

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
APRIL 9, 2014

The regularly scheduled meeting of the Indian Lake Borough Council was held on April 9, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Charles McCauley, President via telephone
Patricia Dewar
Robert Hanson
Robert Marhefka
Charles McCauley
Curtis Morgese
Lynn Shimer
Terry St. Clair
Michael D. Miscoe, Mayor
Daniel Rullo, Solicitor
Theresa L. Weyant, Borough Manager
Frank Moldovan, Superintendent

THOSE ABSENT:

Visitors – Ken Helsel, Richard Stern, Carl Chapman, Amber Rosado, Thomas Walters, Tim Walters, Larry Crespo, Tom O’Toole, Chad Howell, and Myles Stepanovich.

The meeting was called to order at 7:02 P.M. by Charles McCauley, President.

ORDER OF BUSINESS

1 Approve the Minutes of the Meeting Held on March 12, 2014 - McCauley asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. Shimer seconded the motion. All ayes, motion carried.

2. Financial Reports - Hanson made a motion to approve the Borough’s Financial Reports and to pay the outstanding bills. Morgese seconded the motion. All ayes, motion carried.

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

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

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

Finalization of the Somerset Trust Company Line-of-Credit - St. Clair made a motion to table the discussion on this matter until the May 2014 Council Meeting. Hanson seconded the motion. All ayes, motion carried.

3. Welcome Visitors - Ken Helsel, Richard Stern, Carl Chapman, Amber Rosado, Thomas Walters, Tim Walters, Larry Crespo, Tom O’Toole, Chad Howell, and Myles Stepanovich.

4. Larry Crespo, Crespo's Wildlife Solutions – Mr. Crespo presented a proposal to Council for the 2014 Goose Management Program.

1. Goose Nest and Egg Treatment - \$989.00
2. Harassment Control \$2,687.00

Shimer made a motion to authorize Crespo's Wildlife Solutions to do the goose nest and egg treatment and the harassment control at a cost not to exceed \$3,676.00. Hanson seconded the motion. 5 ayes and 1 naye. Motion carried.

5. David Lhota Property, located at Peninsula 2080 – St. Clair reported that the realtor is requesting a letter from the Borough as to what the Borough is requiring. St. Clair made a motion to Authorize Attorney Rullo to send a letter to the owner of record and to carbon copy the realtor, the PA Department of Health along with the neighboring properties, that the Borough has had numerous citizens raise some serious health concerns and the Borough would like this addressed. Hanson seconded the motion. All ayes, motion carried.

6. Legal Report:

A. David Rohrich Challenge to Ruling/Septic – Attorney Rullo informed Council that he hasn't been able to get the depositions scheduled for David Rohrich, Mr. Rohrich's Contractor, Dean Snyder and Jerry Mostoller. Attorney Rullo will put it on the trial schedule for this term.

B. Dennis Markferding Boathouse – Attorney Rullo did meet with Mr. Markferding to discuss the outstanding issues that gave rise to his denial of the boathouse building permit. There are two (2) options which Mr. Markferding can do which are: 1) File a nunc pro tunc appeal before the Zoning Hearing Board at which time he would present his variance request or 2) The Borough Council could simply acknowledge that this is a de minimis modification resulting from the changes in Zoning Ordinance 99 to 144 and that the building permit can be issued. Council agreed that Mr. Markferding should file a nunc pro tunc appeal before the Zoning Hearing Board.

C. Proposed Parking Ordinance – Each member of Council was provided with a copy of the Proposed Parking Ordinance. Hanson made a motion to adopt the Proposed Parking Ordinance as modified. Shimer seconded the motion. 6 ayes and 1 naye. Motion carried.

D. Update on the Complaint on the Condition of Donald Wolf's Property, Seneca 441 - Attorney Rullo informed Council that he did send Mr. Wolf a violation notice on April 9, 2014.

E. Update on the Complaint on the Condition of Donald Mateer's Property, Cayuga 147 – Attorney Rullo informed Council that he did send Mr. Mateer a violation notice on April 8, 2014.

7. Correspondence: None.

8. Committee Reports:

A. Road Report:

1. Authorization to Go Out for Bids for the Gasoline, Diesel, and Heating Oil – St. Clair made a motion to authorize the Borough Secretary to solicit bids for gasoline, diesel and heating oil. Dewar seconded the motion. All ayes, motion carried

2. Authorization to Go Out for Bids for Weed Eating Around Fire Hydrants, Hiking and Biking Trail and Trailheads, and Road Signs - St. Clair made a motion to authorize the Borough Secretary to solicit bids for the Weed Eating Around Fire Hydrants, Hiking and Biking Trail and Trailheads, and Road Signs. Dewar seconded the motion. All ayes, motion carried

B. Environmental Report:

1. Calendar's Run - Shimer informed Council that Sean Isgan, from CME Engineering, was out to review the issues at Calendar's Run. Mr. Isgan feels that a possible solution would be to install an overflow channel to divert some of the flow in Calendar's Run into the existing sediment clean-out pond. Isgan will be sending a letter to the Department of Environmental Protection requesting a field meeting with their representatives to discuss this resolution and to show them the sediment issues in this area.

C. Water & Sewer Report:

1. Sewer Module Applications for William Kitsko, Peninsula 969 and Frank Szczechowicz, South Peninsula 286 – Hanson made a motion to authorize the Borough Secretary to sign off on the resubmittal sewer module applications for William Kitsko, Peninsula 969 and Frank Szczechowicz, South Peninsula 286. Dewar seconded the motion. All ayes, motion carried.

D. Planning/Zoning Report: Council asked the Indian Lake Borough Planning Commission to review and to come back to Council with a proposed amendment to Zoning Ordinance No. 144 relative to the setback requirements for boat houses, gazebos, etc

E. Dam Remediation Report:

1. Roy Rininger-Grass Cutting on Dam – St. Clair made a motion to authorize Roy Rininger to continue mowing the grass on the breast of the dam at a cost of \$550.00 per cutting. The mowing will only be done as requested by the Borough. Hanson seconded the motion. All ayes, motion carried.

9. Old Business:

A. Appointment of Borough Sewage Enforcement Officer – Hanson made a motion to table the discussion on the appointment of the Borough Sewage Enforcement Officer until the May 2014 meeting. Dewar seconded the motion. All ayes, motion carried.

10. New Business:

A. Refuse Disposal Contract – Council would like to add a line item to the refuse hauling bid specs for a bid submission for a yearly spring and fall community clean-up day and to amend the length of the contract to read as a 3-year contract with the right to renew by mutual agreement. Hanson made a motion to authorize the Borough Secretary to advertise for bids for the refuse hauling contract with the proposed changes to the bid specifications. Dewar seconded the motion. All ayes, motion carried.

B. Rebecca Skovira –Boat License Issue – Ms. Skovira sent an e-mail to each Council Member detailing the issue she is having with trying to get her boat licensed through her grandmother's property and is requesting that Council consider the situation. At this time, the two options that were presented for Ms. Skovira to get the boat licensed are what the Boating Ordinance allows and no special exception can be made.

11. Public Comment – None.

Shimer made a motion to move into Executive Session to discuss personnel matters at 9:35 P.M. Morgese seconded the motion. All ayes, motion carried.

At 10:24 P.M. Council returned to Regular Session

St, Clair made a motion to dismiss Mark Custer. Hanson seconded the motion. 4 ayes and 3 nays. Motion carried.

With no further business to discuss, Dewar moved and Shimer seconded to adjourn the meeting at 10:30 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on May 14, 2014 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager