

**HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
March 18, 2008**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, March 18, 2008 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	Absent
Edward Kelly	Council Member	Present
Clarence Hogan	Council Member	Absent
Charles Musial	Council Member	Present
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 Samson made the motion to waive the reading of the minutes and accept the Minutes of the February 19, 2008 Public Works Session, February 19, 2008 Regular Council Meeting, and the Special Meeting, February 22, for the 2008 Police Chief Contract, seconded by Councilman Kelly. The motion carried unanimously.**

INCOMING CORRESPONDENCE

- 1) DEP announced a Flood Protection Workshop for 2008 being held in Somerset, PA on April 15, 16, &17. The workshop will feature presentations focused on managing, operating and maintaining flood protection projects in today's post-Hurricane Katrina era.
- 2) DEP also sent a Notice of Violation regarding DAMA. There was a sewage

pump station bypass on March 5, 2008. There was an unpermitted discharge from their facility. We were notified because we are a customer of DAMA.

- 3) Charles D. McCormick notified us that Senior Judge Flaherty filed a Court Order and Memorandum Opinion on March 12, regarding the Freed v. Zoning Hearing Board. The Court denied the Freed appeal and affirmed the Order of the Court of Common Pleas.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mrs. Richard Kuhn stated that she has a flooding problem on her property that she has repeatedly called the Borough and asked for some assistance. There are about five homes near the inlet that when any amount of water comes down, backs up into their yards. Her husband, who is disabled, fell into the water when it was high recently and was fortunate to be able to pull himself out of the water to safety. There is debris washing down and it is starting to cause problems with her foundation. She has been a resident for a 60 years and has waited for help for a long time. When is she going to get help?

Mrs. John Kriel also stood up and stated that she had repeatedly talked to council and has been calling Karen Boback. But there is nothing being done. If someone would dredge the inlet, that would allow the water to flow.

The Mayor stated that he also has been trying to find money and ideas on how to address this issue. Karen Boback's assistant had provided us with information on a grant, but we did not see how this Grant would apply to this problem. She told him she would look into it. He recommended contacting the company the Fish and Boat Commission used to chop weeds and see if that would help enough to alleviate the problem. There are so many issues with dredging, that even if we had the money, getting permission from DEP would be difficult. However, we could get the permit for the weeds and maybe that would be enough. The Mayor would really like to find a solution to this problem.

Joe Shonis stated that he received a phone call from the owner of the vacant property where the trash is being placed by a person other than the homeowner and was told that he had permission to place the garbage there. Mr. Shonis said that so far, 67 bags have been put there.

Charlie Musial stated that the police department now has the name of the non resident that is placing garbage at that residence. The police will take care of it. However he cautioned Mr. Shonis that Mr. Shonis does not have the right to pick that garbage up and move it somewhere else. The police will handle this issue.

President Lucarino asked if there was anyone else. There was no response.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

The Borough Secretary reported that during the month of February, \$16,214.15 was

received from Berkheimer.

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

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

Finance: Councilman Kelly reported the Borough had \$285,508.48 in Available Cash, \$153,857.70 in Restricted Cash for Total Cash of \$439,366.18.

Police: Councilwoman West read the report from February which included 132 complaints, 18 parking tickets, 9 traffic citations, 0 non-traffic citations, 2 arrests and 16 written warnings. Total money received from the Magistrate was \$2693.12.

Roads: Councilman Musial reported that road department has been very busy with all of the flooding and ice recently. He reminded everyone, that although the storms were not a large amount of ice or snow at any one time, that the same amount of salt and manpower is needed to keep the roads clear. The recycling trailer is still being worked on. Now with the weather breaking, we hope to have it on the road soon. We are also partnering with Exeter Borough to write a grant to hopefully purchase a new truck for curbside recycling.

Community Activities: Councilwoman West reported that there had been two meetings for the Homecoming Weekend Committee.

Zoning Officer's Report: No report.

Sewer Authority Liaison: Councilwoman Samson reported that the Sewer Authority met on March 5, 2008. They paid bills totaling \$114,624.96. Garbage receivables are \$68,949.34. Manager Rick Boice reported a broken boathouse lateral at St. 3 which was estimated to be leaking in at 250,000 – 500,000 gallons a day. It was corrected the same day. They will buy a long handled mirror like the Police have for checking under cars and inspect the boathouses for lateral leaks in the Spring. At Pole 277, manhole bricking blew out and peeled up part of the road. Elston was called out to cover the hole with steel sheets and it was repaired the next morning. The Engineer reported an extreme rainfall which resulted in overflows at a few manholes and one station. The First Quarter DEP progress report is due at DEP on April 15.

EAC: Councilwoman Samson reported that EAC met on March 11, 2008. Chairman Boice welcomed new members John Levitsky & Sid Halsor. Balance in the checking account is \$149.28. The board discussed a mission statement to be used for getting grants for dirt and gravel roads, especially Sooby Ave. John Levitsky is taking pictures and documenting runoff issues around the lake. The board will get in touch with Fred Lubnow from Princeton Hydro to attend one of the meetings. Mike Daily discussed ideas on refocusing EAC. They want each member to take an active role and be in charge of certain issues. They also want EAC members to attend Zoning and Borough Council

meetings. A website was also discussed. It was suggested that a Shoreline cleanup be held and EAC would run it. Jason Boice and Mike Daley are working on an article for the Borough Newsletter. Well water testing will be held again this year. Cathy Link will coordinate with Brian Oram from Wilkes University to set up a date.

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

NEW BUSINESS

****Councilwoman West made a motion to amend Ordinance No. 4-82, to add Primary Election Day and General Election Day as paid holidays, seconded by Councilman Musial. The motion carried unanimously.**

****Councilwoman Samson made a motion to accept the resignation of Noelle Arnold from the Homecoming Committee Chair, seconded by Councilman Musial. The motion carried unanimously.**

****Councilman Musial made a motion to open a new Homecoming Committee checking account at PNC Bank requiring two signatures for checks over \$500, seconded by Councilwoman West. The motion carried unanimously.**

****Councilwoman West made a motion to have the Harveys Lake Fire Police assist Ross Twp for their Memorial Day festivities, seconded by Councilwoman Samson. The motion carried unanimously.**

****Councilwoman Samson made a motion to send a letter to our State Representatives opposing the proposed legislation requiring all boroughs to join the State Pension Fund, seconded by Councilman Musial. The motion carried unanimously.**

OLD BUSINESS

****Councilwoman West made a motion, in light of Noelle Arnolds' resignation, to temporarily appoint Councilwoman Samson as Chair of the Homecoming Committee so that planning can continue until someone else is appointed, seconded by Councilman Musial. The motion carried unanimously.**

****Councilwoman West made a motion to have the American Legion host the 2008 Homecoming Dance, seconded by Councilman Musial. The motion carried unanimously.**

****Councilwoman West made a motion to appoint Mayor Richard Boice as Grand Marshall of the 2008 Homecoming Parade**

****Councilwoman Samson made a motion to pay the Bills and Payroll in the amount**

of \$82,009.20, seconded by Councilman Musial. The motion carried unanimously.

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

****Councilman Musial made a motion to send the two Road Department workers to a class at LCCC to be certified for State Inspections, seconded by Councilwoman West. The motion carried unanimously.**

****Councilman Musial made a motion to request a written estimate and have the Zoning Car repaired at Coccia Ford for \$720, seconded by Councilwoman West. The motion carried unanimously.**

****Councilman Musial made a motion to request a written estimate and have the Backhoe repaired at Medico Industries for \$950, seconded by Councilwoman West. The motion carried unanimously.**

Councilwoman West gave an update on the naming of the roads for the 911 map. She is concerned that driveways are being given names, and Chief Davis is reviewing it.

****Councilman Kelly made the motion to adjourn, seconded by and Councilwoman West. The motion passed unanimously.**

The meeting adjourned at 7:55 P.M.

Respectfully submitted by

Susan R. Sutton
Borough Secretary