

**HARVEYS LAKE BOROUGH  
LUZERNE COUNTY  
REGULAR COUNCIL MEETING  
April 15, 2008**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, April 15, 2008 at 7:30 P.M. at the Harveys Lake General Municipal Building, Route 415, Sunset, Harveys Lake, PA.

Council President Lucarino called the meeting to order and asked the members of the audience to join him in the Pledge of Allegiance.

President Lucarino announced the meeting tonight was being tape-recorded and if anyone in the audience had a recorder to please advise Council at this point. There was no response from the audience.

**Roll call:**

Richard Boice	Mayor	Present
Lawrence Lucarino:	President	Present
Diane Dwyer	Vice President	Present
Edward Kelly	Council Member	Present
Clarence Hogan	Council Member	Present
Charles Musial	Council Member	Present
Carole Samson	Council Member	Present
Betty Jane West	Council Member	Present
Charles McCormick	Attorney	Absent
Susan R. Sutton	Borough Secretary	Present

**\*\*Indicates motions made.**

Council President Lucarino asked for a motion to waive the reading and accept the Minutes of the March 18, 2008 Public Work session and the March 18, 2008 Regular Council Meeting.

**\*\*Councilman Kelly made the motion to waive the reading of the minutes and accept the Minutes of the March 18, 2008 Special Meeting, January 15 Public Work session and the March 18, 2008 Regular Council Meeting, seconded by Councilwoman Dwyer. The motion carried unanimously.**

**INCOMING CORRESPONDENCE**

- 1.) We received a letter from Luzerne County Board of Assessment Appeals letting us know that due to the amount of Assessment appeals expected after the new assessments are mailed out in this month until July 1, courtesy notices usually sent to Municipalities when an appeal is scheduled will be suspended and a web

site is being started for a list of Appeals of properties assessed under \$1,000,000. The list will be updated weekly.

- 2.) Comcast sent a listing of 10 music and movie channels that will be moving from their Digital Preferred service to their less expensive Digital classic package effective on May 8, 2008.
- 3.) DEP sent us a letter seeking support of Governor Rendell's flood prevention and mitigation program. He is seeking an increase in the state budget to help provide for large projects that will help prevent flooding and is a key part of his initiative to rebuild Pennsylvania's Infrastructure.
- 4.) Penn Dot sent us our notification that our 2008 Liquid Fuels Tax Fund payment was \$64,928.61. Under provision of law, these payments are based on the total miles of locally owned roads and streets in our municipality, and are to be used for the construction, reconstruction and maintenance of the locally owned roads, streets and bridges that are our responsibility.
- 5.) The Brass Ring Fund is seeking donations to purchase the Wintersteen's Carousel that used to be located in Hanson's Amusement Park and return it to PA.

#### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

William Streeter who is building a house in Lakeview Terrace asked about the requirements for a drain that needs to be installed on his property. Councilman Musial said that he had met with his contractor to work out the details.

Susie Mulhurne discussed a runoff problem she is having on her road that makes it difficult to navigate. Unfortunately her road is private and she is responsible to maintain it herself. She also wanted to know what she could do about the SEO notice to appear before the magistrate. She is unable to have her tank pumped. She was advised to appear before the magistrate and to let him know what her issues are.

Ed Doble of Noxen said that he is having issues with a neighbor that has an outdoor burner that smokes excessively and was there anything the borough could do to at least enforce EPA standards? Council said they would check with their solicitor to see if anything could be done. The burner was in place before the ordinance was passed that regulates outdoor burners.

#### **REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES**

The Tax Collector's Terry Jones report is available on the back table.

The Borough Secretary reported that during the month of January, \$19,627.61 was received from Berkheimer.

## **REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES**

**Finance:** Councilman Kelly reported the Borough had \$408,925.27 in Available Cash, \$154,222.27 in Restricted Cash for Total Cash of \$563,147.54.

