

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**MARCH 24, 2008**

Chairman Gingrich called the Regular Meeting of the Lower Swatara Township Municipal Authority to order at 7:30 P.M. The record indicated the following officials in attendance:

- James R. Gingrich, Chairman
- James R. Brokenshire, Vice Chairman
- Charles A. High, Secretary
- Richard W. Wilkinson, Treasurer
- Donald Martino, Asst. Secretary/Treasurer
- Matthew Cichy, Engineer
- Peter R. Henninger, Solicitor
- Ronald J. Paul, Township Manager
- Leslie A. LaVia, Recording Secretary

Others in Attendance: Ed Ellinger, Engineer, HRG,  
Mike Williams

Chairman Gingrich opened the floor to Mr. Williams. Mr. Williams thanked the Authority for posting their minutes on the Township's website. Highspire will be conducting a survey of the sewer lines for the proposed Lumber Street sewer upgrade. Hopefully, the results of that survey will be available by Highspire's next meeting. The fictitious name matter has been resolved and an agreement has been signed. Mr. Williams asked what would happen if one of the parties backed out of the agreement. Should one of the parties decide not to participate, the Authority would then have to decide what that party would need to do in order to obtain capacity since developers will not get plan approval from DEP without capacity. Mr. Paul stated that Advanced Conversion Technology's project should not be held up because of the agreement. Mr. Henninger stated that it is his opinion that ACT's letter constitutes a contract.

Mr. Brokenshire, seconded by Mr. Wilkinson, made motion to approve the February 25, 2008 meeting minutes. The motion was unanimously approved.

**Engineer's Report:** Mr. Cichy distributed the Engineer's Report for March. HRG is reviewing the project manual for the Farr Pump Station upgrade and that manual should soon be ready for staff review. The DEP Chapter 106 Water Obstruction and

Encroachment Permit Application should be submitted to DEP next week following receipt of the Pennsylvania Historical and Museum Commission clearance letter.

Mr. Cichy reported that the root inhibitor has been applied to the lines on Nissley Drive and Ray Road and the slip-lining work is scheduled for April 7, 2008. According to the contract, the project is to be completed by May 11, 2008.

Mr. Cichy distributed the study of the future flows tributary to the Middletown Wastewater Treatment Plant. There are currently 174,497 gallons per day of flow going to the Middletown Treatment plant (approximately 683 EDU's). Projected flow based on currently approved developments was added to the existing flow at the plant bringing the flow amount to 195,929 gallons per day.

Projected flow based on proposed/projected developments and adjacent unsewered dwellings would be 414,581 gallons per day. Projected flow based on the development of major parcels was also presented in a separate table. That flow was estimated at 661,277 gallons per day. Mr. Paul pointed out that the potential flow from SARAA Smart Park estimated at 17,784 gallons per day would most likely be treated by the SARAA wastewater treatment plant. It was noted that the flow from Jednota could be taken to Highspire for treatment.

The ultimate flow based on the build out study has been estimated at 794,657 gallons per day. This number is different from the study prepared in 1998 due to higher density zoning for the Shope Farm located off Oberlin Road which is zoned Residential Agricultural. The 2008 study took into consideration all tracts greater than two (2) acres in size that will be developed to their maximum allowable zoning densities. The 1998 study did not take into account the Jednota flow due to the "Clean and Green" program. It was noted that some of the identified areas could be serviced by Derry Township.

The proposed Middletown agreement will be a twenty year agreement. Mr. Ellinger stated that treatment plants are designed with a twenty year life. The proposed Middletown plant will be constructed with the current capacity design (2.2 reserved capacity (MGD)).

The Township Authority needs to give Middletown a number for their reserve capacity for the new treatment agreement and that number must include some additional capacity for future development. Lower Swatara Township Authority needs to identify to

Middletown Borough Authority the areas of the Township that could be treated at Middletown or treated by another plant.

Mr. Paul commented that Eagle Heights had thirteen (13) initial connections. The mobile homes were removed and will be replaced by twelve (12) town houses. Question was raised if the Authority should be charging tapping/connection fees again for this property? Mr. Henninger stated that they should be charging the fee once the new treatment agreement is in place since the Authority will have to pay now for the capacity.

Question was raised why the plant is not being upgraded for additional capacity. Mr. Ellinger explained that if plants are sized greater, the plant will have to go to the next level of treatment for nitrogen and phosphorous or buy credits. This is most likely the reason the Middletown plant will be the designed for the same amount of capacity.

Scenarios were briefly discussed for diverting flow. Diverting flow from Middletown drainage basin area to Highspire may require upgrading the size of the Highspire plant which may be close to capacity. Question was raised if Highspire or Middletown has much area available for expansion. Purchasing capacity at Derry Township is costly; however there is capacity available at the Southwest Derry Township Plant. Flow from the Lehman Shope property could go to Derry Township for treatment; however, it would be costly to install the sewer line since the line would have to cross Route 283.

It was noted that there is a meeting scheduled for 3:00 P.M. on March 28, 2008 at DEP to discuss the BNR upgrades. There will be a meeting at the Lower Swatara Township Firehouse 1350 Fulling Mill Road on April 10, 2008 to discuss the Chesapeake Bay Compliance Plan. This meeting is open to the public. Senator Piccola and Representative Payne will be in attendance.

Mr. Wilkinson, seconded by Mr. Brokenshire, made motion to request 440,000 gallons per day of reserved capacity at the Middletown Wastewater Treatment Plant and point out the certain areas of potential development on an exhibit which could be serviced by Middletown or by another treatment plant. The motion was unanimously approved.

Mr. Cichy stated that correspondence was sent on March 13, 2008, to the developer's engineer for the Fulling Mill Retirement Center regarding the review of the preliminary plans and Phase I final plans.

Mr. Cichy informed the Board that the Act 537 Study for Middletown Borough Authority was reviewed by HRG and HRG will prepare their comments. HRG discussed the potential sewer extension for York Building Products located on Fulling Mill Road. The flow from York Building Products will go to the Southwest Derry Township Plant for treatment. The effluent may need to be diluted before entering the public sanitary sewer system since York Building Products might exceed certain levels for aluminum and other chemicals.

**Solicitor's Report:** Mr. Henninger reported that he met with Tom Wenger, Middletown Borough Authority Solicitor regarding the proposed Middletown Treatment Agreement. Language changes will be made to the agreement. Mr. Henninger stated that he is waiting for information back from Middletown and Middletown is waiting for our capacity number. The proposed agreement requires that seventy five (75) or more connections must be metered.

Mr. Henninger did not provide an updated sewer lien list but reported that the Authority received payment from one municipal lien this month. Mr. Henninger also renewed one sewer lien that is now twenty years old.

**Manager's Report:** Nothing to report.

Mr. Brokenshire reported on the Highspire Borough Authority meeting, March 20, 2008. Highspire should qualify for bank financing for their 36 % of the cost for the Chesapeake Bay upgrade since they would be borrowing less than ten (10) million dollars. A Highspire rate study was authorized to be conducted by their engineer. Highspire is waiting for comments back from DEP regarding the Chesapeake Bay Compliance Plan.

There is a sag in the Ann Street line that must be corrected. This is a joint line. Highspire Borough Authority stated that this project should not be too costly. Mr. Brokenshire stated that he plans on attending meeting at DEP meeting, March 28, 2008.

Mr. Wilkinson, seconded by Mr. High, made motion to approve the March expenses of the Sewer Revenue Fund in the amount of \$147,908.55. The motion was unanimously approved.

The next meeting is scheduled for April 28, 2008. Mr. Henninger will arrange for a financial presentation for the meeting. Hearing no further business, Mr. Brokenshire, seconded by Mr. Wilkinson, made motion to adjourn. The motion was unanimously approved and the meeting adjourned at 9:05 P.M.

ATTEST:

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Leslie A. LaVia  
Recording Secretary