

**Minutes
North Lebanon Township Municipal Authority
April 9, 2009**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, April 9, 2009 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
Richard Miller	Vice 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 Manager, Mike Kneasel, Wastewater Foreman, and two guests.

Comments from the Public

There were no comments from the public.

Chairperson Demler asked for a motion to approve the March minutes. Vice Chairman Richard Miller asked that he be listed as in attendance at the March meeting.

MOTION: Motion was made and seconded to approve the March minutes as corrected. 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 carried.

SOLICITORS REPORT

Tobias sewer connection

Solicitor Wolf stated regarding sewer connection at the Tobias property that they were to be in contact with Sheila regarding the quotes to connect. Sheila stated she spoke with Mr. Tobias and they were still working on getting prices.

Brooke LP Sandhill Road Project

Solicitor Wolf stated he assumed their HOP permit ran out in February, and they hadn't done anything further.

Miscellaneous Projects

He stated the hotel is in progress.

Regarding Restoration Connection, we have approved the agreement, and he said they would need to set up a meeting to finalize the agreement and set up an escrow account.

Solicitor Wolf said the Arnold plan is still in process.

He stated they are continuing to monitor the Right of Way Ordinance, and they will be using Office Wengert as our enforcement officer to solve those problems which are outstanding.

Regarding Spring Creek, Solicitor Wolf stated he talked with the developer and that if they want to go ahead they would need to reactivate their plan with the Township. The checks which we are holding for capacity are now outdated. They indicated they are still hoping to work something out which would require a complete revised plan but don't know if they will proceed.

Solicitor Wolf stated that regarding LVEDC and the Business Park sewer installation that LVEDC is about finished with their part of the work. Scott Rights indicated they installed the last manhole today and will need to wait 30 days to do the testing.

Hillside Drive bids

Scott Rights indicated the bids came in at a favorable rate. He stated nine contractors picked up plans and specs but only four bid the job. He said Marks came in with a bid of \$107,680.00; with the second low bidder being Womex, Inc. at \$136,210.45; Wexcon, Inc. at \$144,301.00; and HunTilar at \$199,813.00, although that bid is somewhat skewed because they used the wrong bid form. Scott stated it is their recommendation that we issue intent to award contingent upon Solicitor Wolf taking a look at the bids to make sure they are executed properly. He stated Marks would be willing to start the project right away which means it would be conceivable to have the payment and performance bonds back prior to the next meeting. Scott stated he would like to propose the contract be awarded once Solicitor Wolf is in agreement that everything is in place if that were to occur prior to the next Board meeting.

Solicitor Wolf stated they need to talk about the two right of way agreements. He stated those property owners have been contacted. He stated Mr. Leonard is the

property furthest away from the pump station. This is the property which has the trees, and he has agreed that the trees be taken down. Mr. Leonard stated he told Scott he would like to reserve the right to pave a portion of his driveway and connect it to the Township road. Solicitor Wolf stated that section of Hillside Drive which extends to his property was dedicated to the Township and is still in their ownership. He stated the Township has an ordinance giving us a right of way in a public street. He stated he would like to have the Township sign a document that they are giving us the right to proceed in Hillside Drive and have those two property owners agree that there will always be a permanent right of way with the sewer. Solicitor Wolf stated they would still need an agreement for a temporary right of way and also give Mr. Leonard the right to do the paving. Discussion followed regarding the paving issue in regard to the sewer line. Solicitor Wolf stated that regarding the other property they have not returned the agreement yet but that right of way will only be a temporary one.

MOTION: Motion was made and seconded to amend the Leonard right of way agreement to authorize him to pave over the sewer line from his driveway to the connecting point where it is paved at Hillside Drive if he so chooses. With no further discussion motion carried.

MOTION: Motion was made and seconded that the Municipal Authority Board enter into an agreement with the Township to give us a permanent right of way on the currently unpaved portion of Hillside Drive to maintain the permanent right of way for the sewer. With no further discussion motion carried.

MOTION: Motion was made and seconded for the intent to award the bid for the Hillside Drive sewer extension to Marks Contracting contingent upon them completing the necessary bond and insurance paperwork and Solicitor Wolf approving that the bid has been executed properly and that we get the signed right of way agreements from the two homeowners on Hillside Drive. With no further discussion motion carried.

Refinancing

Solicitor Wolf stated at this time he is submitting to the Authority a resolution that would authorize proceeding with refinancing the current debt. The plan would be to reduce the current interest rate. He stated it would keep the remaining term of the loan about 25 years which would be approximately the same length of time as it is presently and reduce our annual payments to the actual amount budgeted. He stated adopting this resolution would authorize us to check to see what would be the best method of providing the refinancing at the best rates. Solicitor Wolf further stated that the three things they would be checking into would be 1) a bond pool which is where various authorities in Pennsylvania borrow money and then individual authorities can take a portion of the various funds; 2) a quote from the banks requesting a fixed rate remaining at a 25 year term; and 3) to issue a new bond which would have a fixed

interest rate. He stated the current bonds are guaranteed by the revenues of the system but also guaranteed by the Township, and the same request would be made for the new bonds. He stated this resolution authorizes proceeding to have that done. He said he would need to come back and report regarding the various terms of the different prospects, and then we would have to pick which one we would be using.

A lengthy discussion followed by Board members that they would like to have time to read and understand the resolution before they approve it. There was confusion regarding the language in the resolution if they were only approving checking into the three different methods as opposed to what appeared to actually be taking action by adopting to presented Resolution. Question was asked why they would need a resolution to look into their options when they were already looking into the options. It was suggested to table the resolution and proceed with checking into the various options.

MOTION: Motion was made and seconded to table the resolution for the time being and proceed with the fact finding mission on the three financial avenues that we are looking for. With no further discussion, motion carried.

Question was asked if they could set up an informational meeting or work session after they have the answers to their questions. Assistant Secretary Sue Switzer Pierce asked if they could have specific information outlined for each of the three different choices with the pros and cons for each so they can compare the bottom line for each method. Discussion continued regarding the options.

Ongoing litigation matters

Solicitor Wolf stated the ongoing litigation matters would be discussed in Executive Session.

Unification Rates

Chairperson Demler asked what the next step would be regarding the unification of rates for sewer customers. Solicitor Wolf stated the Township had already approved this.

ENGINEER'S REPORT

Televising contract

Scott stated they opened bids for the televising contract with Abel Recon being the low bidder. The remaining question was they do not use the software for recording the video and data with the Wincam. He said they took action to award the contract conditional upon the people who have the software for GIS mapping. He stated it appears that on the contractor side it is compatible but he has a call into his software

person to make sure they agree that it will be compatible. He stated the letter to give the official award has not yet been released.

LVEDC sewer extension

Scott stated the sewer extension work has started.

Plan review

Scott stated there are none which are ready for approval. He stated we are reviewing one for the Gracely property where there are some issues which need to be cleaned up.

He stated the one he would like the Board to look at is the Crossings at Sweet Briar. He said there are a few issues which need to be resolved but would like to show the Board what is being proposed with possible approval at the next meeting. He stated the Authority will be requiring Geotech material so the wastewater department can have access to the sewer lines without the trucks sinking into the ground. He showed where the sewer lines have been proposed.

Swatara sewer project

Scott reported that Swatara Township is no longer interested in coming into the Water Street pump station. Sheila stated the engineer for Swatara Township had contacted her stating that we were no longer cost effective. She said their 537 Plan would require them to include our property owners in the Rockwood area in their plan. Scott stated they would need to go back to the state if they decide to change their concept plan. Discussion followed regarding this issue in regard to our residents.

ASSISTANT MANAGER'S REPORT

Sheila stated they were excited they had received the \$100,000 check from the State for the Growing Greener grant.

Sheila said they need to do a resolution which would be Resolution 03-2009 which is a requirement of Fredericksburg National Bank when you take out CDs to have signatures on their documents. After checking various financial institutions Fredericksburg National Bank had the best rates for the CDs which had matured.

MOTION: Motion was made and seconded to adopt Resolution 03-2009. With no further discussion motion carried.

Sheila stated the next resolution is Resolution 04-2009 regarding the Red Flag program which is an identity theft program required for utilities. She stated basically this program identifies what steps we take when dealing with customers, new accounts, and information that goes out. Sheila will be in charge of the program. It identifies ways

security is handled within the office. Sheila explained that we don't have really sensitive data like Social Security numbers, but it is a requirement of the Federal government.

MOTION: Motion was made and seconded to accept Resolution 04-2009. With no further discussion motion carried.

Sheila reported that the CHAR newsletter has stated they already had 750 applications for over \$3 billion to get the \$800 million dollar pot for sewer, water, stormwater, etc.

Unification

Chairperson Demler asked what would be needed to get the unification moving to which Sheila replied it will depend upon the loan.

SEWER DEPARTMENT REPORT

Mike Kneasel stated they saw cut Weavertown Road on Tuesday, and they would be starting the project on April 27th.

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 9:00 p.m.

Respectfully Submitted,

Barbara Bertin
Recording Secretary