

Minutes
North Lebanon Township Municipal Authority
December 8, 2005

The meeting of the North Lebanon Township Municipal Authority was held on Thursday, December 8, 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	Chairperson
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, Ken Artz, Chairperson of the Board of Supervisors, 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 November minutes.

MOTION: Motion was made and seconded to approve the November 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

ROW's at Homestead Acres

Solicitor Wolf stated that Sheila and Mike Kneasel made a detailed list regarding items which are in violation of the ROW's. He further stated we will send the letter and ask the residents to reply to the letter with a timeline of when these things can be accomplished.

Ordinance Update

Solicitor Wolf stated one of the ordinances being updated is the strong waste management to take care of the Spruce Park problem. Paragraph C was changed to add Federal law because we didn't have the full expanse of what would be covered in that paragraph.

Sewer Billing Computer Program

Solicitor Wolf stated we are trying to coordinate training with some of the other municipalities who may use the Harris Company.

Sewer Right of Way on Beta Avenue/Sandhill Road

He stated the property owners were asking to put the driveway in our twenty-foot right of way. It was decided the residents could, provided that they agree should we need to get in there to maintain our sewer lines it would be their responsibility for repair of their driveway. They signed the agreement, and it will be recorded in the Recorder of Deeds office.

Weaver's Bologna

During the past month it was noticed they were expanding and no one had notified the Township. There was a concern regarding sewer capacity. They were required to purchase an additional EDU. In our agreements with them there needed to be an investigation of the increased consumption for them. Solicitor Wolf further stated they have been very cooperative and are working to solve the increase in consumption.

North Eighth Avenue lot

Solicitor Wolf stated Mike and Sheila have investigated where the sewer lines run in that area. After checking the maps they decided it would most efficient to run the sewer line down the grass near the curb line and connect to the sewer line at the next street. An agreement was signed and a bond received for restoration of the street as well as another bond for restoration of the grass in the right of way.

City of Lebanon takeover of the City of Lebanon Authority

A letter of concern on behalf of the Township and the Authority was drafted and provided to Authority members. An addition to that letter was to let the city know the outside municipalities have consulted with special legal counsel. North Lebanon as well as other municipalities are going to join together to hire someone to protect the residents and the Authority. The final hearing to be held on December 9 on the ordinance is on taking back the system. There has been a lot of effort in trying to find out how they plan to resolve many issues. As far as sewer, we own our sewer lines but we have agreements with the city on sewer capacity at the Lebanon City treatment plant and the concern is for us to be treated fairly as to what their charges would be as we pass those charges on to our sewer customers. The concern is we don't know if the city is intending to honor the inter-municipal agreements. As far as water, the ownership is by the Lebanon Authority and they bill our residents directly. They are not now regulated by the PUC but if this takeover goes through they will be then be regulated by the PUC. The question is what is the city planning to do with the money from their Authority if it is dissolved and what will the ramifications be in the future for residents and developers. If the letter representing the three municipalities that Solicitor Wolf represents is approved by the Board and if they don't take into consideration our concerns, then we will be part of the process through the PUC attorney. The Township has discussed it and they are willing to split the \$3,000 cost with the Authority, and if other municipalities join they will also contribute to the costs therefore helping to lower our individual costs.

Solicitor Wolf replied to comment from member regarding problems in other municipalities with this kind of takeover by stating it may be good for the city to be under the PUC if this does take place.

MOTION: Motion was made and seconded to join with the Board of Supervisors and commit to file any necessary action to protect the interest of the Authority and the Township in the matter of the takeover by the City of Lebanon of the Water and Sewer Authority and that we authorize the payment of \$1,500 to retain legal counsel. Motion was approved.

2006 Budget

Solicitor Wolf stated the Operating and Maintenance part of the budget is the one section of the budget that may require alteration. The last rate increase occurred in 1999 where the operating and maintenance went from \$4.00 to \$20.00 and at that time it was asked if the Authority could keep it at that rate for four to five years and then make it a gradual increase. Three dollars a quarter would create a shortfall but four dollars a quarter would allow for a slight cushion.

Ken Artz stated they don't want to see a large increase all at one time. Solicitor Wolf stated basically the Board of Supervisors have supported the O & M budget and a small increase. Sheila stated if we decide on the rate increase tonight we could put a message on our February bills and also in our Spring newsletter which comes out in April. This would allow the people to be informed of the increase at least six month in advance. Tod Dissinger stated it is the uncontrollable expenses such as medical insurance and workman's comp, which are hard to control. He further stated he agreed with the \$4.00 increase. Solicitor Wolf stated we have three quarterly billings after the February bill to help make up the deficit.

Adoption of the Budget

Sheila stated Resolution 03-2005 is to approve the 2006 Wastewater Budget, which would include the Sewer Operating with a \$4/quarter increase, and Capital Reserve, and Resolution 04-2005 is to approve the 2006 Water Operating Budget.

MOTION: Motion was made and seconded to approve Resolution #03-2005 which is the 2006 Wastewater Budget and the Resolution #04-2005 which is the 2006 Water Operating Budget. Motion approved.

Personnel and litigation

Solicitor Wolf stated this would be discussed in executive session.

ENGINEERS REPORT

8th Avenue Pump Station

Scott Rights said the pump station is under construction. They have dug the hole for the wet well and it has been set. He stated he, Sheila, and Mike went to the plant where they produced the wet well and did an inspection and were satisfied. He stated Marks requested payment for this month of \$126,785.70, which agrees with our schedule of values; therefore, our recommendation is that the Board approves payment to Marks for the work completed.

MOTION: Motion was made and seconded to pay the Mark's invoice. Motion was approved.

Scott stated the pumps are to be delivered Monday or Tuesday of next week. Scott said he is not comfortable with only withholding \$1,600 for the pumps until they have been tested. He stated they won't be started until near the end of the process and was thinking withholding at least \$15,000. Solicitor Wolf stated we have a performance bond, which requires them to complete it and get it to us in accordance with the contract. Scott said he is recommending to hold 10% until the pumps are started.

MOTION: Motion was made and seconded to make payment to Envirorep for the pumps in the amount of \$87,270.70. The check is not to be cut until after the pumps have been delivered and we have had a chance to inspect and be sure they don't have any obvious damage. Motion was approved.

Solicitor Wolf stated we should have Marks sign something stating he received them and they were not damaged.

Plan Reviews

Scott Rights said in the past month we received a resubmission for Spring Creek, Homestead Acres Phase IV, and Briar Lake Phase III. Sheila, Mike and I are working on them. Regarding Briar Lake, they haven't come back with a Penn Dot permit for the work on East Maple Street water mains yet.

Televising Bid

Regarding the televising contract, Scott said Fred was able to get a ruling from the Department of Labor and Industry and prevailing wages would not apply to this type of work as long as they are working inside the pipe and making repairs and televising. The project was advertised and the bid openings will be January 10, 2006. There is an optional pre-bid meeting on December 22, 2005 which will be held at the Township building.

Force main replacement

Scott said Penn Dot has planned to overly 7th Street in the vicinity of Kimmerlings of which we recently became aware since the last meeting. The Authority has a force main that would be in the shoulder of 7th Street basically between Willow and Kimmerlings. Scott discussed problems which may arise in the future with this force main ductile pipe. We are looking at about 600 feet of forced main from Kochenderfer back to the pumping station. There are other utilities in that area so we thought it may be best to put it back in the same trench where the existing force main is. Penn Dot is anticipating starting construction around April 1st so the work would need to be done before they get to that point in the paving project. Scott stated he is not sure if they really need to replace it at all. Mike stated there are other problem areas that we know may need work. After discussion it was decided to not replace the line unless there is a problem in the future.

Rothermel water problems

Scott stated he talked to the Rothermel's three or four times during the last month. He stated he talked to six neighbors and all of them indicated their pressures were fine. The city went out to the Rothermel's, went into the line, and demonstrated what their pressure was. The pressure was very adequate. The problem is they had a filter on the water line inside the house that was clogged and now they said it is much better.

ASSISTANT MANAGER'S REPORT

Rate Resolution

Sheila stated she is leaving on the table the rate resolution that we can pass next month. It states mileage changes per Federal guidelines, the O & M change passed tonight in the budget, tapping fees changed by Act 203 this year, and increased subdivision fees.

Plan Review

Sheila stated she has a request for a lot addition for Warlow/Shirk along Water Street. The engineer has not supplied an extra set but has sent a letter that it is a simple lot addition of one and a half acres. The letter further stated it proposes no construction or earth moving procedures therefore no sewer construction is proposed, and it is recommended for plan approval by the board for that particular plan.

MOTION: Motion was made and seconded to accept the plan for the Warlow/Shirk plan as recommended by the engineer. Motion was approved.

Administration Vehicle

Mike Kneasel stated they had looked at several used four-wheel drive vehicles and received bids on three different vehicles. The vehicle is needed for administration purposes as the present vehicle is not trustworthy. There was a discussion of pros and cons of the different vehicles. Treasurer Tod Dissinger asked if there was a reason why they needed a four-wheel drive vehicle. It was suggested that we continue to check to see what is available and check into the service record of vehicles being considered. Tod reiterated he is not opposed to purchasing a vehicle but to consider other options.

SEWER DEPARTMENT REPORT

Mike stated he finally received an estimate for the manholes in the railroad bed where the epoxy is peeling off to do the - spray rock process. There are nineteen manholes and their estimate is \$75,000 to \$80,000 and that the bypass is what really adds to the cost. Mike stated he checked the water flow and gave them the information to see what the bypass might cost. Terre Hill Composite has a product called Hydropoxy and basically one kit will do a manhole. Mike stated he would like to try this product.

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

Public Comment

Mr. Sakel, who lives at 810 Patmar Drive, asked to speak. He asked what his next step is if his water pressure is inadequate. Scott stated that we took the homes in the highest elevations and put gauges on them and the lowest was 25-26 pounds of pressure. Scott stated he could come and check the main. Mr. Sakel asked about installing a pump and Scott said he should check with the city. Solicitor Wolf reiterated that DEP had gone out and checked the pressure of those residents who had filed complaints and all of them had pressure above the required level of 20 pounds. A question was asked if Mr. Sakel was indeed connected. A clear answer to this question was not given.

With no more business for the good of the Authority the meeting was adjourned at 10:30 p.m.

Respectfully Submitted,

Barbara Bertin
Recording Secretary