

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
LEGISLATIVE MEETING – FEBRUARY 28, 2022

The February 28, 2022, 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
- Scott Spangler, Vice Chairman
- Chester Hartz, Secretary
- Frank Popp, Treasurer
- Don Bailes
- Elizabeth McBride, Township Manager
- James Diamond, Eckert Seamans
- Caleb Krauter, Engineer
- Shawn Fabian, Engineer (Zoom)
- Taslim Hossain, HRG (Zoom)
- Scott Washinger
- Brain Davis, MS4
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance: See Attached Sheet.

Public comments: None

Approval of Minutes:

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the Minutes of Legislative Meeting January 24, 2022. The motion was unanimously approved.

Approve/reject/table Application for Payment No.8 to DOLI Construction, Inc. for the Rosedale Manor Drainage Improvement Project.

A motion was made by Mr. Hartz seconded by Mr. Spangler to approve Application for Payment No. 8 in the amount of \$184,440.60 to DOLI Construction, Inc., for the Rosedale Manor Drainage Improvement Project. The motion was unanimously approved.

Approve/reject/table HRG's professional services proposal for the 2022 CIP Stormwater Improvements Project.

Mr. Krauter explained that this proposal is for eight (8) locations where BMPs are proposed. These are improvement projects for the stormwater system that were discussed during the MS4 Permit and was also discussed in the stormwater budgeting process.

Solicitor Diamond reviewed the proposal and recommended where it states the venue being the location of the HRG's office issuing the Agreement it should indicate office in Dauphin County PA. Also, standard provision No. 21, Limitation of Liability, generally we recommend against limitations of liability, and he would recommend striking the last paragraph.

Mr. Krauter commented that this is not new language, this is the same language that we have included in HRG's proposals for the last five years.

Commissioner DeHart pointed out that the eighth location is stated as the 80th Street Bank Erosion, 80th Street is not in Lower Swatara Township, it should be listed as Fiddler's Elbow Bank Erosion. Commissioner DeHart also inquired about the rock on the wingwall at the bottom of Fiddler Elbow and North Union. Mr. Fabian indicated he has not received any update on that. Mr. Krauter indicated that is something we can include in this project.

Commissioner Paul asked if this includes replacing the mini bridge at Fiddler Elbow. Mr. Krauter confirmed that this does not include that bridge, which would be a separate project. Chairman Wilkinson asked if that would be a Public Works project rather than a MS4 project. Mr. Krauter noted that he believes it could be either, if you needed to improve it for drainage it would be MS4, but if you are improving it just because the bridge is deteriorated then it would be Public Works.

Commissioner Paul suggested Mr. Krauter explain to the Board when MS4 funds can be used for projects as opposed to using Liquid Fuel Funds. Mr. Krauter indicated that MS4 funds are to use on stormwater related utility, which would include curbing, the edge of the roadway that directs stormwater into inlets, the underground structures and directs them and releases them into a natural stream or waterway.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve HRG's professional services proposal for the 2022 CIP Stormwater Improvements Project in the amount of \$99,100.00 conditioned upon correction of No. 8, from the 80th Street Bank Erosion to Fiddlers Elbow Bank Erosion and Section 21, paragraph 3 being stricken from the agreement. The motion was unanimously approved.

Approve/reject/table Improvement Guarantee Reduction for D&H Proposed Warehouse.

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the Improvement Guarantee Reduction for D&H Proposed Warehouse reducing the Guarantee to \$35,822.50. The motion was unanimously approved.

Approve/reject/table Improvement Guarantee Reduction for Wilsbach Distributors.

A motion was made by Mr. Spangler seconded by Mr. Hartz to approve the Improvement Guarantee Reduction for Wilsbach Distributors, reducing the Guarantee to \$25,598.79. The motion was unanimously approved.

Approve/reject/table HRG's professional services proposal for the Bryn Gweled Infrastructure Replacement Project.

A motion was made by Mr. Popp seconded by Mr. Spangler to approve HRG's professional services proposal for the Bryn Gweled Infrastructure Replacement Project in the amount of \$197,000.00 conditioned upon Section 21, paragraph 3 being stricken from the agreement. 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.

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. We also anticipate completing the remaining on-lot disposal system inspections once it is safe to enter onto resident's properties and 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.

Work is almost complete on the additional contract covering Nissley & Spring Garden, Greenwood Circle and the 217 Delmont revisions. Permit submission for Greenwood Circle outfall GP-11 was made to PADEP February 4, 2022. All easement documents are in staff hands to obtain. 217 Delmont review with staff is complete and all easement documents are in their hands to obtain. Nissley & Spring Garden Subsurface Utility Excavations (SUE) are now complete, so we can finalize that design and formalize the change order that will add both sites and the 217 Delmont revision to the contract.

Final signature pages for the contract award to JVI Group, Inc. are in hand now and the notice to proceed will be issued shortly. JVI Group, Inc. is planning to start construction in mid-March of 2022, weather pending, as long as easements are in hand. All needed easement documents are in the Spring Garden in front of caterer, 217 Delmont,

Cockley Rd, and Greenwood Circle. Scarlett Lane, Swatara Dr and Nissley & Spring Garden work all occurs within the road right-of-way and existing drainage easements, so no additional easements need to occur for those sites.

Rosedale Manor Stormwater Project

HRG had to reschedule the substantial completion site walk with contractor from February 18, 2022, due to weather and it will now be held February 28, 2022, at 1pm onsite. After that site walk is completed, we can issue a substantial completion certificate along with a punch list to prepare for final completion of the project.

All exhibits for Highspire easement necessary for revisions to the outlet at Hanover Street have been completed and are with the solicitor to draft an agreement. Township Staff presented the final design and easement to Highspire and we received comments from RETTEW that are minor in nature. We are working to process through these comments to provide a final version of the easement exhibit.

We continue our review of the additional backup information provided by Doli for Word Change Directive 1 (storm sewer movement to middle of road to avoid PPL conflict), as well as field orders 3,4, and 5 (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.

Bryn Gweled Infrastructure Replacement Project

As requested by the Authority, the proposal for this Stormsewer Replacement and Re-pavement project within the Bryn Gweled Subdivision is being finalized February 25, 2022, for Board review.

2022 CIP Stormwater Improvement Project

The proposal for the survey and wetlands delineation scope for this project is being finalized February 28, 2022, to move forward with the design of the Stormwater Improvement Project #2 approved in the 2019 Stormwater Capital Improvement Plan that was used to build the stormwater fee. Two projects that were part of the original list have been excluded. The first, 217 Delmont Ave, second, Fulling Mill Road Culvert Replacement, is no longer beneficial since this is in the area of riparian buffer planting south of the proposed boat launch facility.

2021 Sanitary Sewer CIPP Lining Project

No update. Project has been placed on hold until completion of the capacity analysis, including flow monitoring proposed for the Act 537 Plan.

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

No update. HRG reviewed the Biosolids System Evaluation and Improvements Report, as prepared by RETTEW Associates, Inc. (RETTEW) and provided a Critical Review Letter on January 13, 2022. HRG also attended the HBA Board Meeting on January 20, 2022. During the HBA Board meeting, RETTEW provided a brief presentation on the information provided in the Report and HRG summarized the items in the Critical Review Letter.

Land Development Projects

The Pond at Fulling Mill

No update. Discussions on sanitary sewer improvements are on hold until the zoning exemption request are acted on.

Hershey Creamery Expansion

No update.

UPS Northeast Hub

A substantial completion meeting is anticipated in the spring once the weather breaks for inspection of work completed at the UPS site and along N. Union Street. Upon completion of this meeting, we will provide a recommendation for the reduction of the Letter of Credit for the storm and sanitary sewer work.

Construction at the N. Union Street pump station site began on February 14, 2022. No final design plan set has been provided by the Developer for this phase of the project. The Contractor has been notified that the permits will not be issued until an acceptable plan set is received and approved.

On November 28th, HRG notified the Developer's Engineer that the frame and covers of the sanitary sewer manholes within the N. Union Street right-of-way were not elevated in accordance with LSTMA Standards and must be corrected prior to final completion.

William's Farm

No update.

Buddy's Run Subdivision

No update.

PSU Meade Heights

No correspondence was received over the past month.

Stoneridge Lot 1

No update. Construction has begun on site.

Stoneridge Lot 5

No update.

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

HRG provided our improvement guarantee reduction recommendation on February 25, 2022.

D&H Proposed Warehouse

HRG provided our improvement guarantee reduction recommendation on February 25, 2022.

Fiddler's Elbow Warehouse

No update.

Fulling Mill Road Warehouse

No update.

Kinsley Residential Subdivision

No Update.

Morgan's Run

HRG has reviewed the easement plats and found no regularities that were provided to the developer's representatives. Upon dedication to the Authority, this land development project will be removed from this report.

Oberlin Road LD-Triple Crown

A meeting has been set up in early March with the Middletown School District, Triple Crown, LSTMA staff and HRG to review the Developer's proposed alignment of a gravity sewer main.

Oberlin Road Townhomes

No Update.

Township Manager's Report: Ms. McBride noted that she tapped into a left-over grant that the county, DCED has, and she has asked them to do a study of the land at the old fire house to see how stable it is for possible placement of a new salt shed. She will keep the Board updated.

Municipal Authority Representative Report: Mr. Washinger reported that over the last month, the three gentlemen that are in the sewer department are being tasked to do different jobs, other than sewer related things. The pump stations are basically being overlooked on Tuesday and Thursday's, instead he has them in the flush truck more consistently in order to camera and inspect the lines. This is how we put Bryn Gweld in place, and we want to keep doing this moving forward.

Mr. Washinger indicated he contacted DEP; they are going to get back in touch with him about getting a placard for the flush truck, so we haul anywhere. He will be in contact with Capital Region who probably will be the only one that will accept our sludge that is close by.

Ms. McBride added to what Mr. Washinger had stated earlier. For a while now the system operators have been checking the pump stations 5 days a week, Monday through Friday, but not on the weekends. Ms. McBride contacted DEP and asked if the pump stations need to be checked every day or if every other day is sufficient. She was told, yes, unless something is under alert, like Jamesway had been. Jamesway is improved now so it is no longer under alert, therefore inspecting them Monday, Wednesday and Friday is more than ample, using DEP's words, so

that is why this is happening. McBride emphasized that if there is a heavy rain Monday night, they will be there on Tuesday morning checking the pump stations to ensure there are no problems.

The Board questioned if the Authority is short staffed and should we be looking a hiring another person. Ms. McBride responded that we should be okay, this is the slow time of the year for Public Works. Soon the Public Works will be out mowing grass repeatedly, so we will be able to use these three to do some of that work. If we keep shifting back and forth as the year unfolds as things spike and drop, I think we are more than adequately staffed.

MS4 Report: Mr. Davis reported on an on-going issue that he was just made aware of in the last week. He received a report from a resident over at Swatara Park Road. Apparently one of the developments going up in the Middletown Borough is causing sufficient amount of run off onto their property in our Township. Mr. Davis went on site last week and met with the compliance officer from Middletown, Matt Miller. They both walked the site, examined the construction site, checked some of the E&S features and he agreed completely that some of the features should be refreshed or updated. They also ran into someone from the Conservation District while they were out there, who was doing a similar inspection. She is looping them into a report she is filing and submitting to the Contractor, so hopefully that issue will be addressed quickly.

Commissioner Paul asked if we should be cutting down those cattails in the Shope Gardens Basin as a maintenance item. Mr. Davis replied that he has spoken to Mr. Washinger about going in there and cutting them down before things really start to regrow this Spring.

Approve February Expenses for Sewer Revenue Fund:

A motion was made by Mr. Popp seconded by Mr. Hartz to approve the February Expenses for the Sewer Revenue Fund in the amount of \$260,462.16. The motion was unanimously approved.

Approve February Expenses for Stormwater Fund:

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the February Expenses for the Stormwater Fund in the amount of \$55,018.65. The motion was unanimously approved.

A motion was made by Mr. Popp seconded by Mr. Spangler to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 7:40 P.M.

ATTEST:

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

Tracey Bechtel, Recording Secretary

PLEASE PRINT NAME CLEARLY 2-28-22

NAME

ORGANIZATION (IF APPLICABLE) OR ADDRESS

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