

JUNE 13, 2024

PENN LAKE PARK BOROUGH COUNCIL MEETING

The Penn Lake Park Borough June Council meeting was held at the Penn Lake Park Community House. Council President Paul Rogan called the meeting to order at approximately 7:09 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.

ROLL CALL: Council President Paul Rogan, Council Members: Susan George, John Burden, Dan Eustice, and Corey Beltz. Mayor Tom Carter was absent.

PUBLIC COMMENT: None

MINUTES:

Minutes from the May Council Meeting were distributed to council members via email and posted on the Penn Lake Park Borough website. The copies will be recorded as the official minutes. A **Motion** to accept the May Council Meeting Minutes was made by Eustice, 2nd by George. Roll Call: Eustice, George, Beltz, Burden, and Rogan, all in favor, none opposed. Motion Carried.

TREASURERS REPORT:

The Treasurer's Report was presented. A **Motion** was made by Rogan, 2nd by Burden to accept the Treasurer's Report. Roll Call: Rogan, Burden, George, Eustice, and Beltz, all in favor, none opposed. Motion carried.

RECEIPTS/BILLS:

A **Motion** was made by Eustice, 2nd by Burden to pay the bills of \$44,763.03 and to accept the receipts of \$206,850.27. Roll Call: Eustice, Burden, George, Beltz, and Rogan who abstained from line items 16 and 17, otherwise aye, all in favor, none opposed. Motion carried.

PETITIONS OR COMPLAINTS:

Deb Twardy complained that a resident has been throwing dog waste bags onto Lakeview Dr. Twardy stated that this has been going on for years and at times there have been as many as eight bags of dog waste on the road. There was a complaint that the grass along the roadsides has not been cut.

CORRESPONDENCE: Nature Works informed the Borough that they have been acquired by TIGRIS Aquatic Services.

COMMITTEE REPORTS:

MAYOR – Carter – No Report

SOLICITOR – Jack Dean – Nothing to Report.

ZONING – One permit was issued for a roof at 1567 Lakeview Dr. The Zoning Hearing Board will meet on June 25th to consider Blakesley’s application for dimensional variances and special exception approval for enlargement of a nonconforming structure at 1744 Lakeview Dr.

RECREATION– George – Noted the Porta Potty has been cleaned regularly by Biros. George brought up an amended motion on July 13, 2022, concerning the Pickle Ball Court.

LAKE MANAGEMENT - Eustice – Water testing results at both beaches have E. Coli counts under the limits. The Department of Health completed a beach inspection. Eustice reported that Natureworks which has been spraying for bladderwort at the lake has been acquired by TIGRIS Aquatic Services.

GOOSE ABATEMENT – Eustice – Nothing to Report.

RTK/RECORDS –Burden – Nothing to Report.

ROADS –Eustice – Shiffer Bituminous will begin milling and paving on Monday and Tuesday of next week. Eustice reported that there will be a walk through with Entech to check the status of the water main replacement project and upcoming paving.

SEWERS – Beltz – 1 permit application was received. Beltz reported 4 grinder pumps were changed out over the past months and only 3 pumps remain. Rob Gower from AQUA suggested a flush out of the system.

SHORT TERM RENTALS- Burden – A hearing is scheduled for July 3 concerning a nuisance violation for garbage against Penn Lake Homes LLC.

DAM – Rogan – 6-13-2024 Meeting-Dam Report

- 5/10/2024 Rogan and George met with attorney Dean. The purpose was to brief Atty Dean on the legal items brought up by DEP/Dam Safety at the DAG meeting in Harrisburg on 5/8.
- 5/10/2024 Rogan had a productive discussion with the Rice township treasurer to understand their experiences in dealing with DEP Dam Safety. They have been on a merry go round since 2016 and are only now making any kind of forward progress. The upshot of the conversation was that the DEP Dam Safety Department was difficult to motivate.
- 5/18/2024 Productive face to face of the DAG. Points:
 1. Attendees: Pat, Mayor Carter, Rick, Charlotte, Kathy, Pat, Dave, Paul, Jude, Margie (remote.)
 2. General discussion of events since March 2020.
 3. More detailed discussion of activities since November 2023 letter of amendment (LOA) to our dam permit.
 4. General poor communication with Dam Safety, email and phone calls not being returned etc. was discussed.
 5. Discussed the meeting with Senator Argall and his chief of staff, Christine Verdier, with permit/DEP matters. This meeting prompted a call from Kirk Kreider. Kreider characterizes the use of sags for spillway capacity as “highly unusual” although it is common. Kreider suggested that our timeline is too aggressive.
 6. Discussed the 5/8 face-to-face meeting with Dam Safety Director Kreider, one of his H&H techs, Lisa Stuart, Paul Rogan, Dan George. It was clear that our application from five months prior has not really been looked at. Part of the issue appears to be hanging on legal opinions on the adequacy of letters of notice to property owners for incremental PMF flooding due to spillway improvements. THE DAG was provided a map off incremental impacts. Kreider seemed to be suggesting the need for easements for

the 100 year, PMF/10,000 year, and incremental PMF. The DAG appears aware of the absurd nature of this requirement.

