

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Workshop Meeting held September 29, 2015

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:24 p.m. by Chairman William B. Hawk, on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Matt Miller, Engineering Field Technician; and Watson Fisher, SWAN

Pledge of Allegiance

Mr. Hornung led in the recitation of the Pledge of Allegiance.

Public Comment

No comments were provided.

Consideration of the final subdivision and land development
plan for the Dauphin County District Magistrate Site

Mr. Wolfe noted that the plan proposes to subdivide a 1.025 acre tract of land off the Township's Public Works parcel site that will be developed by the Dauphin County Industrial Development Authority (IDA) for a Magisterial District Judge Office of about 3,000 square feet in area. He noted that the Board is very familiar with the plan as the Board commissioned the preparation of the site. He requested the Board to act favorably on the plan this evening.

Mr. Crissman made a motion to approve the final subdivision and land development plan for the Dauphin County District Magistrate site. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 15-23; authorizing the Township Manager to sign the
closing documents for the Magisterial District Judge Office

Mr. Wolfe noted that Resolution 15-23 authorizes the Township Manger to sign the closing documents for the Magisterial District Judge office acquisition. He noted that typically, the Chairman and Secretary of the Board would attend the closing, but since we don't have a firm date, it may prove difficult to schedule a time that would work for everyone, Mr. Stine

suggested having the Board authorize the Township Manager to sign the closing documents.

Mr. Wolfe noted that he prepared the resolution but if the Board does not want to do that, it is fine. Mr. Hawk noted that the Board is all in agreement with this action to sell the land. Mrs. Lindsey questioned if Mr. Wolfe would be signing by hand or doing it electronically. Mr. Wolfe answered that he would be signing the documents by hand.

Mr. Crissman made a motion to approve Resolution 2015-23, authorizing the Township Manager to execute the closing documents by the Township Manager for the transfer of the land to the Dauphin County IDA and for the development of the Magisterial District Judge Office. Ms. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Review of the 2016 General Improvement Fund Budget and the
Township's 5-year Strategic Plan for Capital Facilities

Mr. Wolfe noted that he will start with the current status of the 2015 General Improvement Fund (GIF) which is the capital fund for what we expect to be at the end of the year.

Mr. Wolfe noted for revenues for the 2015 GIF he expects Intergovernmental revenues of \$768,500 to be composed of \$232,000 from Dauphin County for the Magisterial District Judge site for the purchase of the land and cost sharing for site work. He noted that Dauphin County Share Grants include \$100,000 for the Public Works Expansion for the design of the facilities; \$80,000 for the Jonestown Road Bridge; \$1,500 for the Friendship Center (FC) Natatorium Lighting and \$20,000 for the FC East Annex flooring. He noted that the Township is acting as a conduit for the Heroes Grove Dauphin County Local Share Grant of \$185,000, bringing the total Local Share Grant funds in 2015 to \$386,500.

Mr. Wolfe noted that the Township has DCED Act 13 Funds for Heroes Grove that were budgeted for Heroes Grove in 2015 and will be used next year. He noted that the Sewer Authority reimbursement for the Wolfersberger Tract as a fill site will be \$150,000. He noted that the Township has spent \$100,000 in DCNR Heroes Grove funding and DCNR grants funds for the relamping of the fitness center at the FC that will not be expended until 2016. He noted that the Intergovernmental revenue funds total \$768,500 by 12/31/15.

Mr. Wolfe noted that there is a transfer from the General Fund of \$145,000 for ongoing projects that are not funded by other sources. He noted that it includes improvements at the Compost Facility as well as the Township's share of the Wolfersberger Tract fill project estimated to be \$100,000.

Mr. Wolfe noted that the bond proceeds from the 2013 A Bond are \$1,090,587 for Stormwater. He noted that the FC funds will carry over into 2016.

Mr. Wolfe noted that the bond proceeds from the 2014 Bond that have been spent as of 9/25/15 are \$1,288,475 for stormwater. He noted that none of the funds for the Public Works expansion will be spent in 2015 as it will be a 2016 project. He noted that the total revenues for the 2015 GIF are expected to be \$3,392,562. He noted that it is very close to the budget of \$4 million.

Mr. Wolfe noted that the corresponding expenditures for the 2015 Compost Facility are \$30,000 for on site improvements and DEP General Permit; \$15,000 for traffic signal facilities; and \$2,379,062 for stormwater projects. He noted that it would finish the funds from the 2014 contract as well as the 2015 storm sewer contracts.

Mr. Wolfe noted under the Dauphin County Local Share Projects \$1,500 will be spend on the Natatorium lights and \$20,000 for the FC Senior Flooring. He noted that \$100,000 will be spent on the Public Works Building as well as the receipts from the sale of the land and cost sharing in the amount of \$232,000. He noted that \$80,000 will be spent for the Jonestown Road Bridge project.

Ms. Lindsey questioned if West Hanover Township is paying the same amount for the Jonestown Road Bridge Project. Mr. Wolfe answered that West Hanover and Lower Paxton Township received a grant in the amount of \$80,000, and after the grant funds are exhausted then West Hanover Township will be billed for 2.5% of the municipal share. He noted that we are the project manager so we split \$80,000 for the project. He noted that when we received invoices we write the checks and then seek reimbursement for the project.

Mr. Seeds noted that the Board received correspondence from PennDOT for the Red Top Road Bridge. Mr. Wolfe noted that it will be expended in 2016. Mr. Seeds noted that PennDOT will fund a certain percentage. He questioned if the Township would have to pay the difference or do we share it with South Hanover Township. Mr. Wolfe answered that it is not their bridge, it

is all ours. He noted that the only bridge that we share is the Jonestown Road Bridge. He noted that it is similar to the Peiffers Lane Bridge.

Mr. Wolfe noted for the Heroes Grove expenses we expect to manage \$285,000 in 2015 for the Wolfersberger Tract. He noted that it is not expected to spend any Township funds in 2015 as it will be spent in 2016. He noted that the relamping funds will also be spent in 2016. He noted that the expenditures will match the revenues at \$3,392,562.

Mr. Wolfe noted the focus for tonight's meeting will be the 2016 GIF as it will show the capital projects for next year.

Mr. Crissman questioned if anything in this budget is in concrete. Mr. Wolfe noted that some of it is as you have already contracted for. He noted that most of it has some type of commitment although the Board could change that.

Ms. Lindsey questioned if any work was done on the little bridge that the Board drove over on Fairmont Drive when they did the paving. Mr. Wolfe answered no, as it is not a bridge but a culvert. Mr. Crissman questioned what the numbers were for on the spreadsheet. Mr. Wolfe answered that it is for staff notes and those will be provided once the budget is done. He noted that it gets very complicated and we need notes to know what we are doing.

Mr. Wolfe noted for DCNR we have the remainder of the Heroes Grove Project which is \$80,000. He noted that it was \$180,000, we spent \$115,000 and will spend \$80,000 in 2016. He noted that FC lighting in the fitness area was a DCNR grant of \$20,000 and none of it was spent in 2015. He noted that it will all be spent in 2016. He noted that the Intergovernmental Revenue includes the FC natatorium lights of \$18,500. He noted that the funds for the Compost Noise abatement, Township Comprehensive Plan, Nyes Road Sidewalk have been applied for but we have no idea if we will receive those funds. He noted those items are in flux. Ms. Lindsey questioned how long it takes to find out about the awards. Mr. Wolfe answered that it would be sometime next year.

Mr. Wolfe noted that PennDOT provided notification that funds for the design of the Red Top Road Bridge have been released and we will see reimbursement of an estimated \$365,000 for total funds for the design process in the amount of \$350,000 with our share being the difference. He noted that PennDOT will also reimburse the Township for construction of Jonestown Road Bridge in the amount of \$1,520,000. He noted that he expects this to begin in

2016 and carry over into 2017. He estimates the total cost to be \$1.6 million with the \$80,000 that we have already spent being the Townships match received from the Dauphin County Local Share Grand funds. Mr. Crissman questioned if it would be split over two years. Mr. Wolfe answered that we received our funds in one year. He noted that the reimbursement will be split. He noted that anytime the Township does a reimbursement, it floats the funds for a County or State agency. He noted that the local share program is a very quick reimbursement but that is not true for the State. He noted that it takes months, not years for the reimbursement. Mr. Seeds noted that it could be an issue since there is no State budget.

Mr. Wolfe noted that we plan to expend \$200,000 for the DCED Act 13 funds for Heroes Gove. He noted that the Sewer Authority revenue for the Wolfersberger Tract fill project is \$150,000.

Mr. Wolfe noted that Heroes Grove has funds on deposit with The Foundation for Enhancing Communities of \$45,000. Mr. Crissman questioned if we have received funds from them before. Mr. Wolfe answered not for this project. Mr. Crissman noted that they are sometimes difficult to get the funds from. Mr. Wolfe suggested that it should not be an issue.

Mr. Wolfe noted that projects funded solely by the General Fund are continued improvements at the Compost Facility to include the clear span building which was approved by the Board; however, staff has not moved on it yet. He noted that staff did not move forward this year due to the transition of Mr. Robbins departure and Mr. Kline assuming the new job. He noted that \$40,000 will be budgeted for traffic signal improvements, \$17,500 would be the Township's 5% match for the Red Top Road Bridge project, and \$100,000 for the Wolfersberger Tract fill project.

Mr. Wolfe noted that there is \$466,176 for FC capital projects from bonds funds. He noted what does not get used on priority projects can be used for capital improvements in accordance with the guidelines for the bond issue.

Mr. Wolfe noted that he would like to add to the agenda for next week's meeting the professional service agreement with Harrison Bink of Webber, Murphy and Fox. He noted that Mr. Bink would be the prime architect involved with the project. He noted that the estimate costs for design would be \$14,000. He noted that he also has an agreement with the climbing wall expert, Michael DeCavalcante, from Climbnasium, but no official action needs be taken on

this due to the amount of \$4,000.

Mr. Wolfe noted that Harrison Bink would be hired to design how the climbing wall will fit into the building, but they will not do the creative design. He noted that Michael DeCavalcante will do that. He explained that he is the president of Climbnasium that is located on the West Shore. He noted that Webber, Murphy and Fox will design the climbing wall from a structural standpoint, moving the glass wall that separates the fitness area from the social hall, expanding the fitness hall, redesigning the front desk area and taking two of the four activity rooms to combine them into one permanent room for fitness activities. He noted that it will include HVAC, sprinkler heads, electric and lighting issues. He noted that the total cost is estimated to be \$14,000. He noted if the Board is okay with it he would like to put it on the agenda for Tuesday night's meeting.

Ms. Lindsey questioned where the money comes from to pay for this. Mr. Wolfe answered that it is from the 2013 A bond funds. Mr. Seeds questioned if Mr. Bink's estimate would include all the changes to include the climbing wall. Mr. Wolfe answered that it would include everything but the creative design. He noted that the actual wall design will be done by Mr. DeCavalcante.

Mr. Crissman questioned if we got the best price from Mr. Bink. Mr. Wolfe noted that it is roughly 5% of total expenditures. He noted that he was the design architect for the East Annex as well. Mr. Crissman noted that he has no problems as long as Mr. Wolfe is satisfied with the cost. Mr. Wolfe noted that he is very satisfied as he had Mr. Bink and Mr. DeCavalcante together at a meeting and they hit it off great. He noted that they bonded very well and were excited about the climbing wall portion.

Ms. Lindsey questioned if Mr. DeCavalcante has an issue with building a climbing wall on the East Shore. Mr. Wolfe answered that he does not as the more competition the more it will bring to the business. He noted that he wants to continue the partnership after the wall is built.

Mr. Wolfe noted from bond funds there is the Public Works building project that is budgeted at \$4 million and stormwater improvements budgeted at \$1,708,000. He noted that it takes the total to \$9,170,176.

Mr. Crissman questioned if there would be any stumbling blocks for this budget. Mr. Wolfe answered that some projects will extend into 2017. He noted that it is very aggressive

providing for a lot of work.

Mr. Wolfe noted for stormwater projects, you borrowed in 2013 and 2014 for improvements and conducted a significant amount of improvements in the last three years as well as in 2015 with funds for 2016. He noted by the end of next year, if we complete our spending for stormwater we will be out of bond funds for stormwater improvements. He noted that the Board is looking to borrow again for sanitary sewer improvements, and if you borrow \$25 million for those projects, it may be a good idea to add on \$3 million for ongoing stormwater improvements. Mr. Wolfe noted that it doesn't affect this budget but rather a future upcoming budgets.

Mr. Crissman noted at some point Mr. Wenger will have to report to the Board to discuss rates and when it would be a good time to jump in the market. He noted that he will raise the question if we continue to borrow for how it will impact the ratings. He noted that he will want to know what possible impact it may have. Mr. Seeds noted that we had that discussion. Ms. Lindsey noted that they stated that it would impact the rating. Mr. Seeds noted that we are looking to do a bond issue yet this year. Mr. Crissman agreed, but he stated that markets can change in a month. Mr. Seeds suggested that we would make a decision by November. Mr. Wolfe noted that it depends on what the market does.

Mr. Crissman noted that we need to have them in soon. Mr. Seeds noted that it would impact the budget. Mr. Wolfe noted if you borrow additional funds for stormwater improvements he is not factoring that into this budget. He noted that it would be for improvements in 2017 and 2018.

Mr. Seeds noted that we need to have discussions about ongoing stormwater and how we are going to fund it in the future. He noted that we need to do that sooner than later. He noted that we need to do this, the same as sanitary sewer. He noted that how we would pay for it would be the second point of discussion. Mr. Crissman noted that he does not want his great-grandchildren to be paying for his sins. Mr. Seeds noted that we need to look at what Hampton Township is doing. He noted that we need a separate Authority or tack it on to the Sewer Authority, charging so much per quarter noting all impervious areas must pay including churches and schools.

Mr. Hawk noted that there is a great financial upheaval. He noted that we need to know

how borrowing \$28 million will affect us. Mr. Seeds noted that we don't have a choice as the 500-year storms are going to happen more often. He noted that we will be like the sewer authority years ago when they stuck their heads in the sand and didn't want to fix anything or raise rates. He noted that we are paying for it now.

Mr. Hornung noted that we did not need a stormsewer authority if we are only going to spend \$5 to \$10 million and to fix it; however if we have to spend \$30 to \$40 million and it would take the next 30 to 50 years to fix it, that is different. He noted that we had this discussion before and we decided not to do it. He noted that he is open to revisiting it. Mr. Wolfe noted that we never decided anything and only discussed it. Ms. Lindsey noted that we only discussed it. Mr. Wolfe noted that unlike many municipalities who are talking about an authority, Hampton Township, who added a stormwater authority to their existing authority, has set rates and is trying to charge for it. He noted that this Board began about four years ago to make a commitment to stormsewer improvements. He noted that the Board has done it and will continue to do it next year. He noted that he is not saying that forming a stormsewer authority is a good or bad idea. He noted that it is one mechanism to fund it, but the Board needs another \$3 million to carry the projects through to 2018. He noted how you come up with it is, paying through tax dollars or a user fee, that is another question.

Mr. Seeds suggested that someone came up with an estimate of a couple hundred million dollars, at least \$200 million. Mr. Wolfe noted that you are talking millions of dollars.

Mr. Hornung noted that he would like to have a discussion about the total amount of what needs to be done and then what the ongoing work would be. Mr. Wolfe answered that we don't know what that will be yet. He noted that part of the problem with stormwater is with the sanitary sewer you have a defined system. He noted that you have the public system in the street, and the private system that connects the house to the street and two treatment plants outside the Township which you have financial responsibility for and six or seven pump stations. He noted that is the sanitary sewer system. He noted for stormwater the pipe in the ground in the right-of-way is the Township's. He noted that there are 100's of stormwater detention basins in the Township that do not belong to the Township. He noted that there are hundreds of miles of swales and stream channels running through the Township in private property. He noted that they do not belong to the Township but some of them probably will. He noted to tell you what

the scope of the problem is very difficult at this time, as we can tell you where our pipes are located for the most part but we can't tell you the extent of stormwater detention basins, swales, stream channels and how they all fit into it.

Ms. Lindsey questioned how we find that out. Mr. Wolfe noted that it would be a process over time and some of it will become what the Board is willing to accept. He suggested that you don't want staff going out and inventorying swales if you haven't decided if you will accept them as private property. Ms. Lindsey questioned if it would be like Mr. Wonderlick's property in Clermont with the swale. Mr. Wolfe answered that it could be. She noted that the swale comes down and goes into his yard and not into the drain.

Mr. Seeds noted that fixing the sanitary sewers has exacerbated the problem for storm sewers. Mr. Wolfe answered that you saw two examples of that on road tour. Mr. Seeds noted that the water has to go somewhere. He noted everywhere we have gone with sanitary sewer issues we have come across other problems because fixing one causes a problem with the other. He noted that we need to continue this one way or the other. He questioned what the fairest way to get the funds from the residents is.

Ms. Lindsey noted if we borrow \$3 million we can get through 2017 and 2018.

Mr. Seeds questioned Mr. Matt Miller if he had anything to add. Mr. Miller noted that we have in the number of 360 basins that are not ours and many have gone for tax sale and are owned by straw buyers that we will never be able to track down. Mr. Seeds questioned who would buy a basin at a tax sale. Mr. Miller noted that someone sees ½ acre of land in Lower Paxton Township for \$500 and they buy it. Mr. Seeds questioned if they end up with a retention pond. Mr. Miller answered yes and then the Homeowners Association dissolves. Mr. Seeds noted that the homeowners have no responsibility for the basin. Mr. Miller noted that they have the responsibility but it is a long drawn out legal process as you have to place a lien on every house in the development. Mr. Seeds questioned who would do that, the Township. Mr. Miller answered yes since we have a responsibility to ensure that the basin is working.

Mr. Wolfe noted sewage in the Township, on-lot or in a Township pipe or whether it is coming from a private development through a private system or in the public streets, ultimately if there is a sewage issue, the State comes to the Township. He noted that it is the same way for stormwater whether it is running through the waters of the Commonwealth or our pipes; if there

is a stormwater issue the Commonwealth is not coming to the property owner, it is coming to the Township. He noted that they are not telling us how to fix it, they are telling us we have to get it fixed and they leave it up to us to see how it is done. He noted that some operate properly but a large number of the basins don't. He questioned how we address them, we don't know yet.

Mr. Hornung questioned if the MS4 thing will have anything to do with these. Mr. Wolfe answered that is part of the requirement. He noted that the very large book in front of him is the MS4 Annual Report.

Mr. Seeds questioned Mr. Miller what a ballpark figure would be to fix the problems. Mr. Miller answered that it is very hard to nail it down as most of the stormsewer piping will fail since they used corrugated metal pipe. He noted some recent work was done using plastic but most of the work in the Township in the 1970's, 1980's, 1990's, and early 2000's was using corrugated steel pipe. He noted that it has a lifespan of 15 to 20 years, so it is tired and done. He noted that it would be replaced with plastic if possible or aluminum pipe if we can't get plastic to work for a particular situation.

Mr. Miller noted that we have 175 miles of pipe an assumption could be made and the number could be derived, but could be off by \$10 to \$15 million. He noted if you are looking at it to determine if it will be \$1 million or \$100 million, that number could be narrowed down, but it is speculative. He noted without actually looking at every single pipe to see what the life of the pipe would be, it would be very difficult. He noted that is why we need a consistent stream of funding because we can't look at the pipe and know that it will fail. He noted with a repeated funding stream, we would always have a backlog of funds in order to continuously have the project move along. He noted as far as the swales go, for the MS4 Permit they have to be added to the map. He noted that any manmade feature that was considered a stormwater improvement on a development since 2003 has to be added to the map.

Mr. Wolfe noted that you are not talking about something that is well defined and is well owned at this point. He noted to be able to provide estimates like what GHD did for sanitary sewer is not possible. He noted that we do have defined projects in process now and a continued funding stream for those as we developed the MS4 program is important. He noted how you fund it through an authority or tax base is the Board's decision.

Mr. Hawk noted that the hardest part is the continuous spending. He noted either way

you do it you go back to the taxpayer and they say that we raise taxes every year. Mr. Miller agreed but they are still buying 55 inch television sets too.

Mr. Wolfe noted that we now have to prepare an annual report on our stormwater activities for the year. He noted that we have to prepare a Chesapeake Bay Strategy Plan which is a joined effort with the Capital Region Council of Governments. He noted that the Intermunicipal program at \$10,000 a municipality will fund Pennoni and Associates to prepare a strategy for participating municipalities to address their requirements in the Chesapeake Bay. He noted what else is also due by the end of the year a strategy for the Paxton Creek Total Maximum Daily Load (TMDL). He noted that we are limited on the amount of sediment that we can contribute to the stream and it has to be reduced. He noted that we have to have a plan acceptable to DEP in place by the end of the year. He explained that we are looking at an Intermunicipal agreement with Susquehanna Township and Capital Region Water to jointly address the Paxton Creek issue. He noted that the City has no place to do improvements as they are all in pipe or concrete and for them to get a reduction, it would be much cheaper He noted that the estimated cost to submit the Paxton Creek TMDL strategy is about \$170,000. He noted that the municipalities are being drug into a war that the EPA is creating, and we will not be able to get out of it. He noted to try to answer Mr. Hornung's question for how much it will cost, he can provide numbers but they are not practical.

Mr. Crissman questioned if someone from the EPA reads that report from cover to cover. Mr. Wolfe answered that it would go to DEP to be read from cover to cover.

Mr. Miller noted that DEP comes in for an audit and they go through it page by page, and next they look at the building permits and pick random building permits, go to the site to ensure that all the controls are in place.

Mr. Wolfe noted when the Township does the Public Works building you will see a truck wash facility He noted that it will be an elaborate facility that will have a significant cost to it. He noted that it will be well in excess of \$250,000. He noted as a municipality, we are expected by DEP and EPA to set an example for both residential and commercial stormwater facilities. He noted that washing a car on the street is no longer acceptable if you are using anything but pure clean water. He noted that washing a fleet of vehicles out in a parking lot is not permitted. He noted that we cannot build this type of facility and continue to wash trucks in the back of the

public works garage in our parking lot. He noted that it is not permitted so part of what we will do is to build a facility to wash the trucks.

Mr. Crissman questioned what happened to the word common sense. Mr. Wolfe noted that everyone is blaming the EPA but it is under a court order to do this. He noted that the environmental groups have sued the EPA under the Clean Water Act and they have won. He noted that the courts have ordered the EPA to do certain things, and the EPA has ordered the states to do certain things and he, Gary Myers and Dave Stewart from CRW met two weeks ago with DEP on the Paxton Creek TMDL Plan telling them that they are trying to put an Intermunicipal plan together but negotiations on a Intermunicipal agreement takes time and asked for an extension of six months for the plan but they said no. He noted that DEP is under court order and it has to be in by the end of the year and they have no leeway in the court order.

Mr. Crissman questioned what happens if we don't meet the deadline. Mr. Wolfe answered that we will meet it even if it is turned back. Ms. Lindsey questioned if we could be fined. Mr. Wolfe answered that there is always the potential to be fined. Ms. Lindsey questioned, all the reports that have to be done, is it the result of those people suing the government. Mr. Wolfe answered ultimately yes. He noted that they are suing for the enforcement and implementation of the Clean Water Act. He noted that you will see something similar with the Clean Air Act as well.

Ms. Lindsey questioned who gets all this information together and submits it. Mr. Wolfe answered the MS4 report that he has in front of him is a compilation between staff and HRG. He noted that the Paxton Creek TMDL is proposed to be an effort between HRG and CDM Smith Engineering. He noted that Pennoni would do the Chesapeake Bay Strategy on behalf of those municipalities participating with the CRCOG. He noted that the requirements are a gold mine for engineering firms. He noted that you will see GHD, HRG, Pennoni and CDM Smith as Smith is under contract to CRW.

Ms. Lindsey questioned if we have the staff who can prepare this stuff. Mr. Wolfe answered no as we are barely keeping up with it. He noted that we need to get a complete understanding of what needs to be done and how it needs to be done which we are working on.

Mr. Wolfe noted that this is only the beginning as Lower Paxton Township was under a General NPDES Permit for stormwater facilities which required a MS4 Program and Annual

Report. He noted that we have gotten to the point where our General Permit has expired and the Township will not be reissued a General Permit because we have a drainage basin which is impaired, Paxton Creek, that has limits. He noted that the TMDL for sediment for Paxton Creek calls for an individual permit. He noted to apply for the permit when we are told that we have to do that we will have a significant cost to it. He noted that it requires a funding source over time.

Mr. Hawk noted that a crisis is looming from attorneys to the EPA and some of them are elected officials who come up with unfunded mandates. Mr. Wolfe noted that they are there but staff is saying that there are things that we can and should be doing. He noted that we should cooperate with our neighbors who are in the same drainage basin as it is very important. He noted when we started the sanitary sewer work in 1997, we talked about the low hanging fruit. He noted that detention basins in the Township would be low hanging fruit. He stated that we know where they are for the most part, we know how they were to be designed because we have the plans, we know who should own them, and we can take efforts to make detention basins prudent. He noted stormwater channels and swales are a more nebulous thing. He noted that there are things we can do now and municipal partners that we can work with to do some of the items.

Mr. Crissman questioned at what point in time do the Intermunicipal agreements come to us in dozens or more and in those Intermunicipal agreements we go back to the EPA and say pound sand and you can go back and appeal the court cases. He noted that sooner or later there will be a revolt. Mr. Wolfe noted if you remember when Paxton Creek was first identified as impaired, and we had TMDL limits it was for phosphorus and sediment. He noted that we contested the phosphorus determination because we did not believe EPA established it properly. He noted that we hired an engineer attorney, John Hall from Washington, to represent us and we spent four to five years in litigation spending over \$200,000 on litigation partnering with Harrisburg Home Builders Association, Pennsylvania Home Builders Association, Harrisburg Area Chamber of Commerce and other municipalities; however, we were the prime financial support of the effort. He noted that we were ultimately successful and the TMDL for phosphorus was removed from the Paxton Creek. He noted we won the battle and spent a lot of money but we will never win the war. He noted as we found out with sanitary sewer, it is better putting pipe in the ground than paper on the desk.

Mr. Wolfe noted for 2016, we will show the Intermunicipal agreements that we are looking at for engineering activities which is the next agenda item. He noted that we have the bond funds for capital improvements and for this year and the next. He noted that we need to continue the funding source in 2017 and 2018 and how you ultimately fund it is still an issue. Mr. Crissman noted that the bottom line is that we need \$3million.

Mr. Hornung noted as a result of all the regulations not only will we need \$3million, but additional money to do the studies, roughly \$160,000 which adds another quarter of million dollars for drawing up plans. He noted that Mr. Crissman mentioned earlier about sacrificing your kids future income to pay for all of this, but at some point in time you have to stop borrowing money and make it work. He noted that it has to be financially solvent as you can't keep mortgaging your future. He noted that we need to get a handle on this for how much it will cost and how to raise those funds. He noted that borrowing money is not something we want to be remembered for 30 or 40 years from now when they questioned what we were thinking. He suggested that we must assume that we will spend x amount of millions a year on stormwater, MS4 and all that stuff and figure out how to stop borrowing funds to make it happen.

Mr. Wolfe noted that he agrees but getting to a point where you have a basic answer to what you are looking for is a three-year process. Mr. Hornung questioned if we need that answer, rather what we need is putting \$2 million at it every year and we have to come up with that funding without borrowing. He noted if something comes down the road five years from now and all of a sudden we have to do this huge thing then we look at borrowing money or raising taxes, but at this point we will easily spend \$1.5 million a year and probably go to \$2 million. Mr. Wolfe noted if you were doing it through taxes and you wanted to do \$2 million a year you are looking at 50% increase in the real estate rate, going from 1.7 to 2.5 mills.

Mr. Seeds noted what Mr. Hornung is saying instead of borrowing, we need to raise the money as we go. Mr. Crissman noted that it would be a line item in the budget and be a reoccurring item in the budget, so once you raise the taxes to that level it remains the same unless you have to put more money in. He suggested that it might be better to do it over the course of three years, we raise it a little at a time until we get that line item to what we need so we have it every year to spend for that purpose. Mr. Seeds noted that he agrees with it but not necessarily taxes. Mr. Crissman questioned how you would do it. Mr. Wolfe answered through a

stormwater user fee. Ms. Lindsey suggested that it would be \$8 to 13 a quarter from a recent class that she took. She noted that a municipality in the western part of the State have one and that is what they are charging. Mr. Wolfe noted that our fee would depend on different items. He noted that there are advantages and disadvantages for accessing a fee, noting that the advantage is much fairer. He noted that people with big parking lots are not currently paying and if you feel churches and schools should be paying, then it is the only way to get them as they don't pay tax dollars. He noted that churches and schools have big impervious areas, there is a fairness there to the residential property owner that is not there in property taxes.

Mr. Hornung noted once you start taxing that particular area, noting that he is a business owner and had a big parking lot and he is being taxed for it. He noted if he is going to do an expansion, he will look for other ways that won't impact his tax dollars. He noted that he will look for impervious coverage methods and it would spur creativity and innovation and solve the problems in other ways. He noted that it has a long time future... Mr. Seeds noted that it has a positive effect as individuals can even get credits for rain gardens. Mr. Wolfe noted that it is not a small function; if you are going to do it through an authority, and set up a separate fee, you have to set up a mechanism to bill it, collect it, and there is a cost. Mr. Hornung noted that you could use the sewer bill. Mr. Wolfe noted that it would be additional manpower and collection and you have a sewer delinquency that is one thing and the stormwater delinquency would be larger. He noted in Lower Paxton Township our real estate delinquency is nearly zero. He noted that you have very few properties that are unpaid. He noted to collect the real estate tax we spend nothing. He noted from his perspective it is much easier with the real estate tax route. Mr. Crissman noted with the information shared with us that is the easier way to collect the money at a higher percentage of collection. Ms. Lindsey noted that the schools and churches will not be paying.

Mr. Miller noted that with an authority, your borrowing can be different because you now have a dedicated funding source that the lender can see that you are accessing the fee. Mr. Wolfe noted that it becomes more expensive as you could get a GO Bond. Mr. Seeds noted that you could contract out the collection. Mr. Wolfe agreed but we already have the system set up. He noted that we don't have 100% coverage in sanitary sewer, only about 80%, so more would be involved with that. He noted that it is all very doable, as Hampton Township is doing it now; however, the Navy Depot has not agreed to pay Hampton Township's fee. He noted that one of

the reasons why Hampton went to the fee is because of the huge federal presence and the expectation that they would pay their fair share as it would be cheaper in the long run than a tax increase; however, so far the Navy Depot has not agreed to pay the fee. Mr. Seeds questioned if it will go to court. Mr. Wolfe answered that it could. He noted that the post office has thumbed their nose at the Township and we can't do anything about it. He noted that it is unclear in talking to Dave Stewart at CRW as they work through their MS4 issues if the City of Harrisburg will be paid by the Commonwealth of Pennsylvania for their impervious area. He noted if the Township goes to an authority and establishes a fee, that is the fairest way to go, you will be in the forefront of addressing these types of issues at a cost.

Ms. Lindsey noted if you add it to the taxes, and you try to educate the people for where the money is going for, it's not going to be as expensive. Mr. Hornung noted that it may not be as fair. He noted, being in business, he pays over \$20,000 in real estate taxes, so if we raise the real estate taxes he is paying for his impervious coverage, but the churches and schools do not pay. He questioned if you will have a huge outcry from the churches with people saying that it is unfair.

Ms. Lindsey questioned what the cheaper way for the Township to raise the funds would be. Mr. Hornung noted that the cost of collection of the percentage is very low but what is not low is the delinquency. He noted that it could be a problem, whereas with the real estate taxes most people will pay that or the property would go up for sheriff sale. He noted that sometimes they pay at the last minute, but they will pay it. He questioned if the Board has the guts to go out with an authority charge for the churches. He noted when you start taxing churches and schools you will not look very popular. Mr. Crissman agreed. Ms. Lindsey questioned if that is why Hampton Township used the Authority route. Mr. Wolfe answered that they went that route in some part because of the Navy Depot. He noted that it has a huge presence. He noted that 25% of the land in Susquehanna Township is owned by the Commonwealth. He noted in Lower Paxton Township, the percentage of state or federal owned land and non-profit owned land is much lower than the others. He noted that PinnacleHealth is the big non-profit, the schools and churches, and a small post office. He noted that you don't have any big federal or state complexes. Mr. Seeds noted that it is ironic that the federal government is making all these rules and they won't pay their fair share. Mr. Wolfe noted that one of the biggest state land use in

Lower Paxton Township is the interstate and state highway system, I-83, I-81, Union Deposit Road, Route 22 and Route 39. Mr. Seeds questioned how much water they put in our system. Mr. Wolfe noted that the way it stands now, PennDOT will not be contributing to anyone's program for those facilities, yet they do contribute significantly to stormwater.

Ms. Lindsey noted that we have more of that than any other Township, more schools than any other Township, and probably more churches. Mr. Seeds noted that you can imagine how many pollutants come off of the roads.

Mr. Seeds noted that this has been a good education for him. Mr. Wolfe noted that he is not personally in favor of the regulatory mess that has been given to us and he has drug his feet in getting himself to this point. He noted that it is very apparent that dragging our feet isn't going to be the answer. He noted that we will have to step forward as there will be increased costs over time, our manpower at staff level is not enough to do it, and our intermunicipal arrangements with other municipalities isn't there yet. He noted that the funding source is not established and our annual program is not to a point where we know it should be.

Mr. Seeds noted that we need to get information out to the people in the newsletters. He noted that the public has to know what is going on when we tell them that we need more money. Mr. Wolfe answered that he has been running two very friendly articles in the newsletter about MS4 requirements and what property owners should be doing. He noted that we haven't gotten into the weeds for where the program will take us because we don't want to misinform the public since he is not sure where we are going with all of this stuff.

Mr. Crissman questioned if the approach should be government mandates. He noted that that we will have to comply with these to send a subtle message to let the people know that we will have to do it and pay for it. Mr. Wolfe suggested that the better approach is a more positive approach, pointing to the fact that the Chesapeake Bay is nearly dead or that the Susquehanna River, over the last ten years, has lost 90% of its bass population. He noted that all of Lower Paxton Township waste material, even if it is on-lot eventually ends up in the Susquehanna River. Mr. Crissman noted that we have a moral obligation to do this.

Mr. Seeds noted that we need to mention all the sources and he never thought of I-81 or I-83. Mr. Wolfe noted that recently he saw someone washing his cars and as he looked down the street there were so many soap suds it looked like a kid just took a bubble bath, and it was

flowing into the stormsewer drain. He noted that we need to educate people. Ms. Lindsey noted that they need to go to the car wash. Mr. Wolfe noted that they can just use water. He noted that you have nitrogen and phosphorus in the lawn fertilizers that we use how many times a year. He noted that to get where we need to be it will take baby steps but we need to start taking them.

Mr. Seeds noted that education is always good.

Mr. Miller noted in the seminars that he has been to regarding stormwater and whether the way to go is an authority or tax increase, most of them don't even mention the Chesapeake Bay because it is so far out of touch for people, that they will say that it is in Maryland and they don't care. He noted that you need to focus on how it impacts your neighborhood and how it is improving the stream that they drive by on their way to work. He noted that there are firms who specialize in this and they are experts in understanding the psychic of people and how to get the message across to them. He noted that you can't have engineers do it since they will not get to the people's level and it is best to have a firm come in and do a serious education campaign to get the residents on board with it so that they understand the reasoning. He noted that we will have to reestablish riparian buffers and people may lose 20 feet of their yard. He noted that it is a massive scale of work to be done and for much of the consultant money that is bounced around, an educational program would be money well spent.

Mr. Wolfe noted to a smaller scale but equally as large for the environment was recycling in the 1990's when it didn't exist and we were force to do it. He noted that we now have a community that for the most part is taking 30% of its trash and turning it into recyclable materials and have a successful compost facility, not without its problems. He noted that we have made money off of the sale of recyclables, more so than others. He noted that we have been able to take a government mandate, something we didn't want to do and turn it into a program that has worked.

Ms. Lindsey noted that you educated the people in the process. Mr. Crissman noted that we had time to do it as well.

Mr. Hawk noted that Mr. Wolfe's approach is the right way to go. He noted that he watched part of a television program where they were discussing starting salaries for starting managers and the medium starting salary is \$82,000 for a college graduate. Ms. Lindsey noted that the cost of living in that some areas is much higher. Mr. Hawk suggested that some people

are faring well in the economy and probably would not be impacted as well. He noted that some of the people who attend his church would find a tax increase to be a tremendous impact on them. He noted that some will think that maybe they need to reduce the parking lot or stop buying as much clothing to make ends meet. Mr. Miller noted that there is no doubt that this will provide for lifestyle changes on every facet for how we think about the environment. Mr. Hawk noted that adding this to churches will be a tough nut to crack. He noted that his church has a \$36,000 deficit, and then we start taxing them for stormwater

Mr. Miller noted if Mr. Hornung's real estate taxes are raised x amount he is paying a much greater percentage because his tax is already high, whereas if he would be assessed using the fairness rule he may only have to pay \$15 a quarter. He noted if you do a 50% increase in his real estate tax now he just increased it to \$30,000 instead of paying \$60 a year. Mr. Seeds noted that he may purchase more land and instead of adding parking he may put a retention area in and that would buy him some credits.

Mr. Wolfe noted that you have 22,000 parcels in Lower Paxton Township and 16,000 are developed, so 16,000 divided by \$2 million is what is needed. Mr. Wolfe noted that the annual fee would be \$125 a year per parcel. Ms. Lindsey noted that it would be on top of the sewer bill that people are paying. Mr. Seeds noted you are talking about residences, but if you need \$2 million you would include the businesses and non-profits. Mr. Wolfe noted that 16,000 is all the developed parcels in the Township. He questioned if it is fair that a 50-acre tract of land that has no development on it should not have to pay a stormwater fee but they will be paying increased taxes. He noted if you increase the taxes, it is not fair. Mr. Seeds noted that the 50-acre tract is probably helping the problem.

Mr. Wolfe noted that he spoke to Keith Metz from Hampton Township and he will schedule to have him in to speak to the Board. Ms. Lindsey questioned if that municipality is larger than the Township. Mr. Wolfe answered that it has roughly 27,000 people.

Mr. Crissman noted that we need to include the \$3 million if there is consensus with the Board members, for the bond issue and we need to have bond counsel in to talk about that. Mr. Wolfe noted that you started the process going from \$25 million to \$28 million as he has already had that discussion at staff level. He noted that it is not a problem. Mr. Hornung noted that it is a big decision and we should go for the \$3 million. Mr. Crissman agreed but we need to solve the

big problem. He suggested that it should be a one-night single agenda for discussion.

Mr. Hornung noted that he likes having a tax for stormwater noting that the water runs down onto his property and across his parking lot creating an ice issue in the winter. He noted that he built a pond and now that is not an issue anymore. He suggested that it will be a really big thing for the Township to get this awareness out. He noted when a house is sold or something is done, and they get a permit, they will have to put a swale in the back of their house to stop the water from flowing down to the neighbors. Mr. Seeds noted if someone does that they should be able to buy credits. Mr. Hornung noted that most of the water that goes in the pond is from the property above him that was causing a problem for him as it was coming onto his property. He noted that he has not done any additional impervious coverage, but he built a pond and it is working for his advantage. He noted that is how we need to sell it to people that it is for their advantage and the neighbors if we built swales or ponds in the yards. Mr. Seeds noted that is why he is in favor of doing it that way instead of raising taxes.

Mr. Hornung noted when the developer does it, the first thing a person does when they move in is that they fill it back in. He noted that it happens too much. He noted that the property up above him runs into trouble and everyone else suffers. He noted that he does not know how you get around this. Mr. Seeds noted that they throw their brush back there in the swale as well.

Mr. Seeds noted that it is an awareness thing but education like we did with the recycling. He noted that we need to provide leadership and encouragement to get them to do this.

Mr. Wolfe noted that he included the strategic plan as a view of how we move from 2016 into 2017, 2018, and 2019. He noted that we don't need to do that tonight and he will hold that for a future workshop budget meeting.

Required MS4 efforts to be included in the 2016 Budgets
Draft Memorandum of Understanding for Paxton Creek TMDL

Mr. Wolfe noted that we spoke to the MS4 items for the budget but there is the Memorandum of Understanding (MOU) for Paxton Creek between Susquehanna Township, Capital Region Water and the Township. He noted that it is in draft form. He noted that CRW is moving forward with preparing the TMDL strategy which will include Susquehanna Township and Lower Paxton Township even though we don't have the MOU adopted yet.

Scope of Work for Paxton Creek TMDL Strategy

Mr. Wolfe noted as part of the MOU, there is the scope of work for the Paxton Creek TMDL which has been submitted to CRW by its consulting engineer, CDM Smith and it includes Susquehanna and Lower Paxton Townships providing an analysis of Paxton Creek and identification of projects that will help all three municipalities meet their reduction requirement for sediment in the stream. He noted that the analysis has a total project cost of \$126,000, and \$73,000 of it is with CDM Smith and \$48,000 is with HRG. He noted that Lower Paxton Township's share of this will be about 35% if we choose to participate. He noted that Lower Paxton and Susquehanna Township are pretty much equal partners in the amount of sediment that they have to remove and Harrisburg has a lower amount. He noted that it would make Harrisburg share at about 30%.

Mr. Wolfe noted that he will be bringing these two items to the Board later on at the end of this year. Mr. Seeds questioned if we need to approve this now. Mr. Wolfe noted that the Board will need to approve the MOU. Mr. Seeds questioned who wrote the MOU. Mr. Wolfe answered that it is written jointly by the three municipalities. He noted that Erin Levatich at HRG is the one who is putting it together. Mr. Seeds questioned if Mr. Stine is a part of this. Mr. Wolfe noted not yet, but eventually he will be. Mr. Wolfe noted that he is in agreement with the concept but not completely in agreement with the MOU as it currently stands.

Mr. Seeds questioned if Mr. Wolfe was familiar with CDM Smith. Mr. Wolfe answered that they are a big time player although they have never worked for the Township.

Capital Region Council of Governments Intermunicipal Agreement for
Chesapeake Bay Pollution Reduction Plan

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Scope of Work for the Chesapeake Bay Pollution Reduction Plan

Mr. Wolfe noted that ten municipalities have agreed to retain Pennoni and Associates at a total cost of \$100,000 with the Township's share being \$10,000. He explained that he provided Pennoni's proposal with the agenda this evening. He noted that he would like to bring this agreement for the Board to consider at the first meeting in October.

Mr. Seeds noted that water still goes through Paxton Creek. Mr. Wolfe noted so does the

water from Beaver Creek and Spring Creek. He noted that the Chesapeake Bay strategy is for all of Lower Paxton Township and the Paxton Creek TMDL is how we reduce phosphorus in Paxton Creek. He noted that Paxton Creek is part of the Chesapeake but the Chesapeake is more of an overall solution.

Mr. Seeds noted that he was hoping to do away with the COG agreement if we do the other one but we can't.

Ms. Lindsey questioned how many participants are involved in this agreement. Mr. Wolfe answered that he was told there were ten. He noted if there are not ten then we will have to renegotiate the agreement. Ms. Lindsey noted that only six are listed in the document. Mr. Wolfe noted that Ms. Simonetti told him that there were ten who were going to participate.

Ms. Lindsey questioned if they all participated how many would there have been. Mr. Wolfe answered that it would be close to 40 municipalities. He noted that many are not covered under a MS4 program yet. He noted that Lower Paxton and Susquehanna Townships and those who have drainage streams that are impaired like Paxton Creek have far more to do than others. Mr. Crissman noted that Susquehanna Township is not on the list. Mr. Wolfe explained that they are not participating at this time.

Mr. Crissman questioned where Penbrook is in this equation. Mr. Wolfe noted that it is his understanding that everyone knows that it is a set fee. Mr. Crissman noted that each participate shall contribute \$10,000 to the COG upon receipt of the invoice.

Mr. Hornung questioned Mr. Wolfe if he thought it would stop there. Mr. Wolfe noted that it will not stop. He noted that this plan will end but there will be more after. He noted that he will bring this one before the Board next week for approval.

Mr. Wolfe noted that is all he has at this time.

Mr. Wolfe noted that he will speak to Hampton Township. He noted that they have done their first billing but he does not know what their results were. He noted that he wants to know how they fared with the Navy Depot.

Mr. Crissman questioned when we will call in the finance advisors in regards to bond discussions. Mr. Wolfe answered that he has asked them to be prepared in the event the Board is read to move on the bond purchase.

Ms. Lindsey questioned what she should do if Mr. Davis calls her again. Mr. Wolfe answered that Mr. Davis should call him. He noted that we will send an engineer out at both locations and ask them to do a recommended design for where the best place to put the pipe would be.

Mr. Seeds noted that he would like to talk about reestablishing the historic committee when we discuss the budget. He noted that Bob Stammel from West Hanover Township who is in charge of their Historic Committee noted that he would be willing to help out. He noted that we have a lot of people interested in the Sestercentennial and we should put about \$1,000 in the budget for next year.

Mr. Crissman noted that one of the former supervisors was very active in our historic committee for years before it went defunct. He suggested that we talk to Jay Purdy about this. Mr. Seeds noted that he got funds to fix the monument. Mr. Crissman noted that he has a lot of interest in the Township's history.

Ms. Lindsey noted at the end of Union Deposit Road before you get to Nyes Road there is an area where people from Lewisberry meet for a pigeon shoot. She noted that George Zimmerman told her that the building was a one-room school house years ago and his mother was a teacher there.

Mr. Seeds noted that we could refer all the questions we get about historic issues to that committee.

Mr. Hornung noted when he and Bill Seeds got on the Board years ago, there was all these committees and we got rid of three of them. He noted that the historical society was already defunct by then. He noted that the historic society at one time had Linglestown as a historic area and you couldn't make any changes. He noted that it got crazy and detracted from people coming into Linglestown and trying to improve it. He noted that committee was squashed. He noted that we had three committees that we got rid of in a cost savings effort. Mr. Wolfe noted that it was the Community Improvement, Environmental Advisory and a third one that was eliminated. Mr. Hornung noted that each committee comes with it the minutes, staff time, and things like that to regulate and take care of it. He noted that they are coming to the Board asking for things to be done and if you turn them down too often they get discouraged. He noted that is why you don't see a lot of committees in this Township anymore.

Mr. Seeds noted that the one that Bill Hornung talked about was in regards to Linglestown and they wanted to keep it a certain way and they were telling people what kind of siding to put on their homes, and they went too far. Mr. Wolfe noted that was in the 1980's. Mr. Seeds noted that we don't want to go there.

Mr. Crissman suggested that it should be an ad hoc committee only, since we have this big anniversary coming up and whether it lives beyond that it may or may not. Mr. Wolfe suggested calling it the Sestercentennial Committee. Mr. Crissman noted that Bill Minsker has volunteered to be part of it.

Ms. Lindsey questioned if we will be doing anything for the Sestercentennial as it is only two years away. Mr. Wolfe noted that it is a question for the budget as well.

Adjournment

Ms. Lindsey made a motion to adjourn the meeting, and Mr. Hawk adjourned the meeting at 9:05 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary