

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
JANUARY 13, 2021.

The regularly scheduled meeting of the Indian Lake Borough Council was held on January 13, 2021 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Kim Yantus
Curt Morgese
Scott Hollern (via Zoom)
Paul Balint (via Zoom)
Joe Lazzaro (via Zoom)
Shaun Nemeth (via Zoom)
Bob Hanson (via Zoom)
Dean Snyder, Roads and Maintenance
Kirsten Siehl, Office Manager
Michael Miscoe, Mayor (via Zoom)
Michael Barbera, Solicitor

THOSE ABSENT:

Dave Wood, Zoning Officer
Jerry Bellak, Chief of Police

Visitors - See attached.

ORDER OF BUSINESS

1. Pledge of Allegiance
2. The meeting was called to order at 6:00 by Hanson.
3. Hollern moved to approve the council meeting minutes from December 9, 2020, Morgese seconded. All ayes, motion carried.
4. Financial Reports - Hollern moved to approve the Profit & Loss Budget Performance, Unpaid Bills, Summary of Account Balances and Previous Year Comparison reports as presented for the General, Water and Sewer funds, Morgese seconded. All ayes, motion carried.
5. Welcome Visitors - See attached.
6. Public Comment: There was no public comment.
7. Dave Wood's Report of Building Permits Issued - See attached report. Balint questioned if the garage permits that were issued were applied for prior to the advertisement for the amendment to the zoning ordinance. Miscoe confirmed that they were both prior to the advertising.
8. Roads and Maintenance - See attached report. Nemeth reported that the bucket truck was inspected but did fail. He explained there are three options; rent a towable unit, purchase a towable unit or contract the work out in the future. Morgese asked Snyder on his opinion of renting versus buying, Snyder stated if there is an emergency that trees or limbs need to come down the convenience of having our own equipment is preferable. After discussion, it was tabled until next month. Snyder asked for permission to start getting estimates on the upcoming plow truck purchase that will replace the 2005 GMC. Council agreed he should proceed.
9. Legal Report - Barbera had nothing to report. There will be two matters of litigation for executive session in which identifiable claims have been made.

10. Correspondence:
 - A. PSAB Notice - Hanson reported PSAB issued a notice that borough employees and officials will be in Phase 1C for COVID Vaccine. He contacted PSAB for a more definite date but was unable to get an answer.
 - B. Dam Inspection Report - Hanson reported the 2020 dam inspection report was received from CME on January 13, 2021, Hanson signed off on the inspection and it will be sent to DEP. CME did not detect any problems.

11. Committee Reports:
 - A. Finance Report - Hollern reported the 2021 budget has been adopted and put into place. The 2020 audit dates have not been set yet.
 - B. Police Report - See attached Report. Miscoe commented that Chief Bellak applied for and received four, 1911 45 caliber model pistols for any officer that does not want to carry their personal weapon at no cost to the Borough. Miscoe also commented there were notable hours of COVID Quarantine for the Chief. Miscoe reported that the department received \$25,000 from the Somerset County Commissioners from CARES Act Funding. The funds were allocated for payroll reimbursement and will help offset payroll where officers were being paid but not working due to quarantine.
 - C. Personnel Report:
 - i. Health Insurance Committee - Yantus will work with a committee of council members as well as knowledgeable residents to review information that is available from providers when it comes to selecting a plan for 2022.
 - ii. COVID Procedure - Yantus prepared a COVID Procedure for employees testing positive, being exposed or having a household member test positive. Yantus explained that council needs to decide on a return to work procedure. Miscoe asked for guidance on if an officer is exposed, what the procedure should be since getting testing without symptoms can be difficult. Yantus moved to accept the COVID Procedure with change of CDC guidance of six feet for fifteen minutes, subject to administrative review with changing CDC and Pennsylvania Department of Health Guidelines, Hanson seconded. All ayes, motion carried.
 - iii. PTO Carry Over - Miscoe reported several employees were unable to use their PTO by the end of the year due to quarantine and inclement weather. Hanson moved to allow employees with remaining 2020 PTO to carry that time over for use by the end of February 2021. Hollern suggested extending the date until the end of March. Hanson amended his motion to extend the time frame for use of 2020 PTO until the end of March, Lazzaro seconded. All ayes, motion carried.
 - D. Environmental Report:
 - i. Aquatic Environmental Consultants Contract 2021-2023 - Siehl reported Kirkpatrick submitted his contract for 2021-2023 for twice a year monitoring at a price of \$5,960 each year. Morgese moved to accept the contract and authorize Siehl to sign the contract, Hanson seconded. All ayes, motion carried.
 - ii. Buoys - Morgese commented that the buoys are still in the lake and asked that if any happen to wash ashore, that the resident notifies the Borough. Hanson checked the warranty on the buoys for three year with no provisions to being removed for winter. Hollern resident requested buoys by Wenatchee Park, Hollern suggested having Wenatachee board submit the request. Miscoe believed there are six-seven left extra buoys.
 - iii. Bubblers - Morgese cautioned residents that there are regulations regarding the use of bubblers and that a resident could be held liable if injury incurred. Miscoe stated an ordinance could be written to regulate the use of bubblers, Barbera will look into

current state laws involving bubblers. Hollern recommended forming a committee for next year.

E. Water and Sewer Report:

- i. Shanksville/EADS Meeting - Balint reported that CME submitted a response to DEP regarding the usage of Shanksville system and dump station, CME is waiting for DEP's comment.
- ii. DEP Approval of Water Treatment Plant - Balint reported Gibson-Thomas advertised the Notice for Bid in the Daily American on January 5 and January 8, 2021 with a bid opening date of February 10 and PennVest closing on April 22, 2021. Hollern questioned the status of surveying the property to be obtained, Barbera reported the subdivision plan is still with Gibson-Thomas, Pete Buss is hoping to have it complete by next week.

F. Planning/Zoning Report:

- i. Approval of Zoning Map dated 1-2018 - Hanson reported that he accumulated the changes and prepared an agreement with Musser Engineering to update for a cost not to exceed \$1,000. Randy Musser reported the project should be completed in the next week.
- ii. Cheryl Hohman Resignation - Hanson moved to accept Hohman's resignation from the Planning Commission, Hollern seconded. All ayes, motion carried. Hanson suggested Pam Tadken stepping into the role as chair with himself and Hollern willing to help as advisors. Hollern moved to add Don Reed to the replace Hohman's vacancy, Hanson seconded. All ayes, motion carried.
- iii. Zoning Ordinance Amendment - Hanson reported there was a public hearing held at 5:30 relating to the amendment to Ordinance No. 144, Section 308. Hanson moved to enact Ordinance No. 189, a revision to the zoning ordinance as advertised, Barbera reported the amendment had been reviewed and approved by both local and county Planning Commissions, Balint seconded. All ayes, motion carried.

G. Parks & Recreation - Morgese thanked the crews that have helped maintain the hiking/biking trails.

H. Land Management - There was nothing to report.

I. Storm Water Management - There was nothing to report.

12. Old Business:

A. Comcast Renewal - Hanson stated to residents that it is a non exclusive agreement but there hasn't been any additional expressed interest in competing with Comcast.

13. New Business:

A. New Resident "Welcome Kits" - Hollern suggested that it may be a beneficial idea to offer new residents/homeowners/property owners a packet of basic but important information as well as approaching the commercial entities to offer discounts on services. Siehl and Hollern will work together to create the packet.

14. Additional Public Comment:

A. Charlotte McConn questioned if there is any chance of negotiating rates with Comcast, Barbera confirmed rate regulation can only be negotiated if they are the game in town. McConn also questioned the possibility of municipal sewer as she purchased an undeveloped lot and is working on the system to install, Hanson explained that there is not, the short-term plan was to get approval on SFTF on an individual basis.

B. Marc Alaia commented that Comcast is one of his biggest frustrations and was working with a group of individuals to bring an additional internet provider to the Borough but they struggled to come to a cost that will be attractive to residents. Hanson stated that the Comcast contract is only for cable and not internet, Miscoe stated that you can negotiate your rates on an individual basis. Hanson suggested Alaia work with Nemeth

and Dick Stern to create a committee to look into options. Alaia apologize for the fury his post on Facebook caused regarding the proposed noise and boating ordinances and asked how he can participate in the process going forward. Hanson asked that residents understand that Council is just getting the process started to review these ordinances, there have been several repeated comments received that will be taken into consideration. Hanson stated that while Miscoe did propose the purchase of a drone, he has rescinded that proposal due to the comments received. Stern and Hollern are receiving the comments on the boating proposal, Tadken and Lazzaro are receiving the comments on the noise proposal. Hollern commented that council will do their best to satisfy the majority of the property owners, focusing on safety and keeping the property values were they are. He also asked that all comments be directed to the emails provided and be thoughtful and useful comments.

- C. Michael Whalen commented that he appreciates being able to participate in the meeting virtually as a part time resident that can not make it to physical meetings. Hollern thanked Hanson for the IT work being making virtual meetings work and hope that we can continue to offer the virtual option even after in person meetings have reconvened.
15. Executive Session - Hanson moved to move into executive session at 8:15 for two matters of litigation in which identifiable claims have been made, Morgese seconded. All ayes, motion carried.
16. Additional Business - Hanson moved to **INSERT LANGUAGE FROM BARBERA**, Lazzaro seconded. All ayes, motion carried.
17. Adjournment - Morgese moved to adjourn the meeting at 9:49, Nemeth seconded. All ayes motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on February 10, 2021 at 6:00 P.M. at the Indian Lake Borough Building or by teleconference.

Respectfully submitted,



Kirsten Siehl
Borough Secretary