7. It was the opinion of those present that something filed in the courthouse could result in legal issues for the Borough.
8. Major Issues:
 - a. Money. The Borough has a realistic shortfall of about 1.4 million. DAG was briefed on the May 9th meeting with John Blake from Matt Cartwright's office. Discussion of shifting money after the sewer Penn Vest loan occurred, consensus was not to pursue that course.
 - b. DEP Dam Safety. Rogan had discussions with Rice TWP. Treasurer concerning their experience with Kreider. Bottom line is that Krieder will be a serious obstacle as he will delay, obfuscate, hide behind obscure regulations, and be non-responsive. Rice Twp. had no movement until they used political pressure from their State Representative, Alec Ryncavage and State Senator Lynda Schlegel Culver. He suggests that Kreider's process is to frustrate so it gets breached.
9. Schedule another public outreach meeting. Kathy Donaldson will check Community House availability.
10. Margaret Bastow suggests carefully structured FOIA requests to DEP.

- 5/22/2024 DAG set a date of 7/28 for dam public meeting at the community house.
- 5/30/2024 Councilman Rogan attended State Senator David Argall's municipal funding seminar. A contact was made with Christine Dettore (610-746-5608/cdettore@pa.gov) from the Northeast Regional Office of the DCNR/Bureau of Recreation and Conservation. She administers grants for that department, and there may be a good fit for the rehab work that will be needed in the ballpark post construction. The timing for applying for one of these grants is good assuming 2025 construction.
- 6/7/2024 LSA Grant awarded, \$100k, Carter/Rogan completed the agreement and sent into DCED

UNFINISHED BUSINESS:

Code Enforcement – Burden reported filling a code enforcement position is difficult although Council can designate a Code Enforcement Officer. Attorney Dean commented that an ordinance can be amended so it is enforceable by a zoning officer, police, or Council. Dean suggested that the Council considers the possibility of an alternate Zoning Officer.

ARPA Funds – The Stormwater project at 54 Williams Dr. has been completed. The drainage project at Horseshoe and Hollenback Dr. is on hold. There is \$13,000.00 in funds still available for the Borough to use.

Speed Bumps/Humps – Will continue as Unfinished Business.

2020 LSA Grant- Was awarded last month to Lehigh Asphalt Paving and Construction with a bid of \$57,232.00 for the Drainage Upgrade Project funded by the 2020 LSA Grant. A notice to proceed was sent to Lehigh.

AQUA Main Replacement Status – Covered in Roads under Committee Reports.

Letter of Intent to Request Technical Assistance – A **Motion** was made by Burden, 2nd by Beltz to submit the Letter of Intent to approve the request for technical assistance and agreement to work with the Governor’s Center for Local Services.

Roll Call: Burden, Beltz, George, Eustice, and Rogan, all in favor, none opposed.

Motion Carried.

NEW BUSINESS:

Resolution to Forgive Erroneous Billing-

A **Motion** was made by Rogan, 2nd by George to adopt Resolution 2 of 2024, to authorize the Penn Lake Park Tax Collector to correct erroneous double billing of garbage fees.

Roll Call: Rogan, George, Beltz, Eustice, and Burden, all in favor, none opposed.

Motion Carried.

Acquire New Sewage Pumps – A **Motion** was made by Beltz, 2nd by Rogan to acquire twelve new grinder pumps from Site Specific, a CoStars supplier, not to exceed \$33,000.00.

Roll Call: Beltz, Rogan, George, Eustice, and Burden, all in favor, none opposed.

Motion Carried.

Food and Fun Program at the White Haven Library –

A **Motion** was made by Rogan, 2nd by Beltz to make a \$500 donation for the Food and Fun Program at the White Haven Library.

Roll Call: Rogan, Beltz, George, Burden, and Eustice, all in favor, none opposed.

Motion Carried.

Pickle Ball – Motion to Fund – Will carry over to the July Meeting.

Obtain Quotes for Weed Spraying via Lake Mapping Survey-

A **Motion** was made by Eustice, 2nd by Rogan to obtain quotes for the Mapping Survey not to exceed \$650.00.

Roll Call: Eustice, Rogan, George, Beltz, and Burden, all in favor, none opposed.

Motion Carried.

FINAL PUBLIC COMMENT: None

A **Motion** was made by Rogan, 2nd by George to adjourn.

Roll Call: Rogan, George, Burden, Beltz, and Eustice, all in favor, none opposed.

Motion Carried.

Meeting adjourned at 7:45 PM.

The next Council Meeting will be held on Thursday, July 11, at 7:00 PM.

Respectfully submitted,

Karen Burden, Secretary