

MINUTES  
INDIAN LAKE BOROUGH COUNCIL MEETING  
FEBRUARY 17, 2010

The regularly scheduled meeting of the Indian Lake Borough Council was held on February 17, 2010 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Robert Hanson, President  
Patricia Dewar  
Robert Marhefka  
Richard Stern  
Paul Cornez  
Michael D. Miscoe, Mayor  
Dan Rullo, Solicitor  
Theresa L. Weyant, Borough Manager/Secretary  
Dean Snyder, Zoning Officer

THOSE ABSENT:

Charles McCauley  
Robert Vogel

Visitors – Sean Isgan, Albert Diehl, Ken Helsel and Don Reed.

The meeting was called to order at 7:00P.M. by Robert Hanson, Council President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on January 4, 2010 - Hanson asked for additions and/or corrections. There being none, Dewar made a motion to approve the minutes as submitted. Cornez seconded the motion. All ayes, motion carried.

Approve the Minutes of the Meeting Held on January 13, 2010 - Hanson asked for additions and/or corrections. There being none, Stern 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 except for the bills to GAI Consultants, which total \$54,595.97, payment should be withheld. 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 and to pay the outstanding bills. Stern seconded the motion. All ayes, motion carried.

Dewar made a motion to ratify the payment made to St. Clair Construction, in the amount of \$19,319.00, for the addition to the Lakewood Sewage Treatment Plant, which represented the contract price less 10%. Cornez 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. Stern 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. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion to authorize the Borough Manager to transfer \$1,371.89 from the PNC Bank Line of Credit to pay the invoice from Lee Supply Company, Inc., in the amount of \$1,200.00; Barbara, Clapper, Beener, Rullo & Melvin, in the amount of \$17.00; and to pay the invoice from Somerset Tax Claim Bureau, in the amount of \$154.89. Stern seconded the motion. All ayes, motion carried.

Dewar made a motion to authorize the Borough Manager to transfer \$27,442.11 from the PNC Bank Line of Credit to pay the invoices from CME Engineering after Paul Cornez has the opportunity to review and sign off on the invoices. Cornez seconded the motion. All ayes, motion carried.

3. Welcome Visitors - Sean Isgan, Albert Diehl, Ken Helsel and Don Reed.

4. Sean Isgan from CME Engineering – Update on Dam Remediation:

A. Howard Concrete Request for Contract Extension – Cornez made a motion to extend the contract completion date for Phase 2, Part B with Howard Concrete Pumping Company, Inc. to March 22, 2010. Dewar seconded the motion. All ayes, motion carried.

B. Howard Concrete Change Order Request No. 1 and No. 3 – Dewar made a motion to approve Change Order Request No. 1A, in the amount of \$10,833.93, to install the jersey barriers and Change Order Request No. 3, in the amount of \$11,501.12, to pull the jersey barriers back out, re-grade the channel and pull the stone out, and to fix the erosion areas. Cornez seconded the motion. All ayes, motion carried.

C. Howard Concrete Pumping Company, Inc. Invoice No. 7 - Dewar made a motion to authorize the Borough Manager to transfer \$345,286.91 from the PNC Bank Line of Credit to pay the invoice from Howard Concrete Pumping Co., Inc. Stern seconded the motion. All ayes, motion carried.

D. Emergency Action Plan for Indian Lake and Lake Stonycreek update – Dewar made a motion to authorize the expenditure of up to \$1,000.00, to Musser Engineering, for the preparation of the joint Emergency Action Plan for Indian Lake and Lake Stonycreek Dams. Stern seconded the motion. All ayes, motion carried.

Dewar made a motion to accept Proposal #021009 from CME Engineering, in the amount not to exceed \$500.00, to perform a technical review of the Emergency Action Plan which is being prepared by Musser Engineering. Cornez seconded the motion. All ayes, motion carried.

E. Proposal to Complete a Property Plat to Transfer the Property in Stonycreek Township from Bobbi Jo Shoffstahl to Indian Lake Borough – Dewar made a motion to accept Proposal #011007 from CME Engineering, in the amount not to exceed \$3,900.00, to revise and complete a property plat to transfer approximately 0.39 acres, which is located in Stonycreek Township, from Bobby Jo Shoffstahl to the Borough. Cornez seconded the motion. All ayes, motion carried.

5. Reggie Musser, Musser Engineering- Sewage Facilities Planning Module for Robert L. Musser – Council referred the Sewage Facilities Planning Module to the Sewer Committee, the Indian Lake Borough Planning Commission, and to Dean Snyder, Zoning Officer for review, comments and recommendations.

6. Correspondence:

A. PSAB Legislative Contact Sheet – PSAB is requesting Borough Officials to participate in the Legislative Contact Network to strengthen relationships with legislators and move legislators to enact laws that serve the interests of the Commonwealth's Borough communities. No one was interested in participating at this time.

B. PSATS-Webinar on Act 32, Earned Income Tax Implementation – PSATS is holding a webinar on the Act 32, Earned Income Tax Implementation & Best Practices Report as released by DCED will be reviewed to assist TCCs with the transition to the countywide EIT collection system. Miscoe stated that the Somerset County TCC is well beyond this stage and did not feel that this would be beneficial to the Borough's appointees.

C. Musser Engineering, Inc.-Water Service Request for the Kotch Subdivision – Musser Engineering on behalf of Thomas Kotch is preparing a Sewage Facilities Planning Module and Subdivision Plan. The plan is proposing 1-lot, which will need potable water, and at this time they are requesting that the Borough provide this lot with a water tap from the public water system. Hanson made a motion to authorize the Borough Manager to send a letter stating that the Borough will supply a water tap to the proposed property, provided that Mr. Kotch pays the tap-in fee and that he will be responsible to extend his water line to the Borough's main line in order to tap into the Borough's water system. Dewar seconded the motion. All ayes, motion carried.

D. Musser Engineering, Inc.-Water Service Request for the Indian Lake Golf Club Development – Musser Engineering on behalf of the Indian Lake Golf Club is preparing a Sewage Facilities Planning Module and Subdivision Plan. The plan is proposing 50 residential units, which will need potable water, and at this time they are requesting that the Borough provide these 50 residential lots with a water tap from the public water system. Hanson made a motion to authorize the Borough Manager to send a letter stating that the Borough will provide these 50 residential lot with a water tap, provided that the Indian Lake Golf Club pays the tap-in fee and that they will be responsible to extend their water line to the Borough's main line in order to tap into the Borough's water system. Stern seconded the motion. 4 ayes and 1 abstention. Motion carried. Dewar filed the abstention memorandum with the Borough Secretary.

E. PCI (Pennsylvania Construction Inspection, Inc.)-Proposal to Change the Borough's BCO (Building Code Official) – The Borough received a proposal from PCI (Pennsylvania Construction Inspection, Inc.) to change the BCO (Building Code Official) for the entire Borough. No action was taken at this time.

7. Committee Reports:

A. Public Works:

1. Repairs to Grader – Council requested that the Borough Manager get a quote from Cleveland Brothers to transport the grader to their location, what it will cost for Cleveland Brothers to inspect it to see what repairs need to be done and what the cost of those repairs will be. Once manager receives this quote, she should e-mail the quote to every Council member for a vote and that action will be ratified at the next meeting.

B. Police Report:

1. Repairs to Patrol Boat – Hanson made a motion to follow the recommendation of Mayor Miscoe and to authorize the expenditure to have the patrol boat repaired as specified in the quote from Toe's Garage. Dewar seconded the motion. 2 ayes and 3 nays. Borough Secretary called for a roll call vote. Robert Hanson – Aye, Patricia Dewar – aye, Robert Marhefka – naye, Richard Stern – naye, and Paul Cornez – naye. Motion denied.

C. Personnel Report:

1. Compass Rehabilitation Services-On-site Job Analysis for Harry Huzsek – Council requested that the Borough Manager complete the form and then e-mail it to each Council Member for approval to submit to the insurance company.

8. Old Business:

A. Revisit the Make-up of Committees – This matter was tabled until the March 10, 2010 meeting.

B. Dam Remediation Oversight Committee – Dewar made a motion to authorize the chairman of the dam remediation oversight committee along with the consultation of the Borough's engineer, to make decisions that may exceed the contractual limitations and that the committee will ratify the action taken at the next regularly scheduled meeting. Hanson seconded the motion. All ayes, motion carried.

9. New Business:

A. Appointment of Municipal Emergency Management Coordinator – Robert Hanson volunteered to be the Borough's Emergency Management Coordinator.

10. Public Comment: None.

Kenneth Helsel – The Shanksville Volunteer Fire Department has mailed out their annual donation letters and he would like to request that Mr. Hanson put in the next newsletter a thank you to all the residents who have contributed to the fire department.

At 9:47 P.M. Council held an Executive Session to discuss litigation and personnel matters.

At 10:50 P.M. Council returned to Regular Session.

With no further business to discuss, Dewar moved and Cornez seconded to adjourn the meeting at 10:51 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on March 10, 2010 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant  
Borough Manager