

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
JULY 22, 2019

The July 22, 2019 Regular Meeting of the Lower Swatara Township Municipal Authority was called to order at 7:42 P.M by Chairman Wilkinson. The record indicated the following officials in attendance:

- Richard Wilkinson, Chairman
- Daniel Magaro, Vice Chairman
- Chester Hartz, Secretary
- Scott Spangler, Treasurer
- Frank Popp
- Peter Henninger, Solicitor
- Elizabeth McBride, Township Manager
- Caleb Krauter, Engineer
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance: (PLEASE SEE ATTACHED SIGN-IN SHEET)

Public comments: None

A motion was made by Mr. Magaro seconded by Mr. Popp to approve the Regular Meeting Minutes of May 20, 2019. The motion was unanimously approved.

A motion was made by Mr. Magaro seconded by Mr. Spangler to approve the Regular Meeting Minutes of Jun 24, 2019. The motion was unanimously approved.

Chairman Wilkinson asked for a motion to approve the Deed of Easements and Dedication of Sanitary Sewer Facilities-Woodridge Phase II, Section 9. Solicitor Henninger stated that he reviewed this and the format is fine and asked if all inspections were done, Commissioner Paul added that he was going to ask that question as well. Mr. Krauter replied that HRG has reviewed it and it is acceptable. Mr. Krauter noted that there were minor comments regarding laterals, but that was all taken care of as of this month. Solicitor Henninger recommended, if the Board is so inclined to make a motion, to accept the Deed of Easement subject to the receipt of a signed submission of the Deed of Easement and Dedication since the staff and professionals have reviewed it.

A motion was made by Mr. Magaro seconded by Mr. Hartz to approve the Deed of Easements and Dedication of Sanitary Sewer Facilities-Woodridge Phase II, Section 9 with the condition that they submit the application. The motion was unanimously approved.

Commissioner Paul inquired about the paving that was just completed in Woodridge, and asked if everything has been looked at as far as the manholes. He had thought there were some comments from the Engineering perspective, regarding items that needed to be done yet with the manholes. Commissioner Paul commented that this is not related to this particular agenda item, but since we are talking about Woodridge and now

that Overlook is paved he just wanted to make sure everything been inspected manhole wise with the final paving. Mr. Krauter, replied that he believes what Commissioner Paul is talking about is the testing that has to be completed after the final paving is done and from his recollection he believes the testing was completed, but he will confirm that. Mr. Krauter added this should be contingent on the previous motion the Board just made. Mr. Lanman commented that the only section that was inspected and tested was that section that was just worked on.

Solicitor Henninger made the suggestion that the Board rescind their previous motion. In the meantime, confirmation for all final testing can be looked into and/or be completed if need be.

A motion was made by Mr. Magaro seconded by Mr. Hartz to rescind the motion on the approval for the Deed of Easements and Dedication of Sanitary Sewer Facilities-Woodridge Phase II, Section 9. The motion was unanimously approved.

A motion was made by Mr. Spangler seconded by Mr. Magaro to approve the Sheetz #574 Middletown PA, Improvement Guarantee Reduction in the amount of \$160,017.00 for Sanitary Sewer Improvements. The motion was unanimously approved.

Engineer's Report: Mr. Krauter distributed the monthly written report.

2019 Proposed Capital Improvement Projects – HRG met with Authority Staff on Tuesday, July 16, 2019 to review the preliminary design drawings and critical success factors. Following minor revisions from this meeting, the Jamesway Force Main alignment will be finalized and HRG will prepare the graphical easements plats that will be required for the new force main installation and billed as additional services in compliance with the 2019 Sanitary Sewer System Improvements Project Executed Proposal of Professional Engineering Services. HRG recommends that the Authority start the process of negotiations with the parcel owners so that the easements can be obtained prior to Awarding the Project this fall. Solicitor Henninger asked how many do we need. Mr. Krauter replied, four, Penn State, The Middletown Home, Pinnacle Health, and the SARAA property that has both Enterprise and Sheetz. Solicitor Henninger noted that Penn State and The Middletown Home will take time, so we need those plats ASAP. Mr. Krauter agreed and indicated HRG will make those revisions and will look to get those to him in the next two weeks.

HRG has completed the Final Design of the Cured-in-Place Pipe Lining Rehabilitation Project and provided the Contract Documents to the Authority Staff for review. With Authorization for the Authority, contingent on the Staff's approval, HRG will upload the Project Documents to the PennBid in early August. Advertisement of the Project will be coordinated with Authority Staff.

Due to the Jamesway Force Main alignment being located in vegetative areas, the limit-of-disturbance required for the construction activities has exceeded the threshold of the National Pollutant Discharge Elimination System (NPDES) Permit. The wetlands area, as discussed at the Authority's June 2019 Meeting, has been delineated by

HRG and the additional General Permit Report has been prepared. HRG is completing both tasks at no additional cost as we continue to be under budget for this component of the Project design.

HRG has prepared a supplement of Professional Engineering Services for the design of the Jamesway Pump Station Improvements and submitting it to the Authority for consideration. The scope of design and compensation are in compliance with the 2017 Capital Improvement Plan and design shall be completed in accordance with the executed Proposal for the 2019 Sanitary Sewer System Improvements Project.

A motion was made by Mr. Popp seconded by Mr. Magaro to approve the supplemental authorization for the additional services for the Jamesway Pump Station Rehabilitation for a Lump Sum Fee of \$8,060.00 which includes customary reimbursable expenses as indicated in the 2017 Capital Improvements Plan. The motion was unanimously approved.

Act 537 Planning – HRG and the Authority have coordinated the installation of the Authority’s portable flow monitors for evaluation of the private flow condition and the flow capacity of the Authority’s interceptor sewer pipes.

HRG submitted the Task Activity Report with the revised schedule as seen below:

- Submit Draft 537 Plan Update to Authority/Township November 2019
- Submit Revisions to Authority/Township January 2020
- Public Review and Comment Period March 2020
- Township Commissioners Adopt Act 537 Plan April 2020
- Submit Plan Update to DEP May 2020

Spring Garden Drive Sewer Replacement – No update to report. HRG has completed Survey activities between SG39 and IP25. The design and permitting activities will be combined with the Lower Swatara Township’s Spring Garden Pipe Replacement Project.

Land Development Projects Update:

The Pond at Fulling Mill (Retirement Community) – Phase 1 – No update to report. The developer has requested that the tapping fee reimbursement component be determined for their improvements to the Lumber Street interceptor. It is HRG’s understanding that Solicitor Henninger is currently reviewing that. MH vacuum testing remains to be completed. The developer has agreed to a cost share approach for the replacement of Manhole TW2 whereas the Authority obtains the polymer concrete insert and the Contractor for the development installs the insert at no cost to the Authority.

Phase II – No update to report. HRG has provided additional comments and is awaiting resubmission of a revised land development plan to address all remaining comments. HRG completed review of the financial security and recommended that the financial security be established in the amount of \$285,346.60 for the sanitary sewer facilities for this phase.

Phoenix Contact LCA Expansion – No correspondence was received over the past month.

UPS Northeast Hub – HRG reviewed the Sewage Facilities Planning Module, as prepared by the developer, and found it to be acceptable for submission by the Authority.

Hershey Creamery Expansion – No update to report. The developers engineer is working on revising the land development plans.

William's Manor – No correspondence was received over the past month.

Buddy's Run Subdivision – Submittals of the sanitary sewer components have been received from the contractor, Abel Construction, and are currently being reviewed. Construction is anticipated to start this summer.

PSU Meade Heights – No correspondence was received over the past month.

Stoneridge Lot 1 – No correspondence was received over the past month.

SBC Pennsylvania Building Expansion (2755 Spring Garden Drive) – No correspondence was received over the past month.

Building #300-Capital Logistics Center – No update to report.

Star-Barn Duplexes – No update to report. A financial security estimate must be submitted for review and the Authority's approval.

Woodridge PH II Section 9 – HRG reviewed the plat and legal description and found them to be acceptable.

Campus Heights Village III – A resubmission of the land development plan was received and HRG provided final comments on July 3, 2019.

Wilsbach Distribution Facility – No update to report.

Solicitor's Report: Solicitor Henninger noted that last Thursday he received a draft of a proposed land development improvements from Hershey Creamery. He will be forwarded that onto HRG for review in order to be addressed at next month's meeting.

M.A. Manager's Report: Mr. Lanman updated the Board on Highspire Authority Meeting. They noted at their meeting the manhole rehabilitation project on Crescent Street was listed as being completed

Mr. Lanman reported that a review of UPS Planning Module has been completed and everything is in place and he will be signing off on the number of new EDU's and proposed connections to be served which is seventy (70). There has been coordination between HRG, staff, DEP, DTMA and about fifteen different people from Hershey Creamery working on getting these numbers in alignment. This was a little odd because at the time, DTMA could take the flow hydraulically, we could not, DTMA could not take the flow organically, so there has been a lot of going back and forth with DEP and Hershey Creamery's Engineer trying to get this into a format that DEP will accept. DEP has accepted everything in a preliminary review from them, we have all the flow numbers that they are anticipating, DTMA is satisfied and ready to sign off and so are we.

Solicitor Henninger asked if Mr. Lanman needed the Board to act on this item this evening or if he is still waiting for it to be finalized. Mr. Lanman noted that it is finalized he just needs to sign it. He wasn't sure how these were done in the past. Solicitor Henninger responded that it needs approval by the Authority.

A motion was made by Mr. Spangler seconded by Mr. Magaro so approve the Sewage Facilities Planning Module for the UPS Northeast Regional Hub. The motion was unanimously approved.

Township Manger's Report: No Report.

A motion was made by Mr. Spangler seconded by Mr. Magaro to approve the July expenses in the amount of \$174,993.76 The motion was unanimously approved.

Old Business: Commissioner Paul asked if there was any updates on the gentlemen that was here at last month's meeting regarding the past due balance collected at the time of settlement for a property on Nissley Drive.

Solicitor Henninger referenced his Memorandum dated June 26, 2019 where staff confirmed with Suez that the water was shut off at the property located at 27 Nissley Drive from October, 2016 to August 2018. The total sewer rent balance for that time period comes to \$1,232.31. The balance collected at the time of settlement was \$2,183.33. The argument could be that there was an overpayment of \$951.02 (\$2,183.33-\$1,232.31). A refund of \$951.02 would not seem to be unreasonable nor one setting a dangerous precedent under the unique circumstances with this situation.

A motion was made by Mr. Magaro seconded by Mr. Popp to authorize a refund of \$951.02 for the Stambaugh/Rizk property. The motion was unanimous approved.

Commissioner Paul also asked what the status is on the Sheetz EDU's. Mr. Lanman replied that Sheetz has indicated they are making changes to their car wash system. Staff is continuing to monitor the situation.

Chairman Wilkinson requested an executive session for Inter-municipal issues immediately following tonight's meeting.

New Business: None

A motion was made by Mr. Magaro seconded by Mr. Popp to adjourn the meeting and convene into executive session. The motion was unanimously approved and the meeting adjourned at 8:13 P.M.

ATTEST:

Tracey Bechtel, Recording Secretary