

**Minutes**  
**North Lebanon Township Municipal Authority**  
**July 14, 2005**

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, July 14, 2005, at 7:00 PM at the North Lebanon Township Municipal Building, 725 Kimmerlings Road Lebanon, PA with the following Board members present:

Wynanne Demler	Chairman
Richard Miller	Vice Chairman
Ronald Ensminger	Secretary
Tod Dissinger	Treasurer
Susan Switzer Pierce	Asst. Secretary
Sheila Wartluft	Asst. Mgr.
Fred Wolf	Henry & Beaver
Scott Rights	Steckbeck Engineering

Also in attendance were two North Lebanon Township residents.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public this evening.

Chairperson Demler asked for a motion to approve the May minutes. There was one addition to Sheds/ROW's-Site Visit that the main purpose was to look at the ROW to make sure that we have access and see the obstructions. It was also observed there were other items on the ROW besides sheds.

**MOTION: Motion was made and second to approve the June minutes with the note added.**

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

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

**SOLICITORS REPORT**

**Water Project Update**

Solicitor Wolfe stated the ownership is still in the name of the Authority and will continue to be in the name of the Authority and when or if that will change will be determined at a later date. We are still working on the commitment that was made when the Supervisors passed the mandatory connection ordinance. We are still working with some property owners on connecting, paying tapping fees, and paying debt service. We have less than 40 out of approximately 440 who were originally in the project not including any developments. We have been in contact with all of those people in the past 30 days. Also, we have met with various people who were having problems with their plumber and we are working with those people. Sometime in September looks realistic for their plumbers to complete the work. We will document reasons for extensions in writing. We have a few people where we have had no

response at all and also received correspondence from attorneys for a number of other people. We are still working with people who are having financial problems and if their problems are legitimate we will sign agreements with them, basically as to when they might be able to connect due to their financial circumstances. Everyone I talked to agreed and are committed to pay the debt service and the tapping fee and again we are working with them on installment payments. We have a small number, which is less than five, who haven't paid debt service, and some people who have not paid the tapping fee which in some instances are those who are having financial problems. We are hoping to put those people who haven't paid anything on a payment plan and the other people on a \$33.00 a month plan as opposed to the yearly fee. It is possible this may end up in litigation which will be discussed in executive session at the close of the meeting.

A question was raised whether we have supplied all the information to the city on the system and Solicitor Wolfe replied in the affirmative that they have everything. He also mentioned as Sheila had discussed at the last meeting the sewer rates that were established by both the Board of Supervisors and the Authority for debt services was assuming that everyone would hook up and additional costs could be involved in this. It may be necessary to inform the residents that rates may have to be increased because of these costs and the reason for it. At this point we hope we will go through this process and everyone will get connected.

### **8<sup>th</sup> Avenue Pump Station Bid Status**

Solicitor Wolfe mentioned he sent to Marks' Contracting, the low bidder, the intent to award letter, as well as to Envirep. They must provide their payment and performance bond and insurance certificates. Mark's submitted the information and it will be reviewed. With Envirep, Scott will follow up with their representative to see where they are in getting their bonds and insurance certificates together. As soon as we have these approved we will have a pre-construction meeting with them. If everything is in order and we are satisfied, we will issue them a notice to proceed when they can go ahead with it.

### **Manhole Relines**

Solicitor Wolfe reported Scott had given the contractor notice of the deficiencies and as of last meeting they had not contacted Scott nor Mike to make arrangements they were getting it done. The Authority at the last meeting authorized me to proceed with whatever we need to do under the contract, so I notified both the contractor of the fact they have not made the repairs indicated by Scott's punch list and also informed him I would be putting his bonding company on notice. Today I received from the bonding company a proof of claim form and information that needs to be provided. Scott, Sheila, and I will go over this and fill out the proof of claim, a detailed accounting of our estimate of the work completed and work to complete, the original engineer's estimate for completion of the project, a list of all bidders in this project in case the contractor doesn't do it, copies of the contract, sub-contract, purchase order, copies of change orders, copies of delivery tickets, copies of all pay requisitions and invoice, copies of all applicable written notices, copies of all correspondence to their contractor, and account history displaying all payments made in accordance with the project and any other information which believe would be helpful. In most cases they will get in contact with their contractor to make sure they contact us to get the work done.

### Pertinent Issues

Solicitor Wolfe stated the Authority along with the Board of Supervisors and Lebanon County Planning had passed an ordinance regarding on-lot sewage systems and a program to have systems cleaned. Another factor involved in the ordinance and enforcement is there is a prohibition in our ordinance regarding a procedure called fracturing. It's done sometimes when people believe they have an on-lot sewage problem where the owner feels that using this procedure will solve the problem that they won't have to have a new septic system put in or a major repair. A resident in the Township contracted with a company to have this procedure done. The company which performed this did not get approval from Gordie Sheetz. Gordie said DEP is on his side in this issue that it shouldn't be done unless it is checked out. The Township sewage and on-lot sewage falls under the Authority but Gordie Sheetz will take whatever action to meet with these people and get them on track, but if they don't he will take whatever action is necessary.

Solicitor Wolfe mentioned in regard to Countryside Mobile Home Park, Sheila and I want to set up a pre-construction meeting with the owner of the park because we have an agreement for them to add these additional units and we want to go ahead with this so it can move forward.

Regarding the Eighth Avenue pump station, due to the expanding capacity, Briar Lake made a commitment that when we are ready to go ahead they are going to pay the bonded amount which they had as part of their subdivision plan. We will be releasing their bond when we have the payment. They also had to bond the water tapping fee within the development. Because of the requirement, whatever is outstanding after five years will need to be paid at that time. They have already paid a portion and we will need to submit that information to their bonding company to reduce the amount of the bond accordingly.

Solicitor Wolfe stated last month we discussed finalizing sewer capacity for Pumpkin Ridge off of Route 422. Basically all we are doing in this agreement is that they want to reserve 20 EDUs in our sewer system because in that area we are getting to the point if we have additional connections there won't be any more capacity. They want to pay us \$500 for each EDU. If they do proceed within the time period we have in the agreement that amount would be credited against the \$3500 tapping fee. They will have a ten year time period to use these and if they don't within that time period then they lose them. If someone else asks to reserve capacity we will reserve it for them until we don't have any left. We will also be defining what an EDU is and will be using the city's chart based on numbers of employees and also what their other usage of water is due to the type of operation. We are also putting a limit on it for gallon age and we have a right to monitor it.

### Right of Way in Homestead Acres

Solicitor Wolfe said we have a list of addresses. What Sheila and I talked about is Clyde Patches wanted to be contacted regarding the homes he built and the sheds on those properties. After we meet with him, Sheila, Mike, and I intend to send a letter to the residents telling them of the problem, what has to be moved, why, and when, and then to work with them to get that accomplished. Sheila stated Mike checked the properties and they found out of 23 properties with ROWs, nine of them are clear and the remainder have sheds, trees, fences, and playground equipment.

## ENGINEERS REPORT

### Plan Reviews-Briar Lake

Scott reported the only plan review we have is Briar Lake Phase II. We have not released the letter and will hold it until we receive the check for the pump station contribution.

### Televising/GIS

We are working with Mike and Sheila and have also brought the Township into the picture. The County will have deeds, property owner, and assessment data. You can actually import videotapes of sewer lines and digital photographs of manholes with all the specifications. We are trying to make televising compatible with future GIS system and will probably be looking at the end of the year or early spring. Another question was asked regarding grant money. Scott replied there is no grant money available to municipalities. It typically goes to the county and normally when it is distributed it is nominal. Scott mentioned that all new developments have to give an electronic format that is compatible with the County GIS. It is the old data that will be the problem. Sheila stated the County will be changing all tax parcels so everything will be unique. Scott stated there will be a seminar next week and Board members are welcome.

### Union Canal Park

Scott remarked the plan had been submitted to the Board and also the Township and reviewed by the County. On this plan they were going to replace a manhole and going to put in a liner. The contractors gave them a price and for whatever reason they believe it is too much to pay and have come to us to ask what can we do to make it less expensive for them. It was mentioned there were two manholes and one was eliminated. What Penn Dot is saying is if you want a permit you have to raise the manhole because of the slope. The bottom line is the contractor is charging Union Canal somewhere between \$13,000 and \$14,000 for the whole thing of which \$1,500 is associated with by pass flow. What Union Canal wants to do is to get the whole thing down to \$5,000 and material costs alone are close to \$7,5000 to \$8,000 with no installation charges. We are going to provide the bypass pumping. Solicitor Wolfe stated we are looking at two issues: 1) Are they going to Penn Dot or have they already been there so they don't need to do anything with the manhole? and 2) if Penn Dot says there is nothing they can do then we are into looking at the manhole.

**MOTION:** Motion was made to set up a meeting with Union Canal, the County Commissioner's office, and the North Lebanon Township Municipal Authority. We are authorizing the Authority to pay the amount budgeted to reline the manhole toward the new manhole if needed. Motion was seconded and passed.

## ASSISTANT MANAGER'S REPORT

### Pertinent Issues

Sheila reported she sent out Sulfide charge letters for the second quarter to College Hill and Green Acres. I did receive a check from College Hill but not Green Acres yet.

I did receive a sewage management program report from Mandy at Lebanon County Planning. We have 133 of 236 unaccounted people they are working with in the Western District. They also sent out the Central District letters. I am happy to report that according to this chart there were no malfunctions reported to the FDO.

### **Water Project Update**

Sheila reported since Solicitor Wolfe sent the letters, no one came in and paid any tapping fee money. I received an updated list from the city, which showed nobody connected within the last month. There were a few who have connected and may not be on the city's list. As far as the debt service report, the fourth quarter we have 4 people that didn't pay, the next quarter 7, and this present quarter 17.

### **SEWER DEPARTMENT REPORT**

Scott reported that Mike is going out to check the manholes at Long Lane.

Solicitor Wolfe reported that he had talked to Ralph Mace about the force main issue problem because there are pinholes where the water seeps out and then the pipes deteriorate from the outside in.

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

With no more business for the good of the Authority the meeting was adjourned at 8:50 PM.

Respectfully Submitted,

Barbara Bertin  
Recording Secretary