

Eagles Mere Borough

Minutes

**August 2, 2021
Vacancy Board Meeting
and
Regular Meeting**

The Eagles Mere Borough Council met as Council and then also as the Vacancy Board on the call of the Chair. Council President Feese called the initial meeting to order at 7:00 PM on the above date by with the following Council members in attendance in the room: Lee Middleton, Dennis Craig, Cole Lee, and Rick Liebert and Mayor Richard Lobach. New Council appointee Doug Smith did not attend. Street Superintendent Jeremy Moore and Secretary/Treasurer Dave Carson were also in attendance.

In the Gallery: Residents Bob Zelton, BA Moyer, George Jenkins, George Watson, Bruce Powers, Mark Johnson, Kate Albertini, Mary Smith, Brian Smith, Kase Moore, Jim Way, Art Pursel, Jr., Mark Stitzer, Tom Draushalk, Don Besecker, Renee and Bob Witt.

Pledge of Allegiance was recited by all in attendance.

Vacancy Board - Council President Feese adjourned the Council meeting and Vacancy Board Chair Jay Wilkinson called the Vacancy Board meeting to order. Jay made some introductory remarks and explained the purpose of the Vacancy Board and the procedures that will be followed. Previous Council member John Huhn settled his Eagles Mere residence sale on July 1. Borough Council identified several potential candidates to replace John Huhn and intended to act on this appointment at the regular meeting on August 2, 2021. Since this was more than 30 days since the vacancy was created, Jay asserted that the Vacancy Board needed to be involved. The Vacancy Board consists of Council Members. Vacancy Board members present were: Bill Feese, Lee Middleton, Dennis Craig, Cole Lee, and Rick Liebert.

Jay announced the names of three candidates interested in the position as Tom Graff, George Watson, and Jim Way. All are registered electors residing in the Borough and are eligible to be appointed. Jay reviewed the procedures for an election. The preference ranking method could be used as could a plurality method. In either case, the voting must be open and announced with the identity of each vote by each Council member known in order to satisfy PA Sunshine Laws. Rick Liebert moved and Dennis Craig seconded a motion to use the plurality method of yes or no votes with the order of consideration of the candidates determined by names pulled from a hat. The motion passed.

From the random selection method, the first candidate was Tom Graff. He received no positive votes. The second candidate was Jim Way. He received a positive vote from each Board Member which was more than a majority and therefore Jim Way was declared the winner. Since the winner received a majority of votes, there was no election held for candidate George Watson.

With Jim Way having been declared the winner of the appointment to the vacant Council seat, the Vacancy Board meeting was adjourned by Chair Wilkinson at 7:38 PM.

Council President Feese re-convened the Borough Council meeting at 7:40 PM. He called on Mayor Richard Lobach to swear in the newly selected Council Member. The Oath was administered by Mayor Lobach and was witnessed by all those present in the room. Jim Way was welcomed to Borough Council by the President.

Public Issues and Comments – Bob Zelton offered thanks to Tom Graff and George Watson for their interest and willingness to serve on Council. He also asked about fireworks which were set off on August 1 and created excessive noise. It was noted that the Borough's noise ordinance does not take effect until 11:00 pm each evening. He also voice concerns about the monthly meeting attendance by those who are expected to be present.

Minutes- A motion to approve the minutes of the previous Regular Meeting of July 5,, 2021 was made by Lee Middleton and seconded by Rick Liebert. The motion was approved.

Treasurer's Report – A motion to approve the interim financial report through July 29, 2021, as distributed with the minutes, was made by Lee Middleton and seconded by Rick Liebert. The motion was approved.

Open Records Officer:

- No requests received

Zoning & Ordinance Officer report:

- The Zoning Officer has provided informal information about the building rules for a lot on Allegheny Woods Ave.
- The owner of a building on the corner of Fern and Allegheny Ave has been notified that the building is deemed to be a Public Nuisance and must be repaired or torn down in the next 60 days.
- The Milford's have subdivided their property a the Crestmont or separate the Guest House building from the restaurant/bar/owner's quarters building.

Street Superintendent Report:

- Jeremy raised concerns about dead trees and overhanging brush at certain places along streets and sidewalks. After discussion, it was moved by Dennis Craig and seconded by Cole Lee to send letters to the property owners requiring that the offending trees and shrubs be cut back or removed. The motion carried.

Points of Interest and Information from the Secretary:

- The Borough has received Realty Transfer taxes for June in the amount of \$1,986.41 (Devine > Long).
- A revised grant application for the Clay Ave. drainage improvements has been submitted to the Sullivan County Conservation District. The District does not have funds to cover the entire project but will now consider a phased project over several years. The parties to this project (EM Borough, EM Association and EM Conservancy) remain anxious to proceed.
- The Eagles Mere Borough Authority anticipates closing on its purchase of a parcel of land adjoining the Outlet Waste Water Treatment Plant in the next 30 days.
- The Borough has received its allocation of \$5,913.81 of federal money from the American Rescue Plan of 2021. An identical distribution will be made at this time in 2022. Council needs to determine how they wish these funds to be used. This

money was not budgeted. The amount is based on 2010 census of the Borough population.

- The Borough has received its allocation of Act 13 (non-conventional gas wells) Funds in the amount of \$4,927.39. The receipt of this revenue has been budgeted.
- The ad placed by the Borough (copy attached) has been published in Happenings Magazine. The magazine features Eagles Mere in its August edition.
- The Secretary is working with the Sullivan County official responsible for 911 addresses and with Comcast to correct mis-allocated addresses in Comcast's records. Comcast will not discuss the issue until all municipalities involved have signed a non-disclosure agreement.

Mayor's Report: Mayor Lobach said he has received comments from citizens about their desire to be able to drop off garbage at the Maintenance Garage between scheduled pick-ups. He also noted that there is concern for speeding on Borough roads around town.

Committees:

Finance: Interim financial reports for the Borough through July 28, 2021 were attached. The Borough continues to operate on a firm basis. The delivery status of the truck, ordered in 2020 with expected delivery in Spring, 2021 remains unknown. We assume it is delayed by supply issues.

Museum: The Museum is now operating daily and is experiencing good attendance. A special fund-raising program have been planned to be held on the Forrest Inn Hotel's previous site on August 21, 2021, and will include recollections by individuals familiar with or who participated in the Hotel's glory days.

Infrastructure: - No report

Ordinance: No report

Website: Updates continue to be made as needed.

Continuing or New Business- None

Workshops/Conferences-

- Secretary Carson will attend the Annual Conference of the Pennsylvania Association of Municipal Administrators on August 9 and 10 in Gettysburg.

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

Adjournment- The meeting was adjourned by the President at 8:15 pm.

Respectfully Submitted,

David R. Carson
Secretary/Treasurer