

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
JUNE 25, 2008

The regularly scheduled meeting of the Indian Lake Borough Council was held on June 25, 2008 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Michael D. Miscoe, President  
P. Scott Moore  
Robert Vogel  
Richard Stern  
Charles McCauley  
John Walters  
Barry S. Lichty, Mayor  
Theresa L. Weyant, Borough Manager  
Dean Snyder, Zoning Officer

THOSE ABSENT:

Patricia Dewar

Visitors – Robert Hanson, James Brant, Ronald Sieling, Donald and Sara Kuhn, Kenneth Helsel, Albert Diehl, Terry Shober, John and Margie Sumrada, Forrest Schucker, Dan Beaner, Sandy Cofer, Paul Cornez, Robert Oates, James Lyons, Nikki Finan and Bruce Siwy.

The meeting was called to order at 7:00 P.M. by Michael Miscoe, Council President.

ORDER OF BUSINESS

1. Welcome Visitors - Robert Hanson, James Brant, Ronald Sieling, Donald and Sara Kuhn, Kenneth Helsel, Albert Diehl, Terry Shober, John and Margie Sumrada, Forrest Schucker, Dan Beaner, Sandy Cofer, Paul Cornez, Robert Oates, James Lyons, Nikki Finan and Bruce Siwy.

2. Dan Beaner, from Beaner Marine-Request for Boat License – Walters made a motion to authorize a special purpose license to Beaner Marine for the 2008 boating season at a cost of \$50.00. McCauley seconded the motion. All ayes, motion carried.

3. New Business:

A. James Brant-Request for a Refund of Replacement Boat License Fee - Manager informed Council that Mr. and Mrs. Brant are requesting a refund of their Replacement Boat License Fee. The replacement license was not placed on their boat. McCauley made a motion to authorize the Borough Manager to issue a refund to the Brant's if the license was never used and is able to be resold. Vogel seconded the motion. All ayes, motion carried.

4. Old Business: None.

A. Cambria County Conservation District-The Stonycreek River Stormwater Management Plan – Moore made a motion to authorize Attorney Rullo to review and finalize Article 8 (Enforcement and Penalties) and to set the penalty at \$500.00. Walters seconded the motion. All ayes, motion carried.

B. Pine Cove Sewage Planning Module – Vogel made a motion to authorize Michael Miscoe to execute the Sewage Facilities Planning Module Application for Pine Cove as presented and to forward the planning module application to the Department of Environmental Protection for consideration. Moore seconded the motion. All ayes, motion carried.

Vogel made a motion to authorize Theresa Weyant to sign the transmittal letter for the Sewage Facilities Planning Module Application for Pine Cove as presented. Walters seconded the motion. All ayes, motion carried.

Walters made a motion to adopt the resolution for Plan Revision for New Land Development for

the Pine Cove Subdivision. Stern seconded the motion. All ayes, motion carried.

5. Public Comment:

Robert Oates – Mr. Oates is pledging support for the slalom course and Borough Council owes the residents an explanation as to why they are not approving the course after it has been on the lake for over 20 years.

Miscoe stated that the Service Corporation has undertaken having a water safety study done of the lake and we have been told that some of the preliminary findings are not favorable.

Moore – It is only unfavorable during high peak conditions when the ski course is not being used.

Miscoe – There has been public concern regarding encroachments out into the lake and the number of boats that are permitted on the lake. There is also an issue regarding insurance. The Borough's General Liability policy does not cover ski runs and they will not defend a claim on ski runs should the Borough allow this skiing activity on the lake. Therefore, if the Borough allows the ski course on the lake we expose the Borough to a possible lawsuit should someone be hurt. The ski club can purchase an insurance policy to cover this event. The Borough must be named as an additional insured on that policy. To date, the ski club has not provided the Borough with a copy of this insurance identifying that the Borough has been identified as an additional insured and our agent has not been provided with any document to review to see if the coverage is adequate and if it is with a reputable company.

Moore – The ski club has the insurance and he has provided that information to the Borough Secretary. Secretary was instructed to forward that information to the Borough's insurance agent for their review and comments.

Miscoe - I will not sanction the return of the ski course until the results of the lake safety study are in but will agree if the results indicate that we have no safety issue associated with too much traffic on the lake.

Nikki Finan - I think you need to look at the kids and the fun they had at this lake, like most of you probably once had fun.

Kenneth Helsel – On the weekends the Fish Commission leaves the lake at 5:00 P.M. and our police department isn't on the lake either.

Mayor Lichty – The Fish Commission is out on the lake after dark and usually one of our police officers are with them so they can enforce our Boating Ordinance.

Kenneth Helsel – What is going on with the dam renovations? We were told that the work was to start by June 1st.

Mayor Lichty – The contractor had some issues with securing the performance bond because they were \$1.1 million lower than the next low bidder so they have to justify why they were that much lower. Somerset Trust Company is supporting his performance bond. The contractor should be starting within the next week or so.

Ronald Sieling – The ATV trails are causing a lot of the silt which is coming into Clear Run. There are no sediment ponds, drainage or coffer dams. Mr. Sieling has filed complaints with the Department of Environmental Protection in Pittsburgh. Mr. Sieling is requesting that Council talk to the DEP as well, because pretty soon Clear Run is going to be filled with silt again. Miscoe stated that he would contact Keith Largent, from Somerset Soil Conservation District and he will ask Attorney Rullo to contact Charney Regenstein with the DEP. Council was in agreement.

With no further business to discuss, Vogel moved and Moore seconded to adjourn the meeting at 9:23 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on July 9, 2008 at

7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant  
Borough Manager