HARVEYS LAKE BOROUGH
LUZERNE COUNTY
REGULAR COUNCIL MEETING
May 17, 2016

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, May 17, 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.

Roll call:

Clarence Hogan	Mayor	Absent
Bill Hilburt	President	Present
Thomas Kehler	Vice President	Present
Daniel F. Blaine	Council Member	Absent
Michell'e Boice	Council Member	Present
Ed Kelly	Council Member	Present
Wayde Post	Council Member	Absent
Carole Samson	Council Member	Absent
Thomas O'Connor	Attorney	Absent
Matt Loftus	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 April 19, 2016 public worksession and regular council meeting, seconded by Councilmember Kehler. The motion carried unanimously.**

Fred Lubnow from Princeton Hydro was here to give an update on the PA DEP 319 grants. He stated that the first spring monitoring for water quality has been completed. The new basin and treatment system for the Public Boat Launch is being discussed with PA Fish and Boat and their engineers. It is important to get this one finished as the grant will close at the end of September. The grant that was requested to treat the highly invasive plan Hydrilla was not awarded to Harveys Lake Borough. This was very disappointing. It will be resubmitted in the next round in June. DEP is also looking for additional sources of funding for this issue.

Fred also reported that he recently met with the Borough Engineers, (BIA) to discuss and coordinate the work being done with stormwater and water quality. This will be helpful in the

annual MS4 submissions with DEP.

Also, recently Fred met with DEP to help establish water quality thresholds that will be used statewide. Some of the water quality testing was being done for this. DEP will be using that data as an example for the future. DEP would like to remove Harveys Lake from the impaired list, but also add a category that states that although it is no longer impaired, it has not finished meeting the TDML goals. This will allow Harveys Lake to continue to apply for funding in grants. The ultimate goal is to be able to apply for funding to dredge. Princeton Hydro is estimating that this may be possible by the end of next year.

OPPORTUNITY FOR CITIZENS TO BE HEARD

The floor was opened for public comment.

There was no public comment.

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 April the Borough received $26,566.25 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 $564,151.41 and restricted cash is $150,985.43 for a total of $715,136.84.

Police: Councilmember Kehler stated that the Police responded to a total of 250 calls including: 85 traffic stops, 0 DUI arrests, 45 citations issued, 40 warnings issued, 10 bicycles stopped, 14 persons stopped for jogging in wrong direction, 0 drug arrests, 12 assists to other departments, 9 911 open line requests, 5 suspicious activity calls, 47 walk ins, 0 warrants, 4 animal calls, 27 miscellaneous calls, 1 motor vehicle accidents, 14 Fire and EMS calls and 12 burglar alarms, 4 noise complaints, 0 thefts, 4 domestic calls, 0 suicide calls, 0 hit and runs, 0 PFA violations, 1 missing person, 0 overdoses, 0 sex offenses and 0 criminal mischief. As always, we ask that residents report any type of suspicious activity. Please keep doors on homes and vehicles locked at all times. As you can see the traffic stops are up from previous weeks, we ask that everyone respect other drivers and residents and drive the posted speed limit. The police force will be showing a stronger presence due to the warm weather. If anyone would like a more detailed report regarding the police report, they can make an appointment with the Chief and he will supply what he legally can.

Roads: Councilmember Boice reported that she spoke to the Road Foreman and he reports that in addition to fixing basins and potholes, the Road Crew has been busy helping plant grass at the new Police station. New signs were installed and the mowing equipment was repaired. They have been very busy. Also, Luzerne County is holding a tire collection in Hanover Twp. On June 11. Residents are urged to take advantage of this.

Garbage: Councilmember Boice reported that the current year fees for the month of April collected were $17538.50. Prior years' fees were $2983.91 and $32.25 in garbage stickers for a total of $20,554.66 for a YTD total of $194,075.48.

Zoning: Councilmember Kehler's report included that the zoning officer spoke to 153 persons, some of whom scheduled meetings. Met 3 times with Bill Hilburt, once with Bill Hilburt and Mike Garrity, and an additional time with Tom Kehler and Chief Musial. She issued 22 permits for March. Received 4 complaints, with 2 resolved, one pending and one referred to Children and Youth Services. She had zoning hearing. Drove around the lake on 2 occasions. She had 2 detailed phone conversations with Mark McNealis.

EMA: Councilmember Kelly stated that Rich Williams, our EMA coordinator has been doing very well.

Recreation and Special Events: Lakefest this year will be held on August 5th and 6th. The Harveys Lake Community Yard sale will be held on June 24th, 25th and 26th.

Building and Grants: Councilmember Boice stated that they met with BIA and are still looking for sources of funding for all kinds of projects. They are looking to beautify the entrance to the Lake, get more speed minders, a storage shed, salt shed and equipment. The LSA grant money continues to go down, so other sources of funding need to be found.

EAC: It was reported that on that a successful clean up was recently held at the Lake.

Sewer Authority: Fran Kopko reported that with the final payment on the FHA loan that the Sewer Authority has, this will free up money that can be used for much needed improvements in the system. The first priority will be new non clog pumps and also, flow meters at every station. They are beginning to replace them as money becomes available.

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

New Business

The new Pave Cut Ordinance Summary was read into the record as follows:

BOROUGH OF HARVEYS LAKE

NOTICE OF ORDINANCE

THE COUNCIL OF HARVEYS LAKE BOROUGH PROPOSES THE FOLLOWING ORDINANCE AMENDING CHAPTER 12 ("DRIVEWAYS AND CURB CUTS") OF THE BOROUGH CODE.

A title and summary of the Ordinance are as follows:

Ordinance # 1-2016
BOROUGH OF HARVEYS LAKE
HARVEYS LAKE, PE'N'NSYL VANIA

AN ORDINANCE OF HARVEYS LAKE BOROUGH, COMMONWEALTH OF PENNSYLVANIA FOR THE PURPOSE OF AMENDING CHAPTER 12 ("DRIVEWAYS AND CURB CUTS") OF THE BOROUGH CODE TO ESTABLISH A POLICY FOR THE ISSUANCE OF A PERMIT TO PERFORM PAVE CUTS WITHIN THE BOROUGH.

SOLICITOR'S SUMMARY OF PROPOSED HARVEYS LAKE BOROUGH ORDINANCE NO. 1-2016

The proposed Borough of Harveys Lake Ordinance No.1-2016 would amend Chapter 12 ("Driveways and Curb Cuts") of the Borough Code as follows:

Section 12-1. Definitions of Pavements and Lateral Service Connection removed. Definitions for Application For A Pave Cut Permit, Borough, Facilities, Inspection, Long Pave Cuts, Municipal Corporation, Pave Cut Log, Pavements, Permittee, Person, Public Utility, Service, Small Pave Cut Areas, Special Pavement, Street, Utility Corridor, Utility Relocation, and Work added.

Section 12-2. Permit requirements amended to require 24 hours' notice for planned excavation, name and address of applicant; nature, location, and purpose of excavation; date of commencement and expected date of completion. Borough shall keep a record of all permits. Unauthorized openings or cuts will be prohibited. In emergency repair situation utility or person shall take action to cure danger to property and individuals, notify the borough immediately of the emergency, and apply for a permit no later than the following day; pave cuts necessary for public improvements will be on a non-fee basis; there will be a penalty and fees for work done without a permit.

Section 12-3. Minimum insurance requirements for each applicant increased to $1,000,000.00 for personal injury or death of individual with limit of $3,000,000.00 for each occurrence and $500,000.00 for property damage.

Section 12-4. Old Sections 12-4 through 12-7 combined into one section titled Work Restrictions. Power driven concrete saws or air hammers shall be used for all cuts. Cuts must provide smooth edge. No pavement busters shall be used without written permission from Borough. No street in the Borough may be completely closed to traffic at any time. Flag persons must be present to direct traffic if lane closed. Cuts25 feet or less shall be completed within 48 consecutive hours. Pave cuts over 25 feet not permitted from November through March. Borough may limit work in congested areas. Waste material shall be removed daily at the end of work. No waste material shall be left at the work site.

Section 12-5. Modifies old Section 12-8 Backfilling. Material used to backfill must be compacted to dry density at least equal to 95% of maximum dry density attained by ASTM D 15 57, Method C or D. Borough must be notified in advance of all backfilling. Fill shall be completed in 6 inch layers, including initial layer, succeeding layers, and upper layer. Work shall be done consistent with good engineering practices. Roadways shall be passable at all times. In event pave cut causes damage to another utility's facilities, it is responsibility of party making cut to contact Borough and utility for inspection and pay all costs to repair damage.

