

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
DECEMBER 9, 2015

The regularly scheduled meeting of the Indian Lake Borough Council was held on December 9, 2015 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Lynn Shimer, President
Patricia Dewar
Robert Hanson
Scott Hollern
Robert Marhefka
Curtis Morgese
Michael D. Miscoe, Mayor
Theresa L. Weyant, Borough Manager
Daniel Rullo, Solicitor

THOSE ABSENT:

Terry St. Clair
David Wood, Zoning Officer

Visitors – Ronald Petrina, Don and Gay Reed, and Richard Stern.

The Meeting was called to order at 7:00 P.M. by Lynn Shimer, Council President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on November 11, 2015 - 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. Dewar seconded the motion. All ayes, motion carried.

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

Hanson made a motion to approve the Sewer Financial Reports and to pay the outstanding bills. Hollern 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 - Ronald Petrina, Don and Gay Reed, and Richard Stern.
4. Public Comment – None.
5. Dave Wood's November Report of Building Permits Issued.
6. Correspondence:

A. Request for Donation from the Children's Aid Home – Hanson made a motion to make a \$50.00 donation to the Children's Aid Home. Morgese seconded the motion. All ayes, motion carried.

B. Request for Donation from the Humane Society of Somerset County - Hanson made a motion to make a \$50.00 donation to the Humane Society of Somerset County. Hollern seconded the motion. All ayes, motion carried.

C. Resignation of Susan Dabbs as Indian Lake Borough Tax Collector – Dewar made a motion to accept the resignation of Susan Dabbs as Tax Collector for Indian Lake Borough, effective December 31, 2015. Hanson seconded the motion. All ayes, motion carried.

Hanson made a motion to appoint Don Reed as the Borough's Tax Collector to replace Susan Dabbs. Term will start on January 1, 2016 and will be effective until the next municipal election. Hollern seconded the motion. All ayes, motion carried.

7. Legal Report:

A. John Oliver Zoning Hearing Board Appeal Update – Attorney Rullo reminded Council that the Borough has filed an appeal to the Commonwealth Court on this matter and his brief was due on November 16th and it has been submitted. A potential settlement proposal has been submitted to Mr. Oliver but to date Attorney Rullo has heard nothing back.

B. Update on the Complaint on the Condition of Donald Wolf's Property, Seneca 441 – Attorney Rullo informed Council that Mr. Wolf has not submitted a plan of action and therefore, the hearing before District Magistrate Mankamyer has been rescheduled for January 21, 2016.

C. Shofstahl Deed – Attorney Rullo noted that he received the executed Shofstahl Deed and this just needs to be recorded.

8. Committee Reports:

A. Finance Report:

1. Adoption of the 2016 Proposed Budget – Hanson made a motion to adopt the proposed 2016 budget, which totals \$1,739,867.00, as advertised and presented. Morgese seconded the motion. All ayes, motion carried.

2. Set Millage Rate and all other Borough Taxes for 2016 - Hanson made a motion to set the millage rate at 19.3 mills and for all the other Borough taxes to remain the same for 2016. Hollern seconded the motion. All ayes, motion carried.

3. Adoption of Tax Rate Ordinance No. 174 - Hanson made a motion to adopt the 2016 Tax Rate Ordinance No. 174 as presented and advertised. Morgese seconded the motion. All ayes, motion carried.

4. Tax Collector Audit - Hanson made a motion to authorize the Borough Manager to request and accept a proposal from Wessel & Company to do the tax collector audit for a cost not to exceed \$4,000.00. Dewar seconded the motion. All ayes, motion carried.

B. Road Report:

1. Purchase of a 2016 International 7400 SFA 4X4 Truck – Hanson made a motion to authorize the purchase of a 2016 International 7400 SFA 4X4 Truck though the Co-Stars Program, at a cost of \$162,769.93. Morgese seconded the motion. All ayes, motion carried.

C. Police Report:

Mayor Miscoe reported that the police had 258 calls for the month of November and the majority of those calls were security checks. Miscoe noted that the Department is looking into doing more firearms training with the officers. The steering rack had to be replaced in the police cruiser, but this was covered under warranty.

Miscoe requested that the workmen put up the lake closed signs.

D. Water & Sewer Report:

1. Notice of Water Violation - Hanson reported that on Tuesday, December 8th there was a meeting with the Department of Environmental Protection to discuss the Well 99-1 Well Head Protection Zone 1 Violation and to discuss the Iron and Manganese issues on Well #2. The Borough has agreed to provide DEP a letter by the end of January describing testing plans, schedule and any source water testing results obtained up to that point. Once source water testing is completed, the Borough has agreed to put together an outline of treatment plans intended to solve the problems uncovered/confirmed by the test results. This outline is to be submitted to DEP by the end of April 2016.

E. Planning and Zoning Report:

1. Proposed Changes to Zoning Ordinance No. 144 – Miscoe presented Council with a summary of proposed changes to Zoning Ordinance No. 144. Don Reed informed Council that the Indian Lake Borough Planning Commission will review this document at the January 2016 meeting.

F. Parks and Recreation - Morgese stated that he has looked further into the request to have the stumps cut off since the lake is drawn down. This area is very sacred to the hearts of the bass fisherman here at the lake. The stump area is like a fish hatchery and by cutting these stumps off this could hurt the fish population and it could be very detrimental to the fishing sport. As stated at the last meeting, if the Borough were to cut off the stumps below the water level, the Borough could be creating a boating and a safety hazard and based on both of these reasons, Council should not authorize this work to be done, the stumps are a part of the lake.

9. Old Business:

10. New Business:

1. Expiring Terms of Planning Commission Member and Zoning Hearing Board Members – Council asked the Borough Secretary to see if the present members on the Zoning Hearing Board were interested in being reappointed. Council asked Don Reed to present the Commission's recommendations for the replacement member of Robert Hanson at the Re-organizational Meeting.

2. Set Time for Reorganizational Meeting – The Re-organizational Meeting of the Indian Lake Borough Council will be held on January 4, 2016 at 7:00 P.M. Hanson made a motion to authorize the Borough Secretary to advertise the Reorganizational Meeting. Hollern seconded the motion. All ayes, motion carried.

Hanson made a motion to move into Executive Session to discuss potential litigation matters at 8:40 P.M. Dewar seconded the motion. All ayes, motion carried.

At 10:10 P.M. Council returned to Regular Session

Hanson made a motion to authorize Somerset Planning and Engineering to proceed with the project to install a Variable Frequency Drive (VFD) on the pump for Well 99-1 at a total project cost (including permitting and all Somerset Planning and Engineering effort) not to exceed \$20,000.00. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize Attorney Rullo to author and finalize the agreement with John Weir for the needed 250 square foot easement/right-of-way/deed restriction to implement the new 100 foot Zone 1 requirement. Hollern seconded the motion. All ayes, motion carried.

Council agreed to authorize Dean Snyder to begin monthly source water chemistry analysis at a certified lab, which will be in the Borough's current budget authority.

Hanson made a motion to authorize Somerset Planning and Engineering to lay out a well test plan and to conduct the testing on all three (3) wells to establish a baseline and document a target for iron and manganese treatment/filtration. The estimated cost should not to exceed \$10,000.00 and the completion of this work shall be done by mid-January of 2016. Dewar seconded the motion. All ayes, motion carried.

Hanson made a motion to authorize Somerset Planning and Engineering to begin a plan to design and seek approval of permits for a treatment/filtration system for Indian Lake Sourcewater to the Department of Environmental Protection's satisfaction. This will likely involve re-chlorination and/or rework of the Borough's existing chlorination scheme as well. Anticipated cost, in total, will likely be well in excess of \$250,000.00 and will be rendered obsolete should Que water become available (full disclosure). The authorized expenditure shall not to exceed \$30,000.00 and work shall begin with the first deliverable being a submittal to the Department of Environmental Protection by April of 2016. Hollern seconded the motion. All ayes, motion carried.

With no further business to discuss, Morgese moved and Hollern seconded to adjourn the meeting at 10:20 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on January 4, 2016 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager