

Eagles Mere Borough Minutes

**June 6, 2022
Regular Monthly Meeting**

The Eagles Mere Borough Council meeting was called to order at 7 PM on the above date by Council President Bill Feese with the following Council members in attendance in the room: Lee Middleton, Tom Graff, Dennis Craig, Rick Liebert, and Jim Way. Also present were Mayor John Brownback, Street Superintendent Jeremy Moore and Secretary/Treasurer Dave Carson.

In the Gallery: Peter Gaubitz, Bruce Powers, Kevin Gardner and Kathy Martin. **On the Conference Phone:**

Pledge of Allegiance was recited by all in attendance.

Quorum Present: Council President Feese declared that a Quorum was present based on Council Members in the room. Therefore, votes from Members on the phone, if any, would count as if present.

Motion to Revise the Published Agenda- No request made to revise agenda.

Public Issues and Comments – Bill Feese read a list of questions submitted by Jay Wilkinson. In response: Trash bills will be issued in the near future and will include follow up bills and reminders for any outstanding balances. The EMA was issued a zoning permit for a storage structure to be built over vacant land (not parking spaces) when the Zoning Officer was satisfied that the propose structure met setback and zoning requirements. The Maple Ave Ordinance was advertised in the local paper. Engineering costs for the Clay Ave project will be covered by the grant or the in-kind contribution of the three participants in the project when the work is finished and a final accounting is complete.

Minutes- A motion to approve the minutes of the May 2, 2021 regular meeting was made by Lee Middleton and seconded by Tom Graff. The motion to approve the minutes was approved.

Treasurer's Report – Interim reports through May 31, 2022 are included with the Agenda.

Open Records Officer:

- No requests.

Zoning & Ordinance Officer report:

- The Zoning Hearing Board met on May 26 to hear the appeal of John and Sharon Hayes to the denial of their zoning application for their property adjacent to 422 Pennsylvania Ave. The meeting was attended by approximately 40 residents and statements and arguments were made related to the requested application. Jay Wilkinson represented the Hayes' and Fred Holland represented the Eagles Mere Association and the Borough (as an alternate to the Borough Solicitor). A follow-up public meeting is scheduled for June 30, 2022 for the Hearing Board to deliberate and announce their decision.
- The Zoning Officer received a permit application from the Eagles Mere Inn for their chair lift from the street to the Pub on the lower level. This system is already present and installed in an approved exterior stairway to the lower level. Zoning approval is sought because the system must be inspected and licensed by the State and valid zoning approval is one of the requirements for licensure. There will be no changes in the stair lift at this time.

- An application to enlarge a front deck at 166 Happy Hill Lane has been received, reviewed, and approved.
- An application to enlarge a side deck at 490 Allegheny Ave. has been received, reviewed, and approved.
- An application to enlarge and renovate a residence at 101 Lakewood Ave has been received, reviewed, and approved in part and denied in part. The proposed addition of a bedroom will extend into the setback area and the application was returned for design revision or to request a variance. All other aspects of the project were accepted by the Zoning Officer. The architect is reviewing options and conferring with the owner to either redesign or request a ZHB meeting.
- An application for a peddler's permit has been received, reviewed, and approved. *Monte the Meat Man* has provided the needed insurance certificate and is now approved to sell door to door in the Borough for 2022.
- An application for a sign permit has been received, reviewed, and approved for the Berry Mere Shop. The permanent sign will be erected outside the studio and shop of Linda Berry Gould where the Vet office (and before that the bank) used to be. The specifics of the sign are well within the Borough Code guidelines.

Street Superintendent Report:

- The bids to complete the Morgan/Dunham Ave project came in about \$11,000 less than the budgeted amount. The Street Superintendent requests approval to seek additional milling and paving work to repair a failed section of Sullivan Ave between Mary and Jones Ave. It is believed the cost for this work, to be done when the contractor is in town, will be significantly less than the budgeted but unspent amount. Dennis Craig moved with a second by Tom Graff to approve this unbudgeted repair in an amount not to exceed \$5000. The motion passed.
- July 4, 2022 is a Monday this year. Monday is the traditional trash collection day. With the extra traffic and activity of the Holiday weekend and the Parade, the Superintendent plans to pick up trash on Tuesday, July 5, instead.
- Annual dumpster availability at the Borough Garage will be June 17, 18, and 19, 2022 with policies and restrictions similar to previous years. No electronics, hazardous, yard, or construction waste will be accepted.

Mayor's Report: The Mayor reported that he held a special program at the Eagles Mere Cemetery on Memorial Day.

Emergency Management Coordinator's report: No Report

Points of Interest and Information from the Secretary:

- The Borough has received notification from Pennsylvania State Police that \$123.24 in Fines and Penalties will be distributed on June 1 as our share of funds for incidents that occurred within the Borough Limits.
- The Eagles Mere Fire Company provided, as required, a copy of their 2021 Audit of their financial position. This Audit was completed by Jay Wilkinson, Esq. who indicates that the finances are in good order.
- On May 18, 2022, the EM Museum was host to a bus trip of members of the Antique Interest Group of the Penn State University Women's Club. These 40+ women had an orientation session and watched a video of the history of Eagles Mere in the Borough Hall before going to the Museum, to St. John's in the Wilderness Church to view the stained-glass windows, and to the Eagles Mere Inn for lunch. That was followed by a bus tour of the town followed by a visit to Amos and Casey Goodall's for a tour of a vintage EM cottage. This group made monetary contributions to the Church and to the Museum as well as bringing significant mid-week, off season business to the Inn. Comments from the group were very positive.

Committees:

Finance:

- Interim financial reports through May 31, 2022 were distributed with the Agenda. Approval of the monthly financial report was deferred until the Auditor completes the audit.
- The initial visit for the 2021 Audit by Auditor McMahon occurred on April 3, 2022.

Museum:

- The Museum is now open on weekends and soon to be on weekdays.
- The Borough has budgeted \$1500.00 in support for the Museum in 2022. The Museum Board has requested that these funds be transferred to the Museum in the near future to assist them during the heavy cash flow periods of the summer. Dennis Craig moved and Lee Middleton seconded a motion to approve distribution of these funds. The motion passed.
- Bob Grabarek, President of the Museum Board, requested approval of a salary adjustment and title change for Gavin Siegfried since he has been promoted to the role of “Museum Business Manager” since March 1, 2022. Dennis Craig moved and Lee Middleton seconded approval of the salary adjustment as of March 1, 2022. The motion passed. Dennis Craig moved that the title change not be implemented at this time. The motion was seconded by Tom Graff. The motion passed.
- Dennis Craig moved and Lee Middleton seconded a request that the Museum Board submit a detailed job description for the position within the next three months. The motion passed.

Infrastructure:

- Wheeland Lumber Company and F & R Sperry Logging, LLC have completed their timbering of the lands of Eagles Edge Preserve, LLC. Inspection by the Borough of roads used as part of this project does not reveal any damage attributable to the logging activity. They have cleaned up both of the “deck” areas where timber was gathered prior to loading and the Borough inspection has been satisfactory. They are requesting the physical return of their uncashed Cashier’s Check in the amount of \$20,525.00 delivered to the Borough on October 7, 2021. Dennis Craig moved and Rick Liebert seconded the return of the check posted to assure the final condition of the roads. The motion passed.

Ordinance:

- The recommended Ordinance to vacate portions of Maple Ave has been approved by the Committee and advertised as required. Action to approve the Ordinance is taken up as part of the Continued Business section of this meeting.

Personnel: No Activity

Website: Updates continue to be made as needed.

Continuing Business-

- The Borough Solicitor was precluded from participation in the Hayes Zoning Hearing Board hearing due to an existing client conflict because another member of his firm has represented the Hayes’. At the Solicitor’s suggestion and arrangement, Fred Holland, Esq., appeared for the Borough and for the Eagles Mere Association since the positions of these entities are similar. To confirm the representation, the Solicitor recommends passage of the following motion: Council hereby ratifies the appointment of Fred Holland, Esq., of McNerney, Page, Vanderlin, & Hall, as Special Counsel to represent the Borough in the specific matter of permit proceedings involving the permit application of Drs. John and Sharon Hayes. Mr. Holland’s fee for this engagement will be a shared rate with the EMA and the rate will not

exceed \$110 per hour. Dennis Craig moved and Rick Liebert seconded that Borough Council ratify the appointment of Mr. Holland as Alternate Solicitor for the Zoning Hearing Board meetings. The motion passed.

- Property owners who abut a portion of Maple Ave, a Borough “paper street”, have petitioned to have the street vacated by the Borough and the resulting land made available to be appended to their parcels. The Ordinance Committee has approved an Ordinance to complete this task. (Copy attached) The Ordinance has been advertised for two weeks in a local newspaper of general circulation. Council can now enact this Ordinance and also authorize the Council President to sign and the Secretary to seal the required documents to transfer the lands involved to the parcels of the individual abutting property owners. It was moved by Dennis Craig and seconded by Tom Graff to approve and to implement the Ordinance as advertised and to authorize that the deed documents prepared on behalf of the property owners be signed and sealed as needed. The motion passed unanimously.

New Business:

- The Eagles Mere Athletic Association has applied for a Borough Procession and Assemblage Permit for the 2022 Eagles Mere Fourth of July Parade to be held on Monday, July 4, 2022. The traditional routes for the Parade and for the detour of through-traffic are detailed in the application. Approval of the event by Council is the first step in the process. With the approval, a Special Event Permit application (7 pages) goes to PennDoT and a letter of notification goes to the PA State Police. The required Certificate of Insurance has been received. It was moved by Lee Middleton and seconded by Dennis Craig to grant the Procession and Assemblage Permit to the EMAA for the even on July 4, 2022. [Follow-up note-PennDOT has accepted and approved the application they received.]

Workshops/Conferences-

- The Secretary attended the 110th PSAB Conference and Exhibition at Hershey Lodge on May 22-25, 2022. He attended multiple lectures on Borough activities and made contact with several vendors relative to making our accounting system available for remote access.

Payment of Bills- Approval to pay the bills for the Borough and Museum was moved by Dennis Craig and seconded by Tom Graff. The motion passed.

Adjournment- The meeting was adjourned by the President at 7:45 pm.

Respectfully Submitted,

David R. Carson
Secretary/Treasurer