

**LOWER PAXTON TOWNSHIP  
AUTHORITY MEETING**

Minutes of Township Authority Meeting held July 19, 2016

A meeting of the Lower Paxton Township Authority (LPTA) was called to order at 7:30 p.m. by Chairman William C. Seeds, Sr., on the above date at the Lower Paxton Township Municipal Center located at 425 Prince Street, Harrisburg, Pennsylvania.

Authority members present in addition to Mr. Seeds were: William L. Hornung, William B. Hawk, Gary A. Crissman, Robin Lindsey, and David Blain. Also in attendance were Steve Stine, Authority Solicitor, Willian Weaver, Authority Director; and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mr. Hawk led in the recitation of the Pledge of Allegiance to the Flag

**Approval of Minutes**

Mr. Crissman made a motion to approve the May 24, 2016 business minutes of the Sewer Authority. Mr. Blain seconded the motion. Mr. Seeds call for a voice vote and a unanimous vote followed.

**Public Comment**

No comments were provided.

**NEW BUSINESS**

Resolution 16-09 approving the disposal of certain record

Mr. Weaver noted that Resolution 16-09 is one that is approved each year in order to dispose of certain records of the Authority. He noted that the Authority follows the Municipal Records Manual of the Commonwealth of Pennsylvania that sets forth the requirements for the disposal of records. He noted that staff recommends that the Board approve this resolution to dispose the records listed in Appendix A of the resolution. He noted that the documents have reached the retention date of seven years.

Mr. Crissman made a motion to approve Resolution 16-09 to approve the disposal of certain records listed in Appendix A of the resolution. Ms. Lindsey seconded the motion. Mr. Seeds called for a voice vote and a unanimous vote followed.

### Action on the Shared Inter-Municipal Hydraulic Model Agreement

Mr. Weaver noted that this agreement is for a shared Hydraulic Model Agreement for a regional wet weather management strategy development. He noted that Capital Region Water (CRW) approached the Authority and the Susquehanna Township Authority to get their electronic media for the Hydraulic Modeling for the Asylum Run and Paxton Creek drainage basins. He noted that CRW, like Lower Paxton Township, is under a consent order and they are developing a strategy to eliminate their hydraulic overload in their combined sewers. He noted that Lower Paxton and Susquehanna have an agreement with CRW to use their combined sewer system and what they need from each Authority is its hydraulic models in order to input that data into their own model that they are developing. He noted that it would then be used regionally to develop a wet weather management strategy.

Mr. Weaver noted that GHD has reviewed the agreement along with legal counsel and staff and GHD is recommending that the Authority enter into this agreement. He noted that Mr. Crissman prefers that the other parties execute the agreement and he apologized, but Susquehanna Township did not have a quorum at their last meeting and he is not sure why CRW did not sign it first. He noted that it is a non-binding agreement but it allows our engineer to transmit electronic readings to CRW from our consultant while it does not bind the Authority in any way for any mistakes in the model, and it does not bind GHD as well.

Mr. Crissman questioned if anyone has signed the document. Mr. Weaver answered that we will be the first. He noted that Susquehanna Township intends to sign it, noting that they have the same consulting engineer, GHD, and they are recommending that their Board consider it for approval as well. He noted that it is a non-binding agreement, noting that it is more for protection for the Authority and the consulting engineer, in order that they not be fined if any mistakes could be in the data. Mr. Crissman noted that it is the same for CDM Smith, GHD and CRW. Mr. Weaver answered yes. Mr. Crissman questioned if it is their intent to sign. Mr. Weaver answered yes.

Mr. Seeds noted that we discussed this during the last sewer meeting. Mr. Weaver answered that he did not recall as it was not prepared at that time, but he did not remember that GHD had mentioned it.

Ms. Lindsey made a motion to approve the Shared Inter-Municipal Hydraulic Model Agreement of Asylum Run and Paxton Creek Sanitary Sewer Interceptors for Regional Wet

Weather Management Strategy Development. Mr. Hornung seconded the motion. Mr. Crissman noted that he will vote no, not because he is not endorsing the concept but he is opposing the process and procedure as he does not like to be the first municipality to sign onto an agreement. He noted that he thinks everyone else should sign on first. Mr. Seeds called for a roll call vote: Ms. Lindsey, aye; Mr. Blain, aye; Mr. Crissman, nay; Mr. Hawk, aye; Mr. Hornung, nay; and Mr. Seeds, aye. Mr. Seeds noted that the motion carries.

Approval of the Borrow and/or agreement with New Enterprise Stone and Lime, Inc.

Mr. Weaver noted that New Enterprise Stone and Lime, Inc. approached him at the PennDOT preconstruction meeting which was held at the Municipal Center. He explained that there has been significant earth removal from the Elmerton Road/I-83 bridge project and there is a need to dispose of these materials. He noted that following the meeting for the I-83 project, he was approached by New Enterprise Stone and Lime, Inc. to determine if there were any sites that could be used for fill that was owned by the Authority, close to that location. He explained that he met with Jason Hinz from HRG and Jeffrey Kennedy who is the representative from New Enterprise Stone and Lime, Inc. who reviewed the site. He noted that Tim Nolt also reviewed the site both HRG and Mr. Holt recommend allowing New Enterprise Stone and Lime, Inc. to use the site as there would be a significant advantage to fill the lot with the fill that would be needed prior to developing the lot or constructing a building pad. He noted that the Authority looked at doing this lot on its own, however, it would be a significant amount of work for a short time period for the fill to be placed and it was not worthwhile for the Authority to do it since it would require NPDES Permitting and the clearing of the land. He noted that the proposal from New Enterprise Stone and Lime, Inc. is to use the site to dump approximate 60,000 to 70,000 cubic yards of fill material.

Mr. Weaver explained that he attached a drawing to the agreement with the dark shaded contours showing where the fill will be placed. He noted that it is in the area surrounding the detention basin located on the lot. He noted that the detention basin services Commerce Park, noting that when the Authority purchased the land it was recommended that it could be used for storage. He noted that we are now looking at other sites and still not sure if we will do storage in Paxton Creek. He noted at some point in time, the Authority may use the lot or it may sell it, but there is a significant advantage for the Authority to get the fill placed at no cost to us. He noted

that HRG has looked at the site and believes that the proposal from New Enterprise Stone and Lime, Inc. is adequate for the fill to be placed.

Mr. Weaver noted after the completion of the project, PennDOT will also be involved as they will review the conditions of this agreement as well. He noted that they will be inspecting the sites to make sure the contractor satisfied the terms of the agreement. He noted that this is all that was provided to him for the Authority to sign.

Mr. Seeds questioned if it is considered clean fill. Mr. Weaver answered yes.

Mr. Seeds questioned if all the permits will be executed by New Enterprise Stone and Lime, Inc. Mr. Weaver answered yes. He noted that they are in the process of getting their E&S Permit, having received some minor comments from Dauphin County Conservation District which they are addressing, and they will also have to get a NPDES Permit. He explained that he does not recall if they need a permit from Susquehanna Township.

Mr. Seeds questioned if they will provide roads to the site and if we will have someone inspect it periodically. Mr. Weaver answered that HRG and Mr. Nolt will inspect the progress of the fill placement to make sure they are doing it in accordance with the agreement.

Mr. Seeds questioned if they will provide the temporary roads. Mr. Weaver answered that it is an isolated area in a cul-de-sac and there is access to the property off of that. He noted that they will only need to do a curb cut.

Mr. Weaver noted that they are also working with Mr. Click, a local realtor who the Authority will be involved with to issue permits for stormwater management. He noted that Mr. Allen will be involved with that from the Township. He noted that they are also looking at using Lot 1 and 2 in Commerce Park and the Township will be inspecting those activities as well.

Mr. Seeds questioned if we could use more than what they are providing to us. Mr. Weaver answered that he did not think so, thinking that once the 60,000 to 70,000 cubic yards of fill are placed, that maybe the Authority could use it as part of our next project, having New Enterprise Stone and Lime, Inc. sign the permit over to the Authority where we would continue to fill. He noted that we will look into this when they are finished.

Mr. Weaver noted that he thought they could move the detention basin on the lot but he was told that it would be difficult to do that with the new stormwater regulations. He noted that it will change when we build on the lot or someone else builds on the lot. He noted that it will change how they put their building pads in. He noted that the contractor will be filling all around

the stormwater detention basin and when they are done, we will have two or three large areas to build in the future.

Mr. Seeds questioned if Mr. Weaver looked at the Wolfersberger Tract as well noting that we will need more fill at some point at that location. Mr. Weaver answered that we are almost complete at the Wolfersberger Tract as the contract expires in September. Mr. Seeds noted that the other part of the tract needs fill as well. Mr. Weaver answered that he is not sure about that, noting that HRG has indicated that the rest of the project will be a cut and fill operation.

Mr. Hornung noted, about a month ago, they mentioned that they would stop bringing fill to that location because they had all the fill that they need at this time. Mr. Seeds noted that at some point he thought we needed more. Mr. Weaver answered no. He noted from what HRG is indicating, we are 20,000 to 30,000 cubic yards away from being totally done. Mr. Hornung noted that Mr. Wolfe indicated that we have no place to put our fill so this is a good use.

