

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
APRIL 10, 2013

The regularly scheduled meeting of the Indian Lake Borough Council was held on April 10, 2013 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

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

THOSE ABSENT:

Paul Cornez

Visitors – Kenneth Helsel, Richard Stern, Curtis Morgese, and Robert Oates.

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

ORDER OF BUSINESS

1. 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. Hanson 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. Hanson seconded the motion. All ayes, motion carried.

2. Welcome Visitors – Kenneth Helsel, Richard Stern, Curtis Morgese, and Robert Oates.

3. 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 2013 season at location #1, which is located down by the South Peninsula (map attached), along with a copy of the Certificate of Insurances. St. Clair made a motion to authorize the ski club to put in the slalom course at location #1, pending approval from Attorney Rullo after reviewing the certificate of insurances from USA Water Ski, Inc. Hanson seconded the motion. All ayes, motion carried.

3. Correspondence:

1. PA Department of Environmental Protection-Alternate Sewage Disposal System for Gregory Turjan – Council was provided with a copy of the approval letter from the Department of Environmental Protection for Gregory Turjan for an "Alternate" Sewage Disposal System. Secretary informed Council that Jerry Mostoller, Sewage Enforcement Officer, has requested a letter from the Borough stating that they have no objection to him issuing a permit since the sewage maintenance agreement has been approved. Hanson made a motion to authorize the Borough Secretary to send the letter to Mr. Mostoller as requested. St. Clair seconded the motion. All ayes, motion carried.

2. 2011-2012 Indian Lake Borough Planning Commissions Annual Report – The Indian Lake Borough Planning Commission has submitted their 2011-2012 Annual Report to Council. Miscocoe noted that he was not aware of any motions tabling proposed Ordinance No. 155 or tabling the recommendations on the Zoning Hearing Board Fees. Council chose to take no action on both of those issues. St. Clair made a motion to accept the 2011-2012 Indian Lake Borough Planning Commission

Annual Report as amended. Hanson seconded the motion. All ayes, motion carried. Hanson stated that he would amend the report to reflect those changes and will re-submit a revised report.

#### 4. Roads 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. Hanson seconded the motion. All ayes, motion carried.

2. Old Culvert Removal – Council asked Mayor Miscoe to list the 3-culverts pipes that were bought for the hiking and biking trail onto Municibid.

3. Guiderail Damage – St. Clair reported that the guiderail at Clear Run was damaged due to an accident. Secretary did get an estimate from Green Acres Contracting to get it repaired. The estimate came in at \$3,262.50 and this was paid in its entirety by the insurance company. Council requested that a letter be sent to Tim and Tom Walters expressing the Borough's appreciation for getting the license plate number of the vehicle involved.

#### 5. Legal Report:

Attorney Rullo stated that he has reviewed the Certificate of Insurances that was provided for the Indian Lake Ski Club and everything is in order with that.

A. Easement Status and Ongoing Strategy – Attorney Rullo informed Council that he is in the process of putting together all of the exhibits for the declarations of taking.

B. David Rohrich Challenge to Ruling/Septic – Attorney Rullo informed Council that the violation has been filed.

C. West Shore Trail Extension – Hanson made a motion to authorize Attorney Rullo to finalize the draft Ordinance accepting and ordaining the additional portion of road on West Shore Trail Extension and to advertise it for adoption for the May 8, 2013 meeting. Shimer seconded the motion. All ayes, motion carried.

#### 6. Committee Reports:

##### A. Finance Report:

1. Water Works Certificate of Deposit – Dewar made a motion to re-authorize the Borough Secretary to reinvest \$100,000.00 into a 3-Year Certificate of Deposit at the highest interest rate available. Hanson seconded the motion. All ayes, motion carried.

B. Police Report: Mayor Miscoe informed Council that he will be applying for a grant for a breathalyzer for the Police Department.

C. Environmental Report –Dewar reported that Bill Kirkpatrick, the Borough's Aquatic Biologist, will be at the annual Service Corporation Meeting to discuss the fish study that he did in 2012.

##### D. Planning and Zoning Report:

1. Guidelines for Side Property Line Easement Waiver Requests – Hanson presented Council with a draft of the proposed guidelines for side property line easement waiver requests and a further discussion of this document will take place at the May 8, 2013 meeting.

E. Dam Report: Dewar stated that she did receive a report from Paul Cornez which stated that Roger Adams, from the Department of Environmental Protection, will be sending a letter concerning the easements and we should receive this letter by early next week. The schedule for the remainder of the project was also discussed and there shouldn't be any problems with the approval of the Borough's application and the Borough will be receiving a letter within two to three weeks from the DEP regarding the application.

7. Old Business: Marhefka stated that he is concerned about the ice bubblers and Council really needs to look into the use of these devices. If everyone would use these all around the lake this would definitely alter the shoreline of lake and would this would eliminate a lot of the winter activities on the lake.

8. New Business: Marhefka stated that he has some concern with the walled boat houses and how much these type of structures obstruct their neighbor's view of the lake. Council needs to protect the value of water front homes and should really consider eliminating walled boat houses from being constructed.

9 Public Comment:

Curt Morgese – Mr. Morgese stated that people need to be responsible for themselves and they need to be careful whenever they use the lake especially in the winter when they are on the ice on a lake. Council needs to be very careful of posting a potential problem, which would now make it the Borough's problem.

Hanson made a motion to move into Executive Session to discuss personnel matters at 8:42 P.M. McCauley seconded the motion. All ayes, motion carried.

At 8:46 P.M. Council returned to Regular Session.

Hanson made a motion to authorize Dewar to sign the letter to Compass Rehabilitation which states that the Borough has no light duty work available. McCauley seconded the motion. All ayes, motion carried.

With no further business to discuss, Shimer moved and McCauley seconded to adjourn the meeting at 8:46 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on May 8, 2013 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant  
Borough Manager