

**HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
December 15, 2015**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, December 15, 2015 at 7:30 P.M.in the Harveys Lake General Municipal Building, 4875 Memorial Highway, Harveys Lake, PA, 18618.

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

President Hilburt announced the meeting tonight was being tape-recorded and if anyone in the audience had a recorder to please advise Council at this time. No one responded.

Roll call:

Clarence Hogan	Mayor	Present
Bill Hilburt	President	Present
Carole Samson	Vice President	Present
Daniel F. Blaine	Council Member	Present
Thomas Kehler	Council Member	Absent
Ed Kelly	Council Member	Present
Michell'e Boice	Council Member	Present
Bernie Castillo	Council Member	Present
Thomas O'Connor	Attorney	Present
Susan R. Sutton	Borough Secretary	Present

****Indicates motions made**

****Councilmember Kelly made the motion to waive the reading and accept the Minutes of the November 17, 2015 Public Worksession and Regular Council meeting, seconded by Councilmember Boice. The motion carried unanimously.**

OPPORTUNITY FOR CITIZENS TO BE HEARD

The floor was opened for public comment.

Resident Judy Spagnola asked why Dudley Ave. does not show up on her GPS. It was recommended she call 911.

Resident Carole Culver was concerned about the letter she received from the SEO officer that states she needs to have her two septic tanks pumped and inspected. She stated that other areas have forms that can be filled out by the pumper when they service the tanks. She supplied one as an example. It was recommended that she contact the SEO directly to get her questions answered.

The floor was closed.

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 \$41,639.87 from Berkheimer.

Fred Lubnow was here and gave a report on the 319 grants. The 2010 grant is closed. The 2016 stormwater projects include Queen of Peace and the PA boat launch. The TDML (sediment etc. getting into the lake) goal is close to being met. When this happens, we will be able to submit permits to dredge. This has been the long term goal.

Fred Lubnow also discussed the resolution for the invasive plant of Hydrilla that will show the concern Harveys Lake Borough has for ecological and economic concerns this will place on the Lake. He feels that this will make the Borough more eligible to get funding to eradicate it.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

Finance: Councilmember Blaine gave a report including that the 2016 final budget is ready. He also reported that available cash is at \$449,377.07 and restricted cash is \$70,113.95 for a total of \$519,491.02.

Councilmember Boice also pointed out that the reimbursement for the LSA portion of the police station has been submitted to DCED.

Police: Councilmember Samson reported that the department responded to 177 calls last month including 26 traffic stops, 2 DUI arrests, 12 citations issued, 14 warnings issued, 3 bicycles stopped, 2 drug arrests, 7 assists to other departments, 10 open 911 lines, 5 suspicious activity calls, 27 walk ins, 1 warrant, 2 animal calls, 17 miscellaneous calls, 2 motor vehicle accidents, 24 Fire and EMS, 15 burglar alarms, 1 noise complaints, 2 hit and runs, 1 PFA violation, and 1 overdose.

As always, the Chief asks that residents report any type of suspicious activity.

Please keep doors on homes and vehicles locked at all times.

Roads: Councilmember Boice reported that the new shed was delivered for the road department. She also reported that Jesse Saylor met with a representative for Dirt & Gravel roads and is looking into applying for a grant for Beaver Drive. The second load of salt is in the shed. The road crew have been busy cleaning basins, doing small patchwork and getting ready for winter. They also are continuing maintenance on the vehicles for the Borough.

Zoning: Councilmember Kehler reported that the zoning officer had a year to date (YTD) total

amusement tax of \$4,000. She issued 14 permits for the month of November with a YTD total of 174. The YTD total for Variances was \$4,000. And there were YTD 17 Job Johnny permits with a YTD total of \$170. With a YTD total of \$15,130.00

Garbage: Councilmember Boice reported that the current year fees collected were \$10,146.10. Prior years' fees were \$3,167.72 and \$116.50 in garbage stickers with a YTD total of \$276,809.88.

Safety Committee: Councilmember Boice reported that Councilmember Hilburt and Boice met with representatives of Baker, Boback and PennDot on December 3, 2015. The speed minders are on hold until the Budget is passed. The bridge at Grotto is on hold until the gas line is relocated. PennDot feels that a public awareness campaign would be helpful before summer. There was some discussion on the speed limit and a speed study. The next meeting is scheduled for February 11 at 10 am.

Special Events: There will be a children's Christmas Party at Jonathans December 19 from 2-4 pm.

Grants: no report given

BMCP: Councilmember Hilburt announced that later in the meeting there will be resolutions and agreements that will be read concerning LSA grant submissions.

DAMA: no report given

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

New Business

The 2016 Final Budget was read into the record.

2016 Final Budget	
INCOME	
REAL ESTATE TAXES	\$ 585,300.00
LOCAL ENABLING TAXES	\$ 385,000.00
CABLE TV AND LCB	\$ 28,000.00
ZONING	\$ 21,000.00
PERMITS AND LICENSES	\$ 102,300.00
FINES AND FORFEITS	\$ 5,700.00

INTEREST AND RENTS	\$ 315.00
STATE SHARED REVENUE/ENTITLEMENTS	\$ 61,850.00
DEPARTMENTAL EARNINGS	\$ 3,000.00
MISCELLANEOUS	\$ 24,500.00

TOTAL INCOME	\$ 1,216,965.00

EXPENSE	
TAX COLLECTION	\$ 22,940.00
ZONING AND PLANNING	\$ 106,710.00
GEN'L ADMINISTRATION	\$ 112,262.00
MUNICIPAL BUILDING	\$ 3,721.00
PUBLIC SAFETY POLICE	\$ 268,432.00
PUBLIC SAFETY FIRE	\$ 24,050.00
PUBLIC SAFETY OTHER	\$ 1,900.00
TRASH COLLECTION	\$ 267,900.00
ROADS GENERAL	\$ 173,102.00
ROADS SNOW REMOVAL	\$ 20,500.00
ROADS SIGNS/SIGNALS	\$ 1,500.00
OTHER PROJECTS	\$ 60,000.00
RECREATION	\$ 1,197.00
INSURANCE/PR TAX/PENSIONS	\$ 148,270.00
TOTAL EXPENSE	\$ 1,213,484.00
	\$ 3,481.00
LIQUID FUELS Revenue	\$ 81,130.00
Road Construction	\$ 75,900.00

Net income Liquid fuels	\$ 5,230.00

Capital expenditures	

Carryover from prior year	\$ 398,748.00

NET FUNDS REMAINING	\$ 407,458.00
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TOTAL NET INCOME	\$ 8,711.00
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****Councilmember Kelly made a motion to approve the 2016 Final Budget as read, seconded by Councilmember Boice. The motion carried unanimously.**

The Authorized Official Resolution for Harveys Lake Borough was read into the record:

Be it Resolved, that Harveys Lake Borough of Luzerne County hereby requests a Local Share Account grant of \$1,214,624.00 from the Pennsylvania Gaming Local Share Account under the Commonwealth Financing Authority to be used for a Non-Clog Pump Project for the Borough of Harveys Lake.

Be it further resolved, that the Applicant does hereby designate William Hilburt, Harveys Lake Council President and Carole Samson, Council Vice President, as the officials to execute all documents and agreements between Harveys Lake Borough and the Pennsylvania gaming Local Share Account under the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

****Councilmember Kelly made a motion to approve the resolution to apply for a Local Share Account grant of \$1,214,624.00 on behalf of the General Municipal Authority of Harveys Lake to be used for Non-Clog pumps for the Borough of Harveys Lake, seconded by Councilmember Samson. The motion carried unanimously.**

****Councilmember Samson made a motion to approve the increase in the fee for serving on the GMAHL board from \$50 to \$100 per month, seconded by Councilmember Boice. The motion carried unanimously.**

The following resolution was read into the record:

Borough of Harveys Lake RESOLUTION

Ordinance #6 - 2015

Whereas, the Commonwealth of Pennsylvania and the United States of America recognize the submerged, freshwater plant hydrilla (*Hydrilla verticillata*) as an exotic (non-native to North American), invasive, highly aggressive aquatic species;

Whereas, the Borough of Harveys Lake is located within the Harveys Lake watershed, which is a headwater watershed for the Susquehanna River / Chesapeake Bay Ecosystem;

Whereas, Harveys Lake is recognized as an extremely valuable ecological, economical and recreational resource for the local and regional communities as well as a highly valued site of destination for visitors;

Whereas, the Borough has been working with local, State and Federal agencies to reduce the watershed-based pollutant loads, improving the water quality of Harveys Lake;

Whereas, aquatic plant monitoring of Harveys Lake in 2012 and 2014 revealed that sometime between these two years hydrilla infested the lake, more than likely entering it from a plant fragment found on a boat trailer launched from the public PA Fish & Boat Commission's boat launch;

Whereas, the abundance and lake bottom coverage of the hydrilla has been observed to increase from 2014 to 2015;

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH OF HARVEY LAKE on this 15th of December, 2015 that it makes a declaration that the lake has a substantial "pest problem" in Harveys Lake due to the presence of the invasive species hydrilla and that this nuisance organism will have a significant impact on the ecological value of the lake as well as the local economy.

****Councilmember Boice made a motion to approve the resolution naming hydrilla as invasive species that will have a significant impact on the ecological and economic impact on the Lake, seconded by Councilmember Kehler. The motion carried unanimously.**

The following ordinance was read into the record:

HARVEYS LAKE BOROUGH

2016 TAX ORDINANCE OF HARVEYS LAKE BOROUGH AN ORDINANCE OF THE BOROUGH OF HARVEYS LAKE, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE FISCAL YEAR 2016.

Said Ordinance shall levy tax in the Borough of Harveys Lake to .804 mills.

BE IT ENACTED AND ORDAINED, and IT IS HEREBY ENACTED AND ORDAINED as follows:

Section 1.

That a tax be and the same is hereby levied on all property within the said Borough subject to taxation for Borough purposes for the fiscal year 2016 as follows:

Tax rate for general Borough purposes, the same of .804 mills on each dollar of asset evaluation:
Making a total tax rate for all Borough purposes of .804 mills.

Section 2.

That any Ordinance, or part of an Ordinance conflicting with this Ordinance be and the same is hereby repealed insofar as the same effects the Ordinance.

****Councilmember Boice made a motion to enact the tax ordinance rate, with no tax increase, seconded by Councilmember Samson. The motion carried unanimously.**

The following ordinance was read into the record:

RE-ENACTMENT OF OCCUPATIONAL PRIVILEGE TAX ORDINANCE

BE IT ENACTED AND ORDAINED that the Ordinance of January 03, 1976, imposing an Occupational Privilege Tax of \$10.00 on individuals is hereby re-enacted for the year 2016.

ENACTED AND ORDAINED by the Council of the Borough of Harveys Lake this 15th day of December, 2015.

****Councilmember Kehler made a motion to re-enact the occupational privilege tax, seconded by Councilmember Samson. The motion carried unanimously.**

The following ordinance was read into the record:

RE-ENACTMENT OF 1 % REAL ESTATE TRANSFER TAX ORDINANCE

BE IT ENACTED AND ORDAINED that the Ordinance of January 29,1968, which imposed a one (1 %) percent Real Estate Transfer Tax on the privilege of transferring real estate situate in part or in whole within the Borough of Harveys Lake is hereby re-enacted for the year 2016.

****Councilmember Kehler made a motion to re-enact the 1% real estate transfer tax, seconded by Councilmember Boice. The motion carried unanimously.**

The following ordinance was read into the record:

RE-ENACTMENT OF 1 % EARNED INCOME TAX ORDINANCE

BE IT ENACTED AND ORDAINED that the Ordinance of January 29,1968, which imposed a one (1 %) percent Earned Income Tax on salaries, wages, commissions and other compensation earned by the residents of the Borough of Harveys Lake; and on salaries, wages, commissions and other compensation earned by non-residents of the Borough of Harveys Lake for work done or services performed or rendered in the Borough of Harveys Lake is hereby reenacted for the year 2016.

****Councilmember Kehler made a motion to re-enact the 1% earned income tax, seconded by Councilmember Kelly. The motion carried unanimously.**

The following resolution was read into the record:

WHEREAS, the BACK MOUNTAIN COMMUNITY PARTNERSHIP (BMCP) is applying for a grant to build a facility in Lehman Township to store public works vehicles and equipment jointly-owned by the BMCP member municipalities, and

WHEREAS, the Borough of Harveys Lake wishes to participate in said intermunicipal, cooperative project, and

WHEREAS, Lehman Township has agreed to serve as the municipal sponsor and “grantee” for this application, and

WHEREAS, the Pennsylvania Department of Community and Economic Development through the Commonwealth Financing Authority makes available grants to such projects through the Local Share Assessment Fund (Gaming Funds) Luzerne County, and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Harveys Lake hereby authorizes the Northeastern Pennsylvania Alliance (NEPA), on behalf of the BMCP, to make application for said grant.

****Councilmember Kehler made a motion to approve the resolution, seconded by Councilmember Kelly. The motion carried unanimously.**

The following resolution was read into the record:

WHEREAS, the BACK MOUNTAIN COMMUNITY PARTNERSHIP (BMCP) is applying for a grant to purchase equipment and conduct mapping to meet reporting requirements under the Municipal Separate Storm Sewer Systems (MS4) Program, and

WHEREAS, the Borough of Harveys Lake wishes to participate in said intermunicipal, cooperative project, and

WHEREAS, Dallas Borough has agreed to serve as the municipal sponsor and “grantee” for this application, and

WHEREAS, the Pennsylvania Department of Community and Economic Development through the Commonwealth Financing Authority makes available grants to such projects through the Local Share Assessment Fund (Gaming Funds) Luzerne County, and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Harveys Lake hereby authorizes the Northeastern Pennsylvania Alliance (NEPA), on behalf of the BMCP, to make application for said grant.

****Councilmember Kehler made a motion to approve the resolution, seconded by Councilmember Kelly. The motion carried unanimously.**

****Councilmember Kehler made a motion to sign a cooperation agreement with the other members of the Back Mountain Community Partnership (BMCP) for the shared purchase of a 2016 Vactor Model 2103 Combo Pipe Cleaning Truck mounted on an International Chassis (Vactor Truck), the recipient was Jackson Twp, of a \$400,000 Commonwealth Financing Authority Local Share Account Grant from the Commonwealth of Pennsylvania on behalf of the Back Mt. Community Partnership, seconded by Councilmember Kelly, the motion carried unanimously.**

****Councilmember Kehler made a motion to sign a cooperation agreement with the other members of the Back Mountain Community Partnership (BMCP) for the shared purchase of a 2016 Tarco Truck Mounted Leaf Collection Unit mounted on an Freightliner Chassis (Leaf Collection Truck), the recipient was Jackson Twp, of a \$400,000 Commonwealth Financing Authority Local Share Account Grant from the Commonwealth of Pennsylvania on behalf of the Back Mt. Community Partnership, seconded by Councilmember Kelly, the motion carried unanimously.**

****Councilmember Samson made a motion re-advertise for part-time police officers with the salary indicated in the advertising, seconded by Councilmember Kehler. The motion carried unanimously.**

****Councilmember Boice made a motion to write a letter of support to the Commonwealth Financing Authority supporting the application of the General Municipal Authority of Harveys Lake (GMAHL) to improve the sanitary sewer system owned and operated by GMAHL, seconded by Councilmember Samson. The motion carried unanimously.**

OLD BUSINESS

President Hilburt asked if there was anyone with old business to discuss.

****Councilmember Kelly made a motion to pay the Bills and Payroll in the amount of \$340,994.31, seconded by Councilmember Blaine. The motion carried unanimously.**

Council President Hilburt thanked Bernie Castillo for serving on Council these last few months.

The next meeting of Council will be held on Tuesday, January 4, 2016 at 7:30 pm.

****Councilmember Kelly made a motion to adjourn, seconded by Councilmember Boice. The motion carried unanimously.**

The meeting adjourned at 8:15 pm.

Respectfully submitted by Susan R. Sutton, Borough Secretary