

## e-News 29 December 2010

### More Building Inspector Woes

The Borough participates in a county-wide 'co-op' contract with Somerset County Building Inspections, LLC for residential building permitting and inspections. Based on a local Somerset case still unraveling, one of SCBI's inspectors, was permanently de-certified, and a second has now been charged and faces the same fate if found guilty. Dean Snyder has a list of homes/projects around the Lake inspected by these 2 inspectors. Keep in mind that an inspector cannot 'inspect-in' quality if it is not already there, so your first question should be whether you trust your contractor. If you do not or do not wish to trust your contractor, and one of these individuals did inspect your home/project, you may wish to have the work checked independently.

A Pittsburgh TV channel did a spot on the Somerset case a couple of weeks ago. If you are interested, it can be viewed over the web at: <http://www.thepittsburghchannel.com/news/26145848/detail.html> and a Johnstown station at: <http://www.wjactv.com/video/25818648/index.html> did similar. These might provide a sense of the issues and the risk, if any, to your project.

Regardless of whether Somerset County Municipal Co-op renews the contract with SCBI, Indian Lake (Council) has the option of 'opting out' of the county-wide contract. This would give the opportunity, but also the burden, **to the homeowner/developer** to contract on their own for UCC building inspections and permits from a long list of state-certified BCOs. Council renews Indian Lake's commitment to the County co-op yearly (January/February) so if you have input, advise your favored Councillor, or us all at Council@indianlakepa.us. Input will be published.

### Latest Commonwealth Court Ruling

[see [http://www.pacourts.us/OpPosting/Cwealth/out/2615CD09\\_12-22-10.pdf](http://www.pacourts.us/OpPosting/Cwealth/out/2615CD09_12-22-10.pdf) ]

Commonwealth Court affirmed the points appealed by the litigants against the Borough's boat dock easement for the Kickapoo Townhome development at the Lodge. The Court of Common Pleas (Judge Klementik) had ruled in August 2009 that the Borough had violated the Sunshine Law during the August 2007 vote, but denied other aspects of the original (2008) appeal to him. So, in September 2009 Council re-voted and ratified the easement. This September 2009 vote was appealed in October 2009 on two new counts, which Judge Klementik declined to hear in his December 2009 ruling, based on Borough arguments. Commonwealth Court disagreed with those Borough arguments and sent it back [reversed and remanded it] to the Court of Common Pleas for a re-look. The impact of this ruling is not yet fully known.

### 2011 River of the Year Award - voting now open

**Stonycreek River** (our downstream watershed, flowing from Lake Stonycreek to Johnstown) is substantially improved over past years and is a candidate for **2011's River of the Year Award**. For more detail, to see the competition, **and to vote**, visit:

<http://www.surveymonkey.com/s/9YM8TSK> Voting ends January 3rd.

Thank you for your time.

**Happy New Year !!!**

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