

MINUTES
LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY
LEGISLATIVE MEETING – February 24, 2025

February 24, 2025, Legislative 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.

- Rich Wilkinson, Chairman
- Scott Spangler, Vice Chairman
- Chester Hartz, Secretary
- Don Bailes, Authority Member
- Frank Popp, Treasurer
- Erica Luongo, Engineer
- Brain Davis, MS4
- James Diamond, Eckert Seamans
- Ron Burkholder, Codes Official
- Zachary Border, Township Manager
- Dominique Relei, Municipal Authority Secretary

Residents and visitors in attendance: See attached list for others in attendance.

Public comments: Resident Steve Acker, of 1800 Brentwood Dr. expressed surprise at the \$3.00 stormwater fee increase. He initially believed that the MS4 program was a "static program" due to observing the installation of pipes in the township and feeling that areas had been addressed, such as retention ponds funded by the developer during construction. However, after conducting further research, he now understands that the program is, in fact, a living, breathing program. He had nothing further to add. With no additional questions or comments the board proceeded.

Approval of Minutes:

Approve/reject/table Minutes of Legislative Meeting January 27, 2025.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Minutes of Legislative Meeting January 27, 2025. The motion was unanimously approved.

Approve/reject/table Financial Security Release for PC-2018-04 Fulling Mill Retirement Community Bond No. SUR20000770 in the amount of \$70,494.00 Leaving a balance of \$0.

Mr. Border stated that the Pond was associated with the original owner, and a new bond has now been posted, which is releasing the old bond. Chairman Wilkinson clarified that this pertains to the first development plan. Mr. Border confirmed. Chairman Wilkinson then inquired if there were any additional questions, and as there were none, the board proceeded.

A motion was made by Mr.Hartz seconded by Mr.Popp, to approve Financial Security Release for PC-2018-04 Fulling Mill Retirement Community Bond No. SUR20000770 in the amount of \$70,494.00 Leaving a balance of \$0. The motion was unanimously approved.

Approve/reject/table Financial Security Adjustment for PC-2023-01 Middletown K-3 Elementary School by \$808,500.00 leaving a balance of \$1,387,515.00.

Ms. Luongo, the engineer representative, stated that HRG has reviewed this and provided a recommendation for a reduction on February 6th, 2025. Chairman Wilkinson inquired if there were any additional questions. As there were none, the board proceeded.

A motion was made by Vice Chairman Spangler seconded by Mr.Popp, to approve Financial Security Adjustment for PC-2023-01 Middletown K-3 Elementary School by \$808,500.00 leaving a balance of \$1,387,515.00. The motion was unanimously approved.

Approve/reject/table HOP permit for PC-2022-02 Aberdeen.

Ms. Luongo, the engineer representative, stated that this is a highway occupancy permit for Aberdeen, and HRG has reviewed it with no comments. Chairman Wilkinson inquired if there were any additional questions. As there were none, the board proceeded.

A motion was made by Mr.Popp seconded by Mr. Bailes to approve the HOP permit for PC-2022-02 Aberdeen. The motion was unanimously approved.

Approve/reject/table Resolution 2025-R-1 reimbursement for DTMA Capacity.

Solicitor Diamond stated that he could give a brief overview of this issue, and Mr. Burkholder might be able to assist as well. He explained that the current capacity fee includes a tapping part that is out of sync with the properties served by DTMA. As of last Monday, DTMA charges \$19.25 per gallon, but the 2018 resolution set fees at \$10.07. This discrepancy results in a loss of approximately \$10 per gallon. The concern is that, as they work through a more comprehensive review of everything, they need to address this issue before any other land development applications come in that may be served by DTMA.

To address this, the plan is to amend sections of the 2018 resolution to have two different tapping fees: one for DTMA properties and one for non-DTMA properties, such as those in Highspire and Middletown. The non-DTMA fees will remain the same, and the explanation will be that this is a reimbursement fee for the municipality. Even though these fees were initially set based on an HRG study for new developments (not for existing properties), DTMA collects the capacity fee at the time of reservation, so the municipality must pay it immediately. For example, if a developer submits a new plan, they must pay the \$19.25 to reserve capacity.

Chairman Wilkinson inquired if a developer, for example, wanting to develop 50 homes on a piece of land, would need to pay this fee before submitting the application. Solicitor Diamond clarified that the fee does not necessarily

have to be paid before submitting the application, but it would need to be paid before the plan is recorded and the capacity is guaranteed.

Mr. Burkholder, the Codes Official, explained that if someone walked in today and wanted to guarantee their capacity with Derry Township, they could post the fee and get the guarantee. The urgency with this is that there are about 1,000 EDUs potentially coming in, and developers like Krider and Hershey Creamery could get capacity at the old rate of \$10.07, rather than the updated rate of \$19.25, if they know about the ordinance. This issue will be addressed in the Resolution to Amend 2018-R-2, but a rate study is required, which Mr. Burkholder hopes to have ready by the next meeting.

Solicitor Diamond clarified that developers do not have to pay the entire tapping fee at the time of reservation; they will pay the remainder when they actually tap in. Additionally, if a capacity reservation expires or is never used, developers will be reimbursed, but only to the extent that the municipality is reimbursed by DTMA.

There was also discussion about working with DTMA to bring the ordinance up to date. DTMA has been implementing amendments with other townships, adding capacity for each new development as it comes online. Mr. Burkholder mentioned that he is already working with Kim Bloom at DTMA to ensure that all capacity is accounted for, with estimated capacities ranging from 40,000 to 118,000. This will be done through an amendment to the existing agreement, with each new developer requiring a separate amendment that specifies the required capacity. This will ensure that nothing is lost or overlooked.

Chairman Wilkinson agreed that this approach makes sense, noting that the initial idea was to have a uniform tapping fee across Middletown, Highspire, and Derry Township. However, this is not feasible. Mr. Burkholder agreed that this is customer-based, and since the township is not a part owner of the plant, a uniform fee is not possible. Solicitor Diamond clarified that the municipality is relying on a specific reimbursement component, and an engineering study will be necessary to further address this issue. Chairman Wilkinson then inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve Resolution 2025-comreimbursement for DTMA Capacity. The motion was unanimously approved.

Approve/reject/table the Operation & Maintenance (O&M) Agreement between Peter H Phillips, David Phillips, Phillips Real Estate Investment Partnership, and the Municipal Authority of Lower Swatara Township regarding stormwater best management practices at 501 Fulling Mill Road.

Mr. Davis, MS4 Coordinator, stated that this is a standard O&M. Phillips applied for a building permit on their property on Fulling Mill, and as part of that permit, they made minor modifications to their existing stormwater structure. Specifically, they added a few inlet catch basins that redirected water into their detention basin. As part of

this process, we requested that they sign an O&M agreement, as there was not one on file for formality purposes. Chairman Wilkinson then inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Bailes seconded by Vice Chairman Spangler to approve the Operation & Maintenance (O&M) Agreement between Peter H Phillips, David Phillips, Phillips Real Estate Investment Partnership, and the Municipal Authority of Lower Swatara Township regarding stormwater best management practices at 501 Fulling Mill Road. The motion was unanimously approved.

Approve/reject/table the proposal from HRG to assist with the PA Small Water and Sewer Grant to replace the culvert on Stoner Drive.

Ms. Luongo, Engineer Representative, stated that this is for \$4,500.00 to replace the culvert near the DHK lot near the turnpike. This is the same grant we applied for the 2024 Sanitary Sewer Project, specifically for the lining CCTV project, which we were successful in securing. This proposal is for HRG to go out and submit an application for that grant. Chairman Wilkinson then inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Popp seconded by Mr. Hartz to approve the proposal from HRG to assist with the PA Small Water and Sewer Grant to replace the culvert on Stoner Drive.

Approve/reject/table Deduct for Change Order from Envirep in the amount of \$8,340 for the Middle School Pump Station Grinder.

Ms. Luongo, Engineer Representative, stated that while reviewing submittals for the grinder, they noticed that the control panel was larger than necessary and requested it to be made smaller. By making the control panel smaller, they are able to get that amount of money back. Chairman Wilkinson stated that receiving money back is always a good thing. He then inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Popp seconded by Vice Chairman Spangler to approve Deduct for Change Order from Envirep in the amount of \$8,340 for the Middle School Pump Station Grinder.

Approve/reject/table Agreement for Professional Engineering Services for the Capital Campus Interceptor Improvements Project, in the amount of \$198,650.00.

Ms. Luongo, the Engineer representative, stated that this proposal is for HRG to provide construction administration services, including having a resident project representative onsite during the project. Additionally, HRG will handle grant administration and reimbursement requests. Chairman Wilkinson inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Popp seconded by Vice Chairman Spangler to approve Agreement for Professional Engineering Services for the Capital Campus Interceptor Improvements Project, in the amount of \$198,650.00.

Approve/reject/table Cost Share Request No. 8 to Highspire Borough Authority Biosolids Project Funding (PENNVEST) in the amount of \$30,315.58 for RETTEW Project No. 039742030.

Ms. Luongo, Engineer representative, stated that the project is now approximately 38% complete. The board asked for clarification on the exact percentage, and Ms. Luongo confirmed that it is precisely 38.01%. Chairman Wilkinson then inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Hartz seconded by Mr. Popp to approve Cost Share Request No. 8 to Highspire Borough Authority Biosolids Project Funding (PENNVEST) in the amount of \$30,315.58 for RETTEW Project No. 039742030.

Approve/reject/table Cost Share Request No. 9 to Highspire Borough Authority Biosolids Project Funding in the amount of \$18,609.60 for RETTEW Project No. 039742029.

Ms. Luongo, Engineer representative, stated that this request is for the same project previously mentioned and is specifically for construction administration and observation services. Mr. Hartz inquired if this was part of the 64%. Chairman Wilkinson confirmed that it was. Chairman Wilkinson then asked how far along they were on the construction side. Ms. Luongo responded that she believed it was 38%. Mr. Border added that there are several different funding sources, which is why there have been multiple payment requests. Ms. Luongo further clarified that Pennvest does not cover construction observation services, which is why there are two separate requests. Chairman Wilkinson then inquired if there were any further questions, and as there were none, the board proceeded.

A motion was made by Mr. Popp seconded by Vice Chairman Spangler to approve Cost Share Request No. 9 to Highspire Borough Authority Biosolids Project Funding in the amount of \$18,609.60 for RETTEW Project No. 039742029.

Engineer's Report:

Ms. Luongo, Engineer representative, stated that the only major update she had was that a draft of the Act 537 Plan had been sent to the Municipal Board and the Board of Commissioners for an unofficial review. Once comments are received from them, it will then proceed through the official PADEP process. Chairman Wilkinson inquired if there were any further questions, and as there were none, the board proceeded to the Manager's Report.

Engineer's Report: Summary of recent activities performed on behalf of the Municipal Authority of the Township of Lower Swatara (Authority) from January 23, 2025 – February 20, 2025:

Act 537 Planning

The Project includes the review of the existing Act 537 Plan and taking into account the Township's significant changes over the years. The Plan update includes a comprehensive township-wide approach for sewage facility planning, evaluation of existing public sewage facilities, existing privately held sewer systems, and on-lot systems (OLDS).

A draft plan was sent to the Board of Commissioners and Municipal Authority Board on February 19, 2025 for an unofficial review.

2024 Sanitary Sewer CIPP Lining Project

This Project has been issued Substantial Completion and the Contractor is currently working on the punch list items.

Lumber Street Interceptor Improvements Project

The Project consists of upsizing the current interceptor in and along Lumber Street for approximately 2,300 LF of 12” to 18” PVC pipping. The Authority has been awarded a CFA H2O PA Project Grant for this Project.

The WQM Part II Permit was issued on February 29, 2024. The Bidding Documents have been finalized and is ready to be advertised when approved by the authority.

Highspire Borough Authority (HBA) – WWTP Biosolids System and Dewatering Improvements Project

No update.

Jamesway Pump Station Generator Installation Project

The Project includes preparation of drawing sheets and technical specifications for use in obtaining COSTARS quotes for material procurement and installation of a backup generator at the Jamesway Pump Station.

A COSTARS quote for the backup generator and associated equipment was approved by the Authority. Submittals have been received and are currently under review.

Capital Campus Interceptor Improvements Project

The Project includes the Capital Campus Sanitary Sewer Interceptor (Interceptor) improvements to provide additional sewer capacity in the interceptor for further land development in the area. Sags, deteriorated pipe, and minimal slopes were observed during the evaluation of land development capacity requests. The Authority has been awarded a CFA Local Share Account Grant for this Project.

All PA DEP permits have been received and we are currently looking to bid the Project between March and April 2025.

2024 CIP Stormwater Improvement Project

We continue to finalize all of the proposed site designs to meet again with staff on February 25, 2025, for final sign off of the project designs to be able to move into permit preparation and submission for these projects.

Municipal Bond Projects (Sanitary and Stormwater Projects)

We finalized the scoping for the Stormwater projects for it to be on the December LSTMA agenda, where it was conditionally approved pending solicitor review of the general conditions. HRG’s Director of Risk Management reviewed through these general conditions comment with Jim Diamond to work through the revisions and a final version for approval was sent on February 3, 2025.

LAND DEVELOPMENT PROJECTS UPDATE

The Pond on Fulling Mill (Retirement Community)

HRG reviewed and provided all submittals and revised plans reviews on January 21, 2025.

Penn State Turf Field

No update.

Jednota South Warehouse

HRG has not received the as-built for this project yet for review.

Union Knoll (ONSITE)

The Board of Commissioners conditionally approved the land development plan at their March 20, 2024, meeting. They continue to work through the developer's agreement (approved to enter into agreement at the September 18, 2024, meeting), Highway Occupancy Permitting and sewer capacity issue to prepare the site for recording.

A Financial Security Option of Probable Cost was provided on June 10, 2024, and HRG reviewed and provided comments on July 17, 2024. HRG has reviewed and provided a Plan Review No.3 on November 4, 2024 but an updated Financial Security Option of Probable Cost was not provided as part of this submission.

HRG has reviewed and provided a Transportation Impact Study Review Letter No. 1 on October 16, 2024.

1801 Oberlin Road – 1 Lot

No update to report.

HRG has reviewed the provided a Plan Review No.1 on December 19, 2023. There are sanitary sewer comments that need to be addressed.

Illuminated Integration

Construction continues at the site.

Penn Preserve

Construction continues at the site.

Aberdeen Subdivision

The Highway Occupancy Permit submission was reviewed and additional comments were provided on January 2, 2025.

The updated plans dated October 20, 2023, were reviewed and responded to with Plan Review No. 4 on November 10, 2023. There are sanitary sewer comments that need to be addressed.

Colony of Old Reliance

No update to report.

HRG has reviewed and provided Plan Review No.2 on March 11, 2024. There are sanitary sewer comments that need to be addressed.

Wawa & Quick Serve Resturant

Construction has been completed for Wawa.

The Quick Serve Restaurant has been identified as McDonalds. HRG has reviewed and provided Plan Review No.2 on February 10, 2025. There are sanitary sewer comments that need to be addressed.

MASD Elementary School

Sanitary Sewer Submittals were provided and HRG provided reviews for all submittals on February 6, 2025. Construction has begun onsite.

Catherine Hershey School

Construction continues at the site.

Cramer Auto LDP

Construction continues at the site. They have requested a financial security adjustment on November 18, 2024, and we issued a letter on December, 10, 2024, with a recommendation for action at the December LSTMA meeting.

CVBP Lot 3 & 4 (REVISED)

Construction continues at the site.

PSU-Harrisburg ALC Chiller Building

This plan was also conditionally approved by the Board of Commissioners at their October 16, 2024, meeting.

Brook Meadow Farms

This plan was tabled by the Planning Commission at their August 22, 2024 meeting and will be on the agenda for a future meeting. HRG has reviewed and provided Plan Review No.2 on February 6, 2025. There are sanitary sewer comments that need to be addressed.

Steelton Terminal

The plan was approved by the Board of Commissioners at their August 21, 2024, meeting.

Middletown Home

A Sketch Plan was provided August 29, 2024, and HRG reviewed and provided comments on September 16, 2024.

Stone Creek Meadows- Phase 1 (Final Plan)

HRG has reviewed and provided Plan Review No.5 and Financial Security Recommendation on December 17, 2024. This plan was recommended for approval by the Planning Commission at their September 26, 2024, meeting. The developer is working through remaining items to prepare the plan for recording.

Cramer Auto LDP PH II

HRG has reviewed and provided Plan Review No. 2 on December 17, 2024. There are sanitary sewer comments that need to be addressed.

The Board of Commissioners at their December 18, 2024 Legislative Meeting approved to begin the formal process to vacate the 50.00 foot wide unopened Florentine Street Right-of-way on the property to allow the plan to move forward with the next steps of review.

6121 LEON AVENUE

HRG has reviewed and provided Plan Review No. 1 on February 11, 2025. There are sanitary sewer comments that need to be addressed.

GREENFIELD DRIVE & BLUE RAIDER LANE IMPROVEMENTS

HRG has reviewed and provided Plan Review No. 1 on February 17, 2025. There are sanitary sewer comments that need to be addressed.

Please feel free to contact me if you have any questions regarding this report or other items.

Manager Report:

Mr. Border informed the board that, in Mr. Washinger's absence due to illness, he wanted to provide an update on the manhole project near Illuminated Integration off Fulling Mill Road. He confirmed that work on the manhole had begun

and should be completed by Thursday. Mr. Border also mentioned a backup that occurred late last week, caused by tree roots. After speaking with the sewer team, he expressed plans to be more proactive in addressing the issue by hiring a root trimming service to manage the problem areas, with further information expected by the next meeting. Chairman Wilkinson suggested setting up a regular schedule for root trimming, ideally every year or two, and rotating the schedule to maintain the areas effectively. Solicitor Diamond inquired if there had been any damage claims related to the backup, to which Mr. Border responded that there were none, as the issue was contained within the line and had been resolved without causing damage. Chairman Wilkinson then asked if there were any further questions for Mr. Border. As there were none, the board moved on to the Municipal Authority Representative Report.

Municipal Authority Representative Report:

Mr. Burkholder, the Codes Official, stated that he had no further updates to provide. With no questions from the board, they proceeded to the MS4 Report.

MS4 Report:

Mr. Davis updated the Board regarding the draft permit for the upcoming MS4 permit cycle. He mentioned that the deadline for submitting comments is approaching, and the plan is to submit the comments sometime this week. He asked the Board to send any further questions or comments for DEP via email.

Additionally, Mr. Davis noted that there hasn't been a WREP meeting since the last Municipal Authority meeting, but a meeting is scheduled for March 6th in the boardroom. The meeting will involve voting on how WREP should proceed, including decisions about testing, what has been accomplished this year, and future plans. He promised to provide an update at the next meeting.

Mr. Davis also shared that the new rate increase was billed in February, marking the first month residents saw the change, as billing is done in arrears. While there were a few calls and questions about MS4, the rate increase sparked interest in new credit opportunities for properties. Specifically, some property owners have inquired about getting additional O&Ms (Operations & Maintenance) on file for existing basins and rain gardens. Mr. Davis hopes to have more of these recorded by next month, which would be a positive step forward.

He mentioned receiving feedback from some people interested in residential credits, but he is still working on the best way to implement such a system. Chairman Wilkinson pointed out that they had discussed this previously and agreed it would be difficult to implement at the residential level. Mr. Davis acknowledged that it would be challenging, as it would require either him or public works to inspect thousands of properties. He agreed that finding an efficient solution would be tough but wanted to bring it up for discussion. Chairman Wilkinson suggested it might be worthwhile to talk to other municipalities to see if they have found a way to handle it.

Solicitor Diamond inquired if there was a self-certification option for properties. Mr. Davis responded that while they don't want to create a system that becomes a full-time job, it is something they are considering.

Mr. Davis also briefly discussed MCM1, noting that they try to conduct at least one annual training session. Last year, they hosted a rain barrel workshop, and the year before, another training event was held. These sessions are posted on the website, and he is planning another workshop this year. Solicitor Diamond commented that the program's name might be confusing to the public, as acronyms can vary in meaning. Chairman Wilkinson agreed with this observation. With no further questions or comments, the board moved on to the next agenda item.

Approve February Expenses for the Sewer Revenue Fund.

A motion was made by Mr. Popp seconded by Mr. Hartz to approve the February Expenses for the Sewer Revenue Fund in the amount of \$463,678.46. The motion was unanimously approved.

Approve February Expenses for Stormwater Fund:

A motion was made by Mr. Popp, seconded by Mr. Bailes to approve the February Expenses for the Stormwater Fund in the amount of \$22,531.95. The motion was unanimously approved.

Chairman Wilkinson inquired if there was any Old Business, or New Business. As there was none, he proceeded, stating there was not an executive session this evening.

A motion was then made by Mr. Popp, seconded by Mr. Hartz to adjourn. The motion was unanimously approved, and the meeting adjourned at 7:30 P.M.

ATTEST:  _____

Dominique Kiess, Recording Secretary

**LOWER SWATARA TOWNSHIP
MUNICIPAL AUTHORITY
Sign-In Sheet
Monday, February 24, 2025**

PLEASE **PRINT** NAME LEGIBLY:

COMPANY NAME or RESIDENT:

1. RON PAUL

LST

2. Don Messid

Resident

3. Todd Truntz

LST Liason

4. Steve Acker

Res.

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____
