

# Eagles Mere Borough Minutes

October 3, 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, Rick Liebert, and Jim Way and with Doug Smith and Dennis Craig by conference phone. Also present were Mayor John Brownback, Street Superintendent Jeremy Moore, and Secretary/Treasurer Dave Carson.

**In the Gallery:** Kathy Martin, Brian Smith, Bob Grabarek, George Watson, Kate Albertini, and Jay Wilkinson

**On the Conference Phone:** Doug Smith and Dennis Craig

**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 will count as if present.

**Motion to Revise the Published Agenda-** None requested

**Public Issues and Comments –** Jay Wilkinson raised concerns about the 2009 Dump truck which the Council had previously approved to be sold and of Right to Know issues.

**Minutes-** A motion to approve the minutes of the September 6, 2022 regular meeting was made by Lee Middleton and seconded by Tom Graff. The motion was approved.

**Treasurer's Report –** Interim financial reports through September 28, 2022 were distributed with the Agenda. It was moved by Lee Middleton and seconded by Tom Graff 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 received a RTK request from resident Jay Wilkinson. The request includes multiple questions. Response is typically required in five days but a 30-day extension can and has been filed. In addition, portions of the request will be denied because the document(s) requested do not exist.

**Zoning & Ordinance Officer report:**

- The Zoning Officer has reviewed a request to rebuild a garage, (original removed at the request of the Borough as being unsafe) at the rear of 57 Mary Ave. The size and location of this structure has been approved.

**Street Superintendent Report:** Information from the Street Superintendent is included in the Infrastructure Committee report.

**Mayor's Report:** None

**Emergency Management Coordinator's report:** No Report

**Points of Interest and Information from the Secretary:**

- There were four Real Estate transfers in August generating \$6,046.60 in transfer taxes. Hansen>Sheedy, Dewire>Meier, Mehl>Hammond, and Rea>Johnson.
- The Borough's Sewage Enforcement Officer, Paul Baran, has approved an application to replace an on-lot septic tank (Writt).
- The Borough has received the annual payment from the State Treasurer of \$7457.05 designated for the Firefighter Relief Association. These funds will be transferred to the Eagles Mere Firefighter Relief Association.
- The second (and last) distribution, in the amount of \$5932.51, from the federal America Rescue Plan Act has been received.
- The Borough has received the semiannual payment from the LCB of \$150.00 for a liquor license (Eagles Mere Inn) in the Borough.
- The Joanne Wise estate has appealed the assessed value of the property at 582 Eagles Mere Ave and the Board of Assessment Revision has lowered the value by \$156,500.
- The agreement reached by property owners abutting Wingert Lane as well as the Borough has been signed and recorded. Wingert is now a private lane to be maintained by the adjoining owners. The right of pedestrian passage and of the Borough and various emergency services for utility and emergency vehicle traffic is also maintained.
- An appeal from the alleged "Deemed Approval" of the Zoning Hearing Board has been filed by the Borough and the EMA.

**Committees:**

**Finance:**

- Interim financial reports through September 28, 2022, are attached to this Agenda.
- The Committee continues to work toward completing the audit of 2021.
- The Committee is also working to install revisions to the Borough's computer system that will allow for multiple users at the same time in the office and to allow for remote access from outside the office.
- There was discussion about the receivables for trash service billed for 2022. It was moved by Dennis Craig and seconded by Doug Smith to increase efforts to collect outstanding balances and to suspend services for those which are not received. The motion passed.
- Dennis Craig presented preliminary budget information which includes the assumptions of no tax increase and no change in trash collection fees. Further input and discussion is needed before a draft budget is presented.

**Museum:**

- The Museum is now open each Saturday and Sunday, 11:00 am to 4:00 pm.
- The Museum Board wishes to submit the names of individuals to be reappointed to a second 3-year term ending December 31, 2025: Betsy Lingenheld, Karen Gardner, Joe Lurie, and Patrick Lacon.
- The Museum Board wishes to submit individuals to be initially appointed to a 3-year term ending December 31, 2025: Kathy McCorkle and Judith Moore. The Board also requests the authority to include these new members immediately even though their term does not begin until January 1, 2023. Both of these requests were included in a motion by Lee Middleton and seconded by Tom Graff. The motion passed.

- It was noted that plans are under way for Joe Mosbrook to reprise his presentation of historic information about Eales Mere on a date to be determined in the summer of 2023. This was a successful fund-raising event in 2022.

**Infrastructure:**

- The committee has approved making a budget request to paint fog lines on Mt. View Lane. Signs warning of pedestrian traffic on lower Laporte Ave. have been installed. The Committee also discussed costs for Phase 1 of the Clay Ave project and of seeking grants for Phase 2 of this project. The Committee recommends that we postpone grant application of Phase 2 until a future budget year. Other considerations for the budget have also been discussed.

**Ordinance:** No activity

**Personnel:** No Activity

**Website:** Updates continue to be made as needed.

**Continuing Business-**

- The Solicitor for the Zoning Hearing Board acknowledges that she missed the deadline for submitting a written notice of the decision of the Zoning Hearing Board on the Appeal of the Zoning Officer's determination that the lot adjoining 422 Pennsylvania was not buildable. The owner and his Counsel were present during the discussion and voting and were very aware of the result. The property owner's Counsel has asserted that the appeal is deemed to be approved because of the oversight of not sending a written notice. An appeal to his assertion is being prepared and will be timely submitted at no charge to the ZHB/Borough. As additional information, there is a signed contract for the purchase of the entire property which will likely lead to the sale of the house and the adjoining lot in question, which will make the issue moot. This is follow-up information and no action is required at this time.

**New Business:**

- A citizen of the Borough has filed a petition with the Court of Common Pleas asking that a Referendum be placed on the November ballot to say "*Should the total number of members of council for the borough of Eagles Mere be reduced from seven(7) to three(3)?*". It was moved at the meeting of September 6, 2022 to notify borough electors about this referendum. In accordance with that motion, a letter has been sent to 115 registered voters in the Borough. The September 6 motion included the authority for the Borough to incur expenses in this regard. During the preparation, and review of the letter, Council members felt that out-of-pocket expenses should be covered by contributions from the Council members rather than charges to the Borough. Members have made contributions to cover the expenses of this and a future mailing and a notice was included on the letter that it was not mailed at taxpayer expense. Ratification of the letter, as mailed, and of the change in funding for this endeavor is needed. A motion to ratify these actions taken by Council

Members, acting as individuals, was made by Lee Middleton and seconded by Tom Graff. It was passed unanimously.

- With the delivery and use of the 2022 Ford F550 dump truck and plow, the 2009 Ford F350 is now surplus. Two sealed bids for the 2009 Ford dump truck were opened and reviewed. After discussion, it was moved by Rick Liebert and seconded by Jim Way to reject all bids and to readvertised to a broader market or to otherwise post the truck for an appropriate sale and further directed that any proceeds from the sale be placed in the reserve account for funding of future equipment. The motion passed.

**Workshops/Conferences-**

- None scheduled

**Payment of Bills-** Approval to pay the bills for the Borough and Museum was moved by Rick Liebert and seconded by Jim Way. The motion passed.

**Adjournment-** The meeting was adjourned by the President at 8:00 pm.

Respectfully Submitted,

David R. Carson  
Secretary/Treasurer