

**WEST HANOVER TOWNSHIP AUTHORITY  
SPECIAL MEETING AGENDA MINUTES  
JUNE 17, 2020  
EDUCATIONAL WORKSHOP**

**1. CALL TO ORDER.** The meeting was called to order at 6:05 pm.

**2. MEMBERS PRESENT**

Robert Fowler  
Max Shradley  
Gloria Zimmerman  
Don Steinmeier  
Mike Geppert

**STAFF PRESENT:**

Dan Rosario, Authority Manager  
Janet Hardman, Zoning and Planning Administrator  
Sharmaine Harman, Administrative Assistant  
Tara Rex, Zoom Meeting Administrator  
Lee Stinnett, Solicitor  
Alex Greenly, HRG Engineering  
Adriene Vicari, HRG Engineering  
Alex Harmon, Light-Heigel Engineering

**3. Purpose of Workshop:**

Mr. Fowler stated the purpose of this workshop for the Authority to receive input from advisors and discuss possible options for the stormwater calculation method. The Authority will discuss possible options with the intent to take formal action at the meeting July 1, 2020 meeting. Public comments are not required but we will provide the opportunity for comments. The Authority also designates this workshop to satisfy our mandated minimum control measure #1 providing public information. The power point presentation will be placed on the website. Now we will turn the meeting over Adriene Vicari from HRG.

**Adriene Vicari, HRG – Stormwater Overview and Budget Summary – see attachment #1**

I want to thank the Authority for allowing me to provide this presentation to you and the public.

**Alex Greenly, HRG – West Hanover Stormwater Ordinance – see attachment #2**

West Hanover Township has a wide stormwater management program improving the water quality of of the local streams. There are many items that cannot be entered into the stormwater system.

Mr. Stinnett stated that each MCM's are township wide and are permit required. It is the township's responsibility as part of the permit. As part of that requirement the program must be fully funded To meet permit requirements, they must have adequate funding. That is why it is important that the entire township must share in those cost. Most of the cost is your MCM's and they are township wide.



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# Authority Stormwater Program Overview



June 17, 2020

Attachment #1

# Agenda

- 1) Stormwater Program Overview (HRG) & Budget Summary (West Hanover)
- 2) Laws Affecting Stormwater & Authorities (Salzmann Hughes)
- 3) Property Analysis (Light-Heigel)
- 4) Neighboring Stormwater Programs (Light-Heigel)
- 5) Board Discussion of Residential Fee Options
- 6) Questions & Discussion



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Attachment #1



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# Stormwater Program Overview & Budget Summary

HRC & West Hanover

Attachment 1

# HRG Role

- 1) Developed 5 Year Stormwater Program Budget
  - 1) Considered Capital Needs
  - 2) Operation & Maintenance of Infrastructure & Swales
  - 3) MS4 Requirements
  - 4) Administrative/General/Customer Costs
- 2) Support Township with MS4 Permit Requirements
- 3) Review Credit Applications based upon Credit Policy developed by separate Township consultant
- 4) Supporting Township with tonight's meeting based upon broad SW Fee & Credit experience throughout Pennsylvania.



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Attachment 1

# Township Stormwater Challenges

- **Challenge #1: Aging infrastructure**
  - Roughly 115,000 LF of pipe & 1,550 inlets
  - Significant portion of pipe and facilities anticipated to reach its useful life in next 10-20 years.
- **Challenge #2: Polluted streams**
  - Manada Creek and other local waterways are considered impaired. Goal to improve local water quality throughout Township.
- **Challenge #3: Tightening regulations**
  - MS4 Permit requires implementation of a Pollutant Reduction Plan over next 5 years.
  - 2018 MS4 Permit requires Township to have **funding and staffing necessary to fully comply with increased regulations**, including BMP installation.
  - Growing number of communities fined for non-compliance.
- **Challenge #4: Increased development = more stormwater, flooding**
- **Challenge #5: Level funding**
  - Historically, the Township has funded stormwater costs through tax revenues which have remained relatively stable despite growing costs



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# Common Stormwater Problem: Failed Infrastructure

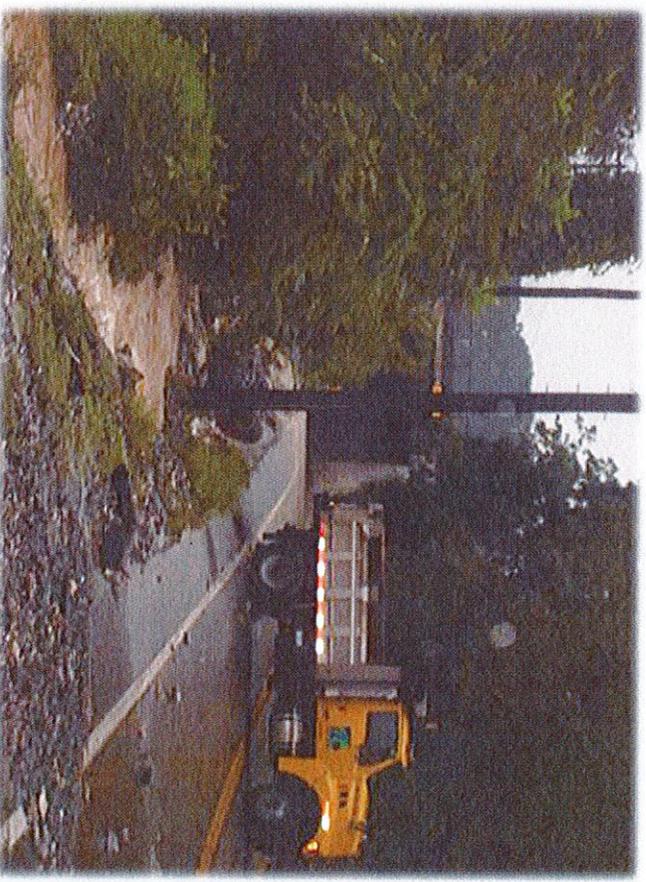


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Engineering & Related Services

Attachment #1

# Common Stormwater Problem: Stream Bank Stability



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CA HANOVER #1

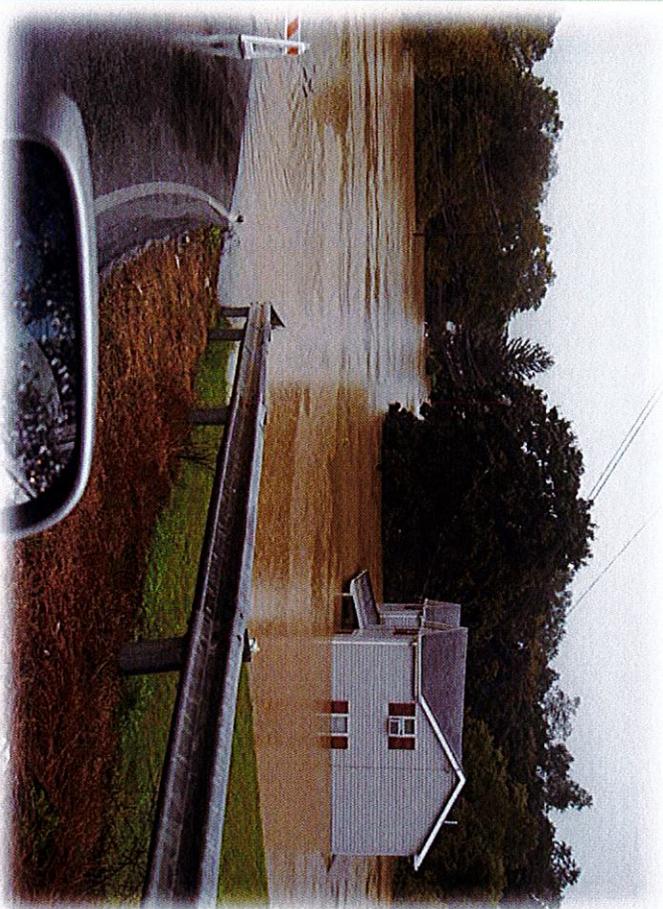
# Common Stormwater Problem: Debris/Pollution



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# Common Stormwater Problem: Flooding



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# West Hanover Stormwater Ordinance

- In Place Since 2010
- DEP Mandates It Be Updated by 2022
- Applies to All Properties in Entire Township
- New Single/Multi-Family Developments **Must** Control **100%** of SW On-site
- Control Measures Can Include:
  - Infiltration & Detention Ponds
  - Rain Gardens
  - Porous Pavement
  - Underground Detention Basins

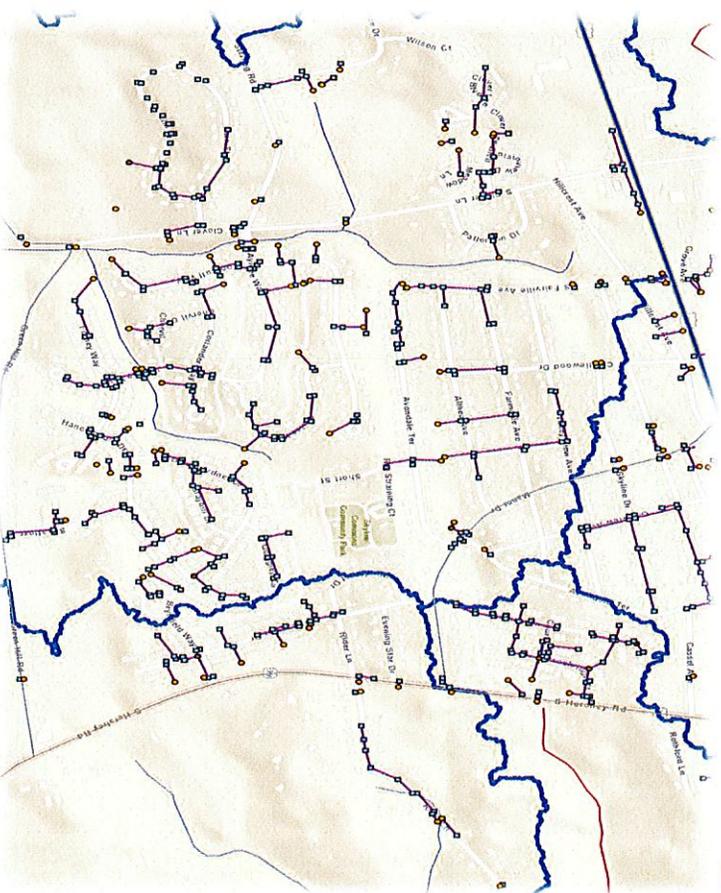


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# West Hanover's Existing Stormwater System

- 72.65 Centerline miles of Roadway
- 1,554 Inlets
- 114,856 Linear Feet of Storm Pipe
- 428 Outfalls
- 3 Township Structural BMPs
- 200+ Private BMPs



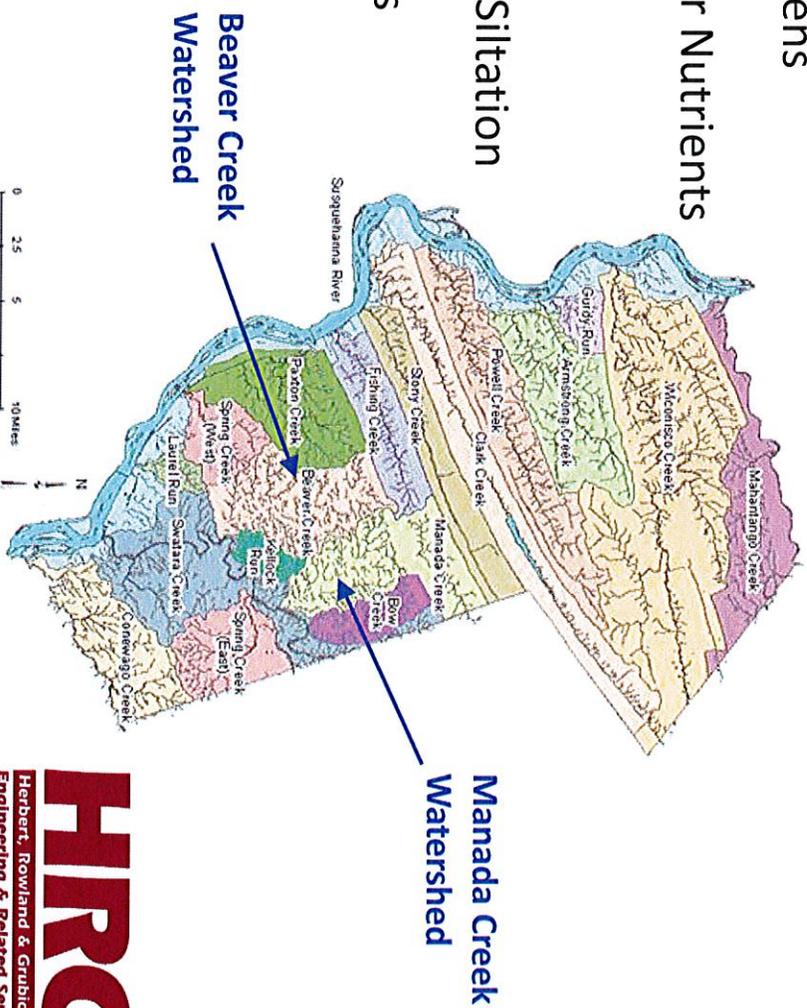
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# Township Watersheds Covered by MS4 Permit

- Manada Creek – Impaired for Pathogens
- UNTs to Manada Creek – Impaired for Nutrients
- Beaver Creek – Impaired for Siltation
- UNTs to Beaver Creek – Impaired for Siltation
- Walnut Run – Impaired for Pathogens

Dauphin County Watersheds

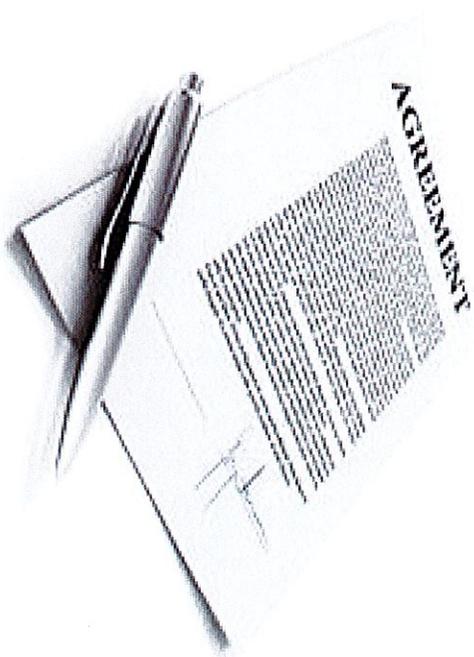


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# MS4 (Municipal Separate Storm Sewer Systems)

Chesapeake Bay Agreement:

- Executed in 1983
- Signed:
  - Governors - Maryland, Virginia, Pennsylvania
  - Mayor of D.C.
  - Administrator of E.P.A.
- 2000 set new goals
  - Delaware, New York and West Virginia joined
- 2023 set goal to reduce sediment pollution by 10%**
  - Municipalities required to meet goals



## Federal

## Unfunded

## Mandate



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# MS4 Permit Requirements

## Stormwater Management Programs (SWMP)

- 6 Minimum Control Measures (MCMs)
- **Complete full system mapping**

## Pollutant Reduction Plans (PRPs)

- Develop PRP
- ~~Show Incremental Progress~~
- **Plan, design and implement BMPs to reduce pollutants:**
  - 10% Sediment
  - 5% Phosphorus
  - 3% Nitrogen

## Pollutant Control Measure (PCMs)

- **Mapping, testing, analysis related to:**
  - AMD
  - Priority organic compounds
  - PCBs
- **Funding and staffing to fully comply**

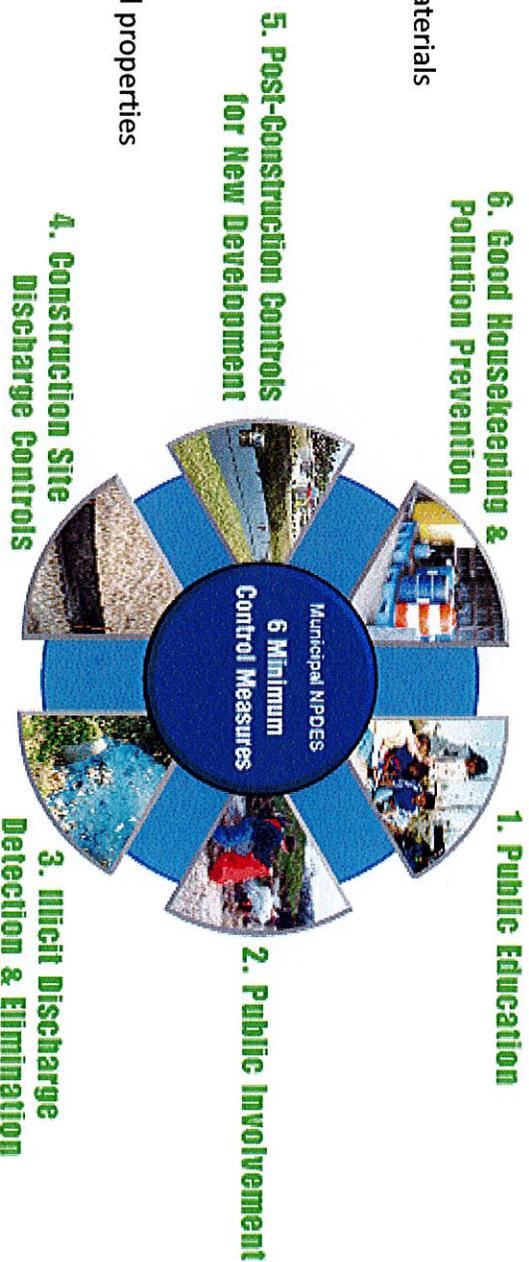
(**Bolded text are new requirements of the 2018 Permit**)



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# MS4 Minimum Control Measures (MCMs)

- Public education (MCM 1)
  - Raise awareness about Best Management Practices (BMPs) via advertising, municipalities and website
  - Passive education
- Public outreach (MCM 2)
  - Promotional events and advertising materials
  - Active education
- Illicit discharge (MCM 3)
  - Mapping
  - Outfall inspections (wet/dry)
  - Illicit discharge reporting
- Construction (MCM 4)
  - Stormwater management /constructed properties
  - E & S concerns, etc.
- Post-construction (MCM 5)
  - BMP maintenance and inspection
- Good housekeeping (MCM 6)
  - Document completion and retention
  - In-house issues



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Attachment #2

# BMPs for Improving Local Stormwater Quality

Highest  
Permit Credit

- **Stream Restoration Projects**

- Reduce streambank erosion
- Floodplain reconnection
- Improve habitat
- Cost per linear foot = ~ \$250-\$500

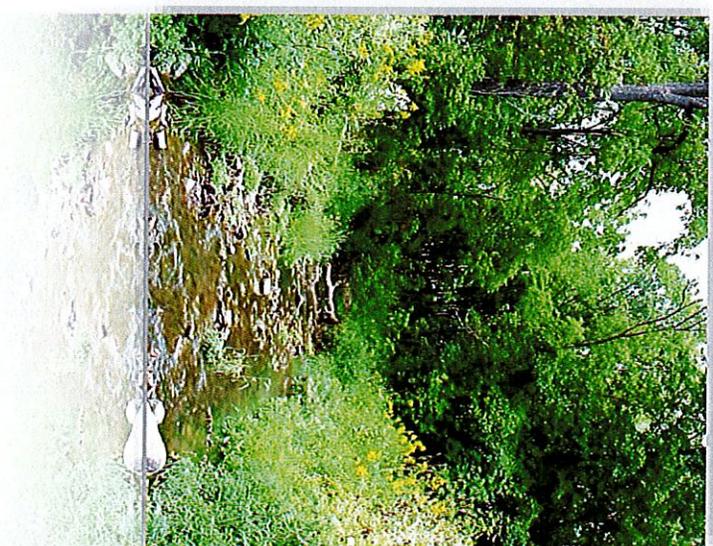
Lowest  
Permit Credit

- **Riparian Buffer Projects**

- Reduce rate of runoff
- Provide plant uptake of pollutants
- Capture sediment before entering streams
- Reduce thermal impacts
- Improve habitat
- Cost per acre = ~ \$2,000-\$3,000

- **Infiltration BMPs/Basin Retrofits**

- Reduce volume of runoff
- Groundwater recharge
- Natural filtration of pollutants
- Reduce thermal impacts
- Reduce flood impacts
- Cost per acre = ~ \$170,000



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Attachment #2

Mr. Greenly stated that the mapping of the township is expensive every time you had a system you must update your map. BMP's are for improving local stormwater quality. The projects are for a 10-year plan. Items like storms, hurricanes any major storm can take out a large piece of the streams Banks and transport all the sediment downstream. The cost to fix this is very expensive.

**Daniel Rosario, West Hanover Township Manager – Budget Summary attachment #3**

**Lee Stinnett, Salzmann Hughes – Laws Affecting Stormwater & Authorities – see attachment #4**

Mr. Stinnett stated MS4 permit is tied to the urbanized areas. The minimum control measures(MCM) goes back to the clean stream law. All parts of the township regardless of the location must be included in the funding. It is a sufficient cost, but it is a cost throughout the township. The courts have pretty consisted in putting that impervious area is a proxy for the level of service and the characteristic of the property. Under the township code language, the legislation states the fee cannot exceed the amount necessary to meet the requirements of the Federal and State law. The second-class township Federal and State law requires not just the urbanized area of West Township but all the township All other statues we touched on area permissible to be included in the stormwater fee. We do not need to provide credit. The fee needs to be levied on developed properties in the township. There are no limitations where the fee may be used to fund the plan. When when you look at the sponsorship for Act 68 and 123 the discussion of flooding is one of the things, they are looking at to try and correct in the future. The intent of the Authority Act is to provide dedicated funding source. The Legislature anticipated this coming from the Federal Government and decided since they are going to require us to fully fund the program. We need to provide a mechanism for the municipalities to pay for them other than taxes. Act 123 expressly authorized authorities under taking stormwater planning, management and implemented of stormwater controls to implement reasonable and uniform rates to fund the stormwater management program. The Legislatures expressly looked and said we understand the program will extend past the urbanized areas and and stormwater flooding problems they occur throughout township. These problems are required to be taken care of under our MS4 Permit and the Authority Act was amended to express the authorized charges for those surfaces. It is best to use the impervious area when doing stormwater fees. The courts said the impervious area is a proxy for level of service when you are looking at rates for stormwater fees. that is why you see impervious area most sufficiently used proxy to determine the level of service. We have Federal case law on whether the fee is a tax. There are 3 things the court will look at

- a. Who sets the charge: Legislative body or the administrative entity. West Hanover is the Authority. The Authority rates will establish that factor.
- b. What is the primary purpose of the fee and the use of the funds designed to meet regulatory obligation?
- c. Are services rationally related to the fees charged? With sewer you could flush less with stormwater. We can offer credits in the even the user does something that reduces the amount of stormwater. Courts are clear that if you have a stormwater program you must have a credit system for all residents to modulate the use of the system and to apply for a credit.

We spent 15 minutes talking about all the regulatory obligations West Hanover must satisfy this. This discussion demonstrates the fee is part of a very comprehensive regulatory scheme that was handed to us by the Federal and State Government presumably through the fee permit. The permit is required to meet all regulatory requirements.

# Authority Stormwater Budget

- Revised Year 2020 annual budget

Function	Annual Cost	% of Budget
Operation & Maintenance	\$186,537	18%
MS4 Compliance	\$379,000	37%
Capital Improvements	\$174,000	17%
Administrative	\$115,000	11%
General (incl. Reserve)	\$177,316	17%
<b>Total Annual Budget</b>	<b>\$1,031,853</b>	<b>100%</b>

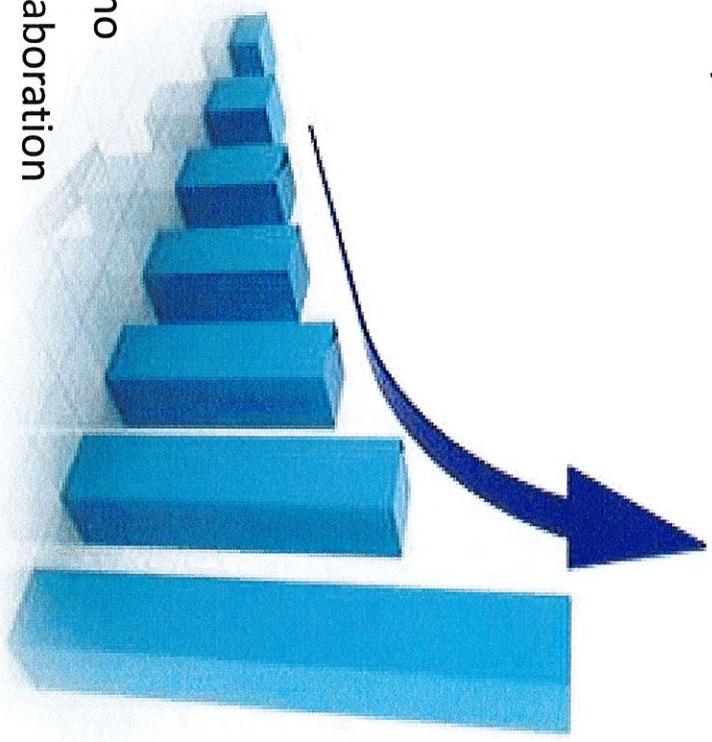


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# Stormwater Authorities (SWA)...

## A Growing Trend

- Over 1,800 stormwater utilities in the U.S.
- First utility formed in 1974
- Continued growth over past 5 decades due to:
  - Increased regulation
  - Significant precipitation events
- Enabling legislation in PA passed in 2013
- Currently there are over 130 municipalities in PA who are at some level of SWA formation or regional collaboration



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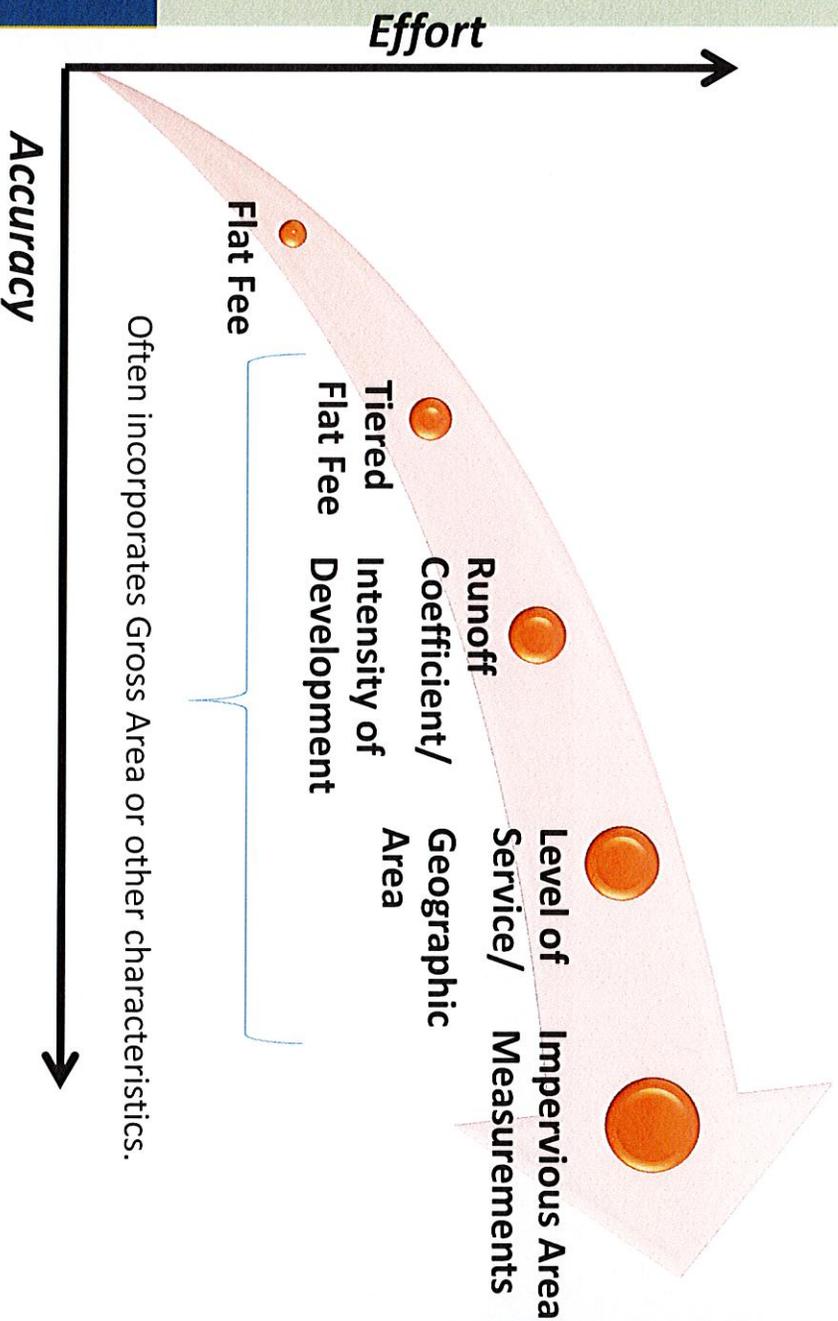
# Why Implement a Stormwater Program Fee?

- Provides a dedicated source of funds
- Funds directed solely to stormwater management
- Fairly apportions costs to the burden each property contributes to the system
  - Based upon impervious area = “contribution to the problem” Users pays based upon level of service received
- **In 40 municipalities surveyed, an avg. residential property owner saves between 50% - 70% by paying a fee vs. through taxes.**
- Fees can be collected from tax exempt users
- Credits provided based on level of service received
- Provides an incentive to reduce impervious area



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# How Are Stormwater Fees Assessed?



**92%** of Stormwater Fees based on **Impervious Area**

**18%** are based upon **Gross Area**

Source: Black & Veatch 2018 Stormwater Utility Survey

# Funding SW through Tax vs. Fee

## TAX

- Tax exempt users do not help fund SW
- Property's assessed value not linked to SW runoff
- Residential property owners pay more
- Property Owner can not control magnitude of their charge
- Counts towards muni borrowing limits
- All property owners pay
- Impervious Area is best link to runoff generation
- Saves residents money
- Incentivizes property owners to partner with muni to meet SW needs of community
- Can self liquidate debt

## FEE



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# Laws Affecting Stormwater & Authorities

Salzmann Hughes

# Clean Water Act, 33 U.S.C. §1251 et seq

- The Clean Water Act, originally known as the Federal Water Pollution Control Act, is a federal law that regulates discharge of pollutants into surface waters, including lakes, rivers, streams, wetlands, and coastal areas.
- Initially, the goal was to eliminate discharge of untreated waste from municipal and industrial sources. Beginning in the late 1990s, EPA changed the focus to emphasize elimination of nonpoint source pollution, including stormwater.



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## PA Clean Streams Law, 1937, as amended 1980

- The Clean Streams Law sets forth the legal framework intended to preserve Pennsylvania's waterways from various forms of pollution.
- The Department of Environmental Protection ("DEP"), pursuant to the Clean Streams Law, is charged with regulating the discharge of stormwater associated with construction activities related to an earth disturbance.
- The PA Clean Streams Law is also implicated by the MS4 minimum control measures requiring management of construction site runoff and post-construction stormwater management in new development and redevelopment.



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## PA Stormwater Management Act (“Act 167”), 1978

- The Stormwater Management Act was enacted in response to the impacts of accelerated stormwater runoff from land development throughout Pennsylvania.
- Pursuant to Act 167, municipalities are required to adopt and implement ordinances to regulate development consistent with a county-wide stormwater management plan.
- Similar to the Clean Streams Law, the requirements of Act 167 are directly related to minimum control measures required under the Township’s MS4 Permit.



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# Act 62 of 2016

- Authorizes Second Class Townships to enact SW management ordinances to govern planning, management, implementation, construction & maintenance of SW facilities;
- Permits townships to assess reasonable and uniform fees based in whole or in part on the characteristics of property benefited by the facilities, systems & management plans;
- Fees may not exceed the amount necessary to meet the minimum requirements of the Federal Water Pollution Control Act and Federal or State laws governing its implementation;
- In establishing fees, consideration will be given to provide appropriate exemptions or credits;
- Any fee levied can be assessed on all properties in the township;
- Any fee collected for the purpose of storm water management may only be used for such purposes.



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Attachment #4

# Municipalities Authorities Act Of 1945

- In July 9, 2013, Act 68 amended the purposes and powers of municipal authorities to expressly authorize the planning, management, and implementation of stormwater controls.
- Intent of the act was to provide a dedicated funding source, other than taxes, for stormwater management programs.
- Later, Act 123 expressly authorized authorities undertaking stormwater planning, management, and implementation of stormwater controls to implement reasonable and uniform rates to fund the stormwater management program.



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Attachment #4

## Legal Test for Stormwater Fees

- Pursuant to the MAA, user rates and fees must be reasonable and uniform.
  - Is the fee rationally related to the level of service received? This need not be determined with exactness.
- Authorities are granted deference in setting its rates and fees, but should avoid acting arbitrarily.
- In challenging a fee, ratepayer is required to carry the burden to demonstrate that the rate is unreasonable, not uniform, and not rationally related to the level of service.
- Courts have held that impervious area is a proxy for level of service.



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# Legal Test for Stormwater Fees

- When reviewing legality of stormwater fees, federal courts have considered various factors:
  - Who sets the charge? Legislative body or administrative entity?
  - Is the primary purpose of the fee and the use of funds designed to meet regulatory obligations?
    - Here, the fee forms a part of a comprehensive regulatory scheme under both federal and state law
- Are services rationally related to the fees charged?
  - Courts have typically asked whether credits were available to allow a ratepayer to “modulate” its use of the system



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Attachment 144

### **Erik Harmon, Light-Heigel – Property Analysis – see attachment #5**

Erik Harmon stated that the equivalent residential unit (ERU) is the most common method used and

That is the system West Hanover has taken. We assessed every property in the township to determine the impact and to determine the average residential property with ERU. There are over 4900 properties in West Hanover Township. One difference from the basic ERU calculation is vacant property will be accessed at ¼ ERU. There is more labor involved and sometimes county classifications are not perfect so you are not getting the bang for your buck. Equivalent Hydraulic areas and impervious area will have per square footage fees that are accessed to each property

### **Erik Harmon, Light-Heigel – Neighboring Stormwater Programs – see attachment #6**

#### **Robert Fowler – Board Discussion of Residential Fee Options**

Mr. Fowler stated that our three neighboring townships all started out calculating impervious areas so the Underlining basis for all these methods are impervious area.

- a. Derry Township. They assigned tiers. See attachment A. I would just note their 1 eru is 3,500 sq. ft. Greater than 7,600 sq. ft. is done exactly like 1 what we do based on the actual eru. So, if you have a Property greater than 7,600 you would basically be billed using the same method we use.
- b. Lower Paxton Township: See attachment B . Once you get beyond single-family detached residential their method of calculating the rates are the same as ours. Federal and State laws require you to offer some type of credit policy. Lower Paxton borrowed \$10 million to do this project. We are trying to do this on a cash basis.
- c. Susquehanna Township: They use Tier system based on sq. ft. of impervious coverage. See Attachment C.

#### **Board Options for 2020**

Mr. Fowler stated that this is a discussion for 2020 fee since we are halfway through the year, we need to decide the fee for 2020. We have 3 options:

1. Modify or Maintain Existing Method: We could move our fee date from January 1 of this year to July 1, 2020. that would reduce everyone's bill for 2020 by 50%.
2. Change Fee Method: There are legal issues that must be addressed and then we must do analysis that what cap would do to our rate and budget system. Then we would have to identify billing and rebate issues because some of our residents have already paid their fees.



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# Property Analysis & Neighboring Stormwater Programs

Light-Heigel

Attachment 45

# THREE BASIC METHODS USED TO CALCULATE STORMWATER FEES

- **Equivalent Residential Unit (ERU)**
  - Used by more than 80 percent of all SW utilities
  - # of billable ERUs are determined by limiting review to impervious area only
  - Approach requires least amount of time to determine total number of billing units
- **Intensity of Development (ID)**
  - Based on the percentage of impervious area to an entire parcel's size
  - All parcels are charged a fee
  - Developed parcel fees are based on their intensity of development
  - Undeveloped parcels contribute to SW runoff and assigned a lower fee
  - Rates are calculated for several ID categories & billed at a sliding scale



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# THREE BASIC METHODS USED TO CALCULATE STORMWATER FEES (Cont'd)

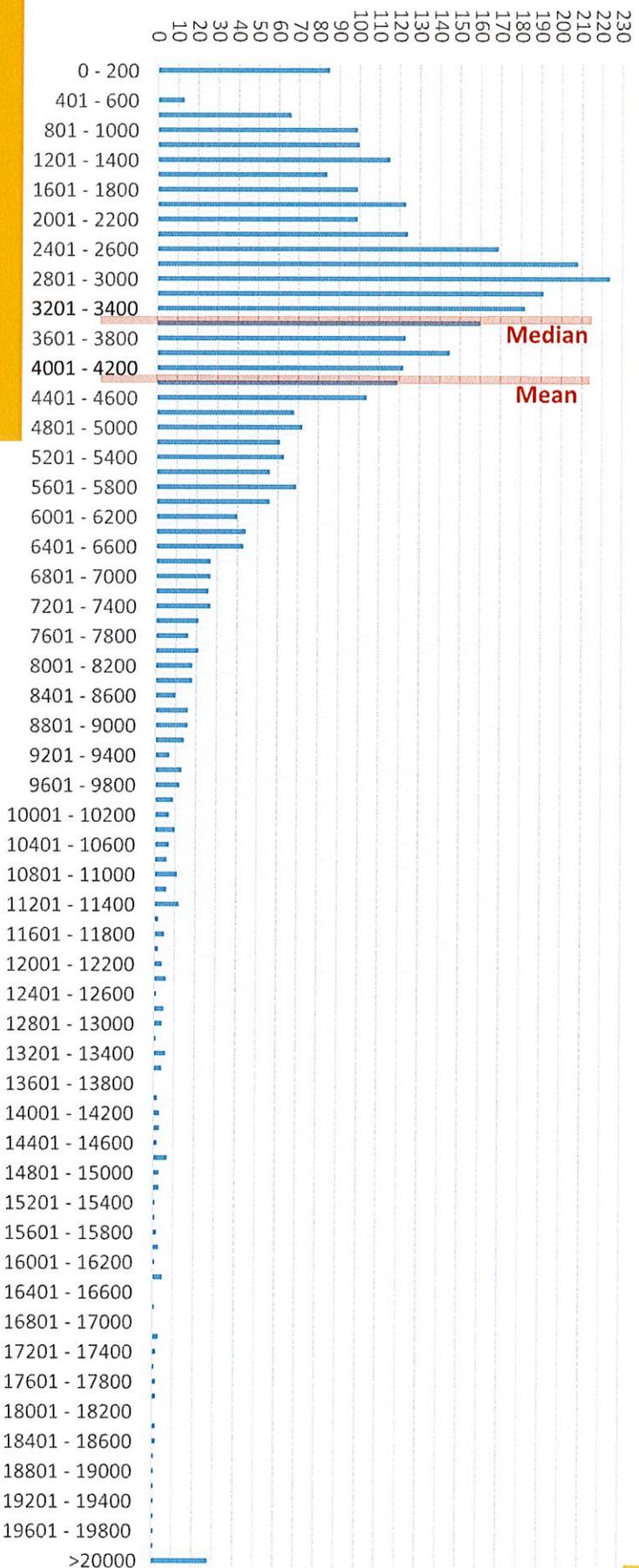
- **Equivalent Hydraulic Area**
  - Parcels billed on basis of SW runoff generated by impervious & pervious areas
  - Impervious area charged at a much higher rate than pervious area
  - Method accounts for flow from pervious portion of parcel



