

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
JANUARY 14, 2015

The regularly scheduled meeting of the Indian Lake Borough Council was held on January 14, 2015 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Lynn Shimer, President
Patricia Dewar
Robert Hanson
Scott Hollern
Robert Marhefka
Curtis Morgese
Lynn Shimer
Terry St. Clair
Michael D. Miscoe, Mayor
Theresa L. Weyant, Borough Manager

THOSE ABSENT:

Frank Moldovan, Superintendent
Daniel Rullo, Solicitor
David Wood, Zoning Officer

Visitors – Richard Stern and Tom O’Toole.

The Meeting was called to order at 7:00 P.M. by Lynn Shimer, President.

ORDER OF BUSINESS

Mayor Miscoe introduced Officer James Rigby to the Borough Council. Officer James Kistler was unable to attend the meeting.

1. Approve the Minutes of the Meeting Held on December 10, 2014 - Shimer asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. St. Clair seconded the motion. All ayes, motion carried.

2. Financial Reports - Hanson made a motion to approve the Borough’s Financial Reports and to pay the outstanding bills. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Water Works Financial Reports and to pay the outstanding bills. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Sewer Financial Reports and to pay the outstanding bills. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Summary of Account Balance Report as presented. Dewar seconded the motion. All ayes, motion carried.

3. Welcome Visitors - Richard Stern and Tom O’Toole.

4. Legal Report:

A. David Rohrich Challenge to Ruling/Septic – Miscoe informed Council that Mr. Rohrich did file an appeal to the Commonwealth Court. The judge has ordered him to identify his specific reasons for appeal. Since Mr. Rohrich has not applied for a sewage permit, he will either have to comply with the injunction or face contempt charges or post a bond during the appeal process.

B. John Oliver Zoning Hearing Board Appeal – Miscoe informed Council that there is a case management hearing scheduled for March 3rd before Judge David Klementick.

C. Update on the Complaint on the Condition of Donald Wolf's Property, Seneca 441 – Miscoe stated that Attorney Rullo has completed the Notice of Violation with an opportunity to cure for the District Magistrate and the Zoning Officer will need to sign off on it before it can be filed.

D. Update on the Complaint on the Condition of Donald Mateer's Property, Cayuga 147 – Miscoe stated that Attorney Rullo has completed the Notice of Violation with an opportunity to cure for the District Magistrate and the Zoning Officer will need to sign off on it before it can be filed.

E. Consideration for Adoption of the Proposed Fishing Ordinance – Morgese made a motion to adopt Ordinance No. 171, which is the Resident Guest Fishing Permit Ordinance as advertised and presented. Shimer seconded the motion. All ayes, motion carried.

F. Al and Rosemary Lichtenfels Structural Damage to Residence – Attorney Rullo sent a letter to Mr. and Mrs. Lichtenfels notifying them that this matter has been turned over to the Borough's liability insurance carrier to investigate and hopefully an amicable resolution with the insurance carrier can be reached.

5. Correspondence:

A. Shanksville Volunteer Fire Department-Invitation to the Installation of Officers Banquet – Council has been invited to attend the Shanksville Volunteer Fire Department's installation of officer's banquet on Saturday, January 31st at the Glade United Church of Christ on Huckleberry Highway at 6:00 PM. Curt Morgese and Scott Hollern will attend on behalf of the Borough Council

6. Committee Reports:

A. Finance Report:

1. Set 2015 Boat License Fees and Numbers - Hanson made a motion to set the number of available Primary Powered Boat Licenses at an unlimited number for \$75.00, Primary Non-Powered Boat Licenses at an unlimited number for \$30.00, available Resident General Boat Licenses at 30 for \$750.00, available Non-Resident General Boat Licenses at 10 for \$1,500.00, available Secondary Powered Boat Licenses at 300 for \$150.00, and available Secondary Non-Powered Boat Licenses at 500 for \$30.00. After the July 4th weekend, there will be 100 additional Secondary Non-Powered Boat Licenses available with a limit of 2 per lot. A Replacement Boat License for \$20.00, Transfer Boat License for \$50.00, and the Same Day Service Fee for re-registering a boat at \$30.00 per boat.. Hollern seconded the motion. 6 ayes and 1 naye, motion carried.

B. Police Report – St. Clair made a motion to authorize the expenditure of up to \$600.00, for winter jackets for each of the police officers, a flashlight for the cruiser, an extra LED replacement light for the spot light and lights for the light bar on the cruiser that were omitted. Morgese seconded the motion. All ayes, motion carried.

D. Water & Sewer Report:

A. Ratify Extending the Contract with Charles J. Merlo, Inc. - Dewar made a motion to extend the contract with Charles J. Merlo, Inc. until April 30, 2015. Hanson seconded the motion. All ayes, motion carried.

B. Billing New Water Connections – Hanson made a motion that water and sewer usage charges for multi-family units will start when the units are sold and for R-1 properties, when the occupancy permit is issued. Dewar seconded the motion. All ayes, motion carried.

7. Old Business

8. New Business:

A. The Eads Group-2015 Fee Schedule for Sewage Enforcement Activities – St. Clair made a motion to appoint CME Engineering as the Borough's Primary Sewage Enforcement Officer and to appoint The Eads Group and the Alternate Sewage Enforcement Officer. Dewar seconded the motion. All ayes, motion carried.

B. Appointment of Deputy Tax Collector – Manager reported that Susan Dabbs, Tax Collector for Indian Lake Borough, has appointed Carol Ann Wise as her Deputy Tax Collector, to collect and settle taxes during any incapacitation of Ms. Dabbs. Hanson made a motion to authorize the Borough Manager to execute the document approving the appointment of the Deputy Tax Collector. Hollern seconded the motion. All ayes, motion carried.

C. State Ethics Forms - State Ethics Forms for 2014 need to be returned to Theresa no later than May 1, 2015

9. Public Comment: None.

Dewar made a motion to move into Executive Session to discuss potential litigation and personnel matters at 8:55 P.M. Morgese seconded the motion. All ayes, motion carried.

At 9:34 P.M. Council returned to Regular Session

Morgese made a motion to authorize Attorney Rullo to file a civil action against Larry Crespo to recoup the monies paid for the illegal contract for the 2014 Goose Management Program. Hanson seconded the motion. All ayes, motion carried.

With no further business to discuss, St. Clair moved and Morgese seconded to adjourn the meeting at 9:35 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on February 11, 2015 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager