

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
MAY 14, 2014

The regularly scheduled meeting of the Indian Lake Borough Council was held on May 14, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Charles McCauley, President  
Patricia Dewar  
Robert Hanson  
Robert Marhefka  
Charles McCauley  
Curtis Morgese  
Lynn Shimer  
Michael D. Miscoe, Mayor  
Daniel Rullo, Solicitor  
Theresa L. Weyant, Borough Manager  
Frank Moldovan, Superintendent  
David Wood, Zoning Officer

THOSE ABSENT:

Terry St. Clair

Visitors – Ken Helsel, Richard Stern, Ronald Petrina, Forrest Schucker, Mark Good, Tom O’Toole, Robert Oates, Jim Jones, Carl Chapman, Don Reed, Paul Cornez, Chad Howell, Anthony Castrovillo, and Amber Rosado.

The meeting was called to order at 7:00 P.M. by Charles McCauley, President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on April 9, 2014 - McCauley asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. Hanson 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. Shimer 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. Shimer 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. 2013 Tax Collector Audit - Hanson made a motion to accept the 2013 Tax Collector Audit as prepared and submitted by Wessel & Company. Dewar seconded the motion. All ayes, motion carried.

4. Somerset Trust Company Loan Modification Agreement - Hanson made a motion to authorize the Council President and the Borough Secretary to execute the Loan Modification Agreement with Somerset Trust Company, which is for an extension of the original loan agreement for principle payments only until June 20, 2015. Dewar seconded the motion. All ayes, motion carried.

5. Welcome Visitors - Ken Helsel, Richard Stern, Ronald Petrina, Forrest Schucker, Mark Good, Tom O’Toole, Robert Oates, Jim Jones, Carl Chapman, Don Reed, Paul Cornez, Chad Howell, Anthony Castrovillo, and Amber Rosado.

6. Anthony Castrovillo – Mr. Castrovillo reported to Council that the evaluation and core requirement are completed and the upgrade to 2013 has been done and the system is running the old database. The evaluation for the update to run a different database is not recommended. This cannot be easily converted over to the new database and would require an expert to do the conversion. The evaluation and modification to implement the extra functionality of the database is incomplete. Mr. Castrovillo still needs to get the list of changes from the Borough Manager and the Indian Lake Service Corporation.

7. Robert Oates, President of the Indian Lake Ski Club, presented Council with a copy of their permit to install the slalom ski course on the lake for the 2014 season at location #1A, which is located down by South Peninsula and moved 100 feet to the southwest in order to promote safer turning (map attached), along with a copy of the Certificate of Insurances. Hanson made a motion to authorize the ski club to put in the slalom course at location #1A. Dewar seconded the motion. All ayes, motion carried

8. Dave Wood’s Report:

A. Update on the Complaint on the Condition of Donald Mateer’s Property, Cayuga 147 – Attorney Rullo stated that Mr. Mateer has indicated that he has contacted Roger Harmon, with Harmon Contracting and he would be taking care of this matter. Attorney Rullo asked if anything has been done. Dave Wood stated that he looked at the property on Monday, May12th and there has been no activity at this location. Attorney Rullo asked Dave Wood to verify that Harmon Contracting has been engaged by Mr. Mateer to do the repairs to the house. If Harmon Contracting hasn’t been engaged, Attorney Rullo will proceed with filing charges with the District Magistrate’s Office.

B. Update on the Complaint on the Condition of Donald Wolf’s Property, Seneca 441 – Attorney Rullo reported that he has heard nothing from Mr. Wolf and will be proceeding with filing the charges with the District Magistrate’s Office.

9. Frank Moldovan, Road Report:

A. 2014 Road Paving Projects and Stone Aggregates - Dewar made a motion to authorize the Borough Manager to advertise for bids for the 2014 Road Paving schedule and stone aggregates Hanson seconded the motion. All ayes, motion carried.

10. Legal Report:

A. David Rohrich Challenge to Ruling/Septic – Attorney Rullo informed Council that this issue will be placed on the June trial list as a non-jury trial unless a resolution can be reached before that.

B. Dennis Markferding Boathouse – Attorney Rullo stated that Mr. Markferding would be filing a nunc pro tunc appeal before the Zoning Hearing Board.

11. Correspondence:

A. Somerset County Boroughs Association-May Dinner Meeting – The Somerset County Boroughs Association will be holding their May Dinner Meeting on Thursday, May 22 at the Holy Family Catholic Church in Hooversville. The cost is \$16.00 per person. Dewar made a motion to authorize the expenditure of \$32.00 for Robert Hanson and Curt Morgese to attend the Somerset County Boroughs Association Dinner Meeting. Shimer seconded the motion. All ayes, motion carried.

Attorney Rullo informed Council that there are two (2) perspective buyers for the David Lhota property and both of them have indicated that they fully intend to comply with all the applicable codes in regard to the renovation or demolition of the residence on this property.

B. John Fahy-Requesting Relief of the Late Fee on the Late Payment of the 2013 Sewage Maintenance Fee – Hanson made a motion to waive the \$10.00 late fee. Shimer seconded the motion. All ayes, motion carried.

12. Committee Reports:

A. Road Report:

1. Open Bids for Gasoline, Diesel, and Heating Oil - Bids for the Gasoline, Diesel, and Heating Oil were opened and quotes were as follows:

	<u>Gasoline</u>	<u>Diesel</u>	<u>Heating Oil</u>
Glassmere Fuel Service	.2389	.2389	.2389
Luther P. Miller	.16	.16	.16

Hanson made a motion to accept the bid furnished by Luther P. Miller. Shimer seconded the motion. All ayes, motion carried.

2. Open Bids for Mowing – Bids for the mowing were opened and quotes were as follows:

	<u>Hiking and Biking Trail</u>	<u>Fire Hydrants</u>	<u>Signage</u>
Ronald Petrina	2,000.00	650.00	1,100.00
Roy Rininger	650.00	650.00	850.00
David Smith	1,920.00	440.00	2,120.00
Matt Delano	70.00	70.00	70.00

Shimer made a motion to accept the bid furnished by Matt Delano for a total price of \$210.00. Marhefka seconded the motion. All ayes, motion carried.

3. Sioux Path Drainage – Hanson made a motion to authorize the work on Sioux Path to correct the drainage issue at Sioux 203 and Huron 430 at a cost not to exceed \$10,000.00. Dewar seconded the motion. All ayes, motion carried.

B. Police Report:

1. Hiring of a Part-Time Police Officer – An interview has been scheduled with Brian Dail for Monday, May 19<sup>th</sup> at 3 PM and based on the outcome of the interview, Hanson made a motion to hire Brian Dail as a part-time police officer based on the Personnel Committee’s recommendation at a starting wage of 12.00 per hour during the training period and after the training period, his wage would go to \$15.00 per hour. Mr. Dail will also need to pass his psychological evaluation. Dewar seconded the motion. All ayes, motion carried.

C. Environmental Report:

1. Buoys – Shimer asked the Indian Lake Borough Police Department to place the buoys by the spillway again this year.

2. Calendar’s Run - Shimer informed Council that Sean Isgan, from CME Engineering, and Chuck Colbert, from the Department of Environmental Protection was here on Wednesday, May 21<sup>st</sup> at 10:00 AM for the field meeting to discuss a proposed resolution and to show them the sediment issues in this area.

D. Water & Sewer Report:

1. Sewer Module Application for Frank Szczechowicz, South Peninsula 286 – Hanson made a motion to adopt the Resolution for Plan Revision for New Land Development for Frank Szczechowicz located at Peninsula #286 and to authorize the Borough Secretary to execute the documents. Dewar seconded the motion. All ayes, motion carried.

2. Sewer Module Application for Sandra Upor, Delaware 11 - Hanson made a motion to adopt the Resolution for Plan Revision for New Land Development for Sandra Upor located at Delaware #11 and to authorize the Borough Secretary to execute the documents. Morgese seconded the motion. All ayes, motion carried.

D. Planning/Zoning Report: Don Reed, Chairman of the Indian Lake Borough Planning Commission presented Council with a list of recommended amendments.

1. All side yard setbacks should be 10 feet from the property line for all structures.
2. Grandfather clause (Section 411 of Zoning Ordinance No. 144) should be eliminated.
3. Revise the Zoning Hearing Board Fee Structure.

E. Dam Remediation Report: Cornez reported that the ruts and the removal of the silt fence will all be taken care of by the end of the month.

13. Old Business:

1. Appointment of Borough Sewage Enforcement Officer – Hanson made a motion to appoint CME Engineering as the Borough’s Sewage Enforcement Officer effective June 1, 2014. McCauley seconded the motion. All ayes, motion carried.

2. Open Refuse Collection Bids: Bids for the refuse collection were opened and quotes were as follows:

Advanced Disposal July 1, 2014 thru June 30, 2017	<u>Curb Service</u> \$13.14/month	<u>Back Door Service</u> \$17.14/month
Burgmeier's Hauling, Inc. July 1, 2014 thru June 30, 2017	<u>Curb Service</u> \$16.99/month	<u>Back Door Service</u> \$16.99/month
Reese Sanitation, Inc. July 1, 2014 thru June 30, 2015	<u>Curb Service</u> \$13.75/month	<u>Back Door Service</u> \$23.75/month
July 1, 2015 thru June 30, 2016	\$14.50/month	\$24.50/month
July 1, 2016 thru June 30, 2017	\$15.00/month	\$25.00/month
Waste Management July 1, 2014 thru June 30, 2015	<u>Curb Service</u> \$11.04/month	<u>Back Door Service</u> \$26.04/month
July 1, 2015 thru June 30, 2016	\$11.37/month	\$26.82/month
July 1, 2016 thru June 30, 2017	\$11.71/month	\$27.62/month

Hanson made a motion to accept the bid from Advanced Disposal effective July 1, 2014 through June 30, 2017. Marhefka seconded the motion. 5 ayes and 1 abstention. Motion carried. Dewar filed the abstention memorandum with the Borough Secretary.

14. New Business: None.

15. Public Comment – None.

Shimer made a motion to move into Executive Session to discuss litigation matters at 9:11 P.M. Morgese seconded the motion. All ayes, motion carried.

At 9:25 P.M. Council returned to Regular Session

With no further business to discuss, Hanson moved and McCauley seconded to adjourn the meeting at 9:25 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on June 11, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant  
Borough Manager