

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
MARCH 11, 2015

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

THOSE PRESENT:

Lynn Shimer, President
Robert Hanson
Scott Hollern
Robert Marhefka
Curtis Morgese
Lynn Shimer
Michael D. Miscoe, Mayor
Theresa L. Weyant, Borough Manager
David Wood, Zoning Officer
Daniel Rullo, Solicitor

THOSE ABSENT:

Patricia Dewar
Terry St. Clair
Frank Moldovan, Superintendent

Visitors – Richard Stern, Michael Yock, Carl Chapman, Laura Bowers, and Donald Reed.

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 February 11, 2015 - Shimer asked for additions and/or corrections. There being none, Hanson made a motion to approve the minutes as submitted. Morgese 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. Hollern seconded the motion. All ayes, motion carried.

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

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

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

3. Welcome Visitors - Richard Stern, Michael Yock, Carl Chapman, Laura Bowers, and Donald Reed.

4. Correspondence:

A. Somerset County Boroughs Association-March Dinner Meeting - The Somerset County Boroughs Association will be holding their March Dinner Meeting on Thursday, March 19, 2015 at the Berlin Borough Community Building in Berlin. The cost is \$12.50 per person. Curt Morgese, Lynn Shimer, and Michael Miscoe will attend.

B. PennDot District 9 Transportation Outreach Meeting – PennDot District 9 will be holding their annual Transportation Outreach Meeting on April 23, 2015 at the Somerset Township Building, in Somerset. There is no cost to attend. No one to attend at this time.

5. Committee Reports:

A. Finance Report:

1. 2014 – Audit Report – Hanson made a motion to accept the 2014 audit report as submitted. Hollern seconded the motion. All ayes, motion carried

2. Auditor Management Letter – Council referred this matter to the Finance Committee for further review and recommendations.

3. Somerset Trust Loan-Long Term Financing Options - The Finance Committee discussed the option involving the long term financing in regard to the loan with Somerset Trust Company. The Finance Committee is recommending that Council opt for the “Fiscally Conservative” option. Hanson made a motion to authorize Attorney Rullo and himself to work out the details with Bruce Shipley, from Somerset Trust Company, using the “Fiscally Conservative” approach and to a proposal ready for signature no later than the June Council Meeting.

B. Road Report:

1. Kickapoo Court Road – This matter was tabled subject to the public hearing in April.

2. Road Damage to Peninsula Drive-Miller Pools – Manager reported that she has been working with our insurance carrier and they have submitted the claim to Mr. Miller’s insurance carrier and they have accepted liability to the damages done to Peninsula Drive and the Borough should be receiving a check in 3 to 4 weeks to cover the damages.

6. 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 did receive a letter from Attorney Jeff Hollowood stating that in lieu of Mr. Rohrich filing an Application for Stay during the pendency of the appeal, Mr. Rohrich has agreed to shut off the water service to his detached garage and will provide an affidavit to that effect. Attorney Rullo informed Council that Mr. Rohrich has been in contact with the Borough’s Sewage Enforcement Officer and they are trying to determine what, if any, obstacles might arise in the event that Mr. Rohrich would apply for a permit for his garage connection

B. John Oliver Zoning Hearing Board Appeal Update – Attorney Rullo informed Council that this matter was scheduled with a Case Management Order before Judge Klementik and Mr. Oliver has ninety (90) days to submit anything to the court for review and they will take this matter under advisement.

C. Update on the Complaint on the Condition of Donald Wolf’s Property, Seneca 441 – Attorney Rullo informed Council that he has the paperwork completed to file the complaint before the District Magistrate and that all he needs is for David Wood, Zoning Officer, to sign off on it and then he will file it.

D. Update on the Complaint on the Condition of Donald Mateer’s Property, Cayuga 147 – Attorney Rullo informed Council that he has the paperwork completed to file the complaint before the District Magistrate and that all he needs is for David Wood, Zoning Officer, to sign off on it and then he will file it

E. Lawrence J. Crespo Civil Action Hearing – Attorney Rullo informed Council that the hearing was held on Friday, February 20th before District Magistrate Seager and Mr. Crespo was ordered to repay the Borough for the monies already paid to him for the 2014 Geese Management Program plus all court costs.

F. Al and Rosemary Lichtenfels Structural Damage to Residence – Attorney Rullo informed Council that this matter is now in the hands of the Borough’s insurance carrier.

