

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
JULY 25, 2012

The regularly scheduled meeting of the Indian Lake Borough Council was held on July 25, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Patricia Dewar, Council President
Paul Cornez
Charles McCauley
Robert Marhefka
Robert Hanson
Terry St. Clair
Lynn Shimer
Attorney Daniel Rullo, Solicitor
Theresa L. Weyant, Borough Manager/Secretary

THOSE ABSENT:

Michael D. Miscoe, Mayor

Visitors – Jerry Mostoller, Sean Isgan, and Tom O’Toole.

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

ORDER OF BUSINESS

1 Welcome Visitors – Jerry Mostoller, Sean Isgan, and Tom O’Toole.

2. Dam Report:

A. Permit Application – Isgan reported that the permit application for Phase III is completed and will be submitted next week.

B. Lichtenfel Property – As reported at the last meeting, the Borough will need two (2) easements from Mr. and Mrs. Lichtenfel. One will be temporary in order to do the work; the second easement will be permanent in order to extend the breast of the dam. Sean Isgan, from CME Engineering and Paul Cornez have met numerous times with the Lichtenfel’s and CME Engineering did send out a crew to place stakes and run a string line to show what it will look like on the property.

In exchange for the property the Lichtenfel’s want three (3) things. 1) They want a commitment in writing as to when the Borough will pave the road on West Shore Trail Extension to their second driveway in 2013. 2) Does not want an access road across the breast of the dam 3) The road that goes up to the dam moved as far as possible but at least 100 feet from his property line towards the spillway. Isgan stated that he has already told the Lichtenfel’s that item three (3) couldn’t be done because it is off the embankment plus once the work is completed, it will just be too steep.

Council agreed that the Borough won’t move the road, the Borough will put gravel on the road in order to have a little bit of a base across the breast of the dam but will plant grass over top in order to hide the gravel, the Borough will feather out the grade of the slope on his property and the Borough will commit in writing to paving the road to his second driveway if the Borough actually owns the road that far.

Attorney Rullo stated that GAI Consultants have never completed the minor subdivisions for the Shofstahl and the PBS property, which is located in Stonycreek Township. The deeds have all been signed and the property has been paid for but they have not been recorded due to the incomplete subdivision plans. CME Engineering will work on getting that completed so that Attorney Rullo can get the deeds recorded.

3. Rohrich Decision – Jerry Mostoller, SEO, in regard to Mr. Rohrich's septic tank. There was a 1000 gal septic tank installed w/o permit, Jerry stopped by the property, they then filed a permit for 1250 gallon tank for 4 bedroom including boathouse, they were told that they could not have water in garage. It is very clear that he is in violation of permit. (There is no permit to have water in garage.) System has the potential for failure. Probably the DEP will say it is up to Borough. Jerry has already sent it up the chain. If we follow this up with a formal complaint this could help. Jerry has never filed a citation it has always been the borough/township solicitor. **Rohrich built a building connected to an existing septic without a permit.**

Council agreed to not appeal the Judge's decision on the Rohrich appeal. Council agreed that a better use of Borough resources would be to clarify the zoning ordinance and report the violation of the sewage permit to the Department of Environmental Protection and let the department make a determination as to whether or not the enforcement actions are necessary in light of the existing permit and the risk of a failing onlot sewage system.

Council requested that Attorney Rullo contact Charney Regenstein, legal counsel for the Department of Environmental Protection, to see if the violation can be prosecuted due to the delay in filing the violation.

4. Police Report:

A. 870 Shotgun – St. Clair made a motion to authorize the sale of the 870 Police Shotgun. Hanson seconded the motion. All ayes, motion carried.

B. Red Dot Sight for the AR-15 – Hanson made a motion to authorize the sale of the Red Dot Sight for the AR-15 which is no longer of any use. Shimer seconded the motion. All ayes, motion carried.

C. Authorization to Permit Dan Dively to Complete his MPOETC Certification by Submitting his application to take his Crimes Code Exam - McCauley made a motion to authorize the Borough Secretary to file the appropriate application for Daniel Dively to complete his MPOETC certification by submitting his application to take his crimes code exam at no expense to the Borough. Cornez seconded the motion. 5 ayes and 1 naye. Motion carried.

D. Authorization to Terminate Mark Custer's Probationary Period One (1) Month Early – McCauley made a motion to abbreviate Mark Custer's probationary period by one (1) month and increase his pay to \$15.00/hour effective July 27, 2012. Cornez seconded the motion. All ayes, motion carried.

E. Signage on New Police Cruiser – McCauley made a motion to authorize the expenditure of \$1,039.00 to Big City Signs for the signage on the new cruiser. Hanson seconded the motion. All ayes, motion carried.

F. 2004 Ford Expedition – Hanson made a motion to authorize the Borough Manager to keep the 2004 Ford Expedition and to sell the 1998 Ford Explorer. Shimer seconded the motion. All ayes, motion carried.

5. 4-Log Rule – McCauley made a motion to purchase an Analytical Free Chlorine Analyzer at a cost not to exceed \$4,500.00. Hanson seconded the motion. All ayes, motion carried.

With no further business to discuss, Shimer moved and McCauley seconded to adjourn the meeting at 9:10 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on August 8, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager