

Minutes
North Lebanon Township Municipal Authority
February 13, 2020

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, February 13, 2020 at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following Board members present:

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

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.

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 the invoices and requisitions for payment all subject to audit. Motion approved.

SOLICITOR'S REPORT – Amy Leonard

Lantern Drive Sewer Extension – The Municipal Authority has been waiting for quotes regarding the sewer extension from Lantern Drive to E. Maple Street. Scott passed out a copy of the letter he sent to Lori outlining the three quotes received. He recommended the Authority Board accept the quote from SLH Excavating as it was the lowest quote received for this project.

MOTION: Motion was made and seconded to award the job of extending the sewer line on Lantern Drive to SLH Excavating for their quote of \$9,320.00.

Motion approved.

Mapledale – In the past, a \$500.00 discount was offered to developers for each lot within their proposed residential development for the sewer tapping fee. The Authority Board has since discussed this and decided to eliminate the discount and has changed its policy to a Reimbursement Agreement as set forth in the Municipalities Authorities Act. The original developer would be reimbursed for 95% of the tapping fees paid to the Authority, for a period of ten years, for any outside property that would later connect to the public water and sewer lines originally constructed and paid for by said developer. The plans for Mapledale were submitted prior to the Authority Board revising their Rate Resolution. Therefore, Gerald Musser will be receiving an adjusted discount on the sewer tapping fee per lot and he has signed the Reimbursement Agreement for the water tapping fee.

Tod had a question regarding the Mapledale escrow. While he was signing checks, he was informed that an established escrow has not yet been set up. The bills paid by the Municipal Authority were up to \$6,900.00 and the Municipal Authority has not yet received any payment from Gerald Musser. He questioned if this is normal and asked why we wouldn't require that money up front. Lori explained the escrow payment and the Developer's Agreement go hand in hand. The escrow is written specifically in the agreement so that when it is signed, the money is collected. This set of plans and agreements were a bit unique as the result of some unusual circumstances. Amy agreed with Lori and reassured the Authority Board that when plans are submitted, Lori quickly produces the Developer's Agreement and obtains the necessary escrow monies. Amy restated this situation was unique. Lori also explained the escrow is not listed in the Municipal Authority's Fee Schedule. It is only listed within the Developer's Agreement. Therefore, the Authority Board is unable to demand money upfront without making a change to the Fee Schedule. The Board agreed to leave the process as is. It will be discussed again if needed.

Moravian Manor – Amy reported that it was anticipated that the Municipal Authority would have another conduit deal this year. She has since received a call from Pete Edelman informing her that Moravian Manor will not be going through the Municipal Authority for another conduit. The Municipal Authority would generally be used if they had a bank qualified loan amount which is \$10 million dollars or less. They decided to do a larger financing of about \$30 million dollars, so they went through a different municipal authority. There are other projects that could use the Municipal Authority in the future so Pete will keep Amy in the loop if anything comes up.

Gary asked when the conduit deal will end. The last agreement was in 2018 where they received \$10,000.00. Amy also informed the Authority Board that due to an old agreement with Moravian Manor, they will continue to receive \$5,000.00 every year until that loan is paid in full.

Delinquent Sewer Accounts – Update – There are a few accounts with high balances that Amy intends to push to Sheriff's Sale. For the most part, the delinquent accounts are in good shape.

ENGINEERS' REPORT – Scott Rights

Mapledale Estates – Plans were resubmitted to Steckbeck Engineering and from a technical standpoint, everything looks good. They are also squared away with their agreements and payments. The only comment made last month was for the manhole to be put in lower than where they placed it within their design. They have since made that correction. The Municipal Authority will have access to a sewer easement within the development. Scott would recommend the Authority Board approve the sewer design for the project.

The Township does have an ordinance stating mandatory connection of any home within 150 feet of public sewer. Two properties sit within that range of Mapledale. Brian asked if they would give the owners a payment plan for the connection fee as it will be unexpected for them. The Municipal Authority has done this in the past. When the time comes, the Authority Board will discuss this further.

