

**HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
January 18, 2011**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, January 18, 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. Bill Monk indicated that he had a recorder.

Roll call:

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

****Indicates motions made.**

****Councilmember Samson made the motion to waive the reading and accept the Minutes of the December 21, 2010 Public Worksession, December 21, 2010 Regular Council meeting and the January 3, 2011 Reorganization meeting, seconded by Councilmember Barber. The motion carried unanimously.**

OPPORTUNITY FOR CITIZENS TO BE HEARD

The floor was opened for Citizens to be heard.

Resident Ed Williams from 7 Marina Drive, stated that he, and a lot of people, had a serious issue with the Zoning Officer, Andy Luzetski. He wasn't going to discuss it now but he would be in to discuss it soon.

Resident Neil Turner stated that he had attended the Public Worksession prior to this meeting. He stated that he was once again calling on the Borough Council to have a Public meeting and publicly advertise the CELDF ordinance that has been before council

for the last several months. By having the meeting that he is asking for does not mean that council is approving the ordinance. The meeting would allow him to respond to concerns and questions that Council and other residents have regarding the Ordinance. He stressed his request again that Council please advertise and hold a public meeting on the CELDF ordinance. He stressed that we have to pursue every avenue possible to protect ourselves, our environment, and our way of life in Harveys Lake Borough.

Resident Michelle Boice also supported this request and stated that she also was asking Council to support the holding of a public meeting to discuss the CELDF ordinance. She also asked council if any progress had been made regarding the changing of the status of the quality of the Lake to an EV quality body of water. There was no response from Council.

She then proceeded to question Councilmember Samson on how long she has been an employee and Elected Official with the Borough of Harveys Lake. It was indicated that she worked for the Borough for 18 years as the Borough Secretary and has served on Council these last three years. Ms. Boice wanted to establish her ability to answer some questions. She asked Samson had the Borough ever been forced to lay off workers. The answer was no. She asked if the Borough had ever had to disband their Police force. The answer was again, no. She asked if the Borough had ever taken out a Tax Anticipation Loan in order to pay bills. Samson stated that not in the last 16 years had this become necessary.

Ms. Boice stated that she had written an Editorial to the Times Leader. There was an opinion posted by Councilmember Radel that she took strong exception to. She stated that he made reckless accusations that she was not going to stand by and allow. She stated that in December of 2009, Samson had stated for the record that the year was ending in the black and under budget. That there was \$309,000 in the bank accounts. She stated that Radel had compared that previous council to having done business in the manner of Luzerne County. She takes great offense with this remark. Luzerne County is showing during investigations that it is corrupt and operating greatly in the red. This past council was not corrupt and did not operate in the red. She takes great offense with his remark comparing Luzerne County government to the Borough. Perhaps the Borough didn't need a new truck and police car. She had hoped to present this to Councilmember Radel and have him answer for his remarks, unfortunately he isn't here. John B. Brokenshire has been the accountant for a long time and is still currently the accountant as well as the auditors that have been here the last few years are still contracted here. She said that Councilmember Radel should have to answer for the remarks that were made. His remarks were blatant lies, based on no facts whatsoever.

Councilmember Doughton asked where she had seen the remarks she is talking about. She stated that she had an editorial printed in the Times Leader and got a call that someone posted a remark on it. She quoted that he said "...the current council did not manage the 2010 budget..." This is the 2010 council. If they did not manage the 2010 budget, who did? He also said "they did not know that they were coming in with an \$118,000 deficit..." It's right on the internet. His opinion is that former councils in

Harveys Lake for years like the county and nothing could be further from the truth. At the last reading of the financial report for the outgoing council in 2009 had over \$300,000 in the available cash.

Councilmember Diane Dwyer asked if she could make some comments. She stated that she has served on this council for the past seven years. John Brokenshire has prepared the budget for all of those years from figures we accumulate from the road department, the secretary and the police department. These figures are put into a budget that is overlooked by John Brokenshire. Every year this budget is given to us to review. Now, this question was asked to me, "if this budget was not balanced, why didn't you have the meeting." This budget was balanced. When we were given the figures last year the budget was balanced. I don't know what was spent during the year, But at the end of that year, last year when we were given the balance we didn't have to have a meeting because it was already balanced. So my thing is, whatever was spent this year, I have up to the financial person, the budget was balanced, the money was sent in, the budget was made according to the money sent in, and that's how it works. So we should not be, they should not be accusing the old council for not balancing the budget. That is an incorrect statement. Thank you.

Ms. Boice pointed out that Diane Dwyer, Carole J. Samson and Clarence Hogan were all on the previous council. There has always been a surplus at the end of the year and to accuse the borough of being corrupt and being run like Luzerne County. I take great offense to it, and I am not sitting for it.

Councilmember Dwyer stated that she has nothing to gain by agreeing with Ms. Boice as she is not running again. Thank you.

Resident Bill Monk asked why the Police Chief contract was not renewed.

President Kopko stated that there was a shortage of revenue due to the changes in the assessment values that affected our revenue in the last year. Also with the higher taxes, there were people unable to pay their taxes.

Resident Monk asked if it was performance issues that contributed to this.

Mayor Clarence Hogan stated that it was not performance issues.

Resident Carol Culver asked if Council was planning on merging the CELDF ordinance with the zoning ordinance.

President Kopko stated no.

She asked if they were planning on holding on meeting for both ordinances or have two separate meetings. She feels that hearing on both the same night could cause confusion for those who are trying to understand.

Kopko stated that the zoning ordinance will be reviewed to see if there is anywhere that there is a lack of coverage that could be addressed.

Culver asked that a public meeting be held on the CELDF ordinance to let residents of Harveys Lake Borough make a decision.

The floor was closed.

INCOMING CORRESPONDENCE

Council received a letter from Resident Neil Turner lobbying support for the CELDF ordinance

Council received a letter from Resident Richard Lukasavage requesting not to pay garbage

Council received a letter from Residents Joseph and Eileen Sgarlet requesting the Borough to take over Sgarlet Lane

Council received a letter from DEP announcing the award of a Section 319 Grant in the amount of \$565,700

Council received a letter from a resident requesting a revision of the Burning Ordinance to prohibit outside burning

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 May the Borough received \$23,956.19 from Berkheimer.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

Finance: Councilmember Samson gave the financial report including: Total available cash is \$324,843; total restricted cash is \$63,430; total cash of \$388,272.

Police: Mayor Clarence Hogan gave a verbal report including the department received \$281.94 in fees and fines. All three cars traveled 1450 miles.

Roads: Councilmember Williams reported that the road department used 180 gallons of fuel and continued to repair basins and plowed roads. He also reminded residents that containers are still available the Borough office, and during the day at the Garage. He also apologized to the residents for the condition of the roads early in the day. The road truck, that we are replacing, broke down in the morning. Two of the rear tires fell off. The truck is now repaired and back on the road.

Council President Kopko wanted to thank EAC for the work they are doing with Princeton Hydro having helped the Borough obtain over one and a half million dollars in grants.

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

NEW BUSINESS

****Councilmember Doughton made a motion to pass resolution #2 to change the name of Pansy Lane to Meadow Lane, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Barber made a motion to appoint Richard E. Williams III to the Sewer Authority Board for a five year term for 2011- 2015, seconded by Councilmember Samson. The motion carried unanimously.**

****Councilmember Williams made a motion to reappoint John Kopicki to the Planning Commission for a three year term for 2011 - 2013, seconded by Councilmember Samson. The motion carried unanimously.**

****Council member Dwyer made a motion to reappoint John Levitsky to the EAC board for a five year term for 2011 – 2015, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Barber made a motion to reappoint Mike Daily to the EAC board for a five year term for 2011 – 2015, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Dwyer made a motion to reappoint Sid Halsor to the EAC board for a five year term for 2011 – 2015, seconded by Councilmember Samson. The motion carried unanimously.**

****Councilmember Barber made a motion to reappoint George Gwilliam to the Vacancy Board for 2011, seconded by Councilmember Dwyer. The motion carried unanimously.**

****Councilmember Dwyer made a motion to advertise a public meeting on the CELDF ordinance, seconded by Councilmember Williams.**

President Kopko called for a roll call vote.

**Barber No
Williams Yes
Doughton No
Samson Yes**

**Dwyer Yes
Kopko No
(Radel was absent)
The vote was a tie and therefore not passed.**

****Councilmember Dwyer made a motion to advertise the CELDF ordinance. There was no second. The motion died.**

President Kopko stated that there were two openings on the EAC board and urged any interested residents to notify council of their interest.

Also needed are two people, a primary and an alternate to serve on the Tax Collection Committee for Luzerne County as Borough representatives. Anyone interested was asked to contact council.

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 \$95,994.52, seconded by Councilmember Barber. The motion carried unanimously**

President Kopko asked if anyone on Council had any upcoming Community Events to announce.

President Kopko stated that there was a St. Patrick's Day Dinner and Dance with a band to be held by the Sons of the American Legion on March 19, from 7pm to 9pm. The cost is \$25.

****Councilmember Barber made a motion to support the Glen Summit Water, Harveys Lake Run to be held on Saturday, April 16, 2011 in the morning, seconded by Councilmember Dwyer. The motion carried unanimously.**

****Councilmember Samson made a motion to adjourn, seconded by Councilmember Barber. The motion carried unanimously.**

The meeting adjourned.

Respectfully submitted by

Susan R. Sutton, Borough Secretary