

Minutes
North Lebanon Township Municipal Authority
August 9, 2012

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, August 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 Mike Kneasel, Wastewater Foreman; Amy Leonard with Henry and Beaver; and three residents.

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

Comments from the Public

There were no comments from the public.

Chairperson Demler asked if there were any additions or corrections to the July minutes or a motion to approve the minutes.

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

Chairperson Demler asked for a motion to approve the July 23, 2012 minutes.

MOTION: Motion was made and seconded to approve the July 23rd 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 reported they have been working on getting the PENNVEST documents ready. He said they had their second teleconference with PENNVEST. He explained they have been working on completing the forms and uploading them to the PENNVEST website. He reported the Right of Way agreements have all been completed and signed and that the Board would be adopting Resolution 07-2012 which provides for entering into the agreements with the various property owners for the rights of way and paying them the compensation in each of the agreements. This resolution will be recorded in the Recorder of Deeds office. It is an agreement in lieu of us having to go through the condemnation process. Sheila has prepared the checks for each of the property owners. Once the deeds have been recorded they will be uploaded to the PENNVEST site.

MOTION: Motion was made and seconded to approve Resolution 07-2012. With no further discussion motion carried.

Sol Wolf explained the next Resolution is 06-2012. This resolution is called the Reimbursement Resolution which is required by PENNVEST if we are using any of the funds that we will be receiving from PENNVEST to reimburse ourselves and/or Swatara for any qualified expenses that have been paid previously or in the future. He reminded the Board that we not only received a loan and grant from PENNVEST but also an H2O Grant.

MOTION: Motion was made and seconded to approve Resolution 06-2012. With no further discussion motion carried.

Sol Wolf stated that next is Resolution 08-2012 which is similar to the right of way resolution which was already adopted but also approves the agreement and acceptance of the deed for the pumping station site from Joseph P. Kimmel and Crystal L. Kimmel. It states that compensation has been agreed to as set forth in our agreement, and authorizes the payment, the entering into the agreement and the acceptance and recording of the deed in lieu of condemnation.

MOTION: Motion was made and seconded to adopt Resolution 08-2012. With no further discussion, motion carried.

Sol Wolf explained that next is Resolution 09-2012 which is a required resolution by PENNVEST which approves acceptance of the loan from PENNVEST in the amount of \$566,018 and accept the grant for \$1,645,893. This also authorizes the appropriate

officers to sign all of the closing and project documents which may be required by PENNVEST and to issue payment for any costs related to that.

MOTION: Motion was made and seconded to approve Resolution 9-2012. With no further discussion motion carried.

Sol Wolf said the next issue would require a motion that pertains to the agreements for legal and engineering services. He said it would require a motion to approve entering into an agreement for Henry and Beaver to perform the legal services and Steckbeck Engineering for engineering services to be performed subject to review and approval from PENNVEST.

MOTION: Motion was made and seconded that we enter into the agreements between North Lebanon Township Municipal98 Authority and Henry and Beaver for the legal services and Steckbeck Engineering for the engineering service subject to approval from PENNVEST. With no further discussion, motion carried.

Sol Wolf explained that every member of the Authority needs to sign a document named Funding Recipient Omnibus Certificate. He further reported they have a date for settlement in the early part of September with another review with PENNVEST by next week. Sol Wolf said they had approved the Intermunicipal Agreement at the last meeting and all of the signatures have been obtained and will be uploaded to PENNVEST when the last issues have been resolved.

Scott Rights demonstrated to the Board where the sewer project area is on the map. Swatara is to show their sewer service area and we would provide our sewer service area.

Scott reported he had talked to the contractor and they would like to do an open cut in the near future and they would like to start construction on September 5th with the closing with PENNVEST being scheduled for September 4th. Tod Dissinger asked about the inspection of the contractor's work to which Scott replied that someone would be there on site to inspect the work. Sol Wolf said Swatara should be invited to the preconstruction meeting and explained we would need to coordinate our requirements on restoration with Swatara Township. Sol Wolf said he is recommending that the Authority pass a motion authorizing the issuance of the notice to proceed to the contractor as long as the PENNVEST closing and the preconstruction meeting have been completed.

MOTION: Motion was made and seconded that Scott be able to give the notice to proceed to the contractor as long as we have gone to the closing

and had the preconstruction meeting. With no further discussion, motion carried.

Sheila reported they had contacted Fulton Bank to set up a new non-interest bearing account where everything will come in and out of for the project. She said the bank had numerous questions regarding the account and how much would be involved. She explained they would need to adopt a resolution with Tod Dissinger and herself authorized to be able to sign the checks. The resolution will be Resolution 10-2012. She also explained there was a check to be signed because they need to show activity in the account.

MOTION: Motion was made and seconded to approve Resolution 10-2012 for the Fulton Bank account. With no further discussion, motion carried.

Crossings Agreement

Sol Wolf reported that Landmark Builders have changed the name of the developer from Landmark Builders to Sweet Briar Land Group Inc. and they would need to add that change to the developer agreement. He said he recommends that they keep both names on the agreement and if the Board agrees they would need to pass a motion that Sweet Briar Land Group Inc. be added to the agreement by amendment and Landmark Builders also remain on the agreement.

MOTION: Motion was made and seconded that Sweet Briar Land Group Inc. be added to the developer's agreement in addition to Landmark Builders and Landmark Builders to remain part of the agreement. With no further discussion, motion carried.

Sol Wolf reported that when they previously met with the Board of Supervisor's there were issues which had been discussed that the Board of Supervisors were looking at and they would be starting discussions on the budget.

Sol Wolf reported regarding the on lot sewage violations there were nine residents who have not complied. We will be filing court action against them to comply with the ordinance.

Sol Wolf said they have received documents from the Attorney General's Office of Pennsylvania to accept a settlement agreement in the Class Action which was filed by attorney generals throughout the United States to recover money from various banks who they charged with conspiring to affect interest rates on transactions primarily with municipalities where fluctuating interest was involved. He reported the Municipal Authority is on the list of disbursement for approximately \$23,000. He would like approval from the Board authorizing Wynanne to sign the document to be submitted to the Attorney

General's office for this Class Action. He also mentioned there may be another one to follow.

MOTION: Motion was made and seconded authorizing Wynanne to sign a document so we can participate in the release and acceptance of funds in the Class Action lawsuit as outlined by the Attorney General's office. With no further discussion, motion carried.

Sol Wolf reported that the last part of his report pertains to the list provided by Att. Leonard regarding pending legal issues for delinquent sewer customers.

ENGINEER'S REPORT

Scott Rights reported there were two plans he would like to review, both of which are lot add-ons and are presently on-lots. The first plan is the Hursh plan. There are comments on the plan which state if there are problems with the on-lot systems they will be required to connect to public sewer. Scott said he would be recommending approval.

MOTION: Motion was made and seconded for approval of the Hursh plan. With no further discussion, motion carried.

Scott reported the second plan is the Ensminger plan which is the same scenario with a lot add-on and is currently on-lot. Discussion followed how the lots will be deeded and whether public sewer may become available in the future. Suggestion was made that it be placed in the comment letter that if public sewer becomes available they may be required to connect. Sheila explained that they are approving what Gordie Sheetz, SEO, has recommended.

MOTION: Motion was made and seconded to approve the Ensminger lot addition. With no further discussion, motion carried.

ASSISTANT MANAGER'S REPORT

Sheila said she had placed a brief article on the website regarding the Rockwood Project. She said we are continuing to work on getting a complete list of residents in the Rockwood area.

Sheila reported they still have a vacant spot on the Board and we did have someone who is interested. The Board would need to make a recommendation to the Board of Supervisors regarding the vacancy.

MOTION: Motion was made and seconded to recommend Mr. Edwards to the Board of Supervisors for the vacancy on the Municipal Authority Board. With no further discussion, the motion carried.

SEWER DEPARTMENT REPORT

Mike reported they had a pre-construction meeting with the contractors for Sweet Briar Crossings and that they would like to start in September. When Phase I is complete they will end up with over a hundred miles of sewer line and 39 manholes. He mentioned they have been cleaning sewer lines. On the second year rotation, they have been noticing soap and grease after the nozzle has gone by and it is hanging on the end of the line and the nozzle is breaking it loose.

With no more business for the good of the Authority the meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Barbara Bertin, Recording Secretary