MOTION: Motion was made and seconded to approve the sewer design for the Mapledale Development. Motion approved.

Grosfillex – Steckbeck had made a few comments on the original submission and each one was addressed. They will be installing a new manhole but connecting to an existing line. None of the new sewer lines or manholes will be owned by the Municipal Authority. The new building is only proposed to be used as a storage facility, so they are not requesting any additional EDU's. Lori will monitor the sewage usage over the next year to ensure their flows do not increase.

MOTION: Motion was made and seconded to approve the sewer design for Grosfillex. Motion approved.

Crossings – Phase 3 – Steckbeck provided the developer with a review letter in the beginning of January and they have not heard back yet. There are no new updates.

Cedar Crest Circle – A proposed development was submitted off North 8th Avenue. The Authority Board has not seen or reviewed these plans yet because there are many things that must be revised. Lori had 4 to 5 pages of comments. Lori, Cheri, Ed, and staff from County Planning met with the developer and his engineer. Lori is expecting a resubmission after they make the necessary changes. The existing sewer line runs through N. 8th Avenue. Due to the shallow lines the pipes are encased in concrete and therefore the connection must be made within the manholes.

It was questioned if a buffer will need to be installed. Ed stated that most of the zoning matches up, so it will only need to be placed in a few select areas.

Chapter 94 Report – Scott provided the Authority Board with a few charts from the Chapter 94 Report he is working on, showing average flows, monthly averages, precipitation, etc. Since the Municipal Authority does not have meters on its sewer lines, most figures come from estimates. However, the amount of EDU's going into each pump station is known. Each pump station has an elapsed time meter that records how long each pump has run and each pump has a specified rate of how many gallons it can run per minute. Scott is able to take those numbers and calculate the yearly average and the average daily flow per EDU.

Scott also provided tables of current subdivisions as well as projected subdivisions, along with graphs to compare the monthly flow per EDU to monthly precipitation, and the flows within the last 5 years compared to projections for the next 5 years.

Scott will submit the Municipal Authority's portion of the Chapter 94 Report to the City of Lebanon Authority to be included in their submission to DEP. If the Authority Board has any changes to the draft, they should let Scott know. The City Authority is requesting all submission to them by February 28th as their due date with the state is the end of March.

Tod questioned which pump stations have generators. Ed stated that Water Street and Kochenderfer Road have generators. Tod asked if we should consider purchasing a generator for the N. 8th Avenue pump station since it has the second highest flows. Ed agreed with Tod and said they plan to budget for one generator each year until most of our pump stations have a generator. Rockwood was their priority for the 2020 budget because it has more frequent power outages. The N. 8th Avenue has an automatic back-up motor to be safe. The motors are designed to only run simultaneously in the event of major water flows.

Rodney asked for clarification on Table 3-1 (Precipitation Table) and why the precipitation seems to vary so much but the flows do not. Scott explained that this shows the gravity lines feeding the pump station are leak tight and the rain is not impacting the flows, which is a good thing.

Tod questioned how the flows at Rockwood have been as the Authority Board was aware of some residents putting their sump pump water into the sewer system. Lori and Ed both confirmed the Wastewater crew continues to check the lines during rain events. With the low amount of precipitation, it has been hard to find any infiltration.

Ed added on to Scott's report explaining the I & I can be affected by the type of storm/rain we get. If the rain comes down quick and heavy, it can flow over the surface of the ground and end up in the line if it is uncapped anywhere. Ed believes Rockwood has this problem.

ASSISTANT TOWNSHIP MANAGER REPORT – Lori Books

Special Purpose Tapping Fees – Lori provided a summary of the Special Purpose Tapping Fees collected in 2019. It allows the Authority Board to compare the expense with the revenue and ultimately the net loss to date.

Mapledale Estates – Lori needs the approval from the Authority Board for multiple agreements regarding Mapledale.

The HOP application is ready for approval and signature. Lori reminded the members that the Municipal Authority is listed as the applicant. Scott reviewed the HOP application and felt comfortable with the Authority Board approving this application.

MOTION: Motion was made and seconded to approve and sign the HOP application. Motion approved.

The Indemnification Agreement is ready for approval and signature. Gerald Musser provided the surety bond and the review fee. This will hold the Municipal Authority harmless with anything pertaining to the HOP application and work being done.

MOTION: Motion was made and seconded to approve and sign the Indemnification Agreement. Motion approved.

The Sewer Capacity Agreement was submitted for 38 EDUs and all fees have been collected. Lori is ready for the Authority Board to approve and sign the agreement.

MOTION: Motion was made and seconded to approve and sign the Sewer Capacity Agreement. Motion approved.

The escrow has been paid for the Developer's Agreement. Lori is ready for the Authority Board's approval and signature.

MOTION: Motion was made and seconded to approve and sign the Developer's Agreement. Motion approved.

Lori has the Reimbursement Agreement ready for approval. This is for the water tapping fee only as the sewer tapping fee was addressed in the Developer's Agreement.

MOTION: Motion was made and seconded to approve and sign the Reimbursement Agreement. Motion approved.

Lori needs the Authority Board's approval of the Sewage Facilities Planning Module Exemption Request.

MOTION: Motion was made and seconded to approve the Sewage Facilities Planning Module Exemption Request. Motion approved.

The Crossings at Sweet Briar – Lori and Amy worked on a letter to the Crossings of Sweetbriar to update them on the Authority Board's decision to change its policy regarding the water and sewer tapping fees. The letter notified them that we are no longer offering a discount for our tapping fees, but rather will enter into a Reimbursement Agreement as per the Municipalities Authorities Act.

Illegal Discharge – Second notices were sent to the property owners on Hunters Chase Lane and Twigg Avenue who continue to have broken laterals allowing groundwater to enter the sanitary sewer system. All owners have contacted our office and have talked with the Wastewater crew. We are anticipating these issues will be resolved in the near future.

Ed asked the Authority Board members how they would like to proceed if a resident was not willing to repair such situations. Amy is not in favor of shutting off the water for anyone with a broken lateral who does not comply with the Authority Board's notices to repair the lateral. She stated the law is clear when it is permitted to terminate water service and does not think this situation would be within the guidelines of the law. She does however agree

that if the Municipal Authority sends the proper notices and gives the property owner ample amount of time and opportunities to fix the issue and they don't, the Authority Board could hire a contractor to do the work and subsequently bill the resident. The Municipal Authority is entitled to a 10% mark-up of the original bill as well. Amy would then file a lien on the property. Repairing broken laterals is a crucial component in the attempt to reduce I & I in the sanitary sewer system.

There is also the possibility that a property owner wants to comply but truly cannot afford to do so. Amy suggested the procedure would stay the same, a contractor is hired, and the Authority Board would bill the resident for the work and file the lien. At that point a payment plan could be agreed upon.

Gary questioned when DEP would get involved if the lateral is broken and sewage is making its way into the dirt. Ed said that would only happen if the sewage would surface. He also explained to the members that the pressure of the water coming in is greater than sewage going out.

The Township Ordinance does state that if the resident fails to remedy an issue within 60 days from the date of the notice, they are in violation. Amy added that the Municipal Claims and Tax Liens Act would allow the Municipal Authority to do the repair and bill the resident because they ignored the notices.

Lebanon Valley Cold Storage – Lori prepared and mailed the additional sewer capacity agreement to Lebanon Valley Cold Storage. It was agreed that an additional 7 EDU's would be purchased within the next year. They confirmed their accounts are set up to be mailing us a check every month for seven months. Lori has not received the agreement back at this point.

