

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
FEBRUARY 11, 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
Daniel Rullo, Solicitor

THOSE ABSENT:

Frank Moldovan, Superintendent
Theresa L. Weyant, Borough Manager
David Wood, Zoning Officer

Visitors – Richard Stern and James Dewar.

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

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on January 14, 2015 - Shimer asked for additions and/or corrections. St. Clair stated that he was present at the January 14, 2015 meeting and the notation after his name “via telephone” should be removed. Dewar made a motion to approve the minutes as corrected. Hanson seconded the motion. All ayes, motion carried.
2. Financial Reports - Dewar made a motion to pay the outstanding bills for the Borough, Water Works, and Sewer and to authorize the Finance Committee to pay any other outstanding bill that might need paid subject to ratification at the March Council Meeting. Hanson seconded the motion. All ayes, motion carried.
3. Welcome Visitors - Richard Stern and James Dewar.
4. Legal Report:
 - A. David Rohrich Challenge to Ruling/Septic – Rullo noted that David Rohrich has taken an appeal to the Commonwealth Court and since a stay has not been requested Attorney Rullo has made an inquiry as to how they intend to comply with the injunction. Attorney Rullo is waiting for a response and if he does not receive a response he will need to petition the court to force them to post a security for the stay or to remove the connection so that they are in compliance.
 - B. Lawrence J. Crespo Civil Action Hearing – Attorney Rullo informed Council that the hearing has been scheduled for Friday, February 20th before District Magistrate Seager. Attorney Rullo informed Council that he did send a letter to Mr. Crespo asking him if he seriously wanted to continue pursuing this matter because the Borough has filed counterclaim for the balance of the monies already expended since Mr. Crespo’s license had expired.
 - C. 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. The Borough has been put on notice that the insurance company is in the process of evaluating the claim.
 - D. LCT Energy LP-Boone Mine Appeal – LCT Engery is in the process of putting together a stipulation for the Borough’s consideration to see if this matter can be resolved.
5. Correspondence: None.

6. Committee Reports:

A. Finance Report:

1. Somerset Trust Company Financing – Hanson stated that he would like Council to consider exploring with finalizing with Somerset Trust Company on a reduced amount based on not needing funds for the eminent domain proceedings with the easements but getting an agreement from Somerset Trust Company that they would honor the terms that are in the existing agreement should the Borough need those additional funds 3 or 4 years from now for the eminent domain proceedings.

B. Roads and Maintenance Report:

1. Kickapoo Court Road - Hanson made a motion to authorize Attorney Rullo to advertise the Kickapoo Court Ordinance as prepared. Morgese seconded the motion. 6 ayes and 1 abstention, motion carried. St. Clair filed the abstention memorandum with the Borough Secretary.

C. Police Report:

1. In-Synch Systems-Incident Reporting and Management System – St. Clair made a motion to authorize the expenditure at the quoted price of \$3,005.20 to purchase the In-Synch Systems-Incident Reporting and Management System. Hollern seconded the motion. All ayes, motion carried.

D. Environmental Report:

1. Calendar's Run – Shimer informed Council that he received a letter from the Department of Environmental Protection that the Borough's application package has been determined to be incomplete and/or technically inadequate and they have listed the specifics of the items missing from that submission which must be included in the resubmittal. The Borough has sixty (60) calendar days from the date of the letter, on or before March 31, 2015 to resubmit the application or it will be considered to be withdrawn. Shimer noted that he has spoken with Gavin Guarino, from G Force, and they are already working on this and it will be resubmitted by the end of February. The only thing that won't be resubmitted is the instream macroinvertebrate survey report, which will be completed in April once the ice is off the lake.

E. Water & Sewer Report:

1. Musser Engineering-Submittal of the Indian Lake Golf Club's Sewage Treatment & Disposal Application to the Department of Environmental Protection - Musser Engineering has submitted a notice of their intent to submit an application to the Department of Environmental Protection for the Indian Lake Golf Club's Sewage Treatment & Disposal Application for 50 EDU's. The Borough has thirty (30) days from date of receipt of this letter to submit any comments concerning this project. At this time, Council had no comments or concerns. Hanson noted that as part of the Memorandum of Understanding that the Borough has with the Indian Lake Golf Club, the Borough has an undefined period to review the application prior to the submittal to the DEP. Hanson has requested an electronic copy of the application and there will also be an informal meeting to present the package.

F. Zoning Report – St. Clair would like Council to consider eliminating the tree cutting permit requirement in Zoning Ordinance No. 144. Council referred this matter to the Indian Lake Borough Planning Commission for their review and recommendations on the idea of eliminating the tree cutting permit requirement in Zoning Ordinance No. 144.

7. Old Business:

8. New Business:

A. Somerset County Boroughs Association-Appointment of Director to the Association – St. Clair made a motion to appoint Michael Miscoe as the Borough's Director to the Somerset County Boroughs Association. Hollern seconded the motion. All ayes, motion carried.

9. Public Comment: None.

With no further business to discuss, Dewar moved and St. Clair seconded to adjourn the meeting at 9:02 P.M. All ayes, motion carried.

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

Respectfully submitted,

Theresa L. Weyant
Borough Manager