

**HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
August 16, 2011**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, August 16, 2011 at 7:30 P.M. at the Harveys Lake General Municipal Building, Route 415, Sunset, Harveys Lake, PA.

Council President Kopko called the meeting to order and asked everyone to join him in the Pledge of Allegiance.

President Kopko 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.

Roll call:

Clarence Hogan	Mayor	Present
Francis Kopko	President	Present
Larry Radel	Vice President	Present
Boyd Barber	Council Member	Present
Richard Williams III	Council Member	Present
Ryan Doughton	Council Member	Present
Diane Dwyer	Council Member	Absent
Carole Samson	Council Member	Present
Charles McCormick	Attorney	Present
Susan R. Sutton	Borough Secretary	Present

****Indicates motions made.**

Bid Opening for 1998 GMC Truck

There were seven sealed bids received and opened at the meeting.

BID NAME	10% ENCL.	BID AMT
AUTO WHOLESALERS	\$ 850.00	\$ 8,123.00
KENNETH WENTZEL	\$ 300.00	\$ 3,000.00
MICHAEL D VENEZIANO	\$ 410.00	\$ 4,101.00
BERNARD SAYLOR	\$ 286.30	\$ 2,863.00
SHAE ADAMSHICK	\$ 355.00	\$ 3,550.00
ALBERT RUSSO	\$ 260.00	\$ 2,609.00
GREGORY PREATE	\$ 253.00	\$ 2,529.50

****Councilmember Barber made a motion to accept the bid from Auto Wholesalers in the amount of \$8123.00 for the 1998 GMC Truck, seconded by Councilmember Doughton. The motion carried unanimously.**

****Councilmember Williams made the motion to waive the reading and accept the Minutes of the July 19, 2011 Public Worksession, July 19, 2011 Regular Council meeting, July 19, 2011 Public Hearing for Megan's Law and the, July 19, 2011 Public Hearing for the Villas at Waterwood, seconded by Councilmember Samson. The motion carried unanimously.**

Clay Emerson

Clay Emerson was here to give Council a brief update on the current 319 Grant and the status of the Growing Greener grant application currently being submitted.

Resident Michelle Boice wished to point out that EAC was instrumental in initiating the original and ongoing relationship with Princeton Hydro and the grants for the last 15 years.

OPPORTUNITY FOR CITIZENS TO BE HEARD

The floor was opened for Citizens to be heard.

Resident Bill Monk 58 Lincoln St. asked about the lack of organization with the recently held Cancer Walk at the Homecoming. He wanted to know if they had a permit and why they didn't have some people directing traffic around the lake.

Mayor Hogan stated that they did have the proper permits, and the Police department did help with traffic control. They didn't close the road down because the weather affected the quantity of the participants, and they didn't feel it was necessary. Next year there will be some changes. Since this was the first time, there were some areas that could use better planning.

Resident Tom Kutzer asked if council had found out anything regarding the Lakeview Terrace public swimming area and the lack of restrooms?

Solicitor McCormick stated that DEP regulates those issues, that Council has no control over them.

Resident Michelle Boice was recognized to speak. But Councilmember Kopko stated that her Open Records request was available and handed it to her. She thanked him.

(The following record is not word for word. The main points are handled, but due to the nature of the disagreements and length of discussion, this is mainly a condensed version.)

Ms. Boice stated that she had previously had other things to talk about at this meeting until she read the paper and saw the Editorial. She feels that it is defamatory toward her

husband and her son. It was signed, "Council President and Very Concerned Resident". And it begins by saying that "we would like to give some facts..." Who is "we" ?

Councilman Kopko said he was responsible for the Editorial.

Boice stated that it was strictly you wrote it and you are accountable for it. She stated that we do enjoy the right of the freedom of speech, but we are accountable for the things that we say. The letter states that Jason Boice made \$39,000 dollars. His latest W-2 form states that he made \$34,082.54. The letter is full of inaccuracies. You say he only works 7 ½ hours while he is paid for 8 hours, which is totally false. He does work a 37 ½ hour week with 2 hours OT for weekend pumping station inspections. The pumps run 7 days a week, 24 hours a day. You are accusing them of getting paid for hours they haven't worked. And that would be theft of services. That is defamation of my family who have given a lot over the years to this Borough.

Boice also disputed the amount of raises that Jason has received. She stated that it comes no where near the \$12,000 dollars in the letter. She stated that all six of the years together would not add up that high.

Boice also stated that the type of insurance policy that she writes for the Authority she was requested to provide for them 20 years ago. The Policy is for Public Officials Liability and is on a \$4100.00 policy.

Kopko asked if this is advertised or if it is approved every year on the floor? Boice stated that she doesn't attend the meetings. Kopko stated that he does and it is never renewed on the floor. Boice stated that he is saying it is being done underhanded like she is accusing the Borough of doing with their large policy costing the Borough \$26,000.

Kopko asked if her policy was written forever and forever. Boice stated that it is renewed each year. Kopko stated that it isn't done at a public meeting. Boice stated that it is renewed each year. Kopko said it's not in the minutes. Boice stated it is one policy at \$3000, 20 years ago, and is now \$4100.00 20 years later. She stated that she receives a 10% commission, and since she is a resident, she has the right to sell insurance here in the Borough and council is trying to deny her that right. Kopko stated that he is not denying her anything. The policy should be bid out and approved on the floor. Boice said he is the Council President and he is defaming her whole family.

Councilmember Williams asked if it was ok when she defamed his family in the paper a couple of weeks ago. Boice said she didn't say anything that was a lie.

She stated that she wrote a policy that was requested, she did not attend the meeting when they chose it, so she doesn't know who else bid for it, but since it has gone up such small amounts over time, she guesses that is why she still has the policy. Maybe she should have a lot more business than what she has.

Councilman Radel asked if she could tell the residents why the sewer bill went up so

much then. She said maybe after he could explain the trash bill.

Councilmember Williams asked if this was going to go on all night.

Boice stated that she wasn't finished yet and she has a right to speak here. Williams asked that she please stay on track. Boice stated that you were the one who took it off track. She has her notes here and she intends to say what she has to say.

So, she is done with the insurance. So, it is a lie about how much her son earns, it is a lie about getting paid for hours not worked and there is nothing underhanded about the insurance policy. But the policy you changed was a \$60,000.00 policy. So if you are so concerned Mr. Kopko, you should clean up your own house and not worry about the Sewer Authority for now. You bought a Truck last year that we couldn't afford, and raised our taxes and raised our garbage fee.

Councilman Radel asked that we not talk about that. We already went through that. And that was a mistake in previous years and...

Boice said that she has been asking for months that you get the insurance out there on bids, and give it to somebody local, not several counties away. You never even asked anybody local if they wanted to provide a quote.

Boice said, incidentally or not, the vacant Mayor's Council seat was never open to the public. At the very first meeting where the Mayor was sworn in, his nephew was appointed to the Council seat.

Williams asked, were there any other letters of interest submitted for this position, and was he not, voted in unanimously from this sitting Council?

Boice said that this Council never opened it up to the public. Other communities open it up to the public. You only did it for the next opening because I came in and brought it up. That's the only reason and Doughton got the seat. Ok now, Favoritism, our Road foreman, who is the Mayor's son, and cousin to Councilman Williams,

Williams stated and the Old Mayor who was sitting as a Road Master.

Boice said that they gave him a \$4000 raise. The first year his father becomes Mayor and his cousin becomes a Council member, he got a \$4000 raise.

(at this point the argument becomes very heated and they are talking over each other often)

Williams said that when her husband was Mayor in 2007 he got paid over \$6000 in overtime and it hasn't happened again since then. Williams stated that now he was not finished now. You attacked me, you attacked my father, who is our EMA Coordinator, who does it for free, along with many years in the Fire Department, him, his grandfather,

his mother...

Boice said I know that, You were drunk and crashed the Fire Truck.

Williams said Oh yeah, prove that. Prove it.

Boice stated that she had several articles...

Williams told her to prove that he was drunk when he smashed up that Fire Truck.

Boice said you were charged, she doesn't know what happened after that.

Williams said the charges were dismissed, he was never found guilty of driving under the influence.

Boice said you were charged.

Williams said that is not a fact. That is slander. Allow me to finish. The Mayor is my Uncle, yes he is. Between the two of us we have made \$3800 a year off of this Borough. So don't sit there and tell me favoritism because there is a lot more of it going on over there.

Boice stated that her husband and her son goes down in the sewers and get sewer baths, are you saying they shouldn't be getting paid?

Williams stated that no he is not. Don't point fingers...

Boice stated that she is tired...

Williams said he is tired too. You are printing this in the newspapers and it is ok for you but not for anyone else.

Boice said she never printed any lies.

Williams said you made a point of saying that the Road Foreman is the Mayors son but he was put there when your husband was Mayor.

Boice said she didn't say when he was hired. When I say something I say fact. This letter is full of lies. Full of lies with the purpose of making my family look bad.

Williams asked if it is public record that he was accused of driving drunk here in front of this body. Is that public record? Thank you very much.

Boice stated that she has the record. She wrote a letter oh his behalf.

Resident Millie Monk asked why Michelle is the only one of her family that is here if

they are so concerned.

Boice stated that her husband has a lawsuit against these and he was advised not to appear. One more thing, something about the Sewer Authority that you people don't know. DAMA has the same exact number of pumping stations that Harveys Lake has. They both have 14 pumps, but DAMA has eight guys and Harveys Lake only has two. My husband gets no overtime. He is salary. And he has been there 30 years, not 24. This letter is full of lies. My letter was fact. I am sick and tired of you people pointing a finger at me and my family. And we called about this, although it is legal to put council members on the Sewer Authority Board, it is unethical. The whole point is to keep the powers separate. You put two people from the same family on the Sewer Authority Board that are also serving in elected office. It is highly unethical. And I am not going to stand for the lies. I am not going to put up with the lies. I have every right to stand here. My family has been good stewards and volunteers in the community.

