

Reminder-Holiday Office Hours/Schedule

For the upcoming holidays, the office will be closed December 24th and December 31st. Theresa will be on vacation most other days between December 20th and January 3rd; the office will be manned only part-time. Phone calls, e-mails and mail will be handled, based on urgency, by available personnel. We appreciate, and thank you in advance, for your patience and understanding.

Dam Valve

Efforts currently involve the installation of a 'saddle tap' and a 2 inch ball valve on the downstream side of the pipe through the dam (nominally between the two big valves, except the upstream valve is up in the shop...). This will allow establishing a small stream of flow through the pipe which should be sufficient to preclude freezing at the downstream valve. This will allow us to delay reinstalling the upstream valve until we can get divers in the water in the spring, and in turn gives us more time to design and test out a solid fix. The new 2-inch ball valve will also be of lasting benefit in that we should then never have to operate the big downstream valve under full pressure (a design constraint on this 30-inch knife valve with soft rubber seats), reducing maintenance and extending its life.

Ordinance 144 Affirmed

Commonwealth Court in Pittsburgh ruled on December 16th affirming that Zoning Ordinance 144 was legally enacted and is valid. This should bring to an end one of the ongoing lawsuits. The opinion, written by Senior Judge Rochelle Friedman can be found online at:

http://www.pacourts.us/OpPosting/Cwealth/out/46CD10_12-16-10.pdf

This is good news; one lawsuit down. But.... There is always a but...

New Litigation

Sadly, Council has not been able to find a way to avoid 2 new landowner appeals, so the net in the past month or so is plus one... One of these new issues involves the appeal of a Zoning Officer determination/citation that plumbing fixtures added in a garage makes the garage, in fact, a second residence/dwelling on the property. Council also rejected an out-of-court 'no fault' cash settlement, sending this one to the ZHB, then to court. The second new appeal is against the permitting of a third 4-unit luxury townhome adjacent to the Lakewood Sewage Treatment Plant on Kickapoo Court (Lodge property). This appeal charges that the Borough did not follow its own Zoning Ordinance by allowing the Zoning Officer to issue the permit rather than having Council approve the overall plan, after public hearings, as required (according to the appeal) by the Planned Residential Development requirements (Section 307 and Section 1200) of Ordinance 144. Following vigorous debate, Council ultimately voted to send this to the courts for adjudication also. Ironically, only the lawyers/courts are able to judge the interpretation of the language we ourselves put in our ordinances. I so wish for the day when we are over these battles and can get on enjoying our beautiful Lake together.

Fracking, or Not

Fracking is the water-pressure-fracturing process used to extract gas from shale. Communities where fracking operations occur have had numerous issues and are having great difficulty figuring out how to safely control the processing by local ordinances. One large community, the City of Pittsburgh, recently

decided that 'the only way to win is not to play'. They passed an ordinance banning fracking totally within the city, and have mounted a campaign encouraging other communities to do the same. They have also asked for our moral and potential legal support, by resolution.

Borough Council voted to take no action at the present time. Some communities in our region are welcoming the revenues from fracking, and we are not sure banning it totally best serves our residents, or is even legal. Given our dam expense, and other legal woes, getting involved in more legal challenges, or even pledging legal support to others, did not seem wise. That was our thinking. Your thoughts are welcomed.

Appointments

Bob Vogel and Tom O'Toole have been reappointed to new terms on Planning Commission, and Dr. Forrest Schucker to a new term on Zoning Hearing Board (ZHB).

Don Newman was appointed as a new alternate on ZHB, replacing Lori Miscoe who has left the Borough. I'd like to thank Lori for her past contributions, and welcome Don to the world of Public Service at Indian Lake. Don is an engineer/manager/executive with more than 30 years service to Westinghouse, Bechtel, and the nation's Naval Nuclear Program.

Charlie McCauley was appointed to chair Borough Council's Personnel Committee, replacing me, and I am extremely thankful to Charlie for offering to do that. Charlie has a rich leadership and personnel management history with Agway and we are lucky to have him provide oversight for our personnel. Charlie recently took lead to hire our newest employee, Heavy Equipment Operator, Snow Plower, and Backup Water/Sewer Plant Operator-in-Training, Dave Smith.

Hunting and Poaching in the Borough

Mayor Miscoe discussed with Council the concerns of residents on Clear Run over hunters with presumably loaded weapons entering the woods to hunt there. It was not known for certain they were hunting within the Borough boundaries, but concerns over stray bullets was voiced. Every year many people are wounded, sometimes killed, by stray gunfire during hunting season. Near-misses seem a regular occurrence. It was also questioned how this fits in with respect to the state's new anti-poaching laws.

Mayor Miscoe offered to step up enforcement to the extent he could, but also to see if our own ordinances needed to be updated or strengthened. If you have input, I'm certain Mike would entertain it.

Go Steelers!!

I thank you for your time.

Bob H.

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