

**HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
March 15, 2016**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, March 15, 2016 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. Eileen Godin from the Times Leader indicated that she had a recorder.

President Hilburt announced that prior to this meeting, an executive session was held.

Roll call:

Clarence Hogan	Mayor	Absent
Bill Hilburt	President	Present
Thomas Kehler	Vice President	Present
Daniel F. Blaine	Council Member	Present
Michell'e Boice	Council Member	Present
Ed Kelly	Council Member	Present
Wayde Post	Council Member	Present
Carole Samson	Council Member	Present
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 February 16, 2016 public worksession and regular council meeting, seconded by Councilmember Boice. The motion carried unanimously.**

OPPORTUNITY FOR CITIZENS TO BE HEARD

The floor was opened for public comment.

There was a long discussion on PennDot's decision to lower the speed limit to 30mph around the lake. The deciding factor was the sight distances around the lake. This was done based on facts and studies done around the lake.

Greg Fellerman from the safety committee and Chief Charles Musial was on hand to discuss this

change and to answer questions. This has been a long process. Several meetings have been held with Council, PennDot, State Representative Karen Boback, State Senator Lisa Baker, Safety Committee representatives and the Chief of Police. The desire is that everyone can enjoy the lake, residents and guests alike, and that they all do it safely. It is not to give priority to bikers or walkers or runners or cars. Safety is the main concern.

The committee continues to work looking for ways to improve safety. They are looking into things like education and speed minders. Although progress has been made, they have a long way to go. Public Education is needed for everyone to learn the “rules of the road”.

Flo Belenski asked if Lakeside Drive could be a one way road. Michael Avery, fire chief pointed out that it would increase time for emergency response. It was pointed out that this is not a practical solution.

Flo Belenski also expressed complaints for the new police station. She feels it was too much money and looks ugly.

Councilmember Boice stated that council is very proud of the new station and that once it is landscaped it will be very nice. She stated that it is a huge improvement over the old station.

The floor was closed.

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

The Borough Secretary reported that during the month of February the Borough received \$58,838.59 from Berkheimer

REPORTS FROM APPOINTED OFFICIALS AND SPECIAL COMMITTEES

Admin: Councilmember Samson had no report.

Finance: Councilmember Kehler gave a report including that the available cash is at \$446,829.09 and restricted cash is \$68,168.89 for a total of \$514,997.98.

Police: Councilmember Samson stated that a new Generac generator was donated and installed at the new station. Also, the Police responded to a total of 232 calls including: 49 traffic stops, 2 DUI arrests, 25 citations issued, 24 warnings issued, 4 bicycles stopped, 4 persons stopped for jogging in wrong direction, 1 drug arrests, 5 assists to other departments, 11 911 open line requests, 4 suspicious activity calls, 52 walk ins, 1 animal calls, 29 miscellaneous calls, 5 motor vehicle accidents, 17 Fire and EMS calls, 11 burglar alarms, 4 domestic calls and 1 hit and run.

Roads: Councilmember Boice reported new equipment is being purchased and there are no problems.

Zoning: Councilmember Kehler report included that the zoning officer collected \$3300 for amusement tax, issued 5 permits for the month of February, had 3 variances and 3 job johnny

permits.

Safety Committee: The report was given during opportunity for citizens to be heard.

Garbage: Councilmember Boice reported that the current year fees for the month of February collected were \$34,460.86. Prior years' fees were \$2,701.27 and \$39.00 in garbage stickers for a total of \$41,201.13.

BMCP: President Hilburt stated that there was nothing to report this month.

EMA: Councilmember Kelly stated that Rich Williams, our EMA coordinator has been doing very well with the new notification system that has been installed.

Recreation and Special Events: The annual Easter Egg Hunt will be held on March 26 at 10 am at the Lake Noxen School.

Building and Grants: Councilmember Boice stated that she met with representatives of Barry Issett regarding grant opportunities. They are looking for sources to purchase speed minders and address other safety issues.

****Councilmember Kelly 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 Samson made a motion to renew our dental insurance with Guardian, seconded by Councilmember Kelly. The motion carried unanimously.**

****Councilmember Boice made a motion to have the solicitor prepare and advertise a Pave Cut ordinance, seconded by Councilmember Kehler. The motion carried unanimously.**

****Councilmember Boice made a motion to have the solicitor prepare and advertise a dumpster ordinance, seconded by Councilmember Kehler. The motion carried unanimously.**

A special event permit resolution was read into the record:

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF HARVEYS LAKE, LUZERNE COUNTY, PENNSYLVANIA ESTABLISHING A POLICY FOR THE ISSUANCE OF A SPECIAL EVENT PERMIT AND A POLICY FOR THE RECOVERY OF COSTS ASSOCIATED WITH THE PERMITTED EVENT

WHEREAS, special events play an important role in making the Borough more community- friendly and unique while at the same time boosting the local economy through visitors not normally travelling to the Borough.

WHEREAS, the lake itself, its private and public areas, and specifically the road encircling the lake, are attractive sites for organizers of run/walks, parades, fairs, and other special events planned to attract a large number of people to participate at once.

WHEREAS, the Borough must ensure the safety of both the participants in such special events along with the general public within the Borough during the events themselves while at the same time allowing the organizers a clear set of regulations governing the application and execution of such special events within the Borough.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Council of the Borough of Harveys Lake as follows.

I. Definition

A. "Special event" means an event or activity organized by any person, group, or organization that invites public participation and/or spectators to a public or private location within the Borough on a specific date and time, including, but not limited to: fun runs/walks, foot or bicycle races, sporting events, fundraisers, parades, carnivals or fairs, exhibitions, shows, and holiday-themed events. Special events may be held entirely on private property.

II. Permit

A. Any person, group, or organization may apply for a special event permit by filing a written application with the Borough Secretary at least 60 days prior to the proposed date for the special event, or 90 days prior to the event if there is a request for full/partial road closure. Application forms will be provided by the Borough at the Borough offices.

B. The application shall contain the following information:

1. The name, address, email address, and telephone number of the event organizer or person responsible for communication on behalf of the event organizer.
2. A full and complete description of the event, including the date, time, duration, proposed course, and a map or plan of desired route, if applicable, including information as to the proposed use of any right-of-way, public roadway or street.
3. The proposed location of the special event including dimensions for any structures, signage, or other temporary physical improvements including tents, stands, or other shelter.

4. An estimate of the number of attendees expected at the special event, including participants, spectators, organizers, and volunteers.
5. If the use of a roadway, street, or right-of-way is contemplated, the proposed traffic control plans while in use.
6. A proposal for sanitation during the special event, including the number of facilities and locations, along with care and removal of the same.
7. An agreement to terms in the event there is necessity of emergency services of the Borough.
8. Detailed plans for security, cleanup, traffic management, parking, first aid services, and disability access.
9. Proof of liability insurance with the Borough named as an additional insured in the amount of \$1,000,000.00.
10. Applicant must sign an indemnification agreement with the

Borough.

C. All permits shall be approved or denied by the Borough within ten (10) days from the date the application is filed. A permit will be issued only when all information requested is provided. The Borough reserves the right to deny any permit based upon concerns for the safety of the general public. If the application is denied the Borough may provide a written description as to any steps necessary to remedy the application's flaws, to which applicant will have ten (10) days to make changes and reapply. Any application denied and not amended in accordance with Borough requirements is deemed void.

D. The Borough may require a cash escrow in an amount not to exceed \$2000 to be posted with the Borough to guarantee adequate cleanup after the special event. Any area of a special event not cleaned up after 24 hours will be cleaned by the Borough and all costs and expenses incurred therewith will be charged to the escrow, with a minimum charge of \$250.00. If cleanup costs incurred exceed the amount placed in escrow, applicant shall pay. Borough any outstanding balance within 30 days of receipt of a bill for the same.

E. Applicant must have all required escrows, insurances, and signed agreements in place at least 20 days before the scheduled special event, or the Borough in its own discretion cancel the event.

F. The provisions of this Resolution are severable. In the event any provision of this Resolution is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions.

RESOLVED and ENACTED this 15th day of March 2016.

****Councilmember Blaine made a motion to approve the Resolution for a Special Events Permit, seconded by Councilmember Samson. The motion carried unanimously.**

****Councilmember Boice made a motion to authorize Barry Issett to begin the bidding process and advertising for the 2016 Liquid Fuels project, seconded by Councilmember Samson. The motion carried unanimously.**

**** Councilmember Blaine made a motion to purchase equipment for the new vacuum trailer in the amount of \$1914, seconded by Councilmember Post. The motion carried unanimously.**

****Councilmember Samson made a motion to advertise and hire part time police officers, seconded by Councilmember Blaine. The motion carried unanimously.**

OLD BUSINESS

****Councilmember Kehler made a motion to pay the Bills and Payroll in the amount of \$145,944.66, seconded by Councilmember Boice. The motion carried unanimously.**

The next meeting of Council will be held on Tuesday, April 19, 2016 at 7:30 pm.

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

The meeting adjourned.

Respectfully submitted by Susan R. Sutton, Borough Secretary