

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
MARCH 22, 2021

The March 22, 2021 Regular 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
- Dan Magaro, Vice Chairman (Zoom)
- Chester Hartz, Secretary
- Scott Spangler, Treasurer (Zoom)
- Frank Popp
- Elizabeth McBride, Township Manager
- Lester Lanman, MA Manager (Zoom)
- Peter Henninger, Solicitor (Zoom)
- Caleb Krauter, Engineer (Zoom)
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance in person or through Zoom:

- Todd Truntz, Commissioner
- Ron Paul, Commissioner
- Chris DeHart, Commissioner, (Zoom)
- Brian Davis, LST MS4 Coordinator
- Scott Washinger, Public Works Manager
- Dale Messick, 101 Greenfield

Public comments: None

Approval of Minutes:

A motion was made by Mr. Popp seconded by Mr. Hartz to approve the Minutes of Regular Meeting February 22, 2021. The motion was unanimously approved.

Approve/reject/table Security Agreement for Fiddlers Elbow Warehouse.

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the Security Agreement between The Municipal Authority of the Township of Lower Swatara and Fiddlers Elbow Warehouse in the amount of \$362,193.00. The motion was unanimously approved.

Approve/reject/table Temporary Easement and Right-Of-Way Agreement for Construction of Sanitary Sewer Facilities with Byler Quarries, LLC.

A motion was made by Mr. Hartz seconded by Mr. Magaro to approve Temporary Easement and Right-Of-Way for Construction of Sanitary Sewer Facilities between Byler Quarries, LLC and the Municipal Authority of the Township of Lower Swatara. The motion was unanimously approved.

Approve/reject/table Permanent Sanitary Sewer Easement and Right-Of-Way Agreement for Sanitary Sewer Improvements with Byler Quarries, LLC.

A motion was made by Mr. Magaro seconded by Mr. Popp to approve Permanent Sanitary Sewer Easement and Right-Of-Way Agreement for Sanitary Sewer Improvements between Byler Quarries, LLC and The Municipal Authority of the Township of Lower Swatara. The motion was unanimously approved.

Approve/reject/table Operation and Maintenance (O&M) Agreement Stormwater Management Best Management Practices (SWM BMP's) for Byler Quarries, LLC.

A motion was made by Mr. Magaro seconded by Mr. Hartz to approve the Operation and Maintenance (O&M) Agreement Stormwater Management Best Management Practices (SWM BMP's) between Byler Quarries, LLC and The Municipal Authority of the Township of Lower Swatara. The motion was unanimously approved.

Approve/reject/table recommendation to the Municipal Authority of Application for Payment No. 3, in the amount of \$514,001.70, to Doli Construction Corporation.

A motion was made by Mr. Hartz seconded by Mr. Popp to approve the Application for Payment No. 3, in the amount of \$514,001.70, to Doli Construction Corporation for the Rosedale Manor Stormwater Improvements Project. The motion was unanimously approved.

Approve/reject/table Improvement Guarantee Reduction for Buddy's Run Subdivision reducing the Guarantee to \$13,499.27.

A motion was made by Mr. Popp seconded by Mr. Magaro to approve Improvement Guarantee Reduction in the amount of \$76,495.86 which holds a maintenance guarantee, in the amount of \$13,499.27, or 15% of the original amount of \$89,995.13 for a period of 18 months. The motion was unanimously approved.

Engineer's Report:

Approve/reject/table authorization to submit the Chapter 94 Report to PADEP by March 31, 2021.

Mr. Krauter indicated that they are still waiting for a few estimated flows from a developer, then we will send it to staff for final review. They are asking that authorization be contingent upon staff approval.

A motion was made by Mr. Popp seconded by Mr. Magaro to approve authorization for HRG to submit the Chapter 94 Report to PADEP by March 31, 2021 contingent upon staff approval. The motion was unanimously approved.

Approve/reject/table HRG Proposal of Professional services to complete the design, bidding, construction administration and construction inspection services for the 2021 Sanitary Sewer CIPP Lining Project.

A motion was made by Mr. Hartz seconded by Mr. Popp to approve the HRG Proposal of Professional services to complete the design, bidding, construction administration and construction inspection services for the 2021 Sanitary Sewer CIPP Lining Project. The motion was unanimously approved.

2019 Proposed Capital Improvement Projects

HRG completed a substantial completion walkthrough with Doli Construction and LSTMA Staff on March 3, 2021 to review the work that was completed under Contract No. 2019-01. Construction was determined to be substantially complete and a substantial completion certificated was issued on March 16, 2021. Once the punchlist items are corrected by Dili Construction, and the requirements for final completion are met, we will issue the final Closeout Documents.

The substantial completion date for Contract No. 2019-01 was extended from June 1, 2020 to October 23, 2020 with the approval of Change Order No. 2. As March 3, 2021 was established as the date that Doli Construction was substantially completed, Doli Construction has requested an extension of the substantial completion date to March 3, 2021.

Once acceptable record drawings are received for Contact No. 2019-03, we will provide the final Closeout Documents to the Authority.

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

LSTMA Staff have placed the meters in selected manholes and anticipates completing the metering of the sewage flows throughout the Township in the next 12 weeks. HRG continues preparation of the Plan. Work is temporarily on hold until the flow monitoring is completed, which is anticipated to be completed in the spring of 2021. We also anticipate completing the remaining on-lot disposal system inspections once it is safe to enter onto resident's properties. Our services are proposed to be on a time and materials basis, as requested by the Authority.

Stormwater Authority Implementation Support Services Proposal

No Update.

2021 Drainage Improvements

Design includes drainage improvements at 217 Delmont Avenue, Scarlett Lane, and Spring Garden Drive. Surveying activities have been completed. Design activities are being completed and are anticipated to be ready for bidding in the coming weeks.

Rosedale Manor Stormwater Project

The redesign to address Market Street Extended conflicts with PP&L and UGI existing utilities are now complete and all potential utility relocation delays should now be resolved. HRG has packaged up these revisions as work change directive (WCD) #1 for the contractor to officially add the plan set to the contract. We are still waiting for DOLI to submit revisions to their work estimate, but after that WCD#1 will be presented to the board for approval.

2021 Sanitary Sewer CIPP Lining Project

As requested by the Authority Staff, HRG has prepared a proposal to complete the design, bidding, construction administration, and construction inspection services for the 2021 Sanitary Sewer CIPP Lining Project. HRG is prepared to begin work upon authorization by the Authority.

Land Development Projects Update

The Pond at Fulling Mill (Retirement Community)

Phase I – No update to report.

Phase II – No update to report.

Hershey Creamery Expansion

HRG reviewed the Land Development Plan and provided comments to the Authority Staff in our Plan Review dated February 3, 2021.

UPS Northeast Hub

HRG has received and currently reviewing the sanitary sewer submittals for the work within N. Union Street. Construction of the onsite sanitary and N. Union Street and storm sewer facilities continues.

William's Manor

We received preliminary inquiries on sanitary sewer improvements are needed for design and construction of a land development on the Williams's Farm property.

Buddy's Run Subdivision

The Developer has requested and improvement guarantee reduction, and provided the post installation CCTV data and Record Drawings. Based upon observations from the Township staff and HRG, all sanitary sewer improvements have been completed. We recommend an improvement guarantee reduction in the amount of \$76,495.86 which holds a maintenance guarantee, in the amount of \$13,499.27, or 15% of the original amount of \$89,995.13.

PSU Meade Heights

No correspondence was received over the past month.

PSU-boiler Installation

PSU is proposing to install a new boiler system and provided a cut sheet on the neutralizer system that is intended to be installed to neutralize the acidity of the condensate. This boiler is anticipated to add additional sewage to the LSTMA system, we have requested additional information and will provide to the Authority upon receipt.

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.

Woodridge PH II Section 9

No update to report.

Campus Heights Village III

No update to report.

Wilsbach Distribution Facility

No update. Construction of this project is progressing.

D&H Proposed Warehouse

No update to report. Construction of this project is progressing.

Fiddler's Elbow Warehouse

No update. HRG reviewed temporary and permanent easement exhibits in conjunction to the Authority's solicitor's review of the Easement Agreements.

Jednota Residential Subdivision

HRG received submission of the land development plan and will be completing the land development review.

Mr. Krauter indicated that Kinsley Construction has proposed a little over 100 EDU's for single family residential homes. The sanitary sewer installation is fairly straight-forward, but HRG did want to bring to the Authority's attention that in 2018, it was a very wet year, and the flows that went to Highspire exceeded the capacity that the Authority owns in the Highspire Treatment Plant. In 2020 the flows are about half of what the capacity that's owned.

With the addition of both William's Farm, 800 plus EDU's and the Jednota Residential Subdivision, that will jump up significantly. The Authority has done several lining projects in the sanitary sewer systems that flow to Highspire in the last two years, this was the main reason for having those projects to reduce infiltration. The reason for bringing this to the Authority's attention is the Developer has requested a planning module exemption. In order to grant the exemption and send to DEP, the Authority will need to sign-off stating you have capacity in your system to receive those additional flows.

Mr. Krauter noted there are a couple of options the Authority can proceed with, we can approve and say we have the capacity, Highspire already confirmed that they have capacity on their end, or we could have the Developer complete a study to make sure in wet years we will not exceed capacity, or we could deny it. Mr. Krauter added that DEP will also take a look at the Chapter 94 reports that we have submitted over the past several years and they may trigger the requirement for the Developer to complete a full planning module.

Chairman Wilkinson asked how much work have we done in that basin of slip lining perspective, where are we with I&I in that basin. Mr. Krauter replied that we did several thousand feet of lining work in the sewers that contribute to the Lumber Street Interceptor then eventually flow into Highspire. The spring and fall months are when you generally see more I&I, after the lining and in the years where we didn't have much rain, you can still see some flow increases that are weather related, and obviously it is not the extreme that we saw in 2018, probably due to the work the Authority has completed and also less wet weather. Mr. Lanman added that almost all the lining we did last year was in the Highspire Basin. Solicitor Henninger added that the good news is, even in 2018, as wet of a year that was, even though we were above our 64% those 2 months, the Highspire Plant never approached the two million gallon capacity so the plant was never near a surcharge situation.

Mr. Krauter explained that he did not put this on the agenda because he wanted to discuss it first. HRG would be looking to Approve/reject/table authorization that the Authority Staff sign the certification for the Jednota Residential Subdivision certifying that the Authority has capacity in their system.

A motion was made by Mr. Popp seconded by Mr. Magaro to authorize the Authority Staff or Township Manager to sign the planning module waiver for the Jednota Residential Subdivision. The motion was unanimously approved.

Solicitor's Report: Solicitor Henninger reported that there is a zoning text amendment working its way through the planning commission this month and then to a public hearing and potential action by the Board of Commissioners, that would allow Townhouse units as a special exception in commercial neighborhood districts, specifically the 20+ acre farm across from the High School at the corner of North Union and 441. One of the issues that will come up for the Authority Board and staff is how that sanitary sewer gets routed from that project assuming that the text amendment to allow by special exception goes through. Whether it can go through North Union or whether it leads back through the Messick property.

Solicitor noted that Byler Quarries will have an amendment to the stormwater easement to add additional language stating that the Township/Authority would be responsible to maintain those facilities.

M.A. Manager's Report:

Mr. Lanman reported that Doli was able to make an 8 foot repair to a section of pipe at the northern side of the repair area down at the Penn State Campus. They also replaced a 12 foot section of pipe just upstream of the manhole at the parking lot entrance. That cost was \$14,850.00. Mr. Lanman indicated they still have some flushing work to do with Klein's. There will also be a fair amount of CIPP lining that should get done.

Mr. Lanman noted he attended Highspire's meeting last week and updated the Board on the centrifuge situation.

Mr. Lanman updated the Board on the UPS project. Construction will be starting on March 25, 2021 for Fiddler's Elbow bridge replacement. Kinsley Construction, the UPS Contractor, will be starting on 80th Street, running a water line from Chambers Hill, down 80th Street, then south on North Union to feed water to UPS. Mr. Lanman also noted there will be a large detour from Longview Drive to the old Sears warehouse on North Union Street, just south of the existing pump station.

Township Manger's Report: Ms. McBride indicated at last week's Board of Commissioners meeting, they approved the resignation of Mr. Lanman, Director of Public Works. Ms. McBride is asking the Board to approve Mr. Lanman's resignation from Municipal Authority Manager effective March 26, 2021.

A motion was made by Mr. Magaro seconded by Mr. Hartz to approve the resignation of Mr. Lanman effective March 26, 2021. The motion was unanimously approved.

MS4 Report: Mr. Davis reported that all available slots for the rain barrel workshop scheduled for April 5, 2021 have been filled. Every attendee will get a free rain barrel to take home with them.

Mr. Davis indicated that he received an application for an infiltration trench on a resident's property at 265 Oberlin Road. The homeowner is experiencing some heavy flows of stormwater on her property, mainly from her neighbors. She would like to put a trench on her property, the scope and size of this trench is so small that it doesn't require a DEP permit, it's less than a thousand square feet, so we don't even need a plan set from them. Mr. Davis indicated he did talk to both the homeowner and the contractor and everything looks good and they have been very cooperative with any recommendations or advice given. Mr. Davis is recommending the Board give approval for this stormwater permit application along with the O&M Agreement.

A motion was made by Mr. Popp seconded by Mr. Hartz to approve the stormwater permit application for 265 Oberlin Road and authorize the MS4 coordinator to sign the O&M Agreement. The motion was unanimously approved.

Approve March Expenses for Sewer Revenue Fund:

A motion was made by Mr. Hartz seconded by Mr. Popp to approve the March Sewer Revenue Fund expenses in the amount of \$224,197.20. The motion was unanimously approved.

Approve March Stormwater Fund expenses:

A motion was made by Mr. Hartz seconded by Mr. Magaro to approve the March Stormwater Fund expenses in the amount of \$50,630.74. The motion was unanimously approved.

New Business: Mr. Wilkinson suggested that with stormwater, all the improvements to the sanitary sewer, as well as the future developments coming in, the Municipal Authority Board may want to start having an additional meeting on the seconded Monday of the month along with the regular scheduled meetings on the 4th Monday of each month. Mr. Wilkinson asked everyone to give it some thought and we can vote on it at next month's meeting.

A motion was made by Mr. Popp seconded by Mr. Hartz to adjourn the meeting. The motion was unanimously approved and the meeting adjourned at 8:04 P.M.

ATTEST:

Tracey Bechtel, Recording Secretary