Boice also wanted to know if Council had given any consideration to supporting the Bill on a Moratorium on Fracking that she asked about last month.

Council said no.

Resident Carol Culver stated that she had invited council to attend the Tour last month in Bradford County for gas drilling, no one attended. She feels she is wasting her time again but she invited the Council to a Free Conference for Municipal Officials and Active Citizens, co-sponsored by the Community Environmental Legal Defense Fund that will be held Saturday, September 17 in Williamsport. She hopes that someone will attend. She also asked for a status on the Gas Drilling Ordinance. Will Council have a hearing on this?

Councilman Doughton stated that they have an ordinance ready for the committee to review and it will be available for public review and a hearing soon where there will be an opportunity for public input.

Councilmember Williams stated that he wished to apologize for his earlier outburst. He feels he should have acted in a more professional manner.

Resident Millie Monk asked the representative from Princeton Hydro if there were any concerns that they have that fracking will impact the quality of the water in Harveys Lake. Are they sampling the water in order to watch for this? Clay Emerson stated that this is not in his area of expertise. Monk stated that we should apply for our own grants and manage them ourselves rather than give all the money to an outside firm in New Jersey.

Michael Daily stated that he is dealing with Jamie Shallenberger at Princeton Hydro in the hopes of pursuing an avenue of changing the incoming and outgoing waterways to exceptional values that would widen the buffers for things such as drilling and development.

Michelle Boice stated that she is the only one that is keeping an eye on Harveys Lake.

Michael Daily stated that the Borough is constrained to operate within State Law. He stated that Millie Monk wants us to hire experts, Princeton Hydro are the experts that can help us.

Councilmember Radel stated that the grants are specific. For specific purposes. Fracking is a new process and until there is more history with the new process, no one is going to know if we are going to have a problem

Michelle Boice said that it is a problem.

Monk asked if she thinks it will happen.

Boice said she hoped not.

The floor was closed.

INCOMING CORRESPONDENCE

There was no correspondence

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

The Tax Collector's report was available on the back table.

The Borough Secretary reported that during the month of June the Borough received \$11,773.44 from Berkheimer.

Also, for the month of July, \$11,976.98 was collected for current trash payments, 98.00 for garbage stickers, 5,868.82 in past due collections for a monthly total of 17,943.80 for the month of July.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

Finance: Councilmember Samson gave the financial report: Total available cash is \$394,170; total restricted cash is \$125,026 total cash of \$519,197.

Police: Mayor Hogan gave his report including Fees and Fines collected are \$234.96. There were a total of 97 calls and a total of 238.6 gallons of fuel used for 4057 miles travelled. He stated that several boathouses have been broken into and alcoholic beverages have been stolen and reminded residents to be sure to lock your boathouses and cars.

Mayor Hogan informed the citizens that the Homecoming festivities that were rained out are rescheduled for Sunday, September 4 at the Old Hanson's Amusement park. There

will also be fireworks that night sponsored by McCarthy Tire. Also, there is planning currently going on to hold some kind of program to commemorate the September 11 Tenth Anniversary.

Roads: Councilmember Williams stated that basins and swales have been repaired on Oneonta and Trolley Hill. There was weed whacking and the Fire Dept. helped the road department clean out clogged basins. The department used about 191 gallons of fuel.

Council announced that the Environmental Advisory Council is discussing buying new signs reminding residents not to feed the ducks.

****Councilmember Radel made the motion to accept the reports from Special Committees, Elected Officials and Appointed Officials, seconded by Councilmember Doughton. The motion carried unanimously.**

NEW BUSINESS

****Councilmember Radel made a motion to award the bid for the Manufactured Treatment Devices submitted by Lisbon Buildings & Infrastructures Inc. for \$73,969.00 that has been reviewed and approved by Princeton Hydro, seconded by Councilmember Samson. The motion carried unanimously.**

****Councilmember Radel made a motion to invite proposal requests for General Liability Insurance and Workmen's Compensation Insurance, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Doughton made a motion to invite proposal requests for General Accounting services for the Borough, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Radel made a motion to change the Borough Cell phone Carrier from Nextel to Verizon Wireless, seconded by Councilmember Barber. The motion carried unanimously.**

Council President Kopko stated that the Borough is seeking interested Residents with a Construction, Engineering or Architectural background to volunteer to serve on a UCC Board of Appeals. Any one interested should submit a letter of interest with their qualifications to the Borough Secretary within the next two weeks.

OLD BUSINESS

President Kopko asked if anyone on Council had any old business they wished to discuss. There was no response.

****Councilmember Samson made a motion to pay the Bills and Payroll in the amount of \$93,720.53, seconded by Councilmember Williams. The motion carried unanimously**

****Councilmember Radel made a motion to adjourn, seconded by Councilmember Williams. The motion carried unanimously.**

The meeting adjourned at 8:25 pm

Respectfully submitted by Susan R. Sutton, Borough Secretary