

**Penn Lake Park Borough
Agenda-April 14th 2022 7pm Meeting**

<https://global.gotomeeting.com/join/384401149> Ph.(312) 757-3117 Access Code: 384-401-149

Work Session-7pm

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Call to Order

Pledge of Allegiance

Roll Call

Meeting Minutes Approval

Treasurers Report

Receipts and Bills

Petitions and Complaints

Correspondence

Committee Reports:

- Mayor
- Police
- Attorney
- Zoning
- Recreation
- Lake Management
- Goose Abatement
- Records
- Roads
- Sewer
- Short Term Rental

Unfinished Business

- Lawn Care / Dam cutting (PennBid and advertise)
- DCNR/ADA Grants-Project and Reimbursement Status
- Dam
 - Activity since the last council meeting
 - Library-2.5 hours-Motion to pay from dam fund for meeting at White Haven Library
 - Change order from Streamline

New Business

- Association / Borough Partnership

Final Public Comment

Adjourn

MARCH 10, 2022

PENN LAKE PARK BOROUGH COUNCIL MEETING

The Penn Lake Park Borough March Council meeting was held in the Penn Lake Park Community House. Council President Paul Rogan called the meeting to order at approximately 7:02 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 that an Executive Session was held on March 4, 2022 with Attorney Dean on matters of potential litigation.

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

MINUTES:

Minutes from the February 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 February Council Meeting Minutes was made by Rogan, 2nd by Burden.

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

Motion carried.

TREASURERS REPORT:

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

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

Motion carried.

RECEIPTS/BILLS:

A **Motion** was made by Kuter, 2nd by Rogan to pay the bills of \$24,589.92 and to accept the receipts of \$39,367.22.

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

Motion carried.

PETITIONS OR COMPLAINTS:

Bulk item pick-up was missed at both 44 and 45 Marilyn Dr. County Waste was contacted and the items were removed.

CORRESPONDENCE:

Hazelton Oil & Environmental will have collections on the following dates: March 26, April 23, May 21, June 25, July 16, August 27, September 24, and October 22. Acceptable items include gas, oil, paint, aerosol cans. There is a \$25 fee. Rose Kelly @ 570-929-1793 can be contacted for more information.

COMMITTEE REPORTS:

MAYOR – Nothing to Report.

POLICE – MAYOR - The Borough received 26.43 hours of service for February. Incidents include: a Theft, a Welfare Check, 2 Follow-up Investigations, and a Missing Person.

SOLICITOR – Jack Dean– Not present. Rogan questioned whether a Council Member who is participating in the meeting remotely can vote aye on Resolution 2 of 2022 and have his signature noted on the resolution. Rogan also stressed the need to repair the potholes at the entrance to the lake and questioned whether the responsibility for the repair belongs to the state or the borough.

ZONING – No permits were issued.

RECREATION– Kuter – Nothing to Report.

LAKE MANAGEMENT - Eustice – Will attend an upcoming Penn Lake Fish and Plant Life Club meeting and will obtain an estimate for spraying the bladder wort.

GOOSE ABATEMENT – Kuter – Migrating geese have been moved along.

RTK/RECORDS –Burden – Nothing to Report.

ROADS –Longmore – Winter damage assessment and pothole mark outs will occur shortly.

SEWERS – Rogan – Will be covered under New Business.

SHORT TERM RENTALS- Two application fees have been received.

UNFINISHED BUSINESS:

DCNR/ADA Grants Reimbursement Status – Paperwork has been submitted, waiting for reimbursement.

Dam –

- February 15 – A subset of the Dam Advisory Committee met with Streamline Engineering, and Thorobred to discuss the draft reports, and to narrow the range of options to be considered.
- February 15 – The Borough received notice that Richard Reisinger, the Division Chief for Dam Safety, has accepted a different position. Mr. Reisinger, the Borough’s main contact at DEP will be replaced by Kirk Kreider. Rogan will reach out to Mr. Kreider to brief him on progress to date on the dam project.
- March 3 – The Dam Advisory Group “at large” met to bring the entire group up to date on the Steamline/Thorobred draft reports and related discussions.
- March 9 – A virtual meeting was held with Streamline and Thorobred to discuss alternative options, estimated costs, contingencies, and schedule. The material is under review by the Dam Advisory Committee who will tentatively meet March 19 and develop a recommended path forward to present to Council in May.

NEW BUSINESS:

LSA Grant Application/Resolution 2 of 2022 - A Motion was made by Rogan, 2nd by Kuter to adopt Resolution 2 of 2022 to undertake the project, “Penn Lake 2022 Drainage Upgrade Project Updated” to apply for a grant not to exceed \$602,000.00, and allowing Council President to sign documents associated with the Grant.

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

Motion carried.

Lawn Care/Dam Cutting – A Motion was made by Rogan, 2nd by Longmore to advertise in the White Haven Journal and on PennBid for Lawn Care and Dam Cutting for 2022.

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

Motion carried.

Lake Spraying Quotes – Was discussed under Lake Management.

Sewage Pumps – A **Motion** was made by Burden, 2nd by Longmore to purchase 24 new sewer pumps at COSTAR pricing of \$2190.76 each.

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

Motion carried.

PUBLIC COMMENT:

Trish Bartlett related information on topics related to water fowl gained from a March 9th Live Streamed Meeting with the PA Game Commission.

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

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

Motion carried. Meeting adjourned at 7:33 PM.

The next meeting will be held on April 14 at 7:00 PM.

Respectfully submitted,

Karen Burden, Secretary

TREASURERS REPORT April 14th, 2021

PNC GENERAL FUND

Balance as of 3/10/22	\$19704.42	
Revenue Deposits 4/14/22 mtg	<u>+11849.37</u>	
	\$31553.79	-
Bills to be Paid 4/14/22	<u>- 2154.93</u>	
Balance as of 4/14/22	\$29398.86	(\$16119.06 –DCED)

PLGIT GENERAL FUND

Balance as of 03/10/22	\$88793.44
EIT Deposit	+ 1358.27
Reimburse Garb. Pmt last mo	+ 6539.40
Interest earned 03/30/22	<u>+ 2.76</u>
	96693.87
Bills to be Paid 4/14/22	<u>- .00</u>
Balance as of 4/14/22	\$96693.87

DAM ALLOCATION FUND

\$41931.48
+54772.89 (March Taxes)
<u>+ 1.26</u>
\$96705.63
<u>- 34177.09</u>
\$62528.54

PLGIT GARBAGE

Balance 3/10/22	\$ 3011.19
Deposits from 4/14/22 mtg	\$22080.00
Interest earned 3/30/22	<u>\$.09</u>
	\$25091.19
To PLGIT Gen Fund	- 6539.40
Bills to be Pd 4/14/22	<u>- 6539.40</u>
Balance as of 4/14/22	\$12012.48

LIQUID FUELS

\$28217.33
.00
<u>\$.87</u>
\$28218.20
<u>- 1339.88</u>
\$26878.32

FNCB SEWER FUND

Balance 3/10/22	\$243300.96
Interest Earned	+ 9.57
Revenue Dep 4/14/22	<u>+ .00</u>
	\$243310.53
Bills approved 4/14/22	- 52578.24
Penn Vest Loan 4/1/22	<u>- 10317.06</u>
Balance as of 4/14/22	\$180415.23

LUZERNE BANK

\$10500.00
.00
<u>+ .00</u>
\$10500.00
<u>- .00</u>
\$10500.00

DCNR ACCT - \$40.00 -10.00(Svc Fees) = \$30.00

RECEIPTS: April 14th, 2022 MEETING

\$ <u>1358.27</u>	Berkheimer, EIT
\$ <u>59989.32</u>	Real Estate Taxes Collected
\$ <u>22080.00</u>	Garbage Fees Collected
\$ <u>1029.00</u>	Luzerne County Recorder of Deeds, Transfer Taxes
\$ <u>5000.00</u>	Short Term Rental Fee, -(Perrone, Phillips, Loughin, Foster)
\$ <u>288.94</u>	Elite Revenue, Delinquent Taxes Collected
\$ <u>300.00</u>	Magisterial District Court 11-3-06, fines collected
\$ <u>15.00</u>	DGK Insurance, Refund for overpayment on Ins Premium