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# Count of Residential Properties by Impervious Area



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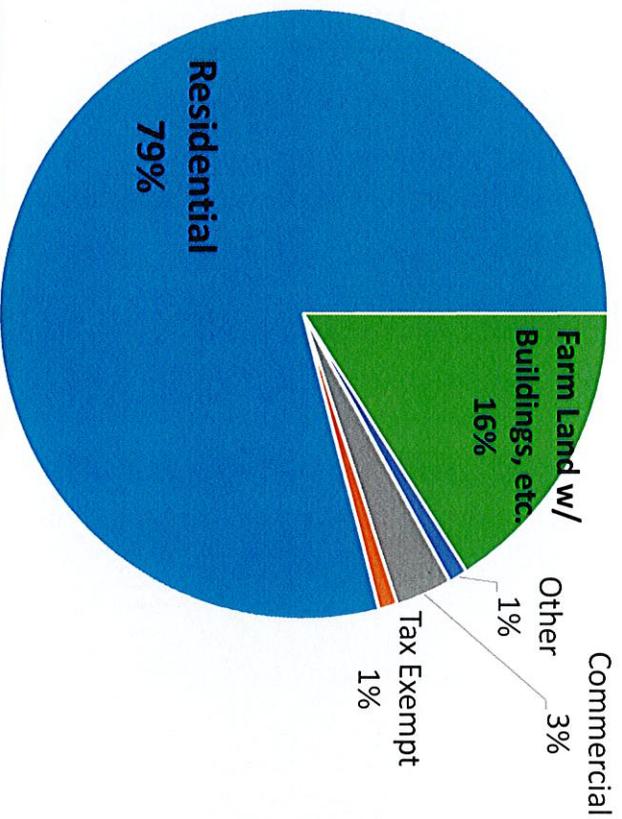
- Median = 3,300 Sq. Ft.
- Mean = 4,100 Sq. Ft.

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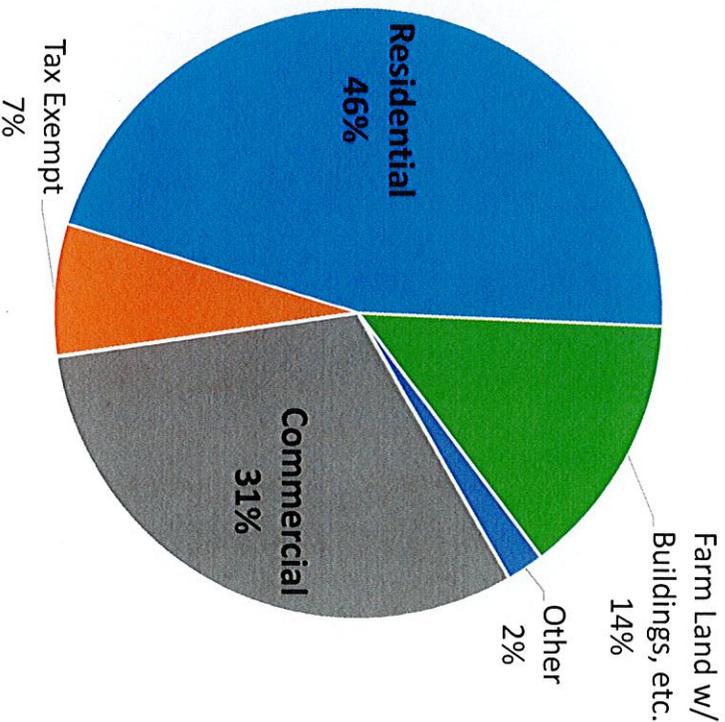
Attachment #5

# Properties and IA in West Hanover Twp

Number of Properties



IA by Property Type



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Attachment #5

# CURRENT WHTA METHOD FOR SFR

- Parcels Billed Based on Actual Impervious Area (IA)
- IA is the Most Important Factor Influencing Stormwater Runoff (EPA)
- Average SFR = 3,300 SF (1 ERU)
- Fee Per ERU = \$104
- Fee is Billed in  $\frac{1}{4}$  ERUs
- SFR Parcels Range from 0 sf of IA to 20,000+ sf of IA
- Credit Maximum of 50% is the Most Generous in County
- Credit Policy Encourages SW Mitigation and/or IA Reduction



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Attachment # 5

# PRELIMINARY FLAT FEE ESTIMATE

- 3,889 SFR Parcels in Township; 3,810 SFR Parcels received bills
- Total Billings Provided to Keystone \$1,103,726
- Total SFR Billings Provided to Keystone \$516,958
- Flat Fee Necessary to Produce SFR Revenue = \$136
- \$136 Flat Fee Equates to 1.31 ERUs
- 70.7% parcel **negatively** impacted; 29.3% parcels **positively** impacted
- Bottom 7% of Parcels (1,237 sf of IA) Pay **5.2 Times** More
- Flat Fee Provides **No** Incentive for Owners to Reduce or Control SW



