



Indian Lake Borough

OFFICE OF THE MAYOR

AUGUST 2013 NEWSLETTER

EASEMENT STATUS

First, let me thank the over 500 residents who voluntarily signed their easements thereby permitting a solution to our Dam remediation effort that stands to save the Borough taxpayers a substantial amount of money. There were some residents, however, that did not or could not respond to our request for a voluntary conveyance. As a result, the Borough was forced to file a declaration of taking to secure the remaining 47 easements as a means of obtaining the necessary permits from DEP to complete this project. The cost of filing the necessary declarations to the taxpayers exceeded \$25,000. Add to this the costs associated with the repeated efforts to obtain these easements voluntarily and you can see that there was a substantial amount of money spent that didn't need to be.

Unfortunately, unnecessary expenses continue. In response to the filing of the declaration, approximately a dozen or so individuals retained legal counsel from Pittsburgh who filed preliminary objections to the eminent domain proceeding challenging the wisdom of Council's decision to select the lowest cost option for the final phase of the Dam remediation. While our solicitor was able to get a dismissal of those preliminary objections, we have just received word that these individuals have asked the Court to reconsider its prior decision overruling those objections. While we anticipate that this request will be denied, it is notable that these fruitless and frivolous challenges only add to the total project cost. These additional costs require the Borough to expend additional borrowed funds, which in turn increase the burden to the taxpayers over the life of the loan, which is 30 years.

It is unclear whether the individuals behind these challenges truly understand the certain impact that selection of the more costly option (additional spillway) would have had on them and everyone else in the Borough. Even had this option been selected, I have confirmed that we still would have needed an expansion of the existing easement (previously at 2290') to 2294' instead of the 2295.5' that the lower cost option selected required. The expense of \$2.5-\$3 million for this option as opposed to the \$260K that the option selected (raising the height of the dam) will cost did not seem worth it especially since that additional cost would have resulted in substantial additional increases in our tax rates for the next 30 years. The impact of substantially higher tax rates would significantly diminish the marketability of Indian Lake properties and property values would drop if not plummet as a result. The option selected, raising the height of the dam, not only saves a substantial amount of money and avoids these additional tax increases, but presents an extremely low risk that the lakefront properties would ever be impacted. As a result, it was and continues to be Council's belief that the option selected will have no impact on property value.

While the individuals behind these challenges are entitled to object to the Borough's actions, and are entitled to make a case that the expansion of the existing easement will diminish the value of their property before a Board of View, the costs associated with these challenges unnecessarily increase the total project cost and hence the amount of money the Borough must borrow to see this project to completion. This naturally increases the tax burden on each and every property owner, including those filing these challenges. We can only hope that those behind these challenges will think of the negative impact that these efforts will have on the Borough as a whole. If not, I am confident that the Borough will ultimately prevail; the only question is ... at what cost to the rest of us.

LABOR DAY WEEKEND

Now for some good news! As I am sure you have heard, Council has determined that it can safely delay the lake drawdown (to September 16th) so as to permit use of the lake on Labor Day weekend. While I am sure all welcome the decision, I want to thank those in the community who provided input. I was pleased to see a calm and reasoned discussion of the issues and the willingness of all to consider both sides of the issue while waiting for the necessary pieces of information that were critical to the making of a final determination. I want to personally thank the members of the community as well as Mark Alaia from the Marina who took the time to provide ideas and possible options for Council's consideration. The members of Borough Council should be congratulated as well for their diligence in seeking and finding a solution that was in the best interest of all.

Based on the above and weather permitting, we can expect a busy weekend on the lake. While extra police coverage is scheduled to help keep everyone safe, a few reminders are in order.

1. **Traffic Direction:** The traffic pattern on the lake is counter-clockwise. This means that you should not be traveling on the left half of the lake for any reason. Doing so will likely get you an expensive citation. This includes those pulling skiers and inner tubes. While fun to make those big "S" curves, do so on your half of the lake and be mindful of traffic behind you that is attempting to avoid you. The Indian Lake Police will enforce this provision of the Ordinance strictly and the fine is substantial. Let's all be responsible so that no-one's weekend is dampened with a fine or worse, an accident.
2. **Narrow Areas of the Lake.** We continue to have problems in the narrow sections of the lake. These areas of the lake are barely wide enough for two boats, especially if those boats are pulling skiers, wakeboarders or tubes. If following one of these boats, be sure that you don't attempt to pass, especially on the left. To do so, you must maintain 100 feet of separation which will put you on the wrong side of the lake in the path of oncoming traffic. If following a skier, tuber, wakeboarder etc. and the person falls in front of you – slow to no wake speed until you are clear. Consider that the boat in front will have to turn to return to the downed skier and may turn either way to avoid traffic. Where possible, this turn should occur towards the shoreline and only after the boat has slowed down. Regardless of the direction of the turnout, there is often no room to pass. Doing so anyway not only puts the downed skier in danger, but may also put you in the path of oncoming traffic. Please slowdown in these circumstances so that all (including you) can avoid an accident.

Where two boats traveling in the same direction are towing skiers/tubers toward a narrow portion of the lake, the trailing boat should slow down so that only one boat at a time is proceeding through the narrows in each direction. Boats and jet skis not towing skiers should slow until other traffic clears. This avoids congestion as well as an unsafe situation in the event of a downed skier/tuber requiring the towing boat to have to reverse direction to pick up the downed skier/tuber.

Finally, if pulling an inner tube through the narrows, keep a straight track in this portion of the lake. "S" curves are not appropriate in these narrow areas as there is little enough room as it is.

3. **NO WAKE SPEED:** If traveling at no-wake speed, or if operating a non-powered boat such as a canoe, kayak, or paddle board, please do so close to the shoreline. Slow traveling boats and other watercraft in the middle of the lake create a substantial safety hazard to those towing skiers since in most areas of the lake there is little or no room to get around you without traveling too close to shore or on the wrong side of the lake into oncoming traffic.

4. **NIGHT-TIME BOATING:** All are reminded that you are limited to traveling at no wake speed from 30 minutes after official sunset to 30 minutes before official sunrise. While you can take your boat out during these times, you may only travel at below wake speed and must have appropriate lighting. Jet skis are not permitted on the lake at all after sunset or before sunrise.
5. **ABOVE WAKE SPEEDS:** You may not travel at above wake speed within 100' of the shoreline. While 100' is not that far, I have witnessed boats within 30-50' of the shoreline traveling at high rates of speed. Not only do you risk damage to your own boat by hitting a stump, you create an unacceptable risk of hitting someone swimming near the shoreline.
6. **GUEST OPERATORS:** If you have guests that will use your boat, remember that as a property owner, you are responsible for their conduct on the lake and can be fined for their failure to adhere to the provisions of the Indian Lake Boating Ordinance. If allowing guests to use a boat or a jet ski, it is your responsibility to ensure that the operator possesses a valid PA Water Safety Certification card. Additionally, make sure your guests know general boat safety rules as well as the rules particular to Indian Lake before you throw them the keys.
7. **EXITING DOCKS:** When exiting your dock, if you intend to cross the lake to travel in the opposite direction, please be patient and wait for traffic to clear before blasting across the lake. While this should be common sense, it continues to amaze me how often this occurs.
8. **SPEED LIMIT:** The speed limit on the lake is 40 mph. It is understood that some of these newer jet skis travel nearly 90 mph. There are a number of boats that can travel in excess of 50 mph as well. There is no reason to drive that fast on the lake and doing so is not only a violation of the Boating Ordinance subject to a substantial fine, but puts yourself and others in substantial danger.

Assuming the weather is good, we will no doubt have a busy Labor Day weekend on the lake. Be respectful of others, follow safe boating practices as well as the Borough boating ordinance and hopefully we can put the 2013 boating season in the books as one that was both fun and without incident. For those not paying attention, the Police and Fish Commission will be out and will have zero tolerance for unsafe behavior.

START OF SCHOOL

Beginning on August 27th, residents will again see large moving yellow stop signs (also known as school buses) traveling through the Borough between the hours of 6:45-7:45 am and from 3:30 – 4:30 pm. With school buses come small children waiting on or near the roadways or crossing the road to enter/exit the bus. Residents are asked to exercise additional caution when driving during these times. Police will patrol the bus routes but we hope you will do your part by slowing down to keep our kids safe.

CONTACTING POLICE

If you have an issue where you need the Police dispatched (i.e. suspicious activity, traffic complaints, etc) please call 911 so that an on-duty officer can be dispatched. The police non-emergency line / answering machine is checked only once or twice per day and is not the best method of getting a timely response.

Please enjoy the rest of the Summer safely!

/s/

Michael Miscoe

Mayor, Indian Lake Borough