\$ 90060.53 TOTAL RECEIPTS

BILLS:

\$ <u>10317.06</u>	Penn Vest Loan Monthly Payment – April
\$ <u>350.00</u>	Atty. John Dean, March Retainer
\$ <u>350.00</u>	Barry Jacob, ZO Salary –March ZO Salary
\$ <u>1339.88</u>	Jarick Construction, Snow plowing/cindering March
\$ <u>52578.24</u>	Site Specific Design Inc., 24 Sewer pumps
\$ <u>329.36</u>	PNC Bank Card, OOMA & Go to Mtg – Commonwealth for Bid App
\$ <u>142.09</u>	Luzerne Bank, Interest on Loan
\$ <u>204.95</u>	HA Berkheimer Inc, Feb & March, Admin & Comm Fee
\$ <u>858.33</u>	White Haven Borough, Police Protection, April
\$ <u>6539.40</u>	County Waste, Garbage collection March
\$ <u>62.29</u>	PPL Electric Utilities, Feb & March Streetlight
\$ <u>34035.00</u>	Streamline Engineering Inc, Inv #828 & 831

\$ 107106.60 TOTAL BILLS



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LOWER BURRELL
PENNSYLVANIA 15068

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April 12, 2022

Project 21-107

Mr. Paul Rogan
President, Penn Lake Park Borough Council
P. O. Box 14
White Haven, Pennsylvania 18661

RE: Change Order No. 2 – Flowage Easement Analyses
Penn Lake Dam and Spillway Improvements Project
Penn Lake Park Borough, Luzerne County, Pennsylvania

Dear Mr. Rogan:

As part of the original contract with Penn Lake Park Borough to conduct analyses and prepare design alternatives for Penn Lake Dam, Streamline Engineering, Inc. assessed the existing spillway capacity and options for improvements. Any complete replacement of the existing spillway would be costly with minimal benefit outweighing the practicality and justification for the complete replacement. Therefore, Streamline pursued discussions with Mr. Ryan Knarr, the hydraulic engineer at the Pennsylvania Department of Environmental Protection (PADEP), to determine what PADEP would deem acceptable with regard to maintaining the existing spillway.

Mr. Knarr reviewed Streamline's Hydrologic and Hydraulic (H&H) Report dated March 2022. The H&H Report presented a plan to raise the crest of the dam and perform only minor improvements to the spillway and to the sag areas which discharge the flood flows from the lake. A raised normal pool (to elevation 1331.5 feet) was also proposed.

During a conference call with Messrs. Kirk Kreider, PE, and Ryan Knarr, PE, of the PADEP on April 5, 2022, Messrs. Kreider and Knarr had the following comments:

- Mr. Kreider noted that the H&H analyses predicted that the proposed improvements would result in an increase in the maximum water level for the Probable Maximum Flood (PMF) event. He stated that the PADEP cannot issue a Dam Permit or a Letter of Amendment/Authorization for a project that will, for any event between normal pool and the design event of the dam, increase the risk to a property owner unless that property owner agreed to a flowage easement, acknowledging and accepting the increased risk. Unless flowage easements could be obtained for all properties affected by any incremental increase in lake level caused by the project, PADEP would require that the dam project not increase the flood risk to any of the lakefront properties.

- In addition, if the Borough wishes to rely upon the use of the sags in the road as part of the spillway system, regardless of whether an incremental increase in flood levels due to the project would occur, PADEP will require flowage easements from those property owners whose property is being relied upon to pass the PMF flow. These properties are identified as those which provide effective hydraulic capacity (“effective flow” areas). The purpose of the flowage easement is to give Borough control of the properties such that the hydraulic capacity of the sags can be maintained (i.e., to prevent structures, trees etc that could impede the flow).
- Mr. Knarr stated that he would accept a calibration of the SCS hydrologic model to match the published FEMA peak flows. Therefore, the flow values presented in the Streamline’s H&H Report could be further reduced as a result of the calibration.

PADEP did not express an adverse opinion to the raised normal pool, other than to indicate that the raised pool level must either not increase the flooding risk to the owners’ properties, or flowage easements must be obtained from each affected property owner. From discussions with Dan George and a letter from the Borough dated April 7, 2022, the Borough owns a buffer zone area of varying size around the lake. This buffer zone may resolve the issue of obtaining flow easements from property owners for increasing the normal pool.

Based on the above discussions with PADEP and the Borough representatives, Streamline recommends that the H&H analysis be revised to further calibrate the model as acceptable to PADEP, develop a plan to reduce incremental risks of flooding without a complete replacement of the spillway, identify the number of flowage easements required to increase the normal pool, and identify the extent of flow easements needed to use the existing road sags.

SCOPE OF WORK

Revise Hydrologic And Hydraulic Analysis

Streamline proposes to perform the following additional analyses under this supplement.

- Revise the existing hydrologic model calibrating the flows to FEMA flows.
- Evaluate the consequences of raising the normal pool from 1331.0 to 1331.5 feet.
 - Determine the lake level at which the proposed sill creating the raised normal pool no longer controls flow discharged from the lake, and the spillway system would begin to control the flows
 - Compare the lake level determined above with the minimum elevation of the strip of land that the Borough owns around the lake. The Borough will need to provide Streamline with available information on its ownership of the land, and Streamline will transpose the information onto topographical mapping to establish the critical minimum elevation.
 - Identify which properties would be affected and would require flow easements.
- Analyze possible additional measures to include in the proposed dam improvement plan to eliminate the incremental risk to lakefront properties up to and including the PMF event.
- Identify the properties for which flowage easements at the spillway and the sags will be needed, and prepare a draft flowage easement letter and sketch plans for use by the Borough Solicitor.

Pennsylvania Natural Diversity Inventory

In addition to the above scope, Streamline recommends performing follow-up work for the Pennsylvania Natural Diversity Inventory (PNDI) search. In January 2022, the Pennsylvania Department of Conservation

and Natural Resources (DCNR) identified one endangered plant species, *Carex polymorpha* (variable sedge), as potentially being within the project area. A plant survey, which the DCNR indicated should be conducted in June-early August, may be required to detect the presence of this plant within the project area. Streamline proposes sending the proposed project plan and description to the DCNR for further evaluation to determine if a plant survey will be needed, given that the project area would be confined to the lake, dam, spillway and ballfields areas. DCNR may determine "no impact" based on the anticipated limit of disturbance. Otherwise, the dam permit application will not be administratively complete until the plant survey is conducted.

COSTS

Streamline is requesting that the fee for Task 4 – "Hydrology and Hydraulics Analyses" be increased by the Lump Sum of \$10,000 to cover the costs of the hydrologic and hydraulic analyses, online deed searches, development of measures to reduce the incremental risks of flooding, and for the PNDI follow-up coordination with the DCNR.

If this proposal is acceptable, please sign and return the enclosed Project Authorization. This work will be started within one week of acceptance of this proposal. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

STREAMLINE ENGINEERING, INC.



Martha L. Frech, P.E. Principal

PROJECT AUTHORIZATION

RE: Change Order No. 2 – Flowage Easement Analyses
Penn Lake Dam and Spillway Improvements Project
Penn Lake Park Borough, Luzerne County, Pennsylvania

I _____, agree to the above scope of services and estimated cost and authorize Streamline Engineering, Inc. to perform the described services.

Signature _____ Date _____

Payment of Invoices is required within 45 calendar days of receipt of invoice. A late charge of 1% per month will be added to the invoice.