

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**NOVEMBER 23, 2015**

Chairman Gingrich called the Regular Meeting of the Lower Swatara Township Municipal Authority to order at 7:00 P.M. The record indicated the following officials in attendance:

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

Residents and visitors in attendance:

Greg Rhodes, (R & L Construction)

Paula & Duane Rhodes

Bruce Hulshizer, (HRG)

Robert Greene, (LST Planning Zoning Coordinator and SEO)

Steve Severin, (LSTMA)

Dan Wagner (LST Public Works)

Public Comments:

Greg Rhodes from R & L Construction introduced himself and informed the Board that this past month he signed an agreement of sale to purchase a piece of property on Lumber Street from Mr. Williams and he was hoping the Board could update him on how the work is progressing with Highspire Authority. Mr. Rhodes indicated he was at the Highspire Authority

meeting a few weeks ago and was told that everything was in line, but he wanted to confirm that information with Lower Swatara.

Mr. Cichy confirmed that Highspire has received funding that has a time line to be used sometime in 2016 and they are working to meet that timeline.

Mr. Mehaffie asked Mr. Rhodes how many homes he was intending on developing. Mr. Rhodes indicated 26 single family homes, with the intent of selling 8-10 homes a year starting in the summer of 2017. Mr. Rhodes thanked the Board for their time this evening.

A motion was made by Mr. High seconded by Mr. Truntz to approve the October 26, 2015 Meeting Minutes. The motion was unanimously approved.

**Duane/Paula Rhodes** – Mr. and Mrs. Rhodes indicated they are here this evening to request a waiver from connecting their personal residence at 3268 Fulling Mill Road to public sewer. They will be connecting the farmhouse (proposed B & B) to public sewer.

The Board referred to Mr. Greene (Township SEO and Planning and Zoning Coordinator) for comment.

Mr. Greene wanted to state for the record that the letter from the Rhodes dated November 15, 2015 to the Municipal Authority, the last paragraph of that letter is not correct. The Rhodes stated that he met with Mr. Felty and Mr. Severin at their property on November 13, 2015. Mr. Greene advised the Board he was not there on that date nor has he ever personally met with Mr. Felty.

Mr. Greene reported in regards to the existing septic system to the residence which was formally the barn on the property and converted into a single family dwelling. The Rhodes had requested that they would be exempt from doing a septic system backup. We met at the property in October and there was some concerns about the existing septic system that they wanted to keep connected even after bringing the lateral to the property. I made a statement at that time that I felt strongly that if they are bringing public sewer onto their property that they should connect both of the buildings onto public sewer. Not knowing what the existing system is on the property, I've never been given a report, never was asked to evaluate or inspect anything. I've come to find out since then that the Rhodes had replaced the septic tank that services their dwelling back in 2011 and in searching our records, we have no record of issuing a permit to

replace the tank, therefore, we have nothing to know exactly what was installed at that time. We do not know if the current septic tank is substandard or adequate. I indicated to the Rhodes in a meeting we had here at the Township building back in October that I felt they should do at least a hydro load test on the existing septic system just to show that the system is capable to function properly to receive the typical daily flow from a single family dwelling.

The Rhodes then came to the Board of Commissioners meeting last Wednesday and had asked if we would consider granting a waiver of having them do this test. I made a statement at that time that I would take it into consideration and take a look at things. I have spoken with a Shaun Stokes from Walters Environmental Services who gave a price quote to perform the hydro load test and also gave the dates of December 3<sup>rd</sup> and 4<sup>th</sup> to do the testing.

I feel that at this time we should move forward with that testing since we have been informed by the Rhodes last week that the existing system was installed back in 1976 and the tanks installation was done in 2011. If the system fails the testing, I feel it would be necessary to connect both the single family dwelling and the business to public sewer. I don't believe in my opinion that there is adequate area on the site to put in a replacement system.

Mr. Rhodes stated that there are only himself and his wife living in that house and he understands that they hydro load test should be done if they were selling the house, but currently the system has been working great and they do not feel they should have to pay this extra expense for a test that could possibly damage the system.

After further discussion between Board members and Mr. and Mrs. Rhodes, Chairman Gingrich stated that the Authority has to go on the recommendation of the Township's Sewage Enforcement Officer (SEO) and since there was not permit acquired in 2011 the Township has no way of knowing if there are any under surface issues or drain field issues without the hydro load testing.

A motion was made by Mr. Wilkinson seconded by Mr. Mehaffie to require the Rhodes to have the hydro test done as recommended by the Township's SEO. The motion was unanimously approved.

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

**Pennsylvania Avenue (& Blacklatch Lane) Sewer Improvements Project:**

The Contractor, E.K. Service, Inc., completed the sanitary sewer replacement on Blacklatch Lane on October 27, 2015 and met the Contract stipulated substantial completion date of November 1, 2015. The Contractor then worked on separate storm sewer repairs on Blacklatch Lane and Pennsylvania Avenue for the Township. Following the completion of those repairs, the Contractor was scheduled to perform the paving restoration work beginning on November 20, 2015

Application for Payment No. 1 has been received and HRG has reviewed this application. Based upon our observations of the work performed, HRG recommends payment of \$76,694.34 to the Contractor.

A motion was made by Mr. High seconded by Mr. Mehaffie to approve application for Payment No. 1 to E.K. Service, Inc. in the amount of \$76,694.34. The motion was unanimously approved.

HRG will be working with the Contractor to schedule an inspection of the work and review any outstanding items that must be completed. The Contractor has been notified that all work needs completed for contract closeout by the Authority's December 2015 meeting.

**Amtrak Middletown Station Utility Relocation:** PennDOT held a meeting on November 20, 2015 with all utilities affected by this project to review conflicts. PennDOT requested that all utilities provide final documentation on the proposed relocations by the end of the year; this includes additional easements. PennDOT indicated that the Authority can use their standard format and procedure for obtaining the easement. HRG is working with Solicitor Henninger regarding developing the paperwork needed for the easement. Once prepared, the Authority will have to contact Lawrence Street Partners LP regarding obtaining the additional easement. Any costs associated with this would be included in the 4181 Form submitted to PennDOT for their reimbursement to the Authority.

**Richardson Road Sewer Relocation:** HRG has prepared the design documents for the proposed sanitary sewer relocation plan and technical specifications and these documents are currently being checked. Upon completion they will be forwarded for incorporation into the overall Richardson Road Bridge Replacement project.

Mr. Cichy reported on Capital Valley Business Park, Building C Improvement Reduction Guarantee No. 1 for the sanitary sewer improvements. HRG has observed the construction for this project and based upon our observation all sanitary sewer improvements have been completed. HRG recommends an improvement guarantee reduction in the amount of \$6,166.96 which holds a maintenance guarantee in the amount of 15% of the original bond amount for a period of eighteen (18) months.

A motion was made by Mr. Mehaffie seconded by Mr. Truntz to approve the sanitary sewer improvement reduction guarantee for Capital Valley Business Park, Building C in the amount of \$6,166.96. The motion was unanimously approve.

**Act 537 Plan Update:** Mr. Cichy noted that a couple of meetings ago there was a brief discussion on when the last Township Act 537 Plan update occurred and that dated back to 1983. With the Township updating their comprehensive plan there were some discussions on incorporating or following that up with an update to the Act 537 Sewage Facilities Planning.

A meeting was held with township staff, Chairman Gingrich and Solicitor Henninger just to discuss what is included in the Act 537 Plan along with various brainstorming ideas as to what we may want to include. Since that meeting the direction at that point was to basically look at Township wide comprehensive update looking at the entire sewage system both Authority owned sanitary sewer and private on-lots. The Board had asked for a ballpark cost of what these efforts would be.

Mr. Cichy introduced Bruce Hulshizer from HRG who helped Mr. Cichy with this task and Mr. Hulshizer looked into what are the components that would be needed for Lower Swatara Township's benefit which is outlined in the attachment to the engineers report. Mr. Hulshizer reviewed the attachment with the Board.

A motion was made by Mr. Wilkinson seconded by Mr. Mehaffie to start the grant application process for the Act 537 Plan not to exceed \$10K. If there is any event to cause it to exceed \$10K HRG would come back to the Board. The motion was unanimously approved.

**Solicitor's Report:** Solicitor Henninger reported that he is working on the agreement between Middletown/United Water regarding the North 29, however at this point he is at a standstill till

he sees the draft Agreement with SARAA and the Authority. Solicitor Henninger is hopeful we will have that in December.

Solicitor Henninger requested an executive meeting to discuss intermunicipal agreement pertaining to the correspondence from Kent Patterson that he had emailed everyone today.

**Manager's Report:** Mr. Monticello just followed up on what Solicitor Henninger reported concerning correspondence that was delivered by Highspire Borough on Friday, November 20, 2015.

**Approve/reject advertisement of the 2016 Sewer Revenue Fund Budget:** Mr. Mehaffie presented the 2016 Sewer Revenue Fund Budget to the Board.

A motion was made by Mr. High seconded by Mr. Wilkinson to increase the sewer connection fee from \$2,600.00 to \$3,200.00 starting January 1, 2016 based on the study that was done earlier this year. The motion was unanimously approved.

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

A motion was made by Mr. Wilkinson seconded by Mr. High to approve the November expenses in the amount of \$543,496.96. The motion was unanimously approved.

**New Business:**

Mr. Severin updated the Board on the Swatara Shores meter and Lisa Lake.

A motion was made by Mr. Truntz seconded by Mr. Mehaffie to adjourn and proceed into executive session. The motion was unanimously approved and the meeting adjourned at 9:24 P.M.

ATTEST:

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Tracey Bechtel, Recording Secretary