RECEIPTS/BILLS:**

A **Motion** was made by Kuter, 2<sup>nd</sup> by Longmore to pay the bills of \$34,137.64 and to accept the receipts of \$26,703.57.

Roll Call: Kuter, Longmore, Burden, Eustice, and Rogan all in favor, none opposed.  
Motion carried.

**PETITIONS OR COMPLAINTS:**

A resident complained the storm-water drain grate by the Community House had deteriorated and a child's foot went through the edge. Council person Longmore investigated and had Kislin do a temporary repair while his crew was in the Borough on another job.

A resident complained about the ice on the road at the main entrance on Carter Dr. and added that cars are unable to stop before sliding out on White Haven Road. Council President Rogan

contacted the Borough's plowing contractor and had salt and anti-skid material applied in the area.

### **CORRESPONDENCE:**

The Borough received notification from the PA State Police that they will provide necessary police services to Penn Lake Park Borough.

Barry Jacob, the Borough's Zoning Officer, asked to be reappointed for 2023.

### **COMMITTEE REPORTS:**

**MAYOR – Carter** -Stated Chris Zwiebel, the Borough's Emergency Management Coordinator will be stepping down from the position. Carter will consult with other municipalities served by Zwiebel to seek a replacement.

**POLICE – Carter** – Nothing to Report.

**SOLICITOR – Kristyn Giarrantano Jeckell** – Continues to review Borough ordinances.

**ZONING** – 4 permits were issued: 2 for an attached car port, 1 addition, 1 zoning hearing. The Zoning Board met to hear a request from Joe Lokuta for a continuance which was granted. The Zoning Board met December 6 to hear a request for a front variance from Tom Riddle.

**RECREATION– Kuter** – Nothing to Report.

**LAKE MANAGEMENT - Eustice** – No Report.

**GOOSE ABATEMENT – Kuter** – Nothing to Report.

**RTK/RECORDS –Burden** – Nothing to Report.

**ROADS –Longmore** – Kislin completed the storm-water project by the inlet. White Haven Fire Chief, Dean Raudenbush asked for stone to be placed to enable access to the dry hydrant at the beach area. A **Motion** was made by Rogan, 2<sup>nd</sup> by Longmore to purchase stone for the dry hydrant access not to exceed \$1000.00.

Roll Call: Rogan, Longmore, Burden, Eustice, and Kuter, all in favor, none opposed.

Motion carried.

**SEWERS – Rogan** – Nothing to Report.

**SHORT TERM RENTALS- Burden** – Three applications for a 2023 permit were received. 1 permit was granted, another will be granted pending payment, and one did not meet the requirements and was denied.

### **UNFINISHED BUSINESS:**

**Code Enforcement** – Rogan will consult with the Borough's Zoning Officer, Barry Jacob, and Secretary Burden will contact the Code Enforcement Officer serving Laurel Run Borough.

**ARPA Funds** – Rogan met with Romilda Crocarno from Elliot Greenleaf who will ensure funds are being used according to government regulations.

**Speed Bumps** – Will continue as Unfinished Business.

**Dam** –

- 11/29 - Rogan reached out to the Pennsylvania Local Government Investment Trust (PLGIT) to determine what options are available to the Borough to maximize return on \$3,000,000.00 line of credit should it be fully drawn down. The information provided by

PLGIT indicates CD rates in the 4% to 5% range which is significantly more than the 2.75% rate for the Borough's line of credit.

- 12/7 - Members of the Dam Advisory Group: Dan George, Dan Cronauer, Paul Rogan, and Borough Treasurer Teresa Wojciechowski, met to discuss a drawdown of the full credit line with the intent of putting the proceeds into PLGIT CD ladders until the loan proceeds were needed for design, permitting, and construction. Treasurer Wojciechowski suggested checking with Luzerne Bank to verify that the Borough can draw down funds not used for dam related costs.
- 12/12 - DAG members: Dan Cronauer, Paul Rogan, and Pat Millham met with Brian Bird at Luzerne Bank to discuss a possible draw down. Luzerne Bank had no issues with an early draw down, and offered a 3.25% money market rate if the Borough's funds were left there.
- 12/12 – At the suggestion of a Borough resident, Rogan talked with John McCarthy at Jacobi Capital Management LLC to discuss options. McCarthy provided a prospective Treasury bill ladder portfolio that had yields in the 4.2 to 4.6% range.
- 12/13 – Rogan talked with Brian Koscelansky, an Attorney from Stevens and Lee who earlier provided the bond counsel opinion for the line of credit. His opinion was to wait until the June date to do the draw down; otherwise, an early draw down could be interpreted as an arbitrage situation by the IRS.
- 12/14 – Rogan spoke with Michael Judge, of CaseCon Capital, Inc. for his opinion on the arbitrage situation. Judge agreed with the opinion of Brian Koscelansky that it best to wait until June to draw down and re-deploy the line of credit to avoid an arbitrage situation. Based on the information, the DAG members who provide financial counselling agree it best to wait until June to draw down the funds.
- 12/15 – Jim Brozena has made progress on obtaining funds from the FEMA FMA grant awarded last July. The Borough is expected to pass a “Designation of Agent,” resolution for obtaining the money. An account has been set up with Luzerne Bank for storing the funds.

A **Motion** was made by Rogan, 2<sup>nd</sup> by Eustice to adopt Resolution 4 of 2022 to designate the Council President as an agent for the FEMA FMA 2020 Grant authorizing him to execute agreements and all other legal documents and the Vice President is directed to attest to this Act using the PEMA Designation of Agent form.

Roll Call: Rogan, Eustice, Burden, Longmore, and Kuter, all in favor, none opposed.

Motion Carried.

**2023 Budget** – A **Motion** was made by Rogan, 2<sup>nd</sup> by Kuter to adopt the 2023 Budget as advertised and posted.

Roll Call: Rogan, Kuter, Eustice, Burden, and Longmore, all in favor, none opposed.

Motion Carried.

## **NEW BUSINESS:**

**Dam Emergency Action Plan** – A **Motion** was made by Rogan, 2<sup>nd</sup> by Longmore to authorize Streamline Engineering to create the Emergency Action Plan for Penn Lake Park and distribute it for \$2,700.00.

Roll Call: Rogan, Longmore, Eustice, Burden, and Kuter, all in favor, none opposed.

Motion Carried.

**Zoning Officer** – A **Motion** was made by Rogan, 2<sup>nd</sup> by Eustice to reappoint Barry Jacob as Zoning Officer.

Roll Call: Rogan, Eustice, Burden, Longmore, and Kuter, all in favor, none opposed.

Motion Carried.

**Tax and Garbage Rates** – A **Motion** was made by Rogan, 2<sup>nd</sup> by Burden to adopt Resolution 5 of 2022 setting the tax rate at 4.6 ml, 4.2 ml to be used for dam repair, and setting the garbage rate at \$330 for 2023.

Roll Call: Rogan, Burden, Eustice, Kuter, and Longmore, all in favor, none opposed.

Motion Carried.

**PUBLIC COMMENT:** Suzanne Winters wanted clarification as to what qualifies as an attached and unattached structure in the zoning ordinance. Rogan stated Attorney Jeckell is reviewing zoning ordinances.

Trish Breuer had concerns about sizes of docks, crumbling lakefront walls, life jacket requirements during the late fall to early spring period, and stop sign enforcement.

A **Motion** was made by Rogan, 2<sup>nd</sup> by Burden to adjourn.

Roll Call: Rogan, Burden, Kuter, Eustice, and Longmore, all in favor, none opposed.

Motion carried.

Meeting adjourned at 8:15 PM.

**The next Council Meeting will be held on January 12, at 7:00 PM.**

Respectfully submitted,

Karen Burden, Secretary