

Sunrise Lake Property Owners Association, Inc.
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SLPOA Board Meeting
Saturday, February 10, 2024
Held at the SLPOA Office and Zoom

Wendy Westock officially calls meeting to order at 1:00 p.m.

Meeting opens with Pledge of Allegiance

ATTENDANCE

Wendy Westock, President	Present
Dow Dow, Vice President	Present via Zoom
Christine Hollay, Treasurer	Present
Mike Ryan, Secretary	Present
Ron Hansen, Director	Present
Rick Nolan, Director	Present via Zoom
Bernadetta Kaleta Castellano, Director	Present

Also in attendance are Tom Voglino from Pennoni Associates and John Klemeyer, attorney for Sunrise Lake.

Held via Zoom and In-Person

Board Report: Wendy Westock for the SLPOA BOD

Real estate – **2022** - 60 homes and 17 lots sold. **2023** - 55 homes, and 19 lots. So far in 2024 there is 1 home and 4 lots sold with 6 pending sales.

Our maintenance team has completed many projects in the past several months. They include repair and paint bulletin boards, continued work on road shoulders, filling potholes, barriers on south dam, long overdue minor repairs to the office, regrading the maintenance area, repair of the salt shed roof, mowing of the road shoulders throughout the entire community, the crew just completed repair and upgrading the drainage ditches that had been damaged during the heavy rains and of course continued landscaping, and common area clean-up.

The board continues the work on plans for the replacement of the mailboxes and refurbishing the entrance areas of the community. Plans for the relocation of the mailboxes on Wild Meadow were submitted to the township and are due to be discussed at this month's Planning Committee meeting. We are hopeful that we may actually be able to move ahead with new boxes this Spring on Wild Meadow. There are still lots of hoops to jump through but we are closer to approvals and permits than ever before. Fingers crossed!

Sunrise Lake Culvert update: As we have been reporting – Sunrise hired Pennoni Associates, who submitted an initial proposal to the PA DEP for the replacement of the failing Sunrise Lake overflow pipe in June 2022. In July 2022 the overflow pipe developed a significant leak and water was draining at an unacceptable rate so an air bladder “pig” was installed in a section of the overflow pipe to help maintain water levels. At that point the water level was stabilized. Pennoni submitted revised data to the DEP in December 2022.

In January 2023 there was a failure in the underground overflow pipe which runs from the lake under Sunrise Drive to Rattle Snake Creek which caused a sinkhole to suddenly appear in the Sunrise Lake boat launch area. This situation was immediately addressed by the Board in consultation with our engineering firm and contractor. DEP was notified and the Army Corps of Engineers was also on site. The sinkhole was filled with stone within 24 hours of the discovery of the hole and a large volume of stone remained on site to help further stabilize the area.

On July 8 erosion at the boat launch appeared and the sink hole reopened. The remaining stone was pushed further into the hole and material was brought in to fill the areas of erosion to stabilize the area. Sunrise contacted Pennoni and our engineer immediately.

On July 12, 2023 Pennoni was on site to assess the situation. On July 18, 2023 Pennoni submitted a request to the DEP asking them to prioritize the review of the replacement proposal as the continued deterioration of the pipe has made the situation more urgent. On July 19, Doug and I participated in a conference call with several DEP personnel and Pennoni. DEP notified us that DEP would be issuing an Emergency Order because the situation was considered a Public Emergency. The order required that Sunrise Lake be drawn down to a level equal to the base of the overflow pipe riser. The DEP mandated that the drawdown be accomplished by pumping the water over Sunrise Drive into Rattlesnake Creek which necessitated a complete closure of Sunrise Drive. On July 31, 2023 the pump was put into service and the lake began to drain. Sunrise Drive was closed, and a detour put into place. Appropriate proposals were also submitted as required to PA Fish and Boat Commission on August 1, 2023. On August 23, 2023, this drawdown was complete, and pumps removed and Sunrise Drive was reopened to traffic. Pike County Soil and Conservation inspected the lake on August 29, 2023. We were told that trash and litter can be removed from exposed lake bottom but no disruption to the lake bottom itself could be done without prior approval of the various agencies involved.

During September and October 2023, the DEP required daily monitoring of the lake. A DEP mandated lake topographical survey was conducted. Pennoni submitted updated conceptual drawings to the DEP on October 4, 2023, for the temporary replacement of the drainage pipe. An application was also submitted to Pike County Conservation on October 4, 2023. On an October 24, 2023 teleconference, the DEP indicated that they would approve the submitted plans for the temporary repair. Pennoni contacted Pike County Conservation for their approval. On November 9, 2023, Conservation requested additional data. Additional data submitted November 14. On November 28 approval from Pike County Conservation was received and that approval was then submitted to the PA Dam Safety Engineer. On Dec 1, 2023, Dam Safety approved the temporary repair. Wayco was contacted on Dec 4. The initial work was scheduled to begin Jan 8, 2024, but due to excessive rain and cold the work could not safely begin until the very end of January 2024. A permit extension was required as the original permit expired on January 29. Extension was granted and the work completed on February 5, 2024. (total cost for the work so far is \$12,884.19 for the direct cost for pipe, max cost for rock lined slopes \$34,000.00 and install work \$43,800.00).

The board encourages any resident with questions, suggestions, or concerns to call the office directly at

570-686-1880 or email the board at slpoabod@sunriselake.org. The best way to get accurate and up to date information is to contact the office or email the board as the SLPOA board is not affiliated with any social media web pages therefore, we cannot comment on the accuracy of the information provided. Going directly to the office or board is the best way to ensure that the information you are seeking is as accurate as possible.

Financial Report:

Account balances were given. Total in accounts \$840,257.41.

We have collected \$833,794. in dues and other income, which includes \$730K of 2023/2024 assessments and \$44K in prior dues since June. We have collected about 92% of our budgeted amount for 2023/2024 assessments.

The office is working on sending out collection letters for delinquent accounts. About 65 have been sent in the last week.

Our total expenses to date since June are \$721,750.94.

The Board is beginning the process of working on the 2024/2025 budget.

Old Business:

Motion to approve the July 22, 2023 meeting minutes.

Motion made: Ron Hansen

Seconded: Mike Ryan

No one opposed.

New business:

Motion regarding the sale of 113 Gristmill Terrace, Milford, PA 18337, and 115 Gristmill Terrace, Milford, PA 18337.

Whereas the Sunrise Lake Property Owners Association has agreed to the transition of sale of the following lots to Steven and Sandra Zinner

113 Gristmill Terrace, Milford, PA 18337, defined as Lot 8/ Block 8/Section 5 and

115 Gristmill Terrace, Milford, PA 18337, defined as Lot 9/ Block 8/Section 5

These lots are currently in the common areas (aka green areas) in the current deed. This resolution removes these properties from the common green area.

And furthermore these lots will be sold at the total combined price of \$4,500 for both lots, to be paid in its entirety by the Zinner's.

Be it resolved that the sale of these lots was agreed by all SLPOA board members present at the November 30, 2023 work session:

Wendy Westock, Doug Dow, Christine Hollay, Richard Nolan, and Michael Ryan, all voting in favor of the sale. Bernadetta Kaleta Castellano, was not in attendance.

Motions for bill payments and contracts for services authorized at previous work sessions (July 22,

2023 through February 8, 2024)

Contracts:

Aquatic Services – 2024 lake management services (Spruce and Sprint) – monitoring of Sunrise Lake - \$3,560.00 plus additional costs for weed treatment or fish survey if needed.

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Pennoni Assoc – \$10,000.00 plus reimbursables Sunrise Lake Emergency drawdown.

Motion made: Christine Hollay

Seconded: Ron Hansen

All in favor.

Univest Insurance Inc – November 2023 to November 2024 Insurance - \$46,559.00 for all insurances.

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Bill Payments Authorized:

Blue Ridge Tree Service: \$4,450.00 – canopy plus 2 trees and chipping

Motion made: Mike Ryan

Seconded: Christine Hollay

All in favor.

Casagrande Remodeling Inc - \$7,000.00 – road work, office area, Sprint Ct, High Meadow, Trout, South and West Shore, Cabin and Wild Meadow. Repair washouts, clean out culvert pipes, scalp roadways.

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Clear Spring American Insurance Co - \$1,351.00 – WC audit

Motion made: Christine Hollay

Seconded: Mike Ryan

All in favor.

D & S Hauling - \$14,822.95 - Road materials

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Diamond Traffic Products - \$504.00 – traffic counter – highway occupancy permit

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Dingman Township - \$1,100.00 – township fees for mailbox project

Motion made: Ron Hansen

Seconded: Mike Ryan
All in favor.

Firmstone Lakewood Fuels - \$3,425.39 diesel fuel for pump for dam draw down and maintenance yard
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

Home Depot - \$528.24 – lumber for shed, oil for tractor, road markers, pot hole repair
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

International Laminating Company - \$598.44 – guest badges
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

John Klemeyer, Esq – \$4,200.00 – collection actions, section 26 & various emails
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

KRS Computer Services - \$608.40 – computer services
Motion made: Ron Hansen
Seconded: Christine Hollay
All in favor.

Lowe's: \$1,368.90 – road signs, paint, doors and office renovation supplies
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

Pennoni Assoc - \$36,063.19 Engineering – Sunrise Lake
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

Princeton Analytical Labs - \$760.00 – water testing for pool
Motion made: Ron Hansen
Seconded: Mike Ryan
All in favor.

Richard Nolan - \$1,441.88 – building materials for office renovation, stump grinder, lift to repair salt shed
Motion made: Ron Hansen
Seconded: Christine Hollay
All in favor.

S & T Automotive - \$784.86 – dump truck repairs, inspection and maintenance
Motion made: Ron Hansen

Seconded: Mike Ryan
All in favor.

Schoenagel and Schoenagel LLC - \$3,280.00 – HOP field work, locations, spot elevations, road edges/signs, prepare contour lines and show on plot plan for mailbox project.

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Walmart - \$893.32 – concessions, trunk or treat gift cards

Motion made: Ron Hansen

Seconded: Mike Ryan

All in favor.

Zoll Medical Corp - \$1,650.92 AED

Motion made: Ron Hansen

Seconded: Christine Hollay

All in favor.

Questions from the residents:

Resident: What determined that this was such an emergency that we had to do a temporary \$100,000 repair while we sit around and wait for the DEP to approve. Why didn't we just go with the permanent? What was the emergency?

Pennoni: The emergency was the pipe itself, the entire corrugated metal pipe below was rotted out and all the materials going down. The DEP's thought was that it would eventually breach and cut a whole and the lake would go, that would be the issue. Their response was to breach it at first and to keep the road open, we added the 48 inch pipe just so we could maintain access.

Resident: So the DEP is the one that determined it was an emergency?

Pennoni: Yes, we evaluated it.

Resident: All the notes that I'm reading are saying that with all the storms we've been having that there were no issues. Not going up or down.

Pennoni: The issue before was in the outlet structure in the lake and now the issue we found in July was in the pipe itself. That can cause a breach or a failure of the pipe which could take out the whole roadway and the lake itself. That was the DEP's concern.

Resident: This is to the point that we lost our fish and I can't see anything in the notes that the fisheries were even taken into consideration. The Fish & Boat Commission, we've got an original permit from them, but I don't see where the lake is drawn down where it is right now, I don't think the Fish & Boat commission signed off on that.

Pennoni: I would have to check, but that would go through Dam Safety.

Resident: But the permit is for Sunrise POA, we are the ones responsible. Not DEP.

Pennoni: DEP issued the permit. They required it.

Resident: Did they issue the Fish & Boat Commissions permit? They have their own permit right here.

Pennoni: That I don't know off the top of my head.

Wendy Westock: I can answer about the Fish & Boat. We had to get approval from them. They were involved at the beginning of August 2023.

Resident: Yes, and that was the first drawdown.

Wendy Westock: The agencies have all been involved. They have had inspectors here.

Doug Dow: The representative from the Fish & Boat commission was here and he inspected the lake while we were pumping it down and he gave us some direction. His primary concern was not the fishery in Sunrise Lake or Sunrise Lake itself but what this project was going to do to Rattlesnake Creek which is considered a high value waterway by the State. Their primary concern was that residue from the lake going through the obstructed pipe and for repair and the washout from under the road was going to put a lot of sediment into Rattlesnake Creek. The people from Fish & Boat have been onsite several times to monitor the water quality in Rattlesnake Creek and what we were doing alongside the lake. That is one of the reasons why we wouldn't allow anyone to do any cleanup or activities in the lake bed while the lake was being drained because of the sediment that would get into the water and go into Rattlesnake Creek. Fish & Boat does not care about the fishery in Sunrise Lake.

Resident: There was no E & S. They mulched the area. They should have had silk socks, fencing on the inlet and outlet end of the pipe and drainage that they put in. I'm looking at it and it's a lot of sediment going directly into Rattlesnake Creek. I'm concerned because this is a natural trout stream. Someone wasn't monitoring something, between the lake and the creek. This is not an emergency. And if there was, South Shore is your emergency spillway. I've lived through Hurricane Irene, 15 inches of rain and it's never spilled over. Even if there was the slightest breach at the boat launch area, it could have been mitigated. If you see the soil report way back, we might have lost some surface. You would have no more erosion than you see coming down the top of the hill by the ballfield. I know you have to do what the DEP tells you. I'm surprised we didn't stand up to the DEP and say this is a little overboard here. It's an 80-acre lake and no downstream hazard whatsoever. Even if it did breach, what's the worst-case scenario. The flood plain between here and 84 would absorb all of that. It would not have made it to Shohola.

Resident: Why didn't you coffer dam this? Not drain the lake. You should have stood up for us. We are paying you. You can't let them rule the roost. What are you guys doing?

Resident: I'd like to go back and speak with Doug regarding the Fish & Game. I spoke with Benjamin Larsen on Thursday and a Sergeant Brian Bendergot of the Fish & Game department and they were unaware of the project starting which in the permit they are supposed to be notified when it starts and when it ends and they sent people out here to inspect what had been done. So far there are no erosion barriers in place, there are no socks on the actually front and rear of the pipe, so there is a problem. I understand that Mike Sims, who is overseeing the project with Curtis Brown from the DEP was on site when Wayco started to dig. In the absence of not having an erosion plan is beyond me. I don't know how Wayco gets involved. Is it the Engineering company that hires Wayco to do the work? Are there engineers on site to see if they are doing it correctly?

Pennoni: We would do spot inspections. There was an erosion control plan that was designed and approved by the Conservation District.

Resident: If this is the plan, you are not working within the plan.

Pennoni: I can take a ride down and look at it. We were doing spot inspections for the installation.

Resident: Why was the temporary pipe set so low, draining the lake completely?

Pennoni: The elevation was required by Dam Safety to be below the embankment.

Resident: Is there anything being done to address the impact of having an empty lake for so long? It already smells and there is vegetation growing in it. Who is looking at what will happen to the lake?

Pennoni: We can look at it. Eventually there will be vegetation growing on it, it will take some time.

Resident: What happens when the fish die and the bacteria goes into Rattlesnake Creek if it is not completed soon.

Pennoni: I can't answer that.

Resident: Can we discuss next steps and how will this situation be rectified?

Pennoni: Construction plans will be submitted to the DEP in the Spring. The review for DEP will probably take about 1 – 1 ½ years.

Resident: We don't have a dam, we have a dike. There's no overflow since it's not a dam.

Pennoni: The overflow is on the back end. I apologize, I'm not the one who did the hydraulic study, that was Beth Ann Grasso who could not make it today. There is a second spillway in the back that is part of this spillway. This is the ordinary outflow for the basin.

Resident: A dike by definition would stop the water from going over.

Pennoni: I'm not a Water Engineer, I apologize.

Resident: It was stated that the lake would be drawn down 5 feet sometime in August & September, and now it's drained. Why?

Pennoni: Initially we did have it higher, and then the DEP, as you saw with the survey of the lake, they made us find the actual bottom total elevation of the earth and berm in there and then draw it down to that point.

Resident: The pipe is going to stay until the lake is fully drained?

Pennoni: The pipe will stay until the permanent fix is installed.

Resident: Which is when?

Pennoni: Within 1 – 1 ½ years. That is our estimate right now.

Resident: Then it needs to be refilled. So 2 years to refill the water.

Resident: Pecks Pond just went through this same debacle with the DEP. Started before Covid, went

through Covid, they just refilled it last year. Same thing, lost all their fish. A lake that had the state record fishing out of it. People had their houses for generations. We will be lucky if we are done in five years.

Resident: Do you have a preliminary design and an idea of what you are going to do?

Pennoni: Yes what was designed was a 16 x 4 box culvert with a 38 x 8 foot concrete structure that would flow in and a sluscape to keep the water in and drain as needed.

Resident: So basically what we had. Is it going to utilize the same pathway which we had?

Pennoni: It's going to be just off to the side of it. It will be offset maybe 20 feet from where the existing pipe is now.

Resident: Was that approved already?

Pennoni: No it's under review. We haven't submitted the plans for that.

Resident: The reason I'm asking is according to documents there can be no change.

Resident: So we are looking at 2 years before the lake returns to normal?

Resident: Did he say plans for the permanent repair will be submitted in the Spring and will take 12-18 months to get approval and does that mean the lake will be at this level until then?

Pennoni: Yes.

Resident: I'm in shock. I find this incredulous and that you do not know answers to these questions. Do you realize that our houses are worth zero dollars. The common sense is gone. You are saying I don't have answers to this. These questions that are being asked have been asked since this entire debacle started and there are still no answers. I believe that there is power in numbers and if you are incapable of giving everyone on Zoom and in person the answers we are looking for to help ease the financial mind, the emotional capacity looking out at the apocalypse every single day in the middle of winter when there is no sun is one of the most emotional turmoil things we could go through as human beings, so power in numbers, if you are not able to answer the questions that are asked, that is totally fine but how can we expedite this process logically, thoroughly so it isn't five years, and it isn't five years till we are getting answers to questions we've asked since July.

Resident: Why can't the temporary fix be the permanent fix if it works?

Resident: What was the underlying cause of the original breach and what is being done to avoid this in the engineering rework such as automated monitoring and modeling for extreme weather conditions.

Pennoni: The temporary fix won't be able to stay because it will keep the lake too low and we will be switching from corrugated metal to concrete for the future project.

Resident: Is fast tracking approval an option?

Pennoni: With the amount of dams and how busy DEP is, I don't see that happening, but that doesn't mean that it can't.

Resident: What I'm hearing is that the DEP is really at the crux of this. Is there a way for us as a community to get an audience with the DEP? Can we come together, letters, emails. Is it a good idea to try to organize something like this? You are at the mercy of what they will approve and every government agency is super slow. I feel the frustration in the room should be directed at the DEP. Is there anything we can do together to make this happen faster? It's going to be fixed and then filled up, unless we all put our hoses in.

Pennoni: The engineer who is doing the design is out of the area. I apologize if I'm not answering many of the questions, I'm doing my best here. To answer your question, we can reach out to them, send them letters.

John Kleymeyer: I don't deal with dam safety people on a regular basis, but I have dealt with water quality and solid waste people. It's my 51st year of doing this and a good portion of people are really sensitive to public criticism. They don't like to be ripped in the newspaper. We need to be careful. We don't want to make it worse. When we are talking about a year and a half for approval, that doesn't mean they are going to be reviewing the plans for a year and a half. It starts at the bottom of the pile, makes its way to the top and then someone reviews it. You don't want to interfere with it making it to the top of the pile. I'm not saying it's going to happen, I would just say be careful.

Resident: I had an amicable meeting with Doug the other day and I asked point blank from the beginning. This could have been resolved at an earlier stage to have an environmental attorney on board. We had problems in Section 12 where we have an environmental attorney. He's able to push times and put time limits on the DEP. I think we missed that boat by not having an environmental attorney on board directing us in a manner that we should have been directed and offering other solutions to the problem where we get to the point that now we are without an attorney dealing with the DEP who has attorneys on board even though from what I was told we would work together, our attorneys won't be involved. Their attorneys get involved and it goes to higher ups, and higher ups. Those attorneys review things. I think we missed the boat by not having our own environmental attorney.

Doug Dow: In response to your comment and other comments that were made. Our permit required us to notify both Fish & Boat and Pike County Conservation before we started work on replacing that pipe at the end of January, and we did that. We did that via the numbers that were given by dam safety to contact those people. If Fish & Boat said they were not contacted, that is not correct. They were. Second of all, as far as remediation on the overflow pipe, Sunrise did everything that we were requested to do by our engineering people and by the DEP both. Everybody in the community knew that we were having these issues with the dam, that we had overflow pipe system problems, that we had sink holes and now that the overflow pipe is in place, there has been one person in this community that has bothered to come down to the office to find out what was going on. Only one person in total. It would have been very much appreciated to have some of these opinions brought to the Board when we had the opportunity to possibly do things differently and nobody did. Being on the Board and being responsible for this project, I can assure you that I am not a Civil Engineer, that we did the very best that we could and to second guess everything that has happened in the past is going to do us absolutely no good going forward.

Resident: I didn't say that they weren't informed, what I said was they were supposed to be notified prior to the work when it began and when it ended. I didn't say that they didn't have permits in place. The permits were in place and I understand that the expiration dates, since it was turned over to the DEP was fine because the emergency authorization by the DEP was given. You misunderstood what I was trying to say.

Doug Dow: They were informed before the work started.

Resident: Correct, in the permit it says that. What I said about the erosion part of the project is that no one is overseeing it. Wayco came in, they started to dig. They had no erosion barrier around any of the open areas which they should have. They did not comply with the Townships plan. There should be silk socks on both ends of the pipe and that's what I'm stating. I'm saying this only because I don't want to see fines issued upon the community. I don't know if we have contracts with Wayco and if in those contracts we have hold harmless agreements and clauses that say they are responsible if they do something environmentally to ruin this project where it comes back and we are liable. That is the reason that I'm bringing these issues up. I think with an environmental attorney you would have been guided much better.

Resident: The first question is with the lake being empty over 2 years, the surface is going to change. You're going to have vegetation, trees, shrubs, bacteria, oxygen and the lake may have to be dredged before it's filled. Does our community have money for that should that have to happen. 2) While the lake is empty, has the other end of the dam been inspected so that we don't correct this part and then 2 years later, have to fix the other end.

Pennoni: I could look and discuss with the engineer to see if that was inspected previously and we could look at that to make sure.

Resident: Is it too late for an environmental attorney? Draining the lake would be considered a criminal act if it was done privately.

Pennoni: If it was drained privately, it would be an issue. It was permitted by the DEP.

Resident: So far all the suggestions to reduce the time the lake is drained have been nonstarters. Is there anything we can do to apply pressure on some entity?

Resident: How am I getting comfort whether it be 2 years, 5 years, that someone higher up at the DEP is going to wake up one day and say future risks of this lake to Rattlesnake Creek to Shohola to others. It's been empty for 2-3 years, let's just shut it down. What guarantees do we have that this will ever be fixed and it will ever come back.

Pennoni: My take would be that it's going to be fixed and they are working with us to fix it. I do not foresee any issues.

Resident: The costs are adding up. How is this going to affect residents and is an assessment being considered?

Resident: Is it too late to hire an environmental attorney?

Resident: Can we get an environmental attorney now?

Resident: I think you dropped the ball Mr. Klemeyer when you didn't advise us to get an environmental attorney.

Resident: He represents the Board, he doesn't represent the community.

Mr. Klemeyer: I do represent the community. I take issue with that.

Resident: I think we could have been advised that an environmental attorney was needed.

Mr. Klemeyer: With a very experienced engineering firm such as Pennoni, which handles millions of dollars worth of projects, if anyone in that organization thought that action by an attorney would be helpful in moving the project forward, they would have said something to us. I would have said I don't deal with dams, do you have someone who does? That never happened, and I'm not blaming Pennoni. There is an assumption here raised by Mr. Johnson that an environmental attorney would have somehow changed the schedule. That is a huge assumption.

Resident: We have known about this since July and at the last board meeting I was sure there was a plan in place for the 48 inch pipe and was told that it was already submitted and we were waiting for the DEP to respond to that. Now we are going to supply a plan in the Spring? It sounds like we were doing something that we said was already done. We have lost 9 months, and we haven't even submitted a plan?

Pennoni: The initial plan you are referring to is the Hydrology and Hydraulic study where they analyze the material that they are going to use, the size and structure. DEP will review that. Now we have to prepare construction plans and show them the material that we are using, size and put all that on the plans for construction.

Resident: I thought it was all going to be concrete, all reinforced, all the joints were going to be done properly, so that's not a plan?

Pennoni: It was all in the report to get approved.

Resident: So it wasn't the DEP's fault, it was our fault.

Wendy Westock: We had the emergency order in the middle of all of this. Because the sink hole developed, and the pipe itself failed, it changed. Then we had to go to the emergency order and get this additional pipe put in.

Pennoni: Correct.

Resident: That was always on the table, the emergency order.

Wendy Westock: The scenario we have written out was always step by step. We were working on the new overflow pipe, but then we had to do the emergency order because the pipe started to fail and that changed the trajectory of the project.

Pennoni: That put a hold on the review of the report. We then had to go to the emergency breach.

Wendy Westock: Because the pipe failed, we had to go for the emergency order and they had to put in the temporary. Initially when we were told about it, we thought they were just going to drain the lake the 5 feet.

Resident: We have to wait for one thing to be done before we can submit a plan for something else?

Resident: We shouldn't be blaming the DEP for anything, we should be blaming us. It's like we haven't even submitted a plan for something that has been going on. Obviously, we can't do two things at one time. Why would the emergency order stop us from submitting a final solution?

Pennoni: We are working on it.

Resident: You can't be hostile when you contact the DEP. Maybe we can politely draft up a letter and send it and they can expedite their plan. Maybe they can help us out. I just moved here and am looking at a mud pit.

Doug Dow: I think there is a little misconception on the timelines. In talking with Pennoni, all the engineering data that was required by the DEP has been submitted to them and they are awaiting now the final detailed plans for the piping system itself which should be submitted to the DEP in the very near term.

Pennoni: That is correct.

Doug Dow: Having spoken to Curtis Brown, DEP Rep for Dam Safety, he told us that they would "fast track" that application once they had all that information in place. The timeframe of a year or a year and a half was a combination of both submitting the plans, getting DEP approval and assembling and getting the necessary materials on site and doing the construction. I think people thinking it's going to take a year and a half to get the approval is a misnomer. It's more like it's going to be 1- 1-1/2 years to get the approval and the construction done. Is that correct Tom?

Pennoni: I'm saying 1- 1-1/2 years because that's what I see.

Doug Dow: Then the lake will begin to refill. I understand the concerns about what will happen to the lake in the meantime, and we really don't know. We can talk to people that have similar experiences. I have done that in two different places. I have received 2 sets of very different answers. The South dam has been thoroughly inspected by professional engineers yearly. There was some remedial work done to bring it up to what they require. That was done and approved. We know of no issues on the South dam at this point. We will have it inspected as the lake fills again. The South dam is 4 ft. high. The main dam is 14 feet to the top of the berm. Water level is 10 feet. There is another 4 feet of dam. I hope this answers some of the questions.

Rick Nolan: Questions on the board. 1) why can't the temporary fix become the permanent fix. There is some confusion – because there is two problems there with the vertical drain that holds the constant level of the lake that rotted away and failed and the drain going through the vertical drain out to the creek. There were two separate instances that happened. It caused two different problems. When the permanent fix is put in, this will now be a permanent elevation control of the lake and the vertical drain which handles any problems that we had with the breaching of the South dam. The temporary fix cannot be a permanent vertical drain water level stabilizer because it's just down at the bottom and you have to have the permanent which has the vertical drain in it.

Doug Dow: The temporary fix is basically plastic pipe which is buried in the road. The DEP will not allow us to use plastic pipe for the drain. The pipe that is going to be put into place will be concrete. It has a minimum 75-year life. The DEP is no longer allowing round pipe for overflow systems. New standards are rectangular pipe which allows the same amount of flow over a larger surface area. It was impossible to get the necessary materials in place so the temporary pipe could have been incorporated into the permanent fix.

Resident: You mention the other dam will be re-inspected once the lake is filled. Shouldn't the dam be inspected before the lake is filled again.

Doug Dow: Before the lake is filled.

Resident: What can we do as residents to support you as a board and those doing the work to get us past this as smoothly and quickly as possible?

Resident: Would it make sense to put together, as a POA, a list of folks we could write to at the DEP, local politicians, and at the local papers? Someone could draft an unoffensive form letter we could send individually and as a community to call attention to the urgency of our situation and the devastation of our little ecosystem.

Resident: What is the anticipated total cost of the project?

Pannoni: I don't have that. I can get you a cost estimate.

Resident: Would it be fair to say about \$500,000.00? Will our budget have to be changed to anticipate that and reflect that cost?

Christine Hollay: I would say so.

Resident: Would a special meeting be proper at that time?

Christine Hollay: We are having a budget meeting.

Resident: It's an annual approval of the budget by the community. The community needs to know all this, so I think a special meeting may be appropriate. I'm putting this out there as an option.

Christine Hollay: Are you saying before the budget meeting?

Resident: Correct.

Rick Nolan: Is it fair to say we don't know exactly the permanent fix that will be approved so we don't know what materials are going to be bought and what installation is going to be happening so we don't know the cost of this repair, so we can't speculate on how much.

Resident: You can't expect overcost that may run into the project also. There are funds available through the local shared act for the community and economical development under Act #71. I was speaking with Appletree Management regarding this, it was an issue that he said he brought up to Wendy about a year or two ago. Please don't drop the ball on that. In order to have funding available, or apply for the funding you have to have the approved document by the DEP approving the plan, then you can go for funds or grant money. The Board should notify the homeowners around the lake during this period that they have no lake, they can apply for a tax reassessment of their properties. They would file that by signing a simple petition with the township. It has to be filed before September of this coming year.

John Klemeyer: It's not filed with the township.

Resident: The tax assessment office.

Wendy Westock: We heard about this yesterday. We had a conversation with them yesterday.

Resident: I had a conversation with them yesterday. Some people on the lake asked me to look into it. Is there something on the website we will be posting regarding that? Also, back in January when the Army Corp of Engineers was there, did they file a report of any sort with the DEP? I made a standard

notice to produce all documents under the Right to Know law with the State of Pennsylvania and filed that the other day and I just want to know if you have a copy of the Army Corps of Engineers report?

Doug Dow: No.

Resident: In July when you had the telephone conference with Pennoni, the DEP, Wendy Westock and Doug Dow, was that conference call recorded?

Wendy Westock: No, it was not initiated by us.

Resident: Just prior to the emergency, did all homeowners on the lake receive a letter from the Board as it said in the minutes? It said prior to the meeting, I received a draft and actual order from the DEP. As soon as the meeting was over, the Board had a meeting. I guess a work session? Was there a meeting after the meeting? Were the homeowners notified of the expected timeline so the residents on the lake could make decisions regarding their docks.

Wendy Westock: Yes, we called everybody.

Resident: Was there a letter mailed?

Wendy Westock: I think we decided to call everybody.

Resident: Then your minutes are wrong. You need to change your minutes to reflect that. It was a telephone call.

Wendy Westock: We sent an email. If there was no email, they were called.

Resident: We were not called. I was very upset. A neighbor told me about it.

Resident: Could the Board offer regular updates? Perhaps every other week so we can have a sense of forward motion?

Resident: Is it possible to get answers? Even if the Board will look into it? Can we/should we get an attorney now? What can we do to assist?

John Klemeyer: I spoke with Tom. He's going to speak to Pennoni and find out the name of the contact information of one or more attorneys who deal with dams on a regular basis. With the Board's permission, I will have a conversation with one of those attorneys and if Wendy would like to be in on this conversation it will be fine. We can see whether that consultation would be fruitful and if so, what will it cost?

Resident: We are an 80-acre lake. Did anyone think of just damming off just one acre around the issue. Why did we have to kill everything in the lake?

Resident: A coffer dam, why did they not do this. We would have saved 80% of the lake. Pennoni represents us, you should have been stepping up to the plate more. This is not acceptable for these people.

Resident: What gets me is that there should have been another way to drain the area where the drainage pipe is located? Why drain the whole lake? And we didn't know until we asked why the whole lake was being drained. Like Jeff Potter mentioned, this is a very depressing situation especially for us

people who have retired and bought a lake house. We can't even sell our houses if we wanted to. It would be nice to sell and move to a different lake but that is not going to happen.

Resident: No reason why engineers could not have come up with a plan to construct a culvert to prevent the drainage of the lake while work was done. Stop calling it a dam. Get permission to build a culvert and stop the drainage. All plant and aquatic life is doomed because no one thought this through. Feel sorry for all, especially those whose property values are destroyed. AND that's not just the folks that live around the lake.

Resident: I did not receive a call from anyone on the Board.

Resident: I never received a letter or call regarding the lowering of the lake. I had to send an email to the board and Doug was good enough to let me know.

Resident: Put up a dam. Let the rest of the lake fill back up.

Resident: So what I'm hearing is that we just bought a lake front house without a lake front at lake front cost? We did inquire prior to purchasing, both at the office, and "tried" to even call DEP direct with no straight direct answers, none of which saying we'd be without a lake for years, just that it may be at a low level for some time.... Now besides our house value being next to nothing, are we at risk to paying more for this fix? We couldn't even resell the house now if we wanted to.

Wendy Westock: We had asked the DEP about a coffer dam.

Resident: You would have to go back to your records. It said a coffer dam would not be acceptable to replace the 36-inch pipe. Nothing to do with another coffer dam being placed in front of the spillway pipe.

Pennonni: Conversations with DEP was a full breach. They wanted us to get the water down to the bottom of the embankment using a channel. That is what they were requiring. We brought in the pipe to keep the road open.

Resident: When I got my last home insurance, she asked me if I wanted the Association insurance. I did take it. Not sure if it would cover this type of thing. I suggest everyone call their insurance agents.

Resident: I work in the insurance industry. It's called loss assessment. Some policies automatically give the \$25,000 limit so great point. It would help. If something happens and the Board says we don't have enough in the budget, we are going to assess each homeowner X amount of dollars, that's what loss assessment does, helps with these types of issues.

Resident: We are talking about our main lake. This community has three lakes. We need to start thinking about how we stop this monster DEP that once they are finished beating us up with Sunrise lake, going forward and beating us up on the other lakes. A lot of this goes back to deficiencies of the original contractor who built this place. The community rebuilt the incomplete job up at Sprint lake. Sprint lake is finished. We found that the spillway up there is a concrete spillway. That lake was built with a drawdown pipe. Who knows what else the DEP is going to want us to do with Sprint lake. It seems like it is within their regulations. The same cannot be said for Spruce lake. There is no spillway there, it's the old Poison Creek flowing through. Once we get through fixing the flaws that Sunrise Venture did. A flapper valve on the tower? It would take Hercules to open this to do a drawdown. It's atrocious what the original contractor did building this place. Spruce Lake is a fill-in to Poison Creek. Will the DEP turn around and say, just like the original lake being put in illegally in 1964, the other two lakes were done

without permits. This is what I'm trying to alert us to. Once we have the new overflow, and a slide gate to open up for a drawdown, will we have to now hire a DEP specialist to open and close that gate for a drawdown?

Resident: Could understand lowering the lake some but the work is not being done that has to be done and it will be a while before it is. So why destroy a lake now?

Resident: Get a YouTube account and see how it's done. This project is not rocket science. Need to get an environmental lawyer and related groups to see what disaster this is. You warn people not to go near the lake and mess with docks, but you and the DEP can kill all the lake life for no good reason.

Resident: 1) This may cost \$1,000,000. Granted we don't know what the final cost will be but I think it is a smart idea to have discussions or rejections of it. If its that much a year or two from now, how does that look for the budget, how do you make that happen. It's good setting a reserve so we don't know. 2) As the sun comes in, and mosquitoes, is there something we can do so we are protected?

Resident: Was there an environmental impact study done by your engineering company?

Pennoni: To date, no. I don't know how that could have helped.

Resident: Mosquito control, fish kill.

Resident: With the drawdown, did you have an inspector on site?

Pennoni: Yes.

Resident: This is not about the lake, but it is about money. I can't remember the last time I've seen an audit done to see what we have and what it's all about. I think we should have one done. It's been years.

Christine Hollay: We were told from our accountant that he would do an audit. He didn't have the manpower to do it. We were again told he would do it, we received a letter, he's just not able to do it. We have been in touch with another accounting firm to see if they would be able to take it on.

Resident: I would want third party separation from that anyway.

Christine Hollay: Hopefully we will have one with the year ending in May.

Resident: Can I ask if there is an audit, can it be done with the transfers of money in 2015 from the Board to Appletree Management on the well & sewer association since you are doing an audit of the books? None was ever done. Thousands of dollars were just transferred over to Appletree without any account of the money being transferred. I would like that to be put on the record so that it's included in the audit if you do have an audit.

Wendy Westock: If we had an audit, it would be for prior year.

Resident: If we have an audit can we go back for the monies transferred to Appletree without any oversight. It was transferred to a managing company with no oversight.

Resident: Unfortunately, most financial institutions have a seven-year retention period. I hear what you're saying, the likelihood of finding records, records don't have to be kept after seven years. I think what you're talking about, you are not going to find.

Christine Hollay: Are you saying what money was transferred when we closed out our accounts here?

Resident: Yes, you transferred money to Appletree Management and there was no audit of this.

Christine Hollay: We have bank statements of what was closed out.

Resident: So all I am getting out of this whole meeting is that no one really knows what will happen to our main lake and the time frame.

Pennonni: When we get the final plans approved, we can start construction. The temporary will be in until approval.

Rick Nolan: When do you think you will have a plan submittal ready to be submitted? Approximately?

Pennonni: I would say the beginning of April.

Rick Nolan: Once that gets submitted to them, at that point it will be 1 to 1-1/2 years before we would see an approval?

Pennonni: We would have to go back and forth with the DEP in that timeframe so depending on how busy they are, it could be quicker. The 1 to 1-1/2 years is the worst case.

Rick Nolan: If we would cut that in half and say 10 months, so in 10 months from April it would be an approved permanent fix so that would put us around the holidays this time next year. This is just to give a timeframe to everyone. We would have to purchase materials, we can't purchase until we know what the permanent fix is which will be somewhere in the area of 3-4 months. In order to purchase materials. We are looking at approximate scenario of where you came up with the 1 - 1-1/2 years. But this is the process of what we are looking at.

Mike Ryan: It looks like you are thinking summer 2025 install.

Rick Nolan: Approximately yes, and then we would have to fill.

Resident: What was the reasoning from DEP to require the temporary fix pipe to be at the level of the bottom of the dam? Why couldn't it have been installed higher to keep some water in the lake? The temporary fix is going to be redone when the permanent fix is installed.

Pennonni: The breach takes out the embankment so they are concerned with erosion if the water was high on the embankment.

Resident: We need to hire, or at least consult with, an environmental attorney. We should hire a professional project management firm to make sure this complex project proceeds at the most rapid pace possible. How does one make a motion from the floor?

Resident: I just want to hear it personally that you will be looking into the grant that Gary was talking about to help us.

Christine Hollay: We have already been looking into that. Obviously, that would reduce the cost and that is what we all want.

Rick Nolan: We have also been looking into low interest government loans and grants.

Resident: Knowing that information will make us feel better. You said you have done some research, for us hearing that on a regular basis or a newsletter would be so beneficial.

Mike Ryan: There have been 2 newsletters sent out. If anyone has a comment or suggestions, just email the office.

Resident: Why did we drain the lake before the work even began?

Wendy Westock: The pipe was deteriorating. That is what caused the lake to be drained.

Rick Nolan: We were mandated by the DEP because of the collapse in the roadway and the fragility of the pipe running under the roadway and the possibility of the lake breaching and flooding everything out to Rattlesnake Creek. That is what drove everything to the point where we had to do the drawdown and it became an emergency. We didn't decide this as a Board. We were mandated by the DEP and if we ignored it, we would face very heavy fines. That is the precursor to all of this happening.

Resident: Can we schedule another meeting with his boss present, perhaps in 60 days?

Resident: Two environmental lawyers in Scranton come up with a quick google search. Do you think they could give the board a free consultation?

John Klemeyer: In my experience putting your name on internet that you are an environmental lawyer doesn't make you an environmental lawyer. The environment is huge. There is not one lawyer who is an expert on the entire environment. We need someone who deals with dams.

Resident: Pennoni has some guys they can reach out to?

Pennoni: Yes, who specialize in dams.

Resident: You hired Shoenagel & Shoenagel for the HOP field work. Maybe explain what the HOP means?

