

Penn Lake Park Borough
Agenda-September 14th 2023 7:00pm Meeting
<https://global.gotomeeting.com/join/384401149> Ph.(312) 757-3117 Access Code: 384-401-149

Work Session-7pm

- Dam easement discussions...
- Plowing

Call to Order

Pledge of Allegiance

Roll Call

Public Comment-Public comment on the current agenda items

Meeting Minutes Approval

Treasurers Report

Receipts and Bills

Petitions and Complaints

Correspondence

Committee Reports:

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

Unfinished Business

- Abandoned property boats left on the dam (Ongoing)
- Code enforcement(Ongoing)
- ARPA Funds
 - Drainage 54 William Drive-project status
- Speed Bumps/Humps (Ongoing)
- Dam
 - Activity since the last council meeting
 - Motion to authorize borough solicitor to initiate eminent domain, at the direction of the dam advisory group

New Business

- Discuss and award plowing contract(Note ad said due 9/5, but rfp did not state due date)

Final Public Comment

Adjourn

AUGUST 10, 2023

PENN LAKE PARK BOROUGH COUNCIL MEETING

The Penn Lake Park Borough August Council meeting was held at the Penn Lake Park Community House. Council President Paul Rogan called the meeting to order at approximately 7:39 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: Shaun Kuter, John Burden, and Dan Eustice were present. Mayor Tom Carter and Council Member Dave Longmore were absent.

PUBLIC COMMENT: Trish Bartlett requested a procedure to enforce the water fowl feeding ordinance and questioned who would enforce Borough Ordinances in general.

MINUTES:

Minutes from the July 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 July Council Meeting Minutes was made by Rogan, 2nd by Kuter.

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

Motion carried.

Rogan stated that the \$4,750.00 bill from Borton Lawson Engineering for the Stormwater Improvement Project Survey will be paid from ARPA funds.

RECEIPTS/BILLS:

A **Motion** was made by Kuter, 2nd by Burden to pay the bills of \$75,741.69 and to accept the receipts of \$14,944.44.

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

Motion carried.

PETITIONS OR COMPLAINTS: None

CORRESPONDENCE:

The Borough received notice that Casella Waste Systems is now our waste and recycling collection provider. There will not be any disruption of service and Casella is working with GFL to transfer account information. During this period, the Borough will continue to receive a bill from GFL.

COMMITTEE REPORTS:

MAYOR – Carter – No Report

SOLICITOR – Kristyn Giarrantano Jeckell – Filed two Short-Term Rental Complaints and sent a letter to the new owner of a previous Short-Term Rental property.

ZONING – No permits were issued.

RECREATION– Kuter – Nothing to Report.

LAKE MANAGEMENT - Eustice – Both beaches are open. Eustice had calls from residents concerning beach closings and stated that he will continue to post signs at the beaches in the event they are closed due to high E Coli counts. Eustice reported that Nature Works did a follow up survey for the July 17th treatment.

GOOSE ABATEMENT – Kuter – Stated that there are more geese present than earlier in the year and asks residents not to feed any water fowl.

RTK/RECORDS –Burden – Nothing to Report.

ROADS –Longmore – No Report.

SEWERS – Rogan –The Borough received the 12 pumps ordered through the COSTARS program. Rogan asked Attorney Jeckell for suggestions for collecting delinquent accounts. Jeckell said she could send letters stating that if the delinquent account is not satisfied in 30 days, a lien will be filed.

SHORT TERM RENTALS- Burden – Nothing to Report.

UNFINISHED BUSINESS:

Abandoned Boats on Dam – Notices will be posted on both Borough bulletin boards informing owners that all water craft must be removed from the dam area.

Code Enforcement – Will continue as Unfinished Business.

ARPA Funds – The proposed project at 54 Williams Dr. remains on hold until the vendor can find a new bonding company as the prior company went out of business.

Speed Bumps/Humps – Will continue as Unfinished Business.

Dam – July/August 2023

- 7/13/2023 Council met for nearly an hour at the work session with 3 property owners with whom the Borough is seeking easements. One owner signed the easement paper work. Two owners questioned the necessity of easement language related to the possibility of piping.
- 7/28/2023 The Borough attorney drafted language with piping related language removed. The revised easements were presented to the 2 property owners.
- 8/1/2023 Councilman Rogan delivered grant details to our grant writer Jim Brozena consisting of check copies and invoices for dam related expenses. Mr. Brozena is categorizing these items to see what is reimbursable under the FEMA grants we have received.
- 8/1/2023 A virtual meeting with Streamline, Dan George, Rogan, and Attorney Jekyll was held to discuss status and direction for easements. Streamline plans to deliver a 60 % design document to the borough the week of 8/7.
- 8/4/2023 Streamline has requested a pre-application meeting with DEP. It's expected that Streamline, and some members of the dam advisory group will participate in that meeting.
- 8/8/2023 Streamline presented a "60% Design Document" to the borough. This document is under review by the Dam Advisory Group and Council.

- 8/9/2023 Easement discussions continued throughout the past month. Attorney Jekyll prepared an option agreement for the acquisition of an un-improved lot needed for the spillway improvements. The property owner is offered \$1000 for a 2-year option, that payment will be voted on at the 8/10 council meeting.

Streamline was on-site today and met with Rogan and George to discuss current status, the "60% Design", and next steps. The solution that will be proposed in the DEP permit application will have 2 major components:

- The spillway deficiencies identified by the DEP are addressed in the "Hydrologic and Hydraulic" portion of the design. This part of the design is substantially complete in the 60% design document.
- Dam deficiencies and the proposed solution for addressing them still need to be developed by Streamline.
- It's anticipated that the permit application will be submitted in October. The DEP historically takes 9 months to a year to review a permit application. It's important to note that drainage easements and option agreements need to be part of the permit application. Also of note, some dam related construction activities can take place ahead of application approval by the DEP, for example, as long as construction documents are ready, they can be put out for bid, vegetation removal can take place, and so on. The DAG is still trying to guide the project towards an autumn 2024 start of "hard" construction, though the scheduling is still very soft.
- Streamline asked if we could obtain "as-built" CAD files (.dwg format) for the sewer and water systems. Rogan put the request in to Aqua and Entech Engineering.

A **Motion** was made by Rogan, 2nd by Kuter to pay the Streamline bill of \$28,013.53 for permitting and easement work.

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

Motion Carried.

A **Motion** was made by Kuter, 2nd by Eustice to issue a check for the real estate option agreement for the Phillips property in the amount of \$1,000.00.

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

Motion Carried.

A **Motion** was made by Rogan, 2nd by Burden to engage Borton Lawson for the annual dam inspection.

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

Motion carried.

A **Motion** was made by Rogan, 2nd by Kuter to amend the agenda to add a Motion to pay Mike Kopec \$4,000.00 for additional survey work because it came up in the last 24 hours.

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

Motion carried.

A **Motion** was made by Kuter, 2nd by Burden to pay Mike Kopec for additional survey work for the dam project not to exceed \$4,000.00.

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

Motion Carried.

NEW BUSINESS:

Vote to Choose and Engage Paving/ Patching Contractor – Postponed until Monday, August 14th at 5:30 PM when additional information can be obtained.

Vote on Engineering Work for a Community Development Grant – A **Motion** was made by Rogan, 2nd by Kuter to engage Borton Lawson for engineering work for a Community Development Grant in the amount of \$8,800.00.

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

Motion Carried.

Vote to Choose and Engage Drain Cleaning Contractor – A **Motion** was made by Rogan, 2nd by Kuter to engage Pipe Services for drain cleaning in the amount of \$11,500.00 provided they submit the necessary information.

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

Motion Carried.

Motion to Advertise for Plowing for the 2023-2024 Season – A **Motion** was made by Rogan, 2nd by Burden to advertise for plowing for the 2023-2024 season and possibly the next 2 seasons.

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

Motion Carried.

PUBLIC COMMENT: Trish Bartlett commented on the extension of the plowing contract for additional seasons.

The August Council Meeting will be continued on Monday, August 14, 2023, at 5:30 PM at the corner of Hollenback Rd. and Lakeview Dr. to gain additional information on the paving and patching bid from Kislan Trucking.

August 14, 2023 5:30 PM, Continuation of the August 10, 2023 Council Meeting.

Paving/ Patching Bid- A **Motion** was made by Rogan, 2nd by Burden to award Patching and Paving bid to Kislan Trucking, adjusted up by a maximum of \$500 for line item #6 to increase the pave from 4'x78' to 5'x78', total maximum \$6,537.50.

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

Motion carried.

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

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

Motion carried.

Meeting adjourned at 5:42 PM.

The next Council Meeting will be held on September 14, at 7:00 PM.

Respectfully submitted,

Karen Burden, Secretary

TREASURERS REPORT September 14th , 2023

PNC GENERAL FUND

| | |
|-----------------------------------|--|
| Balance as of 08/10/23 | \$ 38263.14 |
| Revenue Deposits 9/14/23 mtg | <u>+ 6229.35</u> |
| | 44492.49 |
| Transfer to Dam Acct | - 3102.52 |
| Transfer to PLGIT Gen Fund (arpa) | - 4750.00 |
| Bills to be Paid 9/14/23 | <u>- 4347.56</u> |
| Balance as of 9/14/23 | \$32292.41 |
| | -(2168.70 - PICKLEBALL GO FUND ME) |
| | <u>-(\$27510.76 Arpa Funds) (32289.08-4778.32)</u> |
| | \$ 2612.95 |

