

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
DECEMBER 14, 2011

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

THOSE PRESENT:

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

THOSE ABSENT:

Robert Vogel

Visitors – Tom O’Toole, Kenneth Helsel and Ronald Petrina.

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 October 26, 2011 - Stern asked for additions and/or corrections. There being none, Cornez made a motion to approve the minutes as submitted. Hanson seconded the motion. All ayes, motion carried.

Approve the Minutes of the Meeting Held on November 9, 2011 – Stern asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. Hanson seconded the motion. All ayes, motion carried.

2. Reggie Musser, from Musser Engineering-Douglas Baltzer, Peninsula Lot No. 160 Water Quality Management Part II Permit Application – Hanson made a motion to approve the Water Quality Management Part II Permit Application as presented and to authorize the Council President to sign the document and to forward the planning module application to the Department of Environmental Protection for consideration. Dewar seconded the motion. All ayes, motion carried.

3. 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.

4. Welcome Visitors – Tom O’Toole, Kenneth Helsel and Ronald Petrina.

5. Update on Dam Remediation:

A. Phase 3 – Cornez reported that CME Engineering will be starting to work on Phase 3 of the dam remediation project in January.

B. 2011 Annual Dam Inspection – The 2011 Annual Dam Inspection has been completed and submitted to the Department of Environmental Protection.

6. Legal Report:

A. Donald Mateer, Cayuga 147 – Mr. Mateer has finally completed what he was required to do and Attorney Rullo has withdrawn the judgment.

B. Long Term Financing Proposals – Council deferred any action on this matter until the January 3, 2011 meeting in order to try to negotiate the origination fee with Somerset Trust Company.

7 Correspondence:

A. Musser Engineering-Request from PBS Coals to Purchase Bulk Water for Residents Adjacent to the Glade and Downey Mines – Hanson made a motion to refer this matter to the Water and Sewer Committee and the Indian Lake Borough Planning Commission for review and recommendations and to authorize the expenditure of up to \$1,000.00 collectively to engage the services of CME Engineering for assistance on this matter. McCauley seconded the motion. All ayes, motion carried.

B. The Children's Aid Home-Request for Donation - The Children's Aid Home & Society of Somerset County is requesting a donation. Dewar made a motion to make a \$50.00 donation to the Children's Aid Home & Society of Somerset County. Stern seconded the motion. All ayes, motion carried.

C. The Humane Society of Somerset County-Request for Donation - The Humane Society of Somerset County is requesting a donation. Cornez made a motion to make a \$50.00 donation to the Humane Society of Somerset County. Hanson seconded the motion. All ayes, motion carried.

D. Attorney Charles C. Mason, Jr.-Deed for Colleen Cenk for Chippewa Lots No. 3 and 5 – Attorney Mason has prepared a new deed to Colleen Cenk combining Chippewa Lots No. 3 and 5 into one deed. Attorney Mason would like Council to review this to make sure it meets all the requirements before it is recorded. This matter was tabled until the January meeting in order to allow Attorney Rullo time to review this matter further.

8 Committee Reports:

A. Water & Sewer Report:

1 Adopt Resolution for the Act 537 Plan Addendum – Hanson made a motion to adopt the Resolution for New Land Development for the Small Flow Treatment Facility w/Holding Tanks for Treated Effluent (SFTF-HT) as presented. Dewar seconded the motion. All ayes, motion carried.

2. SCADA System – Council requested that Attorney Rullo contact Nancy Altz, the Somerset Township Municipal Authority Director, to see how they handled purchasing the Mission Systems for their Municipality.

3. Chlorine Contact 4-Log Update – Hanson informed Council that CME Engineering has submitted the application to the Department of Environmental Protection. DEP has stated that they are expecting a 2 month turn around for their review of the Borough's application.

4. Delinquent Water & Sewer Accounts at the Townhouses – Council discussed the delinquent water and sewer accounts at the townhouse units.

9. Old Business:

A. Somerset County Tax Collection Committee:

1. Adoption of the Earned Income Tax Ordinance – Attorney Rullo read the summary of the ordinance to Council. Hanson made a motion to adopt the Earned Income Tax Ordinance as presented and advertised. Cornez seconded the motion. All ayes, motion carried.

2. Pennsylvania Municipal Service-Collecting Delinquent Earned Income Taxes for the Year 2011 and Prior – Cornez made a motion to sign the contract with Pennsylvania Municipal Service Company, to collect the Delinquent Earned Income Tax for the year 2011 and prior. The term of the contract will only be for one (1) year. McCauley seconded the motion. 5 ayes and 1 naye. Motion carried.

10. New Business:

A. Set time for Re-organization Meeting on January 3, 2012 – Cornez made a motion to authorize the Borough Secretary to advertise the re-organizational meeting for Tuesday, January 3, 2012, at 7:00 P.M. Dewar seconded the motion. All ayes, motion carried.

11. Public Comment.

Cornez made a motion to move into Executive Session to discuss litigation and personnel matters at 9:26 P.M. Hanson seconded the motion. All ayes, motion carried.

At 10:14 P.M. Council returned to Regular Session.

1. Finance Committee: Budget Goals are to maximize cost savings to offset increase in expenses (approximately \$159K annually) associated with conversion of debt associated with dam from short term (interest only) to long term (principle and interest) payments and increased expenses for road maintenance, weed treatment, Dam Engineering, Recording fees for Easements, increased tax collector fees and maintenance vehicle replacement (approximately \$311K total). To accomplish this goal while maintaining sufficient police coverage, Council has determined on the recommendation of the Mayor that 38 hours average per week is believed to be the minimum level of coverage necessary for Police Coverage to be effective.

A. Adoption of the 2012 Proposed Budget - Dewar made a motion to adopt the proposed 2012 budget as advertised and presented. Cornez seconded the motion. All ayes, motion carried.

B. Adoption of Tax Rate Ordinance - Dewar made a motion to set the millage rate at 19.3 mills and for all the other Borough taxes to remain the same for 2012. Stern seconded the motion. All ayes, motion carried.

C. Adoption of Tax Rate Ordinance - Dewar made a motion to adopt the 2012 Tax Rate Ordinance as presented and advertised. Cornez seconded the motion. All ayes, motion carried.

D. Valve Replacement and Construction Monitoring Proposal #070901 Change Order Request #5 – Dewar made a motion to accept the Change Order Request #5 for the Valve Replacement and Construction Monitoring Proposal #070901, in the amount of \$720.51 and to remit payment to CME Engineering, for invoice #26007, in the amount of \$3,834.60. McCauley seconded the motion. All ayes, motion carried.

With no further business to discuss, Cornez moved and Stern seconded to adjourn the meeting at 10:19 P.M. All ayes, motion carried.

The Re-organizational Meeting of the Indian Lake Borough Council will be held on January 3, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager