

Minutes
North Lebanon Township Municipal Authority
November 10, 2005

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, November 10, 2005, at 7:00 PM at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following Board members present:

Richard Miller	Vice Chairperson
Tod Dissinger	Treasurer
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, six North Lebanon Township residents, and Chairperson Demler, who arrived later.

COMMENTS FROM THE PUBLIC

Mike Rothermel who resides at 2075 Weavertown Road stated he has problems with water pressure since he hooked up to city water. He stated someone from DEP came out but he didn't know what the results were. Scott Rights stated they would check to see what is going on there.

When asked for other questions or comments from the public, Bill McMichael from Kimmerlings Road stated there have been nothing but problems with the water pressure and DEP was contacted. Solicitor Wolf stated he would like to repeat the citizen's group did report this to Jack Curry of DEP. Mr. Curry along with Authority representation, checked pressures at locations provided by the group. Mr. Curry wrote the group a letter and sent the Authority a letter stating everything passed. Scott Rights stated the city is operating and maintaining the system for us now. The Authority still owns it but the city is operating it.

Vice Chairperson Miller asked for a motion to approve the October minutes.

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

Next, Vice Chairperson Miller 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

Lebanon Valley Mall Theater

Solicitor Wolf stated in attendance were two representatives from the Lebanon Valley Mall. Scott Rights reported all the work is being privately done and we have asked that when the work is done we are notified to do the inspection. Solicitor Wolf stated they will do a developer's agreement to cover the capacity to be used because it is not quite known at this point how much will be required.

Ordinance Update

Solicitor Wolf stated in the current Township ordinances we have a strong waste management ordinance in effect which requires compliance with certain strong waste management and also provides penalties, surcharges, and remedies in the event someone doesn't comply. DEP suggested that we should have something in place for properties that are maintaining their own pumps because ultimately we are responsible if they discharge into our system. We want to have the leverage to tell them they have to do it and if they don't comply then under our ordinance there are various remedies such as fines or court orders. We are trying to provide if someone has a pumping system where the sewer flow comes into our system we would have the right to tell them they must have their pump inspected and submit a report to us where we know the condition of the pump and also what is recommended as far as routine maintenance. Then we will be able to require under this that the owner perform the maintenance and have a repair program as determined by the Authority and state law. If there is a DEP or Federal regulation concerning anything they are doing with their sewage or pumps, they will have to comply with that and then to allow the Authority to recover all expenses and costs which may be incurred by the Authority regarding the administration of the program or costs relating to the failure of the owner to comply with the provisions of the program. This will allow the Authority to enforce the provisions of this ordinance under the penalty provisions that now exist under Section 922 of the existing ordinance. This is on the schedule for the Township, along with other updates in the ordinances, on December 19th. Member asked question if it needs to state federal or is that implied? Solicitor Wolf replied we should add that to a federal, state, or regulation of the Authority.

If there are no other comments, this will proceed with the Township advertising this. There will be a public comment period on December 19th, and then the Township will adopting the ordinance at that time after public comment.

Water Project Update

Solicitor Wolf stated the Authority will be giving the final notices to all residents that aren't in compliance. The first memo will go to the Board of Supervisors so they know what direction the Authority is taking under the mandatory connection ordinance which authorizes the Authority to enforce the ordinance. We have several different categories which need enforcement. For numbers sake we have approximately fifteen customers which have not connected and not given us an adequate reason or a willingness to enter into an agreement. We have approximately 20 customers which have a legitimate reason for not connecting yet. There are approximately six customers which have failed to make any tapping fee and six customers to make the second payment of their installment. We have one customer with a vacant lot who

requested to pay for a lateral and failed to make payment. We have four customers who have failed to pay debt service.

The initial tapping fee was set at \$1,000 to give the original homeowners within the project area a break. This final letter that will go to those who haven't paid the tapping fee will indicate that unless it is paid by the date indicated in the letter it will be at the new fee which is set at \$3,900. With any legal action that is taken we will be claiming penalties, fines, and attorney's fees at the rate of \$115 an hour. If it is money we already paid out, there will be a claim of interest and a municipal lien against the real estate under the ordinance. This will be the last notice of failure to connect and in addition to the other remedies we will ask for a mandatory court order to connect and if they don't, then the court can enforce contempt which can include additional fines, penalties, and incarceration. We have some who haven't connected due to health reasons and if accepted by the Authority they will be relieved temporarily as long as they pay the debt service and tapping fee. If the title is transferred before the connection is made, connection to the property and any unpaid tapping fees must be paid. Legal action will be taken in December.

Sewer Right of Way on Beta Avenue/Sandhill Road

Lastly, there is an agreement regarding a sewer right of way which enters into a property and approved a request by the owner for them to be able to bring their driveway in along our right of way keeping it on the far end of the property. They understand if we need to go in we will not be liable or responsible. If this is approved tonight then we will have them sign the agreement.

MOTION: Motion was made and seconded to approve the agreement between the Authority and the Jacksons concerning this right of way. Motion carried.

ROW's at Homestead Acres

Solicitor Wolf stated that the letter that was approved last month will be sent out to the applicable homeowners. A copy will then be sent to the builder because he hasn't contacted Sheila.

Pertinent Issues

Solicitor Wolf asked if there was anything to report regarding the manhole reline. Mike Kneasel stated they would check in the spring to see if everything is working.

ENGINEERS REPORT

8th Avenue Pump Station

Scott Rights said the contractor is hoping to start next week. He is hoping to start doing some grading. The wet well has been ordered and is supposed to arrive soon. We are reviewing shop drawings.

Plan Reviews

We are reviewing a revised set of plans for Spring Creek. He stated he is fairly confident we will have comments on that shortly.

In Homestead Acres Phase IV, we are waiting for a resubmission.

Televising Bid

We have the documents put together. Solicitor Wolf has been working with the Department of Labor and Industry whether we need to use prevailing wage rates on the project. Solicitor Wolf stated they reported we are okay on the video part of the project but the question is the repairs. For the video part there is a unit price per lineal foot. Scott stated Mike said he will clean the lines and then the company will televise with a report following. After they videotape they will report any problems, then the Authority will decide what repairs they want to do. Solicitor Wolf replied the reason for videotaping is to find any potential problems and fix them before there are major problems. This I/I project will check our system as well as help to comply with the more stringent requirements.

Scott Rights stated the regulations will figure out a total phosphates and nitrates discharge allowance into the Chesapeake Bay water basin. After 2010 the flows are going to increase but the pounds per day must stay the same.

ASSISTANT MANAGER'S REPORT

Sewer Billing Software

We have viewed four software programs with the lowest quote coming from Harris. Solicitor Wolf stated he had seen a demonstration of this program and said it is impressive how much more efficient it is than the program we now have. There is an annual maintenance fee, which includes free upgrades. The software is tailored to each individual municipality; therefore, training will be required individually even though several surrounding municipalities are looking at the same software.

MOTION: Motion was made and seconded to approve of entering into the agreement to purchase the software from Harris with the prices being broken down separately as they are in the agreement. The software package is \$8,235.00; annual maintenance is \$1,620 and in accordance with this agreement this includes all program updates; and the other professional services which are separate total \$7,650.00 plus travel and lodging. Motion was approved.

Rate Resolution:

We will talk about rate resolution in December but saddle tap fees need to be addressed tonight. Mike Kneasel stated saddle traps require a lot of work and someone needs to be there. Sheila stated she wants a motion to veer a little bit from our resolution rate for a property which is not in a subdivision but a variance. We want to get the money when they get the sewer permit so we have some money in reserve if we need it and if we don't we will reimburse them.

MOTION: Motion was made and seconded to increase saddle tap fee to \$1,500 per particular situation. Motion was approved.

Budget

The budget will be discussed after the formal meeting.

SEWER DEPARTMENT REPORT

Mike Kneasel reported we had a break at the Used Car Corral. This is the third break at this location.

Mike stated the manhole at Union Canal Park was installed yesterday and today. It has been welded on the inside and spark tested. The only thing left is set the frame.

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 9:15 PM.

Respectfully Submitted,

Barbara Bertin
Recording Secretary