

**Minutes**  
**North Lebanon Township Municipal Authority**  
**January 9, 2020**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, January 9, 2020 at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following Board members present:

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

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

**COMMENTS FROM THE PUBLIC**

Molly Lum and William McMichael were in attendance. There were no comments from the public.

Vice Chair Hawkins passed the gavel to Attorney Amy Leonard who chaired the meeting for the reorganization of the board.

**REORGANIZATION OF THE BOARD FOR 2020**

- Chair: Current- Gary Heisey
- Vice-Chair: Current- Dawn Hawkins
- Treasurer: Current- Tod Dissinger
- Secretary: Current- Brian Hartman
- Asst. Secretary: Current- Rodney Lilley
- Asst. Treasurer: Current- Rodney Lilley

**MOTION: Motion was made and seconded for the officers to hold their same positions for 2020. Motion approved.**

The gavel was passed back to Vice Chair Hawkins.

**APPOINTMENTS/APPROVALS TO CONDUCT AUTHORITY BUSINESS FOR 2020**

Motion to appoint Municipal Authority Solicitor for 2020

Solicitor Fred Wolf retired from Henry & Beaver LLP on December 31, 2019. The Authority thanks him for his many years of service.

**MOTION: Motion was made and seconded to appoint Amy Leonard, Esq. of Henry & Beaver, LLP as Municipal Authority Solicitor for 2020. Motion approved.**

Motion to appoint Authority Engineer for 2020

**MOTION: Motion was made and seconded to continue using Scott Rights of Steckbeck Engineering and Surveying as Authority Engineer for 2020. Motion approved.**

Motion to appoint Authority Auditor for 2020

In the packet Lori provided to the Authority, she included a proposal from BSSF outlining their services for the year. To compare, last year their fee was \$7,100.00 and for 2020 their fee will be \$7,250.00, reflecting a 2.1% increase.

Dawn asked for clarification regarding the dates of audit. Lori explained that because the entire year of 2020 will be audited, through December 31, 2020, the auditors must spend time in 2021 to wrap up. In October they will complete as much as they can for the current year, but will finish the months of October, November, and December the following February. The final report will arrive in May.

**MOTION: Motion was made and seconded to continue using Brown, Shultz, Sheridan and Fritz as Authority Auditor for 2020. Motion approved.**

Motion to appoint depositories for Municipal Authority Funds for 2020

**MOTION: Motion was made and seconded to continue using Fulton Bank, Northwest, Jonestown, PLGIT, and First Citizens Community Bank for depositories for Municipal Authority Funds for 2020 with authorization to open CD's, renew or withdraw from CD's as necessary, only in the name of North Lebanon Township Municipal Authority to Cheri Grumbine, Township Manager, or Lori Books, Assistant Township Manager. Motion approved.**

Motion to appoint SEO for 2020

**MOTION: Motion was made and seconded to continue using David Siminitus, primary SEO, and Julie Cheyney as alternate SEO of the Lebanon County Planning Department for 2020. Motion approved.**

Motion to Affirm 2020 Municipal Authority Board Meeting Schedule

Meetings will be held the 2<sup>nd</sup> Thursday of each month beginning at 7:00 p.m. The Joint Meeting with the Board of Supervisors will be held the 2<sup>nd</sup> Thursday in November beginning at 5:30 p.m.

**MOTION: Motion was made and seconded to approve the 2020 Board Meeting Schedule. Motion approved.**

Motion to Approve Payment of Invoices and Requisitions between meetings

**MOTION: Motion was made and seconded for the proper officers authorized to pay invoices and requisitions at discount or that would accrue a penalty between meetings. Motion approved.**

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

**MOTION: Motion was made and seconded to approve the December minutes. Motion approved.**

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.**

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

Amy would like to clarify item #1 on her list regarding the water and sewer debt interest rates. Her clarification is to let the Authority Board members know that the jump in interest rate she reflected in her report is the highest it could possibly go. In 2023, the interest rate will change to a variable rate depending on the prime rate at that time rather than the current fixed rate. The sewer debt interest rate is currently 2.33% and the water debt interest rate is 2.66%. The maximum they could jump to are 4.5% and 4.25% respectively.

Delinquent Sewer Accounts – There has been good progress made on the list. #12 has just set up a payment plan through Amy and they have already made their first payment. #15 has been paid in full and will be removed from the list. Amy will push forward with Sheriff Sale on #6 and #7 as they have been sitting on the list too long with no movement.

Tod asked Amy what the description “Green Card Signed” meant. Amy explained that when the green card from Certified Mail is returned signed, it begins to run the 30-day time period. If the card is unsigned, she is required to send a second notice.

Mapledale Development – Amy informed the Authority that they are still in the waiting game with Gerald Musser. He has not selected a site contractor yet. Scott spoke with Gerald last week and he expressed that he was not pleased with the estimates he got from his contractor.

Lebanon Valley Cold Storage – Amy and Lori mentioned at last month’s meeting that LVCS continues to be over with their usage versus the sewer capacity they purchased. They were sent a letter stating they must purchase additional capacity. There was no response generated from the letter. In the meantime, the property had another sewer

backup. In addition to the sewer capacity, they are not in compliance with their Strong Waste Permit. Due to all the violations, John Brenner, the Code Enforcement Officer, sent them a violation notice. Amy and Lori agreed they intend to send a follow up letter to John's notice stating that if they do not comply, everything will be turned over to the Authority's attorney.

Yesterday Lori received a call from the gentlemen in the corporate offices located in Tennessee who oversees the facility in the Township. Lori is working on a follow up letter to summarize their conversation. Essentially, they must comply with monthly grease trap inspections of pumping and cleaning out the tank to avoid these backups. They must also purchase the additional 7 EDUs to be in compliance with their usage.

The gentleman agreed to the terms within the violation notice. A new pumper has already been hired and Lori should start receiving the monthly reports of pumping, cleaning, and sampling. He will be purchasing the additional capacity required and has requested a payment plan for the additional seven (7) EDUs needed. Lori granted his request of a payment plan and the agreement will state the purchase of one EDU per month until all seven EDUs have been paid for.

We were originally told this was a storage facility only. We now know they are also operating a food processing plant. These differences may explain why their current pumps aren't doing the job.

Strong Waste Permits expire this year, so Amy and Lori are considering tweaking their permit description to outline all the monthly requirements. The Authority has plenty of options if they continue to go against our regulations.

### **ENGINEERS' REPORT – Scott Rights**

Grosfillex – Grosfillex is proposing a 25,000 square foot warehouse on their existing property. Scott presented the layout of the warehouse in relation to the current factory and office. Both existing buildings are provided with public sewer. A new line will be run from the proposed warehouse to the existing line that connects to the manhole on Joel Drive. There will be no additional employees, so they are not requesting additional capacity. The building will strictly be a warehouse for the time being, but they would like the new line connection to install a restroom. Scott will respond with a few minor technical comments.

Crossings Phase 3 – The Crossings of Sweet Briar has submitted plans for Phase 3 of their development. It will consist of 28 residential lots. It is located behind residential homes on the corner of Mount Zion Road and Kimmerlings Road. The sewer will drain/direct itself towards the existing sewer in Phase 1. Scott still needs to get together with Ed to make a few comments. He is suggesting the manholes be moved to the center of the street verses the outer part where cars will constantly drive over them or force them to swerve.

Pertinent Issues – At last month's meeting Scott reported that he spoke with the site engineer at Kimley Horn in relation to the Bare tract who stated work will resume in the new year, 2020. Scott will follow up and bring an update to the meeting next month.

**ASSISTANT TOWNSHIP MANAGER REPORT – Lori Books**

Update on Refunding of Escrow Money – Last month the Authority approved the return of a couple of escrow accounts. Eastern Electrical was approved to be refunded the remaining balance of \$2,920.65 but it should have been \$2,420.65. An additional invoice had been processed in the amount of \$500.00 after Lori had reviewed the account balances.

**MOTION: Motion was made and seconded to amend Eastern Electricals' escrow refund to \$2,420.65. Motion approved.**

Resolution #1-2020 – Every member was provided with a copy of the fee schedule for 2020. The only change from last year is to Attorney Amy Leonard's hourly fee. Her rate is increasing from \$165.00 per hour to \$175.00 per hour. Amy explained she is eliminating the quarterly retainer fee.

Tod asked if the fee schedule should include the various escrows and when they are to be released. Lori informed him that all those amounts and dates are included in the Developer's Agreement and are not really part of our regular fee schedule.

Tod also questioned why there is not a set number for engineer fees like there is for attorney fees. Lori thinks it was never included because the fee changes depending on who works on the plans/designs. She agrees it should be included to be uniform with the attorney fees. Scott informed the Authority that the rates went up about 2% for 2020. He will send Lori the attachment listing all the fees for each employee and she will include it with the Authority Fee Schedule.

**MOTION: Motion was made and seconded to approve Resolution #1-2020. Motion approved.**

2019 Annual Activity Report – Each member was provided with the 2019 Annual Activity Report for the Authority. Lori puts this together each year as a summary to reflect the highlights the Authority had throughout the year. Lori is asking for the Authority's approval to forward this to the Board of Supervisors.

**MOTION: Motion was made and seconded to accept the 2019 Annual Activity Report. Motion approved.**

Memo on Wage Increases for 2020 – The auditors state that the Authority Board Members must be provided with a memo on any wage increases for wastewater employees. It is strictly informative as the Authority has already approved these rates in November.

Pertinent Issues – A new plan was received for Monica Kapp and Cameron Batz. They did pay the Authority's fee and they are requesting a Non-Building Waiver. The Township's Planning Commission will sign off on the plans as well as the Board of Supervisors. Lori is presenting this to the Authority because they are waiving the requirement to do any sewage facility planning. The resident would like to subdivide the single-family home from the rest of the acreage in hopes to sell the remaining vacant lands to a developer. The

existing home is connected to public sewer. There will be no building, the lands will stay vacant, which is why they are requesting the Non-Building Waiver be approved. The Board agreed with this approach with the understanding that at the time of development of the remaining vacant lands, sewage facilities planning will be required.

**WASTEWATER DEPARTMENT REPORT – Ed Brensinger**

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

Rail Trail Bridge – Tod asked for an update with the Rail Trail. Ed said Tommy went out to visit and other than kids throwing rocks at the liner, everything looks good.

Ashton Drive – Last meeting Ed announced to the Authority that a resident had a sewage backup. Paul Martin was hired by the property owner to complete the repair. It turned out one of the elbows was broken. The original contractor had used a Test T and SDR pipe and the plumber had then used an adapter in the Test T. The joint simply pulled apart over time which led to the pipes becoming offset. It was 8.5 feet below the curb. Everything was fixed, and it was the owner’s responsibility.

Lebanon Valley Cold Storage – Ed is hoping we have gotten their attention and they come into compliance with our regulations. He is unsure if the system is not big enough to handle the flows or if it all falls on the lack of maintenance. The continued sewer backups could also be an issue for the Department of Ag since this is now also a food processing facility and not just for cold storage. We were told most of their products get shipped to schools all over the country. We could revoke their Strong Waste Permit or even take things a step further if they continue to fail to comply with the grease trap pumping’s/cleanings and other monthly monitoring reports.

Pertinent Issues – The newest Township employee, Jared, is scheduled to take his test for his Wastewater license in April of this year.

The new truck has been working great for the crew! The Authority received a nice review for the recent sale of the old sewer truck.

**Additional Comments and Questions**

With no more business for the good of the Authority, the meeting was adjourned at 7:59 p.m.

Respectfully Submitted,

Molly Lum  
Recording Secretary