

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
February 24, 2021

The regularly scheduled meeting of the Indian Lake Borough Council was held on February 24, 2021 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Kim Yantus (via Zoom)
Scott Hollern (via Zoom)
Paul Balint (via Zoom)
Joe Lazzaro (via Zoom)
Shaun Nemeth (via Zoom)
Bob Hanson (via Zoom)
Kirsten Siehl, Office Manager
Michael Miscoe, Mayor
Michael Barbera, Solicitor (via zoom)

THOSE ABSENT:

Curt Morgese

Visitors: Peter Buss, Gibson Thomas Engineering

1. Hanson called the meeting to order at 6:04.
2. Hanson discussed the PennVest meeting that was held after the bid opening, PennVest indicated that there would not be enough time to request the additional funding and stay on schedule for closing on April 22, 2021 as well as the schedule set forth by DEP fines. It was determined during the PennVest meeting that Indian Lake would have to engage Bond Counsel to process the LGUDA (Local Government Unit Debt Act) Proceedings. Barbera contacted Chris Brewer at Dinsmore & Shohl, Brewer indicated the cost would be approximately \$10K and believes we can still meet the PennVest deadlines. Hollern questioned if the LGUDA Proceedings are required due to the cost of the project being over budget? Barbera confirmed that LGUDA Proceedings are required any time tax revenue is being applied to a project as directed by the language set forth in the loan.
3. Hanson moved to engaged Chris Brewer at Dinsmore & Shohl as bond counsel to guide Indian Lake through the LGUDA Proceedings, including forms, ordinances, paperwork for signature and filings for the closing of the PennVest loan in April, estimated to not exceed \$10K and authorize Hanson and Siehl to sign engagement letter upon receipt, Hollern seconded. All ayes, motion carried. Barbera will contact Brewer to inform him he is authorized to proceed with issuing an engagement letter.
4. Hanson discussed that Indian Lake will have to use approximately \$700K to cover the balance from our cash reserves. He contacted Bruce Shipley with Somerset Trust Company (STC) to inquire the process and time frame to establish a line of credit for \$500K as a 'rainy day fund'. Shipley suggested getting preapproval for a line of credit and not acting until if/when it is needed. Hanson moved to authorized himself and Siehl to seek preapproval on lines of credit not to exceed \$500K from Somerset Trust Company, 1st Summit Bank and First National Bank, Balint seconded. All ayes, motion carried.
5. Hanson moved to authorize Siehl to issue an email to Peter Buss at Gibson-Thomas, releasing the contracts, subject to acquisition of property from Lake Properties and solicitor approval, Balint seconded. All ayes, motion carried. Buss indicated he will send award notice to council and Barbera prior to releasing the contracts. Buss also indicated he will obtain the signatures required from Lake Properties for the subdivision prior to submitting it to the Planning Commission.
6. Balint questioned when we should inform the constituents that the bids came in higher than expected and what information should be released. Barbera suggested informing constituents that the project was modified after the budget had been sent to PennVest and that the bids came back higher than expected due

to COVID and project modifications. Balint questioned if it should become public knowledge that the water rates will increase again in 2022 to approximately \$40/month, roughly \$450/year. Hanson would like to release that information by the March meeting and stress that the water rates are still lower than average.

7. Barbera offered an update on the CO&A with DEP. DEP received both the executed CO&A as well as the payment. Wendy Carson contacted Barbera February 24 asking to send the fully executed copy of the CO&A to Indian Lake Borough electronically, Barbera instructed it to be sent to Siehl for distribution. Carson also provided Barbera with information indicating Weir will be receiving a copy of the CO&A as previously promised by Mary Martha Truschel. Barbera will send Siehl a memo to file with CO&A indicating the same.
8. Barbera updated Council on the Miller condemnation matter. Miller's attorney filed an appeal to the post trial motions as well as an appeal to the original 2013 docket. The Commonwealth Court granted Indian Lake Borough's motion and will likely issue a briefing order.
9. Adjournment - Hollern moved to adjourn the meeting at 7:03, Balint seconded. All ayes motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on March 10, 2021 at 6:00 P.M. at the Indian Lake Borough Building or by teleconference.

Respectfully submitted,



Kirsten Siehl
Borough Secretary