

**HARVEYS LAKE BOROUGH  
LUZERNE COUNTY  
REGULAR COUNCIL MEETING  
March 20, 2012**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, March 20, 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.

**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	Present
Ed Kelly	Council Member	Present
Amy Williams	Council Member	Present
Charles McCormick	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 February 21, 2012 Public Worksession and the February 21, 2012 Regular Council meeting, seconded by Councilmember Kopko. The motion carried with one Nay vote cast by Councilmember Boice.**

Fred Lubnow was here to update Council and the Residents on the proposed Floating Wetland Islands. He stated that there is no permit needed from the PA Fish and Boat Commission. However, PA DEP wants him to get a joint permit with Harveys Lake Borough. He is however, hoping that he can apply for a waiver that would allow him to bypass the Environmental assessment. He stated that he had heard from 6 residents, some for and some against the Wetland Islands to be placed near their property. He said that he will have a final list soon and will submit it to the Borough Office. He hopes to have the Stormwater monitoring started soon.

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

The floor was opened for Citizens to be heard.

Resident Shirley Mallory had a complaint about the street lights. She wanted to know why the street lights at the top of Old Lake Road were no longer working. She was almost hit one night and run off the road and she is concerned that it is dangerous. She asked if there is any way it could be turned back on. She is also concerned that the ice cream stand will open soon.

Councilmember Radel stated that is was not only budgetary concerns, but also that the lights were not dark sky compliant. He was also concerned with the randomness of the placements of the Lights around the lake. He felt that in the future, it may be possible to have a study done and to have an efficient placement of lights.

Ms Mallory stated that it is dangerous to Citizens especially at the highway intersection. She wanted to know who was liable if someone gets hurt.

Mr. Radel stated that they could discuss it and address it in the future. He also said that there may be grants available in the future.

Resident Bill Monk asked council if there had been any consideration to the possibility of a burning ban. His wife has health issues and if they open their windows, it fills up with smoke. He has some information from DEP regarding air quality and burning.

Resident Carol Culver asked if council had any plans at this time to change Zoning regulations in response to Act 13. Council said no. She asked council not to change anything yet. There are 40 municipalities ready to sign on to challenge Act 13.

Councilmember Boice stated that Act 13 is the new Gas Bill taking away the rights of a municipality to regulate drilling activity in their own municipality with zoning. There is a CELDF meeting on April 28<sup>th</sup> at 10 – 4 pm at the Quality Inn. Municipal Officials need to be educated. Although this is geared for municipal officers, it is open to the public.

Resident Jason Miller thanked council for the island at Alderson Corners. It will be good for safety. He also expressed concern for the loss of the Street light at Queen of Peace road. H also asked if we are so concerned with phosphorus in the lake, and we already have an ordinance on the books, who is policing that? Maybe before we go spending a lot of money on Wetland Islands, we should try enforcing the ordinances already in place. He also asked why there are so many infractions of the Erosion and Sediment regulations around the lake. He calls the Conservation District and it takes a long time for them to respond. Couldn't we have our zoning officer enforce it?

President Radel stated that we don't have jurisdiction over that.

Mr. Miller stated that we have earth disturbance ordinances in code. He also stated that

he doesn't think the islands will work. He also stated that once again he was asking why a non resident was having their garbage picked up at the end of Queen of Peace. The resident has 5 of Harveys Lake Borough's recycling containers. Why is she still getting service?

President Radel stated that he would look into it.

Mr. Miller also wanted to know why Harveys Lake Borough is never in the newspaper police blotter.

Chief Musial stated that in the past we have been.

Michael Chewy stated that he was very pleased to see the blue wooden letters spelling Harveys Lake had been cleaned up at the Borough Office. Also, he was pleased that sewer pipes laying in the flower bed were gone as well. He recommended that council look into an electronic sign.

President Radel asked if anyone was still having trouble with recyclables being thrown in with trash by our hauler. Resident Carol Culver said that no, she was not. Thank you for asking, she forgot to mention it earlier.

Michael Daily stated that the Wetland Islands would remove 10lbs of phosphorus from the lake. He also stated that Summit Point Builders has a silt fence down and it would be nice if someone could ask him to adhere to Best Management Practices and fix it.

President Radel stated that they would look into it. Perhaps a stop work order could be issued.

Council member Boice stated that she was proud of our Environmental Advisory Council receiving an award from the Luzerne Conservation District for Environmental Stewardship. It was stated that EAC and Council may not always agree on how to mitigate problems, but they all agree that they need to be addressed.

Mayor Hogan stated that the Homecoming Committee is looking into the possibility of purchasing an electronic sign for the Borough.

The floor was closed.

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

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

The Borough Secretary reported that during the month of February the Borough received \$35,098.16 from Berkheimer.

Also, for the month of February, \$55,125.49 was collected for current trash payments,

\$35 for garbage stickers, \$5,809.55 in past due collections for a monthly total of \$60,970.04 for the month of February.

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

**Finance:** Councilmember Kelly gave the financial report including: Total available cash is \$294,988.83 last year it was \$390,106.53; total restricted cash is \$68,578.13 last year it was \$131,451.26; total cash of \$363,566.96, last year it was \$521,557.79.

**Police:** Mayor Hogan's report included revenue of \$258.59, officers responded to 120 calls driving 2190 miles.

Minor repairs to the vehicles and oil changes are being done by the road department, in return saving the borough money. Residents should report all suspicious activities. And residents are reminded to get their burn permits.

**Roads:** Councilmember Barber gave his report including that the Road Dept. used 213 gallons of fuel for 5 vehicles. The winter was light which should help with our budget on salt used and overtime. The state and FEMA came in and tell us that they will give us a percentage of the money that has already been spent and for some of the repairs that still need to be done.

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

### **NEW BUSINESS**

**\*\*Councilmember Kehler made a motion to pass resolution 3-2012 approving the transfer of Restaurant Liquor License #R5891 into Harveys Lake Borough from Dallas Township, seconded by Councilmember Boice. The motion carried unanimously.**

**\*\*Councilmember Kopko made a motion hire for 2101 two summer help at minimum wage not to exceed \$8,000 budgeted amount for the year, seconded by Councilmember Kehler. The motion carried unanimously.**

**\*\*Councilmember Kelly made a motion to contact EasternPenn engineers to begin the planning of the 2012 Liquid fuels project, seconded by Councilmember Barber. The motion carried unanimously.**

**\*\*Councilmember Kehler made a motion to amend the Borough Code exception guidelines to the limit of the State code for refuse exemption, seconded by Councilmember Barber. The motion carried unanimously.**

President Radel wanted to make the community aware that Harveys Lake received a

grant to upgrade the police facilities and to move the Police Department over to beside the Little League fields and the Borough garage. Right now we are in the gathering information process and will be having a public meeting in the future to get public input. He wanted to thank everyone who worked on that grant. They tried to apply for that grant several times and finally received one, so thank you.

### **OLD BUSINESS**

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

**\*\*Councilmember Kelly made a motion to pay the Bills and Payroll in the amount of \$153,907.02, seconded by Councilmember Kopko. The motion carried unanimously**

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

Mayor Hogan announced that there will be an Easter Egg Hunt for the kids at the Harveys Lake Little League field on Saturday, March 31 from 10 until noon with a Rain Date of April 7.

Also, the 2012 annual Homecoming Weekend is scheduled for August 10, 11, & 12 with a rain date of Labor Day weekend on August 31, 1 and 2 to be held at Hanson's Grove.

Michael Daley of the Environmental Advisory Council stated the annual well water testing at the lake will be held July 21 and two weeks later and informational meeting. As soon as a date is picked, he will let everyone know.

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

The meeting adjourned at 8:07 pm

Respectfully submitted by Susan R. Sutton, Borough Secretary