Section 12-6. New Section Titled Preparation of Streets for Paving, Repair, Or Reconstruction replaces old Sections 12-9 through 12-13. Existing base must be exposed 6 inches on all sides. Flexible base pavements must consist of binder for full depth of 4 inches. ID2 shall be placed minimum of2 inches and rolled to conform to existing road, with edges sealed. Sand or chip seals prohibited. Long pave cuts must be rolled with no less than 6 ton roller. Small pave cuts may be finished with mechanical tamper or vibrator. Cuts within *SO* feet on each center of each other shall be joined and patched as one. Cuts greater than 50 feet require full cut and remove of road width for entire length of longitudinal or transverse cut. Resurfacing at least 1.5 inches thick with restoration of original crown and slope. Special type pavements restored to original specifications. Borough may inspect all cuts of five square yards or more and inspection fee charged. Upon notification from Borough of planned street resurfacing or reconstruction, utilities shall test their lines and services and schedule necessary capital improvements and service connections prior to start. No limestone or monument in Borough may be removed, altered, or buried at any time. Test holes require restoration. Borough engineer has final decision for determination of lines and grades for street construction. Gas lines shall be at least 30 inches below subgrade. Water lines and telecommunication lines shall be at least 36 inches below subgrade. Electric lines shall be at least 24 inches below subgrade. Aerial installations interfering with a roadway project shall be relocated upon written order from Borough.

Section 12-7. New section titled Fees. Borough shall, by resolution, set the Fee Schedule for all costs subject to this Chapter.

Section 12-8. New section titled Enforcement. Enforcement handled by Department of Public Works. Borough may appoint persons to enforce. When violation found, contractor or utility may be offered opportunity to correct. Borough may suspend work and take appropriate safety precautions. All work billed to contractor or utility. Penalties may be imposed. Non-compliant contractor may be barred from work in Borough.

Section 12-9. New section titled Penalties. Violation of this chapter shall result in summary offense and fine not more than $1,000.00 plus costs. Each day a violation continues shall be considered a separate offense.

Section 12-10. Old Section 12-14 revised. Inspection fees of $40.00 for first hour and $25.00 per hour after. $300 penalty for failure to obtain permit. $100.00 per day for non-compliance with any section. Permanent pavement restoration fees: less than 50 square feet, $5.00 per square foot; 50 to 100 feet, $4.60 per square foot; over 100 feet, $4.50 per square foot.

The proposed Ordinance may be examined Monday through Friday between 7:00AM and 3:30PM at the Harveys Lake Borough Building, 4875 Memorial Highway, Harveys Lake, Pennsylvania.

HARVEYS LAKE BOROUGH

Thomas A. O'Connor, Esquire

****Councilmember Boice made a motion to approve the Pave Cut Ordinance as read, seconded by Councilmember Kelly. The motion carried unanimously.**

****Councilmember Boice made a motion to hire two temporary summer helpers at minimum wage, seconded by Councilmember Kehler. The motion carried unanimously.**

The sealed bids for the two police vehicles were opened and read.

1. Yousef Dabbagh Bid for 2010 Dodge Charger $1668.00
2. Leonard Nardozzo Bid for 2010 Dodge Charger $1,300.00
3. Bayridge Motors Bid for 2010 Dodge Charger $677.00
4. Chicago Motors Bid for 2010 Dodge Charger @1307.00 and the Bid for the 2006 Crown Vic was $207.00

****Councilmember Kehler made a motion to reject all of the bids and to re advertise, seconded by Councilmember Kelly. The motion carried unanimously.**

****Councilmember Kelly made a motion to nominate Dominic Hockenbury for the Outstanding Student Athlete award, seconded by Councilmember Boice. The motion carried unanimously.**

OLD BUSINESS

****Councilmember Kehler made a motion to pay the Bills and Payroll in the amount of $94,169.90, seconded by Councilmember Boice. The motion carried unanimously.**

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

The meeting adjourned at 8:07 pm.

Respectfully submitted by Susan R. Sutton, Borough Secretary