

APRIL 11, 2024

PENN LAKE PARK BOROUGH COUNCIL MEETING

The Penn Lake Park Borough April 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.

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

TREASURERS REPORT:

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

RECEIPTS/BILLS:

A **Motion** was made by Rogan, 2nd by Beltz to pay the bills of \$40,870.58 and to accept the receipts of \$114,852.19.
Roll Call: Rogan, Beltz, George, Eustice, and Burden, all in favor, none opposed.
Motion carried.

PETITIONS OR COMPLAINTS: None

CORRESPONDENCE: Luzerne County Council notified the Borough of the expansion of income eligibility requirements for the ARPA Heating and Utility Assistance Program. Anyone eligible will receive a one-time direct disbursement of \$290.00 to their heating-related utility provider. Residents can go to www.ceopeoplehelpingpeople.org/arpautility to find income guidelines and ARPA applications.

COMMITTEE REPORTS:

MAYOR – Carter – Informed Council via an email read by Rogan, that beaver traps were set March 29, and as of April 6, remain empty. It is possible the beavers left. The trapper specialist will come back when the beaver returns. In the email Carter also stated that there were several complaints about renters at 1167 Lakeview Dr using a motorboat on the lake. The owner of the

rental was contacted who in turn let the renters know they were in violation. The owner also mentioned that rules are posted in the rental house stating that no motorboats are allowed on the lake. Carter forwarded a copy of the draft police agreement with the White Haven Police Department. Questions and concerns can be forwarded to Linda Szoke. White Haven is willing to discuss the Borough's questions and concerns.

SOLICITOR – Kristyn Jeckell – Sewer liens fell into two categories: 9 amended liens were filed, and 7 owners received letters informing them a lien would be filed in thirty days if arrears were not paid. Two of the seven have brought their accounts up to date. The Baslers withdrew preliminary objections for eminent domain and are now seeking appraisals on their property. A court date has been set for April 24th, concerning the nuisance violation stemming from garbage on the Lukens property originating from the rental home owned by Penn Lake Homes LLC.

ZONING – No permits were issued.

RECREATION– George – A Handicapped Accessible Porta Potty was placed at the ball field. The Porta Potty will be cleaned weekly by the company.

LAKE MANAGEMENT - Eustice – Weekly water testing for both beaches will begin the week before Memorial Day. Water testing results will be posted on the Borough's website. Signs will be posted on the beaches in the event the E.coli levels exceed acceptable levels.

GOOSE ABATEMENT – Eustice – Geese numbers are being monitored and pyrotechnics will again be used to move geese off the lake.

RTK/RECORDS –Burden – One RTK was received concerning active solar permits and was satisfied.

ROADS –Eustice – The AQUA water-main replacement on Williams Dr. has been completed. The stop sign and catch basin damaged on Horseshoe and Lakeview will be repaired. Bids for pothole patching and paving are due May 7th.

SEWERS – Beltz – A grinder pump on a vacant property with a dwelling will not be repaired until the owner pays his delinquent bill.

SHORT TERM RENTALS- Burden – Seven Short-Term Rental Properties currently have permits and one is operating without a permit.

DAM – Rogan – 3-14-2024 Meeting-Dam Report

- 3/20/24-Preliminary objections to the Basler easement were withdrawn as stated in the following communication from Attorney Jeckell:

I am pleased to enclose a true and correct copy of correspondence and Carolyn Basler's Praeipie to Withdraw Preliminary Objections to Penn Lake Park Borough's Declaration of Taking in the above-referenced matter. As you will see, Carolyn Basler withdrew the Preliminary Objections after reviewing the documentation the Borough provided in response to the Preliminary Objections, namely, the January 31, 2024 Engineering Report provided from Streamline Engineering Inc. You will also see that Ms. Basler is choosing to proceed to a Board of View Hearing, which means that an impartial board will review the compensation the Borough has provided to Ms. Basler in exchange for the taking. Please let me know if you have any questions.

- 4/2/24-Basler Easement, per conversation with attorney Dean, Board of View meaning and timing: the board of view review will happen in its own due course, but the easement is officially in place. The board of view resolves compensation issues. Does the borough need to get another appraisal, or is the current appraisal adequate?
- Letter Writing -Last month the DAG started to encourage residents to get in touch with state legislators. That appears to have had some small effect. On 4/2 Rogan spoke with David Argall's chief of staff, Christine Verdier. She has been responding to constituents by encouraging them to attend PLPB monthly council meetings for status. Sample letters are available in hard copy on the community house porch and on the borough web site (See <https://pennlakeborough.com/dam-information/>)
- Other Activities since the March meeting.
- Since the Borough submitted the permit application last November, the dam advisory group has been trying to understand timing and next steps. The dam advisory group (DAG) has been working toward an autumn of 2024 construction start date. Communications with the DEP concerning status have been difficult. In summary:
 - The DEP Dam Safety personnel insist that they need a full year to review the application, suggesting a spring of 2025 start date may be more realistic.
 - The DEP is reviewing the application for legal and technical issues. The DAG is trying to arrange a meeting with the DEP dam safety department to understand and resolve any legal and technical issues. As of today, they have been unable to get that meeting scheduled.
- Among the DAG concerns:
 - Nearly 5 months of the 12 month review period have elapsed. The DAG believes that a fast legal review meeting on 2/21 is the only progress on the application, that being prompted by urging from state senator David Argall's office.
 - The DEP Dam Safety is not having the same sense of urgency as the Borough in resolving what has been characterized as an "Unsafe" dam by DEP letter on 3/20/20. Since that time the borough has spent more than \$400,000, raised taxes from .6 to 4.6 mils, and borrowed \$3 million.
 - The perception is that the only thing that has motivated action to date has been meetings and communication with Senator Argall's office.

UNFINISHED BUSINESS:

Code Enforcement – Will continue as Unfinished Business.

ARPA Funds – The Stormwater project at 54 Williams Dr. has been completed. The drainage project at Horseshoe and Hollenback Dr. may be delayed because of the existence of a water main under the area. Another project is needed to redirect the ARPA funds.

Speed Bumps/Humps – Will continue as Unfinished Business.

Short-Term Rental-Next Steps – Reported by Attorney Jeckell in Committee Reports.

AQUA Main Replacement Status – Work will begin on Horseshoe Dr. later this month.

NEW BUSINESS: None

PUBLIC COMMENT: A resident was grateful for the addition of a handicapped accessible porta potty.

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

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

Motion Carried.

Meeting adjourned at 7:58 PM.

The May Council Meeting will be held on Thursday, May 9, at 7:00 PM.

Respectfully submitted,

Karen Burden, Secretary