

**HARVEYS LAKE BOROUGH  
LUZERNE COUNTY  
REGULAR COUNCIL MEETING  
July 21, 2009**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, July 21, 2009 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 everyone 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	Absent
Carole Samson	Council Member	Present
Betty Jane West	Council Member	Present
Charles McCormick	Attorney	Present
Susan R. Sutton	Borough Secretary	Present

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

**\*\*Councilman Kelly made the motion to waive the reading of the minutes and accept the Minutes of the June 16, 2009 Public Works Session, the Minutes of the June 16, 2009 Regular Council meeting, seconded by Councilwoman Samson. The motion carried unanimously.**

**OPPORTUNITY FOR CITIZENS TO BE HEARD**

**Michelle Boice** stood and addressed council in regards to Officer Musial; including the fact that she feels the residents of Harveys Lake Borough are being cheated by the service they are receiving from this and other officers. Their benefits are paid by the Borough, and their contract does not allow for double shifts, yet they work other municipalities and then come here to work, tired. She also discussed how many jobs Officer Musial currently holds and feels that ambition is nice, but greed is bad. She called council to request his resignation and for them to set a policy in regards to working other locations and then coming to work here.

**Susie Pembleton** requested the names of the road in front of and behind her house. She would like to have road signs installed. Diane Dwyer said she would look into it.

**Bill Monk** asked to have a stop sign installed at Lincoln St. and White Birch Lane. Currently there is a yield sign. The Police will check into this as well.

**Rich Williams** spoke in support of hiring Charles Musial. He asked why we were willing to spend \$30,000 for a part time administrative chief when Officer Musial would have done it for an extra \$4000. He felt that all the jobs that Charles Musial does in the borough shows dedication, not greed.

**David Abod** wanted to know why the lattice that his neighbor has on his boat house has not been removed. He discussed the meetings and phone calls he has had with the zoning officer. He does not feel that he is being treated fairly. He also doesn't feel that the zoning officer is keeping good records relating to non-conforming lots of record.

**Mrs. Darlene Mulson** asked if Council could look into the intersection at the boat launch at Noxen Road. She feels a stop sign would be helpful to slow down traffic. Unfortunately they are both state roads. Mrs. Dwyer will call Penn Dot.

**Fran Kopko** asked why Harveys Lake Borough is not part of the Back Mountain Community development group? Ed Kelly stated that in the past we had tried to join, when it was Council of Governments (COG), and they did not want us to join.

**Amy Williams** stated that it was terrible the way Charles Musial was bashed. She asked what specifically were the things that make him not qualified to be chief. Council President Lucarino stated that scheduling and supervising others were things that needed to be strengthened. He also stated the Council was not bashing Officer Musial. Council feels that he is an excellent patrolman. Council hopes that with the new Chief, he will get trained so that in the future, he would be promotable to chief.

**Dorothy Bassett** stated that it was a slap in the face not to offer Officer Musial the chief position. He does patrols on her street. He is a great officer. She asked why the council wasn't considering the petition that was circulated. President Lucarino asked which petition was she referring to? He hasn't seen one. Mrs. Bassett stated that she had signed one. Council stated that they had never seen one. Mrs. Bassett asked who was in charge of it. Councilman Hogan stated that he had circulated the petition. He had not presented it to council due to what he felt he was up against with Council. He did not feel it had a chance.

**Vince Anzelone** stated that Charles Musial is a stand up guy. It seems there are fundamental problems within the department if we are continuing to have problems on the Administrative side.

**Larry Radel**, Pole 109 supported the possibility of adding a 4 way stop at the

intersection of 415 and Alderson Rd. It is currently a two way stop. The Police Dept. will look in to it.

The floor was closed.

### **INCOMING CORRESPONDENCE**

#### **Web Statistics**

In the month of June 2009, we had 150 unique visitors, 697 visitors, and 1366 pages were viewed.

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

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

The Borough Secretary reported that during the month of January \$19,177.20 was received from Berkheimer.

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

**Finance:** Councilwoman Samson gave the financial report including: \$494,199 in available cash, \$203,884 in restricted cash, for a total of \$698,083. She also reported that all of the departments are staying within the budget which looks good for being able to maintain the budget at the end of the year.

**Police:** Councilwoman West report included that there were 206 complaints, 22 citations and arrests, with a total of 739 hours worked.

**Roads:** Councilwoman Dwyer gave her report including that the road dept. has been inspecting the basins and tarred the roads. They put modified on Halowich road. They washed the Police Cars, inside and out. They used 207 gallons of fuel for the month of May

**EAC:** Jason Boice stated that the EAC committee will be doing soil sampling and water sampling around the lake.

**Zoning Officers Report:** There was no report.

**Sewer Authority Liaison:** Mayor Richard Boice gave a report including that an H2O Grant for wastewater improvements was received in the amount of \$550,000. This could help remove infiltration, which in turn could allow DEP to issue more EDU for building.

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

### **NEW BUSINESS**

**\*\*Councilwoman Dwyer made a motion to advertise the amendment allowing a Planned Residential Development (PRD) be allowed in the C3 zoning district to the zoning ordinance, seconded by Councilwoman Samson. The motion carried unanimously.**

**\*\*Councilwoman Dwyer made a motion appoint Dan Evancho as a Part Time Administrative Chief of Police for the Borough of Harveys Lake at \$30,000 a year, seconded by Councilwoman West. Roll Call Vote: Hogan, I think we should look into it more, especially when for \$4,000 a year we could have a fine officer do it. My vote is No; Councilwoman Samson, yes; Councilman Kelly, yes; Councilwoman Dwyer, yes; Councilwoman West, yes; President Lucarino, yes. The motion carried.**

**\*\*Councilwoman Dwyer made a motion to advertise for sale the 1975 Stone Roller seconded by Councilwoman Samson. The motion carried unanimously.**

**\*\*Councilman Kelly made a motion to enter in to a Capital Improvement cooperation Agreement with The Board of Commissioners of the County of Luzerne and Harveys Lake Borough for Planning Activities in the amount of \$65,000 to update our Comprehensive Plan, seconded by Councilwoman West. The motion carried unanimously.**

#### **OLD BUSINESS**

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

**\*\*Councilman Kelly made a motion to pay the bills and Payroll in the amount of \$77,703.18 seconded by Councilwoman Dwyer. The motion carried unanimously.**

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

**Mayor Richard Boice** thanked everyone who participated or donated to Go Joe XII. We had \$3085 collected that we know of. He said that it was no surprise how many organizations joined in around the lake. Officer Forgues donated his time.

**President Lucarino** thanked the State Dog Warden for doing his job with the problems they had with a dog recently.

**\*\*Councilman Kelly made a motion to adjourn, seconded by Councilwoman West. The motion carried unanimously.**  
The meeting adjourned at 8:35 P.M.

Respectfully submitted by

Susan R. Sutton, Borough Secretary