

LOWER PAXTON TOWNSHIP
AUTHORITY MEETING

Minutes of Township Authority Meeting held June 24, 2008

An administrative meeting of the Lower Paxton Township Authority was called to order at 7:44 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Authority members present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain. Also in attendance were: George Wolfe, Township Manager; William Weaver, Sewer Authority Director, Jim Wetzel, Sewer Authority Operations Supervisor; and Jeff Wendle, Jodi Reese, Alton Whittle, and Kevin Shannon, CET, Engineering, Inc.

Pledge of Allegiance

Mr. Hawk suspended the recitation of the Pledge of Allegiance to the flag as it was recited at the previous meeting.

Public Comment

No comment was provided.

Board Members Comments

No comment was provided by Board members.

Old Business

None was presented

New Business

**Second Consent Decree Department of Environmental Protection
Annual Report and Meeting**

Mr. Weaver explained that CET, Inc. is compiling the annual report for the Second Consent Decree that is due to the Department of Environmental Protection (DEP) by the end of June. He noted that he wanted to review the proponents of the annual report with the Authority Members.

First Amendment to Second Consent Decree for Paxton Creek. Corrective Action Plan (CAP)
Status of the Second Paxton Creek Corrective Action Plan (CAP)

Mr. Weaver noted that the first amendment and the Corrective Action Plan (CAP) for Paxton Creek requires approval by DEP, and they have not provided any response to the draft

provided by Mr. Stine. He explained that the Board members were provided a CAP schedule prepared by CET, Inc., and at the top of the chart is the schedule for the Paxton Creek CAP and the Asylum Run projects. He noted that the chart provides guidelines for staff and CET for scheduling purposes to maintain the CAP schedule. He noted that the schedule includes components for CET, Inc. for engineering issues that are listed in purple, and staff mainline testing for mini-basins are also listed. He noted that the construction activities by contractors are listed in gray. Mr. Wendle stated that the Authority is on schedule for its projects. Ms. Reese noted that it is an accelerated schedule, beyond the Second Correction Action Plan, based on the bidding environment the Township is experiencing.

Mr. Weaver noted that some of the work with the mini-basins has been combined due to wetland issues and stream crossings, and this is reflected in the schedule. He noted, at this point, there is no need to make any changes with DEP.

PCIG Alternatives

Mr. Weaver noted that Mr. Rossi has received sewage in his basement on four occasions, all flooding conditions, with the exception of the March 5, 2008 event, which was close to a reported flood level. He explained that Mr. Rossi's insurance claim from June, 2006 was denied, and as a result he stated if something is not done to fix the problem he will file a lawsuit against the Township. Mr. Weaver explained that Mr. Stine found a case law from 1984 that may provide for some liability from the Authority. He noted that he forwarded this information to the insurance carrier, but he has not received a response from them.

Mr. Weaver noted that Mr. Rossi is not in a hurry to settle the claim, and suggested that some alternatives must be decided. He noted that Mr. Rossi is not planning to re-finish his basement until this matter is settled. He explained that staff recommended securing price quotations for installing a grinder pump, surveying the remaining properties to ensure that this action would not relocate the sewage to another property, and continue to monitor the PC-1G flows. He noted that this would require the monitoring of the PC-1H basin as well.

Mr. Weaver noted that Mr. Rossi was concerned about his property values, and he provided a letter to Mr. Rossi from Chris Daylor, an appraiser, stating that this work would not affect his property value.

Mr. Whittle noted that the two basins located above this basin are only 3% sloped, and the flow gets backed up along the area shown in yellow. He noted that the first place for the sewer flows to relieve itself is in Mr. Rossi's basement. He noted that there is no area to install

an overflow box that would put the flow outside onto the surface. Mr. Weaver explained that the corner property addressed as 2877 is a small park and play area located at the corner of Wimbledon and Forest Hills Drive.

Mr. Whittle noted during the peak flow level events, the system exceeds capacity in that area. Mr. Hornung questioned why the three houses below Mr. Rossi's do not flood. Mr. Whittle answered that the house on the corner did have flooding, and the owner installed a grinder pump. Mr. Wetzel noted that the other two homes don't have basement service. Mr. Wendle explained that the sewer line is very flat, and will carry the flow from PC-1G and PC-1H under surcharge conditions at the high levels but Mr. Rossi's basement service is lower than the surcharge. He noted that, it was found that the other basements are higher, but he wanted to be assured that adding a grinder pump would not move the problem to another basement. He noted that the Township could replace the line and fix the problem, but when PC-1G and PC-1H are rehabilitated as part of the overall maintenance program, there would be no need to fix Mr. Rossi's service and this should eliminate the problem. He noted that it did not make sense to replace the pipe for a future condition that it would not warrant, if it can be solved with a grinder pump. Mr. Wendle explained that the basin does not overflow the manholes; therefore, it would be a surcharge condition and not an overflow one.

Mr. Seeds questioned if a grinder pump would stop the sewage from coming back into the house, or would the check valve stop the overflow. Mr. Wendle answered that the check valve stops the overflow from coming back into the pump. Mr. Seeds noted that the check valve is on the sewer side of the pump, so it would stop anything from coming back into the house. Mr. Weaver explained that the Township would be raising Mr. Rossi's line, and taking away his basement service temporarily. Mr. Weaver noted that the old sewer line would be plugged, and a new sewer line would be used, in the hopes of someday maintaining the basement service to the home.

Mr. Seeds questioned who would maintain the grinder pump. Mr. Weaver answered that the homeowner would maintain the grinder pump. Mr. Weaver noted that the Township maintains the grinder pumps that were installed for Earl Drive. He noted that the sewer service is 16 feet deep; therefore, the plumber suggested that the grinder pump be installed inside the home.

Mr. Crissman questioned if the engineer thinks the sewage would be diverted elsewhere, or will this solution resolve the issue. Mr. Wendle noted that it will depend on the basin elevations. Mr. Wendle noted that two neighbors have no basement service. Mr. Crissman

suggested that the Township may have to address the issue at another location. Mr. Weaver noted that Verizon drilled through a sewer line in the area of Kingswood Crossing. He noted that the sewer is very shallow in that location and that most of the people in the back area do not have basement sewer service. Mr. Weaver noted that the backflow could come out on the first floor level, and he would not want that either. He explained that there is excessive I&I in that area.

Mr. Weaver noted that CET, Inc. is considering moving PC-1G and PC-1H ahead on the list. He explained that Mr. Whittle would like to do more data analysis since these occurrences were flood conditions, and it is unknown if it should be moved up on the priority list. Mr. Whittle explained that it is a big area, and many years ago, the Township metered individual basins, but they have not been metered for many years. He noted that the increased flows may be from PC-IG or PC-IH which is upstream and contributing capacity through the area. He noted that he would like to monitor where the problem is, since the Township only had three events metered in that area, and the data shows that one basin may be deteriorating. He noted that he wants to verify the results, since the data does not match correctly. .

Mr. Whittle noted that Mr. Rossi's basement backups occurred during four of the events that have been identified, and he noted that his basement is only flooded at a flood level event.

Mr. Hornung questioned how quick the grinder pump could be installed. Mr. Wetzel answered that he has received two quotes and is getting a third one, and after that is done, then he would proceed. Mr. Hornung questioned if this would be done before September. Mr. Wetzel answered that he expects that it will be done by then. Mr. Seeds questioned the status of Mr. Rossi's other claim. Mr. Hawk noted that the claim was for \$14,000. Mr. Weaver answered that he has not received a response from the insurance company. Mr. Seeds suggested that the Township may have to pay the claim. Mr. Blain noted that it would be against the law to do so. Mr. Seeds noted that Mr. Stine quoted case law that may change that. Mr. Weaver noted that he would have to speak to Mr. Stine about that.

Winfield Street – Amesbury/S&A Homes Agreement

Mr. Weaver noted that he would like to table this discussion as Mr. Wendle needs to perform further research in regards to the \$83,000 costs attributed to S&A Homes costs.

Design of the Clear Water System in Devon Manor

Mr. Weaver noted that Mr. Wendle provided a letter to the Board members that were discussed during the recent Road Tour. He noted that ten out of the 21 properties have been completed. He noted that 21 properties exceeded the 2,000 GPD level that the Township is

comfortable with. Mr. Weaver noted that Mr. Boratko refused to allow the under-slab replacement, and two other property owners have requested additional information. He noted that Mr. Boratko requested to meet with the Board regarding the clear water and storm water systems. He noted that CET, Inc. provided a GIS Map showing the various proposed storm water and clear water systems, including the recent clear water system for Mr. Boratko. He noted that the map also includes sump pumps too.

Mr. Weaver requested direction from the Board as to what options to pursue. He noted that as the Authority removes millions and millions of gallons of water out of the system, it would result in storm water and ground water issues that would need to be addressed. He noted that whatever policy the Board decides for Devon Manor, it should be used as a guideline for the many mini-basins that will be repaired in the future. He noted that the rehabilitation of two mini basins is scheduled for the Paxton Creek, Asylum Run and Beaver Creek Basins. He explained that the storm water systems are aging and he questioned if they would be able to handle the additional flow of clear water.

Mr. Weaver noted that he discussed the issue of how to pay for these efforts with Mr. Smida, bond counsel. He noted that for the Spring Creek basin, the Authority has spent \$87,000 for clear water issues, and \$476,000 on storm water issues. Mr. Seeds questioned what the issue is with paying for the repairs. Mr. Weaver questioned if there would be a legal issue for paying for the storm water repairs. He noted if the Authority is removing millions of gallons of water, it needs to go somewhere. Mr. Seeds questioned if a customer could sue the Township since he could say that the Township is using rate payer's funds to fix the storm water service. Mr. Weaver suggested that the other mini-basins would not have the same issues that are found in Devon Manor, but, he noted that these issues will continue to grow.

Mr. Wendle questioned if there was a policy to guide the Authority in doing the mini-basins work. He noted that the Authority completed SC-IF basin and that is where the storm water work was done due to the many sump pumps in the area and flooding issues. He noted that it was decided when that job was completed that the policy was to remove all the clear water out of the basins, so as part of the mini-basin project, he upgraded the storm water system and provided a clear water system for the houses to pump their clear water into the storm water system. Mr. Seeds questioned if this was the work completed on South Road. Mr. Wendle answered yes. Mr. Wendle explained that it added \$500,000 to the costs of the mini-basin project, and added that it was cheaper doing it in conjunction with the mini-basin project then it would have been doing it as a separate storm water project.

Mr. Wendle explained that the area shown in orange on the Devon Manor map experiences ponding in the backyards, and he proposed a system that would collect the water from the backyards and provide some clear water relief for the houses that were adjacent to it. He noted that the little green dots on the map are houses with sump pumps with discharges to the surface. He noted that the homes between Tarryton and Harwich Roads, where the backyard drains toward the homes in orange, could all drain in that area and be collected, and likewise, the homes on Surrey and Coventry Roads could drain into the back yards into the orange section. He noted that in Devon Manor he could not connect to the existing storm system because it was not large enough to convey the flow, therefore, it was designed to install a second pipe at a cost of a couple hundred thousand dollars, but it was decided not to do anything. He noted when the Devon Manor project was completed, he install a three-inch paving, but did not lay the final 2A asphalt topcoat. He noted that nothing has been done to this point and that the storm water system is working but the areas shown in orange on the map still continue to pond.

Mr. Wendle noted at the February meeting, and he was asked to look at Mr. Boratko's issues and come up with a solution. He explained that his design is shown as the purple line on the map that is located behind Mr. Boratko's home and his two neighbors which could be completed inexpensively, and tie into an existing catch basin. He questioned what the policy should be for any new work when it is determined that storm water will be an issue. He questioned if that work should be rolled into the project costs, as these costs were not included in his estimate for replacement work. Mr. Weaver noted that these costs are not included in the CAP either.

Mr. Weaver explained Mr. Boratko and his two neighbors are producing more than 30,000 gallons of I&I. Mr. Wendle noted that there is an ordinance that prohibits this. Mr. Hornung suggested that the ordinance should be enforced. Mr. Weaver noted that when the project was on-going, it was impossible to know whose basements would leak. He noted that he did not know how to get this message out to people, especially people who finish their basements, other than by scheduling a public meeting to tell them not to finish their basements. He noted that many people have an illegal source of I&I and it must be fixed. Mr. Weaver questioned if Mr. Boratko could relocate the sewer without digging up the basement. Mr. Wetzel stated that he could not say since he has not been allowed on his property. Mr. Weaver noted that, in many instances, it could be re-plumbed, abandoning the sewer underneath, and having the sewer re-plumbed on the wall. He noted that Mr. Boratko may have to install an injector pump for a toilet, but he noted that he does not know what the solution is at this point.

Mr. Seeds noted that Mr. Weaver is requesting the Board to pick an alternative from the bullet points provided by Mr. Wendle. He questioned what Mr. Weaver would recommend. Mr. Weaver answered that he would like to use the option to complete the project. Ms. Reese noted that Mr. Boratko is convinced that if the Township drains the storm water in his backyard it would take care of the problem and that is why he is resisting what other residents are doing. Mr. Seeds suggested that he would prefer bullet one. Mr. Weaver suggested that each solution could become a legal issue if the Authority installs the storm water and clear water systems; as it is not part of the CAP. Mr. Seeds questioned if this would be the solution for only Devon Manor or everywhere in the Township. Mr. Weaver noted that this could become the policy for all the mini-basins.

Mr. Hornung noted that he did not think a policy was needed, but rather, as an issue arises, then a discussion should be held to thrash out each problem on its own merit. He noted that the costs for the solution would vary for each issue. Mr. Weaver noted that Asylum Run Basin experienced no clear water problems, and noted that not every mini-basin would require a storm or clear water systems.

Mr. Wolfe questioned what option would the Board members choose for this particular problem. Mr. Hawk noted if the Township does what Mr. Boratko wants, and it doesn't work, then it can wave its finger and tell him, I told you so. Mr. Wendle suggested that a modified solution of bullet one could be done, and if Mr. Boratko, and his neighbors provide an easement for a small collection line that they could pump their sump pumps to and drain to the existing system, it would be some what inexpensive. Mr. Wolfe noted that the Township has already developed similar systems in other places in the Township. Mr. Wendle noted that Mr. Boratko is going to have to correct his problem, but he would continue to have leaks. He noted that taking the surface water from his back yard may reduce the duration of the leak, but it would not help with the peak flow. Mr. Hornung noted that the Township should just do it, and not argue with him.

Beaver Creek Wet Weather Treatment Plant Status

Mr. Weaver provided the Authority Members a copy of the South Hanover Township/DEP/ Lower Paxton Township issues at the last meeting which were forwarded to the special counsel. He noted that Mr. Stine is filing an appeal on the zoning denial to fill the site. He noted that this may create an issue with PENNDOT for the traffic signal improvements. Mr. Wolfe noted that he would wait to see how the issue is resolved. Mr. Blain noted that the

Township agreed to take the fill from the blasting that PENNDOT would have to do to construct the road. Mr. Wolfe noted that although the Township has made the offer, PENNDOT has not conditioned the plan on this request. Mr. Seeds questioned if the Board would have further discussions during the meeting to determine if the Wet Weather Treatment Plant (WWTP) should be put on hold, and do the rehabilitation in its place. Mr. Wendle noted that it is on the agenda.

Beaver Creek Pumping Station Upgrade

Mr. Weaver noted that he attended a pre-construction meeting this date and everything went well. He noted that the plans from the contractor were submitted for approval by CET, Inc., and the Township is moving ahead. He noted that the actual construction of the pump station would not start until October, and it is projected to be completed by April 27, 2008.

BC-1A (Linglestown Road PS Area) Sewer Replacement

Mr. Weaver noted that BC-1A basin is a separate issue in that Ms. Reese is recommending that the mini-basin be rehabilitated due to the overload condition at the pump station. He noted that, based on the current wet weather peak flow data, the problem would not be solved by just doing the force main work. He noted that the overflow would not be corrected by the Beaver Creek WWTP and the conveyance system, and stated that the only option is to replace the sewer lines. Ms. Reese explained that the flows are going up for Beaver Creek basin in BC-1 and BC-4, and possibly BC-2, and some regular replacement program must be done. She noted that BC-1 is at the top of the basin, and there is nothing that can be done to eliminate the overflows. She noted that she has provided the preliminary costs for replacing the asbestos pipes, and explained that the cost for the price per gallon is a little higher than usual because the water estimate is 4,600 gallons per day at peak flow per EDU

Mr. Hornung questioned how many home are located in the basin. Mr. Wendle answered that it has 154 homes. Mr. Wolfe noted that there is a clear water system installed in parts of this basin, as it was the first mini-basin created in 1995 where staff tested and grouted all the joints, installed a clear water system, and was able to get the flows down to an acceptable level. He noted that that is why the Township stopped grouting joint lines because the lines didn't hold up very well. Ms. Reese noted that the estimate is based on the assumption that, because there is a clear water system in place, that the Township should be able to reach the 1,000 gallons per day per EDU.

