

**Minutes
North Lebanon Township Municipal Authority
February 9, 2012**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, February 9, 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 Cheri Grumbine, Township Manger; Mike Kneasel, Wastewater Foreman; and four guests.

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

Comments from the Public

Gilbert Morrissey, resident, stated he had a question regarding the increase in the water debt service. Solicitor Wolf explained how the debt service for the water project was determined and that the Authority looks at the budget each year and determines what will be needed to cover the debt. He also explained how development in the project area has not occurred at the rate it was expected. It was also mentioned that there were other unexpected issues which occurred and non-compliance leading to legal fees which also added to the costs of the project.

Chairperson Demler asked for a motion to approve the minutes from the January meeting.

MOTION: Motion was made and seconded to approve the January 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

EDU schedule and policy

Solicitor Wolf reported that he and Sheila had discussed the issue of the EDU schedule. He explained that the one property where the building had burned would be billed for our user fee but no sewer treatment charges from the City of Lebanon Authority if there were no charges from them. He said the property in question was for sale and depending on the use of the property they may need to increase the EDUs. If so, they would need to purchase additional capacity from the City and also pay tapping fees. However, he explained at this point we don't know what will be needed in the future.

Marks/Mace & Fisher Plan

Solicitor Wolf reported they had discussed the Mace/Fisher Plan which would require rezoning of land and is under consideration from the Township. The rezoning will not be considered until April.

Sewage Enforcement

Solicitor Wolf said at a previous meeting he had reported County Planning and our Sewage Enforcement Officer reported they had 43 property owners who had not complied with the Township and the Authority requirement to have their septic system emptied and a report filed. He said they sent out notices regarding the Ordinance and that they are down to nine property owners who are not in compliance. He said they would be re-contacting them in hopes of getting them into compliance.

Delinquent sewer customers

Solicitor Wolf reported that they had contacted delinquent customers, most of which were well customers, and they either need to work out a payment agreement with the Authority to bring their sewer bills into compliance or have a lien filed against their property. He further mentioned that they need to keep all new bills current. If they do not keep the terms of the agreement, a lien will then be filed against those property owners.

Landmark and the Crossings

Solicitor Wolf reported we have an agreement for the Crossings that needs to be changed to show a new owner. An addendum will need to be added to the existing agreement.

Rockwood sewer project

Solicitor Wolf reported as everyone had been informed they received a commitment from PENNVEST for a significant grant and loan, and tonight we will be recommending acceptance of the commitment and authorizing Wynanne to sign the commitment. He said we need to make sure Swatara is on board since most of the debt would be theirs. He reported they are still working on the agreement with Swatara. He said we would need to make a commitment for the debt for Rockwood that all receipts from these sewer customers who are connected to the Rockwood system and any new customers pledge the revenues for payment of the debt. He further explained that if the users don't pay the debt, Swatara would be responsible for their customers.

He said he gave Scott the right of way and land acquisition agreements and he will be contacting the owners. He reported Scott will be getting these agreements signed. He said that PENNVEST requires all the agreements be signed and certified by him that we have all the land acquisition for right of ways and the pump station so we can go to closing and start construction. He explained they need to report to PENNVEST what schedule we will have as far as going out for bid and construction. Solicitor Wolf asked when the H₂O grant would expire to which Sheila replied June 2013. Solicitor Wolf mentioned he had reviewed the bid documents which Scott had supplied and that we should get the bid documents in final form within the next thirty days so they are ready to go out for bid.

Solicitor Wolf stated there is a time line for signing of the commitment letter and we would need to act on approving acceptance of the PENNVEST funding offer.

ENGINEER'S REPORT

Scott Rights reported we had requested roughly 3.2 million in financing and that the offer which came back from PENNVEST was \$1,645,892 in grant money and the balance, \$566,018 as a 20 year loan at one percent. Whatever costs have occurred in land purchases is not eligible for this funding. He said that we had budgeted \$67,500 for land costs which will come out of non-grant and non-loan money which will be contributions from the Authority and Swatara. He explained that the balance of the financing requested was included in the H₂O grant. Scott further reported that he had been contacted by Ray Bender regarding the CDBG grant money and he indicated that they would be making an offer for Rockwood and the Mountville project. Scott explained how the evaluation from PENNVEST works and how they arrive at their package. He further explained it would not be to our advantage to take the CDBG grant money for Rockwood because of the way it would affect the PENNVEST offer and that it be more beneficial if the CDBG grant money went to Swatara to improve their debt responsibility.

MOTION: Motion was made and seconded to accept the PENNVEST funding offer of \$1,645,893 in grant money and a \$566,018 loan for 20 years at one percent, and authorizing Wyanne to sign the acceptance of the PENNVEST funding offer. With no further discussion motion carried.

Scott explained that we would be receiving 12% of the grant money. Sheila reported they would also be receiving \$50,000 in grant money for the comp plan plus the H₂O. It is also probable that we will receive \$50,000 to help homeowners with the connection. Scott reported the County needs to know if we would like to continue with the application for the CDBG grant.

MOTION: Motion was made and seconded that the North Lebanon Township Municipal Authority retracts our application for the CDBG grant because we do not want to complicate the PENNVEST offer. With no further discussion motion carried.

Scott reported they had sent out the agreements for the right of ways and once they were signed they would need to be notarized. Solicitor Wolf asked whether there were any other right of ways they may need to which Scott replied he and Sheila had talked to several surrounding property owners. Scott pointed out areas in question on the map and where the right of ways and lines may be. Discussion followed. Scott explained that once the commitment letter is signed then PENNVEST will schedule a conference call with Fred, himself, and Sheila to schedule a settlement date. At that time everything will need to be in place including bids for the project. Scott explained that normally there is a grace period where payment may be made on the interest only.

Abel Recon

Scott reported that Abel Recon has sent two invoice pay requests. One of the requests was for sliplining work done back in early 2011 with one of the runs being defective. This has now been redone. He said Mike has seen the initial videos and reports but they have not received the final reports and he is suggesting they retain \$2,500 until that has been submitted. He said the pay request Abel made was for \$32,929.67 and if we retain the \$2,500 we would be paying \$30,429.67 until we receive the final reports.

MOTION: Motion was made and seconded to pay Abel Recon \$30,429.67 retaining \$2,500 contingent upon them providing the final videos and reports of the work. With no further discussion motion carried.

Scott reported the second request for payment was for sliplining work which was done on Cedar Crest Drive, Sally Ann Drive, and Suzanne Drive which was done in December of 2011 and carried over into January of 2012. The pay request that Abel made was \$112,874.88. He said we have not received any videos or reports and he is suggesting they retain \$30,000 in case there are any defective lines like there had been on

Weavertown Road. The sliplining is done but the televising of those lines have not yet been completed.

MOTION: Motion was made and seconded to pay Abel Recon for the work that was completed in January of 2012 in the amount of \$82,874.88 retaining \$30,000 until the video and reports are complete. With no further discussion motion carried.

Sheila reported she received a plan regarding the Stewart property in the Rockwood area which they had previously discussed. She explained Scott had sent a letter regarding this property and they have not heard anything back regarding the letter. She said she had received a request for the planning waiver and non building declaration for this project. She said she was not sure how the Authority would like to proceed on this. This is the property they would like to come on board and connect even though they were sitting back too far. Scott replied that on a land development plan the Authority normally would approve or not approve proposed means for sewer disposal. Scott demonstrated how the Stewart's were proposing a lot addition from the existing property. Discussion followed as to the various options. Scott explained that the letter that was sent was very specific and that if someone purchased the property in the future that it was clearly stated they would need to connect if the onlot system failed.

ASSISTANT MANAGER'S REPORT

Tice Property

Sheila reported she was asking for approval of the Tice plan which is on Prescott and Halfway Drive and that there was no public sewer involved. The only outstanding issue had been that the onlot system had not been pumped but that has now been resolved.

MOTION: Motion was made and seconded to approve the Tice plan. With no further discussion the motion carried.

Sheila said the one property which was recently connected to the water has already been making payments on the agreement ahead of schedule.

SEWER DEPARTMENT REPORT

Mike reported that they have been locating the rest of the structures and manholes and Scott's guys were out and hopefully they found it all. He said they had trimmed the trees at the pump stations. He reported Abel Recon came back yesterday and today to work on manholes.

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

Cheri Grumbine, Township Manager, asked regarding the Marks/Mace/Fisher rezoning issues if at the March Authority meeting the Authority will discuss the available capacity? The part of the one tract that Fisher owns will go to the new pump station and she would like to have it confirmed from the Authority that there is, in fact, capacity available for that plan. Sheila said they would place it on the agenda for the next meeting. They would have some additional data available at that time.

With no more business for the good of the Authority the meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

Barbara Bertin, Recording Secretary