

DEER CREEK DRAINAGE BASIN AUTHORITY

Regular Meeting

March 18, 2024

The Regular Meeting of the Deer Creek Drainage Basin Authority was held at 7:00 p.m. at the Authority office located at 945 Little Deer Creek Valley Road, Russellton, Pennsylvania and via Zoom.

Call Meeting to Order

Mr. Higgins called the meeting to order and asked Mrs. Biery to call the roll. Board members present: Mr. Higgins, Mrs. DeLuca, Mr. Drischler, Mrs. Krally, Mr. Simonetti, Mr. Stello, Mr. Plesh and Mrs. Pastura. Also present: Mr. Sprung, Mr. Brown, Mrs. Biery and Mr. Vancheri. Absent: Mr. Schmitt.

Flag Salute

The Board rose and recited the Pledge of Allegiance.

Reading and Approval of Minutes

Mr. Higgins asked the Board to review the minutes for the Supplemental Meeting on February 26, 2024.

MOTION was made by Mr. Plesh and seconded by Mr. Drischler to approve the minutes of the February 26, 2024 Supplemental Meeting. Motion carried unanimously.

Accountant's Report

Mr. Vancheri presented the Operating Accounts Receipts and Expenses and Funds Available and Debt Obligations reports for February 2024.

Treasurer's Report

Mr. Plesh presented the Treasurer's Report and Checkbook Summary for the month of February 2024. The following Tap and Assessment payments were received since the last Regular Meeting:

Ridgewood Heights, LP	Ridgewood Heights Plan	18 Taps	\$36,000.00
Ruth Galuska	5 Deer St	Partial Tap	\$100.00
			<hr/>
			\$36,100.00

Of this amount, \$23,465.00 will be transferred to the Capital Improvement Fund, \$12,635.00 will be transferred to the Preventive Maintenance Fund.

MOTION was made by Mrs. Pastura and seconded by Mr. Drischler to approve the Treasurer's report and the paid bills for the month of February 2024. Motion carried unanimously.

Solicitor's Report

Resolution 2024-1 - Resolution to Borrow

Mr. Brown asked the board to approve Resolution 2024-1 Resolution to Borrow.

RESOLUTION 2024-1

FUNDING RECIPIENT – LOAN NUMBER 27964

RESOLUTION TO BORROW

AUTHORIZING THE SECURING OF FUNDING FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY ("PENNVEST") IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,283,370.00 FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE COST OF THE HAMPSHIRE ESTATES SEWAGE TREATMENT PLANT AND SYSTEM LINE REPAIRS OF THE FUNDING RECIPIENT, TO PAY COSTS AND EXPENSES OF SECURING SUCH FUNDING; AUTHORIZING THE EXECUTION AND DELIVERY OF A PLEDGE OF THE FULL FAITH AND CREDIT AND OF THE GROSS REVENUES AND RECEIPTS, APPROVING THE FORM, TERMS AND CONDITIONS OF THE FUNDING DOCUMENTS; AUTHORIZING THE EXECUTION OF THE FUNDING DOCUMENTS AND PROVIDING FOR THE AUTHENTICATION AND DELIVERY THEREOF; AND AUTHORIZING THE DISPOSITION OF THE FUNDING PROCEEDS RECEIVED OR TO BE RECEIVED FROM PENNVEST.

WHEREAS, the Deer Creek Drainage Basin Authority, created and existing under the laws of the Commonwealth of Pennsylvania, has determined that it is necessary and in its best interests to construct the Hampshire Estates Sewage Treatment Plant and System Line Repairs (the "Project"), in the Deer Creek Drainage Basin Authority, Allegheny County, (the "System"); and

WHEREAS, in order to finance the cost of the Project, the Deer Creek Drainage Basin Authority intends to secure a loan in the maximum principal amount of \$2,283,370.00, from PENNVEST to be evidenced by a debt obligation (the "Debt Obligation") (the "PENNVEST Funding"), secured by a pledge of the full faith and credit and the gross receipts and revenues of the Funding Recipient (the "Project Collateral") and other agreements granting and creating security interests, all as more particularly set forth in the funding agreement between the Deer Creek Drainage Basin Authority and PENNVEST (the "Funding Agreement") and the funding offer from PENNVEST dated October 18, 2023 (the Debt Obligation, Project Collateral, other security agreements, funding offer, the Funding Agreement and all other agreements, documents, certificates and instruments described in or contemplated by the Funding Agreement are collectively referred to as the "Funding Documents"); and

WHEREAS, the Deer Creek Drainage Basin Authority desires and intends to take all necessary and proper actions and to execute all documents required by PENNVEST to be executed to obtain the PENNVEST Funding and assure its proper repayment.

NOW, THEREFORE, the Deer Creek Drainage Basin Authority hereby resolves as follows:

Section 1. For the purpose of providing funds to finance the cost of the Project and to pay costs and expenses in connection with the PENNVEST Funding, the Deer Creek Drainage Basin Authority hereby authorizes the execution of all Funding Documents and the taking of all actions necessary and required by PENNVEST to obtain the

PENNVEST Funding of a loan in the maximum principal amount of \$2,283,370.00, (the "PENNVEST Funding"), pursuant to the provisions of the Funding Documents.

Section 2. The PENNVEST Funding shall be secured by the Funding Documents from the Deer Creek Drainage Basin Authority to PENNVEST, and to the extent and in the manner therein set forth, the Project Collateral and other agreements granting and creating certain security interests in favor of PENNVEST, as well as a pledge of all other revenues and receipts of the Deer Creek Drainage Basin Authority for the payment of costs of the Deer Creek Drainage Basin Authority, and for the payment of principal of, and interest on, the Debt Obligation. In addition, the Deer Creek Drainage Basin Authority shall accept the Debt Obligation as a special revenue obligation and pledge its sewer revenues toward the repayment of the Debt Obligation.

Section 3. The form, terms and conditions of the Funding Documents prepared by counsel for the Deer Creek Drainage Basin Authority and PENNVEST, to be substantially in the form as submitted to this meeting are hereby approved. The Chairman and Secretary of the Deer Creek Drainage Basin Authority are hereby authorized to execute the Funding Documents in such form on behalf of the Deer Creek Drainage Basin Authority subject to such changes and modifications, if any, as may be approved by such Chairman and Secretary, the execution of the Funding Documents to be conclusive evidence of such approval, and the Secretary is hereby authorized to cause the corporate seal of the Deer Creek Drainage Basin Authority to be affixed thereto and to attest the same. The Chairman and Secretary of the Deer Creek Drainage Basin Authority are further authorized to acknowledge the same on behalf of the Deer Creek Drainage Basin Authority and to deliver said Funding Documents to PENNVEST.

Section 4. The PENNVEST Funding shall be repaid in the amounts and on certain dates, all as set forth in the Funding Documents as submitted to this meeting. The PENNVEST Funding is also subject to early repayment as provided in the Funding Documents.

Section 5. The application for the PENNVEST Funding ("Application") in the form submitted at this meeting is hereby approved with such subsequent, necessary and appropriate variations, omissions and insertions, if any, as may be approved by the MANAGER and Secretary of the Deer Creek Drainage Basin Authority and the MANAGER and Secretary are hereby authorized to sign said Application, amended as aforesaid, on behalf of the Deer Creek Drainage Basin Authority. The review of the Application and any amendments by PENNVEST, as well as any investigation required by PENNVEST in connection with the PENNVEST Funding, are hereby authorized.

Section 6. Upon receipt, the proceeds from the PENNVEST Funding authorized to be secured in this Resolution, shall be applied by the Deer Creek Drainage Basin Authority under the terms and conditions set forth in the Funding Documents.

Section 7. The proper officers of the Deer Creek Drainage Basin Authority are hereby authorized, empowered and directed on behalf of the Deer Creek Drainage Basin Authority to execute any and all papers and

documents to do and cause to be done any and all acts and things necessary or proper for the execution or carrying out of this Resolution, of the Funding Documents and in the Application and securing of the PENNVEST Funding.

Section 8. All resolutions or parts of resolutions inconsistent herewith shall be, and the same are, hereby rescinded, cancelled and annulled.

Dated: March 18, 2024

MOTION was made by Mr. Simonetti and seconded by Mr. Plesh to approve Resolution 2024-1 - Resolution to Borrow. Motion carried unanimously.

Engineer's Report

PennVest Update

Mr. Sprung provided an update on the PennVest loan. The closing on the PennVest loan is scheduled for April 10, 2024.

Manager's Report

Mrs. Biery proposed the Purchase of Parts for Rebuild of Hartwood Estates Pump #2 from Pump Man.

MOTION was made by Mrs. Pastura and seconded by Mrs. Krally to approve Purchase of Parts for Rebuild of Hartwood Estates Pump #2 from Pump Man in the amount of \$15,623. Motion carried unanimously.

Mrs. Biery and Mr. Sprung are working on a long-term plan to better utilize the ArcGIS mapping system in relation to manholes and pump station maintenance.

Chairperson's Report

Executive Session

MOTION was made by Mr. Plesh and seconded Mr. Simonetti to move the meeting into Executive Session at 7:35 p.m. Motion carried unanimously.

The meeting was reconvened at 7:55 p.m. where the Board discussed a \$5,000.00 increase in salary and a contribution to her 457b for the Authority Manager retroactive to January 1, 2024.

MOTION was made by Mr. Plesh and seconded by Mr. Simonetti to approve the salary increase and 457b contribution for Authority Manager. Motion carried unanimously.

Old Business

None.

New Business

None.

Open Meeting to Public

Mr. Thomas Zwigart of 174 Little Deer Creek Valley Road was in attendance. Mr. Zwigart spoke to the Board regarding what he considered to be incorrect billing. He has an automobile repair garage and an apartment, which is served by one water meter. Per the Rules and Regulations of the Authority "any

room, group of rooms, enclosure, etc., occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by persons living alone. Each dwelling unit in a double house, in a row of connection houses, or in an apartment shall be a separate entity for sewer service charge purposes” is the basis for calculation of the sewer bill. Mr. Higgins said the Board would review and a response to Mr. Zwigart would be forthcoming.

Supplemental Meeting

MOTION was made by Mrs. Krally and seconded by Mr. Simonetti to cancel the Supplemental Meeting scheduled for March 25, 2024. Motion carried unanimously.

Adjournment

MOTION was made by Mr. Drischler and seconded by Mr. Plesh to adjourn the meeting at 7:56 p.m. Motion carried unanimously.

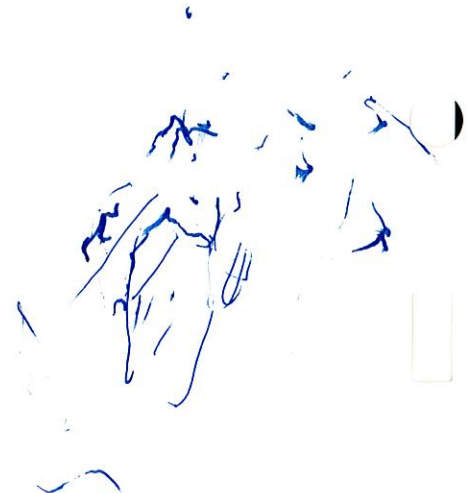
Respectfully submitted:

Read and Approved:

4-18-24



A handwritten signature in blue ink, appearing to read 'M. Plesh', is written over a horizontal line.



A large, illegible handwritten scribble in blue ink is located in the bottom right corner of the page.