

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
APRIL 27, 2009

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
- Donald Martino, Asst. Secretary/Treasurer
- Matthew D. Cichy, Engineer
- Peter R. Henninger, Solicitor
- Ronald J. Paul, Township Manager
- Leslie A. LaVia, Recording Secretary

Absent: Richard W. Wilkinson, Treasurer

Others in Attendance: David Tshudy, John Snyder,
Tim Wakefield, Matt Baily

Mr. Brokenshire, seconded by Mr. High, made motion to approve the March 23, 2009 minutes. The motion was unanimously approved.

Engineer's Report: Mr. Cichy distributed his monthly written report. PSI Pumping Solutions, Inc. provided an updated schedule for completion of the Farr Pump Station upgrade. Field work is to begin the week of May 4 and the upgrades should be completed by the end of May.

Mr. Cichy reported that Wayne Schutz from Derry Township Municipal Authority will be sending a letter this week identifying the requirements for York Building Products Company located at 325 Fulling Mill Road regarding their metered discharge flow into the sanitary sewer system. York Building Products would like to connect to the public sanitary sewer system

Solicitor's Report: Mr. Henninger informed the Board that the Board of Commissioners approved the proposed Middletown Treatment Agreement. Chairman Gingrich and Mr. High signed the Agreement for the Authority tonight. The Authority approved the agreement at their March 23, 2009 meeting.

Mr. Henninger informed the Board that he gave Charles Lauck an additional 30 days to obtain an attorney or to open the estate for his mother, Donna Lauck. Mr. Henninger will proceed to petition the court to be appointed administrator of the estate should the 30 days expire. Mr. Henninger informed the Board that settlement may occur soon on the late Gloria Goodwin property located at 105 Wyoming Avenue which is also delinquent sewer account.

Manager's Report: Mr. Paul referenced a proposed agreement between Lower Swatara Township Municipal Authority and Emerald Pointe for the Highspire Road Project. The proposed agreement was reviewed and Mr. Henninger pointed out that there needs to be clarification referencing the Authority's Resolution and a language change to read "Highspire Borough Authority". Mr. Henninger stated that this agreement replaces the October 31, 2008 Agreement. It was noted that a termination clause has been added. Should additional EDU's be needed for the community building, Emerald Pointe may need to purchase an additional EDU and the proposed agreement addresses this issue.

Mr. High, seconded by Mr. Brokenshire, made motion to approve the Sewer Capacity Agreement with Emerald Pointe L.P. with the noted changes. The motion was unanimously approved.

Mr. Paul had comments regarding the planning module for the Emerald Pointe Project. There will be several grinder pumps required and the property owners will be responsible for the grinder pumps or eventually the Homeowner's Association. This planning module is a supplement to the other planning module. Mr. Sipe has comments for the sewer installation and there are also comments from Brenda Wick, the Township Engineer.

Mr. Brokenshire, seconded by Mr. High, made motion to approve the planning module which will be submitted by Swatara Township to DEP. The motion was unanimously approved.

Mr. Wakefield representing the Flynn Group referenced correspondence dated March 23, 2009 regarding a request to transfer EDU's. Advanced Conversion Technology (ACT) located on Fulling Mill Road believes now that they have an excessive amount of EDU's. Mr. Paul stated that the planning module for ACT submitted in 1987 was approved for 10,400 gallons per day; however only eleven (11)

EDU's were purchased in 1987. ACT purchased eighteen (18) additional EDU's in 2008, giving ACT a total now of twenty-nine (29) EDU's. Mr. Paul stated that Advanced Conversion Technology water usage indicated that they were exceeding the eleven (11) EDU's originally purchased. A portion of the eighteen (18) EDU's purchased was to make up the difference and the remaining EDU's were for the new addition. Mr. Cichy commented that he did a quick calculation and there is actually an EDU deficit for ACT.

Mr. Paul asked if any water could be recycled at the facility. Mr. Wakefield stated that there is some water recycled. It was questioned if EDU's could be transferred on the site. The Authority has never transferred EDU's to another location within a drainage basin.

Mr. Cichy stated that he recalculated the usage based on the number of employees and ACT has two (2) extra EDU's. It was noted that it is good to have a cushion. Mr. Wakefield informed the Board that there is some interest for additional development in the drainage basin. The Fulling Flex LLC project is moving forward. It was noted that Highspire Borough doesn't have the right-of-way for the Lumber Street sewer upgrade project.

Mr. Brokenshire referenced the Highspire Treatment Plant upgrade bids. The bids were opened the same day as the Highspire Borough Authority meeting so no action was taken at the meeting. The bids are good for 120 days.

Mr. Brokenshire informed the Board that the Pennvest money has not been authorized in the Legislature and grants would not be determined until next month. A financial advisor will be in attendance for the next Highspire Borough Authority meeting and Lower Swatara Township Authority should invite Daryl Peck to their May meeting to discuss the Township's portion of the financing of the upgrade projects. Mr. Brokenshire stated that if Highspire Borough Authority accepts the low bid, the Township's portion would be 5.6 million dollars.

Mr. Cichy commented that 530 million dollars was awarded last Monday by Pennvest, the single largest amount awarded. Roughly 215 million dollars went to projects in Philadelphia and 20 to 30 million dollars went to Pittsburgh. The next Pennvest meeting is scheduled for July 21 which is close to the Highspire Borough Authority 120-day bid

timeline. Middletown expects to bid their project June or July and anticipate a late summer or fall start.

Specifications for the oxidation ditch equipment for the Highspire Treatment plant upgrade were forwarded to Mr. Cichy for his comments. A firm, Envirodyne, submitted a bid for the oxidation ditch equipment for the Highspire Treatment Plant. According to Rettew, Highspire Borough Engineer, they extended the deadline to Envirodyne to submit information for them to be an approved equivalent and that information was never received by Rettew. Envirodyne's bid was submitted as part of the lowest bid.

Mr. Brokenshire reported that Highspire Borough Authority is still waiting for the permit from DEP for the Ann Street sewer repair project.

Mr. Paul commented that some decisions need to be made for the fencing around the pump station at the Linden Centre and there are still some issues regarding access. A meeting was tentatively scheduled for Wednesday with Mr. Paul, Mr. Sipe and Mr. Cichy since Mr. Cichy will be meeting with Penn State Harrisburg on Wednesday, April 29, 2009.

Mr. High, seconded by Mr. Martino made motion to approve the April expenses of the Sewer Revenue Fund in the amount of \$121,498.22. The motion was unanimously approved.

The next meeting of the Authority is scheduled for May 18, 2009 since Memorial Day is the following Monday. It was noted that the Highspire Borough Authority meeting is May 21, 2009.

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:

Leslie A. LaVia
Recording Secretary