

Minutes
North Lebanon Township Municipal Authority
February 12, 2004

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, February 12, 2004 at 7:00 PM at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, Pennsylvania. Chairman Parry opened the meeting with a salute to the flag, with the following people present:

Thomas Parry.....Chairman
Wynnanne Demler.....Vice Chairman
Ronald Ensminger.....Secretary
Susan Switzer-Pierce.....Asst. Sec.
Tod Dissinger.....Treasurer
Fred Wolf..... Solicitor
Scott RightsSteckbeck Engineering
Sheila Wartluft.....Assistant Manager

Also, present at this evenings meeting was Mike Kneasel, Wastewater Foreman, and 7 Township residents.

At this time, Chairman Parry introduced the newest member of the Municipal Authority, Wynanne Demler.

At this time, Chairman Parry asked for a motion to approve the January minutes.

MOTION: Motion was made and second to approve the January minutes. Motion approved.

Next, Chairman Parry called for a motion to approve invoices and requisitions for payment all subject to audit

MOTION: Motion was made and second to approve the invoices and requisitions all subject to audit. Motion unanimously approved.

COMMENTS FROM THE PUBLIC

Tim Gingrich – 325 East Maple Street

Mr. Gingrich said as his property map is drawn that he received along with his letter, there is no place possible for him to connect to the water line. Scott asked where he lives. He stated he lives on East Maple Street. He told Scott that all of the utilities run to the rear of the property and the only place for him to connect to the water would be North 4th Avenue and the water line does not run up North 4th Avenue. He said he is not putting a water meter on the wall of his living room nor is he demolishing part of his house or taking out the big trees out front to put the water service in. It has got to come in from North 4th Avenue. Scott confirmed the location of his current well. He stated that the current water lines come in from the rear of the property. Scott said there is a way that the line can be “fished” in between the trees and will work for him. Mr. Gingrich that would most likely kill the tree doing it that way and that is not going to happen. Scott said he would have the inspectors on the job site stop and take a look at it next week and see what they think.

Tim Gingrich – 325 East Maple Street(cont'd)

Sol Wolf asked what Mr. Gingrich's work schedule is? He said he works 7-5 Monday through Friday. He said he wasn't even home when they brought the paperwork or he could have told them then that this would not have worked. His second problem is the money part of it; he just doesn't have the money to put the line in. He doesn't have the \$1,000, the \$333, nor does he have the couple thousands of dollars it will cost to have a plumber come in and connect him. So it is simply not going to happen. Chairman Parry said that is not going to be discussed at this meeting. That will be discussed one on one with the representative from the Redevelopment Authority. Your financial status is no body's' business but yours and whomever you go to for help. Mr. Gingrich then questioned why the line is stopping where it is and not connecting the other homes in the area? Scott said because of the cost. If it were to be run the way he is suggesting, it would only pick up one home and the cost simply does not justify it. Chairman Parry said that Scott should have one of the inspectors stop at Mr. Gingrichs' home and see what is the most feasible way for him to connect that would be mutually agreeable between all parties. Tod asked when they would address the financial end of his concern? Sol Wolf said that would be discussed in private, plus none of that information has been sent out yet to the residents.

Andy Weidman – 806 Patmar Drive

Mr. Weidman said he has a water usage question. Is it illegal to have both city water and well water on separate lines inside his house? Chairman Parry said yes, the City would not allow domestic use of well water inside the home when City water is connected to the home. Mr. Weidman then asked Chairman Parry to define "domestic" use. Chairman Parry stated domestic use is anything used inside the house. So, Mr. Weidman said, it is illegal for him to have both the well water and the city water inside his home. Sol Wolf said, not illegal, but against the City regulations. Mr. Weidman asked, so where are the regulations to read? He wants to see the regulations where it says he cannot have the well water inside his house. He was told to go to the office and they have a copy there for him to read and review. He asked when he could see them? Chairman Parry said during normal office hours. He said he would check into that.

James Keim – 1657 North 8th Avenue

He said that when they laid the pipe the other day; they filled the ditch in front of their driveways. He said it is still 5 inches deep in front of his driveway, when is that going to be fixed? Chairman Parry said that would be addressed. One of the other residents said everyone else's driveways are nice and flat except theirs and Mr. Keims. Scott said he would call the contractor tomorrow and have them fix it. They also mentioned that the intersection at North 8th Avenue and Kimmerlings Road has a ditch completely across the road that should be fixed as well. One of the residents mentioned that they were told that the contractor was done fixing driveways. Scott said they are not done. They are putting in cold patch, which is a temporary repair. When the weather breaks, they will go back and make a permanent repair for the residents. The Board was also asked if their front yards would also be repaired? Scott said anything that was disturbed during construction would be repaired to its original condition. One of the residents also mentioned a large "dip" in

James Keim – 1657 North 8th Avenue(cont'd)

the road on Kimmerlings right before Ensmingers' that should be fixed as soon as possible as well.

Wendy Lister –1646 North 8th Avenue

Mrs. Lister said she couldn't even get out to go to work this morning. They had the entire street blocked off that she couldn't get out. She can't even get out of her driveway. What is going to be done about that? How long until you are past this area? Scott said he would talk to the inspectors in the morning and talk to them about it. Mrs. Lister said she understands that they have to work and she respects that. But they have them backed up this way and that way and no one can go anywhere. The kids have to go to school, she has to get out of her driveway and go to work and she can't. She said the flagman is no help. They just stand there and look at you. Her other question is, are they just running the line down one side of North 8th Avenue or both? Scott said just the one side. Sol Wolf said in regards to her question about how long they will be in her area, he would like Scott to explain that a bit further. Scott said they should be done there by Monday. He said he would also call one of his guys early tomorrow morning and tell him to keep an eye on her lot so that she can get out on time.

Donald Haag – 2025 Weavertown Road

Mr. Haag said he has a question about the notices that will be going out for the project. When are they going to be sent out? Scott said that Weavertown Road is in the third phase of the project. He asked what phase they are in now? He was told they are in the first phase. He asked if they are going to be notified when their phase starts? He said there are quite a few homes on Weavertown Road that are more than 200' from the road. What side of the road are you going to be installing the line? He said that Mrs. Zellers told him that she got a notice stating that they were going to be starting the work in front of her place in April and now they are already there. This is why he is concerned with the schedule of the work. When are they going to be near his home? Chairman Parry asked Mrs. Zellers if she is referring to the letter about the main line work or the lateral work? Scott said he thinks the reference to April in the letter was for the main to be done and that the residents would then be able to connect. He then said that the letter that just went out was to let the people know that they can now mark where they want their lateral placed. It does not tell you that you have to hook up now. Mrs. Zellers then said that when she called in to the Redevelopment Authority, they told her she was not to hook up until July and could not help her now. Scott said that is because Marks now has 2 crews working on the project, which has speeded the project up quite a bit. He will call Gina at the Authority and let her know that the project is moving along a lot faster than originally anticipated and that she can start working with those people in phase 2 of the project in obtaining loans for connection. Sol Wolf said the first letter that is going out is informing the people that they would be receiving the stake to locate their lateral placement, not to connect. After the main is installed, then the lateral crews will be going through and putting the laterals into the properties based on where the stakes were located. Then the notices to connect will be done and mailed to the property owners. It was asked how long

Donald Haag – 2025 Weavertown Road(cont'd)

it will be before the lateral crews will come back to put the laterals in? Scott said a date has not been given yet. Mrs. Zellers said the construction crew told her that they would be coming back next Tuesday to put the laterals in. Sol Wolf said she has to remember that the main has to be tested and approved by the City prior to the laterals being put in. Chairman Parry said the letter he received concerning the project said the anticipated date for completion of the project in his phase would be sometime in April. It didn't say it would **be** in April, but rather anticipates it to be around that time. Sol Wolf said we have to somehow communicate what we are telling the people to the contractor. That way everyone is on the same page. There was a question of the process of approving the line and the connections that follow. Are the laterals put in after the line is tested and approved or are they put in prior to the City flushing the lines? Scott said they are putting a corporation stop in the main based on where you have placed your stake. She asked if that is what is marked with pink? He said yes he thinks they are marking the stops in pink. It is easier to install the corp stops while the line is dry versus energized and wet. They will flush it, test it and then come back and put the laterals in. Mrs. Lister asked if they will get a letter when everyone's lateral is put in on North 8th Avenue or will they be put in individually? She said she would explain why she is asking that question. She said that she and her neighbor are using the same plumber and want to do it at the same time. Sol Wolf said since they are doing the project in phases, all of her phase would be done at the same time. He also explained that along with the notice to connect letter that they will receive, will be a form that they shall fill out if they are unable to connect within the specified time frame and lists the reason for the delay. He said that the Township would have to work with the people since a lot of them will be using the same plumbers. Mrs. Lister thanked the Board for their time and information.

Scott mentioned that there are a number of homes on Weavertown Road that are beyond the 200' limit that have requested to be connected to the water line. One of the residents asked what they have to do if they do not want to be connected and are over 200'? Do they notify the Township? Sol Wolf said if they are beyond the 200' and don't want to connect to the water line, then they do not have to respond. Sheila said anyone that was over the 200' and did not respond to the original letter has been taken off the list and will receive no other further information. Sol Wolf said there are also some people that live beyond the 200' and want to have a lateral put in now, but not connect at this time. They would then have to pay for the lateral to be installed. They would not have to pay the connection fee at that time. One of the residents asked if this is all in writing that they would not be responsible for paying the debt service or the tapping fee for just installing a lateral? Sol Wolf said that is correct. Sheila reminded the residents that if they are beyond the 200' and decide they would like to have the lateral installed that they still have a window of time to do so. But after the work crew is past their area, they will not have that opportunity to do so. Sol Wolf also explained that if any of these people do decide to have the lateral installed there is an agreement that will be drawn up and signed by all parties involved. Chairman Parry wanted to make sure that everyone was aware that once the project is done, these current prices will no longer be honored and they will have to pay fee at that time, whatever it may be. There will be no grandfathering with this project. It was then asked if you could hook up now, but dead end it at the house so that you could

Donald Haag – 2025 Weavertown Road(cont'd)

still use your well water, but increase the value of the house? Sol Wolf said the City is telling us that they will not accept that. If they are within the 200' they must connect and use the City water, but they will be allowed to use their well for outside uses. There will have to be a separation valve installed to prevent the well water from contaminating the City water in the lines. One of the residents said he doesn't understand why this is such a big deal? Others concurred with this. Is it a health concern? Why can't they run a separate line inside the house for the city water and keep it separate from the well water pipes inside the home? Scott said as far as bringing it into the house and "dead heading it", the City will not allow that. They would most likely say, because the meter is inside the house and if you would extend that line from the right of way to inside the house, you have longer lines and a greater chance of a leak in that line. They will not want to see something like that. Sol Wolf tried to explain that this is something that was dictated by the City in the agreement that we have with them concerning the water line and this is what the agreement requires at this time.

At this time, Mrs. Lister said she has to bring up another "sticking" point, the debt service issue. She said that we are never going to pay this off, never. Just like the sewer bill, that will never be paid off either. The cost of bringing water service to North Lebanon Township will never be paid off. Sol Wolf said it is a 30-year debt. But, Mrs. Lister said, if you re-finance that bond, you would extend that debt even longer. It will never be paid off and this is her concern. She also thinks this is a lot of peoples' concern as well. Why should she have to continually pay for something that should have been paid a long time ago? This is what the people are concerned about. It is not about the cost of bringing the water in, but how long do you want to continue to pay for something over and over? They don't mind paying for a service that they get, but the cost of bringing it in, should not have to be paid for the rest of her life. That is the problem. This has been done twice already to her with the sewer, come on, we have to come up with a plan that this is going to be paid off sometime. She does not want to be paying for water into her house for the next 60 years. Just like the sewer bill, this is what has the citizens up in arms. It is the costs that the Township rams down our throats and will continue to ram down our throats. We have to come to some kind of a resolution to take care of this. But you can't tell her that over a course of 30 years, that the back door of her house has not been paid for, because she knows it was. There is no reason that if she were to sell her house tomorrow that the next owner should have to pay the debt reduction for another 30 years. Sol Wolf tried to explain that the difference between the sewer system and the water system is that that City will maintain and regulate the water system, where as the Township maintains the sewer system with its' own crew. We will not have that with the water lines. We hopefully will not be doing another water project like we have done with the sewer, which resulted in the re-financing. Mrs. Lister said, but that is the other issue that she needs to discuss. The \$1,000 tapping fee for the water project. She keeps hearing that this is the usual thing. She said you keep saying this is law, the usual thing, and a municipality law. She said the Board has to show her in writing how this figure was calculated. Before she pays anything, she wants it in writing. Sol Wolf said when she sees the calculations; she will see that it is in excess of the \$1000 that we are charging. She said that is fine, but she wants to see it. He continued on by saying that all of the original project property owners would be charged the \$1000, and anyone after the project is over would be charged \$2000. She will

Donald Haag – 2025 Weavertown Road(cont'd)

be entitled to a copy of that calculation. This calculation has to be done according to state statute. She said that is fine, but people want to see that; they want to see that they are getting a bargain, if they are. We could actually charge close to \$3,500 for the tapping fee according to this statute, but there are people that just can't afford that at one time and would be a real financial burden. We cannot pick and choose whom we will charge the one fee and who will pay the other. It has to be the same for everyone involved. We opted to take the lowest amount and let the people take 3 years to pay it. She then asked if this debt service would ever be paid off? Sol Wolf said yes it would because this Authority will not be doing another project that will require re-financing. Another resident asked why they couldn't give the residents that have been paying the debt service for the sewer system for many years a break than all of the brand new homes going in? We are paying for all of these homes going in and they won't be paying as long as we are. Chairman Parry said that debt service has come down 3 times in the past few years. She said since she lives here, her sewer bill was \$90-some dollars, now it is \$132 a quarter. It has not gone down. She insisted it has gone up 3 times she moved to the area. Mrs. Lister then said she did not give them permission to raise her debt. One of the residents said she has a friend that lives on Harmony Hill and her water is \$47 a quarter and her sewer bill is \$97 a quarter. Why is her bill lower than hers and she has a new home? Sheila explained that she has City water and her sewer bill is based on the water meter reading. She tried to explain that the woman tonight has well water and her sewer bill is based on a flat 15,000 gallon usage, so her bill will be higher if her usage is lower than the 15,000 gallons. The woman said, well my usage will remain the same, hers will not. Sheila said they are getting billed for the exact usage, you are not. Once the water line goes in, you will be billed for the exact amount of usage as well. If you use 7,000 gallons, that is what you will be billed for, if you use 20,000 gallons, you will be billed for that. Mrs. Lister asked if there are any plans to extend any of the sewer lines or any new construction of sewer lines? Sol Wolf said not that he knows of. But with sewer you can never say never. Mrs. Lister said she is not looking to tack another 30 years on to her debt service any time soon.

Someone questioned the City water regulations. He asked if he has to go into the city to get those or do you have them here at the Township building? He was told that we have the regulations here at the Office. He was told if he comes into the Office we could get him a copy of the regulations.

At this time, Tim Gingrich asked why, if he is paying for everyone else's sewer system, then why can't everyone pay for his water service? Sol Wolf said because this Authority is only putting this water line in, the City has put in the rest of the water lines.

Someone in the audience then spoke up. He said that the Board is being underhanded and the public is being treated very unfairly with this water project. They are being railroaded into this water thing. There is only one group of people that are benefiting from this and that is the developers. You can lie all you want and say that people have bad wells, but that is the only reason that this is going in.

SOLICITORS REPORT

Water Project

Sol Wolf said that he and Sheila have been working on forms for when the letters to connect go out to the property owners. He said they included a note about contacting the Housing Authority if there is a problem with finances. There is also a form if they cannot connect within the specified time limit. We have vacant lots that everyone is aware of that will require a special letter. Sheila asked to interrupt at this time. She asked if the people that are having the vacant lots and the properties beyond the 200', are they only paying that amount when they get the notice to connect? She is referring to the estimates that Scott is giving. Sol Wolf asked if she is referring to the people beyond 200'? She said those and the vacant lot people. Sol Wolf said, Scott gets the estimate, we give it to them with the letter and if they do it, then they have to sign the agreement and pay for the lateral at that time. This must be paid up front before we have Marks actually do the lateral. Our agreement provides that the estimate could be more or less than the actual amount. Tod then asked about the estimate that Fred is referring to. He asked who is the individual that will be explaining this to the homeowner? He is concerned with the interpretation of the estimate. Sol Wolf said it is in the agreement that they come in and fill it out and then go over the agreement with them. The deposit that they will give for the lateral will be 10% more than the estimate to make sure that we have collected enough to cover the costs. The agreement does state that the cost they are given is an estimate and the actual cost could be more or less than the estimate. Scott said the way the estimates are prepared is that the contractor has set cost in his bid. So what we are doing is scaling off the plan. They have fixed price for pipe and the curb stops and meter boxes. What could happen, if for some reason the location of the water main changes, because of unknown field conditions, that changes everything because then the quantities change. Sol Wolf wanted to make sure that everyone understood that we would be signing an agreement with the contractor as well for the vacant lot laterals concerning the estimates. It will say that he will be doing these laterals for the price that was set forth. Tod said he would hate to see someone come in here upset with us because of something that was not calculated right. He thinks the interpretation has to be clearly understood. We understand this, but another might not and he wants to make sure there is no confusion. Scott said he wants to make sure that everyone understands that the people that have the vacant lots are also being talked to over the phone and they are being communicated with. They are being told exactly what they need to do. Tod asked if Scott has any dialogue with the contractor with the estimates that he is giving out? Sol Wolf said that we would be signing an agreement with the contractor concerning the price that it is held to and not changed. Scott explained that it is actually a fixed price within his bid. Sheila said the only thing that she can that would change would be if the contractor would have to move from one side of the street to the other. Tod said he is just concerned that the people totally understand what they are getting into when they sign the agreement. It was noted several times in discussion, that the properties over 200' would not have to pay the lateral estimate as long as they are part of the current project. They are a debt paying customer and part of the project. Sheila mentioned that she has received many phone calls recently from those people that originally did not want to connect, but now want to. Chairman Parry said he feels that many of people have changed their minds due to the

Water Project(cont'd)

fact that they have found out what it would cost a year from now to connect versus now as part of the project. Tod asked if it seems as if there are more people interested now as were before? Chairman Parry and Scott both said there are a lot more phone calls and requests for service than before when the project first came out, at least one or two a day.

At this time, Sol Wolf asked Scott to review with the Board, where the project stands at this point, construction wise. Scott said he had Nick prepare a report for the meeting this evening. They have 2 crews working right now working on the main line. He went on to show some exhibits and review the number of feet that have been installed. The one leg on North 8th Avenue is just shy of Meadowlark Lane, about 4,500'. He would estimate that the Kimmerlings Road leg is just over 3,000', so overall; we are at about 7,500' out of the 45,000' of pipe. Tod asked if this is better or worse than what we had expected they would do? Scott said it is better than what we thought, they are doing 1,000' or better a day right now. Chairman Parry said all he knows is that they are making terrific progress on the project. He realizes that there are people that were not expecting the project to go as fast as it is and we have to be sensitive to their feeling and their situations. There was some discussion as to the locations of the corp stops on the various properties. Chairman Parry said he hopes these are not being placed without the property owners' OK. Scott said they are not. The only ones that have been put in so far are the ones that have already been marked by the rebar. Sol Wolf asked what happens if someone does not put their rebar out to mark the location of their lateral? He was told every effort would be made to make contact with that homeowner to ensure the proper location. If they cannot be located or contacted, then the lateral will be placed where it will work best for the individual as decided by the contractor or inspector on site.

Scott mentioned that the contractor made a request for payment in the amount of \$50,747.40 for work completed. Sol Wolf said there is one correction in the contract where the number should be .40 instead of .50 that has to be corrected. The estimate that was submitted was \$56,386 and then there is a 10% hold back and after that, the amount due to him is \$50,747.40. This is for work completed between January 26th to February 1st. The reimbursements on the rights-of-ways have been paid with the exception one who will be paid in the near future as they just signed the paperwork. Sheila has already paid Scott for some of the engineering work, so we are being reimbursed for those costs due from the rights-of-ways. He then said we need a motion to approve those payments and to submit the requisitions for those amounts to the trustees for payment.

MOTION: Motion was made and second to approve the payment of invoices and requisitions to the trustees. Motion approved.

Sol Wolf said we do have another right-of-way situation that we need to discuss this evening. He then turned the topic over to Scott. Scott explained that the Sholly and Champ properties along Mt. Zion Road at Hess Drive had a change. It originally was on the Champ property alone, but it had to be moved and now is on the Sholly property as well. It was moved to due to the fact that there is a force main and a pump in this location about 8' deep. They met with Marks and told him that it must be moved to another location. There are two things that need action on this part tonight. We have filed

Water Project(cont'd)

declaration of taking against Champ and our declaration in the area marked has changed. So you need to authorize Sol Wolf to amend the declaration to the new location from the previous one. If the neighbors don't sign, then the Board has to authorize him to file the declaration of taking against them as well.

MOTION: Motion was made and second to amend the Declaration of Taking against the Champs and now include the property of Aaron Sholly as well. Motion approved.

Sol Wolf asked Scott if he had anything else to discuss on the water project at this time? He mentioned that when Briar Lake comes on to the water line they would be treated just like any other customer. At this time, a "T" will be installed in the line at the vacant lot for future connection. Scott then said that we would be sending them an invoice as well when this work is done. Sol Wolf said to make sure that this is done so it does not get confused with the other fees and costs that they will be charged during construction of the project. The other thing that he would like to discuss concerning Briar Lake is that the City is going to tell them that they will have to "loop" their line back out on to East Maple Street.

Verizon Litigation

As discussed at a prior meeting, we had the litigation with Verizon, which has been going on for several years. We had talked about settling it for around \$7,000. He has now received confirmation on that and we now need to pass a motion authorizing settling of the case and authorizing the Chairman to sign the release.

MOTION: Motion was made and second to accept the settlement of \$7,000 from Verizon and to have the Chairman of the Authority Board sign the release. Motion approved.

Pitt Agreement

Sol Wolf reported that an agreement has been reached with Randy Pitt, which will allow him to construct his garage, and his building permit will be issued. He has requested to place stone across our 20' sewer easement and we have granted that request subject to certain conditions. He will not place any permanent structure or buildings within that easement, as well as not paving any portion of that sewer easement. He will not plant any trees or shrubs within that easement because of roots doing damage to the sewer line. He will not park any vehicles or place materials within that easement. This refers to the storage of vehicles on the easement that are not easily moved. He will not do anything on that easement that would interfere with the Authority's' right to enter the sanitary sewer easement for the purpose of replacing, repairing, servicing, or maintaining the sanitary sewer easement. If we have to go in and dig up the sewer line, then we would restore what we took out but we would not re-stone the area. That would be his responsibility. Tod asked if there is anything in there that protects us from liability in the event that he would park something on the easement and we would have to move it to get onto the easement in the event of any emergency. Who would be responsible for any damage to the vehicle

Pitt Agreement(cont'd)

or whatever it might be? Sol Wolf said there is nothing in the agreement right now that specifically stipulates that scenario, but that is pretty much the same idea as the stone issue. But he would add that to the agreement since it does make sense to do so. Tod wants to make sure everything is in "black and White". Sol Wolf said there is an enforcement provision in the agreement that in the event he would do these things that the agreement says he cannot, we can go to court to have the court require he follow the agreement. This would apply to him or any successor in title. If we have to go to court, then he has to pay all of our attorneys' fees and costs, and penalties that the courts would determine. This is also a deterrent for him to stick to the agreement. Sol Wolf said we need a motion to execute the agreement with Mr. Pitt.

MOTION: Motion was made and second to approve the agreement with Randy Pitt with changes as noted. Motion approved.

Chairman Parry's' signature was applied to the agreement prior to the changes being made. Sol Wolf will have the applicable changes made and forward a copy of the revised agreement to Chairman Parry. The changes do not affect the signature page of the document.

Upgrade to 8th Avenue Pump station

Sol Wolf just found out this week that the property next to the existing pump station is going up for public auction. This is not the property that we were looking at but is right next to the station. It is .90 acres with an older home on it. Mike and Scott were out today to look at it. He will let them tell you about the property. Chairman Parry asked Sol Wolf what is suggesting? Sol Wolf told both Scott and Mike that we should take a look at it for the pump station up grade to acquire more land. The last time that we spoke about this topic, Mike mentioned that we might need some of this land as well as Mr. Ills' property to have a proper turning radius. If this would go for a reasonable amount, would we be better off trying to acquire this property or the other piece of land? At this time, Scott showed them some pictures of the site. Mike said there are construction restraints here. It will be tough to do what we need to do with the land we currently have. Scott said with the current scenario, they were looking at acquiring a specific piece of land for the upgrade, which would be Mr. Ills' property. One of the problems they are having with this scenario is with the electric service. There are many trees along the route where the wires would run and when we have bad storms or the hurricane like we had this past year, we are without service for days at a time. We would like to run the lines underground if possible to avoid this scenario. Met-Ed has the easement here, but we do not. Scott said of the other problems that Mike foresees with this area is the availability of getting the equipment back to the pump station without damaging the surrounding area. There is not enough land for safe turn arounds. Mike then said he would also like to see all of the utilities go underground. Chairman Parry asked if there has been a dollar amount put on this land so far? Sol Wolf said he hasn't heard anything as far as a price. He said he just received the information on it today and hasn't had a chance to research it yet. He knows that it is an estate sale and it will be sold unless there are no bids or a very unreasonable bid. Tod

Upgrade to 8th Avenue Pump station(cont'd)

asked if this home is connected to sewer? Mike said no. Tod then asked why? Mike said this sewer line was put in 1986 and the rules were not as they are. If someone would buy the home now, would they have to put sewer in? Mike said they would have to be within 150' to the nearest sewer line. Tod said the reason he is questioning this is because if someone buys it, they will have the added expense of installing sewer then as well. Sol Wolf the one thing he didn't want to do, is not discuss it here at the meeting since we had previously discussed acquiring more land for the station. He said we could try to get a current market analysis to find out how much something like this would go for. Scott said the one thing that would come into play is that the house would have to be leveled. The house is in terrible shape. Chairman Parry asked if we ever made an offer or came up with a price for the land that we need? Sol Wolf said the last time we talked about it, he met with Mr. Ill and came up with a price and we paid it. Chairman Parry said we obviously need more information before we can make an informed decision on it. Sol Wolf said if the Board is interested, then they have to authorize getting someone with the proper qualifications get an appraisal of the property and get a fair market value by probably Monday. You could then authorize the executive committee of the Board to come up with a maximum number would be. But you would have to have a special meeting to do so. Chairman Parry asked if we would have enough time to advertise etc., for the special meeting? Sol Wolf said you would only need 48 hours prior notice. After someone buys it, then we will be at his or her mercy to get what we want. Chairman Parry said if everyone agrees we could have Sol Wolf contact an appraiser to get a fair market value. Member Peirce asked what we would be out if we get the appraisal and don't buy the property? She was told about \$200 for the appraisal. Tod asked if he thinks he could get an appraisal by Monday night when they meet with the Supervisors? Sol Wolf said he could get a fair market value but not an appraisal by then but it would give a ballpark figure on the bid. You don't want to bid more than the appraisal. Scott said before a motion is made to get a fair market value on the property, he has the topo of the property and thinks it should be looked at first to make sure that this would work. Sol Wolf thinks we should still get the fair market value anyway since it would only cost about \$75. Sheila asked if we have to go the other route of building a retaining wall and dealing with the creek area, do we have to work with DEP? Scott said probably we would contact them for a general permit. He said there are several things that we could do to avoid the creek and move further away from it without changing the configuration too much.

MOTION: Motion was made and second to approve Sol Wolf to get the fair market value of the home up for public auction adjacent to the 8th Avenue pump station. Motion approved.

Next the Board discussed the service line that the Lebanon Christian Academy was requesting to put in. They contacted us after we have been trying to reach them daily to try and figure out what size service line they would require for their facility. They finally came back to us with their request. Basically, when it comes to the size of the service line, it usually is less than 100', you have a ¾" line, more than 100, you have a 1" line. We have been contacting all of the businesses and industries and telling them ahead of time, if they want something other than the standard, they have to let us know up front. The Christian Academy came back and said they want a 3" service. They waited and waited

Upgrade to 8th Avenue Pump station(cont'd)

until the contractor got past that point. It wasn't like they only got the call the day before the contractor got there; it was way ahead of time. He said he thinks they are worried about the pressure because of being about 600' back from the main. He then started thinking about the edus that they pay and how are we going to deal with it. Tod asked if they have a sprinkling system? Scott said they have no fire protection at the school. His thought is that they should have to pay to have the larger service put in, not the Township. You are probably looking at about \$2500 for the 3" service line. There is no price in the contract for a 3" line, so he is not sure about this. Sol Wolf said they are only assessed one edu, so if they want a larger service line than what our plans call for, they should be paying for it. If they had 3 edus or something like that, then they would be making up for in debt service, but they do not. Scott said he has a feeling that when they go back and tell them that they have to pay for it, they will tell him to just put in a 2" and that's it. Scott's question is, if they insist on a 3" line, who pays for it? Tod said, they do, not us. Chairman Parry said whatever they want, they will pay the difference between what we would put in as the normal service line and the cost of the line that they are requesting, just like any other customer.

Next, Scott wanted to discuss the vacant lots and those homes that are beyond the 200' limit. He wants to make sure that all of the information that is being given out is consistent. He asked if these people decide to have the lateral placed, but not actually connect at that time, do they have that option and to also pay the current \$1,000 tapping fee to reserve it? Sol Wolf said the Board decided at the last meeting to allow the vacant lots to have the option to pay the cost of the lateral and also the tapping fee, but it has to be made right away. For the people are installing laterals for those homes over 200', they will pay to have the lateral installed, but will pay the tapping fee that is the current fee at the time that they would actually connect to the line. This is what we told those people way back in the original letter. If they choose to connect at this time, they can at the \$1,000 tapping fee. This then leaves the question of the vacant lot people only. Sol Wolf said that was also decided at last months' meeting as well.

ENGINEERS REPORT

Reline Project

Scott said the good news is that they came back and finished the manholes. The bad news is that the coating didn't work. The ones that had the chimney seals installed worked, but the ones that use the Flex Seal did not. Mike then showed the Board members pictures of the seal coatings. Scott feels that the longer the day went on, the cooler the temperatures got and the material just did not stay on the surface of the manhole and peeled off. The best conditions for this type of material are temperatures of 40 degrees to 200 degrees. He researched on the Internet to check what the average temperature was that day and it was barely 20 degrees. Member Switzer-Pierce then said they should have never applied the coating in the first place. Mike said that is correct. Chairman Parry said then we pay for the one that took and that is it. Member Switzer-Pierce said how do we know that it is going to remain on the manhole and not peel off? Chairman Parry said if the application that Mike explained is correct, then it should stay

Reline Project(cont'd)

on. Scott said we have a one-year warranty on the work, so they would have to fix anything that did not hold. Wolf asked how many they did so far? Mike said they did 4 so far. Susan said in other words they should not be doing this job until at least April when it is warmer. Scott said they definitely have to come back to finish the job when it is warmer. Mike wanted to remind the Board that the people that are doing this application are licensed applicators. Sol Wolf asked who licensed them? Mike said he has no idea. Tod said on the back of the page at the very bottom, it says, "Approved or certified to install Flex Seal". Mike mentioned that Tom K had a problem with the contractor and installers all day long. They were trying to cut corners continually. Tod said it is his opinion that if this were done in the correct temperature, it would work. Mike said it most definitely would and he agrees with that statement. Regardless of how it was done, it did not work and must be re-done. Scott said they would contact the contractor and let them know what is going on.

