

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
MAY 19, 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
- Donald Martino, Asst Secretary/Treasurer
- Matthew D. Cichy, Engineer
- Peter R. Henninger, Solicitor
- Ronald J. Paul, Township Manager
- Leslie A. LaVia, Recording Secretary

Absent: Charles A. High, Secretary, Richard W. Wilkinson, Treasurer

Others in Attendance: Mike Williams, Jim Nardo, Sharon Nardo

Chairman Gingrich opened the floor to Mike Williams. Mr. Williams informed the Board that a small section of sewer line needs replaced in the Borough of Highspire. The depth of the line is unknown. The agreement regarding the Lumber Street Sewer Replacement Project should be between Highspire Borough Authority and the developers. It was noted that Von Hess indicated that he would contact Paul Navarro. Hopefully, the agreement will be ready by the next Highspire Borough Authority meeting.

Mr. Brokenshire, seconded by Mr. Martino made motion to approve the minutes of April 28, 2008 with a correction on the last page of the minutes. Mr. Brokenshire was in attendance at the April meeting which was held at the Lower Swatara Township Fire Station regarding the Chesapeake Bay regulations. The minutes indicated that he was not in attendance. The motion was unanimously approved.

Engineer's Report: Mr. Cichy distributed his monthly written report. Mr. Cichy reported that HRG is still waiting receipt of the DEP Chapter 106 Water Obstruction and Encroachment Permit Application. Once the permit is received, the Authority can proceed with the advertising of the bid for the Farr Pump Station upgrade.

Mr. Cichy reported that the contract close-out documents have been sent to New Hope Pipe Liners for the Nissley Drive/Ray Road sewer rehabilitation project. Once those documents are completed, the final payment can be remitted to the contractor.

Mr. Brokenshire, seconded by Mr. Martino, made motion to remit the final payment to New Hope Pipe Liners, LLC and close out the project once the Authority receives back the proper documentation from the contractor. The motion was unanimously approved.

Mr. Cichy informed the Board that a meeting was held May 7, 2008 with Mr. Nardo and Mr. Garcia of Navarro & Wright regarding the Linden Centre project. A resubmission of the plans for review is required. The developer is hoping to receive approval Wednesday evening at the Board of Commissioners' Legislative Meeting.

Mr. Cichy informed the Board that HRG's comment letter regarding Middletown Borough Authority's Act 537 Sewage Facilities Special Study was submitted on May 5, 2008. Mr. Paul stated that he executed a waiver for a planning module for Platinum Partners Plus (the Pickel tract). The flow seven (7) EDU's will go to Derry Township for treatment.

Solicitor's Report: Mr. Henninger reviewed the proposed Middletown Treatment Agreement with the latest revisions from Middletown. Mr. Henninger indicated that further clarifications are necessary. The proposed treatment agreement is a total of twenty (20) pages.

Mr. Henninger stated on Page 2, the cost of construction and maintenance needs further clarification. On Page 5, the definition of the sewer system needs to be clarified. On Page 6, 440,000 gallons would be requested by Lower Swatara Township. Mr. Henninger stated that the 1961 Treatment Agreement with Middletown would remain in effect until the new plant is constructed with regards to the operation and maintenance (O & M) costs.

On Page 7, Section 4, Lower Swatara Township's proportionate share (20%) needs to be addressed regarding the shared sewer lines. Lower Swatara Township may not have 20% flow in a certain line that may need to be repaired or replaced. Under Section 5, more than sixty (60) days notice may be needed and Mr. Henninger stated that further explanation should be inserted in this section.

On Page 10, regarding malfunctioning meters, Mr. Henninger stated that an average flow should be used in the calculation, not maximum flow. The proposed agreements states that the Lower Swatara Township Authority will have fifteen (15) days to repair the meter. Mr. Henninger stated that it is his opinion that there shouldn't be a problem with the fifteen (15) day time period.

On Page 14, Mr. Henninger commented that Middletown would not change the penalty for excess I & I. Mr. Henninger stated that the calculation should take into consideration Lower Swatara Township's 440,000 gallons of reserved capacity not on actual flows. Mr. Henninger pointed out that any revenue received by Middletown (grant money for example) should be across the Board and not just for Middletown. This section will need further clarification.

On Page 15, Section 5, Middletown is requesting controlled manholes for sampling purposes, for the non residential users. Mr. Henninger pointed out that this may not be realistic for some of the non-residential users and this section may need further explanation. Mr. Henninger asked the Board to review the proposed agreement and contact him if there are any questions. It was noted that the Board of Commissioners must also sign the Agreement. The Board of Commissioners will receive a copy of the proposed agreement at their meeting, May 21, 2008.

Mr. Henninger informed the Board that he sent the annual audit letter to Waggoner, Frutiger and Daub indicating that there are no legal matters involving the Municipal Authority.

Manager's Report: Mr. Nardo representing the Linden Centre stated that he would have the drawings tomorrow for the Board of Commissioners meeting. Mr. Nardo informed the Board that there is a section of main that serves the Authority. The Authority requested that the new line be a ten (10) inch line for future capacity needs as opposed to installing an eight (8) inch line. Mr. Nardo is requesting that the Authority pay the difference in cost to install the ten (10) inch line. Mr. Cichy stated that the PVC cost is based on petroleum costs and PVC could now be higher with the rising petroleum prices. Mr. Cichy will check on the PVC cost and report back to the Authority. The difference between the eight and ten inch line was estimated at \$2,000 (\$2.00 a foot for

the PVC times 1,000 feet of sewer line). It was noted that HRG could review the bids received by the developer for the Linden Centre sewer installation.

The Authority should have water service to the Linden Centre Pump Station. The developer is relocating the water line for the new CVS Pharmacy but is not providing water service to the pump station. Mr. Paul stated that the Linden Centre's plans appear to have changed from the plans recommended for approval by the Planning Commission (November 15, 2007) and asked Mr. Nardo to check the November 12, 2007 submission. It was noted that the Township Development Committee of the Lower Swatara Township Volunteer Fire Department review comments were incorporated on the November 2, 2007 plans. Mr. Nardo should contact United Water Company regarding the water lines. Mr. Paul stated that the Township may not be willing to install a water main for the purpose of providing water for the pump station. Mr. Nardo informed the Board that he would be meeting tomorrow with the Susquehanna Area Regional Airport Authority.

Mr. Brokenshire, seconded by Mr. Martino made motion to approve the May expenses of the Sewer Revenue Fund in the amount of \$213,471.77. The motion was unanimously approved.

Mr. Brokenshire briefed the Board on Highspire Borough Authority's meeting, May 15, 2008. Highspire Borough Authority will be advertising the bid for the Ann Street sewer project, June 16, and would most likely award the bid at their July 17, 2008 meeting. Highspire Borough Authority has heard nothing back from DEP regarding their permit status and there is nothing new to report regarding a Highspire sewer rate study.

Chairman Gingrich asked for possible dates for a meeting with Highspire to discuss the Chesapeake Bay upgrades and other issues. Mr. Paul gave Mr. Henninger a copy of DEP's response to the lawsuit. The matter is scheduled for September court. It was noted that there may not be any DEP permits issued for the Chesapeake upgrades until January 2009. Mr. Cichy stated that it is also his understanding that no permits will be issued until January 2009 and stated there will be a Governor's task force studying the costs to municipalities for the upgrades and possible funding solutions.

The next meeting of the Authority is scheduled for June 23, 2008. Chairman Gingrich will contact Von Hess to see if June 12, 2008 at 7:00 P.M. would be an agreeable date to meet. The meeting could be held at the Lower Swatara Township Building.

Mr. Brokenshire, seconded by Mr. Martino made motion to adjourn. The motion was unanimously approved and the meeting adjourned at 8:30 P.M.

ATTEST:

Leslie A. LaVia
Recording Secretary