

APRIL 14, 2022

PENN LAKE PARK BOROUGH COUNCIL MEETING

The Penn Lake Park Borough April Council meeting was held in the Penn Lake Park Community House. Council President Paul Rogan called the meeting to order at approximately 7:01 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 Dan Eustice, and John Burden were present. Mayor Carter and Council members Shaun Kuter and David Longmore were absent.

MINUTES:

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

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

Motion carried.

TREASURERS REPORT:

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

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

Motion carried.

RECEIPTS/BILLS:

A **Motion** was made by Rogan, 2nd by Burden to pay the bills of \$107,106.60 and to accept the receipts of \$90,060.33.

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

Motion carried.

PETITIONS OR COMPLAINTS:

Walter Parry, a resident on Williams Drive, complained that two large potholes by his driveway were marked for repair last year but were not fixed. Mr. Parry asks that the potholes be repaired soon.

CORRESPONDENCE:

The Penn Lake Dam Advisory Group recommends that the Borough continue to work with Streamline/Thorough Bred Engineers to move forward with the next phase of the dam/spillway project.

The Borough received the Dam Inspection Report from Borton/Lawson which was reviewed by DEP. Despite listing several serious deficiencies and repercussions, DEP added that the notice can be disregarded if the deficiencies are being addressed or in the process of being addressed which is the case with the Borough's dam and spillway.

White Haven Borough Manager, Linda Szoke invited the Borough and surrounding municipalities to meet and discuss Breezeline's request for municipalities to enter into an automatic renewal agreement while so many complaints have been filed concerning service issues.

The Penn Lake Association is requesting three things from the Borough: that the Association is contacted before the Borough places anything inside the building or on the grounds, also, that the Association be contacted prior to any additional event other than the regularly scheduled Council Meeting to be held at the Community House. Finally, the Association is requesting the Borough pay a fee of seventy-five dollars a month for the use of the Community House for meetings and also for storage.

Mayor Carter has concerns that the embankment along Wright's Creek on the Reimolds' side has suffered erosion with past storms and continues to erode when the level of the creek water rises. Carter asks for some volunteers to move rocks that have fallen into the creek back onto the bank to prevent more erosion.

COMMITTEE REPORTS:

MAYOR – CARTER -No Report.

POLICE – MAYOR - The Borough received 23.7 hours of service for March. There was one incident on the report, a theft.

SOLICITOR – Jack Dean– Cautioned those present that State Route 437 between South Church Road and the Industrial Park entrance will be closed for drain repair.

ZONING – No permits were issued.

RECREATION– Kuter –No Report.

LAKE MANAGEMENT - Eustice – Spoke with Irv Carter and will attend the upcoming meeting of the Fish and Plant Club. Eustice will speak with Nature Works concerning spraying, and also mentioned correspondence passed to him regarding other Habitat Restoration Services. Eustice announced his plan to begin water testing at the large Beach and Carter Beach but also will afford residents the opportunity to have water tested at their lake front for a fee of \$26. This additional test will occur once every four to six weeks at a predetermined location and residents must contact the Borough in order to be considered as a testing spot.

GOOSE ABATEMENT – Kuter – No Report.

RTK/RECORDS –Burden – Nothing to Report.

ROADS –Longmore – Winter damage assessment and pothole mark outs have been delayed due to the weather. Rogan stressed the need to repair the potholes at the main entrance to the lake as soon as possible and asked if Liquid Fuels Funds would cover the cost. Rogan was contacted by Randy Pilecki, a resident on Horseshoe Drive, whose drainage pipe was damaged by the snow plow. Pilecki volunteered to install a new pipe himself if the Borough would pay for the cost of the pipe.

SEWERS – Rogan – Nothing to Report.

SHORT TERM RENTALS- Burden - Permits have been issued to six of seven Short-Term Rentals from the previous year along with an additional rental for the year 2022. One rental property from 2021 has not applied for a permit and Burden will check if the rental is still functioning.

UNFINISHED BUSINESS:

Lawn Care/Dam Cutting – Requests for services were placed on PennBid and advertised in the Journal.

DCNR/ADA Grants Reimbursement Status – Reimbursement was delayed due to an accounting error and the Borough will receive \$23, 574.00 from DCNR soon.

Dam –

- March 17 – Council President Rogan reached out by email to acting Dam Safety Chief, Kirk Kreider, but hasn't received a response.
- March 19 – The Dam Advisory Group met to discuss potential options, estimated costs, and schedule. It was noted that the final report from Streamline/Thoroughbred Engineering would be finished and released to the Borough pending a preliminary meeting between DEP and Streamline.
- March 21 – The Dam Advisory Group recommended that preliminary discussions with Streamline for the preparation of a detailed design of a preferred solution, DEP permitting, and support for grant applications should move forward.
- April 5 – Streamline/ Thoroughbred met with DEP to discuss findings and potential solutions that address DEP cited deficiencies which included DEP acceptance for the existing spillway with some modifications to improve its efficiency, flow easements, and increase of the normal pool level to a height comparable to the level prior to the 1982 spillway modifications.
- April 7 – Jim Brozena continues to work through the logistics of how to obtain monies from our July 2021 FEMA award of \$301,000.00
- April 13 – An email received from Congressman Matt Cartwright suggested that the \$202,000.00 spent on engineering costs by the Borough does not qualify for the 25% match required by the FEMA Grant. FEMA contends software glitches in the federal award system are responsible for the Borough not meeting the “Period of Performance” to qualify as a Borough Match. Jim Brozena will continue discussions with the grant administrators to advance the Borough's position.
- Streamline requests a Change Order to cover work not initially contracted.
A **Motion** was made by Rogan, 2nd by Burden for a Change Order in the amount of \$10,000.00 to cover additional work requested by DEP.
Roll Call: Rogan, Burden, and Eustice all in favor, none opposed.
Motion Carried.
A **Motion** was made by Rogan, 2nd by Eustice to pay the White Haven Library for a 2.5-hour meeting held by the Dam Advisory Group from the Dam Fund.
Roll Call: Rogan, Eustice, and Burden all in favor, none opposed.
Motion carried.

NEW BUSINESS:

Association/Borough Partnership – Rogan requested that discussion concerning partnership between the Borough and the Association to be carried over until the May Council Meeting when Mayor Carter and all Council Members could be present. Rogan added that no animosity exists on the part of the Borough toward the Association and noted that the Association is vital to keep Penn Lake private. A discussion among Council and meeting attendees focused on issues such as ownership of the land under the Community House, the effects of any change to the agreement

between the Borough and the Association, the expenses incurred by the Association relating to the Community House, past practices of the Borough paying rent to the Association, and whether the Borough and the Association can share costs associated with important events held at the Community House.

PUBLIC COMMENT:

Trish Bartlett announced water testing will begin in early April and individuals who request a test for their lakefront should contact Dan Eustice. The fee for resident testing is \$26. Checks should be made out to Penn Lake Park Borough and information will be posted on the website. Bartlett also thanked the Borough for posting 2021 water testing results and requested results for the 2020 season. She also reported that residents continue to feed the water fowl despite the consequences of the 2017 Ordinance. Bartlett requests camera footage from any resident on the eve of the last day of work for our former mail carriers as gifts left for the carriers were stolen from her mailbox.

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

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

Motion carried. Meeting adjourned at 8:13 PM.

The next Council Meeting will be held on May 12 at 7:00 PM.

Respectfully submitted,

Karen Burden, Secretary