

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
SEPTEMBER 29, 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:

Duane Rhodes
David Spaulding, SARAA
Dan Standish, United Water Middletown
Doug Ferguson, Phoenix Contact
Ron Semancik, Phoenix Contact
Tom Luttrell, Luttrell Design Group
Steve Severin, (LSTMA)
Dan Wagner (LST Public Works)

Public Comments: None

A motion was made by Mr. High seconded by Mr. Truntz to approve the August 24, 2015 Meeting Minutes. The motion was unanimously approved.

Duane/Paula Rhodes – Requesting variance for grease trap: Mr. Rhodes was present and explained to the Board that he and his wife are in the process of turning the old farm house into a Bed and Breakfast (B&B). They have recently received approval from the State to get a sewer line established but there was a question as to whether or not they would have to have a grease trap installed. Mr. Rhodes indicated that they had a small restaurant in that house for years but the restaurant is no longer in operation.

Mr. Rhodes commented that he feels since the liquid going out of the B&B is from just making breakfast there will be no need for a grease trap of any size since they will be using less water than a regular household would be using.

Chairman Gingrich deferred to Mr. Cichy for comment. Mr. Cichy noted that he did not have a copy of the Ordinance in front of him, so he would have to take a look at that. Mr. Cichy added that any commercial establishment that produces grease should have a grease trap associated with it. Mr. Cichy asked Mr. Rhodes how many facilities will be associated with the establishment. Mr. Rhodes indicated there are four (4) rooms and the State had told him that each room would be estimated to use 100 gpd of water.

Mr. Severin noted to the Board that Highspire would need to be involved because they have their own requirements for grease traps as well. Solicitor Henninger stated that we also have an industrial pretreatment ordinance with Highspire and we would have to take a look to see if it spells out any specifics in there as well. Mr. Cichy added that with the sewer line extension to the property, one of the Authority's requirements is a need for a controlled manhole that can be used for sampling of the waste that would be discharged into the sewer. Mr. Cichy asked Mr. Rhodes if he has developed any plans yet for the extension. Mr. Rhodes indicated that the plans have been submitted and the extension is going out to Highspire Road.

Chairman Gingrich commented that until we consult with Highspire and read the ordinance the Board will not be able to take action either way this evening.

Mr. Severin asked Solicitor Henninger that on the plan submittal it shows the sewer line crossing over a neighboring property. Even though Mr. Rhodes attached a signed letter by that neighbor saying he is giving permission to Mr. Rhodes to cross over his property is that significant? Solicitor Henninger responded that for the Authority to permit that hookup Mr. Rhodes will need to have more than a letter agreement to cross his neighbor's property. He will need to have an easement agreement or licensing agreement specifically spelling out the width

allowed for access if there would be a need to repair that line. A formal agreement is necessary not just a letter agreement with your neighbor. Mr. Rhodes explained that the sewer line is going on top of an access way approved by the courts, that there is a 20-foot right-of-way along the creek. His neighbor owns the property but they have rights to use it and access it any way they want.

Solicitor Henninger indicated that he would have to review that to see if that is what is permitted as well as following up with Highspire and reviewing our industrial pretreatment ordinance.

A motion was made by Mr. Wilkinson seconded by Mr. Truntz to approve consent to and waiver of the possible conflict of interest of Rhoads & Sinon LLP, which serves as both Solicitor for the Susquehanna Area Regional Airport Authority, (SARAA) and, from time to time, as Special Bond Counsel for Lower Swatara Township. 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., anticipates commencing with construction on the Pennsylvania Avenue portion of this project on September 30, 2015. Based on the Contractor's schedule, this work is anticipated to take approximately 6 days. The Contractor then plans to complete the pavement restoration once the sanitary sewer replacement is completed in both areas. Per the Contract, the work must be substantially completed by November 1, 2015 and all work final completed by November 16, 2015. The Contractor's schedule indicates that the work will be completed within the allotted times. HRG will have a full time RPR onsite for this work.

Amtrak Middletown Station Utility Relocation: As authorized at last month's Authority meeting, HRG has prepared the attached Sanitary Sewer Relocation plan required due to the proposed pedestrian bridge across SR 230 to AMTRAK'S Middletown Train Station near Ann Street. HRG worked with the Township Staff to develop the plans and the Township Staff has reviewed the plans.

Mr. Cichy noted to Solicitor Henninger that on the plans currently we are showing a proposed 20' easement should we extend that to 30'? Solicitor Henninger agreed that it should show a 30' easement. Mr. Cichy explained that basically the relocation involves the installation of two (2) new manholes and the sanitary sewer piping associated with it and the abandonment of the existing facilities to get around where the pedestrian bridge is to be installed.

PennDOT's consultant for this project, HNTB Corporation, confirmed in a September 4, 2015 email that PennDOT will be responsible for the cost of the sanitary sewer relocation.

PennDOT has requested that the impacted utilities provide proposed designs and the necessary forms for the relocation of the utilities to their consultant, HNTB Corporation, by October 1, 2015. As part of the submission of forms needed to be submitted for this work, PennDOT is requiring a copy of an executed agreement between the Authority and HRG for this work. At last month's meeting the Authority Board authorized HRG to proceed with this. HRG has prepared the attached proposal to assist in the design, bidding, construction contract administration, and construction observation phases of the sanitary sewer utility relocation.

Chairman Gingrich asked Mr. Cichy if indeed PennDOT will be reimbursing the Authority for this project including engineering costs. Mr. Cichy explained that since our facilities are outside PennDOT right-of-way they will be responsible for the total cost. Solicitor Henninger recommended that a motion be made contingent on a letter from PennDOT stating in writing that the Authority will be reimbursed for all costs related to the sanitary sewer relocation.

A motion was made by Mr. Mehaffie seconded by Mr. Wilkinson to approve the HRG Proposal for Professional Engineering services on a time and material basis for an estimated fee of \$15,250, contingent on the receipt of a signed letter from PennDOT that they will reimburse all design, bidding, construction phase, engineering expensed and any other costs associated to this project. The motion was unanimously approved.

HRG will be working with Township staff over the next two days in order to complete and submit the necessary forms to PennDOT.

Solicitor's Report: Solicitor Henninger introduced Tom Luttrell who is present at tonight's meeting, representing Lee Dickerson. Mr. Luttrell explained to the Authority Board that they are submitting a rezoning request from the Planning Commission for parcels of land located on the east side of North Union Street and the south side of Rt. 283. Solicitor Henninger indicated that

it would be a good idea for the Authority to give some thought, that if the rezoning is approved where the flow from this area would be best suited to go, Derry, Middletown or Highspire, all three are an option.

Mr. Cichy noted to the Board that Middletown is currently going through a corrective action plan with DEP, with that they have imposed limitations with the number of connections. If it all works out and there are no other issues that would be lifted in 2016. If there are other issues, there could be a continuation of that limitation in the Middletown drainage basin.

Solicitor Henninger indicated that he is meeting with Mr. Cichy this Friday to review the Agreement related to Highspire. There is a meeting scheduled for October 7, 2015 at 10:00 A.M. at Highspire, those attending are Chairman Gingrich, Mr. Mehaffie, Mr. Cichy and Solicitor Henninger and possibly Mr. Monticello.

Mr. Mehaffie noted that he thinks it would be in the best interest of this Board to go forth and look at the cost factor to update the Act 537 and the Comprehensive Plan.

Manager's Report: Mr. Monticello updated the Board on last month's request for 10 additional EDU's for Capital Valley LP from Ryan Woerner. To date, Mr. Woerner has not submitted the necessary paperwork.

Mr. Monticello acknowledged the efforts staff is taking in collecting fees from delinquent accounts. In the last three months nearly \$42,000.00 has been collected.

Mr. Mehaffie inquired to Ms. Bechtel the number of shut off that have happened within this 3 month time frame. Ms. Bechtel replied that we only had to shut off two (2) address thus far, everyone else has either made payment arrangements or paid in full their past due balance. Ms. Bechtel also reported that she will be giving final notices to the customers who agreed to payment arrangements and have not followed through.

Review Statement of Revenues and Expenditures compared to Budget: No Comments.

A motion was made by Mr. Wilkinson seconded by Mr. High to approve the September expenses in the amount of \$243,750.92. The motion was unanimously approved.

New Business:

Mr. Severin reported that there is excessive I & I at the old part of Jamesway Plaza where the buildings still exist. Mr. Nardo has been contacted and will be removing dirt that has buried two manholes so that staff can access those manholes in order to televise those lines to help determine where this flow is coming from.

Mr. Severin also reported on the excessive flow down at Farr's pump station. Staff televised the line and found a softball size hole in that line. Mr. Severin questioned whether this line is private or a Township line. After a brief discussion it was determined that staff along with Solicitor Henninger will take a closer look at this in order to move forward to address the problem.

Mr. Severin updated the Board regarding Hershey Creamery. They have been working with Mr. Cichy and staff in purchasing and installing a meter and working on a proper meter pit.

Mr. Wagner reported that the water line at the Green Plains pump station has been put in as of today.

Mr. Ferguson from Phoenix Contact introduced himself along with Mr. Semancik and addressed the Board in regards to the letter that the Authority had sent to Phoenix Contact relating to the increase in the amount of EDU's that they were using compared to what they had bought.

Mr. Ferguson stated that they have identified some problematic issues at their facility that would explain this increase of usage. Mr. Ferguson indicated that they have taken corrective action to improve the situation at hand. With that being said, Mr. Ferguson proposed to the Authority Board that Phoenix Contact will purchase 20 additional EDU's. They would like the Board to give them three to four months to put all their corrective actions into place and then monitor them for another three months or so and at that time we look at where their flows are and determine if more EDU's would be needed.

Mr. Mehaffie recommended the Board agree to Phoenix Contact purchasing 20 EDU's and grant a one-year look back period at which time the Authority Board will reexamine their max flow.

Mr. Spaulding from SARAA/HIA explained that he was asked to attend this evenings meeting by Mr. Green (LST Zoning Officer). They had submitted a Planning Module for the UPS facility for about 1900 gpd. That module got kicked back from DEP, they wanted us to submit a component 3, which they have done and Township staff has that. They appeared before the Planning Commission last week to answer some questions, along with forwarding information to Mr. Cichy for his review to make sure the plan is consistent with the municipal Act 537 Plan.

Mr. Cichy confirmed that he did review and from a Planning Commission stand point he did make his recommendations that they can go ahead and check the appropriate box that the plan is consistent with Act 537 Plan.

A motion was made by Mr. Truntz seconded by Mr. High that the plans for the UPS facility are in compliance with our Act 537 Plan. The motion was unanimously approved.

A motion was made by Mr. Wilkinson seconded by Mr. Mehaffie to give the code enforcement the authority to enforce the Municipal Authority's regulations. The motion was unanimously approved.

Mr. Mehaffie requested an executive session to discuss contractual and personnel issues.

A motion was made by Mr. Truntz seconded by Mr. High to adjourn and proceed into executive session. The motion was unanimously approved and the meeting adjourned at 8:46 P.M.

ATTEST:

Tracey Bechtel, Recording Secretary