Plan Reviews

Scott mentioned that Sheila got the final plans on Orchard View and Briar Lake developments. The Briar Lake plans do not show any sewer; rather reference the preliminary plans that were approved. They made a number of comments on the plans that relate to the easements. There is a "cross country" easement in that plan that crosses a total of 4 lots. We put in a comment that states that there should be an easement agreement drafted and the restriction be placed on the deed itself. A note would be added to the plan that the owner of these certain lots have to refer to the easement agreement dated, whatever, to see the restrictions. Chairman Parry asked if the sewer easements would be identified on the lot deeds for the development? Scott said that is what we are trying to have happen. Sol Wolf said if we record the right-of-way agreement before the first deed is recorded, then the deed should say under and subject to the utility easement to North Lebanon Township Municipal Authority recorded in the Recorder of Deeds Office, giving the place and date of recording. That way it would show up in the deed and if it shows up in the first deed, it will show up in the subsequent deeds for the development. Tod asked who is going to maintain the sewers in that development? Mike said we are. He then asked if there is any other way that the sewer can be re-routed so that we do not have to worry about these easements? Scott said with this particular sub-division he does not think so. He then said this goes back to what he said before, why should we have to worry about something like this either having to maintain or dig it up, and then they get to put 2 or 3 more lots on the property because it is something that we have to work and is an inconvenience to us. Scott said in the newer sub-divisions that we are doing, this is what we are trying to avoid. In this particular one, we would have a difficult time going back and telling them to re-do it since it was already approved as part of the preliminary plan approvals. This was prior to the easement discussions and problems that we have been having. As a result of these discussions, all future plans will be checked for the easement problems. Scott asked at what point do we have these agreements drawn up, signed and recorded? Before the lots are sold or after with the lot owner? Sol Wolf said it should probably be done before the lots are sold. He then asked Scott what stage they are at in the approval process. Are they ready to proceed with Phase I or are there more approvals needed? Scott said they have submitted the final Phase I plans for County and

Plan Reviews(cont'd)

Township approvals. One of the checklist items is they need the Authority approval of the plans before they can get their final approval from the County. So we have a chance to take care of this before it goes any further. Tod said since we approved the design for the sewer system and the easement is going to go through these 4 lots, who dictates where the home goes and the driveway goes? Does one of these lines go through someone's asphalt driveway? Scott said the line splits the lots and is right on the property lines so that should not be a problem. Mike said Orchard View would be another one that is a good example. He said we went over that one pretty good. He went on to show on the plans exactly where the main goes and what is in that area. Mike has a concern that the way the sewer main is shown on the plan that it will be right where the driveways are for two of the lots. So it looks like there are two driveways that will be constructed right over the main. Sheila asked Sol Wolf how we handle this? She said that Clyde is already putting this stuff in on his preliminary plans and he may have potential buyers at this point already. Scott said he doesn't have final plan approvals, so anything that he does that is not acceptable according to the plans must be taken out. Plus the fact he doesn't have the building permits yet. He said if he is selling homes already for this development, he is doing so at his own risk, because he has not received final approval as of yet. Sol Wolf said this is typical of Clyde, selling the homes prior to final plan approval. As long as the agreement is recorded before the first deed is recorded, we are OK. Sheila said she would not give the final approval letter before the agreement is signed since that is one of the things on the list to be completed prior to approval. The other item that Scott would like to see on the plan is the water connection onto Narrows Drive. He wants to make sure that this does not fall through the cracks. This holds true for the Briar Lake development as well. He wants to see this connection as well because the City wants this to be looped. They have to show the connection point on North 8th Avenue as well as East Maple Street. Tod said that brings up an interesting question. Do you think the City would be willing to extend the line now that they would only have to extend it a little bit as compared to the entire stretch that we had discussed prior? Chairman Parry said it makes for some interesting conversation with the City. They may be willing to do it if this were the case. Sol Wolf said the only problem with that is that if the City does it, they get to keep it. If we do it, we get to keep it. Chairman Parry said we have the right to say no first. He also said the other thing is that East Maple Street at this particular location is State highway. Chairman Parry said this is something we can keep in the back of our minds for a later time.

Scott said back to Orchard View, Mike had mentioned the easement there is running parallel to Narrows Drive in the front of 3 lots. The same comment was made there that there should be an easement agreement for these 3 lots as well. Tod then questioned the route that the sewer line runs down Narrows Drive/Solar Drive. Mike explained that the line does not run all the way down Narrows Drive, rather it jogs behind the homes and comes out onto Solar Drive. That is why a line had to be run for those 3 homes in the new development or they would not be able to be serviced via public sewer. Tod said that answers his question. Scott feeling is that they will be getting their final approvals pretty fast so we need to get going on these agreements. Sheila said this plan is no different that

Plan Reviews(cont'd)

any other plan. They have a checklist that they must meet and fees that must be paid prior to the final approval. So we have time to get the agreements ready.

