

**Minutes**  
**North Lebanon Township Municipal Authority**  
**April 8, 2004**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, April 8, 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  
Wynanne Demler.....Vice Chairman  
Ronald Ensminger.....Secretary  
Susan Switzer Pierce.....Asst. Sec.  
Tod Dissinger.....Treasurer  
Fred Wolf..... Solicitor  
Scott Rights .....Steckbeck Engineering  
Sheila Wartluft.....Assistant Manager

Also, present at this evenings meeting was Mike Kneasel, Wastewater Foreman, Attorney John Feather and 5 Township residents.

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

**MOTION: Motion was made and second to approve the March 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 he has some concerns about the installation of the water lines. He has talked to several of the area plumbers and they will not give him a price because we are unable to give them the specs that we require. Scott Rights said he has a sketch this evening to give to Mr. Gingrich that shows how his connection will be made. It shows the tap coming off the water main extending back over 100', so he will need a meter pit entering his home in the back of the property. Mr. Gingrich with the meter vault in the front, it is going to stick up out of the ground. Scott agreed with this and said it will have to stick out because the City will be installing a remote read on the top of the cover so they can just go by and read it without entering the home. Chairman Parry asked if the pit or the vault is in the right-of-way? Scott said no, it is on the homeowner's property. Mr. Gingrich does not want this on his property. Chairman Parry instructed Scott to continue with his explanation. Scott said that this was the only way to stay away from the trees on the property that Mr. Gingrich did not want to be damaged. Scott was asked what the requirement of the meter box is? He said it is to be 10' off the curb stop and the curb stop is usually in the right-of-way. Tod questioned if there is only one type of meter box or are

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

there some that do not stick out of the ground, which is another one of Mr. Gingrich's concerns? Scott said they all stick out of the ground and when you have such a steep bank as Gingrich does, it is going to stick out of the ground somewhat. The lid has to be kept up above the high grade, which is the back of the box, so that you don't get run off coming over into the box. In time, there will be dirt over the lid and you can't risk getting dirt into the box itself. Mr. Gingrich then said he still has a problem with the placement of the fire hydrant. He doesn't want another meter pit sticking out of his yard. Chairman Parry told him that the fire hydrant is in the right-of-way. Gingrich said it is in his yard. Chairman Parry repeated it is in the right-of-way and there is nothing that can be done about it. Parry then said this is the first time the Board has seen this sketch that Scott has drawn up for Mr. Gingrich and he confirmed that this is what Mr. Gingrich asked for. Gingrich then stated that the Township had agreed to pay for the portion along North 4<sup>th</sup> Avenue and he contacted 2 plumbers about this and they asked what the Township is requiring. Sol Wolf told him to give his plumbers the information that was given to him this evening and if they have any questions, they shall call Scott. Mr. Gingrich then started asking questions about the type of equipment needed to dig the trench. Scott told him that this is his plumber's call, whatever he normally would use to dig a trench. We are not going to tell him what equipment to use. Mr. Gingrich then said that he talked to some of his friends that work for the City. Scott asked him who is talking to? He said he would not give the names. Scott said the only reason he is asking, is because there is a set group of people that are involved in this project and the others may not be aware of the agreement that the Township Authority has with the City. There are certain individuals that are working this project, not the entire department. Mr. Gingrich said the person that told him said that they would have been willing to run the line down North 4<sup>th</sup> Avenue, but Jeff Steckbeck told them, not to. Gingrich said it is his opinion, that if the City was willing to run their line, the Township should be willing to run the rest for him. Chairman Parry said it sounds like people not immediately involved in the project gave information. He said we could address this information with the proper people at the proper time. In the meantime, you have what you need to pursue what you need. Gingrich said as far as the hydrant is concerned, they are going to have to come back and put an extension on because it is below the grass grade. He wants the grade returned to its' original condition. Scott said it would be. The way it is now, he does not want this in his yard. Scott said he would check on this for him. Also, the risers have not yet come in for the hydrants, so once that is installed; it will come up to grade. Gingrich again repeated, he is telling them that he wants the grade back to the way it was. He said he still thinks the Township should be running this line up North 4<sup>th</sup> Avenue. He should not have to run the additional line up through his yard. Given that, is the Townships' cost going to include the landscaping, re-seeding of the grass, etc.? Sol Wolf said yes it would. He wants them know that this is an additional 70' of his yard that has to be restored.

## **SOLICITORS REPORT**

### **Water Extension**

Sol Wolf asked Scott to report first about where the contractor is as far as progress on the project and what we can expect to be coming up next. Scott reported that we are back to one main line crew and one service line crew. He went on to explain where the lines have been installed and by looking at this, you can see that we are getting pretty close to being able to connect. They started on Weavertown Road today, as well as Oakridge and Woodridge Court. All we have left on the main line is 7<sup>th</sup> Street, a piece of Weavertown Road, and then the balance of Oakridge and Woodridge Courts. Sol Wolf asked if there is a reason why we only have one of each crew working at this time? Scott said they have other jobs that they need to put the crews on. He explained if the lines have been tested and disinfected, the bags (covers) have been pulled off the hydrants. These hydrants are now active and if needed for a fire, they could be used. Sol Wolf asked Scott if there is a plan of which areas we are doing when we are putting in laterals? Scott said they are focusing on the laterals in phase one and phase one is pretty much done with the laterals, with the exception of Maple Street. We have a problem on Maple Street and we are trying to solve this with the State. In one particular area on Maple Street, they used a "mole"; a glorified drill head with a cable attached to it that moles underneath the road. They used this because they cannot open-cut a State highway or road. They then pull the service line through this 2" hole under the road. The speculation is that there is a sewer line that is in the way that is preventing the mole from progressing through the ground. There is a stone bed around the sewer line that is preventing the mole from grasping onto the ground to make its way through. They actually lost two heads in there already and don't know where they are. They tried to pull them back but the drill heads snapped off. Chairman Parry had a concern that we could possibly get into the sewer line. Scott said that is Mikes' concern as well. At this point, we don't know where these moles are and if they are touching the line or not. Chairman Parry asked if they couldn't start from the other side and go in? Scott said they first have to retrieve the moles, because they only have one mole left to do the drilling. Before they can retrieve these moles, they have to get permission from the state to open cut Maple Street. The way it is set up, they can only open cut after they try to mole, we are not going to let them open cut, "carte blanche" because we do not want to have to pay for restoration. Parry asked if this happened on lateral cut number 1 or number 10? Scott said on try number 1 and 2. This is the strip that is left for phase one of the project. Chairman Parry asked how many we have on this section? Scott said maybe 20 lateral service lines, although, not all of these are on the long side. On the long side we are looking at 10 or 12. Parry asked if tried any on the short side yet? Scott said no, when they lost two on the long side, they stopped. Tod asked Scott what Marks crew thinks? Scott said they would like to open cut everything, but we said no, not on a Penn Dot road. Tod asked if they have to contact Penn Dot or do we, what is their responsibility? Scott said the permit is in our name, so we had to send a supplement to the State and asked them if we can open cut, if need be. Sol Wolf said he thinks Tod question is more, who is going to be paying for this, Marks or us. He is sure that Marks is thinking we are going to be paying for it. Scott said if they are going to be open cutting to retrieve their moles then they are paying for it. If when they open cut to

## Water Extension (cont'd)

retrieve their moles, then they can put the service line in as well. Tod asked Mike if he thinks they are hitting the pipe? Mike said he is not sure. All he knows is that the line is 7' deep and when he found out about it, he, Tommy and John Jackson went down to the 8<sup>th</sup> Avenue pump station, and didn't see any mud in it, which is a good sign. The water was flowing freely through the station. Parry asked if they know how much cable went into the ground? Scott said they do and that is how they know where it stopped. When they measure the cable, it stops above the sewer pipe, which is why they are speculating they are in that stone around the pipe. Tod asked Scott how the stone that they feel they are into, makes the head of these drills break off? Scott said the stone doesn't make the heads break off; it is when they go to pull it back out. For whatever reason it is getting stuck and won't come out without breaking off. Tod asked what size sewer pipe is in there? Mike said it is an 8" pipe. Tod said he would think it would be the pipe itself that is making the mole "glance" off the direction rather than the stone. Mike said we have to remember another thing about this particular sewer line, it is clay not plastic and it isn't going to take much to break it. Scott said if the mole would just touch the line, it would shatter, so this is why we don't think that the line was hit. Chairman Parry then said, after all of this, what is the plan of action? Scott said, it is simple; our position is that they have to bore. As far as the two that are lost in the ground, Marks wants to open cut to try and locate them, correct? Scott said yes. Parry then asked if that requires an addendum to our permit? Scott said that is correct. So we get the permit, they open cut, retrieve their moles, and while they are there, they can install the service line to that property. He then asked if they would be able to determine what exactly happened that their moles got stuck? Mike said we would be there to make sure that they do not damage any of our lines in the process of removing their lost parts. Parry then asked if it would be an option to continue with the service connections via the short side rather than the long side? Scott said that would be an option. Scott said the way it is set up, they must try to bore under the road. They must give every reasonable effort before open cutting the roadway. Parry asked whose decision is this, Penn Dots or ours? Scott said it is our decision as to whether or not they gave their best effort. Tod asked what the cost of one of these head is that they lost? Scott said about \$4-5,000 a piece. Parry said it sounds the expediate thing to do, is to get the addendum to the permit and get the road opened up, dig them and find them and get it over with. Scott said the amendment is in the States hands right now. Parry asked how long it takes for this to be decided and who decides, the state level or local level? Scott said it is in the local office with Richard Stirling, the county rep. He has already talked to Mr. Stirling about this and he is looking at it. He seems to be OK with it, but it has to go through the proper channels and get the proper signatures first. Sol Wolf said we have to be careful because we could get into a dispute between the contractor, and us because if they make a reasonable effort and that effort fails, they are going to put in a claim for the extra cost. He thinks we definitely have to explore if they can bring it in from the other side. Parry said we have to get this immediate problem solved first, and then look at what is next. Parry said if we change the spec and say that it has to be open cut, then that is another issue and a change would have to be made to the contract. Scott said, right now we have not incurred any costs, we are not going to allow him to open cut to install the service lines, only to retrieve the moles that are under the road. We are not going to pay for this restoration for his open cut for this. Sol Wolf said we need to document this because the permit is in our name. If and when they try to mole under the

## **Water Extension (cont'd)**

street from the short side and they find that it does not work, then that is our decision we will make the necessary changes to the contract. It could be an isolated case. Scott said because of the liability here, we would only suggest that this is what he will do; if it fails the way he is doing it now. We don't want to get into a position that we are telling him how to do his job because then we take on liability. Sol Wolf said we don't want him to take the position that he has made every reasonable effort and now he is going to open cut all of them. Then we owe him money for all of these open cuts. Parry said we have to treat this as an isolated case. Scott said it is being treated as an isolated case. Member Switzer Pierce asked how many more tries are we going to expect him to make before we allow him to open cut? Scott said the number that is in the contract is the number that we expect him to try and mole to install the service lines. We have to be very careful in this because we will have to repave anything that we open cut. Scott said that would come back on the permit amendment. It would say that you can open cut, but here are the conditions for the cut and then they would know. Parry said, well lets wait until we get the amendment back and then we will proceed. In the meantime, the contractor will be working elsewhere on the project. Mike had a suggestion where this is concerned. He said he was involved in a project down on Weavertown Road about 8 years, a state road, where a sewer lines run in the middle of the road. The State made the contractor cut a square hole in the middle of the road, right on the double line, and mole from either side. We did five holes like that and maybe, what the contractor may have to do, is to cut over the sewer line and run the mole from left to right instead of up and down. This is not our call, but it is a suggestion that has worked in the past. It would also avoid trench restorations. This is a thought that could help in this situation. Parry said to wait until we get the permit back and then go from there. Scott said the feedback he is getting, is to do whatever we can to prohibit open cut of the road. Several options will have to be tried before the open cut will be approved. Sol Wolf asked Scott if the service laterals are being done section by section, so that Sheila is sending notices out per section or are we jumping around between the sections? Scott said phase one is done and we would be staying within the section/phase. Tod said he doesn't know if this is the right time to bring this up, but at the last meeting, Scott said he wasn't sure if the line was charged yet. Then Mrs. Miller was talking about her fire hydrant. What is the status of this now? Scott said this has been solved. The City has agreed that the hydrant that was put in in-advertantly will be used and the one that Mrs. Miller is concerned about will be removed. Also, Briar Lake will have a hydrant right across the street from Mrs. Miller that would also serve this area and the City does not have a problem with the spacing of the hydrants. There will be no additional cost on our part because the hydrant to the rear of Meadowlark Lane was never in on the plans and the contractor put it there anyway.

Scott said that Phase II of the project would not be far behind Phase I with the service connections. Phase II may even go ahead of Phase I if we continue to have the problems on Maple Street with the state. In Phase II of the project, we had a problem on Richard Drive, where we extended the water line just beyond the property line of the last home to be served. That way it gives them a space to come in and make their connection without us having to incur additional cost by coming across the entire frontage of the property. If you do a land development type job, you have to extend it across the entire frontage of

## **Water Extension (cont'd)**

the lot, that way if the next guy comes along, he's is not extending the water main across someone else's property. The City's inspectors got a little confused out there and told us that we cannot do these connections this way. They told us that we have to extend the line across the entire property. Scott told them that is only for land development jobs, not a job like this. They then told him that he needed to speak to Jon Beers about it before they proceed any further, which Scott did. Jon knew exactly what Scott was telling him and told him he was OK. So now they can continue on Richard Drive and we can run a lateral to the vacant lot at the Hibshman property and also, hook up the Hitzlers' as well. Sol Wolf said this does not resolve the issue with the Kreislers' down at the end of Richard Drive though. Scott asked if anyone knows the status of this situation? Sol Wolf said he wants service, but he doesn't want to pay to have it extended the extra 300' that it would take to get him. Chairman Parry said we would have to take this one under advisement.

Sol Wolf asked Scott if there is a problem with Penn Dot on 7<sup>th</sup> Street? Scott said they are not sure yet. The contractor and Scott walked this line and the sewer line is out further than shown on the plan. We may have to move the line closer to the shoulder. We are trying to get Penn Dot out there to look at it, so we can make a final determination as to where to place the line. The other problem that came up, if it is a problem, is that UGI came out and marked the gas lines. They are claiming that the gas lines are closer to the highway than what we originally anticipated. They are saying that it is on the white line. Scott hasn't seen the markings yet, so he is not sure. But this creates a problem because when they are muling for these service lines, they may have to expose some of the gas lines and you don't fool with the gas lines. This would then require another amendment to the Penn Dot permit. We will have to have Penn Dot come out on the site to make the determination. Parry asked how deep the gas line typically is? Scott said normally they are about 24" – 30" tops. Parry said it would probably be better to go over top than underneath then. Mike said that would be great, except the moles are unpredictable. Scott said they would dig a pit around the gas line and would have a guy stand there and waits until he sees the head come through, and then he would stop it. So until all of these questions are answered, 7<sup>th</sup> Street will not proceed.

Scott also mentioned that there are some problems as well on Oakridge and Woodridge Court. The side streets have buried utilities and are not marked very well. During the design phase of the project, several of the utilities decided not to come out and mark. So now they are coming out and we are finding out that there are utilities where we wanted to place the water line. We now have to put the line in the street versus in the right-of-way where it was planned. They put the line in the grass as far as they could, but then where the cable lines were, they had to swing down into the street. So this means we have additional restoration costs because of backfilling in the streets and following Township specs for restoration. Parry said he has a problem with PA One Call. He doesn't know if it costs us anything to approach one call, but he's sure it is not a government agency that runs it. Scott said L & I runs it, but they do not enforce it. Chairman Parry said we try to make every effort to do the right thing, and these other guys as much as say, we are going to do what we want to do. Somebody has to take control and say we are not going to pay you anymore. We don't care what you do, until you do your job, we are not going to pay.

### **Water Extension (cont'd)**

He doesn't know what it takes to get this changed, whether it's a legislature or what, but it has to change. This isn't the first time we have had a problem with one call and it won't be the last. Sheila said we did go to our legislator and nothing was done. It is a law with absolutely no enforcement. Mike tried to tell Parry that when we went to our legislator he didn't understand what we were trying to tell him. Sol Wolf said he thinks we found out that the state does not want to enforce the law. That is why we ended up suing Bell Atlantic, because they never made the PA One Call and hit our line on Grace Avenue several years ago. Tod asked if they don't enforce it, who came up with this crazy idea? Sol Wolf said if the State would have enforced the law when Bell hit our line, then we would not have been thrown out of L & I and we would not have had to sue them. Chairman Parry said that is why the utilities do not cooperate, because they know they don't have to. Sheila said the cable company told them it is cheaper for them to come and replace a line than to send one of their guys out to mark the line. Parry said that's the cable company, but when you dig up an electric line or phone line, that is a different story. All we did was incur additional costs all because they didn't want to do what they were required by law to do.

### **Countryside Mobile Home Park – John Feather Attorney**

Sol Wolf mentioned that John Feather is here this evening representing Countryside Mobile Home Park. As you know, we did supply a water lateral to service the park, which is along Narrows Drive. From the very beginning of the plan, they were included in the number of homes in the project. Some of this is just background information so that everyone knows what Mr. Piazza is planning. He currently has 43 mobile homes within his park. For the past several years he has had a plan on record to expand his park that would add another 22 units. But because of water service not here yet, he could not move forward with his plans. Now that the water is going through, he has been included in this process. He is a sewer customer of the Authority as part of the 1995 Project. When we did the sewer project we just ran the line into the park and then he ran the line throughout the park himself. He has his own water lines in the park and the City will not be taking those lines within the park over. Wolf has talked to Jon Beers about this and confirmed with him, at the request of Mr. Piazza, that the water will be billed on one bill and he will then in turn bill each of his tenants in the park. The City has agreed to bill him as a bulk customer so he'll be charged based on the bulk meter, which the City will come out and read. The City is increasing the sewer capacity rate at the City plant from \$800 to \$1,575 per edu. That is going to go into effect May 1, 2004. Sheila has been notifying people that have plans and sketches in the works, so that they can purchase their capacity ahead of time if they so desire. Mr. Piazza is going to take advantage of that and purchase his additional capacity for 22 units of sewer before the May 1 deadline. With the water service and the payment of the tapping fee, Sol Wolf has indicated to Mr. Feather and the Piazzas that we would treat them just like we have treated everyone else and give them the opportunity to finance the tapping fees in 5 years. He would like to do it in a manner that is better for us than collecting on a yearly basis or collecting for it as he outs them in. He is going to pay 20% down at the time the service becomes available for him and then be paying a monthly payment on that during the 5 years until it is paid in full. The issue that has come

## **Countryside Mobile Home Park – John Feather Attorney (cont'd)**

up that he is asking the Authority to take a look at is that with the sewer, we ran the line up from Narrows Drive to his property. He would like to do the same with the water line. They do have their own engineer since they have to have one to do the expansion, so what he told Mr. Feather, is to have their engineer coordinate the plans with Steckbecks office and make sure that everything is correct and then get a price to do it and then present to the Authority to see if we would be willing to do it. Mr. Feather just wanted to make sure that this was presented to the Board and if anything came out of the meeting tonight, that he knows what he needs to do or what direction he shall take. Tod asked if he has a master well and if he will have to do the same thing that everyone else has to do with there well? Sol Wolf said he does and he is aware of this. Scott said that there is a sketch with Jon Beers and also, Skelly and Loy, the Piazzas' engineers to make sure that the location of the meter box is OK with all of them. Most likely they are going to want to see it as close to the right-of-way as possible. There was some question as to the size of the line, because of fire protection. If he wants fire protection on site, then he would have to go with an 8" line into the park. Otherwise, it would be a 6" line or smaller.

## **Rights-of-Way**

Sol Wolf reported that all of the rights-of-way are signed and he needs direction from Scott on the problem with the Arnold farm. He needs to give Scott a copy of the agreement so that the restoration part of the agreement is upheld. We need to make sure that who ever is going to be in charge with Marks, for reimbursement of the \$500 for being in the field, that they use the kind of seed that we need.

## **Mavin Fulk Property**

This is the gentleman that has the lot between North 8<sup>th</sup> Avenue and East Maple Street that wanted water and sewer, but couldn't get it because he couldn't get the right-of-way. He now has the right-of-way agreement and has worked everything out with Scott as to the location of the lateral. Scott then took some time and went over the plan with the Board and explained the various scenarios. He told him that he does not want to give him any suggestions or get involved in telling him where the property lines are because there is very little space in here. That is between him and the property owner. He would be coming off of Wynnwood Drive and he will place his stake where he wants the lateral. Sheila asked if he would be running sewer as well as water through this right-of-way? Sol Wolf said he is running both utilities through the same right-of-way. Chairman Parry said this all has to be resolved before we do anything.

## **Development Agreements/Right-of-Way Agreements**

We have had everything signed concerning Orchard View. We have reviewed all of the rights-of-way that we need for the sewer, so we don't run into the same problem that we did with the Hess Development. He gave Sheila the right-of-way documents for Briar Lake so these get recorded that give us the protection for anytime that we need to go in there to make sure no one is interfering with the rights-of-ways. We also have the agreement from

## **Development Agreements/Right-of-Way Agreements (cont'd)**

Clyde Patches on the permit right-of-way agreement and all he needs is Chairman Parry's signature on it to have it recorded. As we have talked about before, the Babe Tract, or as it is now called, the Spring Creek Development, is in process so we would be doing the same thing with developer agreements with water and sewer. Sol Wolf asked Sheila how many units are going to be in the Spring Creek development? She said she thinks it is 30 + town homes and 30-40 single family dwellings. They will be going into the North 8<sup>th</sup> Avenue pump station that is going to be re-done. Chairman Parry said that brings another question into mind. Does that wrap out around the school and if it does, how close does it come to the school and the end of Richard Drive? Scott said they had looked at this pretty close when they were reviewing the plans for Briar Lake.

## **Brohnwood – Narrows Glen Development**

Sol Wolf said this is the Harlan Bross property along Narrows Drive. This is going to be developed by Landmark Builders. We will be expected to sign the appropriate agreements so that we are getting what we need for water and sewer. Chairman Parry asked if this one would be flowing into the lines going to South Lebanon? Mike said they would be. Parry then asked if it would go through the Brook Drive manhole? He would think it would have to. Mike said it would go through that manhole. He then asked what the condition of that manhole is since it was re-done. Is the reline holding? Mike said it was done in 1995 and is still holding up quite well. He then asked about the other downstream along Rt. 422, are they holding up as well? Mike said they have all been re-lined with the project with Swerp. Parry then asked to make sure that the lines would be able to handle this extra flow?

## **Tapping Fee Update**

Sol Wolf said that brings up a point that we need to talk about. He said that we have in place a Special Purpose Tapping Fee because we do have a constriction in the line where we are not too far away from capacity. With the new tapping fee legislation that was passed, you will be collecting these fees, but you have to use them, they cannot just sit there and do nothing with them. They must be used for what you said they were within seven years. If you do not use it, you have to give the money back to who ever paid it in. We have had this in place and have collected two at this point. At least as far as actual foreseeable development, you are really only looking at this development and Pumpkin Ridge, which is George Christianson's development. He is looking at something happening in the near future. He is expecting about 20 edus and not more than 35 edus. In looking at this thing, you take the number of edus that we have for the Bross tract and George's tract, you are still not anywhere near the capacity in that line. Sheila is getting concerned that we are collecting this fee and in seven years we are not going to do anything, then we have to refund the money. The critical question is, what is it going to cost to correct the capacity in this line? Chairman Parry said the capacity in this line is fine until you hit the bottleneck. Sol Wolf said you are still Ok at the bottleneck, but you may not have it from beyond there. From what he understands to correct the situation, you are looking at spending a couple hundred thousand dollars. Tod asked where the flow from the trailer court goes? It goes to the gravity line. Sol Wolf asked Mike to explain

## **Tapping Fee Update (cont'd)**

where the constriction in this line is and what is going through there. Mike said there is one constriction in front of the Union Canal School. Tod asked what they mean by a restriction? Scott said the line goes flat there. The flatter the line, the less amount of flow can pass through the line. So you look at constriction and how much flow you can pass through that line before you have an overload and you have to upgrade the line. In this case, we looked at putting in a relief line that is a parallel line. Sol Wolf said by doing this, we are putting in a lot more money than we are ever going to collect from these people. Mike said it starts at the Brook Drive manhole and snakes it way through over to Weis Markets. Chairman Parry said in the meantime, it picks up all of Northcrest Acres flow. Once you get on the other side of 422, the capacity increases and you obviously have more room. Parry said some investigation needs to be done before we give an OK on this special purpose fee. We just can't go out and charge people a fee if we don't know that it is needed. Sol Wolf said when they did this study; it takes into account the bigger picture. It took into account the larger area, which is zoned, agricultural at this time. The question is, do we have capacity in the line now and if we do, there is no sense collecting it because this is going to cost a couple hundred thousand dollars to run this parallel line. Parry said the drainage area is pretty much the entire northeast end of the Township. Sol Wolf said a lot of this area is agricultural and the possibility of this area being developed is pretty limited. Why collect the money and then have to return it in seven years? Sol Wolf feels it is better to collect the amount from anyone that would want to develop the area later, rather than collect it now from the current developers and possibly have to return it later. He said that Mike and Scott can show the Board the areas on the map that have constrictions, that way the Board can decide whether or not they want to charge the Special Purpose Tapping Fee. Chairman Parry said we can carry the fee on the books, but we do not have to charge it. Both Sol Wolf and Sheila tried to explain to him that if you have the fee on the books, you have to charge it. Parry again said you could have it on the books without charging it. Sheila said the problem right now, when people come in with plans, we have to charge them the Special Purpose Fee right off the top. Right now we are looking at Orchard View coming in soon, and also, Narrows Glen, Pumpkin Ridge and then the trailer park. Sol Wolf said that Scott and Mike have to get the map together for the next meeting and show where it is and how much capacity we have based on what we know as going one and then we have to make a judgment call. Parry asked if Narrows Glen has come in with anything yet? Sheila said they came in with a plan and we gave them comments and they are revising it. She also said, we have that study with all of the numbers on it and everything mapped out. Tod said what if another developer comes in and wants to put another 50 homes in, and then what happens with the capacity? He said we need to have a plan in order to take this into consideration. Who knows where this development is going to stop? Parry said it wouldn't stop anytime soon.

## **Invoices**

Sol Wolf said since we are meeting earlier than usual, he only received Marks invoices on Tuesday. They usually send them out the end of the month and then we receive them about a week later. He knows that Scott has gotten it, but he told Marks that for the other invoices we have which are mostly for engineering, we'll review what he has given us tonight, but if Scott has not been able to do his total tabulation, we would wait until that is

## **Invoices (cont'd)**

done. The amount is \$752,658.68 that is being requested which includes all of the appropriate retain ages of \$154,289.15. Chairman Parry asked if there is anything unusual about the request or if it is all according to our agreement and contract? Are all of the line items in line and agree with ours? Scott said it is getting close to the end and he will be able to tell if we will be over or under the anticipated cost of the project. Because of the stone we are going to be over budget on the project. Also, Penn Dot hit us pretty hard with the stone restorations. Plus, the Josephine Ann Drive and Woodridge/Oakridge Court changes increased our costs because of relocating the lines. Sol Wolf asked that he give him an estimate sometime this month, because we did budget a contingency for overages in the project. If this is approved tonight, then the other engineering and administrative invoices are well within the budget items. We will get everything prepared and send everyone the funds report that shows what we are paying and if anyone has any questions, they can give him a call. If there are no questions, he will have Chairman Parry come to his office to sign the invoices and send it to the trustees. Chairman Parry asked if anyone had any questions about the bills that were presented? Tod questioned the increase in costs for the Josephine Ann Drive section? They explained to him that this is the area where the cable company failed to mark their lines in the design phase of the project and we had to relocate our water line as to not interfere with their line. So Tod said, because they refused to come out and mark their lines, it cost us more money? Scott said it depends how you look at it. Did it cost more money than if they would have marked it, no, but you would have been able to budget for it. The line is where it is, but we could have prepared for it better. Tod said not to dwell on this, but he feels we need to draft a letter to Labor and Industry and let them know what is going on. We need to keep hammering these people. Whether we think it is helping or not, we need to keep at it. Sheila said she needs to tell them what has been happening in the past. She has a file very, very thick with correspondence with L & I that they admitted they have never read. We send all kinds of documentation where people have violated the One Call program, nothing is ever done. We have had meetings with Zug and his representatives; nothing has come of that either. We went to L & I and they threw us out. We are not the only ones that are having this problem. They don't care. Scott said this is not a local problem, it is statewide. Mike said the meeting that Sol Wolf, Sheila and he went to at L & I was a joke. We took pictures along to show them, they did not want to see them. Then he and Tommy went up on another incident right down the street where UGI was digging before the one call was good. He took the old case along where they were thrown out to show them, showing their guys blacking out the old marks on the road. The officials from UGI could not believe what they were seeing. But nothing was said or done about it. Mike explained to them that something bad is going to happen one day because of this and something needs to be done, but nothing was. Chairman Parry said we have to start naming names and pointing out the people that are doing these things, take them to task for their actions. They are costing this state more money in repairs and construction projects than needs to be. We have to keep on them constantly. Sol Wolf said when we went up to L & I for that hearing; we were basically asking them for two things. Number one, cite the utility for violating the law and number two make them pay for our damages due to their neglect. The hearing officer immediately starting picking on us like it was our fault. Had he just kept quiet the representative from Bell Atlantic would have been happy to receive a warning letter and pay us our damages. But once he saw the man from L & I was on his

## **Invoices (cont'd)**

side, he refused to do anything. When we told them what we thought we were kicked out. Both Chairman Parry and Tod insisted we need to do something about this so they listen to what we are saying. Sheila said the only thing that will open their eyes is if a catastrophe happens, then maybe they will listen to us.

At this time, Sol Wolf asked the Board to approve the invoices that he presented this evening for GL Marks.

**MOTION: Motion was made and second to approve the invoices as presented all subject to the Boards review. Motion approved.**

Next, Sol Wolf asked for approval of invoices for engineering and Sheila's administrative time. Before he sends it in for payment, he will make sure that everyone gets a copy of the invoices.

**MOTION: Motion was made and second to approve the invoices as follows: Administrative, \$348.01, Engineering, \$40,664.35, most of which is inspection costs. Motion approved.**

## **8<sup>th</sup> Avenue Pump station Land Purchase**

Sol Wolf announced that the settlement took place on the property that is going to be used for the 8<sup>th</sup> Avenue Pump station upgrade. We can now end the lease with the City for the land that we leased for many years. When we are ready to make that move, he will terminate the lease. With the Briar Lake development and the Babe/Plasterer Tracts going into that pump station, they will both be paying the special purpose tapping fees as well as the other sewer permit fees. This will be more than sufficient to pay for the land and make the move for the pump station. Chairman Parry said the bottom line is, it virtually cost us nothing to purchase the Zimmerman land and to do the upgrade to the pump station.

## **GLRA**

GLRA has applied to the State to be allowed to increase the tonnage that they receive on a daily basis up to twice the amount that they do now. Sheila, Cheri and himself have been involved in going to the meetings to find out more about this from DEP. The question that he asked them as it relates to the sewer authority is, will this be a gradual build-up, will this at all affect what is coming to us in the force main. We are expecting that whatever is needed, they will agree to do as they previously had agreed to. This includes inspecting the line periodically, cleaning it out, and do the maintenance things that are necessary. Larry Taylor said because they are not increasing anything in the area that affect their sewer flow, it will not change anything and will not impact anything that is going through our sewer line. Some of the members asked how that can be? Sol Wolf said he thinks Scott should get together with Larry Taylor and take a look at this so we can have our own engineer tell us if it will or will not impact us. If it does have an impact, then

## **GLRA (cont'd)**

we have to take a look at, does this change the procedure that we had agreed to previously or do we have to these things more often? Do we have to do something different? We need to authorize Scott to check into this. We are in the early stages on the process, so we do have some time. Tod asked Scott if the increase in their operation would produce more scaling? Scott said it is hard to say because right now, they have 150,000 gallons per of capacity. Our main concern had been that they didn't have enough flow to push it through. So this may help instead of hurt us. But we should address it.

Scott then asked a question about the size of the pump at the GLRA. We had discussed many times and recommended that they do increase it. Has anyone heard anything from them that they have done this? Sol Wolf said this might be a good time to remind them to address this request we had made in the past. Mike wanted to make the Board aware that they are scheduled to do the pigging operation again on May 17-21. They will do exactly what they did last fall.

## **ENGINEERS REPORT**

### **Reline Project**

Scott said we are no further than we were last month with the reline project. There are two manholes that were not repaired and one that was skipped. So we have 3 manholes that get the Flex n Seal product painted on. We had concerns when the product was applied, it was too cold and the primer was not adhering. We received a call from Swerp and they said they were ready to come out. But Mike and he were worried that they would just come out and "slap" more of this stuff over this when they should be re-doing the whole thing. We sent them a letter telling them they had to bring a product representative along with them when they come to do the job and have him tell us that the manholes are being prepared properly and if they are not, what steps we need to take to do it right. The rep has been out and we are waiting for the letter that explains what needs to be done. He has acknowledged that the primer was not good and that it has to be re-done. The good news is that the weather is starting to cooperate, so that should help. Mike said he received a hand written letter today from the rep, but it is not adequate in telling the contractor to deal with the repair. He basically told Mike that the seal has to be taken off, but that is as far as he has gone. The rep from Exeter Supply was here today and he said that we should be getting the letter by Tuesday. If he does not receive the letter by Tuesday, he will call and request it.

### **Plan Reviews**

#### **Joyce Street Subdivision**

We had asked for a re-submission for Joyce Street showing more detail as far as the installation of the sewer laterals are concerned. He was OK with it, but he is not sure if the Board wants to hold off until Mike and Sheila look at it or if they want to give a contingent approval. Chairman Parry said he is not real keen on contingent approvals, but we don't want to hold them up another month either. Sheila has received the final plans and has

### **Joyce Street Subdivision (cont'd)**

received all of the fees for the subdivision. Scott mentioned that we asked for the note on the plan that states they must do the excavation according to OSHA standards so that Mike's crew can put the lateral in safely; they had to put the lateral detail on and also, the trench restoration detail as well. They have complied with these things. Chairman Parry said it is up to the Board if they want to give this plan contingent approval. Tod said he would rather wait until Mike has had a chance to take a good look at the plan. The rest of the Board concurred. Sheila asked if this means they are waiting until next month for the approval or waiting until Mike has had a chance to review it. They said wait until next month for the approval.

### **Briar Lake**

Scott said we have been receiving shop drawings on the sanitary sewer system within the development. Sheila and himself met with the City about 3 weeks ago about the section on East Maple Street. They asked Jon Beers to make a comment that requires them to loop that line that comes out of the development onto East Maple Street. The City would have done this anyway he feels. The current Briar Lake plan does not show this because the City had not signed off in the water design then yet. So we had a special meeting called to address this issue. Supposedly, there are new plans available, but we have not seen them yet. The engineer for the developer, Scott Miller, said they are ready. We had received a call today from the developer asking if we could say something about the water part of the development at the Planning Commission meeting on Monday night so that the plan would be approved. Since we are dealing with an internal water system, we want to keep our hands out of that. We are letting the City take care of it and all we are concerned about are the points on our line that they are connecting into. The Township has approved these two items, but the system within the development has not been approved. He is not sure that this would be enough for the Planning Commission to approve the plan or not since the City's comments on the water system are a whole different issue. All we can say is that we have reviewed the connection and are OK with it. The problem is that we have not seen the plans yet. Chairman Parry said we have been down this road so many times before with developers. Sol Wolf suggested that they ask the Planning Commission to review it and if they feel comfortable that it is subject to your approval, at least then it has gotten past the Planning Commission.

Scott then stated that they submitted financial security for the water and sewer issues. He is using John Reigel for the excavating work and we are OK with the sewer part of the financial security letter. He imagines that the County will need a letter stating this from us.

### **North 8<sup>th</sup> Avenue Pump station**

Now that the property has been purchased, he and Mike will resume discussions and plans for the upgrade. They should have some updates for the next Board meeting.

## **Ketchum Subdivision – Miller Street**

We did receive calls from the developer's consultants last month and he is looking at different options at this time. Scott said he has to be concerned that if he runs this line, we have a mandatory connection ordinance and we will come back and tell the people across the street that they have to connect to their line. They have to be aware of this before they run the line. It was asked if he had any comments on this? Scott said not really, he thinks he was shocked when he told him.

## **ASSISTANT MANAGERS REPORT**

### **Capacity Fee Increase**

Sol Wolf said that the City does not have us as a party to the amended agreement but they should. Parry asked if it was an oversight on their part or what? Wolf said they don't have any of the municipalities that he represents listed. He sent a letter to the City concerning this and told them to list the Authority, not just the Township. If you want to send your sewage to the Lebanon City Treatment Plant you have to go along with the increase that was granted. In the case that they come back and say, yes, that was an oversight, and they give you a new front page and back page, then it would be a good idea to approve the signing of the amendment to the existing capacity agreement.

**MOTION: Motion was made and second to approve the amendment to the capacity agreement with the City of Lebanon. Motion approved.**

### **Agreements**

Sheila said she has a variety of agreements that need to be signed this evening. Two of these are from Briar Lake, as they came in this week and paid their capacity for the development. The other one is the right-of-way agreement with Briar Lake.

Another set of agreements is from MDS Custom Homes, which is located on Joyce Street. They came in and paid for all of their fees as well.

Orchard View came in and paid their fees, which has an agreement to be signed by our Chairman.

We also have one vacant lot lateral agreement for the water project.

### **Auditors Report**

Sheila told the Board that she received the audited report and she will be sending this in with the DCED form that the Auditor prepared for the state. She said there were no comments of any kind on anything, so she is assuming that is a good thing.

## **SEWER DEPARTMENT REPORT:**

Mike reported that we had seven manholes that were missing throughout the system. Four were on the Ebenezer side and 3 were on the 7<sup>th</sup> Street side. Tod asked what he means by “missing”? Mike said under ground or covered up by yards, streets, etc. The one across from the Ebenezer Elementary School was buried in 10” of grass. There was one at 25<sup>th</sup> Street and Tunnel Hill Road that was buried under 4” of asphalt. Parry asked if they could put a riser on this and bring it up? Mike said that is what they are planning on doing. The risers are ordered and should arrive within ten days. They are actively working on this to get them squared away.

One thing that he would to ask the Board is if they want the crew to start working on the house down on 8<sup>th</sup> Avenue, since we now own the property? He thought they might be able to start on the exterior and interior as “rainy day” projects. Parry said he was going to bring this up, if only to keep the house secure. Mike would like to get the electricity turned off and get the house locked up. Tod asked if we are going to post “NO Trespassing” signs so we don’t have kids going in and doing who knows what? Mike said we also want to clean up the outside so we don’t get into trouble, as it is a mess. That way they might be able to come up with a plan when it comes to tearing the house down. Parry told him to call Met-Ed first thing in the morning and have the electric turned off and any of the other utilities that still might be active.

Chairman Parry asked if they have been able to get any more flushing done since the last meeting? Mike said they have not been able to get out. If it wasn’t the rain, it was the manholes that were buried.

Mike also reported that the new truck was ordered on the next day after the last meeting. He should be reviewing drawings on the body in about 2 weeks.

With there being no further business for the good of the Authority, the meeting was adjourned at 9:00 PM.

Respectfully submitted

Tina M. Haser  
Recording Secretary