

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
JULY 11, 2018

The regularly scheduled meeting of the Indian Lake Borough Council was held on July 11, 2018 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Curt Morgese  
Lynn Shimer, President  
Bob Hanson  
Scott Hollern  
Shaun Nemeth  
Michael Barbera, Solicitor  
Jerry Bellak, Chief of Police  
Dean Snyder  
Michael Miscoe, Mayor  
Dave Wood, Zoning Officer

THOSE ABSENT:

Terry St. Clair  
Patricia Dewar

Visitors – Bob Marhefka, Dick Stern, Tom O’Toole, Bob Oates, Dustin Weir, Cyndy Weir, Tom Hyland, Don & Gay Reed, Ron Petrina, Chris Smith

ORDER OF BUSINESS

1. The meeting was called to order at 6:01 by Lynn Shimer, Borough Council President.
2. Dewar made a motion to approve the June 13 meeting minutes, Hollern would like the minutes to reflect that there was not a decision made to give Meyer assistance, Hanson seconded, all ayes, motion carried. St. Clair made a motion to approve the June 13 public meeting minutes, Dewar seconded, all ayes, motion carried. Hollern made a motion to approve the June 28 meeting minutes, Morgese seconded, all ayes, motion carried.
3. Financial Reports – Hanson made a motion to approve the Profit & Loss Budget Performance, Unpaid Bills and Summary of Account Balances as presented for the General, Water and Sewer funds, Dewar seconded. All ayes, motion carried.
4. Welcome Visitors – Bob Marhefka, Dick Stern, Tom O’Toole, Bob Oates, Dustin Weir, Cyndy Weir, Tom Hyland, Don & Gay Reed, Ron Petrina, Chris Smith
5. Public Comment:
  - A. Dustin Weir requested to know the status of his RTKL request submitted on June 13, Barbera confirmed that it would be available by July 20. Weir also questioned why the April through May minutes were not available online, Hanson confirmed that he will make them available as soon as possible. Weir wanted to discuss the letter dated June 28 from Leventry, Barbera instructed him that any discussion about the issue should be discussed through the attorney’s.
  - B. Jim Hyland (102 Chickasaw) wanted to discuss the culvert and flooding issues that were caused during the recent flooding on Potomac and Chickasaw. St. Clair confirmed that the road crew is doing everything they can do but will not access private property.
6. Dave Wood’s Report of Building Permits Issued – There were no building permits issued for the month of June.
  - A. Wood stated him and Bellak attended a hearing at the magistrate office regarding the Mateer hearing, Mateer said he never received the letters sent from Wood, the letters were not sent certified. Mateer spoke that he would like to make the necessary amends on getting his property back up to standard. Mateer stated that he did send a check for \$100 for a permit application, Wood confirmed there was not a permit application included. Mateer confirmed that the landscaping will be done on 7-12-18 and will be kept up with. Barbera informed Mateer that this has been an issue for almost a decade and council has given him multiple chances to make the necessary changes. Shimer instructed Mateer that he has thirty days to have a permit application submitted, property cleaned up and out buildings taken care of. The permit must conform to all buildings codes, including the 1250 square footage requirement. Mateer said he will be applying for a variance on the square footage.

7. Legal Report:
  - A. Mateer—The matter was discussed in Wood’s report.
  - B. Wolf—Bellak will be contacting the magistrate about the status of payment received.
  
8. Correspondence:
  - A. Wessel & Company, Business & Accounting Series—Dewar authorized Ringler to attend the course in Ebensburg on July 17, understanding she will be out of the office for the morning, Hanson seconded.
  
9. Committee Reports:
  - A. Finance—The financial restructuring project has been implemented, including paying off the STC loan; saving nearly \$20K/month and an additional \$500K paid towards the 1<sup>st</sup> Summit loan.
  - B. Roads & Maintenance—See attachment.
    - i. Paving and stone bid packages are advertised and available. Snyder stated that stone usage was significantly less than in past years. St. Clair stated that the larger R4 stone that has been used in the last 5-6 years was higher in volume but made a huge difference. St. Clair and Snyder inspected and denied several resident requests to redirect storm water off private property. Several locations have been identified; Entrance Drive, South Peninsula and Peninsula for replacing pipes under the road with larger pipe, not to create extra volume but to prevent water from overtopping the road. Dewar questioned if any of the road crew guys have been working towards becoming water certified, Snyder reported that Hufford and Miller have been attending classes and a study guide has been ordered.
  - C. Police – See attachment
    - i. Hanson made a motion to give Wolf 15 days to get his property cleaned up, if the work is not completed Bellak will begin filing citations of \$1000/day. Bellak stated that over the holiday, a golf cart was stolen from Northwinds, causing damage to the greens, flags and irrigation satellite system, he is looking into the issue. Hollern suggested utilizing Gay Reed’s newsletter and e-News to assist in locating people involved.
  - D. Personnel—All personnel matters were discussed in executive session.
  - E. Environmental
    - i. Calendar’s Run—The road did not overtop during the last storm.
    - ii. Weed Evaluation—Kirkpatrick will be treating the lake Monday, July 16, the lake will not need to be closed during treatment. Kirkpatrick will be working out of Wenatchee Park.
  - F. Water and Sewer Report—
    - i. Sewer--Hanson reported that he has been in continued contact with Shanksville Borough on the sewage matter, they are very interested and are reviewing a draft proposal, Stonycreek is still unwilling to cooperate.
    - ii. Water—Gibson-Thomas was able to engage Castleberry to do the geological work and testing to potentially bring Well 18B back online, he quoted \$9900. Hanson made a motion to ratify the retention of Castleberry for Well 18B testing, not to exceed \$10K, Morgese seconded, all ayes, motion carried.
  - G. Planning and Zoning—Hollern reported Planning/Zoning Committee met in June to discuss removing the two additional building from the Kickapoo Subdivision maps and the real estate signs. There were concerns about the manner in which real estate signs are displayed and after discussion, they committee decided not to amend the ordinance. Morgese reported that Miscoe sent an email that residents have complained about not being able to tow if they rent a boat from the Marina, Miscoe suggested allowing them to apply for a special use permit.
  - H. Parks and Recreation—There was nothing to report.
  - I. Land Management—Hanson made a motion to establish a Land Management Committee, Morgese, Hollern and St. Clair being members, St. Clair seconded, all ayes, motion carried.
  - J. Stormwater Management—This matter was discussed under Roads & Maintenance. Hanson believes Walters’ dip needs addressed but the work will require DEP permits.
  
10. Old Business:
  - A. Records Management/Shredding Service –Ringler is working on setting up a pickup date with Iron Mountain.
  - B. Notary-Ringler scheduled the exam for July 25.
  - C. Late/Non-Payment Procedure—Barbera provided a model policy that can be used to make changes and is waiting on feedback.
  - D. Fuel Bids—Barbera will work with Ringler do get a bid package together.
  - E. Employee Handbook—Barbera is waiting on feedback on the draft.
  - F. Hollern Resignation—Dewar made a motion to not accept Hollern’s resignation, seconded. Hollern stated that it was a hard decision to make and several residents reached out to him to let him know that he was a good asset to the Borough Council, he confirmed that his business was not a factor in his decision nor was his “lack of time”. He stated that he felt frustrated with some changes that needed to be made. After some encouraging words from

residents, he realized he is making a difference to the community. Dewar rescinded her motion. Hollern will respond with his final decision July 12.

- G. Golf Carts—St. Clair stated that he will continue to fight to allow golf carts on certain Indian Lake Roads. Barbera believes the Vehicle Code will be the issue in allowing this. After much discussion, it was agreed that the first step is identifying other Pennsylvania municipalities that have enacted such an ordinance.

11. New Business:

- A. Beautification—Shimer brought to attention the state of the flower beds around the lake. Dick Stern informed Council that there is a new company in charge of the beautification areas. Shimer would like to see the flower beds cleaned up and taken better care of. Shimer will send locations to Stern, Stern will forward it onto Carl Chapman.
- B. ILGC—Morgese went through the buildings on the ILGC property and would like to value the equipment that was included and maintenance that will need done to the property. Chris Smith will have his professional value the equipment within two weeks, Hanson questioned that status of keeping the golfcourse in working condition to open for next season, Smith confirmed that the plan is still to open next season but a temporary lease agreement (use of equipment) will make maintenance easier. Barbera informed that he has been in contact with Smith's attorney to establish a temporary lease.
- C. Certified Mail—Any correspondence involving violations or citations need to be sent certified from now on.
- D. Somerset County Redevelopment Authority—Hanson stated that ILB has always been unable to receive assistance due to being over the average household income. Barbera will further explore.

Hollern made a motion to move into executive session for a personnel matter at 8:39, Hanson seconded. All ayes, motion carried.

At 9:13 Council returned to regular session.

A motion was made to adjourn the meeting at 9:15, seconded, all ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on August 8, 2018 at 6:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Kirsten Ringler  
Borough Secretary