

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
JANUARY 12, 2012

The regularly scheduled meeting of the Indian Lake Borough Council was held on January 12, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Patricia Dewar, Council President
Paul Cornez
Charles McCauley
Robert Marhefka
Robert Hanson
Terry St. Clair
Lynn Shimer
Attorney Daniel Rullo, Solicitor
Michael D. Miscoe, Mayor
Theresa L. Weyant, Borough Manager/Secretary
Dean J. Snyder, Zoning Officer/Water & Sewer Plant Operator

THOSE ABSENT:

Visitors – Richard Stern, Donald and Gaye Reed, and Kenneth Helsel.

The meeting was called to order at 7:00 P.M. by Patricia Dewar, President.

ORDER OF BUSINESS

1. Financial Reports – Dewar made a motion to approve the Finance Committee’s recommendation to approve the Borough’s Financial Reports, including the amendments to the List of Bills Report and to pay the outstanding bills. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Water Works Financial Reports, including the amendments to the List of Bills Report, and to pay the outstanding bills. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Sewer Financial Reports, and to pay the outstanding bills. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Summary of Account Balance Report as presented. Cornez seconded the motion. All ayes, motion carried.

2. Welcome Visitors – Richard Stern, Donald and Gaye Reed, and Kenneth Helsel.

3. Update on Dam Remediation:

A. Phase 3 – Cornez reported that CME Engineering will be starting to work on Phase 3 of the dam remediation project on Monday, January 16th.

Cornez asked Dean Snyder to schedule the cycling of the valve for sometime next week.

4. Correspondence:

A. Resignation of Chris Meyers from the Indian Lake Borough Planning Commission – Chris Meyers sent a letter of resignation from the Indian Lake Borough Planning Commission effective January 9, 2012. Hanson reported that Robert Vogel notified him that he was also resigning from the Planning Commission effective January 9, 2012.

Hanson made a motion to accept the resignation of Chris Meyers and Robert Vogel from the Indian Lake Borough Planning Commission effective January 9, 2012.

St. Clair made a motion to appoint Paul Cornez to the Indian Lake Borough Planning Commission to fill the unexpired term of Robert Vogel which expires December 31, 2014. Hanson seconded the motion. All ayes, motion carried.

Hanson made a motion to appoint Richard Stern to the Indian Lake Borough Planning Commission to fill the unexpired term of Chris Meyers which expires December 31, 2012. There was no second.

St. Clair made a motion to table nominations until the next meeting in order to solicit other members of the community. Shimer seconded the motion. 5 ayes and 2 naves. Motion carried.

B. Newly Elected Municipal Officials Training – Hanson made a motion to authorize the expenditure of \$150.00 to whomever is available to attend this training. Dewar seconded the motion. All ayes, motion carried.

5. Legal Report:

A. Long Term Financing Proposals - The Borough received another proposal from Summit Bank and a discussion was held. Council requested that the Finance Committee contact Somerset Trust Company to see if they would be willing to match the proposal from 1st Summit Bank and to proceed with 1st Summit Bank in getting an approval and to lock down their fees.

Cornez made a motion to authorize Attorney Rullo to contact 1st Summit Bank and to authorize them to proceed with obtaining whatever financial statements or information they need for the approval and request their response by the January 25, 2012 meeting. Hanson seconded the motion. All ayes, motion carried.

Attorney Rullo stated that he will share 1st Summit Banks proposal with Somerset Trust and will see what happens.

B. Attorney Charles C. Mason, Jr.-Deed for Colleen Cenk for Chippewa Lots No. 3 and 5 – Attorney Rullo informed Council that he has spoken with Attorney Mason and he will be making some modifications and changes to that document and once these are done everything should be okay with the document.

C. Easement Status on Ongoing Strategy – Hanson made a motion to authorize Attorney Rullo to proceed with recording the easements that have been received to date. McCauley seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize Attorney Rullo to begin eminent domain proceeding and to prepare and file the declaration of taking. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize Attorney Rullo to engage Bob Hagerich, an appraiser, for the purposes of the eminent domain proceedings and to request that he provide the Borough with a scope of work on a case by case basis for approval by Council before the work is undertaken. St. Clair seconded the motion. All ayes, motion.

6 Committee Reports:

A. Finance Report:

1. Set 2012 Boat License Fees – Cornez made a motion that if a resident wants same day service for re-registering their boat and getting their license, there will be a \$30.00 service fee charged for each license issued. The service fee will be applied to the primary powered and personal water crafts, primary and secondary non-powered water crafts, and secondary powered and personal water crafts. Shimer seconded the motion. All ayes, motion carried.

2. Set the 2012 Boat License Fees – Dewar made a motion to set the 2012 boat license fees as follows: Primary Powered Boat Licenses at \$75.00, Secondary Powered Boat Licenses at \$150.00, Primary and Secondary Non-Powered Boat Licenses at \$20.00, and General Boat Licenses at \$750.00, a replacement boat license at \$20.00, and a transfer boat license at \$50.00. St. Clair seconded the motion. All ayes, motion carried.

3. Set the 2012 Boat License Numbers - Hanson made a motion to set the number of available Primary Powered and Non-Powered Boat Licenses at an unlimited number, available General Boat Licenses at 40, available Secondary Powered Boat Licenses at 290, and available Secondary Non-Powered Boat Licenses at 420. St. Clair seconded the motion. 6 ayes and 1 naye. Motion carried.

B. Roads and Maintenance – Dean Snyder informed Council that Reggie Musser has approached him and Robert Hanson about fixing the road that runs from West Shore Trail up to the Buckstown water storage tank. Musser believes that there is no active easement for the Borough to use this access road even though we do. Musser and Perigo would like to put in a development using this road as the access. The proposal is for Indian Lake Borough to enter into some kind of shared arrangement to open that road up, improve the road, and share in the cost. This matter was referred to the road and maintenance committee for review and recommendation.

C. Water & Sewer Report:

1. SCADA System – Hanson made a motion to authorize the expenditure of \$15,772.00 to purchase the Missions Communications System from John P. Place, Inc, for the upgraded water system controls for Well #2, Well 99-1, and the water storage tanks located at Cherry Lane, Peninsula, and Buckstown. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to place a one (1) year service contract for each of the five (5) sites for a cost of \$563.40 for each site, commencing when equipment is installed and in operation. St. Clair seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize placement of service contracts with John P. Place, Inc. for training and installation support not to exceed \$250/unit for remote support, \$75/hr and \$1/mile for onsite support as needed. Need will be determined by the Borough's water operators and concurred to by the Chairman of the Water & Sewer Committee or the Borough Manager. Included in this motion will be \$5,000.00 for incidental expenses. Council acknowledges that the total budget after completion will be under \$25,000.00. St. Clair seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize the expenditure of \$3,282.00 to purchase the Missions Communications System from John P. Place, Inc, for the upgraded sewer system controls for the Lakewood Sewage Treatment Plant. St. Clair seconded the motion. All ayes, motion carried.

Hanson made a motion to place a one (1) year service contract for this site for a cost of \$563.40, commencing when equipment is installed and in operation. . St. Clair seconded the motion. All ayes, motion carried.

Council requested that Hanson ask if they would do a three (3) year service contract agreement at the same cost of \$563.40/year.

Hanson made a motion to authorize placement of service contract with John P. Place, Inc. for training and installation support not to exceed \$250/unit for remote support, \$75/hr and \$1/mile for onsite support as needed. Need will be determined by the Borough's sewer operators and concurred to by the Chairman of the Water & Sewer Committee or the Borough Manager. Included in this motion will be \$1,000.00 for incidental expenses. Council acknowledges that the total budget after completion will be \$5,000.00 or less. St. Clair seconded the motion. All ayes, motion carried.

2. PBS Coals Request to Purchase Bulk Water for the Residents Adjacent to the Glade and Downy Mines – PBS Coals has requested that the Borough consider PBS Coals to purchase bulk water from the Borough for approximately 31 connections to the Glade area and 24 connections for the Downy area. The public water system would be constructed by PBS Coals by extending a main from the Cherry Lane Tank to the mine site and looping it around the mining area. Cornez requested that Robert Hanson, as Chairman of the Water & Sewer Committee, prepare a draft letter to Musser Engineering stating that the Borough is interested in pursuing this and to forward the letter around for the Council President’s signature. All board members were in agreement.

D. Planning/Zoning Report

1. Universal American, Inc. Application for the Construction of a Pond – Musser Engineering, on behalf of Universal American, sent notification to the Borough that an application to construct a pond on their property has been submitted to the Department of Environmental Protection. The Borough has thirty (30) days to submit any comments concerning this project to them. Cornez made a motion to authorize the Council President to submit a letter to the Department of Environmental Protection stating that the Borough is not inclined to support this project. St. Clair seconded the motion. All ayes, motion carried.

2. Adopt Resolution to Remain a Member of the Somerset County Municipal Co-op Association - Dewar made a motion to adopt a resolution that the Borough remain a member of the Somerset County Municipal Co-op Association for 2012 and to not have any membership assessment fees for this year. Cornez seconded the motion. All ayes, motion carried.

7. Old Business:

A. Establish the Makeup of the Committees – Dewar asked that the chairman of each committee make up their committee and notify Bob Hanson who the members are so that he can update the website and they should also notify the manager.

8. New Business:

A. Verna Mostoller Subdivision – Hanson reported that at the Planning Commission Meeting, Randy Musser spoke to them about the Verna Mostoller Subdivision Plan, which is located on West Shore Trail Extension. Apparently there was a plan that was approved way back when to put two (2) new park lots. One (1) brother was to put in twenty-two (22) park-lots and the other brother was to put in twenty-two (22) park lots. The subdivision plan however was never recorded. They also have another unrecorded plan that takes the one (1) twenty-two (22) park lot park and turned it into eleven (11) lake front lots. The other brother wants to do lake front lots with one (1) exception; there is one (1) park lot which is already carved out.

They have requested that the Planning Commission agree that they don’t have to do a new sewer planning module application because the Borough had already agreed at some point with forty-four (44) on lot systems and now they are going to have far fewer than that. The Planning Commission agreed that they wouldn’t have to do another sewer planning module application.

Mayor Miscoe questioned what the County plot plan show for these parcels. Hanson doesn’t know, but he thinks it probably only shows the two (2) parcels. Mayor Miscoe stated that that is where the problem lies. Even if they did all this planning, but never had it recorded and the County plot plan is still showing only one parcel, then they are in fact doing a new subdivision and they will have to do a sewer planning module application. Hanson stated that he would contact Randy Musser and let him know that he would need to submit a sewage planning module application for this subdivision.

9. Public Comment.

St. Clair made a motion to move into Executive Session to discuss litigation and personnel matters at 9:38 P.M. Cornez seconded the motion. All ayes, motion carried.

At 9:53 P.M. Council returned to Regular Session.

With no further business to discuss, Hanson moved and McCauley seconded to adjourn the meeting at 9:53 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on February 8, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager