

**Minutes
North Lebanon Township Municipal Authority
January 12, 2012**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, January 12, 2012 at 7:00 PM at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following Board members present:

Wynanne Demler	Chairperson
Brian Hartman	Secretary
Susan Switzer Pierce	Assistant Secretary
Tod Dissinger	Treasurer
Frederick Wolf	Solicitor
Scott Rights	Steckbeck Engineering
Sheila Wartluft	Assistant Manager

Also in attendance were Mike Kneasel, Wastewater Foreman; and two guests.

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

Reorganization of Authority Board

Solicitor Wolf stated the first order of business would be to elect the officers for the Municipal Authority Board for 2012. He confirmed at the current time the officers are: Wynanne Demler, Chairperson; Richard Miller, Vice Chairperson; Tod Dissinger, Treasurer; Brian Hartman, Secretary; and Susan Switzer Pierce, Assistant Secretary. He explained the Authority Board can either entertain a motion to re-elect the same slate of officers as 2011 or someone may make a motion to nominate individually for each office.

MOTION: Motion was made and seconded that we appoint the Authority Board as it currently exists. With there being no other discussion the motion carried unanimously.

Comments from the Public

There were no comments from the public.

Chairperson Demler stated the Board would need to make appointments and approvals to conduct Authority business.

Appointment of Authority Depository

Chairperson Demler stated they would need to appoint the Authority Depository for 2012.

MOTION: Motion was made and seconded to appoint Fulton Financial, Northwest Savings, Fredericksburg National Bank, Jonestown, and PLIGIT as the Authority Depository. There was no discussion. Motion carried.

Appointment of Authority Solicitor

Chairperson Demler stated they would need to appoint the Authority Solicitor for 2012 which is set forth in Resolution 19-95 and is presently Frederick Wolf.

MOTION: Motion was made and seconded to appoint Frederick Wolf, Esquire as the Authority Solicitor for 2012 as set forth in Resolution 19-95. There was no discussion and the motion carried.

Appointment of Authority Engineer

Chairperson Demler stated they would need to appoint the Engineer for 2012. It is presently Steckbeck Engineering and Surveying, Inc. with Scott Rights as our engineer.

MOTION: Motion was made and seconded to appoint Steckbeck Engineering as the Authority Engineer for 2012. There was no discussion and the motion carried.

Appointment of Authority Auditor

Chairperson Demler asked for a motion to appoint the Authority auditor for 2012. She stated it is currently Brown, Shultz, Sheridan, and Fritz.

MOTION: Motion was made and seconded to appoint Brown, Shultz, Sheridan, and Fritz as the Auditor for the Authority for 2012. There was no discussion and the motion carried.

Appointment of SEO

Chairperson Demler stated they would need to make a motion to appoint the SEO. She said this position is presently held by Gordie Sheetz and Lori Books from Lebanon County Planning Department.

MOTION: Motion was made and seconded to appoint Gordie Sheetz and Lori Books from the Lebanon County Planning Department as SEO for 2012. There was no discussion and the motion carried.

Chairperson Demler asked if there were any additions or corrections to the December minutes.

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

Chairperson Demler 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.

SOLICITORS REPORT

Rockwood sewer project

Solicitor Wolf explained there were two issues regarding the agreement with Swatara, one of which included the PENNVEST financing. The other issue Sol Wolf expressed was regarding the billing. He explained that we would like to utilize a pre-paid escrow if bills are not paid and then turn collection over to Swatara for unpaid bills. Swatara would like us to continue with the delinquent collection process. Solicitor Wolf said that unless directed otherwise by the Board that we would pursue having them being responsible for delinquent collection.

Solicitor Wolf said a plan has been submitted for re-zoning for the Mase and Fisher properties for residential single dwellings. Scott demonstrated on the plan how we would pump into the Water Street pumping station from this plan and that some of the lots would be in the Homestead Acres area and the remainder in the Rockwood area. Scott explained that preliminarily there is capacity at the pumping station. Solicitor Wolf interjected that they should check with Swatara to make sure there will be no further development in their area of Rockwood. Brian Hartman suggested the Authority's only concern would be upgrading the pumping station. Discussion followed regarding the special purpose tapping fees and Sheila explained that they do not receive these special purpose tapping fees until the permits are issued. Discussion followed regarding what would happen with this plan if the Rockwood sewer project does not materialize. Mike explained the flow would all go to Water Street pumping station.

Solicitor Wolf also explained that regarding the Rockwood sewer project Scott had given him all the information for the agreement of sale for the pump station property, and it is subject to the owner signing the agreement. Also the right of way agreements have been prepared. Scott demonstrated on the plan where the lines and manholes would be located.

Miscellaneous Issues

Solicitor Wolf reported they have not received anything on the pretreatment ordinance.

Solicitor Wolf explained that the property located on Long Lane which was still connected to an onlot sewer system as well as public sewer has reported that the septic tank has been disconnected, and Mike explained he will need to inspect it.

Sheila reported that Todd Weindel has been connected to public water and will be on a payment plan.

Solicitor Wolf requested Sheila explain the capital replacement plan and how the actual budget will work and how money will be accumulated with this new plan. Sheila explained when Scott had prepared the plan in 2009 with a seven or eight year rotation that those numbers would take into account a rate study to help determine what we would be charging and also taking into account new customers, interest rates, capital reserve money and also a timeline for replacing equipment. She explained that this was a ten year plan which helps determine rates and needs. However, she has concerns that with the new 12 year plan nothing will be shown on the plan to budget and does not factor in any costs which may arise if something goes wrong. Scott explained how the user rate is used and anything beyond will come from Capital Reserve which will be created from tapping fees. Discussion followed regarding this issue. Scott explained the plan and how it works and that this is just a tool to work with and it can be adjusted as needed. Sheila said she was concerned as to whether the Board understood how the chart actually worked.

Solicitor Wolf said he and Sheila had discussed the issue of billing customers based on EDUs and how this number is based on the City of Lebanon Authority's EDU chart. He further explained that a property which had the building razed had made a complaint that they should not be billed for sewer when no building existed and that the District Judge had ruled they shouldn't be paying for sewer since the sewer was totally disconnected. He said that in this unusual situation they would need to purchase capacity, tapping, and any charges connected with a new connection if they chose to put a building on the site. He mentioned that Sheila would then keep track of those extra EDUs and if they decide to construct a new building they would pay us for the EDUs. He stated we have a situation now where a building burned down and they don't know whether they would be rebuilding on that property. He reported that our policy has always been that once EDUs have been assigned they will not be reduced and he is asking whether the Board would like to continue with this policy or make changes to the current policy. He explained that there may be several situations in question where the property owners may or may not want to reduce the EDUs. Discussion followed whether the policy should be changed. Solicitor Wolf said if the property owner made a decision to reduce their EDUs they would need to sign an agreement. Solicitor Wolf explained that legally we can charge them if the use is changed. Sheila said she needed to have direction as to what she can tell the person

who is questioning their quarterly sewer charges when there is no building on the property. Discussion continued. The decision was made that we do not buy back EDUs and that we would need to further discuss the policy for these types of issues.

ENGINEER'S REPORT

Scott asked regarding Rockwood that since Swatara does not have the financing in place and we do not have an agreement yet that we cannot go out for bid. Scott said he can prepare bid documents but they cannot be advertised until the agreement is signed. Scott explained the only stipulation he thought is that the grant money be used by the deadline. Sheila asked if the new homes on Grace Avenue which may be under the mandatory connection ordinance are on the plan, to which Scott replied no. Scott explained it would depend on the location of the sewer lines.

ASSISTANT MANAGER'S REPORT

Sheila said they would need to approve the Rate Resolution for 2012 with the only change being the charge for water termination which was changed because the City of Lebanon Authority had increased their termination rates. Furthermore, the rates the City will be charging us for sewer treatment went from a three tier system to a two tier system. Wyanne asked for a motion to approve the rate resolution.

MOTION: Motion was made and seconded to adopt Resolution 01-2012. With no further discussion, motion carried.

Sheila reported she had an extensive list of properties which have not pumped and complied with the sewage maintenance ordinance. Solicitor Wolf mentioned some are working with County Planning and some have now complied. He said we are required to send them a final notice and if they don't comply we will need to take legal action. Question was asked if this was a local ordinance to which Solicitor Wolf replied it is a Township ordinance and a state mandate. If they have not worked it out with County Planning requesting a longer time period, they will be on the three year timetable.

SEWER DEPARTMENT REPORT

Mike reported that Abel Recon had completed our 2012 sliplining the previous day. He reported which areas had been completed and that we would need to look at the plan again as to the future schedule. Mike reported he had taken the inoperative crane to Bowmansville and they diagnosed there was a relay issue and pressure relief valve, and he is waiting for a phone call regarding the parts that were ordered. Question was asked about the manhole at Woodridge to which Mike replied they are looking at connecting the Township rental property to public sewer and that there is also the possibility that Parks and Recreation would like to put a restroom in the area of the fields.

MOTION: Motion was made and seconded to accept Mike's report. Motion carried.

With no more business for the good of the Authority the meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Barbara Bertin, Recording Secretary