

I would like to take a moment to revisit and further explain information shared with you at your November 6th meeting, regarding the North East Marina.

While I understand and agree that due diligence is important, please know that the efforts associated with the community initiative to save the North East Marina, led by State Representative Jake Banta have been focused on finding the best and most viable solution to save and grow the North East Marina as a community asset.

As I explained, according to the Municipal Authorities Act, under Chapter 56 of Title 53, the municipal authority is defined as a “body Politic and corporate” created to finance and/or operate specific public works projects without tapping the general taxing powers of the municipality. Authorities are alternate vehicles for accomplishing public purposes rather than through direct action of counties, municipalities and school districts.

## **There is no risk or liability assigned to the participating municipality/municipalities itself/themselves.**

That point is further clarified, in Thea act, specifically in Paragraph 5607 “purposes and Powers” under sub paragraph (e) “Prohibition” :

- (1) An authority may not pledge the credit or taxing power of the Commonwealth or its political subdivision (meaning the individual municipality/municipalities)
- (2) The obligations of an authority are not obligations of the Commonwealth or its political subdivision.
- (3) Neither the Commonwealth nor a political subdivision shall be liable for the payment of principal of or interest on obligations of an authority.

## **The Authority is the proper vehicle for the marina:**

As I explained, establishing an authority creates an entity eligible to receive the transfer of the marina from the Pennsylvania Fish and Boat Commission.

Forming the North east Community Marina Authority creates an entity eligible to receive the \$15 million in capital improvement funding approved by the General Assembly, but not yet released by the governor.

Forming the Authority creates an entity that is eligible to apply for and receive grant funding at the local, state and federal level.

## **To address the question “Why Fuller Hose?”:**

**We do not understand the concerns with Fuller Hose Co. #1 in discussion of the company’s involvement with the North East Community Marina Authority.**

**Fuller Hose is a highly respected and well qualified rescue company, achieving Pennsylvania Voluntary Rescue Service Recognition (VRSR) status.**

**Fuller Hose became a VRSR Basic Rescue Company in 2017 and a VRSR Type 3 Water Rescue Team in 2018.**

**The Pennsylvania Voluntary Rescue Service Recognition (VRSR) Program** was prepared by the Rescue Task Force of the Pennsylvania Emergency Health Services Council (PEHSC) under contract with the Pennsylvania Department of Health, Bureau of Emergency Medical Services (Bureau of EMS).

The purpose of this program is to recognize those emergency services that are uniquely qualified and certified to safely and efficiently perform rescue operations, meeting all the standards as established by the two agencies. There are two components to the program:

1. Those emergency services that can safely and efficiently perform rescue operations on the highways of Pennsylvania.
2. The second phase of the VRSR is the Swiftwater/Flood Management component. This component is designed to establish standards for water rescue and flood evacuation services.

At the request of the United States Coast Guard and the U.S. Department of Homeland Security, Fuller Hose is now designated as the primary water rescue response unit for Lake Erie, from shoreline to international waters; from Presque Isle Bay to the port of Barcelona, New York.

This represents 28 miles of shoreline and, using an average of 16 miles to the Canadian border, an open water area of 441 square miles.

The Pennsylvania Fish and Boat Commission has recognized this important role. When it first announced its intention to close the marina, the Commission made a commitment to ensure Fuller Hose would have a dock with power to fulfill its water rescue mission.

Fuller Hose provides a unique perspective as an Authority Board Member and serves as a key liaison to the USCG, and the Department of Homeland Security, as well as a number of state agencies with responsibility for recreational activities and safety on and around open, (Lake Erie) swift (rivers and creeks) and still (inland lakes and reservoirs) water resources.

**There does not appear to be anything anywhere in Chapter 56 of Title 53 which might prohibit Fuller Hose from filling one of the five seats required for the Authority's Board of Directors.**

In fact, Fuller Hose provides a private 501c3 avenue to facilitate repair, maintenance and overhaul operations at market-competitive pricing.

## **Sand and Dredging**

Dr. Amy Burniston has made contact with the U.S. Army Corps of Engineers and the Pennsylvania Department of Environmental Protection (DEP). Both organizations are open to learning our thoughts for improvements in current practices and our ideas for permanent mitigation.

Dr. Burniston is working with members of our team as well as scientists and faculty members from Mercyhurst University and Penn State University, the Behrend College to prepare documentation to explain our strategies which could significantly reduce the costs for (or potentially eliminate) these annual operations, for approval by these state and federal organizations.

## **The Authority must be created to take necessary next steps**

The PAFBC requires the existence of a qualified entity to be able to transfer the marina.

The Authority must be created in order to exist.

The Authority must exist in order for the Commission to transfer the Marina.

The Authority must also exist in order for Capital Improvement Funding to be transferred into its name and then to be released by the governor.

**The Authority would become the sole owner of the marina; not either of the municipalities and not Fuller Hose. All Capital improvement and future grant monies would be requested by and provide directly to the Authority.**

**Neither the marina, nor the any capital improvement or grant monies will ever become property of the Township, the Borough or Fuller Hose.**

On behalf of Representative Jake Banta and those involved in the initiative to save the North East Marina, I hope this helps to clear up some of the confusion and misinformation which was shared by others during the November 6th meeting.

Thank you.