

**Minutes  
North Lebanon Township Municipal Authority  
September 10, 2009**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, September 10, 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 five visitors.

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

**MOTION: Motion was made and seconded to approve the August 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 the developments are mostly the same as they were last month.

He stated there is a project which Clyde Patches is working on for a house on Tunnel Hill Road. Solicitor Wolf stated they have prepared an agreement to which Sheila replied that he wanted to come in to pick up the permits but there are some things which are not in place yet. There will be no formal plan for this lot of record.

**Harold Kreider Plan**

Solicitor Wolf stated Harold Kreider owns a property on Tunnel Hill Road which has had a land development plan pending for several years which involves agricultural use. He stated the plan was submitted a long time ago and that one of the open comments

from Scott was when the plan was revised and presented it needed to show the sewer right of way which goes through the property as it relates to new buildings.

### **Weavers Bologna**

Solicitor Wolf said they had previously talked about Weaver's Bologna needing additional sewer capacity. He explained how the City of Lebanon Authority determines granting additional capacity to new and existing properties. He stated we have not exceeded our available EDUs. He stated we can go ahead and finish our agreement with a schedule of payments for the extra capacity.

### **Narrows Glen and Briar Lake**

Solicitor Wolf stated as far as the lump sum payment Sheila has been working with Landmark Homes to see that we have a plan for payment which is agreeable to the Authority. Sheila stated they do plan to make their payments. She stated their lump sum payment will make it possible to pay off the extra water loan in 2009.

### **Water Project Issues**

Solicitor Wolf stated they have three people on the water project who have had extensions of time to make the connection and pay bills that were due. He stated two of the parties are in compliance with the third not being in compliance. He stated they have the action ready to file the complaint to get payments made. Solicitor Wolf explained what the complaint would involve.

**MOTION: Motion was made and seconded to file against the owner of the property at 1761 North Eighth Avenue a complaint which would require all payments be paid up to date, all legal fees, other related costs, and connection. With no discussion the motion carried.**

Solicitor Wolf stated the second issue is regarding filing a complaint which would require the occupants living at the property owned by the Authority to be required to move out.

**MOTION: Motion was made and seconded in regard to 604 East Maple Street to file a complaint for the occupants to move from that property since it is now the property of the North Lebanon Township Municipal Authority. With no discussion the motion carried.**

Solicitor Wolf stated they have another property which has paid the tapping fee but has not complied and not connected to the system with no payment being paid for additional costs which were incurred to the Authority. He stated they were aware the property would be listed for sale if they did not comply. He said the last date for listing is September 22, 2009 which would make the sale date December 8, 2009. He stated if

the property owner wants to bring the property into compliance they would be able to do so. He stated if the Authority wants to proceed they need to give the Sheriff's Office \$2,000.

**MOTION: Motion was made and seconded to make payment to Lebanon County Sheriff's Office in the amount of \$2,000 to cover the costs of the paperwork for the listing for the sale. With no discussion the motion carried.**

Solicitor Wolf stated there is another property owner which owes delinquent sewer bills who is under bankruptcy reorganization plans. He stated they were required to keep the current charges paid, and we were not allowed to collect any of the delinquent charges at that point. He said in the spring the bankruptcy court allowed them to suspend all their payments until June, but since that time we have not received any payments. He stated we are applying to the bankruptcy court to have this property released to us. He said they are not showing any good faith and the court will allow the property to be released so that either they pay the bill and bring it up to date or the property will be sold.

### **Sewer Connection Issues**

Solicitor Wolf stated he has a letter ready for one property on North Eighth Avenue that was to be connected in August of 2000. He said the letter states they are to contact him regarding connecting and bring it up to date or we will need to proceed according to the terms of the agreement enforcement.

He said the second is a property located on Twigg Avenue where the person had severe financial circumstances and has not been required to connect because of the hardship. However, we have not had her update her financial information. He stated he has a letter ready to go out to her to fill out her current financial information.

He stated the third property is located on Tunnel Hill Road where the sewer lateral may be too close to the surface which may cause freezing resulting in a back up in the house. He said Sheila, Scott and Mike may need to go out to look at the line before anything is done.

### **Unifying the sewer rates**

Solicitor Wolf said Scott will be doing a presentation regarding the unification of sewer rates. He stated after getting the input of the Municipal Authority Board, answering any questions, and making any revisions, he will then get the information to the Board of Supervisors to schedule a joint meeting to make the final revisions.

### Tobias sewer connection

Mr. Tobias stated he will be checking into the scheduling for his electrical upgrade after he receives the funds to go ahead. Solicitor Wolf stated there will be an agreement for him which will be the same as the other residents in the same situation. He will then need to make a schedule of when the different phases will be completed within the three year timeline. It was explained to him that there is an ordinance in effect that requires him to connect to public sewer and why that ordinance was initially enacted. Discussion followed.

### ENGINEER'S REPORT

#### Unification of Rates

Scott Rights stated he would be giving the Board a presentation of a worksheet which he had completed projecting anticipated costs and fees over a ten year period. He supplied the Board with copies of the worksheet. He explained the various breakdowns for O & M, Debt Service, and Capital Reserve with a projection over a ten year period. He explained that this was only a worksheet and could be changed as needed due to changing circumstances. Discussion followed with various Board members asking questions regarding the worksheet and variables which may include City of Lebanon Authority increases. Question was asked by a Township resident who was in attendance how her bill might be affected. Scott continued by explaining the projected capital improvements plan which takes into account revenue and expenses which may occur over a ten year period. Further discussion ensued over the capital improvements part of the worksheet and the relationship to sewer rates. This worksheet and unification issues will be discussed with the Board of Supervisors.

#### Abel Recon

Scott stated last month they made a motion to approve payment to Abel Recon for the sewer rehabilitation work for this year but retained \$25,000 until they had a chance to look at the video. He said he and Mike had looked at the video and there was only one lateral which was in question but he felt comfortable reducing the amount retained to \$7,500.

**MOTION: Motion was made and seconded to decrease the amount retained to Abel Recon from \$25,000 to \$7,500 and make a check to Abel Recon for \$17,500. With no discussion motion carried.**

#### Hillside Drive

Scott stated Marks will be coming back the following Monday for final restoration work. He said they have a requirement that says after sewers are in place you have to wait thirty days to do the air testing. He said the entire pipe is in; they need to make the

final connection in the manhole; perform the air test; and also test the manhole. He said he would speculate within a week or so it should be complete.

Scott said they have a pay request from Marks for \$42,560.00. He said we are okay with that and should finish up approximately \$1,000 under. Scott stated there are some places where the actual depths required a change order but the final estimate takes that into account.

**MOTION: Motion was made and seconded to accept the two change orders that Marks Contracting is requesting with a payment of \$40,000 to them. With no discussion motion carried.**

### **Plan Reviews**

Scott said there is one plan to discuss which is the Crossings at Sweet Briar and that the Township has a comment regarding the wetlands involved in the development. He said the developer is asking that he not be required to obtain the joint permit in the preliminary plan stage which is where they are now. He said once developers get preliminary approval they can start improvements at their own risk. He stated in order to do the sewer lines they would need to have this permit because they will be impacting the wetlands in the first phase of work. He stated the Township is okay with it, and his thought is we approve the preliminary plans with the comment that they can't go ahead and start constructing sewers until they have the final approval.

### **ASSISTANT MANAGER'S REPORT**

Sheila stated she has an EDU agreement for the Crossings at Sweet Briar for 56 EDUs and will need Wynanne and Brian to sign the agreement.

### **City of Lebanon Authority meeting**

Sheila stated she, Wynanne, and Cheri Grumbine, Township Manager had attended the monthly meeting at the City of Lebanon Authority. She said the city is looking at possibly changing their billing cycle which may impact our billing cycle. She said they are looking at raising the sewer capacity fee. They will also be increasing sewer rates, most likely by 20%. Sheila explained they are trying to get nutrient credits and when an on lot system goes to public sewer they would like to be notified. She said they are looking at I & I, working on grease traps, and an industrial pre-treatment. She told the Board she would send them a copy of the minutes from that meeting when she received them.

### **SEWER DEPARTMENT REPORT**

Mike stated they have cleaned nine and a half miles of line and are about three miles from being complete. Mike showed a sewer snake that they pulled out of the line on

Ridge Road. He said they pulled out various items when they were cleaning across Sand Hill Road and Kercher Avenue. He said they would be cleaning shed row possibly next week.

**MOTION: Motion was made and seconded to accept Mike's report. With no discussion motion carried.**

With no more business for the good of the Authority the meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

Barbara Bertin  
Recording Secretary