

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
SEPTEMBER 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
- 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: Mike Williams, Paul Navarro,
Robert Hobaugh, Jr., John W. Espenshade

Mr. Gingrich welcomed everyone to the meeting and opened the floor to Mike Williams who questioned if he would have to pay reimbursement fees on his remaining 26 lots in Bryn Gweled to other developers (i.e. Messick Construction) in the Lumber Street drainage basin. It was noted that Mr. Williams will pay reimbursement fees to Messick Construction. Mr. Williams asked what the reimbursement fee would be on \$250,000 construction cost for example. There is a formula for calculating the reimbursement fee but that information was not available tonight. It was noted that the ultimate build out in the drainage basin is taken into consideration in the formula. Mr. Henninger stated that there is a ten-year limit on the reimbursement fees.

The Authority should make a motion to reaffirm the developers' agreement once all the signatures are obtained. The Board previously approved the agreement. Once the agreement is signed by all the parties the planning module can be submitted. Improvement guarantees need to be put in place for this project and Highspire will determine the improvement guarantees.

Robert Hobaugh representing McCollough Consulting Group introduced himself and John Espenshade to the Board. Mr. Hobaugh distributed a booklet of information

explaining how the Consulting Group can assist the Authority with funding their sewer projects. The Commonwealth of Pennsylvania has approved \$665M grants to be approved by the Commonwealth Financing Authority. The Commonwealth Financing Authority (CFA) is made up of seven appointed members who will review the applications and award the grants based on a scoring system. The grant money is a 1:2 match. The consulting firm will assist with the application and follow up with negotiation and coordination. A handout was distributed showing a comparison of traditional financing versus Grant/Financing based on a \$10 Million project.

Mr. Paul explained that Lower Swatara Township doesn't own a treatment plant and deals with three separate plants. It was advised that a feasibility study be done which identifies the Authority's needs before filing the application. It was noted that should Highspire move ahead they might not be reimbursed for their expenditures.

It was suggested that joint applications be filed. McCollough Consulting Group would like to meet with Middletown officials and should meet with Highspire also since those municipalities own the treatment plants. McCollough Consulting Group explained their fees to the Board.

Mr. Brokenshire, seconded by Mr. Martino made motion to approve the August 25, 2008 Municipal Authority Minutes. The motion was unanimously approved.

Engineer's Report: Mr. Cichy distributed his monthly written report. Mr. Cichy reported that the project manual and drawings are completed for the Farr Pump Station Upgrade. The project was advertised for bids September 17, 2008 and bid opening is scheduled for October 21, 2008 at 1:00 P.M.

HRG revised the sanitary sewer feasibility study for York Building Products to include the proposed Phillips Office Products expansion. There was a conflict with an existing storm sewer pipe which prohibited a gravity connection with the sanitary sewer line along AIP Drive. Connection to the sanitary sewer along Fulling Mill Road is recommended. Mr. Paul informed Mr. Cichy that Jeff Sipe had some comments about the sewer connection. It was noted that York Building Products should submit their capacity request so their capacity needs can be forwarded to Derry Township. The industrial pretreatment information would be submitted to Derry Township Municipal Authority after receipt of the capacity request.

HRG prepared an Engineer's Opinion of Probable Construction Cost for the sanitary sewer improvements escrow for the Linden Center. Mr. Cichy referenced a letter from Highspire Borough Authority Engineer to DEP regarding a request that DEP confirm that the Corrective Action Plan (CAP) is lifted for the Lumber Street interceptor.

Solicitor's Report: Mr. Henninger reported that he will be meeting with the Middletown Borough Authority Solicitor to finalize the proposed treatment agreement. Mr. Henninger stated that there has been no response yet from the Lauck family regarding the opening of the estate of Donna Lauck. Mr. Henninger informed the Board that paperwork was filed by the sister of Gary Strohm for administrating the estate however, nothing has been done with the estate since that paperwork was filed. Mr. Henninger checked previously with Dauphin County regarding this estate and was informed that there wasn't paperwork filed. Mr. Henninger stated that he would petition the court after thirty (30) days to have the sister removed as administrator of the estate if the sister does not proceed.

Manager's Report: The Board reviewed correspondence from Mary Mackrell regarding exemption from the payment of the sewer user rate while she is in Florida for the winter. Mr. Brokenshire, seconded by Mr. Martino made motion to approve Mrs. Mackrell request for exemption from payment of the sewer user rate while she is in Florida for seven months. The motion was unanimously approved.

Mr. Paul referenced information from Von Hess regarding resource contact information. A letter writing campaign was suggested regarding the funding for the costly upgrades mandated by the EPA and DEP. Information regarding the referendum which the voters will be asked on Election Day, November 4, 2008 was distributed to the Board. It was suggested that an article appear in the Fall Township newsletter regarding a yes vote on the referendum. It was also suggested that this information be distributed at the polling places.

The Board briefly discussed the presentation from the McCollough Consulting Group. Mr. Cichy informed the Board that McCoullough Consulting Group would be giving a presentation to HRG. Chairman Gingrich stated he would contact Von Hess regarding tonight's presentation. It was suggested that the October Highspire Borough Authority meeting or the next Lower Swatara Township Municipal Authority Meeting be a joint

meeting. Mr. Henninger will ask Mr. Wenger, Middletown Borough Authority Solicitor about Middletown's financing plans.

Mr. High, seconded by Mr. Martino made motion to approve the September expenses of the Sewer Revenue Fund in the amount of \$130,075.02. The motion was unanimously approved.

The next Municipal Authority meeting is scheduled for October 27, 2008. Hearing no further business, Mr. Brokenshire, seconded by Mr. High made motion to adjourn. The motion was unanimously approved and the meeting adjourned at 8:45 P.M.

ATTEST:

Leslie A. LaVia
Recording Secretary