

Minutes
North Lebanon Township Municipal Authority
February 11, 2021

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, February 11, 2021 at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following people were present:

Gary Heisey	Chair
Dawn Hawkins	Vice Chair
Tod Dissinger	Treasurer
Brian Hartman	Secretary
Rodney Lilley	Assistant Secretary/Assistant Treasurer
Amy Leonard	Henry and Beaver, LLP
Scott Rights	Engineer-Steckbeck Engineering
Lori Books	Assistant Township Manager
Edward Brensinger	Roadmaster/Supervisor

Molly Lum, Sewer Billing Clerk, Brenda and Judy Reigle, property owners of 2116 Water St, and Ethan Gehenio of Steckbeck Engineering, were also in attendance.

The meeting was called to order by Chair Heisey and the pledge to the flag was recited.

COMMENTS FROM THE PUBLIC

Brenda and Judy Reigle are in attendance tonight to discuss a few questions regarding the Municipal Authority's request for a permanent easement on Rebecca Alley. They own the property at 2116 Water Street.

Brenda began by asking how the Municipal Authority plans to use the easement? What structures will be placed within the easement? Are these permanent structures that will then encroach on their property? Amy responded that the intent of this easement is to give the Municipal Authority access to their sewer line in Rebecca Alley in the event it would ever need repaired. The additional footage would be used for equipment and materials during the time of repair. There is no intention for any permanent structures to be placed within the easement. This is simply to allow the Municipal Authority to maintain the existing sewer line. A diagram of the property in question was provided to the board members as well as Brenda and Judy Reigle.

Brenda then asked what would happen if they wanted to build an addition or put any type of structure within the easement? Amy explained that it may depend on what their expansion would include. A fence would be treated differently than a building/addition. Typically, the purpose of an easement is to avoid having any permanent structures being located within it. This is excluding any existing structures along Rebecca Alley that are presently within the easement area. Amy explained without looking at the zoning ordinance and verifying the current setbacks, she is not sure that the zoning regulations would even allow them to expand. This would need to be addressed when there is an official proposal

of an addition or any type of construction.

Judy asked who would be responsible to maintain the alley after the repair is made. Amy explained that if the Municipal Authority needs to dig up the alley way to make a repair, they will restore the access to its previous condition. All property owners affected would be notified prior to the work occurring. The intent is to make all repairs as quickly as possible but would also be dependent on the season/weather.

Brenda moved on to her next question; how was the lack of an easement discovered? Essentially, other issues arose this past year which made the Municipal Authority aware of the oversight. Without an easement, the Municipal Authority has no right to make any type of repair.

Brenda asked if this easement would affect their property value? Amy explained that it has the potential but does not always have an impact. The route taken by the Municipal Authority includes a cooperative, voluntary agreement to obtain the easements. In return for the signed agreements, the Municipal Authority will make a one-time repair to the alley way. This should not impact the property value as most, if not all, streets have a Right-of-Way or setback where permanent structures cannot be placed. This easement is very similar. The other option, which is not favored, would be eminent domain. This essentially allows the Municipal Authority to condemn and obtain the portion of the property needed. Each property would then receive an appraisal to determine how the value of the property may change. Brenda then asked if the easement will be attached to the deed. Amy responded that the easement agreement itself will be recorded and would be found during a title search of the property. The next time the property is sold or transferred, the easement should be found during the title search and included in the new deed.

Brenda asked for clarification on the "one-time repair" and if the entire stretch of alley would be paved since the Municipal Authority plans to pave a portion. Amy corrected Brenda and explained that no portion of the alley is going to be paved. The mention of a one-time repair in the agreement will include millings be spread and then rolled over the alley way. Millings are recycled asphalt. Due to the remaining oils and tar, the heat will melt it back together and will be sturdier than gravel.

Gary stated he personally had the portion from Water Street to his home rolled with millings to help reduce the potholes. The work proposed by the Municipal Authority will be from New St. to Water St. utilizing millings just as Gary had done.

Amy asked Brenda and Judy if they are still interested in someone coming out to their property and marking where exactly the easement will fall. Scott explained that it will land about 2 feet from the side of the garage. With that information, they said no, they are content and have an approximate idea after looking at the diagram provided.

Brenda and Judy both thanked the Municipal Authority Board for taking the time to answer their questions.

Chair Heisey asked for a motion to approve the January minutes.

MOTION: Motion was made and seconded to approve the January minutes.

Motion approved.

Chair Heisey asked for a motion to approve the invoices and requisitions for payment all subject to audit.

MOTION: Motion was made and seconded to approve invoices and requisitions for payment all subject to audit. Motion approved.

SOLICITOR'S REPORT – Atty. Amy Leonard

Orange Lane Sewer Extension – Settlement has occurred for the property at 1625 Heilmandale Road. The owners will be laying a portion of the sewer line and NLTMA will be laying the other half which will eventually lead to decommissioning the Orange Lane Pump Station. Amy will be preparing the agreements for the easement needed for the Municipal Authority to install their section of the sewer line. She has reached out to the owners regarding the easements needed. Easements will also be needed for the portion the owners are installing which will eventually be dedicated to the Municipal Authority.

Financial Security for Sewer Improvements – Whenever a new land development or subdivision plan is proposed, prior to final approval, all site work including water and sewer utilities, stormwater facilities, street improvements, landscaping, etc. must be bonded by some form of financial security. This is done to ensure the Township/Authority would be able to complete the project should the developer walk away from the development, therefore guaranteeing the Township/Authority would not get stuck paying for the work left undone. Currently, all projects and site improvements are bonded as one lump sum with the Lebanon County Planning Department (LCPD). A cost estimate is provided which shows the breakdown for each improvement (ie. sewer, water, stormwater, etc.) which includes costs for all materials and labor that are being covered by the bonding. After doing some research, the Municipalities Planning Code requires that a separate financial security be posted with the Municipal Authority and shall not be included with the financial security for the other site improvements. Amy and Lori both agree that the financial security should be posted directly with the Municipal Authority rather than with LCPD as is currently being done. This would allow the Municipal Authority to draw on the financial security if needed without the need to request the County to do so on our behalf. After learning of this requirement, Amy reached out to Julie Cheyney of the LCPD about our desire to adhere to the MPC guidelines and changing the bonding process for future developers. Amy reported that Julie agreed and will accommodate this for all future projects. Lori would keep record with the assistance of Bonnie and Molly. Due to the precautions already taken and agreements already prepared, this will be easy to implement.

Delinquent Sewer Accounts – Amy provided an updated copy of her lien report to the board members. Amy will be moving forward with #10 and #11. #12 will be getting a follow-up letter to get them back on track. #19, #20, and #21 received the next round of notices. #18 sold at Sheriff's Sale and should be paid soon. #22 is listed for the April Sheriff Sale.

Pertinent Issues – Gary asked Amy if he should have gotten multiple letters and agreements for the Rebecca Alley easements. She stated no, she referenced both properties in the letter and the agreement. There is already an existing easement 310 Ebenezer Road, so she just needs this agreement signed for 322 and 324 Ebenezer Road.

ENGINEERS' REPORT – Scott Rights

Orange Lane Sewer Extension – Bids were opened on February 10th. There was a lot of interest in this project, drawing out 10 bidders. The lowest bid came in at \$64,680.00 from H&K. The bid documents were reviewed by Scott and Amy and they are okay with the execution of the bid. Scott is recommending the Municipal Authority approve this bid as an "intent to award". This will allow time to make sure everything is in place for the March meeting for an official awarding. This will also allow H&K to start getting agreements together and get their performance bond in place. They would also be able to get the manholes ordered and fabricated awhile. The work would most likely start in July.

Tod asked what would happen if the project fell through and what would happen to the other half of the line that is being constructed by the developer? Scott responded that the section of line Tod is referring to will be included in the bond that will be posted with the County. So, if the project would fall through the Municipal Authority would still be able to complete the developers portion of the line. This is one reason why the Municipal Authority should wait to grant their official awarding of the bid until the financial security has been posted.

Gary asked Scott if he thinks the developer will have hard feelings towards the Municipal Authority for using the same contractor to install our portion of the sewer line. Scott and Amy both responded no. This job was put out for anyone to bid on. This is considered a separate project that the contractor chose to bid on for the Municipal Authority.

MOTION: Motion was made and seconded to issue the "Notice of Intent to Award" the bid for Orange Lane Sanitation Sewer Extension to H&K for \$64,680.00. Motion approved.

Nolt, Weaver & Stoltzfus, LLC Sewer Plan – Last month a plan was provided to Scott from Matthew & Hockley regarding two parcels located within Swatara Township. They are inquiring about the possibility of connecting to the Municipal Authority's sewer lines. Lori had provided the fees about six (6) months ago and never heard back. Scott replied to Matthew & Hockley that if they are serious about moving forward with this project, they should submit an official capacity request. To date, Matthew & Hockley has not made any request.

2020 Chapter 94 Annual Wasteload Management Report – Each year the Municipal Authority must submit a Wasteload Management Report to the City of Lebanon Authority. This is then submitted to DEP. Scott provided and reviewed the charts and information from 2020 to the board members.

Tod questioned how the number of EDU's could have decreased from the year prior? Scott responded that the Greater Lebanon Refuse Authority (GLRA) is billed for their exact usage each quarter, therefore their EDU count fluctuates.

Scott reviewed page 2 containing the average daily flow per EDU per pump station. Tod asked how the 8th Avenue Pump Station pumps about 296,000 gallons in 3 hours while the Water Street Pump Station is pumping 752,000 gallons in 3 hours? Ed explained it is

because of the different sizes of the pumps.

Tod asked Scott and Ed if there would be any possibility of eliminating the Hill Street Pump Station as there are only 10 sewer customers connected. Ed explained that because of the depth of the line and the distance to the closest sewer line, it would not be possible at this time.

Sewer Specs – No new updates. Scott and Ed continue to work on this project.

Pertinent Issues – Multiple plans were submitted to the Township within the last few days. Scott is notifying the board members that they were received and should be reviewed by the next meeting. The first is Autosuds West LLC, located on the northwest corner of W. Cumberland St. and 25th Street. They plan to install a grinder pump and run it into the existing low pressure sewer line in 25th Street. The next plan involves subdividing one lot (2 acres) off the Artz property along the cul-de-sac of Lochwood Drive. The last plan is for storage units along E. Cumberland St. next to A&M. This was previously a car wash. They intend to reconnect to the existing sewer lateral.

Scott introduced Ethan Gehenio to the Municipal Authority. He has been assisting Scott with a lot of North Lebanon’s work. If ever Scott could not attend a meeting, Ethan would be the person to fill in for him.

ASSISTANT TOWNSHIP MANAGER REPORT – Lori Books

Permanent Easement Agreement – Lori received a permanent easement agreement back from Denise Velez located at 350 Ebenezer Road. She is asking for a motion to approve this agreement.

MOTION: Motion was made and seconded to approve the permanent easement agreement between the Municipal Authority and Denise Velez, homeowner of 350 Ebenezer Road. Motion approved.

Permanent Easement Agreement – Lori received a permanent easement agreement back from Henry and Mildred Arnold located at 2117 Water Street. She is asking for a motion to approve this agreement.

MOTION: Motion was made and seconded to approve the permanent easement agreement between the Municipal Authority and Henry and Mildred Arnold, homeowners of 2117 Water Street. Motion approved.

Purchase of Additional Sewer Capacity – Godshall’s Quality Meats had requested to purchase additional EDU’s from the Municipal Authority. After Scott informed the board members that there are 47 EDU’s remaining in the line, they agreed to approve the purchase of 40 EDU’s. They will be purchased over the next five (5) years, two (2) per quarter. This agreement has been signed and returned. Lori is asking for a motion to approve the agreement with Godshall’s for additional sewer capacity.

MOTION: Motion was made and seconded to approve the Purchase of Additional

Sewer Capacity between the Municipal Authority and Godshall's Quality Meats for 40 EDU's over the next five years. Motion approved.

Ed mentioned the City of Lebanon Authority is currently working with Godshall's regarding the possibility of installing a pre-treatment center to help cut back on what flows into the sewer lines and ultimately their treatment plant.

Resolution #2-2021 – The Fee Schedule has been revised for 2021. It now includes new language regarding the escrow amount required to be submitted with the Developer's Agreement. This process is already being done; Amy just felt it needed to be verbalized in the Fee Schedule.

Tod questioned when the escrow money is required to be submitted. He wants to ensure the Municipal Authority will not be out any money if a developer walks away from a project. Lori explained that the escrow funds typically get submitted at the signing of the Developer's Agreement. This is usually at the end of the process when the plans are ready for approval. Amy explained that the process is, and always has been, that plan submission fees are collected up front and are used to cover any incurred expenses prior to plan approval.

MOTION: Motion was made and seconded to approve Resolution #2-2021. Motion approved.

WASTEWATER DEPARTMENT REPORT – Ed Brensinger

January Activity Report – The Authority Board members were provided with a copy of Tommy's report.

There were 78 PA One Calls. Four (4) were emergencies during work hours. Tony completed 5 grease trap inspections and there were 5 new homes connected to the sewer system.

The yearly maintenance of the camera trailer has begun. The camera and all components have been serviced and recharged with nitrogen.

The plans for the Orange Lane Sewer Extension have been reviewed. So far everything is looking good. By installing this extension, we will be able to eliminate the pump station which will be a blessing as it is the most problematic station operated by the Municipal Authority.

The Wastewater crew has been assisting with the remodeling of the Township's rental home on Narrows Drive. Tod asked Ed how the Township came to acquire this house. Ed explained that this home came with the land they purchased which is now Lenni Lenape Park.

All oils and check valves will be changed and cleaned the beginning of February.

As always, other departments are assisted when requested.

Ed attended a class today to obtain credits towards maintaining his Wastewater license.

Another class is scheduled for Dave Leid, Jared Balsbaugh, and himself. All wastewater license holders must obtain a total of 15 credits to renew their license.

Ed thanked Scott for all the effort and time he put into the Orange Lane pump station decommission. He has saved the Municipal Authority a lot of money and headache. The demo will be done in-house. Some of the materials will be saved and the pumps can be stored and reused at another pump station when needed.

Additional Comments and Questions

Dawn asked Amy about a reoccurring delinquent resident who does not appear to be on the list. Amy responded that a large amount had been paid and they were removed from the list about a year ago. Molly commented that they have been making payments to keep themselves under the threshold of delinquency.

Rodney asked if the other board members had any thoughts on the MicroSpring presentation from last month. Dawn expressed that she does not feel inclined to spend \$1,700.00 every month for an issue that does not seem to be very prevalent. The product sounds awesome, but she does not feel the Municipal Authority would benefit greatly from it at this time.

Brian stated he thinks maybe they could minimize the area to be treated and help reduce costs. He does not think the idea should be thrown out altogether. Rodney agrees that the idea should not be throw out completely. He also agrees in looking at trying to reduce the cost per month if possible.

Tod would like to wait until the weather breaks and the board members can go out and see the product in action before making any decisions.

The Municipal Authority has been very proactive with cleaning their lines regularly and have slip lined most of old clay lines.

The Municipal Authority reached a consensus that they will not decide until they can go out and see the product in action. The members will wait until John Beers from CoLA provides dates.

With no more business for the good of the Authority, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Molly Lum
Recording Secretary