**Police:** Councilwoman West read the report from January which included 141 complaints, 5 parking tickets, 20 traffic citations, 2 non-traffic citations, 2 arrests and 21 written warnings. Total money received from the Magistrate was \$162.85.

**Roads:** Councilman Musial reported that work continues on the recycling trailer, and council is hopeful that curbside pick up is getting closer to becoming a reality. The road department is busy cleaning basins and filling potholes, and fixing the catch basin boxes on Lakeside road. Councilman Musial said that anyone having concerns with a catch basin could call the Borough Secretary and report it to her. They continue to remove the debris from the demolition site on Cease St. and have removed 13 loads this month.

**Community Activities:** Councilman Hogan reported that the Homecoming Committee will be meeting at the borough building on Saturday, May 3rd at 10:00 am.

**Zoning Officer's Report:** Councilwoman Dwyer reported there were 4 variance hearings heard on April 1, 2008 at the Municipal Building. The Molson, Meuser and Hannon variance requests were granted, while the Feeney variance was continued in order to receive more information. The next meeting will be held May 5, 2008 at 7:00 pm. The income for the zoning office was \$3059.60.

**EAC:** Councilwoman Samson reported that EAC met on April 8, 2008. Three members attended. The balance in their checking account is \$149.28. They received a copy of the Stormwater Implementation plan from Princeton Hydro. EAC will be having a well water testing this year on July 12, 2008.

**Sewer Authority Liaison:** Councilwoman Samson reported that the Sewer Authority met on the 2<sup>nd</sup> and paid their bills for \$40,809.40. She reported on the meeting, including that Daily maintenance continues on all 14 stations. There will not be any more EUD's available. They continue correcting problems as they are found.

**\*\*Councilwoman Samson made the motion to accept the reports from Special Committees, Elected Officials and Appointed Officials, seconded by Councilman Musial. The motion carried unanimously.**

## **NEW BUSINESS**

**\*\*Councilman Musial made a motion to allow the 2008 Triathlon be held on Sunday, August 8, 2008, seconded by Councilwoman Dwyer. The motion carried unanimously.**

President Lucarino stated that due to Borough Code, we are unable to donate to the Little League this year.

**\*\*Councilwoman West made a motion to revoke the 2007-2008 Burning Permit for the property at Pole 19 from April 15, 2008 – April 15, 2009 currently owned by Kevin Carty, seconded by Councilwoman Samson. The motion carried unanimously.**

**\*\*Councilwoman Dwyer made a motion to have an ordinance drafted to change the permit fines from “not less than \$10 or more than \$100” to be “not less than \$100 to more than \$1000” and to donate any fines collected to go to the Harveys Lake Fire and Ambulance Company, seconded by Councilman Kelly. The motion carried unanimously.**

**\*\*Councilwoman Samson made a motion to pay the bills in the amount of \$67,969.04, seconded by Councilwoman Dwyer. The motion carried unanimously.**

Councilman Lucarino asked if anyone had anything else to add to the meeting.

Councilman Musial reminded residents of the need to read the Burning Permit when they are considering burning. The ordinances are printed right on the permit.

Councilwoman West reminded residents that our Fire Company is volunteer, and they don't need to be sent out at 1:00 in the morning because someone was too lazy to follow the rules, and that the police have better things to do than to cite residents for infractions of the burning ordinances, however, the borough will enforce the ordinances and in addition to the fines, you can lose your permit privileges for up to a year.

Councilman Lucarino remarked that the property would lose the privilege, not just the name, so you can't go out and get a permit in someone else in your household.

Mayor Richard Boice complimented the Fire Company for the excellent job they did in confining the fire at the Carty residence. They had help from seven other companies, but did an excellent job on their own.

**\*\*Councilman Kelly made the motion to adjourn, seconded by and Councilman Musial. The motion passed unanimously.**

The meeting adjourned at 8:13 P.M.

Respectfully submitted by

Susan R. Sutton  
Borough Secretary