

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
MARCH 10, 2021

The regularly scheduled meeting of the Indian Lake Borough Council was held on March 10, 2021 at 6:00 P.M. via Zoom.

THOSE PRESENT:

Kim Yantus  
Scott Hollern  
Curt Morgese  
Paul Balint  
Joe Lazzaro  
Shaun Nemeth  
Bob Hanson  
Kirsten Siehl, Office Manager  
Michael Miscoe, Mayor  
Michael Barbera, Solicitor  
Jerry Bellak, Chief of Police  
Dean Snyder, Roads and Maintenance

THOSE ABSENT:

Dave Wood, Zoning Officer

Visitors - Dick Stern, Mark Romano, Jim Bent, Jeff Trimbath, Chris Meyer, Geoff Miscoe, Pam Tadken, Jay McClatchey, Jim Brown

ORDER OF BUSINESS

1. Pledge of Allegiance
2. The meeting was called to order at 6:01 by Hanson.
3. Hanson moved to approve the council meeting minutes from February 10 and February 24, 2021, Hollern seconded. All ayes, motion carried.
4. Financial Reports - Hollern moved to approve the Profit & Loss Budget Performance, Unpaid Bills, Summary of Account Balances and Previous Year Comparison reports as presented for the General, Water and Sewer funds, Balint seconded. All ayes, motion carried. Hollern discussed closing out the CD held with 1<sup>st</sup> Summit Bank to continue to pay down the 1<sup>st</sup> Summit Loan (Dam Debt). Hollern moved to close out the CD at the maturity date in April, Lazzaro seconded. All ayes, motion carried.
5. Welcome Visitors - Dick Stern, Mark Romano, Jim Bent, Jeff Trimbath, Chris Meyer, Geoff Miscoe, Pam Tadken, Jay McClatchey, Jim Brown
6. Public Comment:
  - A. Mark Romano, Easement Release Request - Romano informed Council that he is seeking an easement release for the property owned by the Borough across the street from his property at Peninsula 128. The reason for the request is to allow his property to be buildable with an alternative septic system. Siehl forwarded the documents provided by Romano to Council for review and discussion.
  - B. Jimmy Bent, Shanksville Volunteer Fire Department - Bent explained to Council that he has been in contact with PA Recovery Fire Service, a third party service that would bill the home or property owners insurance in the event of a fire, they would collect a small fee in return for preparing and collecting the insurance funds. PA Recovery Fire Service requires an Ordinance from the municipality being serviced. Miscoe and Barbera will review the sample Ordinance provided by SVFD and report back.

7. Dave Wood's Report of Building Permits Issued - See attached report. Hollern reported that a property on Airpark appears to have been clear cut from the road to the Peninsula Club, he believes trees may have been taken out on our property. He is waiting for a call back from Wood to further investigate.
8. Roads and Maintenance - See attached report.
  - A. Bucket Truck - Snyder and Nemeth are continuing to discuss the options of purchasing a new truck or subcontracting the work when necessary.
  - B. Plow Truck - Snyder and Nemeth asked for guidance and thoughts from Council on ordering a new truck or continuing to look for a used truck. After discussion, Yantus suggested continue looking for a used truck until June, if nothing is found, they will continue with ordering a new truck.
  - C. Security Cameras - Snyder reported Jarrett Yantus did install the cameras at Well 99.
  - D. Bridge Inspection - Snyder reported the signs were replaced per the 2020 inspection completed by EADS Group, the baskets will need replaced while the lake is lowered and the jersey barriers will need anchored. Snyder will meet with the inspectors to confirm that their issues have been addressed and the future plan to address other issues.
  - E. Hydrant at Seneca - Snyder reported that once the water treatment plant project is complete, the hydrant at Seneca would only be pressurized when the pump is running and the hydrant would need to be eliminated at that point due to the water line size. He stated we would need to notify the residents impacted as well as the fire department. After discussion, Hollern suggested the Council members with the knowledge try to find a solution to keep the hydrant in service, Barbera suggested including Pete Buss in the conversation.
  - F. Boom Mower - Snyder reported the boom mower will require \$3,000 in repairs to be functional this year. Hanson moved to authorize expenses not to exceed \$3,500 to repair the boom mower, Hollern seconded. All ayes, motion carried.
9. Legal Report:
  - A. Somerset REC Right-Of-Way Agreement - Barbera reported he contact REC's solicitor and believes REC has no interest in meeting relative to the right of way issues. It would be up to the individual property owners to file a complaint with PUC on improper use of easements. It appears REC is doing a much better job at cleaning up this time around.
  - B. Shanksville Borough Sewer System - Balint reported that he spoke with Isgan and the issue is being pushed up the ladder with DEP.
  - C. WTP Property & Agreement - Barbera reported the subdivision plan has been approved, Lake Properties can now finalize the deed as a deed of dedication to Indian Lake Borough, the deed will likely be finalized by March 12, 2021 for review by the Smith's prior to execution.
  - D. LGUDA Filings & Ordinance - Barbera reported that Dinsmore & Shohl had prepared the advertisement for enactment of the necessary ordinance at tonight's meeting, there was a mistake in the advertisement not running on time. A special meeting will be held as advertised on Sunday, March 14 at 12:00 P.M. via Zoom to enact the ordinance. Hanson explained the meeting will be to enact the LGUDA Ordinance consisting of the cover page and ninety-six pages of text draft by Dinsmore. The ordinance will need signed by Hanson, Miscocoe and Siehl.
10. Correspondence - There was nothing to report.
11. Committee Reports:
  - A. Police Report - See attached report. Bellak reported he was approached by Deputy Sheriff Barry Barron about joining the ILPD. Barron interviewed extensively with both Bellak and Miscocoe. Miscocoe has

forwarded Barron's recruitment packet to Council and recommends that Personnel interview him for a position as a part-time officer to help covering events at Shanksville as well as filling in for full time officer coverage. Miscoe recommends if Personnel would chose to hire Barron, he would be hired at \$17.50/hour. Yantus confirmed she will schedule a Zoom interview with Barron. Miscoe reported the Hummvee was utilized again this winter to deliver Gay Reed's dialysis supplies. Miscoe reported there was one matter of personnel for executive session.

B. Personnel Report:

- i. Siehl Maternity Leave Plan - Yantus reported Siehl provided Council with her plan for maternity leave. Siehl will keep Council updated closer to the due date (May 16) and believes the plan will provide both Council and the residents the same service while her and Wendy Bellak work through the leave.

C. Environmental Report:

- i. Lily Treatment Map - Siehl reported on behalf of Morgese that several residents have requested the treatment at their lake front.
- ii. Bubblers - Siehl reported on behalf of Morgese that he believes polling the residents for next winter is the best way to handle the bubbler situation.

D. Water and Sewer Report:

- i. Water Treatment Plant - Balint reported the next meeting with PennVest is scheduled for April 7, 2021.

E. Planning/Zoning Report:

- i. Nuisance Ordinance - Tadken circulated the proposed changes to Council. Hollern and Yantus confirmed they had not had time to review the proposal. Hanson moved to table the authorization to advertise nuisance ordinance until the April 14 meeting with enactment in May, Yantus seconded. All ayes, motion carried.
- ii. Catawba Subdivision - Tadken reported there was a subdivision request with a non-building waiver for approximately 2/10 acre of land by Terry St. Clair near the Lodge parking lot. Hanson authorized Tadken to sign the non-building waiver on behalf of planning, followed by Siehl on behalf of Indian Lake Borough, Tadken can then advise Somerset County Planning that Indian Lake is in agreeance, Hollern seconded. All ayes, motion carried.
- iii. Zoning Ordinance No. 144, Section 308 - Tadken circulated the proposed changes to Section 308. The proposed changes include requiring the two properties to be co-deeded, building permits will be issued on as a 'Conditional Use' with several criteria to be met and reviewed by Council, maintaining structures would be built on back two-thirds of property with a landscaping element to remain visually pleasant. The proposal will eliminate the ability to build any structure on a vacant lot without prior approval from Council. Hollern moved to authorize advertisement for both the hearing and enactment of the proposed amendment per Barbera's review and submission to Somerset County Planning, Hanson seconded. All ayes, motion carried.
- iv. Map Revision - Hanson reported that zoning changes, both past and present need to be picked up and shown on an updated zoning map prepared by Musser Engineering.
- v. Geoff Miscoe Re-Zoning Request - G. Miscoe submitted a re-zoning request to re-zone the 9 acre parcel that he owns from R-1 to Commercial General to potentially build a structure larger than what is permitted in an R-1 District. Tadken reported after Planning reviewed the request, Planning is recommending approval. Hollern authorized advertisement of the zoning map change of G. Miscoe's property from R-1 to C-G to include the Peninsula Club Maintenance Shed property, Lazzaro seconded. All ayes, motion carried.

- F. Parks & Recreation - Morgese reported the 'Ice-Skating Party' organized by resident, Corey Kaczmarek, was well attended.
  - G. Land Management - Hollern reported there may be small possible repairs to the deck at the Peninsula Club. Snyder and crew inspected and will determine a plan for repairs. Hanson questioned if the new agreement was executed, Barbera confirmed the terms of the agreement have not changed there was only a deferral of payment as reflected in the meeting minutes.
  - H. Storm Water Management - There was nothing to report.
  - I. Boating:
    - i. Non-Resident License - Siehl asked Council to determine the number of non-resident license to be issued for the 2021 boating season. After discussion, Council agreed to make 10 non-resident license available for 2021.
    - ii. Proposed Ordinance Change - Hollern reported he circulated the proposed changes. After discussion, Balint moved to authorize advertisement of the proposed ordinance changes for enactment at the April meeting, Lazzaro seconded. All ayes, motion carried. Siehl will work with Barbera on the advertisement.
12. Old Business:
- A. Comcast Renewal - There is nothing to report.
  - B. New Resident Welcome Kits - Hollern and Siehl reported this a work in progress.
13. New Business:
- A. Slalom Course - Dick Stern provided Council with the local and insurance certificate for placement of the 2021 Slalom Course. Hanson moved to approve the Indian Lake Ski Club request to install the slalom course at Location 1 for 2021, Yantus seconded. All ayes, motion carried.
  - B. Sewage Tap-In Fee Ordinance Revision - Hanson reported that an amendment to Ordinance No. 107 pertaining to the Sewage Tap-In Fee. The fee is established in the ordinance as \$2,500, the amendment will remove the fee from the ordinance and instead state the fee will be established by Council and recorded in the 'Fee Schedule' posted to the Borough website. Hanson moved to recodify the existing ordinance with proposed changes, Lazzaro seconded. All ayes motion carried.
  - C. Morgese Re-Election - Morgese reported he will not be running for Council in the May primary as he will be traveling for work and can not dedicate the necessary time to Council, he will continue to serve through the end of his term.
14. Executive Session - Morgese motioned to move into executive session at 10:00 for a matter personnel, seconded. All ayes, motion carried.
15. Additional Business - Hanson moved to retain Tim Leventry of Leventry, Haschak & Rodkey as special counsel to the Borough should the need arise, Lazzaro seconded. All ayes, motion carried.
16. Adjournment - A motion was made to adjourn the meeting at 10:48, seconded. All ayes motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on April 14, 2021 at 6:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,



Kirsten Siehl  
Borough Secretary