

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
LEGISLATIVE MEETING – SEPTEMBER 27, 2021

The September 27, 2021, Legislative Meeting of the Lower Swatara Township Municipal Authority was called to order at 7:00 P.M by Chairman Wilkinson. Chairman Wilkinson called for the pledge of allegiance. The record indicated the following in attendance in person or through Zoom:

- Richard Wilkinson, Chairman
- Daniel Magaro, Vice Chairman
- Chester Hartz, Secretary
- Scott Spangler, Treasurer
- Frank Popp
- Elizabeth McBride, Township Manager
- James Diamond, Solicitor
- Caleb Krauter, Engineer
- Shawn Fabian, Engineer (Zoom)
- Brian Davis, MS4 Coordinator
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance: See Attached Sheet

Public comments: None

Approve/reject/table appointment of Eckert Seamans as Municipal Authority Solicitor.

A motion was made by Mr. Magaro seconded by Mr. Popp to approve Eckert Seamans as Municipal Authority Solicitor. The motion was unanimously approved.

Approval of Minutes:

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the Minutes of Workshop Meeting September 13, 2021. The motion was unanimously approved.

Approve/reject/table Operation and Maintenance (O&M) Agreement Stormwater Management Best Management Practices (SWM BMPs)-RLIF Fulling Mill Holdings, LLC.

A motion was made by Mr. Magaro seconded by Mr. Spangler to approve the (O&M) Agreement Stormwater Management Best Management Practices (SWM BMPs) for RLIF Fulling Mill Holdings, LLC. The motion was unanimously approved.

Approve/reject/table Security Agreement between RLIF Fulling Mill Holdings, LLC and the Township of Lower Swatara Municipal Authority.

A motion was made by Mr. Magaro seconded by Mr. Popp to approve the Security Agreement between RLIF Fulling Mill Holdings, LLC and the Township of Lower Swatara Municipal Authority in the amount of \$100,496.00. The motion was unanimously approved.

Approve/reject/table Permanent Sanitary Sewer Easement Agreement for Sanitary Sewer Improvements between RLIF Fulling Mill Holdings, LLC and the Municipal Authority of the Township of Lower Swatara.

A motion was made by Mr. Magaro seconded by Mr. Popp to approve the Permanent Sanitary Sewer Easement Agreement for Sanitary Sewer Improvements between RLIF Fulling Mill Holding, LLC and the Municipal Authority of the Township of Lower Swatara. The motion was unanimously approved.

Approve/reject/table Improvement Guarantee Reduction for Hershey Creamery Facility Expansion.

A motion was made by Mr. Spangler seconded by Mr. Magaro to approve the Improvement Guarantee Reduction for Hershey Creamery Facility Expansion in the amount of \$61,491.11, reducing the Guarantee to \$10,851.37. The motion was unanimously approved.

Engineer's Report:

Approve/reject/table Change Order No. 2, under Contract No 2018-01-Rosedale Drainage Improvements Project.

A motion was made by Mr. Hartz seconded by Mr. Magaro to approve Change Order No. 2, to DOLI Construction under Contract 2018-01-Rosedale Drainage Improvements Project, including an increase of \$13,927.46 in contract price and extension of the Contact Duration of 126 days to substantial completion and 119 days to final completion. The motion was unanimously approved.

Approve/reject/table Change Order No. 4, under Contract No. 2019-01-2019 Sanitary Sewer System Improvements Project.

Mr. Krauter recommended the Board table this item till next month, because it has not been finalized.

A motion was made by Mr. Magaro seconded by Mr. Popp to table Change Order No. 4 to DOLI Construction, under Contract No. 2019-01-2019 Sanitary Sewer System Improvements Project. The motion was unanimously approved.

Approve/reject/table Application for Payment No. 2 in the amount of \$171,977.97 to DOLI Construction for Contract No. 2019-01.

Mr. Krauter recommended the Board to table this item as well.

A motion was made by Mr. Magaro seconded by Mr. Hartz to table Application for Payment No. 2 in the amount of \$171,979.97 to DOLI Construction for Contract No. 2019-01. The motion was unanimously approved.

Approve/reject/table the award of the 2021 Drainage Improvement and Swatara Dr. Sanitary/Storm Improvements Project to JVI Group, Inc.

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the award of the 2021 Drainage Improvement and Swatara Dr. Sanitary/Storm Improvements Project to JVI Group, Inc. in the amount of \$545,627.00 contingent upon receipt of acceptable Agreements, insurance and bonds. The motion was unanimously approved.

2019 Proposed Capital Improvement Projects

HRG has prepared the final closeout documentation for Contract No. 19-1, including Change Order No. 4 and recommend approval by the Board.

Contract No. 19-3 will be closed out upon confirmation that the leaking of the air release valves on the Jamesway Pump Station force main has been addressed by the Contractor.

HRG continues the construction administration services until the closeout of the project. Due to substantial delays in construction HRG has exceeded the scope within the Agreement with the Authority. At the request of LSTMA Staff, HRG will continue to bill our services, for the remainder of the project, under Phase 4 of the Agreement. Phase 4 is the time and materials phase for the RPR services.

No update. The Middletown Management Associates permanent easement agreement was signed and received. This easement will need to be notarized by both parties once it is safe to do so and before being recorded.

Act 537 Planning

No update. LSTMA Staff are working with contractors to supply quotes for completing the flow metering of the sewer system, as discussed at the April 2021 Authority Board Meeting. Completion of the plan is temporarily on hold until the flow monitoring is completed, which is anticipated to be completed in the spring of 2021. We also anticipate completing the remaining on-lot disposal system inspections once it is safe to enter onto resident's properties. Our services are proposed to be on a time and materials basis, as requested by the Authority.

Stormwater Authority Implementation Support Services

No update.

2021 Drainage Improvements

Design includes drainage improvements at 217 Delmont Avenue, Scarlett Lane, Spring Garden Drive by the Caterer, Swatara Dr and Penna Ave, Cockley Road Culvert Replacement, Nissley Drive at Spring Garden and Greenwood Circle Storm Discharge Repair. Nissley at Spring Garden and Greenwood Circle designs will be finalized with Scott Washinger and added to this project as a change order.

The public bid was opened on August 25, 2021, and HRG has issued our Letter of Recommendation for the lowest responsible bid. This recommendation is on the agenda for LSTMA approval.

Legal descriptions for the required easements were written and sent to the Solicitor on May 13, 2021, for incorporation in the final easement documents. LST staff have been negotiating the necessary easements with 215 and 217 Delmont, as well as the caterer.

Rosedale Manor Stormwater Project

DOLI continues to address punch list items in anticipation of wearing course paving. Due to construction delays from Hurricane Ida, their original plan to pave follow Labor Day has been delayed. We are awaiting an updated schedule for their paving mobilization.

PADEP requested a field meeting with us and Highspire Borough to review the outfalls from the project. That meeting took place on July 15, 2021, and detailed meeting minutes will be prepared and distributed to the board and staff for review.

DCCD conducted a thorough review of the site as part of their routine site inspections for the NPDED permit on September 14, 2021. Several issues related to storm damage caused by Hurricane Ida were noted that caused erosion issues in several locations on site that need to be repaired.

We have completed our review of DOLI's change proposals 1-4 and have prepared Change Order 2 for consideration at next LSTMA board meeting. This handles out of scope items encountered during early construction and provides a contract extension for Covid and supply chain disruption delays outside of DOLI's control.

We are reviewing through all other work change directive and field order responses from DOLI to process all necessary change orders for the project.

2021 Sanitary Sewer CIPP Lining Project

HRG is completing the capacity analysis of the sewer system for lining and continues design activities. Project has been placed on hold until completion of the capacity analysis, including flow monitoring proposed for the Act 537 Plan.

Land Development Projects Update

The Pond at Fulling Mill (Retirement Community)

No update.

Hershey Creamery Expansion

The Developer has requested that the wastewater improvement guarantee be reduced, as the gravity sewer system has been installed. HRG completed the final inspection with LSTMA Staff and found the work to be completed under the guarantee. HRG submitted our recommendation for the improvement guarantee, as dated September 23, 2021.

Construction of the wastewater pretreatment plant continues.

UPS Northeast Hub

The Developer's Engineer was provided minor comments on the design of the N. Union Street Pump Station. Approval to submit the Water Quality Management Part II Permit was provided to the Developer's Engineer on August 21, 2021.

The Developer's Engineer has submitted a preliminary exhibit, requesting approval to install a temporary pump station so that the Hub can open in March 2022.

Mr. Krauter showed the exhibit to the Board and explained that the Developer of UPS has moved their targeted opening date to March of next year, it was originally told to the Township that it was intended to be July of 2022. The land developer's engineer has looked into receiving the pumps for the proposed pump station and they are receiving a lead time of about thirty (30) weeks, which would put them past that targeted opening date.

What they are proposing and making a request to the Township Manager is to find an alternative way to be able to have sewer at their facility so they can receive their occupancy permit and still open on their targeted date. One alternative that was sent in through a sketch, which HRG did a brief review of and from a technical standpoint this temporary pump station can be installed, but there are some concerns which he discussed with the Board.

Some other alternatives that were discussed by HRG and staff was to have UPS install a temporary holding tank on their facility that they would have to pump out on a daily or weekly basis. They would provide stand-alone trailers that would have bathrooms in them, so there are different alternatives without having a temporary pump station operational.

Mr. Krauter opened this up for any questions, but indicated that ultimately HRG's recommendation, after speaking with Staff, is that we would continue to work with Staff to find a different temporary solution, if a temporary solution is warranted.

The Board agreed that working with Staff to find a different temporary solution is the way they would like to proceed.

William's Farm

No Update.

Buddy's Run Subdivision

No update. Final pavement restoration is anticipated to be completed before the end of October 2021. The sanitary sewer manholes will need to be re-vacuum tested once final pavement is installed.

PSU Meade Heights

No correspondence was received over the past month.

Stoneridge Lot 1

HRG received construction submittals from the contractor, reviewed the submittals and provided our comments on September 14, 2021.

SBC Pennsylvania Building Expansion (2755 Spring Garden Drive)

No correspondence was received over the past month.

Building #300 – Capital Logistics Center

No Report to report.

Star-Barn Duplexes

No update to report.

Campus Heights Village III

No update to report

Wilsbach Distribution Facility

No update.

D&H Proposed Warehouse

No Update.

Fiddler's Elbow Warehouse

No Update.

Kinsley Residential Subdivision

No Update.

Morgan's Run

No Update. HRG has received notification that the developer has completed all punch list items except for the sanitary sewer manhole testing. Once all items have been completed, we will review the facilities with the Authority staff and provide a recommendation to the Authority. We have received the CCTV of the sanitary sewer mains, which are currently under review.

Oberlin Road Townhomes

No Update.

Solicitor's Report: No Report.

Municipal Authority Manager's Report:

Approve/reject/table Proposal for flow monitoring services from ADS Environmental Services.

Mr. Krauter recommended the Board to table this item for further review.

A motion was made by Mr. Hartz seconded by Mr. Magaro to table the Proposal for flow monitoring services from ADS Environmental Services in the amount of \$58,930.00. The motion was unanimously approved.

Township Manager's Report: Ms. McBride noted that the Easement for 903 Spring Garden Drive is still being worked out between Staff and the Solicitor.

Ms. McBride updated the Board on Cramer's EDU overage. They are putting in new equipment and we will monitor their usage over the next few months and report back to the Board.

Ms. McBride also asked for an executive session immediately following tonight's meeting for a legal issue.

MS-4 Report: Mr. Davis noted that the Township does have an outstanding issue regarding our stormwater management fee. The Township has properties that we are billing stormwater fee, we are still working out the best way to address this, whether it's with an agreement or some other type of understanding. He would like to get this resolved by next month.

Mr. Davis indicated he will gather information together and provide it to the Board prior to the next Workshop meeting so an informed discussion can happen at that time.

Approve September Expenses for Sewer Revenue Fund:

A motion was made by Mr. Spangler seconded by Mr. Hartz to approve the September Sewer Revenue Fund expenses in the amount of \$512,197.83. The motion was unanimously approved.

Approve September Expenses for Stormwater Fund:

A motion was made by Mr. Spangler seconded by Mr. Popp to approve the September Stormwater Fund expenses in the amount of \$17,902.73. The motion was unanimously approved.

A motion was made by Mr. Popp seconded by Mr. Magaro to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:28 P.M.

ATTEST:

Tracey Bechtel, Recording Secretary

9-27-21

NAME

ORGANIZATION (IF APPLICABLE) OR ADDRESS

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