

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
AUGUST 8, 2012

The regularly scheduled meeting of the Indian Lake Borough Council was held on August 8, 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
Michael D. Miscoe, Mayor
Attorney Daniel Rullo, Solicitor
Theresa L. Weyant, Borough Manager/Secretary
Dean Snyder, Zoning Officer/Water & Sewer Plant Operator

THOSE ABSENT:

Visitors – Kenneth Helsel, Beth Bowman, and Tom O’Toole.

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

ORDER OF BUSINESS

1. Approve the Minutes of the Public Hearing Held on July 11, 2012 - Dewar asked for additions and/or corrections. There being none, Hanson made a motion to approve the hearing minutes as submitted. Shimer seconded the motion. 6 ayes and 1 abstention. Motion carried.

Approve the Minutes of the Meeting Held on July 11, 2012 – Dewar asked for additions and/or corrections. There being none, Shimer made a motion to approve the minutes as submitted. Hanson seconded the motion. 6 ayes and 1 abstention. Motion carried.

2. Financial Reports – Dewar made a motion to approve the Finance Committee’s recommendation to approve the Borough’s Financial Reports, including the amendments to the List of Bills Report and to pay the outstanding bills. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Water Works Financial Reports, including the amendments to the List of Bills Report, and to pay the outstanding bills. Shimer seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Sewer Financial Reports, and to pay the outstanding bills. Shimer seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Summary of Account Balance Report as presented. Cornez seconded the motion. All ayes, motion carried.

3. Welcome Visitors – Kenneth Helsel, Beth Bowman, and Tom O’Toole.

4. Beth Bowman-Request for a Special Event License – Beth Bowman, on behalf of the Oakland Catholic Rowing Team, requested to be allowed to put four (4) boats on the lake on the weekend of September 15th or September 22nd. The rowing team would be bringing three (3) rowing shells (59 feet in length) and 1 launch boat (28 feet – 15 HP safety launch). They would row on Saturday morning, midday, and late afternoon and once on Sunday morning. There are approximately 20 girls who would be attending this event and they are fully compliant with all U.S. Coast Guard Rules and Regulations. Council was also provided with a copy of their certificate of insurance liability for this event. Cornez made a motion to proceed and to authorize the special event licenses for this event. McCauley seconded the motion. 6 ayes and 1 nay. Motion carried.

5. Legal Report:

A. David Lhota, Peninsula Peninsula 2080 –Dilapidated Structure – Attorney Rullo informed Council that a monetary judgment against David Lhota would more than likely be unenforceable until he is discharged from bankruptcy. This, however, does not preclude the Borough from seeking enforcing of the nuisance ordinance; the Borough could try to bring an action to force him to correct the situation by bringing an injunction action against Mr. Lhota. St. Clair made a motion to authorize Attorney Rullo to prepare a letter to David Lhota, and to serve him notice what his options are and if corrective action isn't taken than the Borough will pursue bringing an injunction against him. Shimer seconded the motion. All ayes motion carried..

B. Adoption of Proposed Amendment to Ordinance No. 116 – Hanson made a motion to adopt Ordinance No.161, which amends Ordinance No. 116 providing clarification for the classification of person entitled to a primary and secondary boat license. Shimer seconded the motion. All ayes, motion carried.

6. Committee Reports:

A. Finance Report

1. Joseph Scansaroli-2012 Auditing Proposal – Cornez made a motion to appoint Joseph Scansaroli, Certified Public Accountant, as the auditing firm for Indian Lake Borough for the year 2012, for \$5,500.00 and to authorize the Council President to sign the commitment letter. McCauley seconded the motion. All ayes, motion carried.

B. Road and Maintenance Report: McCauley made a motion to purchase two (2) wildlife cameras in order to try to catch the individual(s) responsible for stealing the street signs in the Borough, at a cost not to exceed \$300.00 each. Cornez seconded the motion. All ayes, motion carried.

C. Environmental Report – Council requested that Lynn Shimer continue pursuing the option of either putting up signage at the spillway on the stone barriers that say “Danger” to warn boaters of the spillway or putting up buoys to keep boater out of that area.

D. Water & Sewer Report:

1. Act 537 Plan Update Strategy – Hanson reported that some of the unofficial comments from the Department of Environmental Protection are that they want the Borough to get more homeowner involvement but still keep Borough ownership. They want the Borough to re-visit the entire 537 Plan and to cover each and every item again. Council recommended that the sewer committee along with Reggie Musser, from Musser Engineering, and Jerry Mostoller, Sewage Enforcement Officer for Indian Lake Borough, and any Council Member who would also be interested in attending, to schedule a meeting with Jack Crislip from the Department of Environmental Protection to discuss their comments in their July 17th letter.

7. Old Business:

A. Pueblo Path and West Shore Trail Extension Revised Right-of-Ways – Hanson made a motion to authorize Musser Engineering to prepare the drawings to revise the right-of-ways for Pueblo Path and West Shore Trail Extension to 33 feet and to show the 370 feet road dedication of West Shore Trail Extension past Pueblo Path at a cost not to exceed \$1,000.00. St. Clair seconded the motion. All ayes, motion carried.

8. New Business: None.

9. Public Comment: None.

McCauley made a motion to move into Executive Session to discuss personnel issues at 8:45 P.M. Cornez seconded the motion. All ayes, motion carried.

At 9:10 P.M. Council returned to Regular Session.

McCauley made a motion to authorize Attorney Rullo to prepare a written conditional offer of employment for part-time employment as a police officer to Dan Dively pending his MOPEC recertification. Cornez seconded the motion. All ayes, motion carried

With no further business to discuss, St. Clair moved and Shimer seconded to adjourn the meeting at 9:12 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on September 12, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager