

**MINUTES**  
**LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY**  
**LEGISLATIVE MEETING – May 19, 2025**

May 19, 2025, Legislative Meeting of the Lower Swatara Township Municipal Authority was called to order at 7:03 P.M by Vice Chairman Spangler. Vice Chairman Spangler called for the pledge of allegiance. The record indicated the following in attendance.

- Scott Spangler, Vice Chairman
- Don Bailes, Authority Member
- Frank Popp, Treasurer
- Caleb Krauter, Engineer
- Brain Davis, MS4
- James Diamond, Eckert Seamans
- Scott Washinger, Municipal Authority Representative
- Ron Burkholder, Codes Official
- Zachary Border, Township Manager
- Dominique Kiess, Municipal Authority Secretary

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

**Public Comments:**

Dale Messick of Greenfield Drive had a question regarding the Capital Campus sewer lines. He wanted to know if Penn State’s lines tie in there or if it’s strictly Lower Swatara’s lines.

Mr. Krauter, the Township Engineer, thanked Mr. Messick and said it was a good question. He explained that Penn State’s main connections tie into the most southern manhole, which is being replaced as part of the project near the Olmsted Building. He also believes there may be one other Penn State connection to the north, but the primary connection is to that downstream manhole.

Mr. Messick went on to say that from what he understands, Lower Swatara Township holds the easement for the line that runs down through the campus. He questioned why the Township would be responsible for paying to test the soil if it’s contaminated, especially since the land originally belonged to the Olmsted Air Force Base, then went to the State, and eventually to Penn State. He asked why Penn State isn’t covering the soil testing costs, given that the sewer line needs to be fixed and it’s likely the Township wasn’t the one to install it in the first place.

Solicitor Diamond responded that the Township is performing the soil testing to understand the conditions before starting the project—to determine what requirements need to be placed on contractors, what potential risks exist, and what costs might be involved. He explained that digging in that area triggers a number of EPA requirements concerning how soil must be handled, tested, and disposed of. Since the Township is the one doing the digging, it becomes responsible for those requirements.

Mr. Messick expressed some hesitation, indicating he still had reservations about the justification provided. Solicitor Diamond responded that Mr. Messick is likely aware the site is a decommissioned Superfund location. While

the specific area being worked on is not currently active, it remains heavily regulated by the EPA. He emphasized that once the Authority begins digging and installing pipe, it becomes responsible for complying with all applicable regulations.

Mr. Messick thanked Solicitor Diamond for the explanation.

**Approval of Minutes:**

Approve/reject/table Minutes of Legislative Meeting April 28, 2025.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve the Minutes of Legislative Meeting April 28, 2025. The motion was unanimously approved.

Approve/reject/table Resolution No. 2025-R-4 – for EDU reservation limitations.

Mr. Border inquired if Mr. Burkholder had any comments on the matter. Mr. Burkholder replied that he did and stated this is something they've been discussing for a long time. He mentioned that a mock ordinance had been drafted and circulated for feedback. After gathering input, he forwarded it to Solicitor Diamond, who made adjustments. Both he and Solicitor Diamond agreed that the revised draft represents the best way to move forward. Solicitor Diamond elaborated, saying the basic concept is to establish formal rules for managing sewer capacity moving forward. He noted that this would not impact anyone currently grandfathered in. The ordinance would provide a set five-year period during which capacity is reserved, contingent on the payment of an upfront capacity fee. This approach would apply to all, not just DTMA users, though DTMA users would pay a higher amount since DTMA charges the Township a capacity fee directly.

If a user does not utilize the reserved capacity within the five-year period, the capacity fee could be refunded. There would also be an option to apply for a one-time two-year extension, although any increase in the fee during that time would need to be paid. Once the tapping fee is paid (even if the connection hasn't occurred yet), that portion becomes non-refundable and non-transferable.

He added that the capacity fee is a component of the total tapping fee. The upfront payment simply reserves the capacity, which may be refunded if unused. The goal of establishing these rules is to prevent indefinite holding of capacity—ensuring that it doesn't remain reserved for 20 years without action.

With respect to DTMA, Solicitor Diamond noted that the Township has previously allocated capacity that has since expired, as far as DTMA is concerned. This puts the Township in a difficult position if developers believe they still have capacity when, in fact, the Township no longer does. Extensions can only be granted if downstream capacity (e.g., from DTMA) is also still available.

Mr. Burkholder added that the 90-day notification period is included in the ordinance draft.

Solicitor Diamond mentioned that Mr. Burkholder had previously pointed out DTMA's intent to tighten their agreement with the Township, requiring an amendment each time additional EDUs are allocated.

Mr. Burkholder confirmed this, noting that while the updated agreement has not yet come back from DTMA's solicitor, they anticipate receiving it soon.

Mr. Border commented that the goal is to consolidate all relevant rules and procedures into one document.

Solicitor Diamond acknowledged that a similar effort was attempted in the past without success, but this new draft ordinance aims to unify everything in one place. The lack of a clearly defined set of rules under the current resolution has made interpretation and enforcement challenging.

Vice Chairman Spangler then asked if there was any further discussion. Hearing none, the board proceeded.

A motion was made by Mr. Popp seconded by Mr. Bailes, to approve Resolution No. 2025-R-4 – for EDU reservation limitations. The motion was unanimously approved.

Approve/reject/table proposal from ECS Mid-Atlantic, LLC for Capital Campus Interceptor Improvements Project Soil Sampling, Reporting, and Geophysical Services, in the amount of \$45,000.00.

Mr. Krauter, the Township Engineer, stated that HRG assisted in soliciting this quote and recommends that the board consider approving it tonight, contingent upon receiving approval from Penn State and other property owners to allow access to their property beyond some of the existing easements. The proposal is to conduct approximately 25 borings down to bedrock to collect samples and determine if there is any soil contamination from the Superfund site, as mentioned earlier during public comments. Mr. Krauter then asked Solicitor Diamond if he was comfortable with the language.

Solicitor Diamond responded that they are fine with the terms and conditions under these circumstances and recommended proceeding with this due diligence before moving forward, contingent on obtaining the necessary access for drilling.

Vice Chairman Spangler inquired whether the motion should be made contingent upon obtaining these easements.

Solicitor Diamond clarified that it's not about easements but permission. The Township has obtained both new and old easements, but it's important to maintain good relations with property owners and ensure proper coordination with those conducting the testing.

Vice Chairman Spangler then stated that the board should approve, reject, or table the motion depending on whether permission from the property owners to access their land is secured.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve proposal from ECS Mid-Atlantic, LLC for Capital Campus Interceptor Improvements Project Soil Sampling, Reporting, and Geophysical Services, in the amount of \$45,000.00. The motion was unanimously approved.

Approve/reject/table Cost Share Request No. 14 to Highspire Borough Authority Biosolids Project Funding (PENNVEST) in the amount of \$66,027.48 for RETTEW Project No. 039742030.

Mr. Krauter, the Township Engineer, noted that for action items 8 and 9: Item 8 involves the contractor's payment and reimbursement requests from the funding agencies, along with the next cost share request. Item 9 pertains to the engineer's invoices for review. He added that the project is approximately 50% complete from a financial standpoint.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve Cost Share Request No. 14 to Highspire Borough Authority Biosolids Project Funding (PENNVEST) in the amount of \$66,027.48 for RETTEW Project No. 039742030. The motion was unanimously approved.

Approve/reject/table Cost Share Request No.15 to Highspire Borough Authority Biosolids Project Funding in the amount of \$27,141.70 for RETTEW Project No. 039742029.

A motion was made by Mr. Popp seconded by Mr. Bailes to approve Cost Share Request No.15 to Highspire Borough Authority Biosolids Project Funding in the amount of \$27,141.70 for RETTEW Project No. 039742029. The motion was unanimously approved.

### **Engineer's Report:**

Mr. Krauter, Engineer Representative, provided a brief update before inviting questions from the board. Regarding the Capital Campus interceptor, he thanked the board for taking action. He noted that the anticipated testing will take approximately 7-8 weeks, and the results will be shared with staff once completed. Additionally, they will be discussing with staff the possibility of moving up the bidding schedule for the Lumber Street interceptor and will keep the board informed, seeking approval before proceeding with the bid.

He reminded the board that the grant funding for the Lumber Street interceptor must be spent by the end of August 2026, so the timeline for bidding may be adjusted accordingly. This will be finalized with staff, with a potential update provided to the board next month.

Mr. Krauter also noted that there continues to be significant land development activity in the township. He offered to answer any questions on the report, but as none were raised, 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 April 25, 2025 – May 14, 2025:

### **Act 537 Planning**

The Project includes the review of the existing Act 537 Plan and considering 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**

Construction on site is completed.

### **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 the Project 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.

HRG solicited a proposal from ECS Mid-Atlantic, LLC for completion of pre-construction soil sampling, reporting, and geophysical investigation at 25 locations along the proposed sewer alignment, on behalf of the Authority. HRG recommends the Authority proceed with this work prior finalization of the design and project bidding.

HRG has also met with LSTMA's staff and solicitor to discuss risks associated with the excavation within the Superfund site. We have prepared several conceptual cost estimates for alternative conveyance of the sewer and continue to discuss soil storage sites with Project stakeholders.

### **2024 CIP Stormwater Improvement Project**

Veolia was able to accompany the SUE sub to locate the replaced waterline on Lumber street in the filed on April 21, 2025. They also have verified their replacement footprint and coordinated with us and the Township to determine pavement restoration cost sharing recommendations.

HRG has finalized the easement exhibits for all landowners who will need temporary construction or permanent drainage easements for the project and the Township Manager has assigned Brian Davis to review them with the affected landowners for execution.

HRG is preparing the final guard rail design to prepare the Highway Occupancy Permit (HOP) submission for PennDOT for Lumber Street.

### **Municipal Bond Projects (Sanitary and Stormwater Projects)**

The wetlands delineation is completed and the survey work started on May 7, 2025. After the survey is completed and post processed, HRG can begin the design process.

### **LAND DEVELOPMENT PROJECTS UPDATE**

#### *The Pond on Fulling Mill (Retirement Community)*

HRG reviewed and provided all submittals and revised plans reviews on March 11, 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. Sanitary Sewer Submittals were provided and HRG provided reviews for all submittals on May 2, 2025.

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

#### *1801 Oberlin Road – 1 Lot*

HRG has reviewed and 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.

#### *UGI CNG Facility*

Sanitary Sewer Submittals were provided on May 13, 2024 and are currently under review. 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*

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 Restaurant*

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 March 4, 2025. Construction continues at the site.

#### *Catherine Hershey School*

Construction continues at the site.

*Cramer Auto LDP*

Construction continues at the site.

*CVBP Lot 3 & 4 (REVISED)*

Construction continues at the site.

*PSU-Harrisburg ALC & Chiller Building*

HRG has reviewed and provided Plan Review No. 3 on April 14, 2025. There are sanitary sewer comments that need to be addressed. This plan was also conditionally approved by the Board of Commissioners at their meeting on October 16, 2024.

*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*

This 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 February 19, 2025 Legislative Meeting conditionally approved the plan, waivers, and deferrals for this project.

*6121 Leon Avenue*

Plans were provided on April 15, 2025 and are currently under review by HRG and the Township SEO. The Planning Commission recommended conditional approval at their March 27, 2025 meeting.

*Greenfield Drive & Blue Raider Lane Improvements*

HRG has reviewed and provided Plan Review No. 3 on April 8, 2025. There are sanitary sewer comments and financial security comments that need to be addressed. The Planning Commission tabled this at their March 27, 2025 meeting.

*Polumba*

HRG has reviewed and provided Plan Review No. 2 on May 12, 2025. There are sanitary sewer comments that need to be addressed. The Planning Commission tabled this at their March 27, 2025 meeting.

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

**Manager Report:**

Mr. Border provided a brief update, stating that the board will begin receiving updates from Pornoff, the agency hired to collect delinquencies. He noted that there should be a report included in their packets. He added that the agency has been very active in their collection efforts. Unless there were any questions, that was all he had to share.

Mr. Popp asked for clarification, noting that while \$14,000 has been collected, there remains \$127,000 outstanding.

Mr. Border responded that the agency has been working hard to ramp up collections and looked to Municipal Authority Secretary Kiess for confirmation, who nodded in agreement.

With no further questions, the Board proceeded to the Municipal Authority Representatives' Report.

**Municipal Authority Representative Report:**

Mr. Washinger provided the Board with updates on two items. First, USG, hired by UPS, completed repairs along the road where several manhole lids required attention. Those repairs have been made, and USG is also scheduled to line another manhole located inside the pump station due to how it was originally set. That work is forthcoming.

Second, Control Systems 21 is scheduled to be on-site Wednesday. The mounting brackets for the flow meters are expected to arrive, allowing for installation. Once those are mounted, they will also calibrate the existing flow meters.

Mr. Washinger asked if there were any questions. Mr. Burkholder then asked to bring the Board up to date on another matter regarding the Jamesway Pump Station and the generator. He explained that they've been trying to get the final joinder signed by the condo association. He recently spoke with Frank Nardo—correspondence is included in the Board packets—and Mr. Nardo indicated they want a guarantee that a fence will be installed as part of the joinder. That request has been sent back to Attorney Tom Scott. Mr. Burkholder noted that he has not yet heard back but will continue reaching out until he gets a response.

Solicitor Diamond said he would get on the phone with Mr. Burkholder to help contact the appropriate parties as well. With no further questions, the board proceeded to the MS4 Report.

**MS4 Report:**

Mr. Davis, MS4 Coordinator, provided the Board with two quick updates. First, Tri-County Planning reached out to us as part of the WREP program. Last year, all municipalities participating in WREP created a list of projects they planned or hoped to complete. Tri-County has been reviewing that list to identify projects they might be able to help fund. Two of those projects, which are related to our ongoing work, involve flood mitigation in the Flats and stream restoration near Lisa Lake. These projects would help reduce flooding in those areas. Tri-County intends to apply for a Growing Greener grant to fund some of the work, either here or in Londonderry or Royalton Township. We are currently helping to develop the project scope and estimating engineering and construction costs by reaching out to HRG. Any work HRG does would be reimbursed through WREP. It's good news overall—even if the grant doesn't come through, we'll have a solid baseline for future planning. Second, we have signed up to participate in StormFest at Capitol Hill in July. We will have a booth with a display, and I'm hoping to include something that demonstrates the effects of rainwater runoff. Mr. Davis offered to answer any questions. Hearing none, the Board proceeded.

With no further questions from the Board, the meeting proceeded to the next item.

**Approve May Expenses for the Sewer Revenue Fund.**

A motion was made by Vice Chairman Spangler seconded by Mr. Bailes to approve the May Expenses for the Sewer Revenue Fund in the amount of \$701,429.44. The motion was unanimously approved.

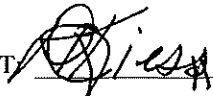
**Approve May Expenses for Stormwater Fund:**

A motion was made by Mr. Popp, seconded by Mr. Hartz to approve the May Expenses for the Stormwater Fund in the amount of \$58,901.91. The motion was unanimously approved.

Vice Chairman Spangler inquired if there was any Old Business, or New Business. As there was none, he proceeded, stating there was no executive session.

A motion was then made by Mr. Popp, seconded by Mr. Hartz to adjourn. The motion was unanimously approved, and the meeting adjourned at 7:26 P.M.

ATTEST

  
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Dominique Kiess, Recording Secretary

LOWER SWATARA TOWNSHIP  
MUNICIPAL AUTHORITY  
Sign-In Sheet  
Monday, May 19, 2025

PLEASE PRINT NAME LEGIBLY:

COMPANY NAME or RESIDENT:

1. Todd Trantz

LST Board Liason

2. Dr G Messia

Resident

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