

**HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
June 19, 2012**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, June 19, 2012 at 7:30 P.M. at the Harveys Lake General Municipal Building, 4875 Memorial Highway, Harveys Lake, PA, 18618.

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

President Radel announced the meeting tonight was being tape-recorded and if anyone in the audience had a recorder to please advise Council at this point. Sarah Hite of the Dallas Post indicated that she had a recorder.

Roll call:

Clarence Hogan	Mayor	Present
Larry Radel	President	Present
Fran Kopko	Vice President	Present
Boyd Barber	Council Member	Present
Michell'e Boice	Council Member	Present
Tom Kehler	Council Member	Absent
Ed Kelly	Council Member	Absent
Amy Williams	Council Member	Present
Charles McCormick	Attorney	Present
Susan R. Sutton	Borough Secretary	Present

****Indicates motions made**

****Councilmember Kopko made the motion to waive the reading and accept the Minutes of the April 17, 2012 Public Hearing, the May 15, 2012 Public Works session and the May 15, 2012 Regular Council meeting, seconded by Councilmember Barber. With one Nay vote from Councilmember Boice, the motion carried.**

OPPORTUNITY FOR CITIZENS TO BE HEARD

The floor was opened for Citizens to be heard.

Resident Ed Williams read a letter he submitted:

Dear Council:

Reference: **The Moving of the Police Station**

The Homeowners of Marina Pointe are against relocating or moving the Police Station.

We do feel the current building needs a lot of work, and we are not against updating and modernizing the current location.

We also feel since there are 45 Homes and about 90 voters, in the Marine Pointe complex the council would have solicited our input.

Was there a feasibility Study or any type of a Performa done?

Why can't the Grant be amended after the proper studies are done taking into account the best place or location, the type of building & equipment needed and above all what it will cost.

We have many concerns on this Grant process and how it started?

Resident Rob Weaver from pole 260 stated that he had been reading the minutes of the last meeting. He wanted to know how close council was to making this move happen. He asked if it was true that they needed to get three more bids for the renovation of the other building.

President Radel stated that yes, council needed to get concrete bids in and advertise the project.

Councilmember Boice stated that it was being planned and that they were going to vote on this tonight.

Rob Weaver asked why not go through and get three bids for each of the buildings. After having a tour of the current police station he felt that most of the repairs would be basically cosmetic. He felt that after receiving three bids for each location it should be put on the referendum in November to be voted on. He asked if there was any reason that could not wait until next year.

President Radel stated that funding probably wouldn't be available then. He also stated that there's a limit to the date on when you can tap into the available funding. He also stated that we would have to revise and submit a new grant application. He stated that council voted on that decision two meetings ago when they had the public hearing to solicit comments from the community. Council voted on whether to move or not, whether to change the grant or not. Looking back on the minutes you will see that the vote was taken and it was decided to move on the grant as written.

Rob Weaver stated that council had until June of 2014 to use these monies. Councilmember Radel stated that that wasn't true. Once the money is exhausted that it will be used up. Rob Weaver stated that he had a letter from DCED that stated the money was to be used between March 13, 2012 and June 30, 2014. Both Councilmember Boice and Radel agreed. So he wanted to know, what was the rush? Why not take your time and put it up on a referendum and see what the residents of Harveys Lake want to

do? He said then we would get the prices and we would know what we were doing.

President Radel stated that he understood his thoughts and considerations. He feels council has been over that in the past. Council voted and took public input and council chose to pass the grant as written. Rob Weaver stated that you can change the grant. President Radel agreed. Rob Weaver stated that initially council planned to move to workers over into the current police station but he understands that that is off the table and asked if that was correct. So, you would have to change the grant application because of that already, so why not make the changes all the way around? President Radel stated that it will cause an increase in the request of the amount of funds needed to move the officers out of the police department, make renovations, and then move them back into the police station. The original idea was to renovate the abandoned REC Center; therefore allowing the police to move directly in there which would empty the current building and allow for any needed renovations there, so that you would be using your money to the fullest extent possible, strictly for renovations and repairs, rather than adding moving to the renovation costs. He said that was the idea.

Rob Weaver said that the idea of the money coming from the casinos was supposed to lower our property taxes do you remember that?

Councilmember Boice said what this is going to do is create a tax increase in this borough. Absolutely. Rob Weaver said he wants people to think about that and have that on the referendum to allow them to vote on it.

An unidentified resident asked if there was enough money to build a small building with a shower that you could connect with the walkway to the current building for their interrogation rooms and their cells. The grant is all about relocating wouldn't you be doing that if you put up a smaller building. President Radel said yes you could do that but the grant would have to be rewritten, reapplied for. The rewritten grant would not be a done deal, so you would need to reapply. So they would go through the process of reviewing it to see if they would approve it again, and we would risk either losing or getting the grant. She asked, why would you have to rewrite it.

Councilmember Boice stated that you wouldn't have to that she has documentation from the state. She has been in communication with the Department of Community Economic Development (DCED). Some similar misinformation has been given to the people at the public hearing, that this grant we are locked in. That the only thing it can be used for is to move. That is not true.

President Radel said "Michelle please,"

Councilmember Boice stated that she was not out of order. President Radel said yes she was. She said she is an elected member of this community she has documentation here. OK, she said that any of you that want her to speak and answer their questions, because they are getting misinformation again, misinformation was given at the public hearing, and misinformation was given at the council meeting that followed. This grant is being

held for us and can be used up and through 2014. It can be changed. It absolutely can. We have to simply submit the documentation. Get a price for what it would take to make the necessary repairs and updates over there put showers in and add on an interrogation room and you don't have to move completely out of there to do this.

OK. President Radel said that was enough.

Boice stated that she was not finished. She has here for anyone who doubts her word, because he's giving misinformation, she has documentation from Harrisburg to back up what she is saying. A lot of people didn't have the opportunity to weigh in on this and when she brought this up at the Worksession this evening she said that she had a lot of people calling her, elderly people who have problems getting here because they can't find parking and they won't park on the highway to get here. She was told that old people always have a hard time with change are you listening to all of these old people.

President Radel tried to get order. He said that was enough. Both President Radel and Councilmember Boice talked over each other loudly at this point. Radel asking her to stop, and Boice saying that she isn't finished talking. Radel said he wanted her to stop because she was making accusations against him that are not correct. She stated that he said that in the other room that evening. He said he wanted it to stop. Councilmember Boice continued to talk stating that she had all of this if anybody wanted to see it. Councilmember Radel asked if she would like him to end the meeting now. Michelle asked that people would please address her if they wanted to know the truth. Councilman Radel said that is enough. Period. She said it is not enough. He said enough. She said people have questions.

He stated the grant is available to read and has been back there for months. The fact is the grant can be re written. Specifically, whether you want to listen to her side or not, it can be rewritten. It can be reapplied for. Council was told that if they reapply for the grant, it can be rejected. The way the grant was configured was to spend the least amount of money possible so that they could get the grant and move to a more secure building that was already vacant. Now he can understand everybody's opinion whether they're for that side of the road or this one. He doesn't believe if whether it's here are there is any different. The fact is they are trying to keep their police force and improve the facilities that they have.

Resident Linda Shurmitis asked what the reason was that residents were not given a chance to have input. She was at the hearing with her hand up the whole time and was never given a chance to speak. They were calling on people who do not live in Harveys Lake who stated they wanted the police station over there. She stated that we need to keep the police station where it is so that out of town people coming into the lake will see it. She wanted to know what the rush was, that they weren't asking any of the residents what they think. She has no doubt that it will raise her taxes. She feels that the grant is suspicious. She apologized for getting mad.

President Radel stated that he valued her opinion. He stated that there wasn't any rush.

Council gets hundreds of applications and email for grants that are available for application every day. Grants come in, they look at it, if someone is interested in applying for it, there are specifics involved, research and so on, if one of the Councilmembers is willing to do the work and apply for it, they do. This grant was applied for in 2011. He has also applied for other recreational grants that they have not gotten, so, if he brought up every grant at every council meeting, and asked everyone how they feel about it, he would be wasting a lot of time. Council applied for this grant with no understanding of whether they would get the grant, and it turns out that they got the money. He does understand her opinion, and they did look at that and take everyone else's opinion into account too, it's not only the people here who are against it, there are a lot of people for it too. (Someone in the audience said something unheard on the tape) Radel stated that it was untrue, he sees people everyday at the police station, the little league field, the school, that is untrue.

A seasonal resident asked if there are a lot of people like her that don't even know that that building exists? Radel stated that he thinks it is 15 – 20% of residents that are summertime. She also said that she called the Borough office asking about recycling bins, and the secretary provided stickers. She said that she found out there is a newsletter that she didn't even know about, she asked if it could be put on the Borough's homepage. Radel stated that it is. In order to reduce postal costs, it is available in various stores in the Borough, it's on the marquee outside, and published on the website.

Resident Jason Miller had several questions:

- He asked if the School could be billed to pay for the services of the Police providing support for the crossing guard in the mornings.

Councilmember Boice said they wouldn't pay because they never requested the support.

- He thanked Council for following up with the zoning officer to look into water runoff issues.
- He expressed concern with the Harveys Lake Fire Department's station 2. He stated that the grounds and building are not maintained in good conditions. That in the future they will want to expand possibly and it would be good to remember the lack of care they have for the current facility.
- He also asked if the Borough is receiving any EIT money from the gas workers living in our community?

Council told him that they are workers putting up the windmills in Noxen and that CENTAX is out EIT collector responsible for collecting those payments.

- He expressed concern for the lack of residents complying with the mandate to mark their homes with the new 911 numbers.
- He also had criticism for the apparent lack of traffic controls with a race that was

held around the lake on April 6.

Guy Giordano had some concerns with a Job Johnny at Pole 94. He had pictures he presented. He was concerned with the location both near the road on a curve and the proximity to the lake.

Resident Robert Margie wanted to know if any other law enforcement besides our own workforce had been consulted for professional advice on the location of the proposed Police Station.

Officer Musial stated that no other municipality has a department at the entrance to their Municipality.

There was more talk about out of pocket costs and budgeted costs.

Mr. Margie asked if we did not have the grant would we have moved the station. The answer was no.

Councilmember Boice once again reminded the residents that there has been a deficit for the last three years. There isn't any money to renovate the building. She said we could apply for another grant.

Guy Giordano wanted council to fix the building across the street.

President Radel said he would like to consolidate everyone into one location and get rid of the building across the street.

Councilmember Boice stated that the Grant can be reworked to change and keep everything at the entrance to the lake. She feels that they shouldn't be pressured to move across the lake, off the path, hidden. It should stay centrally located at the entrance to the Borough.

Joe Pagliante discussed the money in repairs that have been expended in the past on the current building.

Rob Weaver commented on the water issues that need to be fixed and that wheelchair access isn't really needed over there.

The floor was closed.

Resident Williams called for a Point of Order. He wanted a vote to be taken on the motion that Councilmember Boice said she wanted to make earlier. He was told that this is not the place for motions to be made yet.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

The Tax Collector's report for the month of May was available on the back table.

The Borough Secretary reported that during the month of May the Borough received \$6,395.88 from Berkheimer and \$3,511.55 from Don Wilkinson for a total of \$9,907.43.

Also, for the month of May, \$10,389.42 was collected for current trash payments, \$46 for garbage stickers, \$3,573.36 in past due collections for a monthly total of \$14,008.78 for the month of May.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

Police: For the month of April, there was \$355.67 collected in magistrate fees, \$30 in report fees for a total of \$385.67. Police responded to 197 calls and travelled 3913 miles.

- The police are asking everyone to pay attention to the speed limit and be extra careful while driving, there are many people walking and biking.
- Minor repairs to the vehicles and oil changes are being done by the road department, in return saving the Borough money.
- All residents are asked to report suspicious activity and keep all doors locked at all times on their homes and vehicles.
- All residents who burn are urged to obtain a burning permit that provides guideline set by the Borough on what can and can't be burned. These permits can be obtained at the Borough Office.

Finance: Councilmember Kopko gave the financial report including: Available cash for the month of May was \$397,654.06; restricted cash was \$129,081.88 for a total of \$526,735.94. We were in the black last month.

Roads: Councilmember Barber gave his report including that the Road Dept. used 126 gallons of fuel on three pieces of equipment and major repairs were done in Hemlock Gardens and work began at the intersection of Lakeside Skillet.

Zoning and Planning: President Radel reported that both planning and zoning were quiet last month and planning is looking into the possibility of a no parking ordinance around the lake.

Trash: President Radel stated that he has tried to take care of the issue of non-Borough residents putting out trash, but so far has only been able to confiscate the Borough recycling cans. He also thanked the Borough Secretary for the continued past due collections that are coming in.

EMA: Councilmember Williams stated that 911 is following the Call Boxes and dispatching the calls as requested by the Harveys Lake Fire and Ambulance Company.

Special Events: Harveys Lake Fire and Ambulance Company is holding their annual dance at the Irem Country Club on Saturday, July 28, 8 pm till midnight. Call 639-1919

for tickets or more information.

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

NEW BUSINESS

****Councilmember Kopko made a motion to pass Ordinance 3-2012 replacing Article 12 Floodplain Regulations with a new Article 12 Floodplain Regulations, seconded by Councilmember Barber. The motion carried unanimously.**

****Councilmember Kopko made a motion to pass Ordinance 4-2012 amending the current Wyoming Valley Sanitary Authority Industrial Pre-Treatment Ordinance, seconded by Councilmember Boice. The motion carried unanimously.**

****Councilmember Kopko made a motion to approve and enter into a contract with PA DEP with a Section 319 grant for Harveys Lake Stormwater BMP's project with a maximum dollar amount of \$366,100, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Boice made a motion to hire Tyler Brobst for temporary summer employment at minimum wage of \$7.25 per hour, seconded by Councilmember Williams. The motion carried unanimously.**

****Councilmember Kopko made a motion to engage Prociak Associates as auditor for the 2012- 2013 term, seconded by Councilmember Barber. The motion carried unanimously.**

****Councilmember Boice made a motion to slow down the process here, not to do anything to move the Police station until further effort and study goes into weighing the options of maintaining the building across the street, and possibly put this on the ballot for November, that could be discussed, but I would like us to slow down, seconded by Councilmember Williams. Roll Call vote: Councilmember Boice, Yes; Councilmember Williams, Yes; Councilmember Barber, No, Councilmember Kopko, No, Councilmember Radel, No. The motion did not carry.**

****Councilmember Kopko made a motion to advertise the bids for the LSA grant to renovate the Rec. Center, seconded by Councilmember Barber. Roll Call vote: Councilmember Boice, No; Councilmember Williams, No; Councilmember Barber, Yes; Councilmember Kopko, Yes; Councilmember Radel, Yes. The motion carried.**

President Radel gave notification of an open board seat on GMAHL, the sewer authority board, and asked that any interested in serving submit a letter of intent to the Borough Secretary which will be reviewed for next month.

OLD BUSINESS

Council President Radel asked if anyone on Council had any old business they wished to discuss.

There was no response.

****Councilmember Kopko made a motion to pay the Bills and Payroll in the amount of \$87,202.71, seconded by Councilmember Barber. The motion carried unanimously.**

Council President Radel asked if anyone on council had an upcoming Community Event they would like to share.

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

The meeting adjourned at 8:25 pm

Respectfully submitted by Susan R. Sutton, Borough Secretary