John Klemeyer: Highway occupancy permit.

Resident: Why are we hiring these people? What do we need this for?

Wendy Westock: This is for Wild Meadow Drive. We have a highway occupancy permit for Sunrise Drive.

Resident: Can you explain why we are having this done?

Doug Dow: The previous administration for SLPOA did not get a required highway occupancy permit for Wild Meadow where it intersects onto Rt. 739. That is required by PA DOT. In order to get this, the DOT required us to have the land adjacent to that intersection surveyed which is why they surveyed it. Additionally, because they surveyed it, and because we got a favorable response from the township as to the probability of relocating our mailboxes to that property, Shoenagel & Shoenagel put the proposed mailbox positioning onto the survey as required by the township before they would consider a permit. The invoice is for the HOP and the mailboxes both required by the township.

Doug Dow: I realize people have concerns and there are unanswered questions that came up in this meeting, the reality is we are complying with the DEP because of the mandates that they set forth. While nobody likes them, it's a fact of life. If we were to have another meeting and bring in the senior engineers from Pennoni and possibly an environmental attorney, what would the residents think we would be able to accomplish that we haven't already spoken about. I do not see any scenario where the DEP is going to let us refill the lake until the permanent fix is in place. I don't believe that having the others in will change the outcome at all. Would you agree Mr. Klemeyer.

John Klemeyer: Yes.

Doug Dow: Other than giving people a chance to vent, which I understand. I'm as upset about the lake as everyone else is. My property values will also be affected.

John Klemeyer: I don't see a problem with reaching out to someone who does this work, an attorney to find out whether they believe they could be helpful and if they could, then how? We are talking about not changing what needs to be done but dealing with speed. If this attorney feels that they can have a substantial impact on speed, then it's worth bringing them onboard.

Resident: I disagree with Doug that the other part of the lesson learned today is not to put blinders on. Have a meeting and conversation with all of the residents prior to making decisions of this magnitude where you can get input from a lot of professional people in this community. Bankers, lawyers, insurance people, attorneys, engineers, superintendents of dams for the park service. You have to have a special meeting so we don't talk about other things. Talk about the dam and be open minded to any and all ideas like the coffer dam that could have been put in to save the water in the lake prior to the engineer starting his work.

Resident: I know the pool needs repairs. Is the pool part of the dam?

Wendy Westock: The pool is on the dam and we can't make any repairs that affect the dam. We can't dig further into the dam. We can't change the plumbing in the pool house if it means digging. They wouldn't let us put up a bench for Jack Ritter. That was devastating for all of us. We are extremely careful when we do repairs to the pool that we do not go into the dam. We want the pool to be here as long as the pool can possibly be here.

Resident: Could we have another meeting April 6th or 13th if the engineers have not submitted the plan to the DEP.

Resident: Yes, can we please have another meeting in April since it was said a plan will be ready for submittal by then to discuss it with residents?

Wendy Westock: The Board prior to this had discussed when we were going to have the Budget Membership meeting and the date is April 13th. The Board will discuss if they want to combine meetings. We will take it under consideration.

Resident: I saw a lot of work being done with drainage issues, do they regrade private driveways as well? 101 West Shore Drive, they added modified stone, it was graded and compacted. It was the Sunrise maintenance group. I didn't know we do private driveways.

Doug Dow: We don't do private driveways as a rule, however, it depends on the circumstances and property. What happened was our plow truck was plowing, pushed a lot of sediment and debris and blocked the overflow ditch system which eroded the end of the driveway. Since it was caused by our contractor, on our easement that we failed to rectify the situation, we went down there and put a ½ yard of modified stone in and fixed the guys driveway. If it is caused by us, it is one situation, if it is not caused by us, it is another situation. Our contractor also replaced a drainage pipe at 173 Sunrise Drive, but the homeowner paid for it.

Resident: I live opposite from 101 West Shore and it was filled with leaves so water couldn't come down. What it did was go in the roadway and damaged the roadway in front of his driveway.

Doug Dow: Yes it did, and a lot of other areas as well. You will see that the entire area has been redone.

Resident: When and if they put a detour in place again, can we fix the craters on South Shore?

Doug Dow: The craters on South Shore were filled last week.

Resident: Section 26 – what is that all about?

Wendy Westock: That is property that is owned by Ramagosa.

John Kleymeyer: Section 25 and Section 26 are sections of property that were retained by the developer. As envisioned, they would be a private large size lot. He created a separate set of covenants just for 25 and said they only had to pay 20% of our dues. They just needed access and

could opt out of using the amenities. We've been in a battle over that and are negotiating. We also had 3 trials with people who did not pay their dues in Milford and were successful on all of them.

Resident: Since the original builder is still active, why are we not seeking reparations?

Wendy Westock/John Klemeyer: We cannot because of the transition agreement. They released us and we released them.

Resident: How does Cranberry Ridge get to use our roads?

Wendy Westock: What I was told was the original road was Cranberry Ridge's road and Ramogosa made a deal with them to be able to use their road in return for something. Cranberry Ridge's road was there first.

Resident: Cranberry Ridge was a part of Sunrise first. They use our access and don't pay anything and use our facilities. The fish in our lakes and ride their quads and dirt bikes all over. Security can't catch them. They are the biggest culprits in this community.

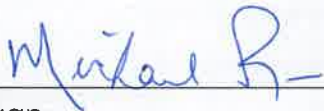
Resident: What is going on with the dirt bikes? They use my road, Waterwheel, Sunrise. They go to Spruce Lake and cut through to Gold Key Lake and the kids from Gold Key come over to us. We have a rule about that and nothing gets enforced.

Resident: With the land that is sold, the 90 acres that Ramogosa owns that they are trying to open up for sale of homes. Correct?

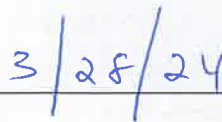
Christine Hollay: That is what we were just talking about.

Meeting adjourned.

The minutes are respectfully submitted to the best of my ability.



Mike Ryan
Secretary



Date