

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**LEGISLATIVE MEETING – JUNE 26, 2023**

The June 26, 2023, 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 zoom.

- Richard Wilkinson, Chairman
- Scott Spangler, Vice Chairman
- Chester Hartz, Secretary
- Frank Popp, Treasurer
- Don Bailes
- Jim Diamond, Eckert Seamans
- Caleb Krauter, Engineer
- Brain Davis, MS4
- Scott Washinger, Municipal Authority Representative
- Zachary Border, Township Manager
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance: See attached list for others in attendance.

**Public comments:** Chelton Hunter, Superintendent of Middletown Area School District thanked the Board for allowing the School District the opportunity to address the matter of our sanitary sewer system as part of the new elementary construction project. The current projected increase in enrollment is critical for the School District to build a new elementary school to maintain a functional level of education for all students. The future success of the School District and its students will be determined by how the district moves forward with the construction project. The district has worked extensively with Mr. Krauter and other HRG staff to come up with a few viable options which benefit both parties. We respectfully request your approval of an alternative that will allow our design professionals the ability to move forward with the proper design of the Sanitary Sewer.

Mr. Hunter added that with these types of projects, they take time to complete, the district believes option two best aligns with the needs and requirements for this project while balancing the fiscal responsibilities along with long term planning. Our team will be able available if the Board has any specific questions when the sanitary sewer agenda item is up for discussion. The district looks forward to working with the Board as we move forward with the design of the new elementary school.

**MASD Elementary School sanitary sewer discussion:** Chairman Wilkinson suggested we move the agenda item under number 14 and have our discussion now with the School District.

Mr. Krauter stated that HRG has worked for several months with the School District's team to analyze and to see if there is a feasible option for connecting gravity to our system. There is not a feasible option, so the discussion is further, what is best suited for the community at large, because the school district's taxpayers are our same rate payers. We need to find the best alternative for the community.

Mr. Krauter noted that K&W has provided several alternatives with HRG's input, and he explained in detail to the Board each of the options. Those options are:

- Option 1: On-Site Gravity Sewer Extension (\$450K - \$600K)
- Option 2: District Owned and Maintained Pump Station Located on MAPS Project Area (+/- \$266,900).
- Option 3: Remove Existing MS Pump Station & Construct New Pump Station to Serve Both ES & MS (+/- \$652,500).

Mr. Krauter indicated that discussion with Staff, we believe that it would be in the Authority's best interest, for the community at large, to not take on the risk of substantial capital improvements that may or may not be used in the future. Ultimately, it is the Board's decision whether we would want to move a pump station that you already have to a new location that could be connected via gravity, which the Authority would be responsible for a significant portion of that until future land development would happen.

Chairman Wilkinson asked if this is the last building of this complex for the School District. The School District responded that there is no more space available so this would be the last renovation. If they enrollment increases, they could expand where the soccer field is at Reid Elementary School for future construction there but as far as coming to the Authority or Board of Commissioners to do a large-scale project like this, they do not have the land.

Mr. Hartz commented that none of us have a crystal ball for what the future holds, we are at a point here where we must decide between Option 2 and Option 3 and think of the future at the same time. We know sooner or later that area is going to be developed, even though there are no immediate plans for future development, we need to do what is in the best interest of the Township.

Mr. Krauter noted that part of what was reviewed by HRG and Staff was the financial burdens that are coming from the larger Capital Improvements that the Authority will be undertaking in the next few years. There are many grants out there that we are applying for, for these various projects, but there is no promise with the grant application that is will be awarded, so that was taken into consideration as well as from the Authority's side, we are not investing anything with Option 2A if it were approved, but if we are investing 1.5 or 2 million dollars in this project then it's not used in the future, that's a substantial risk for funds that we may or may not have now.

After further discussion, a motion was made by Mr. Popp seconded by Mr. Hartz to direct the School District to proceed with design for Option 2. The Authority will not maintain it at this time, which would be the School District's responsibility until we had a future development come through. The Authority is also asking for an easement and working with Staff on the type of pumps that are in there, so we minimize any future problems. The motion was unanimously approved.

**Approval of Minutes:**

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Minutes of Legislative Meeting May 22, 2023. The motion was unanimously approved.

Approve/reject/table Invoice #248551 dated 6/19/2023 for Lower Swatara Township's portion of the Biosolids Project in the amount of \$25,360.00.

A motion was made by Mr. Popp seconded by Mr. Hartz to approve Invoice #248551 dated 6/19/2023 for the Lower Swatara Township's portion of the Biosolids Project in the amount of \$25,360.00. The motion was unanimously approved.

Approve/reject/table Change Order #5 for the 2021 Drainage Improvements Project in the amount of \$47,924.39.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the final Change order for the 2021 Drainage Improvements Project in the amount of \$47,924.39 for the recertification of installed quantities on the project. The increased amount is for additional stone and paving quantities that were used throughout the project. The motion was unanimously approved.

Approve/reject/table Application for Payment #8F in the amount of \$33,275.00, to JVI Group, Inc. for the 2021 Drainage Improvements Project and approval of final project close out documentation.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Application for Payment #8F in the amount of \$33,275.00, to JVI Group, Inc. for the 2021 Drainage Improvements Project and approval of final project close out documentation. The motion was unanimously approved.

Approve/reject/table Capital Valley Business Park-Lot 3 Financial Security for the Sanitary Sewer and Stormwater.

A motion was made by Mr. Spangler seconded by Mr. Popp to approve the Financial Security for the Sanitary Sewer and Stormwater for Capital Valley Business Park-Lot 3 in the amount of \$499,039.00. The motion was unanimously approved.

Approve/reject/table Capital Valley Business Park-Lot 4 Financial Security for the Sanitary Sewer and Stormwater.

A motion was made by Mr. Hartz seconded by Mr. Bailes to approve the Financial Security for the Sanitary Sewer and Stormwater for Capital Valley Business Park-Lot 4 in the amount of \$451,981.00. The motion was unanimously approved.

Approve/reject/table The Pond on Fuling Mill (Retirement Community) Financial Security for the Sanitary Sewer and Stormwater.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Financial Security for the Sanitary Sewer and Stormwater for The Pond on Fuling Mill in the amount of \$1,742,145.00. The motion was unanimously approved.

Approve/reject/table Agreement for Professional Engineering Services with HRG for the 2023 Drainage Improvements Project-Nissley/Spring Garden and the Woodridge Basin Tie-in.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Agreement for Professional Engineering Services with HRG for the 2023 Drainage Improvements Project consisting of Nissley/Spring Garden and the Woodridge Basin Tie-in in the amount to \$54,000.00. The motion was unanimously approved.

Approve/reject/table the Bill of Sale for the Sanitary Sewer Facilities associated with the Wilsbach Distribution Facility.

A motion was made by Mr. Popp seconded by Mr. Spangler to table the Bill of Sale for the Sanitary Sewer Facilities associated with Wilsbach Distribution Facility.

**Engineer's Report:**

**Act 537 Planning**

HRG is working diligently to collect all the needed on-lot information in the Township and prepare notices for distribution. The ACT 537 Plan is anticipated to be completed in the fall of 2023.

**2023 Sanitary Sewer CIPP Lining Project**

The Project has been revised to include the sewers within the Bryn Gweled neighborhood and remove the Capital Campus sewer interceptor, as requested by Authority Staff. Authority Staff have requested this project be included in a CFA Small Water and Sewer Project Grant Application.

Due to concerns with I&I in the Jamesway Pump Station sewer basin, the bidding has been put on hold while CCTV is being completed. Additional areas of the sewer system will be added to the project, as requested by LSTMA staff.

**Lumber Street Interceptor Improvements Project**

HRG has uploaded the Special Study to PA DEP's OnBase submission site. Following submission and approval of the Act 537 Plan Special Study, the WQM Part II Permit will be submitted to PADEP.

**Highspire Borough Authority (HBA) – Biosolids System and Dewatering Improvements Project**

Rettew has provided HRG the invoice for preliminary design, permitting, final design, and bid phase services for this project. They stated they will be providing HRG the 90% drawings in the coming weeks, which has not been received at this time.

**Jamesway Pump Station Investigations and Analysis**

The Authority staff continue to monitor the pump station and surrounding area for locations of direct I/I entry into the system. Since last month there has not been much precipitation and the flows have been normal.

**STORMWATER PROJECTS UPDATE**

**2021 Storm Sewer Replacement Project (217 Delmont Ave, Scarlett Ave, Spring Garden Dr by Caterer, Cockley Road Culvert Replacement, Swatara Dr & Penna Ave, Nissley & Spring Garden, Greenwood Circle).**

We have processed the final close out documentation, final change order recommendation and final pay application to close out this project. The Board of Commissioners will act on these documents at their June 21, 2023, meeting and then LSTMA will need to countersign them at their June 26, 2023, meeting.

**Schedule:**

Substantial Completion      Issued December 6, 2022

Final Completion              October 28, 2022 - Expected now Spring of 2023

**Bryn Gweled Infrastructure Replacement Project**

We conducted the pre-construction meeting on June 14, 2023, and are current in our review of submitted shop drawings for the project. The anticipated construction start date is in August 2023. Veolia's construction timeline may impact on our substantial completion date if they are delayed further.

Substantial Completion      September 29, 2023

Final Completion              October 16, 2023

**2024 CIP Stormwater Improvement Project (Burd & Richard Storm Sewer Replacement, Lumber St Storm Sewer Replacement, Richardson Road Stream Restoration & Fiddlers Elbow Road Bank Erosion Repair).**

We had a pre-application meeting for DCIB-G on May 30, 2023, to discuss potentially pursuing that route for funding for the project instead of PennVest. There are several advantages to this approach over PennVest, including the ability to close before all permitting is finalized, having the money for the project expenses up front after it is finalized, and easier reimbursement process, and potentially a more favorable rate.

**Hanover St and Meade Ave Stormsewer Repairs**

We received the executed contract back from LSTMA signature and are finalizing the notice to proceed documentation and establishment of the pre-construction meeting.

Substantial Completion      August 31, 2023

Final Completion              September 29, 2023

**2023 Drainage Improvements Project (Nissley & Spring Garden, Woodridge Basin Tie-In Off of Spring Garden)**

Nissley and Spring Garden can be bid for construction when the design for the Woodridge connection is finalized.

Eckert Seamans provided the grant agreement notice they received for the Woodridge grant. We will need to prepare a scope of work for field evaluation, design, bid preparation and construction support for this project. It is anticipated that LSTMA will manage the construction activities for both the Township and HOA components of this storm sewer replacement project.

**Land Development Projects Update**

*The Pond at Fulling Mill*

The cost estimate was reviewed for the Financial Security for the Stormwater and Sanitary Sewer in the amount of \$1,742,145.00.

The Board of Commissioners conditionally approved this plan set at their April 19, 2023, meeting. They are currently working through the Township's checklist to prepare for recording.

*Jednota South Warehouse*

The site is now under construction.

*UPS Northeast Hub*

Construction punch list items have all been completed for the N. Union Pump Station, as of June 1, 2023.

*William's Farm*

The developer and their team came into the Township for a pre-application meeting on May 25, 2023, but nothing has been formally submitted for review yet.

*Stoneridge Lot 5*

Construction is largely complete onsite.

*Campus Heights Village III*

No update to report.

*Kinsley Residential Subdivision*

The developer informed the Township that the Phase 1 plan should be coming back soon for final approval before plan recording.

*Union Knoll (Formerly Oberlin Road LD-Triple Crown)*

The Phase 1 work crossing MASD property will be starting in July 2023.

The Board of Commissioners conditionally approved this plan set at their April 19, 2023, meeting.

*1801 Oberlin Road – 3 Lots*

No Update to report.

*Illuminated Integration*

The sanitary sewer submittals have been received this month and are currently being reviewed. The developer is working with the Township to complete their punch list in preparation for plan recording.

*Penn Preserve*

The sanitary sewer and stormwater are installed in the development.

*Aberdeen Subdivision*

This plan will come back before the Planning Commission for approval on July 27, 2023.

*Colony of Old Reliance*

The updated sanitary sewer alignment was provided to the authority and HRG in June 2023. The description is being prepared for the needed easement for this gravity sewer main by the developers engineer.

*UGI CNG Facility*

No update to report.

*Capital Valley Lots 3 & 4 Subdivision*

The cost estimate was reviewed for the Financial Security for Stormwater and Sanitary Sewer in the amount of \$499,039.00 for Lot 3.

The cost estimate was reviewed for the Financial Security for Stormwater and Sanitary Sewer in the amount of \$451,981.00 for Lot 4.

*Wawa*

The sanitary sewer plan review #4 is currently being reviewed.

The Board of Commissioners approved this plan at their May 3, 2023, meeting.

*MASD Elementary School*

The sanitary sewer route has been discussed at a few meetings between MASD, LSTMA and LST, HRG was asked to provide a memo with three sanitary sewer alternatives to help K&W Engineers, MASD engineer.

**Manager Report.** Mr. Border reported that the Township was approached by a developer who is doing a project in Swatara Township and putting a pump station in Lower Swatara. As part of that discussion, we talked about the possibility of hooking up some of the homes that are currently not connected to the system. He is bringing this to the Authority's attention this evening for feedback.

Solicitor Diamond noted that how he understands it, there are five isolated properties that are not feasible to be served by Lower Swatara Township Municipal Authority, at least one is on a holding tank. We have to determine if we are open to the concept of agreeing to allow these properties to hook into Swatara Township, presumably at the cost of the developer, then that would open the question, mandatory connection or not. This would ultimately be the Board of Commissioner's issue as well as the other Authority that will serve.

Solicitor Diamond suggested we start here. As he understands it, it would be very expensive and not feasible for us to serve these properties. Mr. Krauter concurred. Solicitor Diamond explained that this is a unique opportunity to potentially open those five properties this service and to be served by Swatara Township not Lower Swatara.

Chairman Wilkinson noted that if they are putting their pump station in our Township and those few properties become rate payers to Swatara Township and we are not responsible for the lines he doesn't have any problem, especially if it gets people off on-lot systems and hooked up to public sewer. Mr. Border indicated that letters were mailed to those residents that would be affected telling them this may be happening, and what their thoughts are hoping to get feedback from them as well.

Solicitor Diamond stated that he doubts the Township would want to mandate connections, unless it is required by the other players involved. Mr. Krauter noted that the Ordinance states that if they are within 150 feet of sewer they must connect, so we do not want to set precedent especially with an Act 537 plan being adopted in the near future

but agrees this is a very unique situation. Solicitor Diamond added that this all is still in motion, we need to make sure the Commissioners, the Authority and all the other players are weighing in.

**Municipal Authority Representative Report:** Mr. Washinger noted that at next month's meeting he is hoping to have numbers for the Flo-Dar meters. We are experiencing breakdowns and they have already been repaired so he is looking to start to replace them over the next several years.

**MS4 Report:** Mr. Davis reminded the Board of the stormwater seminar that will be held on Thursday, June 29, 2023, at 6:00 pm at the Lower Swatara Fire House on Fulling Mill Road.

Mr. Davis noted that the addendum for our Pollution Reduction Plan has come back from DEP with a greenlight, so as of now we are fully compliant till 2025 for our pollution reduction goals.

**Approve June Expenses for Sewer Revenue Fund:**

A motion was made by Mr. Popp seconded by Mr. Hartz to approve the June Expenses for the Sewer Revenue Fund in the amount of \$193,874.34. The motion was unanimously approved.

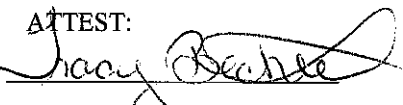
**Approve June Expenses for Stormwater Fund:**

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the June Expenses for the Stormwater Fund in the amount of \$24,663.32. The motion was unanimously approved.

**Old Business:** None

**New Business:** None

A motion was made by Mr. Hartz seconded by Mr. Bailes to adjourn. The motion was unanimously approved, and the meeting adjourned at 7:57 P.M.

ATTEST:  
  
Tracey Bechtel, Recording Secretary



LOWER SWATARA TOWNSHIP  
MUNICIPAL AUTHORITY

Sign-In Sheet

Monday, June 26, 2023

PLEASE **PRINT** NAME LEGIBLY:

COMPANY NAME or RESIDENT:

1. Shawn Fabian

HRG

2. Dee Mese

Resident

3. CHELTON HUNTER

MASD

4. BILL MEISER

MASD

5. RON PAUL

LST

6. Todd Truntz

LST Liason

7. MARC KROUSE

cdw

8. Ron Burkholder

LST

9. Dan Cook

HRG

10.