Tod then asked who is in charge of making sure that the trenches are filled, holes are filled in and things are done the way they are supposed to be? Scott said we have inspectors out on the job with each crew. They stand over the trenches all day long and watch what is being done and making sure it is done the way it was intended. He said he usually gets 2 or 3 calls per day with complaints or questions concerning the work that the contractor is doing. Sheila gets the same number, sometimes more than that.

ASSISTANT MANAGERS REPORT

Pertinent Issues

Resolutions

Sheila has some resolutions that need action, but she has not had the chance to speak to Sol Wolf about them, so she is not sure what we will do this evening with them. The one resolution that she has that she would like action on is the records disposition. We have a lot of records that are at the stage where they can be destroyed and we no longer need to retain them. This would be resolution number Res.03-2004 giving the Municipal Authority Office the authority to dispose of records as outlined from 1999 to 2001 Journal entries, bank statement, cash receipts, requisitions, trust bank statements, all quarters 2000 and 2001 sewer stubs, plus 4th quarter 1999 sewer stubs, and 1999 and 2000 green copy sewer permits. Tod questioned why we would destroy or throw these things out? Sol Wolf explained that we are no longer required to retain these particular records. Sheila then said we have a chart that tells us how long we have to retain each one of these items. When that time comes that we can get rid of some of them, we do a resolution approving the disposal of the records. She said that all of the financial records are shredded.

MOTION: Motion was made and second to approve Res. 03-2004 to dispose of the following records: 1999-2001 journal entries, bank statements, cash receipts, requisitions, trust bank statements, all quarters 2000 and 2001 sewer stubs, plus 4th quarter 1999 sewer stubs, and 1999 and 2000 green copy sewer permits. Motion approved.

Resolution 05-2004

Mike explained that we have a new service truck included in the 2004 budget. He has received quite a bit of information on the new truck. We can get a "PACC Contract", which is a contract through Harrisburg. It is two sheets of paper, a draft letter of intent and a sample resolution, which Sheila has drawn up. He then handed our some information about this contract and explained what he is passing around. At this time, Tod spoke up about this program that Mike is speaking about. He said that the company he works for went to the meeting because they were going to get involved in it. They ask everyone to put in a bid and then they rake the lowest bid in the particular group, Ford, Chevy, etc., and then they get the contract for anyone in or out of the state. He thinks there is more to this than meets the eye. No one is going to sell a vehicle like this for \$275 for what you have to go through to do it. In all of the paperwork that you have to go through, they have to show you all of the numbers that are involved in the sale, including bonuses, kick backs from the manufacturers, etc. He said he spoke to George Schwartz, who is

Resolution 05-2004(cont'd)

in charge of this and asked him if this is a bid; it should be public information on what it is based on. He was told he would not share this information with anybody. He had asked what the other MACK dealers' bids were, and he would not tell him. Mike then said that the individual that he spoke to told him that there are only two sheets of paper to fill out and that there is a stack of paperwork to back up the prices. Sol Wolf asked who is giving Mike this information? Is it the guy he is buying the truck from or who? Tod said it is the people that had the lowest bid in the pack. Mike said the way he understands it, this is the third year that this has been done. Phillips Ford had it two years in a row and now Manderbach Ford has it this year. Tod said it would be interesting to take the spec sheets and go to another Ford dealer and see what numbers they come up with. Tod said this is a good thing for someone that wants a vehicle and that is what they want and can be specked exactly the way they want it. Under state contract you get a truck and pretty much get what they have to offer. Sheila said the problem we have is that if we don't go by state contract or this type of program we have to put the truck out for bids and that takes a very long time. Tod then said that the price Mike gave of \$30,000 sounds like a real good deal if that is really what it is. He then asked if this is the truck that Mike really wants? Mike said pretty much except it is stick not automatic. Tod then asked if it is an Allison? Mike said no, it is a Ford. They said he could get an Allison though. Tod said he thinks he would investigate the cost difference between the Ford and the Allison. Tod said he would contact the sales rep that he works through for Allison to see if they can get an extended warranty on an automatic with your application. Mike said that would be fine. He said the way the sewer department works, it is in a much more abusive work environment than most and he wants to make sure that the truck would be able to handle it. There was a lot of discussion concerning the weight of the truck and what it could handle. Tod asked if they would be putting a plow on this truck? Mike said no, but they would be putting a plow package on the truck, which would stiffen up the body a little bit. Chairman Parry said he thinks that Mike needs to get some additional information on this program for the next meeting so that we can make a better decision about the truck purchase. Sol Wolf asked what they would do with the old truck. Mike said that they said they would do a trade in and would let us know more definitely when we get down there. Sheila then confirmed that they want to wait until the next meeting before acting on this resolution. Chairman Parry said that Tod brought up some very good points and they should be investigated before we make this decision.

SEWER DEPARTMENT REPORT:

Foreman Monthly Progress Report

Mike reported that they started proof reading the database. He has his daughter come up when she is off school to proof read the specs. They have almost 2/3 of it proof read so far. The Water Street pump station has a new rotating assembly in the pump because it was vibrating terribly and was consuming a lot of oil. That was from when it was originally constructed. It is now running real smooth and even better and more efficient than it did before. He reported that the project has started down on Narrows for the Orchard View development. They did the two laterals on Tuesday and yesterday they started the main extension. They had to excavated down 19' and install it across the road. But that is now done.

With there being no further business for the good of the Authority, the meeting was adjourned at 10:00 PM.

Respectfully submitted

Tina M. Haser
Recording Secretary