Tony was contacted today to witness the new pumper/hauler clean out the grease trap. He reported that they did an excellent job. It took them 4.5 hours to get through all the grease build up. The new company is contracted to a monthly schedule. Lori sent an email reminder that they are required to do monthly testing as well for BOD, TSS, Oil & Grease, etc. and submit the results to her monthly along with the pumping reports.

Strong Waste Permits – Lori mailed out the Strong Waste Permit Renewal Applications. There are four expiring this year. So far Lori received back applications and payments from Always Bagels and Godshall's.

Rate Resolution – Resolution 2-2020 – Lori presented a revised Rate Resolution for the Municipal Authority. After taking a closer look at the reconnect/repair permit, which is required for residents fixing a broken lateral, she and Ed felt the fee for a repair permit was a bit excessive. The fee for a repair permit or a reconnection permit was \$250.00. While new connection permits were \$150.00. The revised fees for a repair permit will be \$100.00 and for a reconnect permit the revised fee will be \$150.00. New connections will remain at \$150.00.

MOTION: Motion was made and seconded to approve Resolution 2-2020, setting fees and procedures for Wastewater/Water services for 2020. Motion approved.

Bounced Check – Typically when a sewer payment is returned by the bank for any reason, the resident will receive a letter letting them know it bounced and that there is a \$50.00 returned check fee attached. They are given 10 days to resolve the now delinquent account. Lori and Molly asked the Authority Board what “next step” to take if the resident does not pay within that 10-day period.

Amy explained the Authority Board has every right to turn this case over to the police as it is a misdemeanor and they will receive a fine on top of everything else. If this is the way the Authority Board would like it to be handled, then that is what will happen.

Amy also explained that because this is a property with public water and the returned check throws them back on the delinquent list, the Municipal Authority has the power to shut off the water with proper notice. If the property had well water and the Municipal Authority did not have the option to shut off the water, then the police/fine would be the way to go.

The Authority Board agreed to use water termination and the delinquent list as the first option. That will take care of any property with public water. If there is no public water, then the resident may be turned over to the police. This will be a case by case decision.

Records for Destruction – Lori provided the Authority Board with a list for the records to be destroyed in 2020 per the Municipal Records Manual. The Board of Supervisors approve this list every year, so Lori is notifying the Board of what will be shredded.

Pertinent Issues – Lori received an email from Mike Blecker from Godshall’s. He is offering a tour for the Municipal Authority. Multiple members are interested in this and will adjust their schedule to make it work.

WASTEWATER DEPARTMENT REPORT – Ed Brensinger

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

There were 38 PA One Calls this past month. One was an emergency during work hours.

Tony completed 4 grease trap inspections and there were 3 new home connections to the system.

Three push camera representatives came to demo different cameras for Ed, Tony, and Tommy to view. They used the cameras on the broken laterals they had already found. The crew has selected the camera from East Com. The cost will be \$9,672.00. Ed is asking for the Authority’s approval for the purchase. He did mention it was an approved item in the 2020 budget.

MOTION: Motion was made and seconded to approve the purchase of the push camera from East Com for \$9,672.00. Motion approved.

All of the air release valves were rebuilt at the Rockwood, N. 8th Avenue, and Water Street

pump stations.

Ed would also like approval from the Authority Board for the purchase of the new generator to be installed at the Rockwood pump station. The total cost for the generator will be \$49,899.00. The extended warranty will be \$4,915.00.

MOTION: Motion was made and seconded to purchase the generator, \$49,899.00, and the extended warranty, \$4,915.00, for the Rockwood pump station. Motion approved.

Tommy and Tony checked all of the pump stations last Friday with the power outage. Everything reset and was working fine when the power came back.

Additional Comments and Questions

Gary announced that he would like to go into Executive Session with the Authority Board for a legal matter. Everyone was asked to leave except for the Board Members, Ed and Lori.

The Authority reconvened at 8:54 p.m. With no more business for the good of the Authority, the meeting was adjourned at 8:54 p.m.

Respectfully Submitted,

Molly Lum
Recording Secretary