

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**JUNE 23, 2008**

Chairman Gingrich called the Regular meeting of the Lower Swatara Township Municipal Authority to order at 7:40 P.M. The record indicated the following officials in attendance:

- James R. Gingrich, Chairman
- James R. Brokenshire, Vice Chairman
- Richard W. Wilkinson, Treasurer
- 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

Others in attendance: Mike Williams, Peg Stoops

Chairman Gingrich opened the floor to Mike Williams. Mr. Henninger had a copy of the signed agreement between the Highspire Borough Authority and the developers regarding the Lumber Street sewer upgrade project. Mr. Williams stated that he would like the agreement to state “B W Partnership or some future entity” in the event that B.W. Partnership changes ownership. Mr. Henninger stated that in his legal opinion that issue is addressed on Page 5, paragraph 13 of the agreement.

Mr. Brokenshire, seconded by Mr. Martino made motion to approve the minutes of the May 19, 2008 meeting. The motion was unanimously approved.

Mr. Wilkinson, seconded by Mr. Brokenshire, made motion to acknowledge the receipt of the 2007 Municipal Authority Audit prepared by Waggoner, Frutiger and Daub. The motion was unanimously approved.

**Engineer’s Report:** Mr. Cichy distributed his monthly written report. HRG is preparing the July 2008 Corrective Action Plan (CAP) report for submission to DEP and the CAP report should be available for review by the Township staff by July 9, 2008.

Mr. Cichy informed the Board that DEP requested additional information identifying the location of the floodplain and floodway on the mapping for the Farr Pump Station upgrade. The information has been provided to DEP. Upon DEP’s approval and the

receipt of the Chapter 106 Water Obstruction and Encroachment Permit the project should be ready to bid.

HRG completed the fourth review of the preliminary plans for the Linden Centre and provided comments to Navarro & Wright, the developer's engineer. Mr. Sipe suggested the parties meet again but Mr. Paul stated he did not believe another meeting would be necessary.

Mr. Cichy informed the Board that the revised sewer specifications will require a control manhole on the lateral of future non-residential wastewater connections. This is in response to Middletown's requirement in the proposed treatment agreement. Middletown requires the control manholes for sampling purposes. Mr. Cichy stated that the revised Standard Sewer Construction Specifications should be available later this week for review. Mr. Cichy stated that Mr. Sipe would obtain the manhole requirements from Ken Klinepeter with Middletown Borough Authority.

**Solicitor's Report:** Mr. Henninger informed the Board that Mr. Brokenshire had several comments on the proposed Middletown treatment agreement and all comments have been forwarded to the Middletown Borough Authority Solicitor for review. Mr. Henninger stated that there presently are fifty four (54) non-residential customers and it would not be possible to install control manholes for all these non-residential users.

Mr. Brokenshire, seconded by Mr. Wilkinson, made motion to approve the agreement for the Lumber Street Sewer Upgrade Project subject to confirmation of the final details. The motion was unanimously approved. Mr. Williams commented that the right of way issue seems open ended. Mr. Paul advised Mr. Williams to contact Highspire Borough Authority for clarification regarding the right-of-ways.

Mr. Henninger informed the Board that he filed a petition in Dauphin County Court to open the estate of Gary Strohm. The Authority has several municipal liens on this property located at 97 Wayne Avenue. Mr. Henninger will follow up with the Donna Lauck estate also.

A report on the sewer accounts over 90 days delinquent was distributed. There has been a significant increase in the number of delinquent accounts since the rate increases. The present state of the economy appears to also have an impact on the number of

delinquent accounts. There are two properties listed for sheriff sale in August and Mr. Henninger was given copies of those Sheriff Sale notices.

Question was raised whether the Authority should be more aggressive with the water shut offs or take other action such as filing citations with the District Justice and filing municipal liens. In the case of well customers, a municipal lien is usually the option. Previous policy has been to lien properties that are delinquent totaling a year's unpaid sewer rental charge. The Authority concurred to be more aggressive with the water shut offs, but the Authority should bring the delinquent account situation to the Board of Commissioners' attention. It was noted that Middletown Borough will not terminate water service on the Municipal Authority's request.

**Manager's Report:** Mr. Paul reported on the meeting with Highspire representatives, June 19, 2008. Mr. Paul stated that Highspire has no plans to move forward with the Chesapeake Bay upgrades if there appears to be State funding available. It was noted that Highspire will be acquiring a bond issue regardless since two tanks at the wastewater treatment plant need to be replaced. The tank replacement is planned as part of the upgrade. The tank replacement costs should be allowed under ACT 57 as part of the tapping and connection calculations however, the tank replacement might be considered maintenance costs. It was noted that hopefully, with the passing of the State budget next week, there will be funding available for the Chesapeake Bay upgrades.

Mr. Wilkinson, seconded by Mr. Martino made motion to approve the June expenses of the Sewer Revenue Fund in the amount of \$98,908.53. The motion was unanimously approved.

The next meeting of the Authority is July 28, 2008. Hearing no further business, 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:

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Leslie A. LaVia  
Recording Secretary