D. LCT Energy LP-Boone Mine Appeal – Attorney Rullo informed Council that the Borough has to report back to the Environmental Hearing Board in April as to where we stand on this matter.

7. Correspondence: None.

C. Police Report:

1. Uniform Crime Reporting System - Mayor Miscoe reported that Officer Rigby is in the process of getting the Uniform Crime Reporting System for the department up and running and updated for the years 2013 to present.

2. In-Synch System-Incident Reporting and Management System – Mayor Miscoe stated that the In-Synch System Incident Reporting and Management System has been installed and is up and running. The Police Department hosted the training for this system, and three (3) other departments did attend the training, therefore, the Borough received their training for free since we hosted the event.

3. Police Cruiser Mishap – Mayor Miscoe informed Council that there was a mishap with the new police cruiser and this will be covered under the Borough’s Insurance but there is a \$500.00 deductible.

4. Police SOP – Mayor Miscoe stated that Officer Rigby has been working very hard in putting together the Police SOP and hopefully by the April Meeting the department will be ready to present it to Council.

D. Environmental Report:

1. Calendar’s Run – Shimer informed Council that the application has been resubmitted by G. Force and the Borough is just waiting to hear back from Department of Environmental Protection.

E. Planning/Zoning Report:

1. 2014 Indian Lake Borough Planning Commissions Annual Report – The Indian Lake Borough Planning Commission has submitted their 2014 Annual Report to Council. Hanson made a motion to accept the 2014 Indian Lake Borough Planning Commission Annual Report as presented. Hollern seconded the motion. All ayes, motion carried.

F. Dam Report:

1. Piezometer and Monitoring Well Data Review and Action Plan – Hanson reported that the piezometer and monitoring well data reading numbers are settling down and the water levels are dropping. Sean Isgan, from CME Engineering, is looking into getting the dam’s toe drains cleaned out because they could possibly be blocked. Isgan is in the process of getting cost estimates, but he is anticipating the cost to be below \$10,000 to clean out the toe drains.

Hanson made a motion to ratify the action taken to read the piezometer bi-weekly until this issue is resolved and to authorize Sean Isgan, from CME Engineering, to have the toe drains cleaned out at an expense not to exceed \$10,000.00. Morgese seconded the motion. All ayes, motion carried.

8. Old Business:

9. New Business:

A. Cable Franchise Agreement-Salsgiver Communications Interest – Hanson reported that Bob Marhefka and himself met with Salsgiver Communications, who is looking at this area to see if they might be interested in providing services to the area. As a result of some work that A T & T is doing, this company heard that the Borough was starting to work on the renewal of the Cable Franchise Agreement with Comcast. If Salsgiver Communications decides to offer their services in this area, it would be an alternate option to Comcast.

B. Somerset Rural Electric-Arial Spraying on Right-of Ways – Manager informed Council that Somerset Rural Electric will be doing arial spraying on some of their right-of-ways in the Borough along Indian Lake Drive and East Fairway Road/Indian Drive in late July/early August. They have provided the Borough with a list of the spray mixture they will be using.

Council requested that Lynn Shimer contact Somerset Rural Electric about the cutting that they did in the Borough and the amount of brush that they just left stacked up along the roadway, which could cause a brush fire, and request that they come back and clean up the debris. The contractor who was here cutting out the right-of-ways had a chipper and the debris should have all been cleaned up and chipped like it was in previous years when they did this type of work.

C. Chalet Drive-Water Line – Hanson reported that over the course of the winter the Borough has had a number of frozen waterlines. Some have been Borough main lines and some have been the property owner’s lines. The one area, which was a Borough, feed line, happened to be at the Chalet’s. It was discovered that the line that feeds the Chalet’s is only a ¾ inch line. The Water Committee is recommending that a 2 inch water line be run down the middle of Chalet Drive, in the Borough’s right-of-way, in order to fix this problem. Council was in agreement that this should be done.

10. Public Comment:

Donald Reed stated that at the last Community Mixer, residents stated that they are really confused about the new guest fishing permit regulations and he would like to suggest that Council either put something out in either the Mayor’s newsletter or on the E-news explaining the ordinance and why it was adopted, how it is supposed to work, and what everyone needs to do.

With no further business to discuss, Morgese moved and Hollern seconded to adjourn the meeting at 8:50 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on April 8, 2015 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager