

**HARVEYS LAKE BOROUGH  
LUZERNE COUNTY  
REGULAR COUNCIL MEETING  
July 21, 2015**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, July 21, 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.

President Hilburt also announced that an executive session was held prior to this meeting for a discussion on matters of Litigation.

**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
Amy Williams	Council Member	Absent
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 June 29 Special Meeting, the June 16, 2015 Public Worksession and Regular Council meeting, seconded by Councilmember Samson. The motion carried unanimously.**

**\*\*Councilmember Boice made a motion to award the 2015 Liquid Fuels Road project to American Asphalt Base Bid C Woodlawn Avenue, and Base Bid B for Grove St. in the amount of \$67,451.00. seconded by Councilmember Kelly. The motion carried unanimously.**

**\*\*Councilmember Kelly made a motion to award the Stormwater Treatment Best Management Practices at Old Lake Road and Ashton Road to Stell Enterprises, Inc. in the amount of \$74,424.00, seconded by Councilmember Boice. The motion carried unanimously.**

### **Princeton Hydro**

Fred Lubnow was here from Princeton Hydro to give an update on the current PADEP 319 Grants. The Ashton Rd and Old Lake Rd. were awarded and should be finished by September 15 when the grants ends.

The Environmental Committee is going to rehab the Floating Wetland Islands.

He also spoke about the Pennsylvania Boat Commission project. They are still ironing out details for the project.

The Growing Greener grant was submitted to help with the Hydrilla in the Lake. Most of the Hydrilla is near the boat launch. He discussed the plan of action they would like to take to eradicate it quickly before it spreads all over.

There were questions from the residents about the location of the Hydrilla. Also a resident asked if any thing could be done with the grants on the water problem on Center St. where the road is eroded away. Dr. Lubnow stated that he would take a look at it.

### **Police Report**

President Hilburt stated that a Quarterly Police Report will be held in October, January and April. The board will remind people when the Police Chief will be here so that questions can be asked. The floor was turned over to the Chief.

Good evening,

I won't take a lot of your time I just want to give a report of what the police have done and have seen since the fatal accident involving the death of Paula Jones.

I would like to thank all of you for showing such interest in the safety of our residents and visitor's that come to this beautiful lake.

AS I told you last month the police department was allowed by council to put on extra shifts to help curb the carelessness of motorists, walkers, joggers and bicyclists.

Over the past month we have stopped 96 vehicles for numerous traffic violations, we have made contact with 38 bicyclists and 22 pedestrians. We conducted a DUI roving patrol resulting in 1 DUI arrest.

Over the past month the police department has made 6 DUI arrests, it's obvious

we still have numerous drunk drivers. We are looking at having more DUI roving patrols in the near future.

The signs on Lakeside Drive been cleared of brush and many have already been replaced, soon they all will be replaced and updated.

The speed sign that was placed at different locations of Lakeside Drive really made an impact on drivers. Several people have commented on how surprised they were to see their speed, I think we need to pay a little more attention to the speedometer, every vehicle has one. But I think we forget about it. The Borough is due to get the sign back for another two weeks in the early fall. The Borough is working on purchasing such a speed sign for Harveys lake Borough. The cost is about \$9,000.00. We will look to see if a grant is available.

In the past month I have spoken to many people about the ideas that they have to help with the safety of the people who use Lakeside Drive for recreational purposes. Let me tell you, some of them are just not going to happen. Speed bumps, one way, certain hours to walk or bike, a bike path, and not allowing walkers or bikers to use the roadway.

I believe we are doing the best we can for what we legally can do to assure the safety of everyone who utilizes Lakeside Drive.

Obviously, Bikers want the speed limit reduced, we have all heard it. I personally think if it was reduced to 25 MPH it would be way to slow and not warranted for the low number of accidents we've had on Lakeside Drive. Bikers only use Lakeside Drive for a quarter of the year then it's basically just motor vehicles. I think that lowering the speed limit would be a punishment for the residents of Harveys Lake for the other three quarters of the year. I strongly believe with a reduced speed limit it would make for a more unsafe condition. People will be agitated with going too slow, people will be passing people in no passing areas and it would cost a fortune for the borough to police the reduced speed limit.

Majority of the people I spoke to, bikers, walkers, joggers and motorists all seem

to think the speed limit is just fine as long as the motorists obey the speed limit, and the bikers and walkers do what their supposed to do. It's amazing how many pedestrians we've spoken to about playing chicken with 2 ton vehicles. If you see a vehicle approaching you, move off the road, simple as that.

