

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

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, July 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 Mike Kneasel, Wastewater Foreman and one Township resident.

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

MOTION: Motion was made and seconded to approve the June 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 carried.

SOLICITORS REPORT

Solicitor Wolf stated he didn't have anything new to report on developer issues.

Weaver's Bologna

Solicitor Wolf reminded the Board that Weaver's had previously requested purchasing additional capacity. Sheila stated they would like to make double payments and also they are requesting doubling their original request for additional capacity. She stated they would like to make payments of \$2,850 per quarter for five years. Sheila stated they have been timely in making their payments.

MOTION: Motion was made and seconded to approve the amendment to the

existing Weaver's sewer capacity agreement for them to purchase an additional 19 EDUs to be paid quarterly over five years making double the agreed upon payments. With no discussion the motion carried.

Legal Actions

Solicitor Wolf stated they had some legal actions pending which would be discussed in executive session. He stated he would report on the execution sale which we had on the Gaylor property. He stated they had filed bankruptcy and in addition to us they had owed other people. He further stated the property went to Sheriff Sale. He stated after the sale he had contacted the first mortgage holder asking them if they would like to take over the property to resell it in order for them to recoup some or all the money which was owed on the first mortgage by paying us what they owed, and then we would have the property transferred to them. He stated they weren't interested and once the final schedule of distribution is completed at the Sheriff's office the deed would be transferred to the Authority, and we would become the owner of the property. He stated if everything is complete by the August meeting they will be asking the Authority for permission to sell the property. He stated there are new federal regulations regarding foreclosed property, but it is unclear at this time if this would apply to this situation. He further stated a public sale may be the easiest way to proceed.

Unification of sewer rates

Solicitor Wolf said they expect to discuss what will happen regarding the unification of sewer rates with the Board of Supervisors. He stated they expect to make all the sewer customers which are part of the North Lebanon Township sewer system to pay the same sewer rates. He stated the focus of that discussion would be to do it all at once rather than gradually and give the property owners advance notice. He stated once it is agreed upon between the Authority Board and the Board of Supervisors to get the notice out when this will go into effect. He stated they may need to do a sewer rate study which is what we have been doing in the past. This involves taking all the sewer customers with everything included in one basic charge and then after that the customers would be billed based on water consumption for treatment plus any transportation charge if necessary. He stated he would be getting some dates from the Board of Supervisors to coordinate a meeting with the Authority Board.

Refinancing

Solicitor Wolf stated the refinancing had been completed. He stated there was an additional bill which wasn't paid at settlement which they were working on getting an amount. He stated that we aren't depositing the money with a trustee anymore. The new account will be set up by the Authority itself with all the revenues going into that account with the next payment which is a partial payment being due in September. He

stated the money which was left in the account was deposited to the new account with two payments being made per year.

Connections and bill collection

Solicitor Wolf stated he had handed out to the Board a copy of standard operating procedures regarding sewer and water connections and billing enforcement. He stated this is for informational purposes at this point. He explained re-organization bankruptcy.

Hillside Drive

Solicitor Wolf stated Scott had worked it out with Windsor that they would sign an agreement. He stated he had done the agreement with the descriptions that Scott had given him, and they signed it and the Authority had signed it. He stated they intend to start where LVEDC ended and proceed to the Windsor property. He stated the agreement with the Leonard's was signed also.

Solicitor Wolf stated the third situation is with Mr. and Mrs. Armstrong and Scott has been working with them. He stated Mr. Armstrong wanted the Township to extend Hillside Drive to his property. We told him it was the Township's decision, and he would need to discuss this with them. Solicitor Wolf stated they haven't been able to reach any agreement with him. Solicitor Wolf said he had explained to him the Authority Board had approved the condemnation for the right of way, and this is the direction we would be going. He stated if something could be worked out with the Armstrong's it would need to be by next Wednesday. Solicitor Wolf stated Mr. Armstrong wanted to be assured that trees won't be taken down nor his fire pit destroyed. He stated it would be further discussed in executive session. Solicitor Wolf stated the Board would need to approve a resolution identifying them as the owners of the property in question and that we need a temporary right of way during construction for the Hillside Drive sewer project. The resolution authorizes us to file the condemnation proceeding against Mr. and Mrs. Armstrong in the event they won't sign the right of way agreement. This resolution would be kept permanently in the Authority records and a copy with the Court. He stated the Authority needs to approve and sign a bond which sets forth that if an agreement is not reached with the Armstrongs for just compensation then this bond guarantees whatever is determined to be the fair compensation for the right of way that we are guaranteed payment by approving and executing the bond.

Solicitor Wolf stated the last item is the notice which will be served on Mr. and Mrs. Armstrong about the declaration taking a temporary right of way for the extension of the sewer line for the Hillside Drive sewer project.

MOTION: Motion was made and seconded for the Authority to approve the Resolution #06-2009 for condemnation of the property of Lester W. Armstrong and Chastity R. Armstrong, his wife, that we can proceed with the temporary right of way and also authorizing North Lebanon Township Municipal Authority for a bond with the Commonwealth of Pennsylvania to assure that the Authority will pay whatever the just compensation is determined. With no further discussion, the motion carried.

ENGINEER'S REPORT

Scott Rights stated regarding the Hillside Drive project that about 200 feet of pipe had been laid, and they couldn't go any further until the right of way agreement was completed. Mike stated Marks ran into some problems with rock.

Scott stated Abel Recon had been doing some rehabilitation work on Gible Avenue with eleven runs being done. He stated he had a request for payment of \$17,591.49 for work completed, for two runs and also a change order for several of the clay lines in the project area. Scott explained to the Board how the problem occurred and why it wasn't in the original contract.

MOTION: Motion was made and seconded for an addendum for Abel Recon to cut out protruding laterals at \$720 per lateral. With no further discussion motion carried.

MOTION: Motion was made and seconded for application of payment one for the period of June 14, 2009 through June 27, 2009 in the amount of \$17,591.49 to Abel Recon for invoice #00273. With no discussion motion carried.

Plan Reviews

Moody Plan

Scott stated the first plan is on Strack Drive where they are dividing one lot into two lots. There is no public sewer in this area.

MOTION: Motion was made and seconded to approve the Harold Moody subdivision plan subject to the approval of the sewer enforcement officer for the secondary on lot location. With no discussion, motion carried.

HACM Plan

Scott stated they are giving a .53 acre tract which will added to the French's property and .04 acre lot is being added to the .47 lot.

MOTION: Motion was made and seconded to approve the HACM plan provided there are no extenuating conditions. With no discussion, motion carried.

Valspar

Scott stated they had to get them permitted by having them provide the process of what they do inside their building and where their waste is generated. He stated he believes Mike has the main basically cleaned out and they are working with us.

ASSISTANT MANAGER'S REPORT

Sheila stated she had received preliminary word from Lebanon County Planning that we would be receiving a \$25,000 grant for the Hillside Drive project as part of the comprehensive plan implementation.

SEWER DEPARTMENT REPORT

Mike stated they are slip lining the line at the Business Park and cleaning lines. He stated the slip lining is going slowly. He stated the one protruding lateral they cut on Gibble Avenue had a bubble on it which he said wasn't acceptable, and he explained what they needed to do to fix the problem.

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 8:05 p.m.

Respectfully Submitted,

Barbara Bertin
Recording Secretary