

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
SEPTEMBER 14, 2011

The regularly scheduled meeting of the Indian Lake Borough Council was held on September 14, 2011 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Richard Stern, President
Patricia Dewar
Robert Marhefka
Robert Vogel
Robert Hanson
Paul Cornez
Dan Rullo, Solicitor
Michael D. Miscocoe, Mayor
Theresa L. Weyant, Borough Manager/Secretary
Dean J. Snyder, Zoning Officer/Water & Sewer Plant Operator

THOSE ABSENT:

Charles McCauley

Visitors – Terry St. Clair, Ronald Petrina, Phil Petrunak and Robert Oates.

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

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on August 10, 2011 - Stern asked for additions and/or corrections. There being none, Hanson made a motion to approve the minutes as submitted. Cornez seconded the motion. All ayes, motion carried.

2. 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. Cornez 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. Stern 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. Cornez 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. Stern seconded the motion. All ayes, motion carried.

3. Welcome Visitors – Terry St. Clair, Ronald Petrina, Phil Petrunak and Robert Oates.

4. Terry St. Clair-Residents Using the Commercial Establishments Dumpsters – St. Clair stated that throughout the Borough the Commercial establishments dumpsters are overflowing with trash of residents and visitors looking for free garbage service. This problem has been an ongoing problem for years and is continuing to get worse. Council discussed adding trash collections to the budget, which would result in raising the millage, but the problem with this would be empty lot owners would be paying for a service they do not use. Another option would be to bill home owners for garbage just like the Borough does for water and sewer maintenance fees. Dewar suggested doing what they do in North Carolina, where residents purchase a single use sticker and place it on their garbage cans, this allows resident to pay only when using trash collection services.

Council asked if Robert Hanson would contact Reese Sanitation about the Borough billing for garbage service as well as the single use sticker concept.

5. Update on Dam Remediation:

A. Phase 1-Valve – Certification Report needs to be completed and sent into DEP.

B. Phase 3-Raising the Dam Embankment – CME Engineering provided Council with a cost profile for Phase III which provides estimates of fees and the timing of the work. Cornez made a motion to authorize CME Engineering to proceed with completing the embankment design and preparing the permit application and to submit to DEP for their review at a cost not to exceed \$33,000.00. Hanson seconded the motion. All ayes, motion carried.

C. 2012 Annual Dam Inspection – CME Engineering provided Council with a proposal to do the 2012 Annual Dam Inspection, obtain monthly flume and piezometer measurements, and to complete the Operation and Maintenance Plan at a cost not to exceed \$13,800.00.

6. Legal Report:

A. Donald Mateer, Cayuga 147 – Attorney Rullo informed Council that he prepared the citation for Donald Mateer on the dilapidated structure in Pawnee Park and Dean Snyder will file it with District Magistrate Cook’s Office on Thursday, September 15th.

7. Correspondence:

A. Somerset County Boroughs Association-September Dinner Meeting – The Somerset County Boroughs Association will be holding their September Dinner meeting on Thursday, September 15th at Laurel View Village in Davidsville. The cost is \$17.00 per person. Stern made a motion to authorize the expenditure for Paul Cornez to attend. Dewar seconded the motion. All ayes, motion carried.

B. PSAB Fall Leadership Conference – The Pennsylvania State Association of Boroughs will be holding their Fall Leadership Conference on October 21 thru 23rd at the Nittany Lion Inn in State College. The cost is \$170.00 for the conference plus the cost for the hotel room. No one to attend.

8. Committee Reports:

A. Finance Report:

1. Joseph Scansaroli-2011 Auditing Proposal – Dewar made a motion to appoint Joseph Scansaroli, Certified Public Accountant, as the auditing firm for Indian Lake Borough for the year 2011, for \$5,500.00 and to authorize the Council President to sign the commitment letter. Cornez seconded the motion. All ayes, motion carried.

2. Thomas J. Anderson & Associates-2012 MMO for Pension Plan - Dewar made a motion to accept the 2012 Financial Requirement and Minimum Municipal Obligation for the pension plan in the amount of \$11,615.00, as prepared by Thomas J. Anderson & Associates and to authorize the Council President to sign all the associated documents pertaining to the 2012 Financial Requirement and Minimum Municipal Obligation. Cornez seconded the motion. All ayes, motion carried.

3. Valve Replacement and Construction Monitoring Proposal #070901 Change Order Request #4 – Cornez made a motion to accept the Change Order Request #4 for the Valve Replacement and Construction Monitoring Proposal #070901, in the amount of \$3,600.00. Dewar seconded the motion. All ayes, motion carried.

4. Long Term Financing – Council will hold a special meeting on Tuesday, October 11th at 10:00 A.M. at the Indian Lake Borough Office with Chris Brewer from Dinsmore & Shohl, LLP and Attorney Rullo.

B. Police Report:

1. Winter Boat Storage – Mayor Miscoe informed Council that he will be having the Police patrol boat stored at the Marina for \$110.00 He will also ask them to winterize it and to do a hull scrub.

2. Letter from Becky Corbett, Delaware 126 regarding the excessive noise on the weekends and the boating safety on the lake along with Mayor Miscoe's response.

C. Environmental Report:

1. Lowering the Lake – Cornez made a motion to authorize the Borough Manager to apply for a lake draw down permit for this year after she speaks with William Kirkpatrick, from Aquatic Environment Consultants, and he feels that it is safe for the lake to do. Stern seconded the motion. All ayes, motion carried.

D. Water and Sewer Report:

1. Chlorine Contact-4-Log Solution – Vogel reported that the drawings have been submitted to the DEP for review and the permit has been applied for to go under the stream with the Army Corp of Engineers.

2. Violation Notice - Dean Snyder informed Council that he received a possible violation notice on the Dioxin tests for the 3rd quarter. This was one of the samples that we applied for a waiver for and the waiver was returned with a request for a letter from Somerset Rural Electric on the transformers. Marty Ward, from RDM Laboratories, stated that the samples weren't done because that has nothing to do with Dioxin. Snyder has replied to the violation notice explaining everything and to date he has had no response.

3. SCADA – Vogel stated that the Water & Sewer Committee will be prepared to make their recommendations to Council at the next meeting.

8. Old Business: None.

9. New Business:

A. Recycling Program – Hanson reported that Reese's Sanitation has everything set up and they delivered a three compartment dumpster here at the office. The first compartment is for newspaper only, the middle compartment is for knocked down cardboard only, and the third compartment is for aluminum only.

10. New Business:

A. Pennsylvania Municipal Service–Collecting Delinquent Earned Income Taxes for the Year 2011 and Prior – Pennsylvania Municipal Services Co. sent a letter requesting to collect the Borough's Delinquent Earned Income Taxes for the year 2011 and prior at no cost to the Borough. Enclosed was a sample contract for the board to review. Council requested that the Borough Manager contact Sidney Clark at the Shanksville Stonycreek School to see who the Somerset County Tax Collection Committee is going with. Attorney Rullo stated that he would also check with Attorney Sam Clapper, who is the attorney for the Somerset County Tax Collection Committee.

B. Special Event Boat License – Hanson stated that Darren Miller, who is a world-class marathon swimmer and swims for charity (the Forever Fund of Children's Hospital of Pittsburgh), has requested to be able to swim and train on the lake again on Saturday, September 17th. As before, he will be escorted with a medically equipped kayak for safety reasons and would require a special event boat license for the kayak. After a discussion, Hanson made a motion to authorize a special event license to Darren Miller for a 1-time use on Saturday, September 17th. Dewar seconded the motion. 5 ayes and 1 naye. Motion carried.

11 Public Comment: None.

At 8:56 P.M Hanson made a motion to move into Executive Session to discuss personnel issues and potential litigation. Dewar seconded the motion. All ayes, motion carried.

At 9:55 P.M. Council returned to Regular Session.

Cornez informed Council that Robert Hanson has posted on the Borough's web site the information relative to the Clear Run Treatment Trust Account.

Cornez stated that each Council Member probably received an e-mail from Cambria Somerset Association of Realtors requesting information about council members, meeting agendas, and meeting dates. Council requested that the President simply reply back to them to please visit our website and give them the web-site address

With no further business to discuss, Dewar moved and Cornez seconded to adjourn the meeting at 9:57 P.M. All ayes, motion carried.

The special meeting of the Indian Lake Borough Council will be held on October 11, 2011 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager