

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
OCTOBER 12, 2016

The regularly scheduled meeting of the Indian Lake Borough Council was held on October 12, 2016 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Lynn Shimer, President
Patricia Dewar
Robert Hanson
Scott Hollern
Robert Marhefka
Terry St. Clair
Michael D. Miscoe, Mayor
Daniel Rullo, Solicitor
Theresa L. Weyant, Borough Secretary
Jerry Bellak, Police Chief

THOSE ABSENT:

Curtis Morgese
David Wood, Zoning Officer

Visitors – Richard Stern, Tom OToole, Don and Gay Reed, Marc Alaia, and Ronald Petrina.

The meeting was called to order at 6:00 P.M. by Lynn Shimer, Council President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on August 10, 2016 – Hanson made a motion to approve the contents subject to the Borough Secretary putting the minutes into the standard format of the minutes. Dewar seconded the motion. All ayes, motion carried.

Approve the Minutes of the Meeting Held on September 14, 2016 - Shimer asked for additions and/or corrections. There being none, Hanson made a motion to approve the minutes as submitted. Hollern seconded the motion. All ayes, motion carried.

2. Financial Reports - Hanson made a motion to approve the Borough's Financial Reports and to pay the outstanding bills. Hollern seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Water Works Financial Reports and to pay the outstanding bills. Hollern seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Sewer Financial Reports and to pay the outstanding bills. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to approve the Summary of Account Balance Report as presented. Dewar seconded the motion. All ayes, motion carried.

3. Welcome Visitors - Richard Stern, Tom OToole, Don and Gay Reed, Marc Alaia, and Ronald Petrina.

4. Public Comment – None.

5. Dave Wood's September Report of Building Permits Issued.

6. Correspondence: None.

7. Committee Reports:

A. Finance Report:

1. 2016 Firemen’s Relief Fund Distribution - Hanson made a motion to allocate 100% of the 2016 Firemen’s Relief money to the Shanksville Volunteer Fire Department. Hollern seconded the motion. All ayes, motion carried.

2. Hanson made a motion to authorize the Borough Secretary to do the following budget adjustments to the General Fund as outlined in the opinion letter and to accept the Borough Financial Review as presented:

1.	402.000 Contracted Services	\$ 25,000.00
2.	405.130 Assistant Secretary	\$ 4,000.00
3.	410.238 Police Uniforms & Equipment	\$ 2,000.00
4.	410.000 Police Wages	(\$ 2,000.00)
5.	438.000 Highway Maintenance	(\$ 25,000.00)
6.	Dam and Lake	(\$ 4,000.00)

St. Clair seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize the Borough Secretary to do the following budget adjustments to the Water Works Fund as outlined in the opinion letter and to accept the Water Works Financial Review as presented:

1.	402.116 Contracted Services	\$ 4,000.00
2.	408.313 Engineering Services	\$15,000.00
3.	448.137 Laborer 6 Salary	\$ 5,000.00
4.	448.138 Laborer 7 Salary	\$ 5,000.00
5.	448.132 Laborer 1 Salary	(\$ 5,300.00)
6.	448.135 Laborer 4 Salary	(\$ 7,700.00)
7.	448.136 Laborer 5 Salary	(\$ 5,000.00)
8.	448.222 Purifica	(\$ 5,000.00)
9.	448.250 Water Maintenance Supplies	(\$ 1,000.00)
10.	486.156 Employee Medical Insurance	(\$ 5,000.00)

Dewar seconded the motion. All ayes, motion carried.

B. Road Report: Hanson made a motion to rescind the decision to authorize the sale of the Grader and to keep it for an additional year. St. Clair seconded the motion. 5 ayes and 1 naye, motion carried.

C. Police Report – Chief Bellak reported that the department had 2 ATV complaints, 3 boat inspections, and 80 security checks. Total calls for the month were 120. The UCR Reports have been completed for the month and the stop watch has been recalibrated. Chief Bellak reported that Mihalko’s is still working on the police office from the water damage incident.

Chief Bellak reported that Richland Marine won’t be able to look at the motor for the patrol boat until February of 2017. Mayor Miscoe informed Council that Indian Lake Marina potentially has a 2015 motor that Marc Alaia might be getting on a trade and Miscoe will look at this option and will report back to Council with some figures.

D. Personnel Report: Dewar made a motion to ratify the action of hiring Cayce McCartney as a laborer at a starting salary of \$12.00 per hour, benefits will take effect after the 3-month probationary period. Hanson seconded the motion. All ayes, motion carried.

E. Environmental Report:

A. Calendar’s Run – Shimer reported that he is still working with Representative Metzgar’s Office and Brian Schimmel, the governmental liaison for the Southwest Regional Office of the Department of Environmental Protection, to schedule a meeting to see if the issues with this permit can get resolved.

F. Water & Sewer Report:

1. SCADA System – Hanson reported that in 2017 there will need to be upgrades made to the Lakewood Sewage Treatment Plant’s SCADA system to comply with the new NPDES Permit requirements.

2. Notice of Water Violation – Hanson reported that there was a meeting with the Department of Environmental Protection on October 12th in Ebensburg. The DEP requested four (4) documents and Hanson did provide those to the DEP electronically today. The documents were: 1). Borough’s Articles of Incorporation, 2). The Zoning Map, 3). Zoning Ordinance, and 4) Survey of the property in question. DEP stated that if these items were as they were described at the meeting, then DEP has no issue with the Borough and they will back away and will give the Borough time to enforce the ordinances.

Hanson informed Council that DEP wants the Borough to treat for iron and manganese on Well #99-1 and Well 18-B.

G. Planning/Zoning Report:

1. Port-a-Potties – Reed informed Council that the Planning Commission is recommending that Council consider that all applications for the use of port-a-potties that will be on site for more than one (1) week, other than on an active work site, be subject to review and approval by Council as a Conditional Use. Hanson made a motion to authorize Don Reed and Mayor Miscoe to prepare the amendment to Zoning Ordinance No. 144 regarding the “Conditional Use” of port-a-potties and to authorize Attorney Rullo to advertise for the public hearing on December 14, 2016 at 5:30 pm. Hollern seconded the motion. 6 ayes and 1 naye. Motion carried.

2. Indian Lake Marina – Reed stated that the Planning Commission has reviewed Indian Lake Marina’s request to amend Zoning Ordinance No. 144 to allow a restaurant on the Commercial Marina property. The Commission feels that Mr. Alaia has sufficiently complied with Council’s request for additional information and the Marina should not be hindered in their efforts to proceed with a more detailed assessment and the Commission is recommending the Zoning Ordinance be amended to allow for a restaurant at the Commercial Marina property. Hollern made a motion to amend Zoning Ordinance No. 144 to allow a restaurant at the Commercial Marina. Hanson seconded the motion. 3 ayes, 2 naves and 1 abstention. Motion carried. Marhefka filed the abstention memorandum with the Borough Secretary.

Hanson made a motion to authorize Attorney Rullo to advertise for a public hearing on the amendment to Zoning Ordinance No. 144 to allow a restaurant at the Commercial Marina property on December 14, 2016 at 5:30 pm and to advertise for a public hearing regarding the “Conditional Use” of port-a-potties for January 11, 2017 at 5:30 pm. Hollern seconded the motion. All ayes, motion carried.

8. Old Business: None.

9. New Business:

1. PA Department of Environmental Protection-Earth Disturbance Inspection Report – Each member of Council was provided with a copy of the PA Department of Environmental Protection-Earth Disturbance Inspection Report.

2. Old Records – Hanson and Hollern will look into the cost to have all the old Borough records scanned, digitized and stored off site at the salt mines and will report back to Council with their recommendations.

10. Legal Report:

A. Update on the Complaint on the Condition of Donald Wolf’s Property, Seneca 441 – Attorney Rullo reported that he has filed the Writ of Execution on the judgement and he is waiting to get that scheduled for sale.

B. Richard Bradfield Property, located at Mohawk 460 – Attorney Rullo informed Council that he received a letter from Roy Leukhardt inquiring as to whether or not the property is in compliance with the Borough’s zoning regulations. Rullo stated that apparently there was a sun room constructed that encroaches to close to the lake. The estate is going to apply for a variance before the Indian Lake Borough Zoning Hearing Board.

Dewar made a motion to move into Executive Session to discuss potential litigation at 8:22 P.M. Hollern seconded the motion. All ayes, motion carried.

At 8:50 P.M. Council returned to Regular Session

With no further business to discuss, Dewar moved and St. Clair seconded to adjourn the meeting at 8:50 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on November 9, 2016 at 6:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Secretary