

Eagles Mere Borough Minutes

December 5, 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, Dennis Craig, Tom Graff, Rick Liebert, and Jim Way. Also present were Mayor John Brownback, Street Superintendent Jeremy Moore, and Secretary/Treasurer Dave Carson.

In the Gallery: Residents Brian Smith, Kase Moore, Liz Johnson, Mark Waltz, and Insurance Agent Charlie Lockhard.

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, will count as if present.

Motion to Revise the Published Agenda- None requested

Public Issues and Comments – It was noted that the photograph of Bill Feese with his PSAB Presidents' award, recognizing his 45 years of tenure on the Borough Council, has now been framed and is hanging on the "Honor Wall" along with other Council Members who have received an award. Council's thanks go out to Rick Liebert for taking the picture of the reluctant recipient.

Minutes- A motion to approve the minutes of the November 7, 2022 regular meeting was made by Lee Middleton and seconded by Dennis Craig. The motion was approved.

Treasurer's Report – Interim financial reports through November 30, 2022 were distributed with the Agenda. It was moved by Dennis Craig and seconded by Jim Way to receive the report and to defer approval of the monthly financial report until the Auditor completes the audit. The motion passed.

Open Records/Right to Know Officer: The Borough has responded to a RTK request from resident George Watson citing an allowed extended time period. Mr. Watson is requesting Oath of Office forms and Statements of Financial Interest forms for selected Council members and Secretary Carson for the last 5 years. The information will be provided before the expiration of the extension period on December 22, 2022.

Zoning & Ordinance Officer report:

- ✓ A Zoning Application for an enlargement of the rear deck at 879 Laporte Ave has been received. The request complies with Zoning and has been approved.
- ✓ EMHVI has submitted a feasibility request to install an electric vehicle charging station in the area of the Village Green parking lot. The Zoning officer will provide them with the appropriate regulations to be considered. Dennis Craig pointed out that he is also on the Board of EMHVI and will recuse himself from any vote or discussion on this subject.

Street Superintendent Report: Jeremy noted that work is underway to bury drainage lines as a part of the Clay Ave drainage project.

Mayor's Report: No report.

Emergency Management Coordinator's report: No report

Points of Interest and Information from the Secretary:

- There were no Real Estate transfers in October.
- PennDOT has notified the Borough that State Police fines in the amount of \$142.36 will be paid on December 1, 2022.
- The Pennsylvania Human Relations Commission has ruled "No Probable Cause" that Cheryl Shoemaker's allegations of discrimination related to the hiring of the Streets Assistant in 2020. Her claims were "unfounded" as there was insufficient evidence that the failure to hire her was based on gender.
- PA DEP has provided their final conclusion on their investigation into high metal counts in well water in the Borough. They believe that certain wells are drawing water that includes sediment and the metals are included in the sediment. Tests taken at the well pressure tanks show high levels of lead, zinc and nickel and that similar tests taken after a sediment filter show safe levels of those metals. DEP is closing their investigations based on that conclusion.

Committees:

Finance:

- Interim financial reports through November 30, 2022, as previously accepted, were reviewed and discussed.
- Our Auditors, Larson and Kellert, have completed the on-site portion of the 2021 audit and are continuing work at their office.
- Insurance Agent Charlie Lockhard presented insurance coverages and premiums for 2023. The total premium increase is 10.8%. Much of that is due to a Worker's Comp incident involving an EMT injured while responding to an emergency call in World's End State Park. Increased building replacement values also had an impact.

Museum:

- The Museum is now open each Saturday and Sunday, 11:00 am to 4:00 pm.
- The Museum Board intends to move three maturing CD's from their current bank to new accounts at PLGIT where the rate of return is significantly higher.

Infrastructure:

- Clay Ave Drainage Project, Phase I (\$42,498.50 grant) and Phase II (\$45,866.72 grant) are under way. Action to revise the contract with M.R.Dirt to reflect the additional work is noted in the Continuing Business section of this meeting.

Ordinance:

- No Activity

Personnel:

- No Activity

Website: Updates continue to be made as needed.

Continuing Business-

- The contract between the Borough and M.R. Dirt, LLC for work on the Clay Ave. Drainage Project needs to be amended to recognize the change in the per unit counts for commodity items and the change orders for several miscellaneous items. The original contract was for \$59,450.85, the change orders to the contract will be \$7,100.00 and the additional per unit costs is expected to be \$26,226.14 for a revised contract of \$92,776.99. A motion to approve the contract, as revised, and for the additional funds to support the contract was made by Dennis Craig and seconded by Tom Graff. The motion passed unanimously.

New Business:

- Council is asked to approve the transfer of a 0.144-acre sliver of land along Mt. View Lane that is recorded as belonging to the Borough but is more appropriate as part of the Brogan Family Trust lands along the south side of Mt. View Lane. There were multiple real estate transactions in 2001 involving easements and rights of way along Mt. View Lane. The result of those transactions somehow resulted in the Brogan family paying taxes (less than \$3.00 per year for the Borough portion) but with the Borough recorded as the owner of the parcel. This appears to be an oversight by the County Recorder's Office. The adjoining 3.44-acre parcel is under contract but cannot be sold until this issue is corrected. (see the attached map). It was moved by Dennis Craig and seconded by Lee Middleton to approve the transfer of this 0.144 acre parcel and to grant authority for President Feese to sign the new deed as needed, Jim Way, as an abutting property owner, recused himself. The motion passed.

Workshops/Conferences-

- None scheduled

Payment of Bills- Approval to pay the bills for the Borough and Museum as reviewed was moved by Dennis Craig and seconded by Lee Middleton. The motion passed.

Executive Session: The President called for a brief Executive Session to discuss an administrative matter,

Adjournment- The meeting was adjourned by the President at 8:05 pm.

Respectfully Submitted,

David R. Carson
Secretary/Treasurer