

**Minutes
North Lebanon Township Municipal Authority
March 9, 2006**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, March 9, 2006, 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
Susan Switzer Pierce	Assistant Secretary
Sheila Wartluft	Assistant Manager
Fred Wolf	Henry & Beaver
Scott Rights	Steckbeck Engineering

Also in attendance were Mike Kneasel, sewer foreman, and two North Lebanon Township residents.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

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

MOTION: Motion was made and seconded to approve the February minutes. Motion approved.

Next, Chairperson Demler asked for a motion to approve the invoices and requisitions for payment all subject to audit.

MOTION: Motion was made and seconded to approve invoices and requisitions for payment all subject to audit. Motion approved.

SOLICITORS REPORT

Business Park

Solicitor Wolf stated they are still working on the manhole near Valspar. We are working with the engineer John Poff to see if that manhole sunk. Secondly, as the business park proceeds they are required to give us a bond posted for five years, for that section of pipe where they used special construction instead of the support post there.

Manhole Relines

Solicitor Wolf asked Mike if there was anything to report on manhole relines. He believes the biggest concern is the one at E96 where the groundwater is coming in around it. He stated Mike and Scott should take a look at it and make a list of what needs to be done next month. Mike stated there might be half a dozen that still have problems.

Comcast

Solicitor Wolf stated we have an agreement with Comcast to check with them to see how many employees they have which decide how many EDUs they need. He said he and Sheila will need to apply the formula to the number which Comcast gave them with an update on the number of EDUs.

EDU Calculations

Solicitor Wolf stated he wanted to review the EDU schedule they use when businesses want to connect to the sewer system. They buy sewer capacity from us and the Lebanon City Treatment Plant. He stated, with businesses, most of it is based on the number of employees at the facility. Fred said if their actual water usage is more than the number of EDUs that are assigned, they would be subject to buying additional EDUs. The policy of the Board has always been once you buy the capacity at the Lebanon City Treatment Plant and from us, even though the owner or the operation may change, we don't give them any benefit of reducing it. He stated his question to the Board is if they are comfortable maintaining the policy. The Board responded that they would still follow Resolution 03-2000.

Spruce Park

Solicitor Wolf said the Township amended the Strong Waste Management Ordinance requirement for them to get someone to check their pump and get back to them and us with the recommendation of regular maintenance of what should be done. Fred stated it has been two months since he contacted them. We will now proceed with a final notice that unless they provide the information to Sheila by the end of the month or provide a good reason for not responding we will take action under the ordinance to require compliance.

Moravian Manor

Solicitor Wolf stated we acted as a conduit for Moravian Manor and they did their financing through Fulton Bank. For acting as a conduit we received an additional fee and then we receive an annual fee of \$5,000. They are at the point that the bank has given them a fixed rate which will go until March, 2013. He said we need to adopt a resolution authorizing this to be done but again that we are only acting as a conduit. The documents indicate that except for the interest rate all other provisions of the loan

documents will remain the same and spelling out that we are only acting as a conduit and we are not responsible of any of the debt, neither are any of the officers or board members.

MOTION: Motion was made and seconded to adopt a resolution making us the conduit for Moravian Manor with leaving everything else the same. Motion was approved.

Narrows Glen

Solicitor Wolf said at this point Landmark Builders are taking over the property and going ahead with the development. Sheila and I have reviewed it and they need to sign an agreement whereby they provide the escrow fund so when they go through the project we have the money in place for inspection and other costs.

Bross Estate

This is the property owned by the Krall estate of which one tract is on Narrows Drive and the other tract of land behind there. They are processing a plan where a 50' right of way is going to be established over the property that is closest to Narrows Drive to provide access to the lot that is the furthest distance from Narrows Drive. As part of processing their plan we are going to require them to give to the Authority a right of way in that 50' strip which goes back to the other property.

Pumpkin Ridge

Solicitor Wolf stated he met with George Christianson and told him the only place he can connect is along Route 422. Fred discussed with him the alternatives such as putting a pump station on his property possibly in the future and also eliminating the one at Green Acres if a new one is built.

Videotaping and Soil Restoration

We filed action with County Planning against Soil Restoration Inc. where they performed the fracturing process without obtaining approval from Gordie Sheetz our sewage enforcement officer. They have agreed that they are no longer doing it in the Township. Gordie is in agreement with that as long as they pay all the attorney fees and costs and it becomes part of a court order that they are not allowed to do anything in the Township anymore unless they get approval from him first. There are some occasions for maintenance where that is a proper procedure and Gordie would approve it but in this case it was sewage malfunction which is not authorized for that.

Briar Lake

Scott Right stated they submitted a highway occupancy permit for construction of their water line but because the water line was still ours and we had to be the permittee. Penn Dot had some specific changes which we passed on to the developer. We are waiting to get that back from them.

College Hill

Solicitor Wolf stated he wrote them a letter telling them to contact us because they are doing some renovations at the building. We need to get together and check to see if there is another operation where they may not be paying the proper debt service and O & M payments based on their increased water usage.

Ridgeway Mobile Home Park

Solicitor Wolf said there has been some problem with sewer right of way issues. When Cheri Grumbine sets up a meeting with them, Mike and Fred will need to be included to go over the problems with the right of way.

Harvest Drive Right of Ways

In reviewing this issue with Mike and Sheila, Fred stated they will get the right of way marked for those people who are having problems. After it is marked Mike will start to have individual meetings with the property owners to review what can be done to help solve the problem. Because of workload and weather conditions it has not yet been done. Fred stated he sent a letter to all the residents of the procedure which is going to be used and to be patient.

Unpaid sewer bills

Solicitor Wolf stated if a bill is delinquent, for residents with city water, we have the recourse of having the water turned off. However, with a well we have judgments entered with the District Judge. There are problems with filing with the District Judge that they can only issue execution against personal property. With the ones we have we can now place judgments in the courthouse with a lien against the real estate. With people who are in bankruptcy if they are in a Chapter Seven you are in a holding pattern until the Sheriff's sale or the bank takes ownership back then we get paid for all of the back unpaid bills. If it is a Chapter Eleven they are telling the bankruptcy court they can't bring all the debts up to date but they have a plan to bring all the current back payments up to date within three to five years and keep the current ones paid.

ENGINEERS REPORT

Eighth Avenue Pump Station

Scott Rights stated the contractor has installed all the ducts inside the wet well and most all the equipment inside the building. Last week they started putting in the lines from the pumping station out to East Maple. They have the gravity sewers in and are getting ready to start the force main. He stated he is hoping by the next meeting everything will have been tested. Marks has requested \$38,273.03 which brings the total to date to \$289,654.48 with the whole contract being for \$484,847.00. We have reviewed the request and everything for which they are asking payment is there.

MOTION: Motion was made and seconded to pay Marks \$38,273.03 requested. Motion was carried.

Envirep

Scott said Envirep had been paid \$87,270.07 leaving a balance of roughly \$16,000 of which we held \$10,200 aside for start up. If we pay them for the pumps then we would take off our 5% retainer which is allowed by the contract and that accounts for the other \$4,500. They are asking to release to them another \$4,500 because they are being asked to pay this amount from the manufacturer. He said next month we should be looking at start up and training.

MOTION: Motion was made and seconded to pay Envirep the additional \$4,500 they are requesting contingent on them performing to get the system up and running. Motion was carried.

Mr. Rehab

Solicitor Wolf stated Mr. Rehab has insurance certificates, payment bonds, performance bonds and the signed agreement which they have given us. They have already signed the agreement. We need a motion to authorize signing the agreement so we can then get them on a schedule to get started.

MOTION: Motion was made and seconded to authorize signing the agreement for Mr. Rehab so they can get on a schedule and get started. Motion was carried.

Plan Reviews

Scott stated there is a list of plan reviews. Regarding Homestead Acres Phase IV, Mike and Sheila are proofing his letters at this point. The plan is not ready for approval yet. Scott also stated Briar Lake has final plans in for Phase III with a couple of issues to be resolved before the final plans are approved.

Sheila received a set of plans for Ebersole Auto Sales at Cumberland and 15th Avenue. Even though part of it is in North Lebanon Township, the sewer is owned by South Lebanon.

Scott stated regarding the Seyfert plan that they are requesting a lot addition.

GIS

Scott said they are going to utilize the GIS provided by the county. Mike is flushing lines and with the data collected with the televising they will be using GIS to locate the manholes. After completion it can be imported into the GIS database. Mike stated one thing they are going to provide is the accuracy of the sea level elevation.

ASSISTANT MANAGER'S REPORT

Sheila reported the building construction is moving along.

She stated she had received an updated report of the on-lot system within the last week.

SEWER DEPARTMENT REPORT

Mike stated on February 27th we had Bethel-Berks Sewer Authority come down to take a tour of our pumping stations. We told them about the problems we incur and what it costs to solve them. They have no sewer there now and are asking for our help.

Mike said they have started cleaning sewer lines. The actual work time was two hours and we have 2341 feet done which went very well. He mentioned we need to get 10,000 feet done.

MOTION: Motion was made to accept the report and seconded. Motion was approved.

With no more business for the good of the Authority the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Barbara Bertin
Recording Secretary