We appreciate the committee that was organized to help with ideas about safety, but I think we all just needed a wakeup call. I believe with all of us that made awareness about the rules of the road made Lakeside Drive ten times safer. We need to continue with the awareness, and remind everyone what their obligations are, when on a highway.

So, I would like to thank everyone for the effort you made to make a difference, most of the time that's all it takes.

If you feel Lakeside Drive is not safe for your recreational activity, please go somewhere you feel safe, there are plenty of parks, and bike paths in the area.

A meeting is still planned with Senator Baker, Rep. Boback and PennDot to discuss safety matters regarding Lakeside Drive.

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

Resident Richard Coslett said he doesn't like the idea of going somewhere else. He feels that driver education is more important. There was some disagreement between Coslett and the Chief on the rules. The Chief stated that the book on the back table about Bike Safety is old. It is copyrighted from 1988. He also said that most of the bicyclists that he stopped and spoke to are aware of their "Right to share the road" but are clueless about the fact that they need to obey the traffic laws the same as cars. For instance, they are required to stop at stop signs.

Resident Santo Agati pointed out that at 35mph it takes 5 minutes to go around the lake. At 25mph it takes 7 ½. He wants the speed limit reduced to make it a little safer.

Resident Tony Young asked why 18 wheelers are using Lakeside Dr. Aren't they restricted? It was discussed that they are not allowed. The GPS misdirects them sometimes. Mr. Young offered that police could sit in his driveway and start citing them

Resident Rose Gavagonis from Center Street said that she still would like the road repair to be done on her road. She is glad that Princeton Hydro will look into it. She also wanted to say thank Council for the work that has been done on the home near hers that is in bad shape. She said it is 50% better than it was.

Judy Spagnola stated that the real problem is there is no common courtesy or common sense anymore. If that would change, there wouldn't be a need to change anything else.

Frank Lutinski, former Fire Chief in the Borough stated that in his 40 years in emergency services, he responded to lots of accidents but not to any with bicycles. He feels the 35 mph speed limit is good. He reminded everyone that the traffic was much worse in the 1950s and 60s when Harveys Lake had a lot of attractions here.

Resident Lynn Banta stated that the speed limit had nothing to do with this tragedy. She feels if any restrictions are going to be made she asked that Council be sure that the burden placed on all the resident of the lake is worth the benefits of the action taken. She pointed out that a 25mph speed limit would be very difficult to maintain and would just frustrate the residents. Speeders are still going to speed.

President Hilburt said that Council is encouraging the Safety Committee to continue to meet and discuss ideas. He said talk is cheap. Let's try and get something done. The next meeting will be advertised. He encouraged residents to attend and get involved.

Councilmember Boice pointed out that council took immediate steps to put more officers on duty especially during the busy times.

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 \$22,730.73 from Berkheimer.

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

**Finance:** Councilmember Blaine gave a six months report on Harveys Lake Borough finances:

### **Revenue**

Real estate taxes are very good, collections are in budget parameters.

- Real estate delinquent collections are on line with budget projections.
- Real estate transfer taxes are above last year, by \$6000.
- Garbage fees are slightly down but in reason. Nevertheless prior garbage fees are at \$30,047 which is over last year's total of \$29,682. This is a very good sign.
- Per capita tax has seen a marked increase in the last 2 years. This year we are at \$6091 which is \$247 less than last year's total and \$1092 more than last year at this time.

### **Expenses**

- Administration is below budget by \$15,352.
- Police is below budget by \$10,973.

- Electricity in the station has always been a problem, thanks to Mike Rush we eliminated a server that has been draining electricity and was not needed. As a result we have saved \$1,000 on electricity.
- Gas and oil is down \$3,000 from last year.
- We have had an increase in hearings that are double last year.
- Vehicle maintenance has also increased since last year.
- Budget for patrolmen salaries is down by \$7,238 even with increase in overtime and added patrols as a result of the accident.
- Roads.
  - Total budget down \$14,326 from last year.
  - Foreman and road men are over budget as a result of last year's snow storms.
  - Garage electricity is down as well as propane use.
  - Vehicle maintenance is up, while contract work and material and supplies are down.
  - Snow removal doubled as a result of last winter's snow storms. We are at \$18,177. Of an \$18,500 budget which is a \$323 difference, with savings in other areas of the road dept., we should be fine.

Available cash is \$697,449, restricted cash \$138,585 for a total cash balance of \$863,034.

Overall we are in very good shape for the first 6 months for 2015

President Hilburt thanked Councilmember Blaine for his report stating that he always keeps on top of it and is why the budget is in such good shape.

**Police:** Councilmember Samson stated that the department responded to 439 calls last month. 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 department has been busy working on the basins in the summer months. She has a very detailed log from the Road Foreman if anyone would like to see specifics. Cleaned out basins and repaired a lot of potholes. She stated that she has been informed that the large project on Halowich Rd will be started by the 30<sup>th</sup>. And Council will be approving some expenditures for some pipes for several roads. She also has the fuel log.

**Zoning:** Councilmember Boice reported that the zoning officer reports that she worked 15 days. She had seen or spoken to 192 residents and contractors, issued 22 zoning permits, 2 Job Johnnies. There was \$11,059.80 collected in June for a year to date total of \$61,450.70. She attended the zoning hearing and prepared the paperwork for July for 3 hearings. She had a special meeting with Rob Lewis regarding dimensional regulations. She received 5 complaints with 4 being resolved. She is working with PennDot to resolve a private lane issue. She found 2 permit offenders prompting them to come and get permits. She noticed a storm drain violation and gave the info to Susan for DEP. Followed through on email requests and correspondence. She processed other paperwork as necessary. A list of permits that were issued was attached.

Bk Mt. Community Partnership (BMCP) Councilmember Hilburt stated that Council had

made it a priority to join the BMCP. We got accepted not that long ago. And one of the things the Chief mentioned was the speed sign that is shared between the seven municipalities. We have already had it for two weeks and will get it again before fall. So already that is working. The BMCP just received a grant for \$400,000. They will be purchasing a large vacuum truck for the sewers. That is over \$242,000 dollars. We have been renting one here for about \$10,000 a year. We will now be able to enter a rotation to borrow the unit to clean our storm drains. Second the money will include a leaf collector truck for over \$131,000 and \$10,000 for a sign Retro reflectometer. These are things we can use that we benefit from as being part of the BMCP. We feel the partnership is working out very, very well.

**Special Events:** The flyer for the Lakefest is on the back table. The Fire Co. Irem Temple dance is August 1<sup>st</sup> this year.

**Grants:** Councilmember Boice reported that two grants were awarded to the Gen. Municipal Sewer Authority (GMAHL) from the LSA grants. One is for \$450,000 for Permanent Flow Meters for 13 stations and the other is for \$100,000 for Variable Frequency drive Controls for 14 stations. These will be a big help.

She also said action would be taken later in the meeting regarding the LSA grant for the Police Station across the street.

Councilmember Blaine stated that on July 29, 2015 at 9am there will be a pre-bid meeting here at the Borough for the LSA grant for the new Police Station. On August 6, 2015 at 11:00 am the bids will be opened. And on August 12, 2015 at 2:00pm there will be a special meeting to award the bids.

**\*\*Councilmember Blaine 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 Boice made a motion to accept the resignation of councilmember Amy Williams, with regrets, seconded by Councilmember Samson. The motion carried unanimously.**

Councilmember Boice asked that anyone interested in serving the remaining five months of Amy Williams' term to submit a letter of interest as soon as possible. By August 11.

**\*\*Councilmember Blaine made a to set the speed limit on all Borough Roads to 25 mph with the exception of Beaver Drive at 15 mph and Marina Drive in Marina Commons at 15 mph, seconded by Councilmember Samson. The motion carried unanimously.**

Councilmember Boice pointed out that this in not Lakeside Dr. This is only for Borough owned roads.

**\*\*Councilmember Kelly made a motion to engage Prociak and Associates to audit the 2015 books for the year ending December 31, 2015, the price not to exceed \$6395, seconded by Councilmember Samson. The motion carried unanimously.**

**\*\*Councilmember Blaine made a motion to increase the fee for the meetings for the Secretaries of the Environmental Advisory Committee, Planning Commission and Zoning from the present \$50 to \$100, seconded by Councilmember Samson. The motion carried unanimously.**

#### **OLD BUSINESS**

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

**\*\*Councilmember Blaine made a motion to pay the Bills and Payroll in the amount of \$142,072.56, seconded by Councilmember Kelly. The motion carried unanimously.**

The next meeting of Council will be held on Tuesday, August 18, 2015 at 7:30 pm.

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

The meeting adjourned at 8:40 pm.

Respectfully submitted by Susan R. Sutton, Borough Secretary