

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
DECEMBER 22, 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 D. Cichy, Engineer
- Peter R. Henninger, Solicitor
- Ronald J. Paul, Township Manager
- Leslie A. LaVia, Recording Secretary

Others in Attendance: Mike Williams

Chairman Gingrich wished everyone Happy Holidays. Mike Williams asked a question regarding the reimbursement component. Chairman Gingrich stated that the developers' cost of the Lumber Street upgrade project is not yet known and until the Authority has been informed of that amount, the reimbursement fee cannot be calculated. The reimbursement fees will be paid over a ten-year period. It was noted that most developers did not recoup much in reimbursement fees.

The improvement guarantees for this project should be with Highspire. Mr. Paul stated that this is a change with the new agreement between the parties. Question was raised if a new sewer connection occurred in Highspire Borough, would the parties receive reimbursement fees on that connection. Mr. Williams was advised to discuss this issue with Highspire.

There are additional sections of the Lumber Street line that need to be upgraded. Mr. Williams asked the cost to send flow to Derry Township. It is more costly to treat at Derry Township and it would be very costly to purchase capacity at the Derry Township Southwest Treatment Plant and redirect flows.

Mr. Brokenshire, seconded by Mr. Wilkinson made motion to approve the Minutes of November 24, 2008. The motion was unanimously approved.

Mr. Brokenshire, seconded by Mr. Martino made motion to approve the 2009 Sewer Revenue Fund Budget of \$2,408,586. The motion was unanimously approved.

Mr. Paul informed the Board that the Authority will be responsible for the cost of the water meter pit for the Linden Centre pump station. The Fifth Street/University Drive sewer line needs to be replaced. The cost has been estimated at \$104,000. This project was not budgeted for 2009 but will most likely be a project for 2010. It is not known how much I & I may be coming from this line.

Question was raised if all the lines at the Linden Centre must be dedicated to the Township. It was noted that the eight inch lines (laterals) at the Centre could remain private. It was noted that if there would be a blockage in any of these lines, the Township would most likely be contacted.

Mr. Brokenshire, seconded by Mr. Wilkinson made motion to accept the Sewer Revenue Fund Audit proposal for years 2008, 2009 and 2010 from Waggoner, Frutiger and Daub and also accept the Municipal Authority Audit proposal for years 2008, 2009 and 2010. The motion was unanimously approved.

Engineer's Report: Mr. Cichy distributed his monthly written report. Notice to Proceed was issued to PSI Pumping Solutions, Inc. The preconstruction conference was held December 15, 2008. The Farr Pump Station Modification Project should be completed March 2009.

Mr. High, seconded by Mr. Brokenshire made motion to execute the Water Obstruction and Encroachment Acknowledgement of Appraisal of Permit Conditions Form. The motion was unanimously approved.

Mr. Cichy informed the Board that he contacted Dave Gates with DEP regarding the updating of the Act 537 Plan to qualify for PENNVEST funding. Mr. Gates indicated that if Lower Swatara Township is only a capital contributor, it will not be necessary to update the Act 537 Plan. Highspire Borough Authority may have to update their Act 537 Plan.

Mr. Cichy informed the Board that PENNVEST has received an additional \$300 million to be allocated to projects that are "shovel ready" by the summer of 2009. This money is in addition to PENNVEST's allocation for Fiscal Year 2008-2009. The money will be distributed at the April 20, 2009 PENNVEST Board Meeting. In order to qualify,

PENNVEST applications must be submitted by February 16, 2009. Highspire Borough Authority has applied to DEP for the permit. Joint meetings should be held with Highspire and also with Middletown to discuss the financing and grant money.

Mr. Brokenshire, seconded by Mr. High made a motion authorizing HRG (Mr. Cichy) to make the necessary contacts with Highspire and Middletown and notify the Lower Swatara Township Authority in early January if Lower Swatara Township Authority should move forward alone for the PENNVEST money. The motion was unanimously approved. It was noted that the Lower Swatara Township Municipal Authority may have to hold a meeting in early February to conduct business regarding the PENNVEST application.

Mr. Cichy provided the Board with the H2O PA Program Guidelines for Water Supply, Sanitary Sewer and Storm Water Projects from the Commonwealth Financing Authority (CFA). Applications will be reviewed at the May 14, 2009 CFA Board Meeting. Applications must be received at least 60 days prior to the next scheduled CFA meeting. Mr. Cichy stated that applications should be submitted by February 13, 2009. It was pointed out that this date is more than 60 days before the next CFA Board meeting. Mr. Cichy stated he would verify the dates. It was noted that the PENNVEST and CFA applications are due at the same time. Mr. Brokenshire commended Mr. Cichy for his work regarding the PENNVEST AND CFA financing.

Solicitor's Report: Mr. Henninger informed the Board that the Middletown Borough Authority approved the proposed treatment agreement and sent the agreement to Middletown Borough Council for their review. However, the proposed agreement was not sent to Lower Swatara Township or to Mr. Henninger. Chairman Gingrich indicated that he would contact Peter Pappas, Middletown Borough Authority Chairman.

Settlement on the late Gary Strohm property located at 97 Wayne Avenue did not occur on December 4, 2008. The property settlement may occur this week or next. Once this property has settled, the Board will move forward with action regarding the Lauck estate property located at 2025 Market Street Extended.

Manager's Report: Mr. Paul commented that in the past EDU's have been swapped and sited the PSU campus, Meade Heights housing as an example. The redevelopment of the Linden Centre is another example. Mr. Paul questioned if the Municipal Authority

should continue to allow this EDU swapping once the new agreement is in place with Middletown or should connection fees be charged. It was noted that planning modules are based on a number of gallons per day and when the number of gallons per day are exceeded, then additional EDU's would need to be purchased. The present EDU is 228 gallons per day. This issue will need further discussion.

Mr. Wilkinson, seconded by Mr. High made motion to approve the December expenses of the Sewer Revenue Fund in the amount of \$74,693.06. The motion was unanimously approved.

The next meeting of the Municipal Authority is scheduled for January 26, 2009. Mr. High, seconded by Mr. Wilkinson made motion to adjourn. The motion was unanimously approved and the meeting adjourned at 8:35 P.M.

ATTEST:

Leslie A. LaVia
Recording Secretary