

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
MARCH 9, 2016

The regularly scheduled meeting of the Indian Lake Borough Council was held on March 9, 2016 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

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

THOSE ABSENT:

Terry St. Clair
David Wood, Zoning Officer

Visitors – Richard Stern, Carl Chapman, Don and Gay Reed, Tom O’Toole, Chris Smith and Bob Oates.

The Meeting was called to order at 6:02 P.M. by Lynn Shimer, Council President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on February 10, 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. Morgese 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. Morgese seconded the motion. All ayes, motion carried.

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

3. Welcome Visitors - Richard Stern, Carl Chapman, Don and Gay Reed, Tom O’Toole, Chris Smith and Bob Oates.

4. Public Comment – Chris Smith, part owner and operator of Northwinds Public Golf Course, addressed Council with their concerns and issues with the proposed LCT Energy Surface and Deep Mining on the Walker Property on Route 160. In July of 2015, Mr. Smith was contacted by an acquisition and property development representative from LCT Energy. A request was made by LCT Energy to drill exploratory test holes and water well testing holes on Northwinds property. The offer was declined. During these meetings with this representative Northwinds was given information on the proposed surface mine and deep mine, which will be located directly across from their place of business. Based on that information and other information recently obtained, Northwinds has concerns about this project which may impact their business in a negative way.

- A. The potential for unhealthy air quality as a direct result from this proposed mining
- B. Traffic safety issues with all the increased coal truck traffic
- C. Noise pollution
- D. Irrigation water quality
- E. Concerns involving their extensive and expensive underground irrigation system and the damage that could be done due to ground movement associated with the mining or any ground subsidence.

5. 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 2016 season at location #3, which is located down by Mohawk and the stump area (map attached), along with a copy of the Certificate of Insurances. Hanson made a motion to authorize the ski club to put in the slalom course at location #3. Morgese seconded the motion. All ayes, motion carried

6. Dave Wood's February Report of Building Permits Issued – No permits issued.

7. Legal Report:

A. John Oliver Zoning Hearing Board Appeal Update – Attorney Rullo reported to Council that the Commonwealth Court has set the argument date for April 11, 2016, at the Pitt Law School in Pittsburgh at 1:30 pm.

B. LCT Energy – Attorney Rullo informed Council that a conference call has been scheduled with the Environmental Hearing Board on March 15th

Morgese made a motion that after the annual Service Corporation Meeting on Saturday, May 14, 2016, Council make a presentation to the residents on the proposed LCT Energy Surface and Deep Mine Permits on the Walker Property located along Route 160. Dewar seconded the motion. All ayes, motion carried. Council will send out information to all the residents on the proposed LCT Energy Surface and Deep Mine Permits prior to the May 14, 2016, meeting.

Hanson made a motion to authorize Curt Morgese to establish a dialog with Downstream Strategies and request that someone from their organization attend the March 23rd Council Meeting, at a cost not to exceed \$1,000.00. Hollern seconded the motion. All ayes, motion carried.

C. David Erimias – Attorney Rullo informed Council that he received a letter from Mr. Erimias's attorney regarding the multiple complaints regarding the location of his client's dock, which is located on Pawnee Park. Mr. Erimias's attorney is questioning as to whether or not a survey has been completed which clearly sets forth the Borough twenty-five (25) feet of frontage. Rullo stated that he has not responded to the letter, this is a dispute between two (2) property owners and until someone does a survey of Pawnee Park, the Borough will not get in the middle of a property dispute.

8. Correspondence:

A. E.Map-Annual Membership Meeting – On Friday, May 6, 2016, the Employers Medical Access Partnership (E.MAP) will be holding their annual membership meeting at the Pasquerilla Performing Arts Center, in Johnstown, PA. There is no cost to attend. Lynn Shimer and his wife will attend on behalf of the Borough.

9. Committee Reports:

A. Finance Report:

1. 2015 Audit – Scansaroli noted that Management has omitted the Management Discussion and Analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial states, is considered to be part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. Scansaroli's opinion on the financial statements is not affected by this missing information. Hanson stated that Council can either prepare a one page analysis of our year-end financial reports and remit that to him along with the General Ledger Reports or Council can continue as we have been in the past and see if this issue is brought up again. Hanson made a motion to accept the 2015 audit report as submitted. Hollern seconded the motion. All ayes, motion carried

B. Police Report: Mayor Miscoe reported that the police had 405 calls for the month of February and the majority of those calls were security checks. Miscoe noted that Officer Bellak is working on the 2016 Firearm Qualification Program for the Department. Bellak is a firearms instructor and he will be able to do the qualification of the officers, which will eliminate the cost of the instructor fee to the Borough. Officer Truszka still needs to complete his boating safety course.

C. Water & Sewer Report:

1. CME Engineering Proposal for Water System Orientation – Hanson made a motion to accept the proposal from CME Engineering, in the amount of \$350.00, to provide two (2) certified water treatment operators to conduct a half-day on-site orientation of the water system to become familiar with the system operation. This orientation will enable CME to assist the Borough with a back-up operator. Morgese seconded the motion. All ayes, motion carried.

Hanson wanted to clarify that at the January 13, 2016 Council agreed to pay the Alternate Bid of \$100,411.00 to upsize the 10' and 8' gravity sewers to 12' gravity sewers as necessary to accommodate future Indian Lake Borough sewage flows up to 200,000 gallons per day. This amount does not include the tap-in fees or any of the monthly charges for each individual user at Indian Lake.

D. Planning & Zoning Report - Don Reed, Chairman of the Indian Lake Borough Planning Commission, presented Council with the Commission's 2015 Annual Report.

10. Old Business: None.

A. Proposed Changes to Zoning Ordinance No. 144 – Hanson reported that the Borough received one (1) comment and it was an editorial correction, therefore, Hanson made a motion to enact the proposed recommended changes to Zoning Ordinance No. 144 as presented and to include the editorial change to Section 304 to reflect 1,250 square feet not 1,200 square feet to be consistent with Section 501C. Morgese seconded the motion. All ayes, motion carried.

11. New Business:

Mayor Miscoe stated that he is looking in to purchasing a body camera for the police department, which cost approximately \$195.00. Also, for the 2017 budget he is looking into speed signs, which will enable the department to download traffic data, so the department knows where are problems areas are as far as speeders, running stop signs, etc.

With no further business to discuss, Hanson moved and Morgese seconded to adjourn the meeting at 8:08 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on March 23, 2016 at 6:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager