

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
FEBRUARY 22, 2010

Chairman Gingrich called the Regular Meeting of the Lower Swatara Township Municipal Authority to order at 7:00 P.M. There were no visitors in attendance and 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
- Matthew D. Cichy, Engineer
- Peter R. Henninger, Solicitor
- Ronald J. Paul, Township Manager
- Leslie A. LaVia, Recording Secretary

Absent: Donald Martino

A motion was made by Mr. Brokenshire and seconded by Mr. High to approve the January 25, 2010 Meeting Minutes. The motion was unanimously approved.

Engineer's Report: Mr. Cichy distributed his monthly written report. Construction for the off-site sanitary sewer extension for the Emerald Pointe Development located on Highspire Road is complete. A revised plan has been submitted by the developer to cross the water line near the bridge. The revised plan will require an additional right-of-way and the developer is working on obtaining the right-of-way. It was noted that the road will be repaved when the weather permits.

A motion was made by Mr. High and seconded by Mr. Brokenshire to conditionally approve the Deed of Easement and Right-of Way between Sparzel Inc. and the Municipal Authority of Lower Swatara Township and terminating the previous Deed of Easement and Right-of-Way dated March 26 2008. The motion was unanimously approved.

HRG has completed their review of the project manual and drawings submitted by York Building Products and provided their comments to York Building Products. The project manual and drawings are limited to the construction of a proposed building for the wastewater, pump station, and force main extending to the existing Authority sanitary sewer line. There will be three (3) 9,000 gallon storage tanks to the pump station. It was recommended that a meeting be held with York Building Products to review the comments.

A draft agreement was prepared for York Building Products regarding their purchase of reserve capacity in the Southwest Derry Township Treatment Plant. The agreement also addresses York Building Products need to purchase additional capacity should it become necessary. Mr. Paul will forward the agreement to York Building Products. Mr. Henninger stated that the Authority does have the right to review the water usage and charge additional EDU's to the non-residential user if the flow after the first year is greater than the amount reserved. Mr. Henninger stated that the ordinance perhaps should be revised to read "any time in the future" instead of limiting the water usage to the first year.

A motion was made by Mr. Brokenshire and seconded by Mr. Wilkinson to approve the agreement which would allow York Building Products to purchase fifty-eight (58) EDU's in the Southwest Derry Treatment Plant provided that York Building Products meets the payment and other terms of the agreement. The motion was unanimously approved. It was noted that Mr. Burkholder will also be purchasing nine (9) EDU's in the Southwest Derry Township Treatment Plant for Section 18-B of Old Reliance Farms.

A copy of the Chapter 94 report was distributed for review. Mr. Cichy updated the report this year to better show the flows in the three drainage basins and all information is incorporated into one report.

Mr. Cichy and Mr. Paul attended the job conference for the Highspire Wastewater Treatment plant upgrades on February 18, 2010 and viewed the construction site following the job conference. Pictures of the construction were provided with the Engineer's monthly report. The project is 50% complete and about three months ahead of schedule. DEP is considering providing a 50% grant reimbursement for the contaminated soils cleanup provided the process complies with the PA DEP Land Recycling Program requirements also known as Act 2. Mr. Cichy updated the spreadsheet to include the last requisition. Mr. Cichy referenced the Highspire Borough Authority Minutes of January 21, 2010 noting change orders 7 & 8 for the BNR project and also referenced a motion to approve a change order to Rettew's contract for \$165,000. This information will be investigated.

Middletown Borough Authority has started their plant upgrades and Middletown expects a final completion date of April 6, 2011. Mr. Cichy stated he would also prepare a spreadsheet for the Middletown Project.

Solicitor's Report: Mr. Henninger stated that two bankruptcy claims were filed this month for unpaid sewer charges and had nothing else to report.

Manager's Report: Mr. Paul informed the Board of a sewer blockage over the weekend. Kline's were called to the site and the overtime costs will be considerable. The backup was caused by debris stuffed in the manhole. DEP was notified of the event. Mr. Henninger recommended that the insurance company be notified. It was noted that the manholes might need to be better secured. Since this was an act of vandalism perhaps a reward could be posted for the arrest of the individual or individuals responsible.

A motion was made by Mr. Wilkinson and seconded by Mr. High to authorize a \$500.00 reward for the arrest of the person(s) responsible provided that the Board of Commissioners agrees with this action. The motion was unanimously approved. Mr. Paul stated that there are some questions for Daryl Peck with Concord Financial regarding the line of credit for \$3,700,000 and the costs associated with that line of credit.

A motion was made by Mr. Wilkinson and seconded by Mr. High to approve the February expenses of the Sewer Revenue Fund in the amount of \$566,267.21. The motion was unanimously approved.

Mr. Brokenshire informed the Board that he attended the Highspire Borough Authority meeting last Thursday evening and Mr. Navarro was also in attendance. The agreement for the Lumber Street sewer improvement project is still not complete. Highspire Borough Authority stated that the agreement should be to Mr. Navarro by the end of this week.

A preconstruction meeting has been scheduled for March 18, 2010 for the Ann Street sewer project. Mr. Brokenshire informed the Board that the Highspire code officer stated that the water line must be changed. Rettew will soon submit the first reimbursement to CFA in the amount of \$494,000. It should take three to four weeks before receiving payment and subsequent reimbursements should then take between two and three weeks. Question was raised how reimbursement would be given to Lower Swatara Township. Highspire Borough Authority could credit future invoices or issues checks to the Township. Ms. LaVia will check with the auditor how this should be handled.

It was noted that the developers don't own the land yet for the retirement community located off Nissley Drive and Fulling Mill Road but the developers do have an option to buy. No

easements are in place yet. Highspire Borough Authority is supposed to get the easements but waiting for sewer plan approval. It was noted that securities should be posted first.

The next meeting of the Authority is scheduled for March 22, 2010. A motion was made by Mr. Brokenshire and seconded by Mr. High to adjourn. The motion was unanimously approved and the meeting adjourned at 7:38 P.M.

ATTEST:

Leslie A. LaVia
Recording Secretary