

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**DECEMBER 21, 2015**

Chairman Gingrich called the Regular Meeting of the Lower Swatara Township Municipal Authority to order at 7:00 P.M. Chairman Gingrich welcomed Ms. Shambaugh and wished everyone a happy holiday. The record indicated the following officials in attendance:

- James Gingrich, Chairman
- Todd Truntz, Vice Chairman
- Charles High, Secretary
- Richard Wilkinson, Treasurer
- Thomas Mehaffie
- Anne Shambaugh, Manager
- Peter Henninger, Solicitor
- Matthew D. Cichy, Engineer
- Tracey Bechtel, Recording Secretary

Residents and visitors in attendance:

Bob Sutch, (Highspire Borough Authority)

Dan Wagner (LST Public Works)

Public Comments:

Chairman Gingrich introduced Bob Sutch, Highspire Borough Authority. Chairman Gingrich wanted to update the Board on previous meetings that took place between Highspire Borough, Highspire Borough Authority and Lower Swatara Township. He indicated that the one item discussed was the O & M Budget. The Township proposed nine (9) monthly payments then we would have a joint meeting prior to making the 10<sup>th</sup> payment so that if there were any adjustments to be made (increase or decrease) it could be agreed upon at that time. Mr. Sutch noted that the O & M budget is through the Borough not the Authority.

Chairman Gingrich reported that the other item agreed upon was to do ten (10) monthly payments on the screw pump. Chairman Gingrich asked Mr. Sutch if that was in agreement with the Authority. Mr. Sutch indicated yes.

Chairman Gingrich expressed that as we move into the new year Lower Swatara Township Municipal Authority (LSTMA) would like to get together to discuss issues with the existing contract. Chairman Gingrich asked Mr. Sutch if such a meeting would be in conjunction with Highspire Borough Council as well as the Authority. Mr. Sutch replied that would just be with Highspire Authority. Chairman Gingrich noted that there were a few things that were brought up, one was changing the way it states arbitration. Another possibility that LSTMA thought would improve communication would be to allow Lower Swatara to have a member on the Highspire Authority Board. Mr. Sutch indicated that he cannot comment on that.

Chairman Gingrich commented that there are items in the contract now that are vague and our goal is not to be unfair, and this process would be a joint effort in order to clean up some of these areas to give both sides clarity.

Mr. Mehaffie added that he would like to see a starting and ending date on the contract. After further discussion, Chairman Gingrich noted that come January we should have a joint meeting between, Lower Swatara Township Board of Commissioners, LSTMA, Highspire Borough and Highspire Borough Authority to discuss issues and changes to the contract.

Mr. Sutch inquired about the payment for the clarifier. Chairman Gingrich noted that payment for the clarifier was budgeted in the 2016 budget and would expect that to be part of next month's expenses for Board approval.

A motion was made by Mr. Mehaffie seconded by Mr. High to approve paying Highspire Borough Authority the portion of what is due as of January 1, 2016 for the clarifier project. The motion was unanimously approved.

A motion was made by Mr. Wilkinson seconded by Mr. High to approve the November 23, 2015 Meeting Minutes. The motion was unanimously approved.

A motion was made by Mr. Mehaffie seconded by Mr. Truntz to approve the 2016 Sewer Revenue Fund Budget. The motion was unanimously approved.

Mr. Mehaffie commented that this was quite the budget and we had to dip heavily into our reserves to accommodate this budget. Mr. Mehaffie recommended that our new manager and our P.W. Superintendent, Mr. Wagner to please keep a very close eye on spending. Wherever we can cut or save we need to. Mr. Mehaffie stated that he is not saying we should short change things, that if something arises that needs to be addressed then we need to take care of it, but our reoccurring revenues must match our reoccurring expenditures.

Mr. Wagner noted that we had budgeted \$45,000.00 for new meters, but after further research, where the meters were going to be placed will not work, so therefore the purchase of those probably will not happen.

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

**Pennsylvania Avenue (& Blacklatch Lane) Sewer Improvements Project:** Township Staff, HRG, and the Contractor, E.K. Service, Inc., completed an inspection of the work areas on December 2, 2015 and determined the work to be substantially complete. A punchlist of the items remaining to be completed was generated during the inspection. Since then, the Contractor has completed all outstanding work on the Project, and submitted contract closeout documents consisting of the Contractor's Affidavit, Statement of Surety Company, and evidence of Completed Operations Insurance.

The Final Change Order for the Project has been prepared for the Authority's review and approval. This change order makes the following changes:

- Incorporates Work Change Directive No. 1.
- Modifies the pavement restoration requirements and price to cover both the sanitary and storm sewer trench restoration on Pennsylvania Avenue and the sanitary sewer trench restoration on Blacklatch Lane.
- Decreases the Contract Price by \$1,245.37 for reconciliation of the Bid Quantities to the Final Quantities installed.
- Increase Contract Time for Ready for final payment by 27 days to account for the additional storm sewer replacement work the Contractor performed on behalf of Lower Swatara Township (outside of this Contract).

HRG has reviewed the Final Change Order and recommends approval.

Application for Payment No. 2-Final has been received and HRG has reviewed this application. Based upon our observations of the work performed, we recommend payment of \$31, 172.29 to the Contractor.

A motion was made by Mr. High seconded by Mr. Wilkinson to approve the Final Change Order for Pennsylvania Avenue Sewer Improvements Project and approval for Application for Payment No. 2-Final payment to E.K. Service, Inc. in the amount of \$31,172.29. The motion was unanimously approved.

Mr. Cichy reminded the Board for internal booking that the paving cost on Pennsylvania Avenue were going to be split between Township and Authority.

HRG will compile a final set of complete contract closeout documents and provide them to the Authority for your files.

**Amtrak Middletown Station Utility Relocation:** HRG worked with Solicitor Henninger to develop and prepare a sanitary sewer easement, exhibit, and legal description needed for the sanitary sewer relocation associated for this project. The easement paperwork has been forwarded to the Township.

Mr. Mehaffie indicated he will be getting signatures from Lawrence Street Partners LP and have the paperwork to Mr. Cichy by tomorrow morning.

**Richardson Road Sewer Relocation:** HRG received a notification from the Pennsylvania Historical and Museum Commission that they have reviewed the proposed project disturbances and determined that no historic buildings, structures, districts, or objects will be affected by this project. The proposed sanitary sewer relocation design documents have been forwarded for incorporation into the overall Richardson Road Bridge Replacement project.

Mr. Wagner and Ms. Shambaugh noted some sketch plan concerns and would like to meet with HRG in January to discuss.

**Act 537 Plan Update:** HRG has contacted DEP about scheduling a preplanning meeting. DEP has indicated that they are generally available on Tuesdays and Thursdays in January with the exception of January 12. Mr. Cichy suggested we should have some discussion on who from the Authority wants to attend this meeting.

Mr. Wagner addressed the Board with a few concerns he has as we move forward with updating the 537 Plan. He noted the earlier discussion pertaining to the budget and stated as we move forward with updating the 537 Plan we will more than likely discover problematic areas that will need attention. This will be added expenses and the appropriate monies might not be available to address these issues. Should we consider delaying this process.

Mr. Wilkinson responded that in his opinion there is never a good time and by delaying your basically kicking the can down the road. The Board understanding the depth of what needs to be done is most important, then whether we finance it through a bond issue down the road or refinance or restructure our existing debt we still need to know and move forward.

After some further discussion, the Board decided to have Ms. Shambaugh, Solicitor Henninger, Township Engineer and Board member Mr. Wilkinson attend the preplanning meeting with DEP.

Chairman Gingrich added that in his discussion with Von Hess, Mr. Hess wanted to give the Board the heads up that DEP just did a stormwater inspection in Highspire and Lower Swatara is probably close behind to have one as well. The inspection took a few hours and it seemed like one of biggest concerns were where the facility stores their salt and cinders and how they are contained and if tomorrow Township personnel would quit and you would have to hire all new people, would they be able to go in and look at documentation and understand what needs to be done.

**Solicitor's Report:** Solicitor Henninger reported the Duane and Paula Rhodes decided to hook up both the farmhouse and the bed and breakfast facility to public sewer as opposed to doing the required testing to the septic system.

Solicitor Henninger referenced the copy of the O & M Agreement with Penn State for walkway improvements and noted that he, Mr. Greene and Mr. Cichy have reviewed it and is recommending Board approval.

Mr. Truntz inquired to Solicitor Henninger if we could include an integration clause to these O & M Agreements in the future. Solicitor Henninger indicated that he would.

A motion was made by Mr. Truntz seconded by Mr. Wilkinson to approve the O & M Agreement (SWM BMPs) for Penn State. The motion was unanimously approved.

Solicitor Henninger reported that he and staff are monitoring some upcoming sheriff sales. He will also have an updated lien list to the Board in February.

A brief discussion took place regarding looking into the option of having a collection agency handle the delinquencies.

**Manager's Report:** Ms. Shambaugh reported that back at the Authority's August 24<sup>th</sup> meeting there was discussion with resident, Debra Messick. The Authority was going to place a lien on the three (3) properties that Mrs. Messick owns. Mrs. Messick requested the Authority not to do that and give her an opportunity to pay a minimum of \$500.00 every two weeks in order to get all three (3) accounts current by the end of 2015. As of today we have only received three (3) payments of \$500.00 from the Messicks. The outstanding balance across those three accounts is almost \$5,900.00.

A motion was made by Mr. Wilkinson seconded by Mr. Mehaffie to authorize Solicitor Henninger to send a 30 day letter for full payment for all three properties due by January 25, 2016. If payment is not made, the Authority will place a lien on all three (3) Messick properties. The motion was unanimously approved.

A motion was made by Mr. Wilkinson seconded by Mr. High to approve the December expenses in the amount of \$75,120.84. The motion was unanimously approved.

**New Business:**

Mr. Wagner expressed to the Board that E.K. Services, Inc. have been great to work with and he would not hesitate to work with them again.

Mr. Wagner updated the Board on the Swatara Shores meter issue and that the Land owner is not responding to any correspondences. Mr. Mehaffie suggested that Mr. Wagner send a letter to the Land owner to attend next month's meeting so the Board can advise him on what is needed and why.

Mr. Wagner noted to the Board that staff has been concentrating on issues at hand and the GIS has been taking the back burner, but hopefully there will be more time in the new year to get back on that project.

Mr. Wagner informed the Board that staff found a few problems with the line down at Meade Avenue and he will be meeting with Mr. Cichy after the holidays on this issue. Also staff took care of I & I issues down at Swatara Shores.

Mr. Mehaffie addressed the Board and indicated he will be stepping off the Authority Board at the end of the year and wanted to thank everyone and stated it was a pleasure to work with this Board. Chairman Gingrich expressed his appreciation to Mr. Mehaffie.

Mr. Truntz commented that he too will be stepping off at the end of the year to take the role of Township Commissioner. He stated it has been a pleasure to serve along with this Board for the past 5 years and enjoyed working with all and looks forward to continuing to work with everyone as a Commissioner.

A brief discussion regarding a rate study to be looked at next year.

A motion was made by Mr. Mehaffie seconded by Mr. Truntz to adjourn and proceed into executive session. The motion was unanimously approved and the meeting adjourned at 8:30 P.M.

ATTEST:

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Tracey Bechtel, Recording Secretary