

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
LEGISLATIVE MEETING – NOVEMBER 22, 2021

The November 22, 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 (Zoom)
- Elizabeth McBride, Township Manager
- James Diamond, Eckert Seamans
- Caleb Krauter, Engineer
- Scott Washinger
- Brain Davis, MS4
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance: See Attached Sheet

Public comments: Dale Messick from Greenfield Dr. asked for an update on a previous discussion on additional EDU's for Cramer's and Sheetz.

Ms. McBride indicated that Sheetz has paid for their additional EDU's, and Cramer's installed a new meter and we are monitoring their flows for a few months to see what their usage is and if they need to purchase additional EDU's.

Approval of Minutes:

A motion was made by Mr. Popp seconded by Mr. Magaro to approve the Minutes of Workshop Meeting November 8, 2021. The motion was unanimously approved.

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

Mr. Krauter recommended the Board table this item. There has been some changes that need to be addressed and those weren't able to be done in time for tonight's meeting.

A motion was made by Mr. Magaro and seconded by Mr. Hartz to table the Award to the 2021 Drainage Improvement and Swatara Dr. Sanitary/Storm Improvements Project to JVI Group, Inc. The motion was unanimously approved.

Approve/reject/table Holding Tank Agreement with UPS, Inc., BT-NEWYO, and LSTMA for the installation of the temporary sanitary sewer holding tank.

Mr. Krauter noted that both HRG and the Solicitor have reviewed the Agreement and we made comments and those comments have been addressed by the Developer. The Developer and representation from UPS is here this evening.

Mr. Stanley, partner with McNees, Wallace and Nurick, representing UPS along with Mr. Secary presented the Agreement to the Board.

Chairman Wilkinson raised the concern that the Agreement does not have an end date to it. After a brief discussion it was agreed that language would be changed on page 2, item 3 to read: Removal, upon earlier of the two following events, (a) completion and initiation of operations of the Pump Station, or (b) upon 180 days prior written notice of removal from the Authority given on or after May 31, 2022.

A motion was made by Mr. Magaro seconded by Mr. Hartz to approve the Holding Tank Agreement with UPS, Inc., BT-NEWYO, and LSTMA for the installation of the temporary sanitary sewer holding tank with the changes noted. The motion was unanimously approved.

Engineer's Report:

2019 Proposed Capital Improvement Projects

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. Contract has stated that they have requested the manufacturers to complete and inspection of the installed facilities.

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 Authority Staff are working with Ads to schedule flow monitoring between March 2022 and May 2022. Completion of the plan is temporarily on hold and will be restarted once the flow monitoring is completed. 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

Project 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.

Scott Washinger and Shawn Fabian were able to work with Rick Levan at PennDOT to set up Liquid Fuels Project information to cover approximately \$460,000 work of the cost of these projects.

LSTMA approved our additional services retainer agreement at their October 25, 2021 meeting. Work has already begun on that additional work to be able to finalize the additional plans to be added to the contract via a change order for Nissley & Spring Garden, Greenwood Circle and the 217 Delmont revisions. LSTMAS approved the contract award to JVI Group, Inc. and they have returned the contract with the required bonding and insurance. HRG has reviewed the documents and recommends approval by the Authority, contingent upon review and approval by the Authority's Solicitor.

Rosedale Manor Stormwater Project

DOLI continues to perform wearing course paving on all remaining roads and addressing punch list items for landscape restoration and staging area demobilization. All wearing course paving is scheduled to be completed by November 11, 2021.

We had a follow up meeting with Highspire Borough on October 21, 2021, to discuss follow up items to our meeting on July 15, 2021. Several exhibits for potential site modifications were discussed and we agreed on the prefeed path to pursue. The specifics of these site modifications will need to go through review of both LST/LSTMA/Highspire before they could be implemented.

The DCCD inspection report for their last site visit was received on October 19, 2021. We have reviewed their findings and issued a non-conforming work notice to DOLI for the issues addressed in that report. The DCCD plans to re-inspect the site on November 16, 2021.

Change Order #2 was approved at the September 27, 2021, LSTMA Board Meeting. We are also reviewing through additional claims for 2021 and working to finalize the change order recommendations for Word Change Directives 1 (storm sewer movement to middle of road to avoid PPL conflict), as well as field orders 3, 4, 5 and 6 (covers mill, binder and overlay of private parking spaces, Market Street Extended eastern and western expansion and Hanover Street from Mountain View to Rosedale Ave).

Schedule:

Substantial Completion	September 17, 2021 – Not Met
Final Completion	October 7, 2021 – Not on target.

Commissioner Paul asked for both the North Union St and the Rosedale Ave projects, are the manhole elevations acceptable to the road level. Mr. Krauter indicated that he can not personally answer that question, but ask Mr. Washinger if he knew anything. Mr. Washinger indicated that all he knew was all the manholes were sealed and you can't access them. Mr. Washinger indicated he drove on North Union St, and it looked good.

Mr. Krauter indicated he will check with Mr. Fabian on this issue and asked Commissioner Paul if his concern was that the manholes were too low. Commissioner Paul noted Yes, that is his concern.

2021 Sanitary Sewer CIPP Lining Project

No update. 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. Discussions on sanitary sewer improvements are on hold until the zoning exemptions requests are acted on.

Hershey Creamery Expansion

Construction of the wastewater pretreatment plant continues and HRG continues to provide part time inspection, as required by the Authority.

UPS Northeast Hub

HRG reviewed the Holding Tank Agreement on November 19, 2021, as requested by Authority staff.

HRG has reviewed and returned the construction submittals to the Developer's Engineer and as authorized by the Authority. These are noted to be reviewed at the risk of the Developer since the PA DEP Permit has not been received and the Plan has not been approved.

Construction at the UPS site and along N. Union Street continue.

William's Farm

No Update.

Buddy's Run Subdivision

HRG provided site inspection for the vacuum testing of the sanitary sewer manholes on November 10, 2021. All manholes passed and final vacuum testing.

PSU Meade Heights

No correspondence was received over the past month.

Stoneridge Lot 1

Construction has begun on site.

Stoneridge Lot 5

No update. HRG has reviewed the sanitary sewage facilities associated with a proposed land development plan for a proposed 32,000 square foot warehouse on Stoneridge Drive, Lot 5. We have completed the Plan review and returned our comments to the Authority, in our letter dated October 18, 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

Construction is expected to begin in the coming weeks.

Fulling Mill Road Warehouse

HRG reviewed the sewer usage calculations and provided comments to the Authority staff.

Kinsley Residential Subdivision

No Update.

Morgan's Run

The Developer completed the sanitary sewer vacuum testing on all 7 sanitary sewer manholes. All final testing passed.

Oberlin Road Townhomes

No Update.

Municipal Authority Manager's Report: Mr. Washinger updated the Board on the Rosedale Ave Project.

Mr. Washinger indicated Ms. McBride asked him to pursue on getting estimates on the paving of Lakeside Dr. He does not have any of those yet but is anticipating meeting with Kinsley on Tuesday of next week and with E.K. Services, Inc. as well.

Mr. Washinger inquired to the Board if they know of an existing Agreement between the Authority and the Middletown School District. They are asking us to vacuum out their storm drains. Apparently, they have to do this vacuuming every two years for their MS4 program. Mr. Washinger indicated his concern is, if we do this and damage something down in the manhole, we would be liable for it.

Chairman Wilkinson stated that he does not ever recall entering into an agreement for this service.

Ms. McBride indicated she would like to help the School District out and she would like to see an Agreement from them that states, we are not held responsible for anything that may occur by doing this.

A motion was made by Mr. Magaro seconded by Mr. Spangler to have the Solicitor prepare an Agreement between the Lower Swatara Township Municipal Authority and the Middletown Area School District for the cleaning out stone in their storm drains to keep them in compliance with their MS4 program. The motion was unanimously approved.

Township Manager's Report: Ms. McBride requested an executive session immediately following tonight's regular meeting for a legal issue.

Approve/reject/table refund of \$9,685.00 to Shir Sai-815 Eisenhower Blvd:

A motion was made by Mr. Hartz seconded by Mr. Magaro to refund \$9,685.00 to Shir Sai-815 Eisenhower Blvd. for the overcharge in sewer fees due to a letter from Suez indicating they programmed their water meter incorrectly. The motion was unanimously approved.

MS4 Report: Mr. Davis reported that the Conservation District inspection happened last week. The inspection went well overall, there were some minor areas where the seeding hasn't taken hold, the Conservation District advised to throw some more straw on it and reseed it in spring.

Mr. Davis recalled that we were looking at connecting a neighboring detention basin to our proposed stormwater system on Delmont Ave. The survey crew from HRG was out last week. They are still processing that data and then they will come up with a preliminary idea if this is even feasible or not and if so, they will have a plan for the Board to review.

Mr. Davis indicated that there is a general agreement between the Caterers on Spring Garden Drive in regards to them signing off on a new easement for that project. It's still an unofficial agreement, the Attorney's are working together to get the necessary paperwork in order.

Approve November Expenses for Sewer Revenue Fund:

A motion was made by Mr. Spangler seconded by Mr. Hartz to approve the November Expenses for the Sewer Revenue Fund in the amount of \$1,189,268.93. The motion was unanimously approved.

Approve November Expenses for Stormwater Fund:

A motion was made by Mr. Spangler seconded by Mr. Magaro to approve the November Expenses for the Stormwater Fund in the amount of \$92,585.51. The motion was unanimously approved.

A motion was made by Mr. Magaro seconded by Mr. Hartz to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:51 P.M.

ATTEST:

Tracey Bechtel, Recording Secretary

PLEASE PRINT NAME CLEARLY 11- 22- 21

NAME _____

ORGANIZATION (IF APPLICABLE) OR ADDRESS

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