

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**APRIL 26, 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 present:

- 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

A motion was made by Mr. Brokenshire and seconded by Mr. Martino to approve the March 22, 2010 Meeting Minutes. The motion was unanimously approved.

Mr. Paul informed the Board that PA DOT will be overlaying Fulling Mill Road and nine (9) manholes will be replaced. It was noted that three (3) manholes will be abandoned. A culvert will also be replaced and a very large pipe will need to be cut and removed. Penn Dot will reimburse 50% of the project since the sanitary sewer facilities are located in public right-of-way. The project has been estimated to cost a total of \$16,000 (\$8,000 Lower Swatara Township Authority's share).

A motion was made by Mr. Wilkinson and seconded by Mr. Martino to approve Resolution No. 2010-R-1 authorizing execution of a letter to the Pennsylvania Department of Transportation to provide 50% reimbursement to the Lower Swatara Township Municipal Authority for all costs incurred in relocating our sanitary sewer facilities on Fulling Mill Road. The motion was unanimously approved.

Mr. Martino questioned the language in the letter from the PA Department of Transportation regarding the Fulling Mill Road overlay project. Mr. Henninger agreed that the letter is not worded correctly. It was noted that the letter is a PA DOT form letter and the wording will remain as presented.

A motion was made by Mr. Wilkinson and seconded by Mr. Brokenshire to approve HRG's \$500.00 proposal for engineering services associated with the Fulling Mill Road overlay project. The motion was unanimously approved.

**Engineer's Report:** Mr. Cichy distributed his monthly written report. The pump station and force main piping have been installed and work is now being done on the holding tank system for York Building Products located on Fulling Mill Road. It was noted that the tanks will be painted. There has been a delay in the delivery of some electrical equipment which will delay startup. York Building Products is working on an agreement which will address Township staff access to the facilities. Mr. Paul stated that the Township must be notified when York Building Products is ready to connect to the public sanitary sewer system. Payment of the connection fees will then be required.

Mr. Cichy reported that the sanitary sewer work is completed for the Emerald Pointe Development located on Highspire Road. Binder course paving is scheduled for tomorrow. Upon completion of all Highspire Road improvements, the contractor will overlay Highspire Road with a final course of paving.

Mr. Cichy provided an updated spreadsheet for the Highspire Borough Authority BNR Project. Two invoices received this month on the project totaled \$1,403,320.47 (Construction-\$1,369,863.12 and Engineering-\$33,457.35). Future payment will require transfer from the line of credit. It was noted that no CFA funds have been received yet. The contaminated soil issue is still being addressed and there are additional costs associated with that. It was noted that costs for the water line have been included. Question was raised when the Highspire BNR Project will be completed. Highspire, at one point, indicated that they were three months ahead of schedule.

One invoice was received from Middletown Borough Authority this month in the amount of \$73,183.78 (Construction-\$67,786.60 and Engineering-\$5,397.18). The remaining 2009A bond money available after payment of this invoice is \$2,246,668.53.

**Solicitor's Report:** Mr. Henninger informed the Board that the Authority needs to make a decision regarding a Continuing Disclosure Services Agreement with Concord Financial. Concord Financial had provided a copy of the Agreement back in January. The Agreement is a five-year agreement and the fee is \$2,000 annually. There may be additional cost associated with the annual filing but those costs shall not exceed \$100 for any year. The next compliance date is October 1, 2010.

A motion was made by Mr. Brokenshire and seconded by Mr. High to approve the Continuing Disclosure Services Agreement with Concord Public Finance. The motion was unanimously approved.

Mr. Henninger informed the Board that he continues to monitor bankruptcy notifications to determine if proof of claims need to be filed. A quarterly delinquent report was distributed.

**Manager's Report:** Nothing to report.

A motion was made by Mr. Wilkinson and seconded by Mr. Martino to approve the April expenses of the Sewer Revenue Fund in the amount of \$215,905.19. The motion was unanimously approved.

Mr. Brokenshire reported on the March 15, 2010 meeting of the Highspire Borough Authority. No CFA money has been received to date. Highspire Borough Authority needs to submit proof of the bid advertisement for the BNR Project to CFA and HBA has not been successful in locating that information. A second application has been submitted to CFA in the amount of \$900,000. That Ann Street Project is scheduled to begin May 7, 2010.

A draft agreement has been drawn up between Highspire Borough Authority and the developers for the Lumber Street sanitary sewer line improvement. It was noted that changes most likely will be made to the agreement. Easements have not been obtained yet for the project.

The next meeting of the Municipal Authority is scheduled for May 24, 2010. A motion was made by Mr. Brokenshire and seconded by Mr. Martino to adjourn. The motion was unanimously approved and the meeting adjourned at 7:25 P.M.

ATTEST:

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Leslie A. LaVia  
Recording Secretary