

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
OCTOBER 10, 2012

The regularly scheduled meeting of the Indian Lake Borough Council was held on October 10, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

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

THOSE ABSENT:

Charles McCauley

Visitors – Kenneth Helsel, Ronald Petrina, Robert Oates, Richard Stern and Amber Rosado.

The meeting was called to order at 7:04 P.M. by Patricia Dewar, President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on September 12, 2012 - Dewar asked for additions and/or corrections. There being none, Hanson 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. Shimer 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. Shimer 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.

3. Welcome Visitors – Kenneth Helsel, Ronald Petrina, Robert Oates, Richard Stern and Amber Rosado.

4. Legal Report:

1. Easement Status and Ongoing Strategy – Attorney Rullo reported that he has sent out letters to all the landowners who have not signed their easements.

2. David Rohrich Challenge to Ruling/Septic – Attorney Rullo informed Council that a letter was sent to David Rohrich through his attorney that identified the need for him to apply for a sewage permit application for his garage and Jerry Mostoller was also sent a copy of the letter. Hopefully, a permit will be applied for and remedial action can be discussed.

3. Colleen Cenk–Easement Release – Hanson made a motion to approve signing the easement release as presented pending that the lots are being combined as one (1) for the purpose of constructing a residence across the boundary line. Cornez seconded the motion. All ayes, motion carried.

5. Correspondence:

A. Thank You from the Oakland Catholic Rowing Crew Team

B. Somerset County Boroughs Association-Special Meeting – The Somerset County Boroughs Association will be holding a Special Meeting on Monday, October 29th at the Somerset Borough Public Safety Building in Somerset. Michael Miscoe, Terry St. Clair, and Paul Cornez will attend the October 29th meeting.

Somerset County Boroughs Association-Social Meeting Thursday, November 15, 2012 at Oakhurst Tea Room in Somerset. The cost is \$17.50 per person. Michael Miscoe will attend the Somerset County Boroughs Association Social Meeting.

6. Committee Reports:

A. Finance Report

1. 2012 Firemen’s Relief Fund Distribution - Hanson made a motion to allocate 100% of the 2012 Firemen’s Relief money to the Shanksville Volunteer Fire Department. Cornez seconded the motion. All ayes, motion carried.

2. 3rd Quarter Financial Review - Cornez made a motion to authorize the Borough Secretary to do the following budget adjustments to the General Fund as outlined in the opinion letter and to accept the Borough Financial Review as presented:

1. 400.700 Office Capital	\$3,108.60
2. 410.151 Police Insurance	\$7,700.00
3. 486.354 Worker’s Compensation	\$3,232.00
4. 410.120 Police Wages	(7,700.00)
5. Workmen Pay	(6,340.60)

Shimer seconded the motion. All ayes, motion carried.

3. 2012 Somerset Ambulance Contribution - Hanson made a motion to make a donation in the amount of \$2,500.00 to the Somerset Area Ambulance Association. Cornez seconded the motion. All ayes, motion carried.

B. Road and Maintenance Report:

1. 2012 Boot Allotments for Workmen – St. Clair made a motion that the workmen receive a boot allotment check in the amount of \$100.00 per person. Hanson seconded the motion. All ayes, motion carried.

C. Police Report:

1. Mutual Aid Agreement – Hanson made a motion to authorize Attorney Rullo to prepare a summary of the Ordinance for the Mutual Aid Agreement between all municipalities with Police Departments to provide voluntary aid in the event of an emergency or call of assistance and to advertise for adoption at the November 14, 2012 meeting. Cornez seconded the motion. All ayes, motion carried.

D. Environment Report:

1. Buoys – Shimer reported that the two (2) buoys have been ordered but won’t be installed until spring of next year.

2. Stonycreek/Little Conemaugh Source Water Protection Coalition Formation Meeting – Shimer informed Council that Robert Marhefka and himself attended the Stonycreek/Little Conemaugh Source Water Protection Coalition Formation Meeting in Ebensburg. This group is starting a coalition for water suppliers. They did state that most Water Authorities are doing base line testing on their incoming water supply and they periodically re-test to keep an eye on any changes to the incoming water supply. They are recommending that this testing be done quarterly.

3. Hemlock Woolly Agelgid – Cornez stated that this fungus is attaching and killing the Hemlock trees and questioned if there was anything that Indian Lake Borough should be doing? Stern stated that there is apparently no general treatment spraying approach that is available. It is more of an individual treatment basis. Stern did inform Council that he is planning on researching this further and will post what information that he finds on the Service Corporation Website. This matter was referred to the Environmental Committee for further research as well.

E. Water & Sewer Report:

1. SCADA System – Hanson reported that Mark Place will be here on Monday, October 22, 2012 to install the new chlorine analyzer into the Mission System at Well #2 and will work on getting the remaining check list items fixed and working correctly.

2. Act 537 Plan Update Strategy – Hanson reported that he has contacted Representative Carl Metzgar to see if he can offer any assistance with the Department of Environmental Protection. He has engaged a local government liaison officer from Pittsburgh and he has contacted the representatives from Harrisburg and has tried to clarify the issues. Hanson stated that they both informed him that the Borough needs to run this up the chain in Harrisburg with Ron Furlan.

F. Planning/Zoning Report:

1. Somerset County Co-Op – Dean Snyder informed Council that the Somerset County Co-op has elected to appoint a new company as their building inspectors, effective January 1, 2013. The new company will be Bureau Veritas from Huntington but they will have a local office and staff in Somerset.

2. Exotic Bird – Dean Snyder stated that a resident has contacted him about getting and owning an exotic bird (Red Tailed Hawk). The pen that he would need to build would comply with the Zoning Ordinance. However, under Nuisance Ordinance No. 5, which was adopted on May 19, 1967, there is a section which states that “No person shall cause or permit to be kept on the premises owned by him any animal or fowl.” The question is; the Borough has since adopted Nuisance Ordinance No. 105 and this section was not included and Ordinance No. 105 nor does it reference Ordinance No. 5 at all, so is this still in effect? Council asked that Attorney Rullo review the Ordinances and to give an opinion at the November meeting.

G. Dam Remediation Update:

1. E & S Control Permit - Cornez reported that the Somerset Conservation District has sent the E & S Control Permit back with some questions and CME Engineering has addressed those and resubmitted the application.

2. Main Permit – Cornez reported that the Department of Environmental Protection has rejected the permit application. CME has requested that Rodger Adams, who is the head of the Dam Division from DEP, to be involved and has requested a conference call with him along with the other individuals who are involved with reviewing the permit application

7. Old Business:

A. Pueblo Path and West Shore Trail Extension Revised Right-of-Ways – Hanson reported that Musser Engineering is still preparing the drawings of the right-of-ways for Pueblo Path. The field study and the issues have all been resolved.

Cornez reported that at the Somerset County Boroughs Association Meeting, John Vatauvuk, a Somerset County Commissioner, has been asked to obtain a street sign from each Municipality to be placed on the U.S.S. Somerset. Cornez reported that he asked the Borough Secretary to order a sign that said “Indian Lake Drive.”

8. New Business:

A. Appointment of Alternate Member to Finance Committee – Bob Hanson has volunteered to be the alternate member to the Finance Committee stating in November until the return of Paul Cornez.

B. Set Budget Workshop Meeting – Council will hold the Budget Workshop Meeting at the second regularly scheduled meeting on Wednesday, October 24, 2012.

9. Public Comment: None.

Cornez made a motion to move into Executive Session to discuss personnel matters at 8:40 P.M. Hanson seconded the motion. All ayes, motion carried.

At 9:16 P.M. Council returned to Regular Session.

With no further business to discuss, Hanson moved and Shimer seconded to adjourn the meeting at 9:16 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on October 24, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager