

Minutes
North Lebanon Township Municipal Authority
February 14, 2013

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, February 14, 2013 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 Amy Leonard, Esquire; Mike Kneasel, Wastewater Foreman; and five guests.

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

Comments from the Public

Julie Lovell, 202 Redwood Lane, said she has never been late on a sewer bill for the last five years and that she would like forgiveness of the late penalty on her previous bill. She stated that she had mailed the payment in time. Solicitor Wolf explained that the billing department for the Authority follows the policies and rules which apply to all customers and that we are not responsible for the postal service's delivery time. Sheila explained the process for posting the payments and that the payment had not been received in the office by the due date. It has always been strongly encouraged to use the drop box to ensure payments are received on time. Each of the board members individually spoke with agreement from the entire board that the policy stood and that the late fee would not be forgiven.

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

**MOTION: Motion was made and seconded to approve the January minutes.
Motion carried.**

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 we have now received payments from both H₂O and PENNVEST. Scott reported that he had looked at what has been incurred to date and the projected outstanding amounts. Scott explained that if we stay under budget Swatara already knows what they will owe and that we are receiving reimbursement for what we have paid out. Scott explained that everything is covered by either the grant or loan except for the land costs and Swatara's past engineering fees. He also reported there are a couple of agreements for right of ways which are still being worked on, of which H₂O will cover two thirds of that with Swatara being responsible for 88% of the remainder. Question was asked about the share North Lebanon Township Municipal Authority would owe at the end of the project. Sol. Wolf explained that we owe our 12% but we have already paid out more than our share of the loan and that Swatara will owe the remainder. Scott explained that we will not be able to show the final figures until the end of the project. Sheila reported that all of the invoices are paid to date and we have received the money from H₂O and PENNVEST. Scott further explained how the funds were divided between H₂O and PENNVEST.

Sol. Wolfe reported the Redevelopment Authority decided they would not be sending any financial help informational letters out to the property owners until the mandatory connection notice. Sheila did send out an informational letter which included explaining to them that they will receive information at a later date from the Redevelopment Authority.

Scott reported the water problem in the trench had been resolved.

Sol. Wolf explained he did agreements with the two property owners who will need to make a connection through someone else's property and they should be ready to be reviewed and finalized at the next meeting. He reported they previously discussed the purchase of capacity by vacant lot owners. He said he and Sheila were still working on the revisions. He explained they will also be making some changes on the mandatory connection notice. Sol. Wolf mentioned that they would like direction on whether the Board would like to offer a three year installment plan. He explained they would need to have an agreement which would be signed and recorded with the property owner to pay the preparation and recording fees. Sol. Wolf explained that they would not take action until they are ready to finalize the mandatory connection ordinance but that Sheila can tell people it will be offered if they ask the question.

Question was asked what happens on the vacant lot agreements if the capacity fees become higher to which Sol. Wolf explained that this was only a draft and that these

amounts would only apply if they chose to connect at the present time. He also explained that if they decided to connect at the present rate they would be paying a sewer bill.

The Crossings at Sweet Briar

Sol. Wolf reported that Sweet Briar Land Group Inc. is requesting a reduction in their bonding. Scott replied they are asking for a reduction of \$93,810.50 in the bond bringing their total reduction to \$187,173.00 which would be approximately 43% of their total. We would still be holding \$248,097.

MOTION: Motion was made and seconded to approve an additional reduction of the bonding for the Crossings in the amount of \$93,810.50. With no further discussion motion carried.

Miscellaneous Issues

Sol. Wolf reported in the class action suit they received a check from the Attorney General's office in the amount of \$22,342.72. He further explained that they would be discussing some litigation and personnel issues in executive session.

Tree removal

Question was asked about the tree removal in the sewer right of way which had been previously discussed to which Sol. Wolf replied the party involved asked if they could do it in March. Discussion followed regarding this issue. Suggestion was made that it should be accomplished by the end of April.

ENGINEER'S REPORT

Rockwood sewer project

Scott Rights reported that the sewer mains, laterals, and laterals for vacant lots are in; temporary paving is done; wet wells are in; and odds and ends at the pump station are being worked on. He reported that they submitted the pay request to PENNVEST and have received the money. He said there was some disagreement between our numbers and JOAO Bradley's numbers on the quantities.

MOTION: Motion was made and seconded to approve the JOAO Bradley pay request #3 in the amount for December of 2012 in the amount of \$468,695.90 and #4 for January of 2013 in the amount not to exceed \$123,156.39 with the contingency that the amount for #4 is not to exceed the pending approval of the quantity. With no further discussion motion carried.

Scott explained we had received checks for some of the vacant lot laterals, and that will figure into the quantities.

Scott reported there were two change orders from last month which included the first being a force main for \$1,011.31 and the second was for Grant Avenue where the depth was incorrect because they received incorrect information from other utilities and had to redesign for \$2,022.52 with a recommendation for the Authority to approve both change orders.

MOTION: Motion was made and seconded to approve change orders on the Rockwood Sewer Project #6 and #7 with #6 in the amount of \$1,011.31 and #7 in the amount of \$2,022.52. With no further discussion, motion carried.

ASSISTANT MANAGER'S REPORT

Sheila reported that she would like direction on a land development plan which was submitted by Seneca Foods. They withdrew the plan and would like the Authority to refund the review fee which they had submitted. Sheila explained they had not spent much time on the plan and we received no invoices from Scott or Sol. Wolf. The Board decided they would like to charge them for the time which was spent by Mike and Sheila and return the remainder.

MOTION: Motion was made and seconded that we do a refund to Seneca Foods for the plan they submitted and then withdrew and to reduce the amount of the refund by the amount of Sheila and Mike's time which was incurred before it was withdrawn.

Sheila reported that the check from the Attorney General was tentatively included in the 2013 budget as a part of the water payback plan to Capital Reserve. There is also one of the CDs from the Crossing which is coming due and we will place it in the Capital Reserve. She explained if this payback continues and the Crossings make their payments we may be able to clear that number in the 2014 budget.

SEWER DEPARTMENT REPORT

Mike reported that Abel Recon is lining pipes and almost half are completed. Sol. Wolf asked about the crane to which Mike replied it has been ordered and should be in the 15th of March and have it on the truck by the end of March. He also reported the pump on Frances Ann is working.

The meeting was adjourned at 8:20 p.m. to go into executive session. The Board reconvened at 8:35

The Board determined starting January 2014 that payments would be due by the end of the business day on the due date both in the office and also the drop box. Only in the

case of the due date (10th) being on a Saturday, Sunday, or legal holiday would they be considered to be "on time" if received by 7:30 a.m. the following business day.

MOTION: Motion was made and seconded that the payment policy for the drop box bills to be considered "on time" is that they must be in the drop box by the close of the business day at 4:00 p.m. on the due date at which time they will be removed from the box. All payments are due by the close of business on the due date. If the due date falls on Saturday, Sunday, or a holiday they would be removed at the beginning of the following business day (7:30 a.m.) and considered "on time." With no further discussion motion carried.

The meeting was again adjourned at 8:40 p.m.

Respectfully Submitted,

Barbara Bertin, Recording Secretary