Mr. Seeds questioned Mr. Weaver if he is recommending this.

Mr. Crissman questioned if HRG would serve as our agent to monitor the fill that is being placed to make sure that it meets all the requirements. Mr. Weaver answered yes, as it will be a multi-staff level involvement with HRG, Randy Allen from the Township, and Tim Nolt from the Authority. Mr. Crissman noted that he wanted to be assured that someone is monitoring what they are dumping and he heard that HRG will serve as the agent for that. He noted that he did not expect Mr. Weaver to do that. Mr. Weaver answered that it will be a combined effort between HRG and Mr. Allen. Mr. Crissman noted that it is twice the amount of monitoring and he feels comfortable with that.

Mr. Hornung questioned Mr. Weaver how often he would visit the site. He noted that that last thing we need is a hazardous waste area that will have to be dug back up because asbestos was dumped or something else. He noted that we almost had that issue at the Wolfersberger Tract but we caught it in time. He noted that he agrees with Mr. Crissman that we have to make sure that this doesn't happen especially since it is located outside the Township and it would raise a lot of issues with the neighboring Township. He questioned if HRG is charging us for the monitoring of the site. Mr. Weaver answered that they are charging an hourly rate. Mr. Weaver explained that they will not be monitoring like they did at Wolfersberger Tract as far as the placement of the fill and the amount of cubic yards. He noted that they will go along with Mr. Allen to ensure that the contractor is placing the fill the way it was indicated on the plan. He

noted that monitoring will be done on a sporadic basis. He noted in regards to the concern about the clean fill, there is a note at the bottom of the agreement under Item G that states, “all imported material is clean fill as per the PennDOT bid documents. They have tested and will monitor proper disposal of any material that does not meet that requirement and it will not go to any waste site.” He explained that he asked that question as his concern was the same concern as the Board’s about getting contaminated material at that site, and he was assured that they follow the protocol that PennDOT requires, meaning that any suspicious material would have to be tested. Mr. Hornung noted that Mr. Weaver will need to make sure that they are following that protocol then we will be okay.

Mr. Weaver noted that they will request police monitoring or maybe even install a camera in the location. He noted that once you have a fill site there is a chance that people will dump, noting that we had control over that at Wolfersberger as we had a gate. He noted that he will have to address that with New Enterprise Stone and Lime, Inc. for this site to ask them what security, if any, there will be.

Mr. Hornung noted that he knew we had issues at Wolfersberger when he saw that a gate was installed. He thought that was because someone was doing illegal dumping at the site. Mr. Weaver noted that it was found that it could have been an Authority contractor dumping from another job and installing the gate solved that problem. He noted that he recommends getting the fill but he has a concern about security so he will address that with the contractor.

Mr. Seeds suggested that a gate or cable should be installed so they don’t dump on the street. Mr. Hornung note that a gate would be great but there are costs, however, the other issue would have greater costs. He noted if we would have had potential problems at Wolfersberger, it could have been very expensive to mitigate. Mr. Weaver noted that Jeff Kennedy from New Enterprise Stone and Lime, Inc. has been great to work with.

Mr. Hornung questioned how many truckloads of fill that would be. Mr. Weaver answered that 10 cubic yards can be placed in a tri-axle so it would be about 6,000 truck loads.

Ms. Lindsey questioned what the time frame would be for this work. Mr. Weaver answered that they have this project for over a year. He noted that that 60,000 cubic yards from Elmerton and Route 22 will be placed at our site first as they are still trying to get Commerce Drive Lot 1 and 2 permitted, trying to get an agreement with the property owner. He suggested that they will use our lot first and it make take two to three months to complete the work.

Mr. Hornung noted if we were to use this site for underground storage, if we fill it up then we would have to dig and excavate the fill, or is he wrong. Mr. Weaver answered that we could still put underground storage in but they are putting in building pads. He noted that you will still need facilities at this site, such as a garage or a pumping facility, and to put in tanks would require that we build these pads. He noted if you do underground storage you will still need a level area to get in and out of the site. He noted at this time, the area is slanted.

Mr. Hornung noted that Mr. Weaver mentioned the detention pond, not being moveable, but he questioned if this is a good time to look at underground storage at that detention pond and if it would be filled with dirt to provide a greater opportunity to sell the property to make the property more valuable. Mr. Weaver answered that he did not ask HRG that question yet. Mr. Hornung requested Mr. Weaver to do so.

Mr. Crissman made a motion to approve the Borrow and/or Waste Agreement with New Enterprise Stone and Lime, Inc. Mr. Blain seconded the motion. Mr. Seeds called for a voice vote and a unanimous vote followed.

### **Adjournment**

Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 7:56 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by:

William L. Hornung  
Township Secretary