

Sunrise Lake Property Owners Association, Inc.
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SLPOA Board Meeting
Tuesday, March 12, 2024
Held at the SLPOA Office and Zoom

Doug Dow officially calls meeting to order at 7:00 p.m.

Meeting opens with Pledge of Allegiance

ATTENDANCE

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

Also in attendance are Beth-Ann Grasso from Pennoni Associates and John Klemeyer, attorney for Sunrise Lake.

This Board meeting is being held in person and via Zoom. By participating in this meeting, you consent to being recorded.

Board Report: Doug Dow for the SLPOA BOD

Wendy Westock has resigned as Board President and sold her property here in Sunrise. The board would like to thank her for her many years of service to the community and wish her and her husband well in the future.

Our by-laws state the Vice President will assume the duties of the President until the board holds a reorganization meeting.

Real estate – **2022** - 60 homes and 17 lots sold. **2023** - 55 homes and 19 lots. So far in 2024 there are 7 homes and 11 lots sold with 3 pending sales.

Blue Ridge Tree Services has completed cutting and pruning dead and compromised trees and brush in the playground and pool area. Unfortunately, the large tree by the pool had to be removed because the root system was compromising the pool.

The Mahindra Tractor has been repaired under warrantee and is now back in service.

Plans for the relocation of the mailboxes on Wild Meadow were submitted to the township and are due to be discussed at next month's Planning Committee meeting.

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

Sunrise currently has \$674,883.17 in cash or cash equivalents and all receivables are paid.

Financial Report:

Account balances were given. Total in accounts \$674,883.17.

We have collected \$878,000 in dues and other income since June. We have received \$757,000 in 2023/2024 Assessments which is about 95% of our budgeted amount. We have collected \$55,000 in prior assessments. The office has sent out 86 collection letters and since those letters we have received approximately \$55,000. We will be taking the next steps with the attorney on some of our most delinquent accounts. As far as an audit, we called the CPA whose name was given to us and they are not taking on anymore clients at this time. I went back to the one from a year ago and I'm waiting for their call back to confirm their price. The Board is working on the budget for 2024/2025. We will be discussing that more in depth at our budget meeting, which is being held on Saturday, April 13, 2024.

Old business:

Motion to approve Feb 10, 2024 Board meeting minutes.

Motion made: Rick Nolan

Seconded: Mike Ryan

All in favor

New business:

Bill Payments Authorized:

Wayco Inc: \$72,354.19-Temporary pipe and installation-important to note, that is \$18,000 less than the quote

Wayco Inc: \$29,018.61-Pipe plug-Sink Hole Repair-Pump Install-Pump Removal-Pump Rental-(\$23,290 for pump)

Blue Ridge Tree Service: \$7,500.00 Tree Services - Playground and Pool area

Casagrande Remodeling Inc - \$3,150.00 – Backhoe & operator for ditch work in community

D & S Hauling- \$1,627.10 – Antiskid & stone for ditches

John Klemeyer, Esq – \$2,060.00

Pennoni Assoc - \$2,526.70 Site Engineer – Temporary Repair

Before we take any resident questions, or comments, we ask you to limit your discussions to the lake issues first. This will allow Beth to return home without having to stay for the whole meeting.

Also, we request each resident to initially limit their question/comment to one until all residents have

an opportunity to be heard and then we go around again until all items are addressed.

At this time, we will turn the meeting over to Beth.

Pennoni – Beth Grasso:

I work for Pennoni Associates. I have been working with dams for about 30 years. I have worked on 64 dams. I have worked on New Jersey, Pennsylvania, Ohio, Massachusetts, Delaware, Virginia and North Carolina dams. I think that qualifies me as a dam engineer. I will answer everybody's questions. The history of the dam: we have been with your association since 2018. We do your dam inspections and emergency action plans. You have two dams here, the one that has failed and you have one on the back side which is considered an emergency spillway by the DEP. Our proposal just to clear that up, the dam in the back we are not doing anything to it. There will be no work done there. Let's start with how the dam failed. Corrugated metal pipe was used through the dam for the riser structure and the plate that goes through the dam. I don't know if people are familiar with how it was constructed. Corrugated metal pipe back when this dam was built was the common material. They had put it underneath the roadways everywhere, every state, and now they're pulling it all out because they find out after a certain period of time, it gets all these little pinholes in it, it starts to rust. That's exactly what happened to this from having the water run through it all the time. It had little tiny pinholes. It was brittle. Back in 2021, we came up with a plan with the association to fix some of those problems near the riser so it was out in the lake. It was discussed and the association had the means to fix it. They did it themselves to save everybody money. The second time the dam failed was in July 2022. At that time, those little pinholes all through the pipe that goes underneath the roadway from the water running through it takes the soil through the pinholes and wash downstream. So what happens is everything on top collapses and a very large sinkhole formed. That sinkhole was adjacent to the road and started to encroach upon the road. It kept getting bigger. A temporary fix was designed at that time to backfill it, put in some geotechs, rock and everything to build it back up to keep the road open and not lose the roadway because we know there is only 2 ways in and out. You have firetrucks, ambulances, school buses and everyone who uses the road. It's inconvenient and a safety issue. We have to keep the road open so they did a fix on that and soon after did the survey and some other analysis. Knowing that the dam as it was before, we drew it down and it did not meet the current requirements. The association was getting letters saying that they need to have a Hydraulics and Hydrology study. That is to look at how the water goes through the dam. If you get a certain storm, is the water going to go over the dam? Does the spillway have the capacity to pass the water? That little riser was only about 36 in or 48 in in diameter. It stood up vertical. It was a hole that the water went in. That was fine for your everyday storm, but we're getting more larger storms and what would happen is the dam itself, the embankment part, the roadway part, would over top. The road part with the soil, that's the embankment and part of the roadway is the embankment. That is the highest point there that actually is the top. When I talk about the spillway in the existing condition, it's the little riser pipe. Basically, there is a 36" pipe made out of corrugated metal and there is an elbow and it turns straight up. It had a trash rack on top and the water would fall over the top of that, go through and through the pipe. The pipe capacity, even though they're the same size pipe, the pipe capacity going through is higher than this because it only had that edge to fall over.

The third time it failed, same thing started happening. They lost the side of the road coming up on the roadway. You can blame me. I got the information and it was reported by the Board right away to me. Doug sent me pictures. I had to make a judgement call and I had to call dam safety and declare an emergency. I have a license as an engineer. I didn't take an oath but to keep my

license, I have to protect the public. If we had done nothing, most likely you would have lost the roadway and the entire dam. What that means is instantaneously like that, it would go. It would fluff down. It would take out all that soil, and then the water behind it and go downstream.

Cost-wise, you would need to rebuild the embankment. Everything would wash away. You would have all kinds of environmental damage downstream. All that soil would go downstream and fill up your stream. There's a house downstream that might have been at risk with an instantaneous failure like that. With a house being there, there is a potential for loss of life. If it had broken and I knew about the problem, I would have lost my license. This is my job, to keep the public safe. I just want to let you know that it wasn't the Board that declared it.

Once we declared an emergency, I had to call the DEP and they sent somebody out right away to confirm. We had an emergency direction in a day or so. The next thing we had to do was lower the lake. We had to lower the lake because as it flowed through the pipe with all the holes in it, even if we took it down halfway, it would still flow through with all the little holes and still take more soil out with it. We came up with an idea to do a quick fix because we were under emergency. Under emergency dam safety makes you drain the lake. We did hold them off for quite a while to get our ducks in a row. They wanted us to get a backhoe and dig right through the road. They wanted 40 feet wide, with a 2 to one slope on the sides. They wanted to take out the whole roadway and just let the water flow down. That was the last thing that you would want because we are taking out the roadway so that makes it less safe to live here. We would be excavating all of that soil and we would have no way to maintain that road. We quickly came up with a plan to get the black corrugated pipe. The contractor actually had it in his yard or could get it quickly. We had to get that pipe out of the ground and get the temporary pipe in as quick as we could because we wanted to keep the roadway. Now the lake is drawn down and you have your roadway. That is the temporary fix.

The next steps on this board we have this little red dash which is the position of the original pipe, the one that had all the holes in it. We now have in position the temporary pipe. We have graded, there is rock to stabilize it but it's a much shorter pipe just to save your roadway. We put it in a location where we can build the final structure. The final structure is going to be precast because precast is the most economical for what we're doing here for 170 feet long. There is going to be a culvert that is 16 feet wide and 4 feet high. That is what we need to pass the entire 100 year storm that is regulated. We had a little pipe in the original condition that was 4 foot diameter that took the water when we need a box that is 16 feet wide and 4 feet high. That's a lot bigger. Once we build this, we will be in compliance with dam safety. They won't be fining you and bugging you to get more work done. The structure that is on the upstream side here, that is actually going to be your spillway. Right now your spillway is that little vertical pipe. This spillway is about 40 feet wide and about 25 feet long. The reason it looks like it has teeth is because it's a labyrinth spillway. We might have more teeth. We might have to have 4 because we have to make sure that we have a foot of freeboard on the other end, which means we can't let our 100 year storm elevation get within one foot of that emergency spillway. We have to be 1 foot lower. Right now with 3 teeth we are 2 tenths of a foot lower. We need to upsize this. We originally had 5. We looked at 3 and we will probably settle on 4. This will be cast in place which means the guys will set the bottom, set the forms do the rebar and pour it live. These will be trucked in pieces that are about 8 feet long, the culvert. That is what the precast is. It comes in on a truck and they'll take a crane and set it in place and hook them together and this will actually pour while they are here. That is the plan. The way we put this alignment in was so that we can put the final alignment here. We will be cutting through the road, back filling as it's built to keep that road open as much as possible. There maybe

a week where it's going to be a problem. Eventually this will be paved. During the construction, they will pull this other pipe out when they are done and pave.

This may change slightly. We did run this through the DEP and they had no objections. What that means is they thought our concept was good, but they haven't looked at the calculations yet.

We did a survey in the lake to get some cross sections. We did a survey of the whole area. That is what this plan is based on. The Board has been working towards this for awhile with no idea that we were going to lose it when we lost it, but to comply with the DEP, we were taking small steps, at an affordable rate on an annual basis so that you didn't get stuck with where we have to do everything. We got through some of the steps and we have to do something now. We had the survey and we had a lot of information. One of the other things we submitted was the Hydraulics and Hydrology. We had done that before the dam had failed. We got the approval on it about 2 weeks before we had the failure. That was on the existing conditions. We had to calculate whether the existing spillway was big enough for this dam. We showed that it was undersized. We had an idea of how big it had to be. We looked at overtopping protection. We looked at what was the criteria for this dam so that the next step was to do a design. This has been in the works for awhile, at least 2 years. Trying to fit everyone's budget. We don't want to hit you with big numbers when we can space that over several years.

Where we go from here: we have a contract with the Association to finish the engineering. Our fee is \$263,000. What that will include is the geotechnical, which I think is about \$40,000 of it. We will come out and do some geotechnical work. We will have a truck that will drill some holes. We will design the foundations. We need to know where we have rock, where we have bedrock, what kind of soil we have. We need that to design the culvert and to design the cast in place spillway, which will be sitting on the earth. We have to know how much bearing we have. It's 25 x 40 so we don't need a foundation that goes down. We need a spread footing. It will be about a 10-inch pad and then build up from there. We will have to prepare soil erosion permits, which we did for this emergency. We have to coordinate with all the fish people and with dam safety, the Association. We are going to get cost estimates. We are going to talk to precasters and try to get a better handle on the number. I can't tell you what that number is right now, but it will be over a half a million dollars. From there on, I don't know. Probably more. But I'm saying an absolute minimum of half a million dollars. Is it going to be a million? No, I don't think so. We will know the cost of this, probably at our 80% design which that's our next step. We are actively working on this project. We anticipate mid-April to end of April having an 80% package together to be able to submit to the DEP along with the hydraulic calculations. What 80% means is just about everything is done except for some of the small details. For example, we will call out the rebar that needs to be done in the structure but we won't have that special detail that shows that. That's kind of the finishing stuff. It will be good enough for a contractor to bid.

A contractor will bid it knowing that he's bidding on 80% docs, and then he'll adjust his price once we have 100% docs approved. We had talked about ordering some of the materials. For example, the precast culvert. There is a 6 month lead time on that. It was 12 months around Covid, but they are back to 6 months no matter who you call. Maybe if you know someone or your cousin, maybe they could help, but plan on 6 months. If a contractor bids it at 80%, if the Board had the contractor go ahead and put the order in for the precast, they are still at risk. What could happen is they get the permits in, we get it reviewed and we get comments back saying "we don't want a 16 x 4, we think you should use a 16 x 5", then if you had ordered 16 x 4's you are stuck with them. Until the permit gets here and the approvals get here, I'm going to recommend they don't order

any of these materials, even though it has a 6-month lead time. You could get the wrong thing, there could be a change, and then you are stuck.

Resident: Why couldn't we have done a coffer dam in the beginning?

Beth-Ann: According to DEP, we have to completely drain the lake. If we were to go with a coffer dam alternative to keep the lake, we would go through the same design process that we are doing to do the permanent solution. If it takes 8 months to do the permanent fix, it would have taken 8 months to do the coffer dam. You would have the cost of the coffer dam which would be pulled out at the end. That's wasted money. They would consider the coffer dam a dam, so it would have to meet all the criteria. With a coffer dam, the rule of thumb is 1/3 above, 2/3 below. If you had a coffer dam that had to be 12 feet high, that means you have a 36 foot long piece of steel that you're driving in the ground. Steel is not cheap. Probably based on what we would need, it would probably be the same price as the final fix. I know everyone wants to keep their lake. I'm working on 4 lakes in a development that we have 4 houses in. We are working on replacing all 4 of their dams. Dam 1 is done, dam 2 is just finishing up and dam 3 and 4 are under concept. I feel your pain. I completely understand why you're mad and not happy. I understand when you look out your window you see this empty hole. Cost-wise, would you be willing to pay another \$500,00-\$600,000 just to have 1 more summer.

Our plans submit in April. We will have final documents sometime this summer. It'll go to bid, then construction. You are losing this summer, 2024. You should have the water up by next summer. How long does it take for water to get back in? It'll take 2-3 weeks. It's not going to take 2 years. We have done the hydrology. We know how water comes in and out of the lake. We will stop the water from flowing downstream. We will do it minimal just to keep the bugs, bunny and fish alive. We will do minimal discharge and it will fill up pretty quick. It took 4 weeks to pump it down. That's only a 6-inch hose. We have a lot more water coming in than that.

Rick Nolan: When we originally had the leak and the lake dropped, it dropped almost 3-1/2 feet. We then put in the plug to stop it from going down. We did have excessive weather over 2-1/2 weeks but it did fill up 3-1/2 feet in 2-3 weeks. It was back up to the point where they actually had to release the plug to let it drain back out.

Resident: When you say it will fill up quickly, what about ecologically as far as the fish, birds, how does that bounce back? Like 6 or 7 years?

Beth-Ann: I don't think I'm able to answer that question. I can check with our environmental people. As far as fish, you're not getting any fish from downstream because there is no fish passage. If there is fish upstream, they would certainly come down. It was whatever you put in the lake was in the lake. Maybe some lasted and bred and you had more the following year. This is a man-made lake and completely in control of all the fish.

What's left of the lake is still running. It'll eventually in the summer go to a river ring condition. In other words, you'll see a stream down the middle, probably in the summer, especially July and August when it's really hot. You won't see as much of the puddling. Mosquitoes are always a concern, but when the water runs, you shouldn't have any more problems with mosquitoes. If you find that mosquitoes are becoming a problem, we could work with Fish & Wildlife and the bug people and get something done to take care of it. The fish aren't going to be there to eat the mosquitoes. There are chemical treatments that are considered safe to treat mosquitoes and that

would be a temporary thing.

Is it going to be marshy? Yes. We all know what it's going to look like. You will get some growth. Over the summer by next September, you're going to get some grasses, maybe a couple little pine trees starting to grow. I have a lake that has been down since 2015 and we have 6 foot pine trees. They go out and cut them down. Their lake has been down since 2015, but that has nothing to do with your situation.

Our plan is 80% middle of April. The next step is it would go to the DEP, they would review it. I cannot guarantee how long it would take the DEP to review something. All I can tell you is the head of the DEP, Dam Safety Section said he'll be glad to work with us because he really appreciates the Association working with them. They know you are under an emergency situation. Now they are breathing a sigh of relief because it is considered safe. I know people have been calling the DEP and they take calls. I know people have been calling me and I take calls. It's very important that any calls are done in a nice manner, and I would prefer they come to me, or to Doug. I would prefer if you want to send an email to Doug, he will send it over to me. I am happy to answer any question that I can. If the question is, it took this long, it took this long. It is what it is. We've been working on this for years and it didn't officially fail until recently. 2023 is when it officially failed. It failed 3 times before I called an emergency. We plugged it. We thought we had more time, we didn't. The association did most of the repairs so that it wouldn't cost people in the association. You only had to pay for some rock and soil, used your own equipment, did everything you could to repair it. We as engineers encouraged that. We want to make sure we permit it, make sure everything is legal, but we will be happy to work with any association to save money. This association has been very good with getting permits. You have to follow the rules.

So the schedule is April, can't guarantee when dam safety will review. I would say 2-4 months. That is a guess, could be 6 months. My best educated guess is between 2-4 months. There will be comments, because there always is. They have to make comments on the plan. We will get those comments back in 2-4 months. We will make our changes, it'll take about 3-4 weeks, just a guess to turn around and get it back to them. Then there would be another look, that would take another 2-4 months. Then we should get our permit. In the meantime, we will be permitting for the soil conservation district. We will have all the other aspects of the job working in parallel to the dam safety review. When we have that permit in hand, that's when we order the materials that are precast. Beyond that would be construction. After they get the material, it would be 3-4 months to build it.

Resident: Will the Board invite some environmental people in here to give us an idea of the impact that this has on the lake.

Doug Dow: One of our residents told us about an organization that is dedicated to environmental issues in the Poconos and other parts of the state called Penn Futures. I spoke with their Environmental attorney and explained the situation that we had and she said that as far as the dam itself goes, she doesn't recommend that we get an attorney for that because there is no litigation. The situation is dictated by stature, and no matter who has an opinion, the DEP's opinion is what is going to count. As far as the environmental impact of the lakebed goes, they will make themselves available as needed to give us advice on how to handle whatever situation comes up. Right now it's a total unknown and they have no experience with what will happen with the lake bed because each area is unique. If we wind up with a situation where we have vermin or excessive mosquitoes, they will help us out and point us in the right direction.

Beth-Ann Grasso: In our project we do have wetland scientists and people who have worked on dams. The DEP will give excellent guidance. If you submit your question, if I can't answer it, or one of my environmental people can't, we will send it up to the DEP. DEP has done this many times before. There have been other dam failures. They have the experience. Above them is the National, which is American Society of Dam Safety Officials which I'm a member. They do the research and pass the information down to the States. There are people who can answer without having to pay exorbitant amounts of money.

Resident: I'm just trying to understand what our relationship is to you at this point. Have you been hired for this project?

Beth-Ann Grasso: We have been your dam engineer since before 2018. We do your yearly inspections and emergency action plans.

Resident: Does that mean we have a contractual obligation to fix our dam problem with your company?

Beth-Ann Grasso: Yes, we have a contract to fix your dam.

Resident: We don't know how much it's going to cost?

Beth-Ann Grasso: That's correct.

Resident: Could someone on the Board please answer this question instead of a third-party? I'm trying to understand why we haven't gotten bids and second opinions on all these matters, the declaration of emergency. The various options for assessing what's possible in fixing the dam. Why are we only working with one engineering company and not getting second opinions?

Doug Dow: Pennoni came into the community several years ago. Why they were chosen is a question I can't answer. Unfortunately, the people that made that decision are no longer affiliated with Sunrise Lake. They have retired and moved on. When this came up, I researched Pennoni who was already on site and they came highly recommended. I also spoke with three other communities in the Poconos that have gone through the same issue. They all told me the same thing which is the procedure that Beth just laid out. As far as the construction company goes, we had three people come in and bid the job. One was quite a bit more than the other company. The problem was he couldn't commit to doing the job because he was booked up. Another offered to do a temporary repair without permitting. We said absolutely not, he said he didn't want to get involved with the DEP. The other company failed to show up. That is why we went with Wayco. They have two licensed certified civil engineers on staff. They are actually 2 companies, One company does asphalt and road work. The other is a construction company that does civil engineering projects. Wayco is the company that did repair for the rebuild of the bridge on Rattlesnake Creek and did it at a moderate price.

Resident: What is the total estimated cost and how are we going to pay for it?

Doug Dow: As of right now, everything to do with the dam is paid to date. Going forward, over the period of the next year, and year and ¼, we are probably going to have to come up with between \$700,000 - \$800,000. Right now, we have \$674,883 in reserve. Right now we can't afford

the purchase of materials for the permanent repair. We have also talked to several people who we have gotten references to and we are going to apply for grants, low interest loans, and possibly bank loans. That all said and done, there will probably be an assessment for the community. We are going to do everything possible to minimize that assessment and spread it out over a period of time. We are not talking about what Birchwood did with the \$2,000 assessment per homeowner. We are talking about that or a reasonable dues increase. We are working on the budget for 2024/2025, and I would anticipate that we will probably see a modest dues increase this year.

Resident: It's listed on the Pennoni website that they have no dam construction projects listed at all. Beth-Ann Grasso is listed as a Transportation Manager.

Beth-Ann Grasso: I am a Transportation Manager.

Resident: Right, you are not even listed in the Water Resources Group.

Beth-Ann Grasso: Water resources group is spread out in different groups. We have multiple water resource people in transportation because one of the main things we do is dams and most dams have a roadway over top of them so they are considered transportation. We also do the H & H analysis for bridges, which are in the transportation group. Dams kind of fall under transportation. When you say water resource, sometimes it gets confused with water supply.

Resident: No that's different. It's listed separately.

Beth-Ann Grasso: I don't know why they have the website set up the way they do, but I can show you a list of over 45 dams that we have worked on recently. I would be happy to show you that.

Resident: Questioning the bank balances.

Doug Dow: When we started this meeting, we said we were going to talk about the dam first, and one question per resident until we went all around.

Christine Hollay: We have \$674,883.17 in all of our bank accounts.

Resident: I followed along with the first drawdown, but missed why we have a drained lake now. How did we go from lowering the lake to it being emptied? Is it the Associations decision on what is acceptable cost and not a 3rd parties decision? I, like everyone else woke up one day and the lake was dry, but we had correspondence before that telling us it was just going to be a drawdown.

Beth-Ann Grasso: It was ordered by the DEP to drain the lake completely. It was an emergency situation and we had to drain the whole lake. The reason it went down to a certain depth, it went down with the pump until we got down to the pipes. Then started to fill back up again and rather than bring the pump in, we kind of let the water stay low. Ultimately, we knew that we had to completely drain it. Dam safety wanted it drained sooner than it was all the way drained.

Resident: I'm one of the residents that did call somebody from the DEP that was mentioned. There is a tone from this DEP guy that he's kind of mad. He said things to me like we have been telling your association about this for years. You wouldn't do anything about it, now you are forced to do something about it. He had that tone to him. He said I'm just answering your question as to why it

went from something that was being looked at to being as drastic as it is now. It sounds like some friction between the Association or somebody and the DEP because it came through loud and clear to me that this guy wasn't just about draining the lake and doing what's right for people downstream and the environment. It seems like there is some animosity. I wouldn't even bring it up other than it's not helping the effort to get things done here if they are kind of ticked off at us.

Beth-Ann Grasso: To be honest, they are not really fond of having residents call them. That is why I asked all questions go through the Association, and they will get them to me. If I can't answer them, we will schedule a conference call and we will find out your answer.

Resident: The pool gets filled from the lake during the course of the summer. How is this going to be done?

Doug Dow: Initially, we will have a water truck come in to fill it up. There is a pool of water in the lake that we may use. It will depend on the water quality and what it looks like. That pool of water will replenish itself because it's at a level that will just keep refilling. If that doesn't work, we will have the water truck fill it.

Resident: Regarding the assessment, would it be a temporary assessment until the bill is paid?

Doug Dow: It would be a temporary assessment. If we had one.

Resident: Who is the one person that is responsible for making sure that all correct steps are taken, permits are obtained, calculations are sent to the DEP in a timely manner and that we don't miss any deadlines or opportunities? In other words, who is the person that is managing this project?

Beth-Ann Grasso: My responsibility as the project manager is to meet these deadlines. We get paid from the Association, if they're not happy with us, that's a problem. All of our stuff will be submitted to the Association, not that they know what they are looking at fully as engineering plans, but you can get the concept of it. Nothing will be submitted without the Association knowing. That's my job as the Project Manager. The responsibility lays on me underneath the Association.

Resident: As the Project Manager, are you also going to be responsible for making sure that we apply for these grants and low interest loans to help alleviate the costs?

Beth-Ann Grasso: I will assist with the paperwork that's required for those loans and grants, but we have a grant writer on our team. I can have her look into this. If you need any information for the grants that is of a technical nature, I'd be happy to support you in that. If you have a grant put together, we can have a grant writer review it.

Doug Dow: The Association will handle those decisions when they come up when the information is available.

Resident: Do we have any idea how old the system was?

Resident: On the report that was submitted it was 1960.

Resident: You are submitting in April and you stated 2-6 months for DEP, then another 2 months with

DEP. Will you be doing RFI/RFP with construction companies to avoid a prolonged bidding process? Key questions are trying to run these activities parallel to avoid long overall timeline?

Beth-Ann Grasso: What we're trying to do is bid 80% plans and get a price. Select a contractor from there. They would have a chance to review the final plans and if there is any major thing that has changed to address that and it would be negotiated. This way the contractor is ready to go as soon as we have approvals.

Resident: I'm a numbers guy and I find it incredibly disturbing that if the lake gets maximum depth of 8 feet needs a pipe that's 14 feet wide. This just seems like government overrun yet again. We are a pond at best. The pressure of that water against that dam would have never collapsed it. To say we need a 14-16 foot wide when we only get 8 feet deep at the most it's overkill.

Beth-Ann Grasso: Unfortunately, we have the different storm events.

Resident: Has the dam ever overflowed since 1960?

Beth-Ann Grasso: I agree and every year the criteria gets higher and higher. You are fine for everyday but you have never had that storm that sits on your watershed and just floods everything out. Unfortunately, we have to meet the dam safety standards. One of the reasons we did the survey and the H & H report, we were working towards the dam safety compliance because we knew the dam did not meet the dam safety standards. The Association has been working towards this for several years. We have been trying to budget it by getting one thing in and approved and the next thing in and approved to work with your budgets so you didn't have to have a certain assessment. We do this quite often so that it can be paid for because if we were to look at your dam and say okay go ahead and redesign it.

Resident: We haven't had a lake for a couple of years.

Beth-Ann Grasso: You would not have had a lake for at least one summer no matter what repair or upsizing was done.

Resident: It will be almost 3 and we will still pay the money. I have a boat which has been in storage for almost 2 years.

Doug Dow: We closed the lake last year mid-July.

Resident: It was closed the year before.

Doug Dow: It was closed July 2023.

Resident: We pulled our boats out the year before.

Rick Nolan: It wasn't mandated to pull your boat out. Because of the leak, we took the boats out. When the plug was in, it stopped.

Resident: Correct, but our boats were sitting in mud. There is 3 summers of issues.

Resident: Question about the design of the new one. If we are going to try to use sensors in the

new ones can we try to monitor the structural integrity and water flow of the new dam. I don't want to break the bank, but I'd like to see us use the best design principles in the new dam.

Beth-Ann Grasso: Monitoring the water flow would be a gauge type thing. They are not super expensive. If the board agreed that would be fine, but can I ask what you would do with the data? Why would you want to know how much water is flowing through the lake through the spillway?

Resident: I don't know if it is a budget buster, but I think since we are designing from the ground up, we should look at it.

Beth-Ann Grasso: I don't have a problem with using technology. It's whether the Association wants to pay the price. If Fish & Wildlife wants to know, then let them pay for it. I'm just looking at the bottom line. Send me the information and we can take a look and discuss it with the Association.

Resident: Regarding the sketch, August 7, 2023 Pennoni asked for the engineering sketch of the temporary repair from Wayco and a timeline. Are you relying on Wayco since you are the design person?

Beth-Ann Grasso: No.

Resident: Why are you asking them for a sketch of the temporary repair? When you should be on site monitoring what's going on.

Beth-Ann Grasso: Because we had an emergency situation, we wanted to do something with materials that were on hand. We were asking them for a sketch because we wanted to make sure that they had the proper soil erosion control to make sure what they had in mind was a good thing. We were putting it on the plan. We work with one of their engineers over there also to make sure that things went smoothly. We bounced ideas back and forth on each other. They have a lot more construction experience than we do.

Resident: Wayco Construction is primarily an asphalt and paving company.

Doug Dow: That's not true. They have 2 civil engineers that work for them and they have a division that they do civil engineering on.

Beth-Ann Grasso: They only dug a hole and put a pipe in the ground.

Resident: Why was a construction company considered instead of another company?

Doug Dow: We asked 4 contractors to bid this job.

Resident: There are regular dam construction people out there and they're not being sought out.

Beth-Ann Grasso: We can get another company to bid the 80%.

Resident: When we received the email regarding this meeting, it said there was a lawsuit filed and that the basis would be explained.

Doug Dow: Yes, there is a lawsuit that is being filed. It has nothing to do with the dam. We are going to address that issue when we get done with the dam issue.

Resident: If the holes in the pipe were identified in 2021, you made it sound that everything was done in stages because of the budget. Did you decide or the Board or did it go to the members to decide? I find it hard to believe that it didn't go to members to make the decision. Whenever you push off things, you're risking emergencies and what we are facing today.

Doug Dow: Most of those decisions were made by the Board that was in place at the time. You have to remember from 2020-2022 we were in Covid and it was extremely difficult to get anything done with the state because everyone was home.

Resident: If we are looking into loans and grants, I will gladly offer my services. I'm a Q&A person, I work in numbers for the past 25 years so I'm available.

Doug Dow: Thank you and there is an opening on the Board if you would be interested in that.

Resident: I would love to but I'm a Treasurer at another association so it wouldn't be fair to this association.

Resident: My concern is we have 2 other lakes, are they OK?

Doug Dow: Yes, there are no issues with Spruce or Sprint Lake. We are encouraging residents to use both of those.

Resident: I haven't heard anything about all of this. We are talking 2020-2022. Going forward can we have more transparency so we know when the bidding process goes on, this is everybody's problem.

Doug Dow: I agree with you 100%. That's why we had this meeting as a follow-up for the February 10th meeting where a lot of questions were unanswered. We are putting a monthly newsletter out. We are trying to do everything possible to be as transparent as possible.

Resident: I hope to see the bidding process, the companies, the numbers. All these things affect me personally and everyone in this room.

Beth-Ann Grasso: The best way to know what is going on is to attend these meetings.

Resident: Years ago the Board used to send out a mailing notice. This meeting happens to be on a weekday night at 7:00 p.m. Past boards mailed out background information about meetings. It would have been designed for the people that live up here part-time and would be at a church where you could have one whole meeting about one separate issue. Tonight we are talking about two very serious issues. For the second meeting, there should have been a transition agreement sent out from 2009 along with copies of the lawsuit to everyone. Just not a notification. Everyone thinks there is a lawsuit involving the dams.

Doug Dow: We are going to keep this meeting relative to the dam. When we are finished with the dam, then we'll go on.

Resident: Regarding the plans, will the boat ramp be rebuilt?

Doug Dow: Yes.

Rick Nolan: I'm new to the Board. I have lived here about 7 years. I know no information breeds contempt. Contempt gets people mad. I want you to know that everybody up here does not have an ulterior motive. We are trying to get this fixed. Are we experts? No. Any extra information we could get, we could use it. Sometimes you guys don't see in mass what's coming at us. We are trying to do the best we can for us. So if there is questions, we want them to be answered, if there's solutions, we want to hear. Can we not be accusatory. We are trying to come to a collective answer as a group. We are all neighbors, we are all going into our pockets the same way. We get no benefits from this. We spend a lot of time here. But at the same time, we want to work together, we want to have a community. We want to do things that make our community better. We want this in our rearview mirror. Can we attack it a little bit more positively?

Resident: Was there a hazard classification given to our dam?

Beth-Ann Grasso: Yes, C-3.

Resident: My personal opinion here is that there is overreach from the DEP and the coffer dam didn't have to be a full blown coffer dam. Three feet of water could have been left to help the fisheries. At the last meeting when Doug was on Zoom, he said the Fish & Boat Commission didn't care about the fish in our lake. Can you challenge them in a professional way? I'm a consultant for Penn DOT and authorized to make field decisions. I can go back to Penn DOT and their engineers. Can we challenge these guys?

Beth-Ann Grasso: In my experience, we have swayed the DEP to see our way several times, but we have to use engineering judgement and basically explain where we are coming from to explain why it doesn't have to fit the norm. I'm not sure which part you wanted to fight. The fact that it's an emergency?

Resident: The whole drainage of the lake.

Beth-Ann Grasso: Like I said, the other option was to put this great big hole through the middle of your road. Then you would have safety issues with fire, ambulance and school buses. We did get them to allow the temporary pipe instead of just plowing through your roadway and getting rid of everything, so yes, they made a compromise. We had to do it fast. We had to get a contractor fast. We had to get the lake lowered as far as we could fast. As far as they knew, we had it lowered down to where it wasn't going through the pipe, but it was. There was no pressure on it. We made sure there was no pressure on it, but we had to get that pipe out of the ground. Otherwise, they would come out, see everything going on and say that's it, fine you, and take out the road. We had to do things fast and we did get them to compromise.

Resident: What could we as residents do to help?

Resident: Is it possible to post the minutes of the meeting or this recording to the mailing list?

Resident: It was your declaration and not the DEP.

Beth-Ann Grasso: I had to inform the DEP and ask for the declaration.

Resident: We may need a second opinion as far as our fiduciary duty to be protected.

Resident: I'm just flabbergasted. If we fix something in our homes, we are going to get two opinions. We are talking about our entire community. I do know I'm skeptical that we haven't gotten multiple opinions on how to fix this problem and multiple perspectives. I think it's a real problem. It's literally all our money we are talking about. We are talking about increasing dues over this. If anything ever required a second opinion, just to be on the safe side that we're not missing anything so that we can validate the advice that we are getting here. I think this necessitates a second opinion.

Doug Dow: When the present board took over this project in July 2022, Pennoni was already the established engineering firm that we were working with. I questioned the Board at the time if we should get multiple quotes. There was very little discussion, but what I did do and I said this before, I researched Pennoni and not their website on the computer, but rather in fact by getting some detailed information about the company. I then went and spoke with other community leaders that had experienced the same problem. They have all used various engineering companies, we reached out to them, and they all basically said the same thing. Pennoni is a reputable and established company that deals with this type of situation. They didn't think they wanted to get involved mid-section because they'd wind up duplicating a lot of work and a lot of expense for no real benefit. It was strongly suggested when I spoke with other communities that the price structures and procedures were basically the same even though they use different people. At that point, we decided to stay with Pennoni.

Resident: When do you think that construction will actually start?

Beth-Ann Grasso: I anticipate, and this is based on dam safety's review. I think we will have permits by December. If we get 80% bid, we can get price and contractors and in December to order the culverts. That's looking at getting the culverts in June.

Resident: Can you work in the winter?

Beth-Ann Grasso: Yes.

Resident: Do you need the culverts to work on the spillway?

Beth-Ann Grasso: No.

Resident: You could actually start and scale it before the culverts?

Beth-Ann Grasso: Yes, we are hoping it doesn't take 6 months for the culverts.

Resident: Regardless of the combination mechanisms we use to fund it, whether it be reserves, loans, it's not going to be one of the things that holds up the project?

Christine Hollay: No, it will not.

Resident: Are we still in a state of emergency?

Beth-Ann Grasso: No.

Resident: Still thinking about ways to safely put water back in the lake while we wait on the repair, but it seems like now that we are not in a state of emergency that we'd be able to safely raise the level of the water under the right circumstances. A coffer dam, I'm not an engineer but it seems like the nature of them are temporary and it seems odd that it would cost the same amount as the permanent repair and take as long to design as the permanent repair. It seems like we haven't really done the investigation to really understand what that would entail, and we never had the opportunity to make a decision about whether we wanted to spend the money on that to have water in the lake because it's going to be gone for two summers.

Beth-Ann Grasso: For you to do anything in that lake would require a dam safety permit. Dam safety would look at the coffer dam as a new dam. You would have to meet all the criteria, meaning you would have to pass the 100-year flow. It would have to be able to get to the other side, so to speak, of the roadway and out to the stream. With the lake lowered, the pipe, the basic hydraulics, the pipe works from the time you have nothing at the bottom. It starts to flow as the water rises up when you get a big storm. It flows faster because there is more pressure. Think of the lake as the bathtub and the drain as the pipe that goes out. Now you are talking about putting in a coffer dam that's going to hold a certain amount of water, whether it's a little less than what you had before or not. You are still going to have to meet the criteria of that 100-year storm. Which tells us we need a 16 x 4 box, not a 48-inch pipe. Yes, it doesn't take us long to design. We still have to have that 16 x 4 box to get the water through because that's what meets the DEP standards.

Resident: Has it even been presented to our DEP guy because it sounds like when people are talking to him he says that is something they would consider.

Rick Nolan: Say we all have some flush money it would probably cost us \$400,000-\$500,000.

Resident: Do we really know that though? For a coffer dam?

Beth-Ann Grasso: Think of it from the DEP side. You are going to put in this temporary situation with sheeting and you are going to put in the pipe and say we will do this other stuff later. They are going to make you comply with all the standards, because they are not sure that you are going to do it later.

Resident: You would need a coffer dam, what was the existing elevation of the water at the time? Maybe 3 foot.

Resident: There is a 6-month section of time to order these culverts. Is there anyway we can go to the DEP and say we want to get these ordered even if we go up to 16 x 5. Can you guarantee us that it might be regular?

Beth-Ann Grasso: I can try. Will it be able to save 6 months? Probably not. But I'm willing to do everything I can to get them to buy off on our H & H analysis. They have already reviewed it once for the existing condition. We have already modeled some of these concepts in the proposed condition. We have to tweak. When we originally did it, we did it with five fingers. It's called a labyrinth spillway. You could see that they're like teeth. I said let's look at three and see what happens. With the three, we only have 2/10 of a foot of free board on that back dam. You have 2 dams. We need a foot of free board, which means we need more area along the edges to let the

water pour over. We might have to go up to 4. Maybe 4 is the answer.

Resident: That's not going to change the culverts.

John Klemeyer: Asking DEP to guarantee something in advance is impossible.

Resident: You keep talking about how many teeth this has. Why is this important to us?

Beth-Ann Grasso: It's just a configuration. Right now we have 3 but we might have 4. Do you care? Probably not, but for construction documents, we have to show whatever we need to meet the criteria.

Rick Nolan: Financially, if we went from 3 teeth to 4 teeth and 4 teeth guarantees they would be good with it, what is the difference?

Beth-Ann Grasso: Construction wise about \$5,000.

Rick Nolan: If we went to 6 teeth and got a guarantee that this would happen, what could we do so they would not backstep us on this.

Beth-Ann Grasso: It would only take us another couple of hours to find out exactly what it is.

Beth-Ann Grasso: I could probably get them to say that yes, that's the appropriate culvert size, but if you order it something could change. One thing when you go to a DEP meeting is the first thing they say is you can take all the meeting minutes and notes you want, but that doesn't mean that we are going to honor what we say. You can have it written across with their signature and you have it notarized, but it doesn't matter because they are going to say they didn't have all the facts.

Resident: If there was an environmental attorney or an attorney on board, the attorney couldn't ask for a consent agreement with the DEP?

Beth-Ann Grasso: All I know is if they order these structures and there is a change in plan, they are stuck with paying for this.

Resident: On the 16 x 4, is it a 20-year expectancy, 30 year?

Beth-Ann Grasso: It's 75 years.

Resident: If they accept 16 x 4. If we went 20 x 8?

Beth-Ann Grasso: It would still be the same period. The culvert itself has been sized, that's done. It is a 16 x 4 because that passes the entire 100-year storm. The spillway in front, the reason I'm saying that is because we did quick calculations on that, and we looked at a 5 finger. There was a reason we looked at a smaller simpler structure because the simpler it is to build, I know we passed it with the 5 finger, why don't we look at smaller sizes. So we looked at a 4 and 3. When we look back, it meets all the criteria for how much water we have to have but we don't have enough freeboard in the back, so we have to go back and adjust it. It's just an adjustment in the calculations before we finish our design. It's a minor issue.

Resident: I don't understand the freeboard in the back.

Beth-Ann Grasso: Because your dam in the back, which is your emergency spillway, we don't want to mess with that because we can't raise it because if we raise it then the water will go around that emergency spillway. It'll be too high. What the DEP requires is that we don't exceed a level 1 foot from the top of that spillway. In a 100-year storm, the water has to be one foot below that because the reason this is an emergency spillway is only if you exceed that 100-year storm, then it goes over. If it were a secondary spillway during that 100-year storm it could flood. They won't let you do two dams controlling one lake either.

Resident: Thank you to our Board and Beth-Ann & company working on this problem. My family is praying to God for you and this problem. Acknowledging Him as the One True God who is the only one who can provide us with wisdom and send the rain when we are ready for it. Amen!

Resident: I might have gotten the numbers all wrong. You mentioned we don't know the final cost of things but your guess would be maybe at least \$500,000 or more. Prior to that you mentioned your contract was like \$263,000. Are we talking \$500,000 plus the \$263,000?

Beth-Ann Grasso: Yes, \$263,000 for design.

Resident: It sounds like these culverts are highly sought after materials. I encourage the Board to pursue the potential early acquisition of the materials. It seems like it would more than likely be approved. It seems like some other organization would need it. Is there any way to put some water in the lake temporarily so it's not a swamp.

Doug Dow: Just going by the preliminary drawing and the 12 x 4 dimension is somewhere around \$240,000. Depending on where it comes from, lead time and the time of the year. The federal government has released their infrastructure package, and a lot of that infrastructure is cast concrete, various storm sewers, sanitary sources. These people are busy. Which is adding onto the lead time. I don't think that you want to be sitting in this seat and telling this audience that we bought \$200,000 plus of culvert pipe that we can't use and are going to try to sell to somebody else. We can make inquiries and get stuff in line, but as far as putting a deposit down and placing an order, it won't be until Beth tells us we are safe to do so.

Rick Nolan: It has been discussed about what to do to get the lake back. We're pretty much exhausting any ideas that we can come up with. If someone has something to share or hears something, please call.

Beth-Ann Grasso: I would appreciate if the calls went first to the Association, and then to me. I bill by the hour so maybe the Association can answer first. I'm just trying to save you guys money.

Resident: I live on Wild Meadow and just happened to pass by to see the notice about the meeting. Can you post the meetings by the mailboxes on Wild Meadow?

Board: It was in the newsletter and emails. If you are not on our email list, please call the office and give your email to be added.

Resident: There's a lot of us, maybe someone knows someone who does concrete culverts. Maybe then we can get it quicker than 6 months.

Beth-Ann Grasso: We have over 60 dams in Pennsylvania, 60 dams in New Jersey. Several in Delaware, Virginia, West Virginia, Ohio & Massachusetts. We do all different things on the dam. I have it broken up into categories. We have stream restorations, emergency action plans and inspections. We do all services. Thank you all and have a good night.

John Klemeyer: Regarding Section 26, we have been attempting to negotiate with the Ramagossa's a revision to the Covenants for Section 26 for some time. Section 26 is section of Sunrise basically between northern roads in the community such as Wild Meadow, Spruce Lake. It's undeveloped between there and Route 84. The concept in the covenants was that they would be flexible in the size of the lots that they would sell people. They would sell them a 25-acre lot, but the buyer had the option of resub-dividing the 25 acres into for example 5 five acre lots. The person who subdivided it would have to get the approval and would have to put in roads, etc. The key section that is the basis for the lawsuit, and the lawsuit is being handled by the senior partner of the firm I'm associated with Tom Farley. Mr. Farley is handling the lawsuit. The concept that caused the problem is that the covenants give anybody who buys property there the option of not being a member of Sunrise Lake. They can be a member of Sunrise Lake, but they have the option of not being a member and if they choose not to be a member, then they only use the roads, undefined, they only use the roads to get from the entrance to Section 26. They only have to pay 20% of the road maintenance fee for the community. From our point of view, that does not fit the common scheme for Sunrise Lake. We don't know whether or not the court would approve that. I have to stress that as the developer, they have the power to create covenants for that section, but they created covenants that are entirely different than the covenants for the rest of the community. They kept pressing us and pressing us and finally I guess they had enough, so they filed suit. The suit says, these are the covenants to the court, please approve them and give us the power to enforce them based upon just how they are written, 20% of the road maintenance costs.

Board: We feel like it should be 50-60%.

Resident: Does it specify just the Wild Meadow entrance? How do you monitor that?

John Klemeyer: It doesn't. Section 26 is an accepted group of lots to the transition agreement.

Resident: In other words, there is nothing in our transition agreement?

John Klemeyer: That gives us the power to charge them dues until the lots are sold to a third party purchase.

Resident: If they did develop that and issue a permit to build a home on that then we would be entitled to collect dues from them.

John Klemeyer: That is correct.

Resident: Full dues?

John Klemeyer: No, they are claiming that their covenants control because their covenants are their covenants.

Resident: The real issue is the roads. How much property? How many lots are there?

Doug Dow: I believe there are 11 lots in Section 26. According to the GIS map, it encompasses somewhere in the neighborhood of 3,200 acres.

Resident: Is it a 5-acre piece? Is there a minimum amount of space?

John Klemeyer: That is up to the subdivision process as to what they can do beyond what is there now. Section 26 is unapproved at this point.

Resident: So if they establish this in Section 26 they could possibly do this for Section 25.

John Klemeyer: They could try, sure.

Resident: So how many new members could we have in this community. You could go back to the well problem, putting new wells into all these properties.

Doug Dow: The crux of the problem is do the covenants override the transition agreement or does the transition agreement override the covenants? That's the legal question. It's going to cost us a lot of money to find the answer to that in court.

John Klemeyer: Does the transition agreement specifically control Section 26 in the enforcement of their covenants. That's also an issue.

Resident: My question is, Cranberry Ridge, they have a right-of-way, do we get the extra 20% from them?

Doug Dow: No.

Resident: Why?

John Klemeyer: That is a whole different issue. That's not the lawsuit. We've discussed that many times at the Board level. I mean, do we want to file a lawsuit? Send out bills first asking them to pay their fair share which we calculate to be their fair share of the maintenance of the road from the beginning of Cranberry Ridge until you get to 739. It's been discussed, but how many of these things do you want going at the same time is what it comes down to.

Doug Dow: Just so you understand the numbers, the normal dues paying member of Sunrise who owns a home pays \$850 in dues right now. Probably realistically, it's going to be \$900 in June. Out of that \$900, over 50% is dedicated to roads between paving, winter maintenance, storm damage, anti-skid. When you start adding it all up, it's over 50%. The way that Mr. Ramagosa wants to fund the roads would be 20% of that \$500 that you pay or \$100 per lot. My neighbor has a home and he has to pay \$500/year for road maintenance and if Mr. Ramagosa decides to sell his lot behind this home that this person would have to pay \$100 for road maintenance. They would both use the same roads. It came to my attention today at the township meeting, that Mr. Ramagosa is going to be in front of the zoning board on April 15th at 6:00 p.m. because Verizon wants to build a cell tower on the Ramagosa's property. From what I understand, the location of that cell tower is going to be behind his maintenance garage or alongside your property, Gary, and mine.

John Klemeyer: If you want to see the site plan, it is down at the township building. Go take a look at it. I will be representing the township at the meeting. I will not be representing Sunrise Lake POA.

I sent a memo to the Board saying if you want to be involved legally, then I've got to pull out in terms of representing the township, because I have a conflict representing both and then you'd have to have another attorney represent Sunrise.

Doug Dow: All I can say is they wanted to build a cell tower in the town of Milford and the residents opposed it, they did not build the cell tower.

John Klemeyer: They also found that in doing engineering work to determine signal strength, and where would be the ideal place to put these towers, that the Milford Borough site was not an optimum site. We also had a site that was owned by the water authority. The engineering ruled that one out so they are still looking at another location around Milford Borough, and of course nothing to do with this one here.

Resident: With the lawsuit, will they argue the transition agreement vs. the lawsuits to see if this holds with a summary judgement.

John Klemeyer: I can't tell you what the plaintiff is going to do. We have to file an answer, Mr. Farley is doing that. We can then go into the discovery process. We can depose the Ramagossa's as to where this came from. They are the most libertarian people I have ever met. Their philosophy is if you don't use it, you shouldn't have to pay for it. If that were the case across the US, we would never have a government owned swimming pool anywhere in the US. Never have a little league field. It didn't work for Sunrise Lake, and that's why when the POA took over, we changed the philosophy. It's no longer voluntary. You have to pay the whole package. We changed the covenants.

Resident: Can the Board give us information on how to oppose the tower? The radiation emitted by these is egregious.

John Klemeyer: I don't know that the science supports that, but I have found that people who oppose the tower don't like the look of it. However, 10 times as many people want a better cell phone signal. We first thought when they started coming in with cell towers that Verizon will build it, then AT & T will go on that tower, but no, everybody wants their own towers. There are towers in Dingman Township that are owned by other companies. Verizon wants their own.

Resident: We have a tower somewhere off of High Meadow. Whose tower is that?

Doug Dow: That's correct, at the end of Vista and I don't know whose tower it is.

Resident: How do we oppose it?

John Klemeyer: Why would you oppose it?

Resident: It's too close.

Resident: What are the health effects? Is there better way to get the health effects from cell towers in small communities?

Doug Dow: I suppose if we contacted the FCC we would probably get a reasonably accurate answer.

John Klemeyer: They are going to tell you that the impact on people from what's emitted from the cell tower is so minimal that it's not going to have an impact. They can't say anything else.

Doug Dow: Our elected officials generally listen to voters. If you go to these meetings, there is usually 2 or 3 people there. If residents from Sunrise go down and oppose the cell tower, there is a possibility they may look at it differently.

John Klemeyer: You have to have a reason. You can't just come in and say we oppose it.

Doug Dow: We can say it's too close to people's property and with the amount of property Mr. Ramagossa owns, he could easily move it a quarter mile away.

Resident: Can the association provide a letter stating there are no claims open currently?

John Klemeyer: All we can do is give the names of the lawsuits and where you can find the lawsuits at the Prothonotary's office. That's all we can do.

Resident: I was looking into how much loss assessment coverage my homeowners currently have. To get it increased, my agent said they would need a letter from the association saying there are no open claims. I thought that would be insurance claims. I don't know if that could mean claims from litigation. I would like to look into increasing the amount of loss assessment coverage that I currently have from the base, up to another amount and they said a letter from the Association would be required.

John Klemeyer: We have a pending lawsuit. The insurance company is defending it. They have given us a reservation of rights letter claiming we may not have full coverage because it's environmental. There is some exposure to the Association. Can we give you a dollar amount, no because the lawsuit hasn't been tried yet. We don't know what they can prove.

Resident: The American Cancer Society statement on cell tower safety
<https://www.cancer.org/cancer/risk-prevention/radiation-exposure/cellular-phone-towers.html>
"cell phones communicate with nearby cell towers mainly through RF waves, a form of energy in the electromagnetic spectrum between FM radio waves and microwaves. Like FM radio waves, microwaves, visible light and heat, they are forms of nonionizing radiation. This means they do not directly damage the DNA inside cells, which is how stronger (ionizing) types of radiation such as x-rays, gamma rays and ultraviolet (UV) rays are thought to be able to cause cancer.

Resident: Let Verizon build the tower inside Sunrise property. It will pay for the dam.

Doug Dow: Anymore questions about the lawsuit?

Resident: Yes, I wonder if we could leverage not opposing the tower against the lawsuit?

John Klemeyer: No.

Doug Dow: Next meeting is Saturday, April 13, 2024 at 1:00 p.m. for the Budget. It is a special meeting, postcards will be sent out. As a special meeting, the only topic that will be discussed is the budget.

Resident: Will we get a copy of the proposed budget ahead of time?

Christine Hollay: Yes.

Meeting adjourned.

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

Mike Ryan
Secretary

Date

DRAFT