

**LOWER PAXTON TOWNSHIP AUTHORITY
RE-ORGANIZATIONAL AND BUSINESS MEETING**

Minutes of Township Authority Meeting held February 25, 2020

The annual re-organizational meeting of the Lower Paxton Township Authority was called to order at 7:00 p.m. by Chairman Pro Tem Steven Stine on the above date at the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Authority members present were David B. Blain, Gary A. Crissman, Robin Lindsey Chris Judd, Norman Zoumas, David Ramsey, and Robert Oakes. Also, in attendance were Bradley Gotshall, Township Manager, William Weaver, Sewer Authority Director, Steven Stine, Authority Solicitor.

Pledge of Allegiance

Mr. Blain led the Pledge of Allegiance.

Election of Chairman of the Board

Mr. Crissman motioned to nominate David B. Blain, as Chairman of the Authority Board. Mr. Zoumas seconded the motion. Mr. Crissman moved to close the nominations for chairman. Mr. Stine called for a voice vote, and a unanimous vote followed in approving David B. Blain as Chairman of the Lower Paxton Township Sewer Authority.

Election of Vice-Chairman

Ms. Lindsey motioned to nominate Gary Crissman as Vice Chairman of the Authority Board. Mr. Zoumas seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Election of Secretary

Mr. Crissman motioned to nominate Chris Judd as Secretary of the Authority Board. Ms. Lindsey seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Election of Treasurer

Mr. Crissman motioned to nominate Robin Lindsey as Treasurer of the Authority Board. Mr. Zoumas seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Election of Assistant Secretary

Mr. Crissman motioned to nominate Norman Zoumas as Assistant Secretary of the Authority Board. Ms. Lindsey seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Appointment of Solicitor

Mr. Crissman motioned to nominate the Law Offices of Steven Stine as the Authority Solicitor. Mr. Judd seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Appointment of Stormwater Engineer

Ms. Lindsey made a motion to nominate HRG, Inc. as the Authority Stormwater Engineer. Mr. Judd seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Appointment of Sanitary Sewer Engineer

Mr. Crissman made a motion to appoint GHD Engineering Services, Inc. as the Authority Sanitary Sewer Engineer. Mr. Zoumas seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Establishment of Regular Meeting Schedule for Authority Board Meetings

Mr. Blain announced that the Authority meetings would be held on February 25, May 26, August 25, and November 24. Also, the Authority Board may hold a special meeting. The alternate meetings will be scheduled in March, April, June, July, September, October, and December.

BUSINESS MEETING

General Authority

Approval of Minutes

Mr. Crissman made a motion to approve the November 19, 2019 minutes. Mr. Judd seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Public Comment

There was none.

Chairman/Board Member Comments

Mr. Blain welcomed Robert Oaks to the Authority Board.

Stormwater Fund

New Business

Action on Amendment #1 to the Stormwater User Fee, Sanitary Sewer Rental Billing, and Collection Policy

Mr. Weaver reported that his staff had researched Eric Kessler's request for a modified billing calculation for properties designated as farmland. The proposed alternative billing method would allow for the separation of the farmhouse and driveway from the Non-Single Family Residential (NSFR) impervious surface. At the last meeting, Mr. Kessler noted that he was not afforded the ability to receive a flat rate bill for the Single-Family Residential (SFR) property that should be equivalent to other SFR properties in the Township. The new billing calculation will reduce Mr. Kessler's bill from 16.1 ERU's to 7.2 ERU's, a reduction of \$284.80/quarter. Mr. Weaver presented the draft revisions to the billing policy to the Board. This new policy may impact 14 properties. The total annual loss in revenues is estimated at \$12,400. Additionally, those farmers would be eligible for a reduction of a maximum of 30% credit if they meet the low impact parcel definition.

Mr. Weaver proposed the update of the policy to indicate that property owners identified as farm owners would receive two separate bills. He recommended approval of Amendment #1 to the Stormwater User Fee, Sewer Rental Billing, and Collection Policy.

Mr. Crissman made a motion to approve the Amendment to the Stormwater User Fee, Sanitary Sewer Rental Billing, and Collection Policy. Mr. Zoumas seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Mr. Judd suggested that Mr. Weaver notify the property owners of this change to the policy. Mr. Weaver explained that Mr. Stine has reviewed and approved the correspondence sent to the property owners.

Township Reports

Draft Stormwater Management Program Credit and Incentives Policy

Mr. Weaver reported that the Board had authorized staff to entertain a proposal by HRG to prepare a draft Credit Policy for the Authority to consider. He reviewed the draft Credit Policy and schedule to implement the policy developed by HRG. He noted that more detail would be provided on the final draft of the policy at the meeting scheduled for May 26, 2020. The new budget and the finalized credit policy are scheduled to be presented to the public in May, August, and October and then presented to the Board at the November 2020 meeting with the 2021 Stormwater Fund Budget. If the Board adopts this policy, it will be implemented in January 2021. The staff and HRG are finalizing three rate alternatives to present to the Board in May 2020. Those alternatives are as follows: Alternative one is to maintain the current rate at \$32/quarter, Alternative two is to keep the current rate at \$32/quarter and use surplus funds of 4 million to offset the next bond issue, and Alternative three is to reduce the rate to \$28/quarter. The outline includes seventeen credits for property owners, which can be amended by the Board.

Mr. Weaver noted that he has three credit programs in the Board packet to discuss that are available to residential and commercial property owners. The Adopt an Inlet, Low Impact Parcel and Rain Barrels. The Adopted Inlet would grant customers a 10% credit for maintaining the inlet in their neighborhood. The Low Impact Parcel credit is for large lot owners. If the total impervious area (IA) is less than or equal to 10% of the entire parcel area, and the IA is not directly connected to a storm sewer, curb line, stream, channel, street, or other surface water conveyance, and the IA is a minimum of fifty feet from the edge of a stream, channel, channel, wetland, or other surface water conveyance.

Mr. Weaver mentioned that Mark DiSanto, CEO/Owner Triple Crown Corporation had reached out to him regarding credit for his Country Club. After meeting with HRG, they determined that Mr. DiSanto qualifies for five credit programs.

Mr. Weaver noted that the staff does not have a firm recommendation on the Low Impact Parcel Credit or Rain Barrels for residential properties. He suggested that the Board consider eliminating the Low Impact Parcel Credit for Residential properties and make it available to Commercial property owners because there is no tier program for the Stormwater Fee; it is just a flat rate. Additionally, he suggested eliminating the Rain Barrel Credit because the Township is very large, and they do not have a staff member to inspect the rain barrels every year. The homeowner must have an operation and maintenance agreement with the Authority, and there is no net benefit to the Authority.

Mr. Blain indicated that the Board would review the draft and discuss the outline in more detail at the meeting scheduled for May 26, 2020. The Authority Board could potentially adopt this Credit Policy sometime over the summer of 2020.

Mr. Crissman asked Mr. Weaver when the community would be invited to review and comment on the Credit Policy. Mr. Weaver explained that any member of the public could participate in the Authority meetings scheduled for May and August 2020. The Authority will host a separate meeting for the community in October.

Mr. Crissman asked if Mr. Hinz had looked at the credit policies established in Hershey and other Municipalities. Mr. Hinz explained that he had looked at the policies established in Hershey and other Municipalities, using it as a guide and then tailoring the policy to accommodate the needs of Lower Paxton Township. Mr. Weaver added that he does not support the retroactive payment of credits. He will provide more details about the credit policy at the May meeting.

Mr. Crissman asked Mr. Hinz if they have considered the manpower and time involved to review the applications and eligibility requirements for the credit program. Mr. Weaver explained that he and Mr. Hinz discussed having HRG staff review any plans submitted by an engineer for detention basins, and the Authority staff would review the other applications.

Randy Allen, the Engineer Technician, presented the details of the upcoming Rain Barrel Workshop. He mentioned that the Township had partnered with the Dauphin County Conservation Center for a grant to receive the rain barrels. Dauphin County Conservation Center will present a Stormwater 101 presentation during the Rain Barrel Workshop. The Township has 50 rain barrels that will be distributed at the Rain Barrel Workshop.

Mr. Ramsey asked Mr. Weaver if the credits given to residents and commercial property owners could be applied to the Township's MS4 requirements.

Mr. Weaver explained that the benefit of giving property owners credit is that the Township would also receive a credit for the permit.

Update on the televising of the private stormwater system at Hidden Lake

Tim Nolt provided an update on a request from the property owner at 5838 Hidden Drive to investigate private stormwater pipe defects. The Authority staff were unable to perform the televising work due to an excessive surcharge of water in the stormwater manhole. He noted that it is not safe for the staff to go down into this manhole.

Mr. Weaver explained that since the staff could not do the work, he asked Mr. Kline and HRG to obtain quotes to have the job done. They received a price quotation from Mr. Rehab to perform the task for 4,300 dollars.

Jason Hinz, HRG, added that HRG obtained a quote from USG for 24,000 dollars. He noted that USG's quote assesses the work more accurately than the quote from Mr. Rehab.

Mr. Weaver explained that the Authority staff, HRG and Solicitor Stine do not recommend approving the work. He noted that Mr. Stine had indicated that public funds should not be used for private property stormwater issues. He suggested that the Hidden Lake storm sewer system be dedicated to the Authority if the Authority uses funds to complete the repairs. He noted that the staff does not recommend having the sewer system dedicated to the Authority, and DEP does not require the work under the Township's MS4 permit. The funds have not been budgeted to cover the costs to replace the entire Hidden Lake system. The repairs could cost over 4 million dollars. Mr. Weaver noted that HRG, Mr. Stine, and the staff recommend allowing more time for the courts or DEP to decide who is responsible for the private stormwater systems that may be in poor condition or have not been adequately maintained. Finally, if the pipe is televised and soils are found in the system, the MS4 Coordinator would be required to send a violation letter to the owner.

Mr. Weaver requested that the Authority Board authorize staff to send the property owner a letter advising that the Authority is not able to spend tax dollars to televise the sinkhole or perform repair or replacement work.

Mr. Ramsey asked Mr. Weaver if the pipe is located on the homeowner's property or if it belongs to the Homeowners Association (HOA). Mr. Weaver deferred the question to Tim Nolt. Mr. Nolt explained that Hidden Lake has an HOA; however, that phase of the development was not owned and insured by the HOA.

Ms. Linsey asked Mr. Weaver if the sinkhole is a public safety issue. Mr. Weaver explained that it is not a public safety issue because the sinkhole is located on private property.

Jeff Kline noted that the Supervisors had directed his staff to fill the sinkhole, and the job is not finished yet.

Mr. Blain directed Mr. Weaver to send a letter to the homeowner stating the findings and the Authority's position in regards to the work and request a temporary easement so that staff can return to the property and remove the temporary access to the manhole. The Board members agreed.

Update on the PADEP NPDES Permit for Municipal
Separate Storm Sewer Systems (MS4) and the Joint PRP

Mr. Weaver provided an update on the new MS4 permit. Erin Letavic, HRG, has submitted the permit application. The Authority staff met with Mr. Stine and HRG staff; the Authority hired Erin Letavic to represent the Township for any matters regarding the Township's Pollutant Reduction Plan (PRP).

Ms. Letavic was instrumental in giving comments to PennDOT in this collaborative Joint Stream Bank Restoration Project. The Township, CRW, and Susquehanna Township are close to finalizing the agreement with PENNDOT for the joint municipal stream restoration collaboration

project. PennDOT has a pilot project through EPA, and they are getting 1 million dollars. Through the Township's Consortium Agreement with Capital Region, Water (CRW) and Susquehanna Township EPA will issue an additional 1 million dollars, and the Township will get 57%, which is 570,000 dollars. The Township, CRW, and Susquehanna Township will share the credit for the next project, which will go out to Bid on Penn Bid in the next few days.

Mr. Judd suggested that the project is publicized for the community to see the progress and the comradery between the Municipalities.

Mr. Stine added that each Municipality would receive full credit for the removal of sedimentation.

Jason Hinz, HRG, reviewed the Engineer's Report, the PRP was submitted to the PA Department of Environmental Protection (DEP) at the end of December 2019. HRG has advanced several design projects, most notably, the Stonebridge Apartments Stream Restoration Project and the BC/7&8 Drainage Improvement Project. The Storage Facility Project has moved to the construction phase early this week. The BC 2A-C and 5B project has begun, and some of the stormwater portions of this project are underway.

SANITARY SEWER FUND

New Business

Action on request from Four Seasons to investigate private sewers for future dedication

Stephen Dzurain, Wix, Wenger & Weidner, representing Four Seasons Homeowners Association (HOA). The Four Seasons Homeowners Association would like to dedicate the entire sanitary sewer system to the Authority. There is one issue involving a particular easement that is shared with the Twelve Trees Apartment complex. He met with Mr. Weaver and Mr. Stine, and they also support this request.

Since the sewer main services many developments, the acceptance of the line would be contingent upon the integrity of the sewer system. He requested that the Authority Board authorize staff to televise the sewer system before it is dedicated to the Authority.

Mr. Weaver announced that he supports this request.

Mr. Crissman made a motion to approve the Authority staff to investigate the Four Seasons private sewer system for future dedication to the Authority. Ms. Lindsey seconded the motion. Mr. Crissman called for a question on the motion. There was a brief discussion about the condition of the mainline, costs, and timeline of the work. Mr. Blain called for a voice vote, and a unanimous vote followed.

Request from the property owner at 502 Drexel Road for reimbursement

Mr. Weaver presented a request for reimbursement from the owner of the property located at 502 Drexel Road. He indicated that the staff and GHD staff do not recommend payment; this request does not comply with any current policy and would have no measurable effect on the sewer mini-basin peak flows. The private sewer was not replaced because it passed the air-test in 2006.

Mr. Crissman made a motion to deny the request for reimbursement from the property owner of 502 Drexel Road. Mr. Judd seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Request from Triple Crown for a reduction in the 15% administration fees for the Developer escrow

Mr. Weaver presented a request from Mark DiSanto, Owner/CEO of Triple Crown Corporation. The original Developer Agreements approved by the Authority in 1996 established a 15% administration fee for all escrow deposits. The Authorities Act allows for "estimated reasonable and necessary costs" for admin, legal, engineering, and inspections.

It appears that the 15% admin fee is excessive and not reasonable. The Authorities Act requires the developer to provide notice of the disputed bill within 60 days. It allows the Authority and the developer to negotiate an agreement within 60 days, and if there is no agreement, the parties may appoint an arbitrator. Staff recommends the Board authorize reducing the administration fee to a flat fee of 250 dollars.

Mr. Crissman made a motion to approve the 15% reduction of administration fees for Triple Crown Corporation for Blue Ridge Village and Stray Winds Farms. Mr. Zoumas seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Resolution 20-01-20 – 20-03-20 authorizing condemnation of temporary easements for private sewer replacements in the BC-2 mini-basin project

Mr. Weaver presented the standard Resolutions for acquiring construction easements for the replacement of the private sewers in the BC-5 Project. There are three property transfers, and the owners received agreements to sign, and they have not been returned to date.

Mr. Crissman made a motion to approve Resolution 20-01-20 – 20-03-20 authorizing condemnation of temporary easements for private sewer replacements in the BC-2 mini-basin project. Mr. Judd seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Dedications of Developer Installed Sewers

Melissa Smith, GHD, presented the standard Deed of Dedications for accepting the dedication of developer installed sewer extensions. Several dedication documents have not been signed and returned to GHD but have been reviewed.

Mr. Crissman indicated that he is not comfortable approving the Deed of Dedications without the other parties signing off on the documents first.

Ms. Smith offered to speak with Nick DiSanto to have the documents signed as soon as Wednesday, February 26, 2020.

Mr. Blain noted that Shade Brook's development would be presented to the Board in May, and the others would be approved upon the contingency that all the signed documents are received in the next 96 hours.

Mr. Crissman made a motion to approve the Developer Installed Sewers for Autumn Oaks, Phases 2&3, Amber Fields Phase 7, Stray Winds Farm Phases 5A and 5B conditional upon signature of all documents within one week of today's date. Mr. Judd seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Action on Resolution 20-02; establishing the Developer Installed Sewer Fee Schedule.

Mr. Weaver presented Resolution 20-02, which establishes the Developer Installed Sewer Fee Schedule. The Authorities Act allows the Authority to charge the estimated reasonable and necessary costs for administration, legal, engineering, and construction inspections. This Resolution establishes the 2020 Township Inspector Rate, GHD Engineering Rates, Solicitor rates, and the Administration flat fee of 250 dollars.

Mr. Blain asked Mr. Weaver to divulge how the rate was determined. Mr. Weaver explained that he used the calculations provided by Alycia Knoll, Finance Manager.

Mr. Weaver noted that in 1996, he recommended the Authority establish full-time inspection, require new procedures for Developers to execute a Professional Services Contract, Developers Agreement, and provide LOC's under the Authorities Act. The overhead rate was 40 dollars an hour; the current developer inspections fee is 20 dollars an hour, as directed by the Board in 1996. The current overhead rate is 63.66 an hour. The proposed Resolution increases the rate to the full rate of 63.66 dollars an hour.

Mr. Blain and Mr. Crissman suggested that the rate is increased to 65 dollars an hour.

Mr. Weaver agreed and recommended that the rate be increased to 65 dollars an hour.

Mr. Crissman made a motion to approve Resolution 20-02, establishing the Developer Installed Sewer Fee Schedule with the Lower Paxton Township Inspection Fee reflecting 65 dollars per hour. Ms. Lindsey seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

Mr. Blain thanked Melissa Smith and Kevin Shannon of GHD for the discounted rates.

Action on Resolution 20-03; Authorizing the Sewer Department Director to execute all Financial Agreements, Developer Agreements, and Developer Installed Sewer Extensions on its behalf, including the Release Request in accordance with the Municipal Authorities Act.

Mr. Weaver noted that Resolution 20-03 authorizes the Authority Director to execute all agreements, approve and release all Letters of Credit, and establish Developer Agreements. He amended the title on the agenda and Resolution. The minutes reflect the revised title.

Mr. Crissman made a motion to approve Resolution 20-03, which authorizes the Sewer Department Director to execute all Financial Security Agreements, Developer Agreements, and Developer Installed Sewer Extensions in accordance with the Municipality Authorities Act. Mr. Zoumas seconded the motion. Mr. Blain called for a voice vote, and a unanimous vote followed.

TOWNSHIP REPORTS

Timothy Nolt, Engineer, and Jim Wetzel, Operations Manager, provided a brief update on all active Consent Decree projects, Inter-Municipal Agreement activities. All the projects and maps are available on the Township's website.

Mr. Judd asked if public outreach meetings were held before the start of each project. Mr. Nolt indicated that they are hosting public outreach meetings and using Civic Ready to communicate with the public.

Mr. Judd commended Tim Nolt for his efforts to keep the community informed.

Mr. Weaver reported on the 2020 Bond Issuance. There are some items in the Consent Order that are not clear; therefore, he and Mr. Stine must meet with representatives of the PA Department of Environmental Protection for further clarification. There is a problem at Spring Creek that they did not anticipate; therefore, the Bond Issuance may need to increase to 35 – 37 million dollars due to the Swatara Township dryer project, SC-1 project, and the North Branch Interceptor project in Susquehanna Township.

Engineer's Report

Kevin Shannon, GHD, summarized the Engineer's Report noting that the report has already been discussed. GHD staff and HRG staff have had to coordinate on the BC7/8 project. There is a public meeting scheduled for this project on March 24, 2020, at the Devonshire Church on Devonshire Road. The Spring Gate property is in the center of this project down to Fairmont Road.

Ms. Lindsey inquired about the Nyes Road and Devonshire Heights Road project. Ms. Smith explained that the sewer work would be completed before the road work is completed.

Announcements

Mr. Blain announced that the next Authority meeting is scheduled for May 26, 2020, beginning at 7:00 p.m.

Adjournment

Mr. Crissman motioned to adjourn the meeting. Mr. Judd seconded the motion, and the meeting adjourned at 9:01 p.m.

Respectfully submitted,


Shellie Smith,
Recording Secretary

Approved by,


Chris Judd,
Secretary