

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
SEPTEMBER 10, 2014

The regularly scheduled meeting of the Indian Lake Borough Council was held on September 10, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Patricia Dewar
Robert Hanson
Scott Hollern
Curtis Morgese
Lynn Shimer
Terry St. Clair
Michael D. Miscoe, Mayor
Daniel Rullo, Solicitor
Theresa L. Weyant, Borough Manager

THOSE ABSENT:

Robert Marhefka
Frank Moldovan, Superintendent
David Wood, Zoning Officer

Visitors – Ken Helsel, Richard Stern, Tom O’Toole, Nathan Garlitz, Bob Oates, Charles Fox, Ronald Petrina, Paul Cornez, and Mike Marshall.

The Meeting was called to order at 7:00 P.M. by Lynn Shimer, President.

ORDER OF BUSINESS

1. Financial Reports - Hanson made a motion to approve the Borough’s Financial Reports and to pay the outstanding bills and to hold the bill from Larry Crespo, for the 2014 Goose Management Program, in the amount of \$1,838.00. Dewar seconded the motion. All ayes, motion carried.

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

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

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

2. Welcome Visitors - Ken Helsel, Richard Stern, Tom O’Toole, Nathan Garlitz, Bob Oates, Charles Fox, Ronald Petrina, Paul Cornez, and Mike Marshall.

3. Dave Wood’s Report: Dave Wood will be off of a work for some time due to medical issues. St. Clair made a motion to temporarily re-appoint Dean Snyder as Zoning Officer for the Borough until Dave Wood is able to return. Hanson seconded the motion. All ayes, motion carried.

4. Nate Garlitz, G. Force-Calendar’s Project – Mr. Garlitz informed Council that they will need to apply for a Chapter 105 Permit which is a Joint Permit Application for the Calendar’s Run Project with the Department of Environmental Protection and the U.S. Army Corp. of Engineers. G Force has already applied for the E & S Plan and it is currently being reviewed. The Chapter 105 Permit should be ready to submit in two (2) months and G Force is anticipating about six (6) to ten (10) months for the review process.

5. Legal Report:

A. David Rohrich Challenge to Ruling/Septic- Attorney Rullo stated that he did forward around to each Council Member the brief that he submitted and Mr. Rohrich has until September 29th to file his response to the brief.

B. LCT Mining Issue – Attorney Rullo has been in contact with the lawyers that have been engaged by LCT and there is no urgency on this matter because there is no immediate intention to act on the permit. It was discussed about putting a moratorium on this matter for a period of time to see if an accommodation relative to the issues could be reached.

Attorney Rullo informed Council that Stonycreek Valley Development Corporation is intending to intervene in the proceedings.

Hanson made a motion to authorize Attorney Rullo to pursue the moratorium approach. Dewar seconded the motion. All ayes, motion carried.

Morgese made a motion to accept the proposed project and drawings for the Calendar’s Run Project as presented by G. Force. Dewar seconded the motion. All ayes, motion carried.

6. Correspondence:

A. Musser Engineering, Inc.-Frank Szczechowicz, South Peninsula 286 – GP-4 Single Residence Sewage Treatment Plant – Musser Engineering, Inc. has submitted a copy of the application for a GP-4 Permit for a Single Residence Sewage Treatment Plant on 286 South Peninsula for Frank Szczechowicz, which has been submitted to the Department of Environmental Protection. The Borough has thirty (30) days from date of receipt of this letter to submit any comments concerning this project. At this time, Council had no comments or concerns.

B. Writing Effective Grant Proposals Seminar – Morgese made a motion to authorize the expenditure of \$200.00 and mileage for Vanessa Keiser and Trisha Bozovich to attend the Writing Effective Grant Proposal seminar at the Courtyard by Marriott in Erie, PA on September 16, 2014. Hanson seconded the motion. All ayes, motion carried.

7. Committee Reports:

A. Road Report:

1. Kickapoo Court Road - St. Clair stated that the Homeowners Association would like to turn Kickapoo Court Road over to the Borough as per the Borough Code and our specs in Section 1206 of Zoning Ordinance No. 144. Hanson made a motion that the Borough proceed on the basis that the paving requirements of Section 1206 of Zoning Ordinance No. 144 are met. Dewar seconded the motion. 6 ayes. 1 abstention. Motion carried. St. Clair filed the abstention memorandum with the Borough Secretary.

B. Police Report – Mayor Miscoe would like Council to consider buying buoys and placing them along the shoreline every 500 to 800 feet and extend out into the lake one hundred (100) feet, so all residents know where the “No Wake” areas of the lake are. Hanson stated that he would do a satellite map and will mark where the buoys would be located before any decision would be made.

C. Environmental Report:

1. Proposed Fishing Permit Ordinance – Morgese made a motion to authorize Attorney Rullo to draft the Proposed Fishing Ordinance. St. Clair seconded the motion. All ayes, motion carried.

2. 2014 Fish Stocking Program – St. Clair made a motion to contribute \$3,000 towards the 2014 fish stocking program. Morgese seconded the motion. All ayes, motion carried.

D. Water & Sewer Report:

1. Rural Water/DEP Water Source Study - Hanson reported that PA Rural Water has issued the preliminary source water delineations and they have now gone final. Hanson has e-mailed the links to the final documents to each Council Member.

2. Northwinds Water Main Repair/Reroute/Right-of-Way – Hanson reported that Northwinds Golf Course has agreed to give the Borough a right-of-way for the water line and the Borough will lay a new water line for the Pro Shop to the main line along South Shore Trail.

E. Dam Report: Cornez reminded Council again that the Borough personnel will need to put the rip rap on the wing wall as previously discussed to prevent any future erosion.

F. Parks and Recreation – Morgese reported that the committee has met and they are in the process of putting a cost analysis together for the public swim/park area. The committee will need to take some trees down in this location and most of the trees are 4 inches in diameter or less. Council had no issue with the removal of those trees.

8. Old Business: None.

9. New Business: None.

A. Department of Emergency Services-Updating the County Hazard Mitigation Plan – Hanson stated that he will attend the Department of Emergency Services workshop meeting on September 18, 2014 at 1:00 PM at the Somerset County Annex Building.

10. Public Comment:

Cornez stated that Council should query all lake front owners before they pursue the idea of placing the “No Wake” buoys all over the lake.

Cornez questioned as to who is responsible for the enforcement of the Zoning Ordinance i.e. falling down boat house, boat house built too close to the side setbacks, boat docks falling apart, silt fence not installed on a newly reconstructed home on a hill with piles of dirt, etc. Council stated that the Zoning Enforcement Officer is responsible for the enforcement of the Zoning Ordinance and will have him look into these issues.

Dewar made a motion to move into Executive Session to discuss potential litigation at 9:09 P.M. Hollern seconded the motion. All ayes, motion carried.

At 9:15 P.M. Council returned to Regular Session

With no further business to discuss, Dewar moved and Morgese seconded to adjourn the meeting at 9:15 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on October 8, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager