

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
JANUARY 12, 2011

The regularly scheduled meeting of the Indian Lake Borough Council was held on January 12, 2011 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Robert Hanson, President
Patricia Dewar
Charles McCauley
Robert Marhefka
Richard Stern
Paul Cornez
Michael D. Miscoe, Mayor
Theresa L. Weyant, Borough Manager/Secretary
Dean Snyder, Zoning Officer

THOSE ABSENT:

Robert Vogel
Dan Rullo, Solicitor

Visitors – James Dewar, Randy and Linda Musser, and Denise Miller.

The meeting was called to order at 7:00 P.M. by Robert Hanson, Council President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on December 8, 2010 - Hanson asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. Cornez seconded the motion. All ayes, motion carried.

2. 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 except for the bills to GAI Consultants, which totals \$54,595.97 and the bill to Marion Hill Associates, in the amount of \$1,757.22, payment should be withheld. 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. Stern 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. Stern seconded the motion. All ayes, motion carried.

Dewar made a motion to pay the bill to CME Engineering, in the amount of \$713.35, for engineering services rendered for the water system monitoring project pending the approval of Robert Vogel as Chairman of the Water and Sewer Committee from the Water Works Checking Account. McCauley seconded the motion. All ayes, motion carried.

Dewar made a motion to authorize the Borough Manger to invest \$407,000.00 from the Water Works Account into a 1 year Certificate of Deposit at the best interest rate at a reputable bank. Cornez seconded the motion. All ayes, motion carried.

3. Welcome Visitors – James Dewar, Randy and Linda Musser, and Denise Miller.

4. Randy Musser, from Musser Engineering-Indian Lake Golf Club Resolution for Plan Revision for New Land Development – McCauley made a motion to adopt the Resolution for Plan Revision for New Land Development for the Indian Lake Golf Club and to forward the Sewage Facilities Planning Module to the Department of Environmental Protection. Hanson seconded the motion. 5 ayes and 1 abstention. Motion carried. Dewar filed the abstention memorandum with the Borough Secretary.

5. Correspondence:

A. Department of Environmental Protection – Hanson reported that the Emergency Action Plan for the Lake Stonycreek and Indian Lake Dams has been approved and they are now ready for distribution and implementation.

B. Federal Emergency Management Agency – Hanson reported that the Borough's adoption of the Somerset County Multi-Jurisdictional Hazard Mitigation Plan has been received by the Federal Emergency Management Agency and has been approved.

C. Douglas Baltzer, Sewage Facilities Planning Module Application for Peninsula Lot No. 160 – Hanson informed Council that the Sewage Facilities Planning Module Application for Douglas Baltzer has been returned along with a list of deficiencies.

D. St. Clair Resort Development, Oliver Outdoor Furnace – Hanson stated that Terry St. Clair has submitted a letter to Council voicing his concern over John Oliver's Outdoor Furnace. Dean Snyder, Zoning Officer, informed Council that John Oliver has applied for a building permit to construct an addition to his garage for the outdoor furnace. The addition does fall within the zoning regulations however, the use does not. The Zoning Officer will work with Attorney Rullo to prepare a list of conditions which Oliver will need to sign off on before the permit for the garage addition is approved.

6. Zoning Report:

A. Somerset County Municipal Co-op Association – Hanson made a motion that the Borough opt out, which does not penalize Somerset County Building Inspectors nor does it reward them with a monopoly, until the smoke settles and the Borough may reconsider in the future. Stern seconded the motion. 4 ayes and 2 nayes.

B. Stormwater Management Plans – Dean Snyder informed Council that he received two (2) proposals from firms to review stormwater management plans:

1. EADS Group - \$500.00 to \$2,000.00
2. Somerset Planning and Engineering - \$500.00 for 1st review and prevailing rates for each additional review

At this time, Council advised the Zoning Officer to use whichever firm he chooses. These fees will be paid by the applicant prior to submitting the plans for review.

7. Committee Reports:

A. Finance Report:

1. Set the 2011 Boat License Numbers and Fees – McCauley made a motion to set the number of available Primary Powered Boat Licenses at an unlimited number for a cost of \$75.00. Non-Powered Boat Licenses set at an unlimited number for a cost of \$20.00. General Boat Licenses set at 40 (non-modifiable) for a cost of \$750.00. Secondary Powered Boat Licenses set at 289 (non-modifiable) for a cost of \$150.00. Secondary Non-Powered Boat Licenses set at 400 (modifiable) for a cost of \$20.00. A Replacement Boat License will cost \$20.00. Transferring a boat license will cost \$50.00. Dewar seconded the motion. All ayes, motion carried

B. Police Report:

1. Purchase of a Gun Safe – McCauley made a motion to authorize Mayor Miscoe to purchase a gun safe with a safe dehumidifier for the police department at Dunham's Sports at a cost not to exceed \$339.00. Cornez seconded the motion. All ayes, motion carried.

2. Shot Gun and AR-15 Assault Rifle – McCauley made a motion to retain the Borough owned side arms and shot gun and to authorize Mayor Miscoe to dispose of the AR-15 Assault Rifle through an authorized dealer or auctioneer. Cornez seconded the motion. 5 ayes and 1 naye, motion carried.

C. Personnel Report:

1. Unused Vacation Time for Dean and Millan - McCauley made a motion to approve the carryover of vacation time for Dean Snyder – 10.8 hours and Millan Huzsek – 2.1 hours, due to the inclement weather and the inability to use their scheduled vacation time. Hanson seconded the motion. All ayes, motion carried.

8. Old Business:

A. DEP Clear Run Trust Fund -Paul Cornez reviewed the latest correspondence with the DEP concerning the Trust Fund. Mike Miscoe and Paul had sent the DEP a list of questions following the last Council Meeting, a copy of their reply, dated December 30, 2010, was distributed. Additionally Paul had received, at his request, a copy of the Trust Fund Documents, a summary was discussed. All these documents and correspondence will be filed in the Borough Office and the brief summary put on the Borough Website once this process is completed.

The Trust Fund is between PBS, and its successors, and the DEP. It is administered by the DEP who meet with PBS on a regular basis. Upon default, the funds go to the Commonwealth, and it is DEP's responsibility to keep the treatment plant operating. Indian Lake Borough has no direct evolvement in the process.

9. New Business:

A. 2011 Fire Service Agreement – McCauley made a motion to authorize Robert Hanson, Council President to execute the contract for 2011 with the Shanksville Volunteer Fire Department. Dewar seconded the motion. All ayes, motion carried.

B. Hiking and Biking Trail – Hanson made a motion to authorize Michael Miscoe, Mayor to use a snowmobile sled on the hiking and biking trail in order to maintain the trail for cross country skiing. McCauley seconded the motion. All ayes, motion carried.

10. Public Comment: None.

Hanson made a motion to move into Executive Session to discuss personnel matters at 9:50 P.M. Cornez seconded the motion. All ayes, motion carried.

At 10:20 P.M. Council returned to Regular Session.

With no further business to discuss, Dewar moved and Cornez seconded to adjourn the meeting at 10:20 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on February 9, 2011 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager