

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**JULY 27, 2020**

The July 27, 2020 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:

- Richard Wilkinson, Chairman
- Chester Hartz, Secretary
- Scott Spangler, Treasurer
- Frank Popp
- Elizabeth McBride, Township Manager
- Lester Lanman, MA Manager
- Peter Henninger, Solicitor
- Caleb Krauter, Engineer

Absent: Daniel Magaro, Vice Chairman, Tracey Bechtel, Recording Secretary

Residents and visitors in attendance through Zoom or by phone: (*\*\*Access links/phone numbers were listed on the Township's website prior to this meeting, and the names listed below are as they appeared on the conferencing service.*)

- Todd Truntz, LST Board Liaison
- Ron Paul, LST Board Liaison
- Bruce Hulshizer, HRG
- Michael Swank, Byler Quarries, LLC
- Rebecca McClain, LST Accountant
- Dominic Viscanti, LST Police Chief
- Bryan Davis, LST MS4 Coordinator

**Public comments:** None

A motion was made by Mr. Popp seconded by Mr. Spangler to approve the Regular Meeting Minutes of June 22, 2020. The motion was unanimously approved.

**Proposal for Invoice Cloud-Electronic Billing.**

Ms. McClain explained to the Board the replacement of the current on-line credit card/ach payment option with the Invoice Cloud-Electronic Billing and how residents will have the ability to see and print their bills, see their payment history, elect electronic billing and schedule recurring payments at the same cost they are currently paying.

A motion was made by Mr. Hartz seconded by Mr. Spangler to approve the Proposal for Invoice Cloud-Electronic Billing. The motion was unanimously approved.

Signature for Sewage Facility Planning Module for Wilsbach Distribution Facility with the contingency that HRG and Mr. Lanman review and approve it.

Mr. Lanman explained that this is Part II of the Sewage Planning Module. The Authority Board did approve Part III, the capacity on March 23, 2020. Part II is specifically for the Force Main which the Authority is going to take over after the project is completed.

Mr. Krauter added that Holly Evans from Evans Engineering is hoping to get this submitted to the Authority for signature in the next week. This was brought to light by DEP after the Planning Module was approved, their one comment was that they needed to submit the Part II Permit.

Commissioner Paul asked if Wilsbach Distributor is going to be the only user on that Force Main. Mr. Krauter replied that they will be. They have their own grinder pump, a small pumping station on their property so the only user would be Wilsbach, but since the Force Main is within the PennDOT right-of-way, PennDOT requires that to be owned by the Municipal Authority, which means the Authority will have to maintain the Force Main.

Solicitor Henninger asked why they put the Force Main on PennDOT's right-a-way rather than on their land. Mr. Krauter explained that the existing system is within the PennDOT right-a-way. The connection was made with the existing manhole which is within the existing PennDOT right-a-way.

Ms. McBride recommended that the Municipal Authority Board holds off on taking action at this time. A motion was made by Mr. Popp seconded by Mr. Hartz to table the signature for the Sewage Facility Planning Module for Wilsbach Distribution Facility. The motion was unanimously approved.

Signature for Sewage Facility Planning Module for Fiddlers Elbow Warehouse.

A motion was made by Mr. Hartz seconded by Mr. Popp to approve Mr. Lanman to sign the Sewage Facility Planning Module for Fiddlers Elbow Warehouse for the conveyance 1,400 gallons/day or 7 EDU's to Derry Township Municipal Authority. The motion was unanimously approved.

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

Mr. Krauter announced that Mr. Hulshizer was here this evening to update the Board on the MS4 program. Mr. Hulshizer indicated the stormwater utility is about to take off and with that is the credit policy. He recommended that a letter be sent out to both inform people and get them more interested.

One particular matter related to the credit policy that isn't included presently. The reason for that is we are only learning more about this in the last 6 months to a year. The current credit policy, as it stands in relation to Agricultural parcels, could get up to 30 percent credit. With working with other counties and the rest to the Chesapeake Bay stormwater world, what is becoming apparent is, if interested, you could investigate other considerations. Mr. Hulshizer went on to explain what those consideration could be and asked the Board if they would be interested in HRG moving forward to get a more complete approach to how Agricultural properties would be handled.

A motion was made by Mr. Popp seconded by Mr. Spangler to direct Ms. McBride to publish the existing credit policy on the Township website. The motion was unanimously approved.

A motion was made by Mr. Spangler seconded by Mr. Hartz to authorize Ms. McBride to move forward in conjunction with HRG and the Solicitor to look at modifying the current credit policy specific to the Agricultural use properties. The motion was unanimously approved.

### **2019 Proposed Capital Improvement Projects**

Work continues under Contract No. 2019-03. Work is anticipated to commence in the coming weeks under Contract Nos. 2019-01 and 2019-02.

On July 10, 2020, defective work was discovered under Contract No. 2020-03. HRG immediately issued a defective work notice to the Contractor and conducted a field meeting. On July 15, 2020, the Contractor submitted a Corrective Action Plan that was found to be acceptable and approved by HRG.

At the request of Authority Staff, HRG will be preparing a change order to add the replacement of the check valves in the Jamesway Pump Station header piping, for the Authority Board's consideration at their August 2020 Public Meeting.

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**

No update. HRG continues preparation of the Plan. Work is temporarily on hold until the flow monitoring is completed. We also anticipate completing the remaining on-lot disposal system inspections once it is safe to enter onto resident's properties.

### **Spring Garden Sanitary Sewer Replacement Project**

No Update. Bids were opened on PennBID on June 4, 2020. The apparent low bidder was H&K Group, Inc. who submitted a lump sum bid of \$53,200.00 for the completion of the sanitary sewer work. The Project is anticipated to be awarded by the Township in the coming weeks once easements are received for the storm sewer work.

### **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*

No update. Construction of this project is underway.

#### *UPS Northeast Hub*

Construction of the onsite sanitary and storm sewer facilities is underway. HRG provided comments on the 50% design submission of the new North Union Street Pump Station drawings to the Developer's Engineer.

HRG also received a 50% design submission of the new North Union Street Pump Station drawings. We are reviewing and will be meeting with Staff to review our comments before responding back to the developer.

*William's Manor*

No correspondence was received over the past month.

*Buddy's Run Subdivision*

No update to report. Construction and testing of the sanitary sewer extensions is complete. The Developer has requested an improvement guarantee reduction, which HRG will prepare once CCTV data and Record Drawings are received from the Developer.

*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.

*Woodridge PH II Section 9*

No update to report.

*Campus Heights Village III*

No update to report. Construction of this development continues.

*Wilsbach Distribution Facility*

PA DEP is requiring the submission of a Water Quality Management Permit Application for the low pressure sewer extension. The Developer's Engineer is in the process of preparing this. Ultimately, this application will need to be signed by the Authority prior to submission to PA DEP.

*D&H Proposed Warehouse*

Construction of this project is progressing.

*Fiddler's Elbow Warehouse*

HRG provided comments on the land development plan submission on North Union Street, Fiddler's Elbow Warehouse. A revised land development plan submission has been received and is currently under review.

**Solicitor's Report:** Solicitor Henninger noted that last month, there was discussion and a request to the property owner of the Fiddler's Elbow Warehouse for a sanitary sewer easement for potential future use for making it go gravity all the down to Fulling Mill and crossing the creek to eventually to get rid of the pump station. Byler Quarries, LLC is amenable to granting the easement, but there is an issue with surveying the easement and who

will pay for that cost. Solicitor Henninger indicated that Mr. Krauter has estimated that cost to be from \$10,000.00 to \$12,000.00.

Mr. Swank, from Byler Quarries indicated that he understands the history that the Township had previously tried to obtain an easement through the property and the land owner was not agreeable, but Byler Quarries is more than happy to cooperate with the Township to get that easement in place, it just comes down to location. After further discussion it was decided that HRG, Township Staff and Mr. Swank would meet later this week to walk the site and get a better feel for location.

**M.A. Manager's Report:** Mr. Lanman indicated that he attended the Highspire's July meeting. There is nothing to report from that meeting.

Mr. Lanman reported that all the sanitary sewer work at Hershey Creamery, all testing has been completed except the manhole vacuum testing because final grading has not happened yet. Work is starting on the processed wastewater plant that they are putting in to deal with their wastewater discharge before it hits our North Union Street Pump Station.

Mr. Lanman indicated that the sanitary sewer work should be starting at the D&H Distribution site in the next few weeks.

**Township Manger's Report:** Ms. McBride advised that in the next sixty days or so we will meet with Penn State, SARRA, and the School District regarding the MS4 fees. Within the next two weeks the letters that were discussed earlier in the meeting will go out. Ms. McBride updated the Board on various meetings that staff has been involved with regarding the billing and payment side of the MS4 fee.

A motion was made by Mr. Spangler seconded by Mr. Hartz to approve the July expenses in the amount of \$200,747.41. The motion was unanimously approve.

**Old Business:** Mr. Lanman explained to the Board that Phoenix Contact did an upgrade to some of their cooling towers, they did acquire a permit through the Township Code Department to do this, but the Code Department wasn't aware that part of the installation procedure for these cooling towers is they have to flow massive amounts of water through them for 30 to 90 days.

We picked up on these abnormal flows exceeding 200 EDU's last month and they are on the track to exceed that number again this month, we were thinking it was due to a metering problem so we estimated their flows for billing because they have been down to only using 30 to 40 EDU's the last few months, due to COVID-19. Staff did reach out to them and talked to several different people at Phoenix, they explained the process of where they have to flow thousands of gallons of water through these towers to activate them. Mr. Lanman indicated that he passed on this information along to DTMA in case they wanted to get involved with any pre-treatment/flow issues. DTMA so far has not been overly concerned about the flows, but they do want to know what we decide to do. The point is, if they put these types of towers in and they know they will be exceeding their current capacity, which they

are well aware of what they have, Mr. Lanman feels that it is very poor on their part for not communicating with us and DTMA that they will be more than doubling that capacity. Fortunately it did not stress our system or Derry's system but with all the other developments coming online it could be a different story next time.

Mr. Lanman indicated with the Board's approval and input, he would like to have more conversations with Phoenix so they understand that they can't just flow whatever they want to Derry, that they need to make communication to the Authority prior.

Solicitor Henninger advised that we need to bill Phoenix for the rest of the EDU's that were not billed to them last month since they admitted they did indeed use that much. The question now is do we make them purchase the additional capacity. Chairman Wilkinson commented that he has been on this Board for some years now and we seem to have this conversation with Phoenix every other year it seems. Mr. Lanman completely concurred with that statement and indicated that the initial response he got from Phoenix Contact was, we told your Codes Department about it. The Codes department has nothing to do with the sewer flows, Phoenix has always dealt with the Authority on that. The Board agreed that there needs to be a meeting set up with DTMA, Phoenix and members of the Authority to discuss this situation further. Mr. Lanman indicated he will shoot for the week of August 17<sup>th</sup>.

Ms. McBride called for an executive session immediately following tonight's meeting for a legal matter.

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

ATTEST:

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Chester Hartz, Secretary