Mr. Hornung noted that Ms. Reese stated that the estimate is based on doing all 154 homes, but he questioned if she felt that all 154 homes would need to be done. He questioned if the mains would be replaced. Mr. Wendle answered that the mains are asbestos pipes, and they must be replaced. He noted that some sewers have already been replaced, so they may not need to be replaced. Mr. Hornung questioned, since there are no under-slab issues, would replacing the main line fix the problem. Mr. Weaver answered that the main and private sewers would need to be replaced. Ms. Reese noted that since some of the laterals have already been replaced, they would be tested, and if they pass an air test, they would not need to be replaced.

Mr. Hornung questioned if the Township has old data from before that would show where the problem might have been, or do all 154 laterals have to be tested. Mr. Wendle noted that staff conducted night studies and could not find one place in the basin where it was concentrated, as it was occurring everywhere. He noted that the basin is divided into two basins, with one on Sarah Avenue and the other on Margaret Avenue, and he noted that they could not come up with one area that had more problems. Mr. Weaver suggested that it is a “pay me now or pay me later” situation. He explained that if he could section off one part of the basin to see what the flow reduction would be for the new pumping station to determine if the force main would handle the problem. Mr. Weaver noted that the Township is doing that in the PC-3B Colonial Crest area as a mini-mini basin. Mr. Wendle noted that he could divide the basin in half and take the side that has the newest laterals since it would cut the costs down, as only the replacement of the street would need to be done. Mr. Hornung noted that he does not like going over the rate of \$2 per gallon. Mr. Wendle noted that depending on how many laterals are completed, the price might drop down. He noted if only half the basin is done to get the flows down, the costs per gallon may remain the same.

BC Plan for maintaining I&I at current levels

Mr. Weaver noted that he is waiting for comments from CET, Inc., but he explained that the Township has agreed to perform routine maintenance on the collection system to maintain I&I at its current levels. He noted that Mr. Wendle noted that the I&I levels are increasing; therefore, he would like to prepare, as part of the Annual Report, a three phase plan. He noted that he just discussed Phase I; Phase II would include BC-4, but Mr. Alton has pointed out that BC-2 may also be a bad area. He noted that he has devised a Beaver Creek Maintenance Plan that is reasonable, and it was suggested that he may be able to come up with some data within a year, and then do another mini-basin in BC-4. He noted that during the last event that occurred,

he was shocked that the Beaver Creek pump station was overflowing. He noted that the data and the overflow matched, and stated that something needs to be done for BC-4. He explained that Phase III would entail reworking BC-1. He explained that the Paxton Creek CAP results showed that the system would continue to deteriorate, and ten years from now he would need to do another phase in 2018. Ms. Reese noted that Phase III would have some additional monitoring. Mr. Wolfe noted that the Board agreed that the Township would maintain the flows at the level at the time the Consent decree was signed. He noted that the lack of not doing maintenance is what got the Township into this problem, and the Township will have to continue to do maintenance in Beaver Creek as well.

Mr. Hornung noted that since the Township has received permission to stretch the work out over a 20 or 30 or 40 year period, it should form an in-house replacement team, and that would be all that they do for the next 30 years. Mr. Weaver noted that he had the same idea as well. He noted that he looked at Paxton Creek and Spring Creek Basins, and because of the schedule and the efficiency that the staff would never be able to achieve, Ronca and Sons, Inc. could do the work much faster, but there is more time to complete the work in the Beaver Creek Basin. Mr. Hornung noted that he would be willing to meet with staff to discuss the option of forming an in-house replacement team. Mr. Wendle noted that the CAP alternatives for the Beaver Creek basin include a WWTP option costs for a 50-year replacement. He noted that the estimate was to spend \$1.4 million a year to support staff and equipment to complete the work. He noted that it is a worthwhile option to consider.

Mr. Wetzel noted that some changes would have to occur to make it happen. Mr. Weaver explained that he has three employees off work at this time; one had knee surgery, another employee fell into a trench, and a third hurt his shoulder falling into a manhole. Mr. Hornung noted that it may not be a good idea to do it for those reasons.

Linglestown Road Pump Station Upgrade

Mr. Weaver noted that he included an email message from Mr. Wetzel regarding the Linglestown Pump Station inaccessibility for parts. He noted that the replacement of the pump station was included in the budget for 2008, but was tabled since there were some issues for planning as to the possibility of future development in the area. He noted that it has been determined to replace the station since the Township has no control over what would happen in the future. Mr. Wolfe noted that Mr. Weaver is unsure of what development would occur with the Eyster Farm that was bought by Mr. Kessler which would necessitate a complete upgrade of

the pump station. He noted that Mr. Kessler owns the Eyster Farm and stated that he has no desire to develop the land immediately. He suggested that the pump station be rebuilt. Mr. Seeds noted that the upgrade would provide for a larger capacity. Mr. Wolfe noted that the plant would not be in the right location. Mr. Weaver noted that it would be better to locate the plant downstream about 3,000 feet. Mr. Crissman noted that he would have no choice but to rebuild the pump station now. Mr. Wendle noted that if the Township wanted to serve the future development of the Eyster Farm, it would have to build 3,000 feet of gravity sewer and a force main to put the pumping station. Mr. Weaver noted that he cannot wait to upgrade the plant as they do not make parts for the station anymore.

Spring Creek Restrictor – Meter Data for II and If

Mr. Weaver noted that he has meter data for the restrictor and he agreed with DEP, that the Township needs to speak with Swatara Township since we have control of the flows plus or minus a certain percent, but we have no control over what would happen in Swatara since it is not the Township's system. He noted that he would like to speak with Swatara Township Authority and tell them what our flows are and find out what they can handle. He stated that it makes sense to redo the agreement because it is hard to make any sense of the old agreement that states "95% of allocated flows for any continuous 24-hour period." He noted that he does not know what that means, as it could be interpreted three different ways. He noted that if it interprets the way the Township does; it is close to complying, even during a flood event. He noted that Mr. Stine would need to provide a legal opinion on this matter, and he suggested that this would be a good time to meet with Swatara Township Authority to discuss this matter. He questioned if the Board agreed that he should talk to Swatara Township Authority to have them permit the Township to remove the restrictor. Mr. Hawk noted that it was a logical way to go.

Beaver Creek CAP with respect to changing conditions

Mr. Weaver noted that during the last meeting there was a lengthy discussion regarding West Hanover Township's (WHT) capacity, and would be required to have them tie into the Township's system. Mr. Wendle noted that the WHT capacity worth, based upon the original purchase price which was \$589,823 in 1986, would bring that amount, using the construction cost index, adding the debt service they paid on the plant for the first 14 years, to \$1.2 million. He noted that they will have to pay \$1.3 million for the upgrades to the Swatara Township Authority plant, noting that if the Township bought the capacity, it would have to pay the \$1.3 million for the upgrades to the Swatara Township Authority Plant.

Mr. Weaver noted that WHT share of the cost of the conveyance improvements is between \$400,000 and \$475,000. He noted that he would provide a copy of the draft letter to be sent to WHT. Mr. Wendle noted that WHT paid \$589,823 to Swatara Township in 1986, and if WHT wanted to pay their share of the Swatara Township Authority, the value would be \$3 million.

Mr. Hornung questioned if WHT has to pay any on-going operation costs. Mr. Wendle answered no. He noted that they paid the debt service for the old plant up to 2004. He noted that it would cost WHT roughly \$1.8 million to get their flows to the Swatara Treatment Plant, plus the operating costs. Mr. Weaver noted that the CAP for Beaver Creek would be to build a WWTP and conveyance, and maintain I&I at current level. He noted that Mr. Wendle has designed a facility where Lower Paxton would not need WHT capacity if the plant operates at the peak flow that has been estimated by staff, and the I&I replacement continues to keep it at current levels.

Mr. Hornung suggested that it would be a hard pill for WHT to just give Lower Paxton its capacity. Mr. Wendle suggested that they would use the funds to build what they need in their Township for their expansion needs. He noted that WHT met with DEP and the Swatara Township Authority to get all the capacity they needed for the joint-use interceptor, but left out the middle piece which is Lower Paxton. He noted that it would have made sense if they would have brought the Township to the table at the same time. Mr. Hornung suggested that the Township must have implied that it would allow WHT to buy the capacity. Mr. Wendle noted that there was a meeting held a year ago to determine what it would cost for them to receive their fair share.

Mr. Seeds questioned if WHT has to pay Swatara Township Authority upfront for the upgrades to their facility. Mr. Weaver noted that the agreement states that when the construction is started, the Swatara Township Authority would develop a construction fund and the funds would be due in total. Mr. Seeds noted that it would be over \$8 million for the Township. Mr. Weaver noted that it was included in the rate schedule. Mr. Wolfe noted that the Township has the money to pay it. Mr. Seeds questioned if the project would be bonded. Mr. Wolfe noted that each entity is responsible for paying its own share. He noted that the Township could issue a bond for the project, but the Township has the money to pay it. Mr. Weaver noted that he attended a meeting with all the parties for the project, and he explained that the Township is getting a good GO Bonds rate, and the Township would not need the Swatara Township Authority to borrow funds for it. He assumed that the Board members would want to have

control over the financing for the improvements. Mr. Seeds noted that when he attended the last COG meeting, the Borough of Hummelstown was very concerned with how they were going to come up with the funds to pay their share. He noted that he was requesting help from the COG especially, since Swatara Township is not supporting the local municipal joint effort against the Chesapeake Bay Tributary Strategy.

Mr. Weaver noted that he found an old file, and in it was an old article written by Mr. Kimmel, who noted that years ago, West Hanover Township, Gannett Fleming, and the Authority met to talk about the same issue, but nothing was done. He noted that the costs were higher then they are now. Mr. Wendle noted that the flows were different then.

Mr. Weaver noted that the Authority has not made a recommendation as to which alternative to choose, but Mr. Wendle noted that he wanted direction from the Board as to what he should tell WHT regarding their capacity costs. Mr. Wendle noted that he intended to write what Mr. Wolfe instructed him to write, and that would be to provide the calculation costs and have them contact Mr. Wolfe for additional discussions. Mr. Seeds suggested that WHT should also be reminded of their other costs.

Asylum Run A Mini-Basin Total Replacement Schedule

Mr. Weaver noted that the Asylum Run A Mini-Basin is on schedule and moving forward, and he noted that he expects to have it bid by the end of the year.

Pepsi Proposed Tapping Fee Agreement

Mr. Weaver noted that Pepsi suggested that they did not have to pay the tapping fee because they had paid it before. He noted that there was an agreement that had certain conditions in it and he and Mr. Stine have spoke with Pepsi and as a result, he made a recommendation and Pepsi has accepted it. He noted that by making each party whole, the Township would be able to provide them with the full amount that they already paid to date in terms of cash and put that towards the amount that the Township assumed to be due as part of Phase II.

Mr. Weaver explained that Pepsi is installing a sewer meter, noting that they had previously used a water flow meter. He noted if the sewer meter matches the water flow meter, their total fee for Phase II would be \$133,000, less their credit. He noted that Pepsi would be made whole by the fact that all the money they provided would be going towards tapping fees, and the Township would be made whole by the fact that the Township would get today's dollar rate and not the old rate. He noted that Pepsi would be made whole is that the original proposal for the phases would provide them a lot more capacity. Mr. Hawk noted that the

recommendation would be to give them credit for what they paid to date. Mr. Wolfe noted that Pepsi would pay the Township an additional \$133,000.

Mr. Seeds noted that Pepsi stated that they had permits for 80,000 gallons, and they only discharge 35,000 gallons. Mr. Weaver noted that the Township does not agree with Pepsi for their flow rate. He noted that Mr. Stine will have to provide a new agreement to include all the payments.

Solicitor's Report

No report was presented.

Engineer's Report

Mr. Wendle noted that having reviewed the different alternatives for the Beaver Creek CAP, looking at the WWTP as the least cost alternative, compared to total replacement over the next 20 years, and then doing an on-going 50-year replacement, this is still the least costly alternative. He assumed that he should continue on tract with the WWTP and continue the legal battles. Mr. Seeds questioned if the pipes would still need to be replaced. Mr. Wendle answered yes, but over a much longer period of time. Ms. Reese noted that it is included in all four scenarios, but over a 50-year period.

Mr. Weaver noted that Mr. Wendle spoke with Mr. Smida about the Paxton Creek hydraulic capacity and there were discussions about raising the manholes. Mr. Wendle noted that he spoke to Mike Daily, and he seemed to think that it would be okay but he couldn't speak for Mr. Close. He stated that he would move ahead in regards to the issue of raising the manhole covers.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 8:58 p.m.

Respectfully submitted,

Approved by:

Maureen Heberle
Recording Secretary

Authority Secretary
Gary A. Crissman