

**Minutes
North Lebanon Township Municipal Authority
August 12, 2021**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, August 12, 2021, at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following people were present:

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
Absent:	Gary Heisey

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

The meeting was called to order by Vice Chair Hawkins 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.

Vice Chair Hawkins asked for a motion to approve the July minutes.

MOTION: Motion was made and seconded to approve the July minutes. Motion approved unanimously.

Vice Chair Hawkins 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. There were still three (3) property owners who had not signed and returned their easement agreement for Rebecca Alley. A second notice was mailed to the three (3) outstanding property owners. Amy mailed an additional letter providing 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.

Per the request of the Municipal Authority Board, a phone call was made to each of the three (3) residents with outstanding agreements. This resulted in the agreement for JLJ Enterprises, LLC being signed, notarized, and turned in for the property of 346 Ebenezer Road. He had simply forgotten about it. Amy and Lori are asking for approval of the permanent easement agreement for 346 Ebenezer Road.

MOTION: Motion was made and seconded to approve the Permanent Easement Agreement for JLJ Enterprises, LLC for the property of 346 Ebenezer Road. Motion approved unanimously.

The Berkheimers, residents of 230 Perry Street, informed Molly when she called that they had already mailed the agreement back. After additional research, the agreement never made it to the office and the property owner was notified that our office had not received the agreement. A few calls were made about re-executing the agreement with no response.

Mr. Walmer, owner of 338 Ebenezer Road, was open to signing the agreement after a call was made and discussion about different factors took place. Ultimately, Mr. Walmer decided he is not interested in signing the agreement. Amy would like direction from the Municipal Authority Board on how to handle this situation.

Tod asked if the only option now would be eminent domain? This was mentioned before when conversations about the easement first came up but is not the most ideal option. The difference between an easement and condemnation would be whether or not the Municipal Authority owns the property. If the resident grants the easement, the resident remains the owner of the entire property. The Municipal Authority simply has access to a portion for a specific purpose if needed and must restore it back to previous condition if altered. If the Municipal Authority condemns a portion of a property, they then take ownership of that portion and are responsible for the area. This process may also take some time as Amy must send notices, file with the courts, get an appraisal, etc.

The quickest option if a break would happen next week would be to file an emergency motion with the courts which would grant the Municipal Authority limited access. This is still not an ideal scenario.

Brian asked if spending the money is worth it as all agreements have not been returned. The deal was that a repair would be made on Rebecca Alley if all easement agreements were returned. Ed stated that out of good faith, he would recommend moving forward with the one-time repair of the alleyway. The two (2) residents who have not yet signed don't use the portion of the alley that is damaged. Therefore, the agreement is not a priority to them. All other residents affected by the poor condition of the alleyway have signed and returned their agreements. Tod agreed that it might not be fair to "punish" those who followed through with the agreement just because two (2) property owners have not.

Ed also suggested the Municipal Authority Board move forward with trying to get all the easements now, so it isn't a headache down the road for a new board, new solicitor, new staff, etc. wondering why these two easements were never obtained.

The Municipal Authority Board agreed that one last letter should be sent to the two (2)

property owners explaining the difference between granting an easement and the Municipal Authority Board taking action to condemn the portion of the property needed. This would mean the homeowner would lose part of their property. This clarification could affect their decision.

MOTION: Motion was made and seconded for Amy to mail a letter outlining condemnation vs an easement to the two (2) remaining property owners. Motion approved unanimously.

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 Municipal Authority sewer lines.

Delinquent Sewer Accounts – Atty. Leonard provided an updated copy of her lien report. #16 may end up on the tax claim list. Amy and Molly will keep an eye out for the annual notice that comes out towards the end of August. #17 was purchased at Sheriff Sale this week and a claim was made.

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. All but approximately 20 feet of sewer have been installed. The final pipe installation and final manhole grade adjustments should be completed by the end of this week. Sewer main and manhole tests should be completed prior to the September meeting.

The construction of the NLTMA portion of sanitary sewers commenced on July 26. This work is being completed by H&K. Essentially, construction is complete less the final manhole grade adjustments and the sewer main/manhole testing. All work and testing should be completed prior to the September meeting. A draft copy was provided to each member of H&K’s initial pay request in the amount of \$59,356.00. The request was reviewed, and Steckbeck Engineering is recommending that the Municipal Authority Board approve the full amount requested. The total amount of the contract including the previously approved change order is \$66,480.00, leaving a balance of \$7,124.00 to complete the project.

MOTION: Motion was made and seconded to approve the initial pay request from H&K in the amount of \$59,356.00. Motion approved unanimously.

Scott pointed out a small issue H&K is having with the Project TV portion of the sewer line. They had planted two manholes and hoped to connect them with the final footage of sewer line but were off about 5 feet in alignment. They suggested dropping another manhole to

present a type of “elbow” to run the last 20 feet of line. The only other option would be to dig everything up and start over. The additional manhole would be at Project TV’s cost. The function of the system would be the same. The only downside is that there would be one more manhole to maintain once dedicated to NLTMA.

MOTION: Motion was made and seconded to authorize Scott to give the go ahead for H&K to place an additional manhole to correct the direction of their sewer line. Motion approved unanimously.

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

1. AutoSuds West Car Wash – Revised plans were submitted on 8/2/21 in response to the review letter sent 7/28/21. Only one (1) minor item remains which is expected to be addressed. Assuming that the correction is made, Steckbeck Engineering is recommending the Municipal Authority Board approve the sewer design plans provided the applicant has satisfied all the Municipal Authority’s administrative requirements. Scott and Lori are also working on reviewing the Strong Waste Permit for the property.

MOTION: Motion was made and seconded to approve the Autosuds West, LLC Sewer Design as presented on the land development plans. Motion approved unanimously.

Lori is asking for approval of the Sewage Facilities Planning Module Exemption for Autosuds West, LLC.

MOTION: Motion was made and seconded to approve the Sewage Facilities Planning Module Exemption for Autosuds West, LLC. Motion approved unanimously.

2. 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. All technical comments have been satisfactorily addressed. Steckbeck Engineering is recommending approval provided the applicant has satisfied all the Municipal Authority’s administrative requirements. Lori reported that the administrative requirements have not been met. Approval will be tabled until next month.
3. 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. Steckbeck Engineering is developing plan review comments in conjunction with the Municipal Authority staff. A review letter will be issued in the next few days.
4. GQM New Ventures (aka Godshall’s) – Revised plans in response to the comments made were received 7/8/21. 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. The few minor comments have been addressed. Steckbeck Engineering is recommending the Municipal Authority Board approve the Sewer Design for GQM New Ventures II, LLC provided the applicant has satisfied all the Municipal Authority's administrative requirements.

MOTION: Motion was made and seconded to approve the GQM New Ventures II, LLC Sewer Design. Motion approved unanimously.

5. Towns Edge – As reported last month, Scott and Ed attended the preconstruction meeting on 7/6/21. Sewer construction is expected to commence in the upcoming weeks as shop drawings were submitted and reviewed.

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 1151 Hunters Chase Lane has still not been completed. The contractor had equipment issues and needed to fit the property back into his schedule. Lori plans to send them a follow up letter.

An additional break was found at 2 Winchester Circle. Tommy was able to contact the property owner and share the video footage with him.

1716 Water Street – Debra McQuate lives in Swatara Township but is one of the NLTMA sewer customers through the Rockwood Intermunicipal Agreement held with Swatara. She owns both 1716 and 1718 Water Street, two homes on one parcel, and had a sewer connection for each dwelling. The rear property, 1716 Water St, has since deteriorated and is no longer suitable for living. Ms. McQuate has signed a Request for Reduction of Sanitary Sewer Capacity. The building has been demolished per Jen at Swatara Township, and the sewer line was capped. Lori is asking for approval of this agreement and the return of one (1) EDU.

MOTION: Motion was made and seconded to approve the Request for Reduction of Sanitary Sewer Capacity in the amount of one (1) EDU by Debra McQuate for the property 1716 Water Street. Motion approved unanimously.

Additional Payment on Sewer Loan – Lori is asking for approval to place an additional \$50,000.00 on the sewer loan as principal with the regular September principal and interest payment.

Additional Payment on Water Loan – Lori is asking for approval to place an additional \$50,000.00 on the water loan as principal with the regular September principal and interest payment.

Tod questioned where this extra money comes from that is available to be placed on the

loans? Lori informed him that it is made up of Sewer Tapping Fees, Special Purpose Fees, and Water Tapping Fees that come in with sewer permit applications.

MOTION: Motion was made and seconded to place an additional \$50,000.00 on the sewer loan and an additional \$50,000.00 on the water loan as principal with the regular September principal and interest payment. Motion approved unanimously.

Pertinent Issues – Last month during one of the thunderstorms, the N 8th Ave pump station was struck by lightning and the dialers went out. An insurance claim was submitted. The claim check was received for the total cost less the \$1,000.00 deductible.

WASTEWATER DEPARTMENT REPORT – Ed Brensinger

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

There were 67 PA One Calls this past month. Three (3) were emergencies during work hours and three (3) were emergencies after work hours. Five (5) new homes were connected to the sewer system.

Grease Trap Inspections – Tony completed five (5) grease trap inspections. This included New Covenant Christian School, Walmart, Lebanon Valley Cold Storage/Sunny Lane Foods, Heisey's Diner, and God's Missionary Church.

N. 8th Avenue Pump Station was struck by lightning which fragged the auto dialer and the two relay switches. The dialer was reprogrammed and the channels that were burned up needed to be deleted. One week later a power failure occurred as the station went into high water. The backup motor did not come on due to a no-power failure relay. This has been adjusted. The auto dialer was turned over to the insurance company. Tommy received a quote for a new dialer in the amount of \$5,226.00. Ed signed a contract with Envirep to install the new dialer.

New rotating assemblies and wear plates have been installed at the Water Street Pump Station. The old assemblies were not far from catastrophic failure. Pictures as well as an example piece were available for board members to view. The pump readings have dropped from 1.5 hours run time to .91 hours per day.

The Rockwood Pump Station had a power failure relay burn up causing the pumps to not run. A new relay was installed and two have been ordered to replace the spares in the service trucks.

The Highway Department was assisted with paving projects.

Ed reported that Homestead Phase IV has been completed. There was one lot left but it was purchased by the neighbor next door. The roads will be paved within the next few weeks. The cul-de-sac at the end of Lochwood Drive is being prepared for curbing as well.

Tod asked about the two new homes that were built on Jay Street. They were leftover

vacant lots from when the original development went in, so he was curious if they needed to provide sewer plans to the Municipal Authority when connecting? Ed responded no. When the original project went through, the sewer and water laterals were already installed in preparation for a future home to be constructed. They must apply for a sewer permit, but any drawings have already been approved with the development plans. Stormwater was accounted for in the original subdivision as well.

Additional Comments and Questions

MOTION: Motion was made and seconded to adjourn. Motion approved unanimously.

With no more business for the good of the Authority, the meeting was adjourned at 7:58 p.m.

Respectfully Submitted,

Molly Lum
Recording Secretary