

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
JULY 8, 2020

The regularly scheduled meeting of the Indian Lake Borough Council was held on July 8, 2020 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Bob Hanson (via Join.Me)  
Lynn Shimer (via Join.Me)  
Curt Morgese  
Paul Balint  
Shaun Nemeth  
Kim Yantus  
Dean Snyder  
Michael Barbera, Solicitor  
Jerry Bellak, Chief of Police  
Michael Miscoe, Mayor

THOSE ABSENT:

Scott Hollern

Visitors - Dick Stern, Ron Petrina, Mark Swope

ORDER OF BUSINESS

1. Pledge of Allegiance
2. The meeting was called to order at 6:04 by Lynn Shimer, Council President.
3. Yantus moved to approve the June 10, 2020 minutes, Morgese seconded. All ayes, motion carried.
4. Financial Reports - Hanson moved to approve the Profit & Loss Budget Performance, Unpaid Bills, with the addition of the Chapter 302 Water and Sewer bills totaling \$165, Summary of Account Balances and Previous Year Comparison reports as presented for the General, Water and Sewer funds, Morgese seconded. All ayes, motion carried.
5. Welcome Visitors - Dick Stern, Ron Petrina, Mark Swope
6. Public Comment - There was no public comment.
7. Dave Wood's Report of Building Permits Issued - See attached report.
8. Roads and Maintenance - See attached report.
  - A. Somerset County Planning Commission - Barbera spoke with Brad Zearfoss, he confirmed that the projects are for state roads only. The Borough could ask PennDot to do work on 160 off Entrance Drive, Nemeth will complete the form and contact Spinelli with PennDot.
  - B. Paving - See attached Bid Tabulation Form. After reviewing the attached bids and conversation deciding which option (fiber sealcoat, double sealcoat, or paving), Nemeth moved to accept the lowest responsible bid from Russell Standard Corporation for \$80,194.21 for the fiber reinforced sealcoat, Balint seconded. All ayes, motion carried.
9. Legal Report:
  - A. Easement Status & Ongoing Strategy - There was nothing to report.
  - B. John Oliver Update - There was nothing to report.
  - C. Donald Mateer Property - Barbera reported the court scheduled a hearing for August 24, 2020.
  - D. Somerset REC Right-Of-Way Agreement - There was nothing to report.
  - E. Appeal of DEP Administrative Order - This matter was discussed in executive session.

- F. Shanksville Borough Sewer System - There was nothing to report.
  - G. Water Treatment Plant Property & Agreement - Barbera reported that Gibson-Thomas supplied a drawing indicating the proposed property lines for the subdivision plan. Barbera reviewed the Letter of Responsibility and revised the loan amount, addendum pertaining to current administrative order with DEP, current PennVest loan and the appropriate note. Balint moved to authorize Shimer to sign Letter of Responsibility, subject to solicitor's approval, Hanson seconded. Morgese was not in favor of the motion, motion carried. Barbera presented the standard form resolution for PennVest applicants, Hanson moved to authorize Siehl to sign the resolution, Yantus seconded. All ayes, motion carried.
10. Correspondence - There was nothing to discuss.
11. Committee Reports:
- A. Finance Report
    - i. Team Viewer Invoice - See attached Better Business Bureau Complaint filed by Hanson. Hanson reported the Borough stopped using Team Viewer, yet the deadline to cancel the license was missed due to fine print, Team Viewer automatically charged the credit card, the charge was disputed, Team Viewer has sent multiple threatening emails, the company is based out of Germany making it nearly impossible to speak to anyone. Hanson filed a complaint against Team Viewer with the Better Business Bureau.
    - ii. Holiday Pay - Hanson reported that the road crew spent approximately half the day on July 4<sup>th</sup> working to repair a water line break, while the paid holiday was designated as Friday, July 3<sup>rd</sup>, the holiday itself was on Saturday, July 4<sup>th</sup>. The Finance committee discussed paying the road crew "Holiday Pay" for their hours worked on July 4<sup>th</sup>. Hanson moved to pay the road crew the "Holiday Pay" rate, Morgese seconded. All ayes, motion carried.
  - B. Police Report - See attached Report.
    - i. Call Out Policy - Chief Bellak reported on an incident that occurred while an officer was not on duty (2:30 A.M.), the complainant called 911 and dispatch said the state police would respond, after over an hour of waiting, the complainant reached Chief Bellak at home and explained the situation. The complainant was instructed by Chief Bellak to call 911 to confirm the status of the state police, the complainant was informed that state police was not responding. Chief Bellak responded to the call. Chief Bellak stressed the importance of the call out policy and followed up with 911 to make sure this situation would never happen again.
    - ii. Nuisance Ordinance - Miscoe stated there were several complaints of late-night fireworks over the weekend and would like to see the nuisance ordinance be revised to give the department more leverage when handling such complaints. Miscoe and Barbera will look for a model ordinance.
    - iii. Service Call - Nemeth explained that a boat was reported to be floating in the middle of the lake after the storm on Sunday, July 5<sup>th</sup>. After speaking with Chief Bellak, they contacted the Marina to retrieve the boat, the boat was not recovered. The Marina is asking for \$150 for the service call. Morgese moved to pay the \$150 service call, Nemeth seconded. All ayes, motion carried.
    - iv. Boat Accident - Chief Bellak reported there was a minor accident where the patrol boat bumped into a resident's boat during the fireworks, after assessing the damage, Chief Bellak had the Marina replace the bow and stern lights on the resident's boat.

- C. Personnel Report:
    - i. Worker's Compensation Panel - Yantus reported she wants to get more information on adding a panel to the existing UPMC policy. Miscoe cautioned using a panel. Siehl will provide Yantus the information she needs.
  - D. Environmental Report:
    - i. Weed Treatment - Shimer reported the June weed treatment was completed and seems to have helped. There is a growing broad leaf pond weed problem as well. Kirkpatrick will return for the second treatment for elodea and broad leaf pond weed. Miscoe recommended Council adopting a schedule for lake lowering to also help with the weed problem.
  - E. Water and Sewer Report - There was nothing to report.
  - F. Planning/Zoning Report - There was nothing to report.
  - G. Parks & Recreation - There was nothing to report.
  - H. Land Management - Morgese reported he walked the Long property that was discussed at the June meeting, he believes that a 35' easement would be enough to get a road down to the launch. After discussing the benefits of pursuing obtaining the Long property, Morgese confirmed he will contact the landowner for permission to survey if there is interest from council. Balint moved to authorize Morgese to proceed with a survey if the owner gives permission, not to exceed \$6,000, Hanson seconded. All ayes, motion carried.
  - I. Storm Water Management - There was nothing to report.
12. Old Business:
- A. Comcast Renewal - There was nothing to report. Hanson confirmed that there is an agreement between Northwinds and Verizon to put a new tower next to the substation.
  - B. ATV Signage - Morgese and Snyder worked up prices and emailed Council the prices for the smaller signs. There was no response.
  - C. Directional Signs - Morgese spoke with the manufacturer, he confirmed he will check the weathering. The manufacturer stated that due to the natural finish of the sign it is going to weather and will probably need maintained.
13. New Business:
- A. Boat License Refund - Yantus stated Susan Lewis emailed council on May 15<sup>th</sup> requesting a refund for the second year of her unused license due to the boat being decommissioned, there was no response, Lewis sent another email on July 8<sup>th</sup> asking on the status of her refund. Siehl explained that Lewis contacted her regarding the situation, Siehl explained the Boat License Refund Policy and stated Lewis could contact Council if she wished to appeal the policy and receive the \$100 refund. After discussion, Council decided to reject the request. Siehl will provide Yantus with the Policy and Yantus will respond to Lewis.
  - B. Office - Balint was contacted by Bob Marhefka regarding renovating the office and adding a "weather barrier" second door into the office. Marhefka also believes the utility truck should be replaced. Nemeth and Shaun discussed the truck and decided it just needs new tires for now. Miscoe mentioned Dennis Markferding approached him about possibly selling the Airport property to the Borough for favorable terms.
  - C. Census MQA - Siehl will contact Richard Buck regarding the population of the Borough only being approximately 1/3 full time residents.
14. Executive Session - Hanson move to move into executive session at 9:26 for matters of litigation in which identifiable claims have been made, Nemeth seconded. All ayes, motion carried.
15. Council returned from executive session at 9:46.

16. Morgese moved to adjourn the meeting at 9:46, Nemeth seconded. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on August 12, 2020 at 6:00 P.M. at the Indian Lake Borough Building or by teleconference.

Respectfully submitted,

Kirsten Siehl  
Borough Secretary