



# Indian Lake Borough

OFFICE OF THE MAYOR

April 8, 2013

It is with great hope that I report that we appear to be past our final snowstorm of the year. More pleasant temperatures appear to be forthcoming and with that I am reminded that it is once again time to remind all of a few things so that all can have a safe and enjoyable summer here at the lake.

## **THANKS TO INDIAN LAKE MARINA**

I am once again grateful to Marc Alaia and the Indian Lake Marina for storage of the Police Boat this past winter at no cost to the taxpayers. The Marina has also graciously provided docking space to the Borough at no cost. Be sure to thank Marc for his generosity.

## **SPEEDING IN THE BOROUGH**

As the summer months approach and more of our part-time residents return to the Borough, pedestrian and vehicle traffic on the roads increases and for that reason speeding within the Borough creates a significant safety issue for all concerned. While those wishing to walk/bike are encouraged to use the hiking/biking trail in the Borough, you are free to use the roads; however, please do so responsibly. Remember that the primary purpose of the roads is for vehicular traffic. As such, please be sure to stay to the side of the road facing on-coming traffic. Please remember to wear bright or reflective garments and if walking in the early morning or evening, be sure to take a flashlight so that you can be seen by motorists. If walking with your pets, please remember that all pets are required to be on a leash.

Those driving within the Borough are asked to be especially mindful of their speed and watch out for pedestrians. The posted speed limit in most places around the Borough is 30 mph. There are many blind hills and curves where extra caution is necessary. Fair warning - the Police Department will issue speeding citations to those who travel in excess of posted limits. Our goal is not to write citations but rather to deter speeding so as to ensure that the roads remain safe for vehicles and pedestrians alike.

## **BOATING SAFETY**

As we approach boating season, a few reminders are appropriate. According to the PA Fish & Boat Commission regulations, some adults, even those operating conventional power boats, need to take the Boating Safety Course and obtain your Safety Certificate. The following is from the PA Fish & Boat Commission web site:

### *Boating Safety Education Certificates are required:*

- *To operate a personal watercraft;*
- *For persons born on or after January 1, 1982, to **operate boats powered by motors greater than 25 horsepower.***

*Approved permanent Boating Safety Education Certificates for Pennsylvania residents must be issued by the PA Fish & Boat Commission. Out of state boaters must have a certificate issued for a course approved by the National Association of State Boating Law Administrators (NASBLA).*

Therefore, anyone **under the age of 31** needs to have a Boating Safety Certificate to operate a power boat with a motor greater than 25 horsepower and all operators of a PWC (jetski) must have passed the Boating Safety Education Course. Additionally, make sure that you maintain sufficient personal

floatation devices, a fire extinguisher, and a signaling whistle or horn on your boat. The Fish Commission, who also patrols the lake, regularly checks for these safety items.

For those who anticipate inviting guests to the lake, it is the lot owner's responsibility to ensure that anyone they permit to use their boat is properly licensed and aware of the boating rules of Indian Lake. The boating ordinance provides for fines against a lot owner in cases where a guest violates a provision of the boating ordinance.

Unfortunately, the Indian Lake Police Department no longer has an officer certified to give the boating safety course. As a result, those needing certification must do the course on-line (<http://www.boat-ed.com/pennsylvania/>)

A reminder of a few of our Lake-specific boating rules is appropriate as well.

1. The lake traffic pattern is COUNTER-CLOCKWISE.
2. All powerboats must remain at least 100 feet from the shoreline or any dock or watercraft. In the narrow areas of the lake, you may have to give way to boats towing skiers and tubes in order to maintain 100' of separation.
3. Jet Ski operators are reminded that operation of a Jet Ski within 100' of a boat, moving or not, is illegal. DO NOT "jump the wake" behind a moving boat.
4. Every watercraft on Indian Lake requires a boating permit. Permit applications were mailed in February to all residents who had a boat permitted last year. While some will undoubtedly procrastinate, I would encourage you to take care of getting your application completed and sent to the Borough Office with any required proof of registration and insurance as soon as possible. For those that do procrastinate, you can go to the Borough office and obtain your boat license by paying an additional fee for "over-the-counter" service. Experience also has taught me that there are also some that will procrastinate and forget about their registrations until a holiday weekend. Please understand that our employees do not work on holiday weekends such as Memorial Day and 4<sup>th</sup> of July weekends and as a result, immediate service will not be available. Boating without a current registration is not a solution. While I hope it is not necessary for the Police to issue a \$300 citation to anyone because they did not obtain their boating registration, I have instructed them to do so without warning. Please be responsible and get your registration completed now. There is no point in delaying.
5. No boat may be operated above wake speed prior to official sunrise or after official sunset. If operating at night, be sure to check the operation of your navigation and marker lights.

A copy of the boating regulations is provided with each boating license. **PLEASE TAKE A MOMENT TO READ THIS INFORMATION REGARDLESS OF HOW LONG YOU HAVE BOATED AT INDIAN LAKE.** If nothing else, it will serve as a good refresher.

The Police will patrol the lake to not only ensure that no one's safety is compromised, but to ensure that all boats on the lake are appropriately licensed to be on our Lake. Again, our goal is not to write citations but rather to ensure that the lake remains a safe recreational environment and is used only by those with the license to do so. For those that routinely follow the rules – thank you! If you see someone that is not as knowledgeable about our rules, be polite and share your knowledge with them. Our goal is to ensure that all boaters will operate responsibly so that enforcement is not necessary. Remember that boating on Indian Lake is a privilege requiring all who exercise that privilege to do so according to the boating regulations. If we can collectively achieve this goal we can be sure that ALL can have an enjoyable and safe boating season. Thanks in advance for doing your part!

### **BOAT INSPECTIONS**

If you are bringing a new boat onto Indian Lake, that boat must be inspected and measured for length by the Police Department. To arrange to have your boat inspected, please contact the Police Department on the non-emergency line - (814)754-3231. As our officers spend little time in the office, you will likely need to leave a message. You can expect an officer to return your call at the end of the current shift or at the beginning of the next. You may also e-mail your request to [police@indianlakepa.us](mailto:police@indianlakepa.us).

### **BUOYS AND FLOATING RAFTS**

The following is intended to remind all of the ordinance provisions relative to Buoy's and Floating rafts and to give anyone who is not in conformance with these standards the opportunity to take appropriate remedial measures as a means of mitigating the need for formal enforcement.

#### **BUOY'S**

According to the boating ordinance, a lakefront lot owner may install a buoy no more than 40' from the shoreline at a point perpendicular to the shoreline at the side property line. Before installing such a buoy, realize that a permit is also required from the PA Fish Commission. To the extent that a buoy is a "structure" as defined in the Zoning Ordinance, an encroachment permit issued by the zoning officer is also required. In the past, there have been several buoys throughout the lake that have been installed well beyond the 40' limit. These can create safety hazards to boaters and skiers alike.

#### **FLOATING RAFTS:**

It is noted that a number of residents have installed floating rafts/swim platforms beyond the shoreline in front of their property. While these structures are not defined in the Zoning Ordinance, to the extent that they are an encroachments, an encroachment permit is necessary (granted by the Zoning Officer). Understand also that the Zoning Ordinance grants a permissive use area of only 30' into the lake for property bordering any residential district (R-1/Park). Please contact the Borough Zoning Officer, Dean Snyder, to obtain the appropriate encroachment permit and remember that these floating rafts must be kept within 30' of the shoreline. Finally, if anchoring to the lake bottom (as opposed to tying them to something on the shoreline) you may additionally need a DEP Chapter 105 small project permit similar to a floating dock.

### **DAM REMEDIATION AND LAKE DRAWDOWN**

As reported in the Borough Council President's newsletter, the Dam remediation project is progressing into its final phase. The Borough Council chose the most cost-effective option that will require raising of the height of the Dam, which, in the event of what some have called a "biblical" rain event, will allow the

Dam to impound an additional 5 ½ feet of water. Should such a significant rain event occur, you can expect that the lake will rise above the normal pool level further than it would presently. Because of this, DEP requires that the Borough obtain easements from affected property owners to permit this potential temporary encroachment. I say potential because such a rain event is highly unlikely. I say temporary since the lake will return to its normal pool level rather quickly. While some have asked why we couldn't do something to avoid the need for this, the answer is that we could have. Unfortunately, this option would have required us to re-design the spillway, which would have not only been more costly (another \$1.5 Million that equates to another 2-3 mil tax increase), but would likely require a more significant draw-down to permit such construction.

The Council chose the more cost effective path and has since been diligent in attempting to require the appropriate easements from all property owners. Many of you have responded and we are appreciative. Unfortunately, we are still approximately 40 short. So that we may proceed and obtain the necessary permits to complete work this fall, Council has authorized our solicitor to proceed with eminent domain proceedings as a means of obtaining the remaining easements. In the end, we will obtain the necessary easements. The only issue that remains is how much the Borough will have to spend to do so. If you are one of these property owners and have just not gotten around to signing your easements, please do so immediately so we can avoid the expenses associated with eminent domain proceedings. If you have concerns or objections, please raise them with the Council so that you can get the information necessary to resolve those concerns.

As for the lake drawdown, I am informed that a normal draw-down is planned for this fall. For those wishing to do work on existing seawalls, install new seawalls, perform dredging, or install/repair boat docks, please be sure to obtain the appropriate DEP Chapter 105 permits as well as any necessary encroachment permits from the Borough. If you are confused as to what is required, please contact the Borough office and ask to speak with Dean Snyder, the Borough Zoning Officer. You may also reach Dean by e-mail at [Zoning@IndianLakePa.us](mailto:Zoning@IndianLakePa.us).

#### **NO GOLF CARTS AND ATVs ON THE ROADS**

Residents are reminded that unlicensed motorized vehicles such as golf carts and ATVs are not permitted on Borough roadways. Unlicensed motorized vehicles may cross the road perpendicularly, or travel on the side of the road only to cross a bridge. Also, if attempting to travel on the side of the road, be certain to not only stay off the road, but also stay off of adjoining private property, which is usually that property that is more than 25 feet from the centerline of the road. If you have a problem with unlicensed motorized vehicle operators traversing your property, please contact the Indian Lake Police Department.

While I apologize for the lengthy reminder of all of the rules, I do so in the hopes that with such knowledge, no one will be caught unaware, all will be safe, and that all will have an enjoyable and incident-free summer.

/s/

Michael Miscoe

Mayor, Indian Lake Borough