

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
JUNE 11, 2014

The regularly scheduled meeting of the Indian Lake Borough Council was held on June 11, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Patricia Dewar  
Robert Hanson  
Robert Marhefka  
Curtis Morgese  
Lynn Shimer  
Terry St. Clair  
Michael D. Miscoe, Mayor  
Daniel Rullo, Solicitor  
Theresa L. Weyant, Borough Manager  
David Wood, Zoning Officer

THOSE ABSENT:

Frank Moldovan, Superintendent

Visitors – Ken Helsel, Richard Stern, Evan Jones, Paul Cornez, Charlie Fox, Ronald Petrina, Forrest Schucker, Tom O’Toole, Myles Stepanovich, Colby Rome, Don Reed, and Amber Rosado.

The meeting was called to order at 7:03 P.M. by Patricia Dewar, Vice-President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on May 14, 2014 - Dewar asked for additions and/or corrections. There being none, Hanson made a motion to approve the minutes as submitted. Morgese seconded the motion. All ayes, motion carried.

2. Financial Reports - Hanson made a motion to approve the Borough’s Financial Reports and to pay the outstanding bills. Morgese seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Water Works Financial Reports and to pay the outstanding bills. Shimer seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Sewer Financial Reports and to pay the outstanding bills. Morgese seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Summary of Account Balance Report as presented. Shimer seconded the motion. All ayes, motion carried.

3. Welcome Visitors - Ken Helsel, Richard Stern, Evan Jones, Paul Cornez, Charlie Fox, Ronald Petrina, Forrest Schucker, Tom O’Toole, Myles Stepanovich, Colby Rome, Don Reed, and Amber Rosado.

4. Dave Wood’s Report: Morgese informed Dave Wood that there is a collapsed boat house on the lake and asked that he look into this and send out the appropriate notifications to the property owner.

A. Update on the Complaint on the Condition of Donald Mateer’s Property, Cayuga 147 – Secretary stated that Roger Harmon called the office and said that Mr. Mateer contacted him about looking at his property. Harmon was going out to look at the job and will contact Attorney Rullo if he is going to take on the job.

5. Frank Moldovan, Road Report: St. Clair read Frank’s Report to Council.

6. Correspondence:

A. Charles McCauley’s Resignation from Council – McCauley submitted his letter of resignation as President and as a member of Borough Council effective June 1, 2014. Hanson made a motion to regretfully accept the resignation of Charles McCauley. Shimer seconded the motion. All ayes, motion carried. Dewar said that she would send a letter to McCauley thanking him for his years of service.

Dewar opened the floor for nominations to fill the vacant seat on Council.

St. Clair nominated Scott Hollern.

Hanson made a motion to table until the July 9<sup>th</sup> meeting. Marhefka seconded the motion. 2 ayes, 4 nays.

Shimer made a motion to close the nominations. Morgese seconded the motion. All ayes, motion carried.

Dewar asked for a vote to appoint Scott Hollern to fill the vacant seat on Council, term to expire December 31, 2015. All ayes.

Dewar opened the floor for nominations for Council President.

St. Clair nominated Lynn Shimer.

Morgese made a motion to close the nominations. Shimer seconded the motion. All ayes, motion carried.

Dewar called for a vote for Lynn Shimer for Council President. All ayes, motion carried.

7. Committee Reports:

A. Road Report:

1. Open 2014 Paving Bids - Bids for the Paving were opened and quotes were as follows:

	<u>Double Sealcoat</u>
New Enterprise Stone & Lime Co.	\$143,220.75

St. Clair made a motion to accept the bid from New Enterprise Stone & Lime Company, for the amount of \$143,220.75. Shimer seconded the motion. All ayes, motion carried.

Open Bids for Stone Aggregates - Bids for the stone aggregates were opened and the quotes were as follows:

	<u>#8 AASHTO (washed)</u>	<u>2RC Material</u>	<u>#3 AASHTO</u>	<u>#1 AASHTO</u>	<u>#57 AASHTO</u>
New Enterprise Stone	\$20.75	\$12.90	\$15.45	\$15.45	\$16.30
Garrett Limestone	22.00	14.00	18.00	18.00	18.00

St. Clair made a motion to accept the bid furnished by New Enterprise Stone & Lime for the stone aggregates. Hanson seconded the motion. All ayes, motion carried.

2. Letter Requesting to Dedicate a Portion of Chickasaw Path to the Borough – A letter was sent to Council from Evan Jones, Chickasaw 142 and Thomas O’Toole, Chickasaw 136 stating that they would like to dedicate approximately 63 feet at a width of 33 feet of their property to the Borough for the continuation of Chickasaw Path. This will benefit the Borough by providing a wider and a more paved area which is dead-ended and will allow an area for snow to be pushed and piled and left for the winter. This will also benefit Mr. Jones by improving his access to his driveway and garage. Mr. Jones and Mr. O’Toole will prepare and record the revised plans and surveys as required.

St. Clair made a motion to not accept the additional 63 feet on Chickasaw Path. Shimer seconded the motion. 5 ayes and 1 naye, motion carried.

Council asked Attorney Rullo to verify what the recorded plan is on record for this area and to report back to Council at the July Meeting if any action needs to be done to correct what the Borough currently maintains as Chickasaw Path. Hanson has done a lot of the research and is willing to meet with Attorney Rullo and his abstractors to review this with them.

8. Legal Report:

A. Update on the Complaint on the Condition of Donald Wolf's Property, Seneca 441 – Attorney Rullo has prepared the necessary charges and will be filing the paperwork with the District Magistrate's Office. Secretary reported that Mr. Wolf contacted her and stated that his wife had a stroke and he has had a lot of medical issues and that is why nothing has been done. Council agreed to give Mr. Wolf and additional thirty (30) days to get a contractor under contract to correct the situation. If that does not happen, Attorney Rullo is instructed to file the paperwork with the District Magistrate. Council instructed David Wood to send a follow up letter to Mr. Wolf informing him of the Council's decision.

B. David Rohrich Challenge to Ruling/Septic - A non- jury trial is scheduled for June 15, 2014 before Judge Cascio at 9:30 AM.

C. Easement Status and Ongoing Strategy – Attorney Rullo reported that the Meterologists report is almost completed

D. Challenge from Waste Management on the Awarding of the Refuse Collection Contract to Advanced Disposal – Attorney Rullo did respond to the challenge from Waste Management. To date, he has not heard back from them.

9. Committee Reports:

A. Personnel Report – Dewar reported that the Personnel Committee interviewed Brian Dail on Monday, May 19<sup>th</sup> and they unanimously recommended to hire him.

B. Environmental Report:

1. Calendar's Run - Shimer provided Council with an engineering proposal from CME Engineering on the Calendar's Run Stream Improvement Project. St. Clair made a motion that the Environmental Committee get more quotes from a couple other Engineering Firms and to get an estimate of the final cost of the entire project. Morgese seconded the motion. All ayes, motion carried.

Council wanted to thank Marc Alaia, from the Indian Lake Marina, for giving Larry Crespo, from Crespo's Wildlife Solutions, a jet ski to use in order to aid in the harassment phase of the 2014 Geese Management Program.

C. Planning/Zoning Report:

1. Proposed Amendments to Zoning Ordinance No. 144 - As presented to Council at the May 14, 2014 meeting, Hanson made a motion to authorize Attorney Rullo to prepare the amendment to Zoning Ordinance No. 144 to make all side yard setbacks 10 feet from the property line for all structures and to remove the grandfather clause (Section 411). Morgese seconded the motion. All ayes, motion carried.

2. Doug Glessner PRD Subdivision – Hanson made a motion to authorize Attorney Rullo to advertise the public hearing for July 9, 2014 at 6:30 PM. St. Clair seconded the motion. All ayes, motion carried.

10. Old Business: None.

11. New Business: None.

12. Public Comment:

Charlie Fox asked where the public access is to the lake for Borough residents who want to sit down by the lake and swim if they don't have a lake front lot. The only public area by the lake is the public launch ramp where residents can launch their boat but there are no public beach areas for swimming. There used to be a Recreational Committee and if he would like to sit on this committee and head up this project, Council would be more than receptive to idea.

With no further business to discuss, Shimer moved and Hanson seconded to adjourn the meeting at 9:30 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on July 9, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant  
Borough Manager