

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
MAY 9, 2012

The regularly scheduled meeting of the Indian Lake Borough Council was held on May 9, 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

THOSE ABSENT:

Visitors – Robert Oates, P. Scott Moore, Richard Stern, Michael Finan, and Kenneth Helsel.

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

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on April 11, 2012 - Dewar asked for additions and/or corrections. There being none, Cornez made a motion to approve the minutes as submitted. Shimer 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.

2. Welcome Visitors – Robert Oates, P. Scott Moore, Richard Stern, Michael Finan, and Kenneth Helsel.

3. Correspondence:

A. Somerset County Boroughs Association-May Dinner Meeting and Minutes of the March 12, 2012 Meeting – The Somerset County Boroughs Association May Dinner Meeting will be held at the Indian Lake Lodge on Thursday, May 17th. The cost is \$17.50 per person. Cornez made a motion to authorize payment for Patricia Dewar, Lynn Shimer, Michael Miscoe, and himself. Hanson seconded the motion. All ayes, motion carried.

4 Robert Oates-Slalom Ski Course – Robert Oates, President of the Indian Lake Ski Club, presented Council with a copy of their permit to install the slalom ski course on the lake for the 2012 season at location #2, which is located down by the dam. (map attached), along with a copy of the Certificate of Insurance. Attorney Rullo had some question with the language on the policy which states that “coverage only applies with respect to tournaments, practices, exhibitions, clinics, and related activities sanctioned and approved by USA Water Ski, Inc.” Attorney Rullo would like to contact USA Water Ski, Inc. and have them confirm in writing that the use of the slalom course falls under the osmosis of their approval. St. Clair made a motion to

authorize the ski club to put in the slalom course at location #2, pending approval from Attorney Rullo after verifying the language with USA Water Ski, Inc. Hanson seconded the motion. All ayes, motion carried.

5. Legal Report:

A. Barbara, Clapper, Beener, Rullo & Melvin-Oil and Gas – Update on developments in the oil and gas situation in Somerset County and their efforts on the Borough’s behalf relative to the leasing of property pursuant to our agreement of representation.

B. Review of Loan Proposed Settlement Statement

C. Resolution to Proceed with Eminent Domain Proceedings to obtain the easements, which are required, from the list of property owners and properties as attached in Exhibit A. McCauley made a motion to adopt the resolution to proceed with the eminent domain proceeding to obtain the easements, which are required, from the list of property owners and properties as attached in Exhibit A. Hanson seconded the motion. All ayes, motion carried.

6. Committee Reports:

A. Finance Report:

1. Ratify Payment to Seven Springs Borough for the Police Cruiser – McCauley made a motion to ratify the expenditure of \$9,000.00 to Seven Springs Borough for the purchase of the 2008 Ford Expedition. Shimer seconded the motion. All ayes, motion carried.

2. Transfer of Funds from the Capital Asset Account – Cornez made a motion to transfer \$9,000.00 from the Capital Asset Account to cover the cost of the new police cruiser. St. Clair seconded the motion. All ayes, motion carried.

B. Road and Maintenance Report:

1. 2012 Road Paving Projects – St. Clair made a motion to authorize the Borough Manager to advertise the 2012 Road Paving schedule and stone aggregates. Hanson seconded the motion. All ayes, motion carried.

2. Authorization to Bid the 2003 F-450 for Sale – McCauley made a motion to authorize the Borough Manager to go out for bid for the sale of the 2003 F-450. Hanson seconded the motion. All ayes, motion carried.

C. Personnel Report:

1. Interviewing for Part-Time Police Officers – Cornez made a motion to authorize the Personnel Committee to interview Daniel Dively for the part-time police officer position and with a recommendation from the Personnel Committee to hire Daniel Dively pending his MPOETC recertification for a 3-month introduction period at a starting wage of 12.50 per hour and after the 3- month introduction period, his wage would go to \$15.00. Shimer seconded the motion. All ayes, motion carried.

D. Planning/Zoning Report:

1. Public Hearing for Dennis Perigo and Brenda Shaffer Planned Residential Developments – Hanson made a motion to authorize the Borough Secretary to advertise for a public hearing on June 13, 2012, at 6:30 PM to hear public comments regarding the Dennis Perigo and Brenda Shaffer subdivision plans. Shimer seconded the motion. All ayes, motion carried.

2. James Lyons Complaint – Mr. Lyons has filed a complaint against Richard Bradfield, who is located at Mohawk 460, regarding the junk lying around the construction project, which started two (2) years ago, and the unlicensed trailers on the property. Also, Mr. Bradfield is melting down copper and leaving the old power boxes and cabling lying around. This matter was referred to the Zoning Officer.

E. Dam Remediation Update:

1. Permits - Cornez reported that Phase III of the Dam Remediation Project will require three (3) permits from the Department of Environmental Protection. The first permit that the Borough will need is a permit from Water Quality and a meeting has been scheduled to meet and discuss this permit with them on May 23rd at Greensburg. The second permit will be with Dam Safety for the construction, and a conference call has been schedule for May 10th at 1:00 PM to discuss the submission of the permit. The third permit is soil and erosion and this will be applied for after the Borough receives the other two (2) permits.

2. Letter of April 10, 2012 from the Department of Environmental Protection – Cornez reported that he received this letter from the Department of Environmental Protection accepting the 2011 annual inspection report and they remind us that the Borough must advise them of any minor maintenance such as i.e. patching and seeding of small areas, filling in of any animal borrows, removal of any debris, and any routine maintenance. DEP was also here on December 7th and did their own inspection and their only recommendations were that the Borough should continue monitoring the valve leakage and should monitor and maintain as an ongoing process. The DEP has also accepted the completion certificate for Phase 1.

7. Old Business:

A. Lake Draw Down - Cornez made a motion to not draw down the lake in 2012 unless the Borough is able to do the work for the Dam Remediation Project. Hanson seconded the motion. All ayes, motion carried.

8. New Business:

A. Purchase of a New Comminutor for Sewage Treatment Plant – St. Clair made a motion to authorize the Borough Secretary to send a check in the amount of \$500.00 to Tim’s Electric for the purchase of a new comminutor for the sewage treatment plant. Hanson seconded the motion. All ayes, motion carried.

9. Public Comment: None.

With no further business to discuss, McCauley moved and Shimer seconded to adjourn the meeting at 9:38 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on June 13, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager