

**Minutes  
North Lebanon Township Municipal Authority  
July 8, 2021**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, July 8, 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
Cheri Grumbine	Township Manager

Molly Lum, Sewer Billing Clerk, was also in attendance.

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

**COMMENTS FROM THE PUBLIC**

There were no comments from the public as no public was in attendance.

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

Rodney pointed out that instead of saying "The Municipal Authority thanked Brian for all his time and effort" on page 3, it should read "The Municipal Authority Board and staff thanked Brian for all his time and effort." The remaining members agreed, and the change will be made.

**MOTION: Motion was made and seconded to approve the June minutes incorporating Rodney's comment on page 3. Motion approved unanimously.**

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 unanimously.**

**SOLICITOR'S REPORT – Atty. Amy Leonard**

Rebecca Alley Sewer Easements Update – A letter was mailed to each resident affected explaining the situation and asking them to sign a sewer easement agreement. In return, North Lebanon Township would make a one-time repair to the alley by laying millings. To

date, there are still three (3) property owners who have not signed and returned their easement agreement for Rebecca Alley. A second notice was mailed to the three (3) outstanding property owners. Amy provided a draft letter for the board to review. This draft letter provides an update to all affected property owners letting them know that there are still a few property owners who have not signed and returned their agreement which is why the Township has not yet repaired the alley.

Multiple members from the Municipal Authority Board asked if anyone attempted to call the remaining property owners or stopped by their homes. The owners have not been personally contacted. At this point the only communication has been through the letters. Amy said she would not feel comfortable calling the owners as she sent out a legal agreement which would give the property owners the option to hire their own attorney. She does not want them to feel any legal pressure from her that could negatively impact the process. The letter she mails provides her phone number so the owners could call her if they had any questions. Amy reported that if the board members prefer a phone call be made, it would be more user friendly to come from the office staff, either Lori, Ed, or Molly. We could then get an idea of why they have not yet returned the signed agreements.

Dawn asked what would happen if only one property owner refuses to sign? Would the one-time repair not be made? Would the Municipal Authority still go in and fix the line if it breaks? Amy responded that the repair of the alley would be up to the Municipal Authority Board and the Township. Technically, the offer was to repair the alley if all agreements were signed and returned. Since that has not yet happened, the Township and the Authority would need to decide whether to repair the alley or hold out for the remaining properties to execute their agreements. If the line would need an immediate repair; eminent domain could still come into play for any portion without an easement.

The office staff will attempt to find phone numbers of the remaining property owners and make contact to see why they have not yet returned the signed agreements.

New Conduit Financing Opportunity – Atty. Leonard was contacted by Peter Edelman of Steven's & Lee, who has served as bond counsel for NLTMA in the past. He advised her that Moravian Manor is looking to do a tax-exempt financing of \$10,000,000.00 and they would like to know if the Municipal Authority Board would be interested in acting as the conduit again. This has been done in the past for Moravian Manor. It does not result in any obligation for the Municipal Authority to repay the debt incurred by Moravian Manor. The Municipal Authority would receive a fee for acting as the conduit which is usually a lump sum amount in unrestricted funds. Atty. Leonard has confirmed with Peter Edelman that the Municipal Authority Board is interested in acting as the conduit. She is now awaiting a timeline and details from Peter. It was indicated that the financing will most likely be completed later this year.

Nolt, Weaver & Stoltzfus Sewer Connection – There are two lots located in Swatara Township that have failing on-lot septic systems and the property owners have asked to connect to public sewer through NLTMA's lines. The Municipal Authority Board agreed to allow this connection as long as Swatara Township was in favor. Swatara Township has agreed to amend the agreement. It was verified that both properties are or will be serviced by public water. The landowner plans to consolidate the two parcels into one. Once the parcels are combined, Amy will work on amending the current Intermunicipal Agreement

known as the Rockwood Agreement between Swatara Township and the Municipal Authority to include this newly combined lot. Both the agreement and the combining of the two parcels into one must be complete before the Municipal Authority staff will review plans for connecting to the Authority sewer lines.

On-Lot Septic Update – At this time, there are only two (2) properties that are non-compliant with the 3-year pumping/reporting requirement. Both have recently received a second notice from Atty. Leonard.

The Sunshine Act – A few changes have been made to The Sunshine Act which will make last minute agenda additions a bit tougher. This Act becomes effective the end of August, 2021. Amy wanted to make everyone aware of the changes. The meeting agenda must be posted on the website at least 24-hours in advance of the meeting. The agenda must also be posted on the premises and copies must be available for any public in attendance. It was noted that most of these requirements are already being done.

There are new rules on circumstances under which the Municipal Authority Board could take official action on matters not listed on the published agenda. They are as follow:

1. If addressing a potential emergency that involves a present danger to life or property.
2. If the matter only arose or was brought to the agency's attention within 24 hours of the meeting.
3. If it is a "de minimis" matter that does not involve expenditure of funds or entering into a contract or agreement.
4. If a resident raises a matter during the meeting, the agency may direct the Manager to conduct research. The agency may act if de minimis.
5. If the agency makes a motion to add an item to the agenda, and then makes a motion on the added item. The reason for the change must be announced at the meeting publicly before conducting a vote/motion. The modified agenda must then be published on the website and in the office by the first business day following the meeting. The minutes must also reflect the added agenda item, the vote to modify the agenda, and the announced reason for the change.

Lori will be as proactive as possible with items needing action by the Board. If she feels a plan may be ready for approval, she will add it to the agenda. If any item on the agenda is not ready by the start of the meeting, it will be tabled to the following month.

Delinquent Sewer Accounts – Atty. Leonard provided an updated copy of her lien report. She will be moving forward with #6 and #7. They have been at a standstill far too long. #11 has made sporadic, partial payments.

#21 has consistently remained on the list. Gary would like to see further action be taken. Unfortunately, this is a mobile home park, and it is not as simple as shutting off the water. The tenants have rights even if the landlord is not making payments. Amy agreed with Gary and will be sending a different letter. This letter would mention that the Municipal Authority is at the point where water shut off will be considered. Additional research will be done to see what our other options may be. A lien was placed on the property before and that may be the direction it needs to go.

**ENGINEERS' REPORT – Scott Rights**

Orange Lane Sewer Extension – Construction of the sanitary sewers by Project TV commenced on June 28. This work is being completed by H&K. Scott provided a sketch which depicted the work completed to date. As of Wednesday, July 7, approximately 400 feet of sewers were installed plus manholes S1 and S2. Ed believes as of today, they made it to manhole S3. Things were slowed down when they hit groundwater. Scott provided a drawing indicating what has been completed by Project TV and what will be completed through the Orange Lane Sewer Extension Contract with H&K. Based on the current progress, it is projected that the NLTMA contract work will begin around July 19. Steckbeck Engineering is providing full time construction inspection as requested by the Municipal Authority Board as these lines will be dedicated to the NLTMA sewer system.

Gary asked how the Orange Lane Pump Station will be decommissioned. Ed explained that the existing manhole outside the pump station will initially be plugged so that the flows will continue to enter the pump station rather than flowing through the newly constructed lines. Once all the new sewer lines have been constructed, inspected, approved, and dedicated to the Authority they will then plug the line heading towards the pump station and unplug the line diverting the flows to the new lines. Once this is done, the actual decommissioning can take place anytime.

Plan Reviews – Steckbeck Engineering continues to work with the Municipal Authority staff in reviewing plans for the following projects:

1. AutoSuds West Car Wash – The applicant withdrew their land development plan submission to the Township. They informed the Township that they will be resubmitting a revised site design at a later time. Lori commented that the Township office received the new plans on 7/7/21.
2. 891 Kathleen St – Revised plans were submitted to the Municipal Authority on 5/10/21. All technical review comments have been satisfactorily addressed. The sewer line will be run in the street and will tie into an existing manhole using a gravity line. The length is approximately 250 feet. The line will be dedicated to the Municipal Authority and become part of the NLTMA sewer system. Provided all administrative issues have been addressed, Scott is recommending approval of the sewer design.
3. Mapledale Estates – Final Subdivision and Land Development Plans were submitted for Mapledale Estates. The sewer design appears to be identical to the Preliminary Plans previously approved by the Municipal Authority Board on 2/13/2020. A review letter was mailed on 5/12/21. Revised plans were submitted to the office on 7/6/21 and a review will be completed in conjunction with the Municipal Authority staff prior to the next meeting.
4. The Crossings at Sweet Briar Phase 4 – Final land development plans were received by the office on 7/6/21. The project proposes the construction of 58 single family residential dwelling units. A review will be completed in conjunction with the Municipal Authority staff prior to the next meeting.

5. GQM New Ventures (aka Godshall's) – Revised plans in response to the comments made 5/12/21 were received yesterday afternoon. The plans propose multiple building additions to the existing site located at 1415 Weavertown Road. New plumbing facilities will connect to the existing sewers on site. No new connections to the NLTMA sewer mains are proposed according to the plans. There are a few buildings that will be removed to make room for the additions. Additional plan review comments were provided to the Developer on 6/24/21. Revised plans were submitted today.
6. Towns Edge – Scott and Ed attended the preconstruction meeting on 7/6/21. Sewer construction is expected to commence in early August.

Sewer Specs – Updated administration procedures and technical specifications continue to be revised. In addition, work has resumed on updated the standard details.

### **ASSISTANT TOWNSHIP MANAGER REPORT – Lori Books**

Illegal Discharge Update – The broken lateral located at 1146 Hunters Chase Lane has been repaired and approved. We are still waiting for the broken lateral located at 1151 Hunters Chase Lane to be repaired. The contractor had equipment issues which delayed the work. The broken lateral located at 1605 Sandhill Road has been repaired and approved.

#### 891 Kathleen Street Land Development Plan –

The Sewer Capacity Agreement between the Municipal Authority and Daniel Martin has been signed, paid, and returned. Lori is asking for a motion of approval.

**MOTION: Motion was made and seconded to approve the Sewer Capacity Agreement for 891 Kathleen Street between the Municipal Authority and Daniel Martin. Motion approved unanimously.**

The Sewer Extension Agreement between the Municipal Authority and Daniel Martin has been signed and returned. Lori is asking for a motion of approval.

**MOTION: Motion was made and seconded to approve the Sewer Extension Agreement for 891 Kathleen Street between the Municipal Authority and Daniel Martin. Motion approved unanimously.**

The Financial Guarantee for Sewer Improvements (Letter of Credit) was received from Fulton Bank on behalf of Daniel Martin in the amount of \$19,057.50. Lori is asking for a motion of acceptance.

**MOTION: Motion was made and seconded to accept the Financial Guarantee for Sewer Improvements from Fulton Bank on the behalf of Daniel Martin in the amount of \$19,057.50. Motion approved unanimously.**

Per Scott's report, the sewer design has satisfactorily addressed all comments made. Steckbeck Engineering is recommending approval.

**MOTION: Motion was made and seconded to approve the Sewer Design for the 891 Kathleen Street Final Land Development Plan. Motion approved unanimously.**

Pertinent Issues – Last month Gary mentioned the possibility of placing the money from the CD's (once matured) as additional principal on the sewer loan. Lori wanted to remind the Municipal Authority Board that there is an agreement with the Township that the Municipal Authority Board would maintain one million dollars in Capital Reserve as a guarantee for the loan. There is plenty of time before the CD's mature for the board members to think about and discuss this option.

**WASTEWATER DEPARTMENT REPORT – Ed Brensinger**

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

There were 84 PA One Calls this past month. One (1) was an emergency during work hours. Four (4) new homes were connected to the sewer system.

Grease Trap Inspections – Tony completed four (4) grease trap inspections. This included Manna Foods, Lebanon Valley Cold Storage/Sunny Lane Foods, Wendy's, and Cedar Grill.

Brian asked if Lebanon Valley Cold Storage has been doing what they should be doing and improving their prior issues? Ed responded no. They are staying on track with their monthly grease trap inspections, but he does not understand how the business is functioning. They are using a gas-powered trash pump that needs to be started manually every two (2) hours. Everything is pumped into the sampling manhole within their fence, bypassing the grease trap/pump tank. Loads of batter and other oatmeal-like substances are being dumped into the system which has not improved their problems. This is most likely the cause of their pumps burning up so quickly.

Tony has mowed all NLTMA's Right-of-Way locations and cleared all debris.

Two (2) of the broken laterals have been repaired. One lateral is remaining due to equipment issues/busy schedule. It should be repaired soon.

The 2021 paving project for the road department has been completed. The wastewater crew installed the manhole paving rings. They all turned out very smooth.

Pump #1 at the 8<sup>th</sup> Avenue Pump Station started losing prime between cycles. It was discovered during the morning hour meter checks that the pump was running high. The suction flap valve that holds the prime in the suction pipe was replaced. Operation is now continuing normally.

Tommy and Tony continue to flush the sewer lines and inspect the main lines with the camera in search of any issues that would need to be addressed.

All other departments were assisted as needed.

Gary asked Ed if the manholes on Water Street that received cold patch are holding up? Ed explained that was a temporary fix and they will be out to place something more permanent when there is time.

**Additional Comments and Questions**

With no more business for the good of the Authority, the meeting was adjourned at 7:52 p.m.

Respectfully Submitted,

Molly Lum  
Recording Secretary