

# **HARVEYS LAKE BOROUGH**

## **Luzerne County REGULAR PUBLIC MEETING February 19, 2019**

The regular meeting of the Harveys Lake Borough Council was held on Tuesday, February 19, 2019 at 7:30 pm. in the Harveys Lake General Municipal Building, 4875 Memorial Highway, Harveys Lake, PA.

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

President Blaine announced that the meeting was being tape-recorded, and if anyone in the audience had a recorder to please advise Council at this time. There was no response.

### **Roll call:**

Carole Samson	Mayor	Present
Daniel F. Blaine	President	Present
Clarence Hogan	Vice President	Present
Michell'e Boice	Council Member	Present
Chad Flack	Council Member	Present
Edward Kelly	Council Member	Present
Thomas Kehler	Council Member	Present
Wayde Post	Council Member	Absent
Matthew Loftus	Solicitor	Present
Elizabeth A. Martin	Assistant Secretary-Treasurer	Present

### **\*\*Indicates motions made**

**\*\*Council member Kelly made the motion to waive the reading and accept the minutes of the January 15<sup>th</sup> Public Work Session and Reorganization Meeting, seconded by Council member Flack.**

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

Prior to the meeting, a sign-up sheet for those wishing to speak at the meeting was available to residents wishing to speak at the meeting:

Resident Kathy Moretti, Lakeside Dr., inquired for an update on progress with the (Cliff St.) Cell Tower. Where is their permit? Atty. Loftus noted that the Borough asked for a bond, but the company sidestepped the request. Vice President Hogan said that no work is being done at the tower site, and they will not be given a permit for that work until the road is done and inspected by the Borough's engineer.

Resident Carol Starosta, Cliff St., provided photos of clearing work being done at the cell tower site, and explained that trees are pushed over and piled along the road. She asked why the water

runoff problems are not being addressed. President Blaine noted that the company has not completed the stormwater requirements to date, nor has the final inspection been done.

Resident Bob Prescott, May Ave., asked if the Luzerne Conservation District is involved at the cell tower site. He also stated that the Borough should not have been able to sign a contract with an outside authority such as the Wyoming Valley Sanitary Authority (WVSA). Atty. Loftus noted that the stormwater fee was levied per a federal mandate, and that the Borough can contract for garbage fees with a third party. Borough and State Code allows the Borough to do so.

Resident Kevin Carty, Lakeside Dr., stated that if Lehman Township gets a waiver for the stormwater fees, can Harveys Lake Borough do the same? President Blaine explained that if no waiver is granted Lehman Township must remain with WVSA. He also explained that WVSA plans to visit docks and boathouses. Carty asked about dirt roads, and Blaine noted that gravel roads are compacted, which allows water to run off. He also said that there will be fee changes for Tier 3 properties. Property owners should pay the fee and they will be credited if changes are due them. Carty was very interested in learning more about credits for rain barrels and other mitigation projects.

Resident Mike Adamshick, Cook St., said that fee changes from WVSA are comical, and that Council should support the residents of the Borough by insisting that the government should fund this mandate. He asked Council to reach out to the legislators for better options/solutions.

Jack Davis, Lakeside Dr., asked why Council opted to join WVSA so early. He asked if President Blaine has a personal investment/gain from WVSA, or if any member of his family works for WVSA. President Blaine responded that no one in his family is involved, nor does he or will he benefit from anyone in his family taking a job at WVSA.

Shae Adamshick, June St., asked if there would be any recourse to not paying the stormwater fee bills. Council member Kelly said that WVSA would put a lien on the property. President Blaine explained that taxes would have to go up if the Borough were to handle stormwater in-house.

John Doerfler, Rhodes Terrace, said that serving on Council was a thankless job, and thanked Council for their service.

Paul Adamshick, Rhodes Terrace, stated that Harveys Lake is a success story: 1996, the lake was listed by DEP as impaired water; in 2014 it was removed from that list. He asked when the business/commercial bills would go out; and, asked if Lehman Township gets a waiver, why not Harveys Lake Borough. President Blaine noted that Lehman Township's waiver is for one area of the township only. Council member Kehler referred to recent spill in lower New York State, which affected the entire length of the Susquehanna River; he also stated that he wants to pull out of WVSA.

Pat Adamshick, Rhodes Terrace, asked why the Borough did this if they didn't need to, suggesting that senior citizens will experience difficulty filling out paperwork. Who will help them? WVSA should assess a flat fee like DAMA, and asked Council to vote again.

## **REPORTS FROM ELECTED OFFICIALS**

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

The Borough Secretary reported that during the month of February the Borough received **no report** from Berkheimer.

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

**Police:** Mayor Samson's report included the HL Borough School Resource Officer's attendance at a recent fundraiser at Skateaway, in Kingston. The event raised funds for Ballistic Shields, of which Harveys Lake received three. Donors were Karen and Buz Boback, AMP Global Strategies, and Dr. Francis Collini. Also, the Borough received a Buckle Up grant.

**Roads:** Council member Post's report included the continued checking of roads and basins, response to calls/complaints from residents, and winter clean-up work.

**Finance:** Council member Flack gave a report, which included available cash is \$408,682.72 and restricted cash is \$106,054.31 for a total of \$614,737.03.

**Zoning:** Vice President Hogan's report included that in the 14 days she worked in January 2019, the zoning officer issued 13 permits, including 6 zoning, 1 building and 6 burn permits; spoke to 185 persons, and received 2 complaints, with 1 pending. She worked with the tax assessor's office for clarifications/addresses, and is working on the yearly county tax assessment report; attended January Council meeting.

**Grants:** No report.

**BMCP:** Council member Blaine noted that the BMCP is waiting to hear about the LSA grants.

**Sewer:** No report.

**EAC:** No report due to the cancellation of this month's meeting.

**HL Rec Committee:** Mayor Samson announced that the annual Easter Egg Hunt will take place on April 20<sup>th</sup>, 10 a.m.-noon. Donations are being accepted; and monthly 50/50 raffles are underway.

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

## **New Business**

**\*\*Vice President Hogan made a motion to reappoint Barry Issett & Associates as the Borough Engineers and Third Party UCC Inspectors; seconded by Council member Flack. Roll Call: Kehler, no; Kelly, no; Boice, no; Hogan, yes; Flack, yes; Post, absent; Blaine, yes. Tie vote: Mayor Samson, yes. Motion passed.**

**\*\*Council member Kehler made a motion to reappoint Kathy Moretti to the Zoning Hearing Board, for a three-year term; seconded by Council member Boice. Vote was unanimous. Motion carried.**

**\*\*Council member Kehler made a motion to reappoint Larry Radel and Chris Korshalla to the Planning Commission, for three-year terms; seconded by Council member Flack. Vote was unanimous. Motion carried.**

**\*\*Council member Flack made a motion to pass Resolution #2-2019: Adoption of 2019 SALDO Fee Schedule; seconded by Council member Kehler. Vote was unanimous. Motion carried.**

**\*\*Council member Kehler made a motion to appoint Jerry Brown to the Environmental Advisory Council, for a three-year term ending in 2021; seconded by Council member Flack. Vote was unanimous. Motion carried.**

**\*\*Council member Kehler made a motion for the Planning Commission to appoint their own secretary at the rate of \$100 per meeting; seconded by Vice President Hogan. Vote was unanimous. Motion carried.**

**\*\*Council member Kehler made a motion for the Zoning Hearing Board to appoint their own secretary at the rate of \$100 per meeting; seconded by Council member Flack. Vote was unanimous. Motion carried.**

**\*\*Council member Kehler made a motion for the Environmental Advisory Council to appoint their own secretary at the rate of \$100 per meeting; seconded by Council member Boice. Vote was unanimous. Motion carried.**

**\*\*Council member Boice made a motion for Harveys Lake Borough to withdraw from the Wyoming Valley Sanitary Authority (WVSA) Stormwater Management Program; seconded by Council member Kelly. Roll Call: Kehler, yes; Kelly, yes; Boice, yes; Hogan, no; Flack, no; Blaine, no; Tie Vote: Mayor Samson, no. Motion denied.**

**\*\*Council member Kelly made a motion for Harveys Lake Borough Council to change the time for Citizen's Comments, from three minutes to five minutes; seconded by Council member Kehler. Vote was unanimous. Motion carried.**

**\*\*Vice President Hogan made a motion to pay the bills and payroll in the amount of \$112,111.78; seconded by Council member Boice. Vote was unanimous. Motion carried.**

The next Regular meeting of the Harveys Lake Borough Council will be held on Tuesday, April

16, 2019, at 7:30pm.

**\*\*Vice President Hogan made a motion to adjourn, seconded by Council member Flack.  
Vote was unanimous. Motion carried.**

The meeting adjourned at 8:45 p.m.

Respectfully submitted by

**Elizabeth A. Martin, Borough Secretary-Treasurer**