

**Harveys Lake Borough, Luzerne County**  
**Regular Council Meeting**  
**June 18, 2024**

The Regular Meeting of the Harveys Lake Borough Council was held on Tuesday, June 18, 2024, at 7:00 p.m. in the Harveys Lake General Municipal Building, 4875 Memorial Highway, Harveys Lake, PA, 18618.

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

President Delaney announced the meeting tonight was being tape-recorded and if anyone in the audience had a recorder to please advise Council at this time.

<b>Roll Call</b>		<b>Attendance</b>
Mike Rush	Mayor	<u>Present</u>
David A. Delaney	President	<u>Present</u>
Clarence Hogan	Vice President	<u>Present</u>
Lewis Evans	Council Member	<u>Present</u>
Brandon Harris	Council Member	<u>Present</u>
Robinn Mikalic	Council Member	<u>Not Present</u>
Robert Prescott	Council Member	<u>Present</u>
Charles West	Council Member	<u>Present</u>
William Watt	Solicitor	<u>Present</u>

**Approval of Minutes of Previous Meeting** – motion to waive the reading and accept the Minutes of the April 16, 2024 Regular Council meeting.

Motion made by Council member Evans Second by Council member West

**Opportunity For Citizens to be Heard**

Susan Fischbein & Denise Wisser from the Harveys Lake Protective Association spoke to Council regarding the Wake Boats that are on the lake. They have concerns regarding the shoreline around the lake. They also have safety concerns for anyone who is in or on the lake while a wake boat is in use. They are encouraging Council to take action before it is too late.

Dale Neuhard spoke regarding a hand-dug well and that garbage was thrown in it. He has contacted DEP. He also stated that he filed a Right to Know Request and sent a follow-up on May 8 and still has not gotten a response.

Bill Dunn spoke regarding the fishing tournaments on the lake. There were 65 reported Special Application Permits for fishing tournaments for 2024. In 2023, there were 88 Special Application Permits. None of these permits are denied by the PA Fish and Boat Commission and there are no fees associated with them. He is encouraging Council to look into this.

Gene Ziembra spoke regarding the guardrails around the lake. They are ugly and he has heard a rumor that they will be replaced by bigger uglier ones. He is requesting that nicer ones like

Francis Slocum be put up around the lake and he will be a liaison regarding the guardrails.

John Doerfler spoke regarding the special events permit to have an art exhibit at Harveys Lake Beach Association at Sunset Beach. He was advised that it was taken care of.

Dave Hag asked if there could be a calendar on the borough website with events. He also asked if the meetings could be streamed via Zoom and if the minutes from meetings and the agenda be posted a week in advance so that he can know what is going on. He also asked about the reconsideration of not taxing Air BNBs. President Delaney advised that Council is currently researching the options regarding BNBs. Solicitor Watt also stated that it is not necessarily a tax. This is more of making sure that houses are up to code and are not dilapidated. There are fees associated with this. He has a copy of a Supreme Court Decision that he can provide a copy. He also stated that minutes cannot be posted until they are read and approved at the Regular Meeting. The agenda has to be put out 24 hours in advance of the meeting. Unfortunately, some things go on last minute that it cannot be posted earlier.

Melissa Keefe spoke regarding two lots she owns on Sparrow Lane. She asked if the road is a county, borough, or private road. There is a gate blocking access and the gentleman who lives on the road is not welcoming to anyone. She is asking for help and guidance to try to get this resolved. She is unable to sell the two lots she owns. Council member Prescott stated that if the road sign is red, it is a private road.

### **Reports from Appointed Officials and Special Committees**

**Police report:** Chief Musial reported from January to June the number of calls received was 1,181. Complaints were received regarding the water and he called the Fish Commission. Advised residents to call Harrisburg and voice their concerns.

**Roads:** Roads and basins get checked. Working closely with WVSA fixing the catch basins. The truck and the recycling trailer will be put out for public bidding.

**Finance:** President Delaney read the report.

**Zoning:** Zoning total April \$180 and May \$120. Third-party building inspections total April \$3,334.05 and May \$3,401.88.

**Garbage:** Council member West stated that there is an ordinance that refuse totes cannot be left out. They need to be taken off the roadside.

**Grants:** BMCP grant for the road dept is closed. Police Dept, Salt Shed, and Borough Garage are still ongoing.

**Sewer:** No Report. Act 537 ongoing.

**BMCP:** The meeting will be held on June 20.

**EAC:** No quorum for a meeting. Adding new member.

**Rain tax/WVSA:** Nothing to say.

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

### **New Business**

**Executive session was held before the work session agenda.**

**Council member Hogan made a motion to pass the Confidential Contact Resolution for Berkheimer, seconded by Council member West. One nay. Roll call vote.**

<b>Roll Call</b>		<b>Attendance</b>
David A. Delaney	President	Yes
Clarence Hogan	Vice President	Yes
Lewis Evans	Council Member	Yes
Brandon Harris	Council Member	Yes
Robinn Mikalic	Council Member	Not Present
Robert Prescott	Council Member	No
Charles West	Council Member	Yes

**The motion carried unanimously.**

**Council member Evans made a motion to approve the Ford Super Duty/Recycling Trailer to be taken to auction, seconded by Council member Harris. The motion carried unanimously.**

**Council member Harris made a motion to approve the Nissan Pathfinder to be taken to auction, seconded by Council member Evans. The motion carried unanimously.**

**Council member Harris made a motion to appoint Maureen Divine to the EAC Committee, seconded by Council member Evans. The motion carried unanimously.**

**Removal of Harveys Lake Borough from the Co-operation Agreement related to the Joint Purchase of 2016 Vactor Truck was previously approved and was put on the agenda in error.**

**Resolution for Greenways, Trails, and Recreation Program grant/Public Park Project required matched funds of \$44,111.29. No action is required at this time.**

**Council member Harris made a motion to approve the opening of an Escrow Bank Account, seconded by Council member Evans. The motion carried unanimously.**

**Council member Harris made a motion to Collect the Amusement Tax, seconded by Council member West. The motion carried unanimously.**

**Council member Hogan made a motion to approve the Special Events Permit submitted by Matthew Riviello, seconded by Council member Harris. The motion carried unanimously.**

**Council member Harris made a motion to pass the Devine Component 3 Resolution 601, seconded by Council member Hogan. The motion carried unanimously.**

**Council member Evans made a motion to pass the Reister/Arnaud Component 3 Resolution 602, seconded by Council member Harris. The motion carried unanimously.**

**Council member Harris made a motion to pass the Moran Component 3 Resolution 603, seconded by Council member West. The motion carried unanimously.**

**Council member Evans made a motion to pass the Boland Component 3 Resolution 604, seconded by Council member Harris. The motion carried unanimously.**

**Council member West made a motion to approve solvi Pay as the credit card processing company for refuse collection or any fees that the borough would collect. A 3% service charge will be applied to credit card transactions that the resident will pay, seconded by Council member Harris. The motion carried unanimously.**

**Council member Harris made a motion to pay the bills and payroll for the months of April and May, seconded by Council member Evans. The motion carried unanimously.**

**Motion to adjourn the meeting made Council member West and seconded by Council member Evans at 7:58 p.m.**

Respectfully Allyson Barcheski  
Borough Secretary