

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
JULY 14, 2010

The regularly scheduled meeting of the Indian Lake Borough Council was held on July 14, 2010 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

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

THOSE ABSENT:

Visitors – Tom O’Toole, Ken Helsel, Ronald Schirf, Sean Isgan, Terry Shoher, Bruce Siwy, Joel Bowser, James Dewar, and Roy Fritz.

The meeting was called to order at 7:02P.M. by Robert Hanson, Council President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on May 26, 2010 - Hanson asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. McCauley seconded the motion. 6 ayes and 1 abstention, motion carried. Cornez filed the abstention memorandum with the Borough Secretary.

Approve the Minutes of the Meeting Held on June 9, 2010 - Hanson asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. Vogel 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 from ASAP Court Reporting, which totals \$300.00, payment should be withheld. Cornez seconded the motion. All ayes, motion carried.

Dewar informed Council that the Finance Committee has requested that the bill to ASAP Court Reporting be removed from the Outstanding Bill List.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Water Works Financial Reports, including the amendment 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 authorize the Borough Manager to transfer \$8,446.24 from the Somerset Trust Line of Credit to pay the invoices from CME Engineering, in the amount of \$8,446.24. Cornez seconded the motion. All ayes, motion carried.

3. Welcome Visitors – Tom O’Toole, Ken Helsel, Ronald Schirf, Sean Isgan, Terry Shoher, Bruce Siwy, Joel Bowser, James Dewar, and Roy Fritz.

4. Sean Isgan, Update on Dam Remediation:

A. D & M Painting Invoice to re-sandblast the Peninsula Water Storage Tank due to leaking valve – Cornez made a motion to reject the change order request, in the amount of \$1,237.50, for additional man-hours for three (3) men, diesel fuel, and sand to re-sandblast the Peninsula Water Storage Tank. McCauley seconded the motion. All ayes, motion carried.

McCauley made a motion to withhold payment, in the amount of \$5,000.00 from D & M Painting. Cornez seconded the motion. All ayes, motion carried.

Cornez made a motion to authorize the Borough Manager to remit payment to D & M Painting, in the amount of \$83,980.00, and to forward the check to Attorney Rullo so that he can send the check along with his letter, which explains why the Borough is withholding the \$5,000.00. Vogel seconded the motion. All ayes, motion carried.

5. Legal Report:

A. Musser Engineering, Right-of-Way for West Shore Trail and Dakota Lane to be Conveyed from Robert and Phyllis Musser and a Request to Re-Zone a Parcel of Property from Agriculture to R-1 in Order to Subdivide – Cornez made a motion to refer this matter to the Indian Lake Borough Planning Commission for their review and recommendations on the re-zoning request of Robert and Phyllis Musser. Vogel seconded the motion. All ayes, motion carried.

6. Correspondence:

A. Somerset County Planning Commission-Pine Cove Subdivision Plan – The Somerset County Planning Commission has approved the Pine Cove Subdivision Plan.

B. Larry Crespo, Wildlife Solutions-2010 Canadian Goose Management Program - Larry Crespo, from Wildlife Solutions, treated 7 nest containing 35 eggs during the 2010 nesting season.

C. NEV Program for Indian Lake Borough – Ron Kuchera, who is located at Mohawk 504, is requesting that the Borough consider a program to allow Neighborhood Electric Vehicles (also known as NEV's) to travel on the roads around Indian Lake. Council requested that Robert Hanson send a letter to Mr. Kuchera stating that in order for the Borough participate in this program the roads would need to be made private and by making the roadways private the Borough would lose their State Liquid Fuels Allocations and at this time that is a substantial portion of the Road Paving Budget.

7. Committee Reports:

A. Finance Report:

1. Increasing the Number of Secondary Non-Powered Boat Licenses - Dewar made a motion, based on the Finance Committee's recommendation, to allow 15 additional secondary non-powered boat licenses (375 to 390). McCauley seconded the motion. 6 ayes and 1 naye, Motion carried.

B. Police Report:

1. Authorization to Sale the 1991 Sea Raider Power Boat with Trailer – McCauley made a motion to authorize the Mayor to advertise the sale of the 1991 Sea Raider Power Boat with Trailer for sealed bids. Vogel seconded the motion. All ayes, motion carried.

2. Slalom Ski Course Complaints on the Location – Council requested that Robert Hanson use the same response that was provided to Mr. Perez for any complaints regarding the location of the Slalom Ski Course for the 2010 season.

C. Personnel Report:

1. Drug and Alcohol Policy – The matter was referred to the Personnel Committee.

2. Compass Rehab Requesting Light Duty Work for Harry Huzsek – Vogel made a motion to authorize Attorney Rullo to respond to Compass Rehab that the Borough does not have any positions available for this individual that meets the capabilities of the restrictions that are presently being identified by the physicians. McCauley seconded the motion. All ayes, motion carried.

3. Hiring of Another Full-Time Employee – Cornez made a motion to recommend that the Personnel Committee begin a recruiting process to consider hiring another full-time employee and to prepare a job description for that position. Vogel seconded the motion. All ayes, motion carried.

D. Environmental Report:

1. Proposal from Aquatic Environment Consultants for the Vallisneria Weed Treatment – Dewar made a motion, based upon the recommendation of the Finance Committee, that the Borough accept the proposal from Aquatic Environment Consultants, in the amount of \$23,000.00, to do the Vallisneria Weed Treatment. McCauley seconded the motion. All ayes, motion carried.

2. Lake Monitoring Study – Hanson made a motion to accept the proposal from Aquatic Environmental Consultants to do the Lake Monitoring Study at a cost of \$1,085.00 per sampling period. The lake study should start in August of 2010, and samples should also be taken in the fall, spring and June (time periods should coincide with the cycle of the DEP Study). Acceptance of the proposal is contingent on the acceptance of the sampling period by Aquatic Environment Consultants. Stern seconded the motion. All ayes, motion carried.

E. Zoning Report:

1. Schedule of Fees – Council requested that the Borough Manager prepare a schedule of fees for services that the Borough renders.

2. Update on Proposed Ordinance No. 155 – Cornez made a motion to rescind his previous motion and to request that Council be prepared to present and hold the public hearings on the Proposed Zoning Ordinance No. 155 in the Spring of 2011. Vogel seconded the motion. All ayes, motion carried.

8. Old Business:

A. Adopt Promulgation for EOP Plan - Hanson made a motion to adopt Resolution No. 2010-3 for the Promulgation for the Emergency Operation Plan (EOP) as presented. Cornez seconded the motion. All ayes, motion carried.

9. New Business: Council requested that Paul Cornez send a letter to the Shanksville Volunteer Fire Department thanking them for their services at the annual fireworks display.

10. Public Comment:

Tom O'Toole would like to request that Council be more aggressive in advertising the Borough Council Meetings and to post the agenda so that residents know what issues are going to be discussed. Cornez stated that he has suggested and Hanson has concurred that the agenda can be posted on the website.

With no further business to discuss, McCauley moved and Cornez seconded to adjourn the meeting at 9:58 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on August 11, 2010 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant  
Borough Manager