

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**LEGISLATIVE MEETING – AUGUST 28, 2023**

The August 28, 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
- 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

Absent: Chester Hartz, Secretary

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

**Public comments:** Mr. Ecker explained that when he purchased 1931 Oberlin Rd and the empty lot directly beside him (1929 Oberlin Rd) five years ago, he understood that there was a shared lateral that was installed at the time 1931 was constructed and he thought when he decides to build on his other lot (1929 Oberlin Rd) he would be able to tie into that lateral. Currently, a house on 1929 Oberlin Rd is under construction. Mr. Ecker noted that it is his intent to keep both these lots in the family. The new house construction on 1929 Oberlin is where he will be residing when construction is finished, and his son will be living at the 1931 Oberlin Rd residence.

Mr. Burkholder noted that in the Township Ordinance it states that the Owner is permitted to come before the Municipal Authority Board to get written permission to hook into an existing line, but it would be two houses going into one lateral that was installed back in 1984 on the opposite side of 441. Mr. Burkholder explained what Mr. Ecker is trying to avoid is cutting 441 and tapping a new lateral into that line.

Chairman Wilkinson asked if back in 1984 was the intention these two lots were going to be serviced by the one line. Mr. Burkholder commented that there is nothing in our records confirming this but there was a wye installed at some point. Chairman Wilkinson asked if we have any other situation like this within the Township. Mr. Krauter responded that in the industry before 1950 there were many incidences of this, but the industry changed after about the 1950's so you don't have these combined laterals due to conflicts down the road with different owners, and not agreeing on who's responsibility it would be to fix a problem if it arises.

Chairman Wilkinson suggested an option, due to the current circumstance of the house already being under construction, where the Authority approves this for a period; (5-years/10-years) as a temporary connection, Mr. Ecker would then be responsible to have 1929 Oberlin removed from the wye to its own lateral prior or by the decided time frame.

All parties agreed with this option, and it was decided that we would bring this back as an agenda item to be approved at next month's meeting.

**Approval of Minutes:**

A motion was made by Mr. Spangler seconded by Mr. Bailes to approve the Minutes of Legislative Meeting July 24, 2023. The motion was unanimously approved.

Approve/reject/table Illuminated Integration Office and Trade Shop Financial Security for the Sanitary Sewer and Stormwater in the amount of \$205,844.00 and authorized signing of the respective Security Agreement between the Developer (AT Properties LLC) and the Municipal Authority of Lower Swatara Township.

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the Illuminated Integration Office and Trade Shop Financial Security for the Sanitary Sewer and Stormwater in the amount of \$205,844.00 and authorized signing of the respective Security Agreement between the Developer (AT Properties LLC) and the Municipal Authority of Lower Swatara Township. The motion was unanimously approved.

Approve/reject/table the Operation and Maintenance (O&M) Agreement Stormwater Management Best Management Practices (SWM BMPs) between AT Properties LLC (landowner and the Lower Swatara Township Municipal Authority for Illuminated Integration Office and Trade Shop

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Operation and Maintenance (O &M) Agreement Stormwater Management Best Management Practices (SWM BMPs) between AT Properties LLC (landowner) and the Lower Swatara Township Municipal Authority for Illuminated Integration Office and Trade Shop. The motion was unanimously approved.

Approve/reject/table placement of gas meter within the sanitary sewer easement for the Catherine Hershey School.

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the placement of the gas meter within the sanitary sewer easement for the Catherine Hershey School. The motion was unanimously approved.

Approve/reject/table Rettew invoice #250717 dated 7/20/2023 for Lower Swatara Township's portion of the HBA Biosolids Project in the amount of \$13,120.00.

A motion was made by Mr. Spangler seconded by Mr. Popp to approve Rettew invoice #250717 dated 7/20/2023 for Lower Swatara Township's portion of the HBA Biosolids Project in the amount of \$13,120.00. The motion was unanimously approved.

Approve/reject/table Rettew invoice #253006 dated 8/11/2023 for Lower Swatara Township's portion of the HBA Biosolids Project in the amount of \$4,464.00.

A motion was made by Mr. Bailes seconded by Mr. Popp to approve invoice #253006 dated 8/11/2023 for Lower Swatara Township's portion of the HBA Biosolids Project in the amount of \$4,464.00. The motion was unanimously approved.

**Engineer's Report:** Summary of recent activities performed on behalf of the Municipal Authority of the Township of Lower Swatara (Authority) from July 24, 2023, to August 28, 2023.

#### **Act 537 Planning**

HRG is working diligently to analyze all the collected data, test results, and putting needed documents together. 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, as requested by Authority Staff. Authority Staff have requested this project be included in a CFA Small Water and Sewer Project Grant Application. The grant opening has been pushed back to September 2023.

#### **Lumber Street Interceptor Improvements Project**

Once 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**

No update to report.

#### **Jamesway Pump Station Investigations and Analysis**

No update to report.

#### **Capital Campus Interceptor Improvements Project**

HRG has a 30% review meeting scheduled with LST Staff on August 29. This project is moving along as quickly as possible to meet the community needs.

#### **STORMWATER PROJECTS UPDATE**

##### **Bryn Gweled Infrastructure Replacement Project**

Shiloh was able to mobilize to site the week of August 14, 2023, to start construction. Veolia's construction timeline may impact our substantial completion date if they are delayed further, but we are working with them and our contractor to keep this project on schedule. During construction it was found that the manhole we are connecting to from Conway into Lumber Street is in need of replacement as well. We discussed with Scott Washinger and requested a change order from the contractor to add this manhole to the list of those to replace onsite. This change order is being reviewed now to recommend.

Substantial Completion	September 29, 2023
Final Completion	October 16, 2023

##### **Hanover St and Meade Ave Stormsewer Repairs**

Structures are in procurement and construction can begin when they are delivered. Delivery is expected by Labor Day.

Substantial Completion	August 31, 2023
Final Completion	September 29, 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 reviewed the benefits of delaying Fiddlers Elbow Road given the potential sanitary sewer project for the road with Township Staff and the merits of advancing a project to resolve the issues along Lakeside Drive. They have agreed with us to pursue Lakeside Drive over Fiddler's Elbow for the project.

The resolutions for the DCIB-G submission were approved by LSTMA at their July 24, 2023, meeting. The DCIB application was submitted by the deadline of August 15, 2023. The LST BOC voted to act as guarantor of the loan to support the LSTMA resolution to that effect.

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

The field survey for Woodridge was completed and post-processed and we kicked off design and layout on August 9, 2023. We completed the constructability review and are revising the design files now to prepare them for review with Township Staff before finalization. We reached out to Veolia to discuss their timeline for the water line replacement for Nissley to Donald, which is planned for after Bryn Gweld is finished.

**Land Development Projects Update**

*The Pond at Fulling Mill*

No update to report.

*Jednota South Warehouse*

The sanitary sewer work is installed to date.

*William's Farm*

No update to report.

*Stoneridge Lot 5*

No update to report.

*Campus Heights Village III*

No update to report.

*Kinsley Residential Subdivision*

No update to report.

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

The Phase 1 work crossing MASD property is halfway complete with the school entrance bore done.

*1801 Oberlin Road – 3 Lots*

No Update to report.

*Illuminated Integration*

The sanitary sewer submittals have been reviewed and returned to the contractor.

The site is now in construction.

*Penn Preserve*

We were asked by the developer to perform a financial security adjustment recommendation and have that field visit schedule for the next week to recommend by next meeting.

*Aberdeen Subdivision*

The BOC tabled this plan at their August 16, 2023, meeting for additional coordination with the developer and their engineer to adequately respond to public comments received at that meeting.

*Colony of Old Reliance*

HRG reviewed the most recent plans and responded with plan review #4 on August 14, 2023.

*UGI CNG Facility*

No update to report.

*Capital Valley Lots 3 & 4 Subdivision*

HRG reviewed the most recent plans and responded with plan review #4 on August 22, 2023. The engineer satisfied all the sanitary sewer comments.

The stormwater management design substantially changed and needs to be re-reviewed and the FSA's reviewed.

*Wawa*

HRG reviewed the most recent plans and responded with plan review #4 on July 20, 2023. The engineer satisfied all the sanitary sewer comments.

*MASD Elementary School*

No update to report.

*Catherine Hershey School*

HRG reviewed the most recent plans and responded with a plan review on July 5, 2023. There were multiple comments that needed to be addressed prior to the next submission. The BOC voted to conditionally approve the waivers and plan at their August 16, 2023, meeting.

*PSU Turf Field*

No update to report.

Approve/reject/table Proposal for the Jamesway Pump Station Permanent Generator Upgrade Project in the amount of \$29,100.00.

Mr. Krauter noted that at the July Authority meeting the Board asked HRG to bring back alternatives for installing a permanent backup generator at the Jamesway Pump Station. Mr. Krauter showed exhibits having the generator installed with a fence around it as well as on showing the generator lowered about two feet and then installing a brick wall around it and the third option is lowering the generator below grade and installing a fence or a brick wall around it. This option would require some type of pipe going out to the storm swale to drain normal rainwater, as well as a sump pump to pump out any flood water.

Mr. Burkholder advised the Board that he contacted the property owner where the generator will be installed and asked if the Township could extend our property to the other side of our access road and explained what we wanted to do. The property owner was in complete agreement with the Township and is willing to donate the property to do it, the only concern was losing parking spaces for CVS and Mr. Burkholder assured her that we will not be taking any parking spaces. She will contact CVS on the Township's behalf.

Chairman Wilkinson commented that before we look at an options of brick walls or fencing, we need to think about the service ability of the unit. He suggests we keep it above grade.

Mr. Krauter noted, since Mr. Washinger is still working on getting specific on the generator. HRG's existing proposal includes the design, bid, build, we would want to change our proposal if Mr. Washinger and the Board would like to move forward with CoStars, so we would recommend tabling our proposal till we get updated information.

A motion was made by Mr. Popp seconded by Mr. Bailes to table the Jamesway Pump Station Permanent Generator Upgrade Project. The motion was unanimously approved.

**Manager Report.** Mr. Border reported that we did submit the DCIB-G Loan that the Authority Board and the Board of Commissioners approved last month.

**Municipal Authority Representative Report:** Mr. Washinger updated the Board on the Highspire meeting that he attended last Thursday.

Mr. Washinger indicated he is still doing research on trac cameras, he may be able to incorporate this for stormwater.

**MS4 Report:** Mr. Davis reported on WREP monthly meeting last week and indicated that they are giving more concrete numbers of what staying in the program will look like. September will be the last official group meeting of WREP. Over the course of the next three months, representatives from WREP, HRG and Tri-County Planning will come and meet with the Board of Commissioners and the Municipal Authority to explain details, ask questions, then in December the Township will vote to either be in the program or not.

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

A motion was made by Mr. Spangler seconded by Mr. Bailes to approve the August Expenses for the Sewer Revenue Fund in the amount of \$210,979.70. The motion was unanimously approved.

**Approve August Expenses for Stormwater Fund:**

A motion was made by Mr. Bailes seconded by Mr. Spangler to approve the August Expenses for the Stormwater Fund in the amount of \$56,530.90. The motion was unanimously approved.

**Old Business:** Mr. Burkholder updated the Board on the discussion last month regarding Hershey Creamery, wanting to get additional EDUs. Mr. Krauter confirmed that there is capacity in our conveyance system and DTMA also confirmed capacity. We had mentioned the 5-year reservation capacity that DTMA has in place. They confirmed that the 5-year reservation capacity does not apply to Hershey Creamery. DTMA approved Hershey Creamery for 80,000gpd on March 18, 2019, prior to the 5-year connection requirements adopted on January 27, 2020.

**New Business:** Solicitor Diamond informed the Board that Staff sent out notices regarding past due accounts and we still have thousands of dollars outstanding with no response. He suggested that his office should send out a final letter stating that we will be filing a Lien if payment is not received.

A motion was made by Mr. Popp seconded by Mr. Bailes to adjourn and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:58 P.M.

ATTEST:

A handwritten signature in black ink, appearing to read "Tracey Bechtel", written over a horizontal line.

Tracey Bechtel, Recording Secretary

LOWER SWATARA TOWNSHIP  
MUNICIPAL AUTHORITY

Sign-In Sheet

Monday, August 28, 2023

PLEASE PRINT NAME LEGIBLY:

COMPANY NAME or RESIDENT:

1. Ron Burkholder

LST

2. Ditmar

Resident

3. Ron Paul

LST

4. Chris DeWine

LST

5. Todd Trantz

LST/Liason

6. Tom Ecker

RESIDENT

7. Michelle Wilkins

Resident

8. \_\_\_\_\_

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