PLGIT GENERAL FUND

| | |
|------------------------------|--------------------|
| Balance as of 08/10/23 | \$164892.28 |
| Deposits | + 10915.53 |
| Transfer from PNC | + 4750.00 |
| Interest earned 8/30/23 | <u>+ 815.74</u> |
| | \$181373.55 |
| Add'l Bill approved 8/10 | - 2000.00 |
| Bills to be Paid 9/14/23 | <u>- 4537.50</u> |
| Balance as of 9/14/23 | \$174836.05 |

DAM ALLOCATION FUND

| |
|---------------------|
| \$3192480.67 |
| + 3102.52 |
| <u>+ 13913.39</u> |
| \$3209496.58 |
| <u>- 16237.36</u> |
| \$3193259.22 |

PLGIT GARBAGE

| | |
|------------------------------|-------------------|
| Balance 08/10/23 | \$32922.93 |
| Deposits from 9/14/23 mtg | \$ 715.00 |
| Interest earned 08/30/23 | <u>\$ 158.32</u> |
| | \$33796.25 |
| Bills to be Pd 9/14/23 | <u>- 6801.48</u> |
| Balance as of 9/14/23 | \$26994.77 |

LIQUID FUELS

| |
|-------------------|
| \$41868.73 |
| .00 |
| <u>\$ 181.99</u> |
| \$42050.72 |
| <u>- 840.00</u> |
| \$41210.72 |

FNCB SEWER FUND

| | |
|------------------------------|--------------------|
| Balance 08/10/23 | \$211845.10 |
| Interest Earned | + 157.03 |
| Revenue Dep 9/14/23 | <u>+ 12803.37</u> |
| | \$224805.50 |
| Bills to be Pd 9/14/23 | - 23755.51 |
| Penn Vest Loan 9/1/23 | <u>- 10317.06</u> |
| Balance as of 9/14/23 | \$190732.93 |

LUZERNE BANK

| |
|-------------------|
| \$59920.18 |
| .00 |
| <u>+ .00</u> |
| \$59920.18 |
| -37859.20 |
| <u>- .00</u> |
| \$22060.98 |

RECEIPTS: September 14th, 2023 MEETING

| | |
|--------------------|--|
| \$ <u>10915.53</u> | Berkheimer, EIT |
| \$ <u>1370.65</u> | Elite Revenue, Delinquent Taxes Collected |
| \$ <u>210.70</u> | Luzerne County Recorder of Deeds, Transfer Taxes |
| \$ <u>1250.00</u> | Short Term Rentals (Rinker) |
| \$ <u>12803.37</u> | Aqua PA, June Sewer Fees Collected |
| \$ <u>3398.00</u> | Real Estate Taxes Collected |

\$ 29948.25 TOTAL RECEIPTS

BILLS:

| | |
|--------------------|--|
| \$ <u>10317.06</u> | Penn Vest Loan Monthly Payment – September |
| \$ <u>350.00</u> | Atty. John Dean, August Retainer |
| \$ <u>1137.50</u> | Elliott Greenleaf & Dean, Dam Matters – July |
| \$ <u>350.00</u> | Barry Jacob, ZO Salary –August |
| \$ <u>23755.51</u> | Aqua PA, Sewer Connection, (Lukens) |
| \$ <u>16237.36</u> | Luzerne Bank, Loan Payment |
| \$ <u>6801.48</u> | GFL Environmental, Garbage collection September |
| \$ <u>27.84</u> | PNC Bank, OOMA & Go To mtg. July & August |
| \$ <u>31.24</u> | PPL Electric Utilities, August Streetlights |
| \$ <u>201.46</u> | HA Berkheimer, Admin & Comm July & August |
| \$ <u>500.00</u> | Kislan’s Trucking, Lawn maintenance (Inv#4585) |
| \$ <u>840.00</u> | Kislan’s Trucking, Inv. #4577 Cutting trees, brush, & haul away |
| \$ <u>174.00</u> | Reeves Rent A John Inc. – August Potty |
| \$ <u>51.48</u> | Karen Burden, Office supplies & postage |
| \$ <u>360.00</u> | Kirby Memorial Health Center, 10 Water Tests (inv #56946) |
| \$ <u>324.00</u> | Kirby Memorial Health Center, 9 water tests(inv #57149) |
| \$ <u>1949.22</u> | Borton Lawson Engineering, Comm Development Grant Project |
| \$ <u>28.32</u> | Borton Lawson Engineering, Storm Water Improvement Project- Postage |
| \$ <u>4537.50</u> | Kislan’s Trucking, Pothole Patching, Balance due Inv #4589 |
| \$ <u>596.50</u> | Luzerne Legal Register, Penn Lake Dam Ad |

\$ 68570.47 TOTAL BILLS