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Attachment #5

# Credit Opportunities

**SYSTEM OF CREDITS AND INCENTIVES TO REDUCE FEES BY REDUCTION OF THE CONTRIBUTION OF STORMWATER & POLLUTANTS TO THE STORMWATER SYSTEM AND/OR TO AID THE AUTHORITY IN MEETING ITS MS4 PERMIT OBLIGATIONS.**

## Credit Examples

- Rain Barrel Credit (Residential Only)
- Adopt a Creek and/or Storm Drain
- Public Participation Credit
- Stormwater Management (Volume and/or Rate Control)
- Impervious Area Reductions



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**LIGHT-HEIGEL**  
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*Attachment #5*

# Credit Opportunities

CREDIT DESCRIPTION	ELIGIBLE PROPERTY		MAXIMUM CREDIT AMOUNT
	SFR	Non SFR	
Rain Barrel w/ Downspout Disconnection	X		40%
Rain Garden	X		40%
Adopt a Creek Credit	X	X	20%
Adopt an Inlet Credit	X	X	\$20.00
Public Participation Credit	X	X	15%
Porous Pavement		X	40%
Urban Tree Canopy		X	30%
Low Impact Parcel	X	X	40%
Water Quality Stormwater Credit		X	40%
Peak Flow Attenuation Stormwater Credit		X	40%
Education Program		X	15%
Stormwater Partnership Credit		X	
Donation Credit		X <sub>1</sub>	30%
Separate MS4 Permit Credit		X	50%
Riparian Buffer Area Preservation Credit	X	X	50%
Fertilizer Management Credit	X	X	15%

1 Applicable for Non-profit Organizations only



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ENGINEERS SURVEYORS BUILDING CODE INSPECTORS MUNICIPAL SERVICES  
**LIGHT-HEIGEL  
& ASSOCIATES, INC.**

Attachment #5



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# Board Discussion of Residential Fee Options

Attachment #1

# Derry Township Method

- Assesses a Tiered Fee for SFR Based on SqFt IA
- 40% Maximum of Credits

## Residential Tiers

1 ERU = 3,500 sq ft. IA

- Tier 1: IA < 500 sq. ft. = No Fee
- Tier 2: IA of 500 - 2,999 sq. ft. = 0.5 ERU
- Tier 3: IA of 3,000 - 4,999 sq. ft. = 1.0 ERU
- Tier 4: IA of 5,000 - 7,599 sq. ft. = 1.5 ERUS
- Tier 5: IA > 7,600 sq. ft. = multiples of ERU



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## Lower Paxton Method

- **All** Properties with 340 sf Impervious Coverage Assessed a Fee
- An ERU is Equal to 3,400 sf - Annual User Fee per ERU is \$128
- LPT Uses Same Definition of Impervious Area as WHT
- All Single-Family Detached Residential Assessed at 1 ERU
- All Other Single-Family & Non-Residential Assessed at Total ERUs x Rate
- Currently No Credits Offered – Now Drafting a Credit & Incentives Policy
- LP Borrowed Over \$10 Million Rather Than Paying Cash for Projects



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Attachment #6

# Susquehanna Township Method

- Assesses a Tiered Fee for SFR Based on Square Feet of IA
- 35% Maximum for Credits
- Fee to be Implemented on July 1, 2020
- All Developed Parcels are Assessed a Fee

Class	Tier	Tier IA Range (sq ft)	% of Total Properties	Monthly Charge
All Customer Classes	1	0-499	7.2%	\$1.60
	2	500-1999	26.1%	\$5.70
	3	2000-4499	47.3%	\$11.60
	4	4500-6999	10.4%	\$19.10
	5	Over 7000	9%	1.60+ \$3.20/1,000



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Attachment #6

# Board Options for 2020

- Modify or Maintain Existing Method
  - Place Cap on ERUs for SFR
  - Add Automatic Non-Urbanized Parcel Credit for SFR
- Change Fee Method
  - Fixed Fee with Credits – Lower Paxton
  - Tiered Fee – Derry or Susquehanna
- Modification/Change Requires Further Analysis
  - Cap
    - Legal
    - ERU rate impact analysis
    - Identify billing/rebate issues



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3. Addition of Non-Urbanized Credit: We would have to select what credit amount we would give. We would have identify the affected parcels.
4. Fixed Fees: There are legal issues and fairness issues. Again, we would have billing and rebate issues.
5. Tiered Fees: Would have to define tiers, calculate the revenue impact by lumping people together into tiers and what is that going to do to our projected revenue and again define the billing and rebate.

Mr. Fowler stated we would have to deal with Keystone Collections to see if they could even make any of these possible for this year.

**Board Member Comments:**

Mrs. Zimmerman asked if we moved our date to July 1,2020 and we do the 50% and the 20% what was on their bill from April I like that option. It gives us more time. Would they get both the 50% and the 20%?

Mr. Fowler stated yes, the credits are based on 50% of the billing amount if we go to a later date. They get the 20% on the 50%.

Mrs. Zimmerman stated she would like to thank everyone for all the hard work putting this all together.

Mr. Shradley stated he would support moving the date to July 1, 2020. I would also support the 20% non-urbanized credit.

Ms. Vicari stated that the reason Lower Paxton did the 20% they looked at the average annual budget for the next 5 years of BMP's that needed to be done for the MS4 Permit requirement. Looking at West Hanover's proposed budget over the next 5 years looks like your percentage is closer to 13%.

Mr. Shrader stated whatever our professionals recommend is fine with me.

Mrs. Zimmerman stated I would stick with 20% this year. We do not know what is going to happen next year.

Mr. Fowler stated that Lower Paxton was able to look at debt service. This Board has not decided if we are going to pay cash for our projects or borrow money and incur the additional interest. We are at this stage we could go either way. If we paid cash, we would be closer to the 20%. There must be a tie in with a benefit or lack of service to un-urbanized areas. I would like to tie it to the BMP projects that is not happening in the un-urbanized areas.

Ms. Vicari stated that if you decide to set the percentage higher to start with its something, you'll want to revisit next year the rates and how they were projected would be based upon considering the debt service. Realizing that the infracting being funded by these projects and the service the township for 30 or more years.DE{ is talking about changing the load and including the properties outside of the urbanized areas. If you set that credit up now that is something the Authority will want to reconsider with the next permit cycle.

Mr. Steinmeier states that I am in favor of the 50% and the 20% credit. I would like to suggest a cop on the eru's. I think 3 eru's max for all the residents . This would cost the Authority \$100,000.00 or we could borrow money. We can rent equipment or borrow from Public Works.

Mr. Geppert stated thank you to everyone involved in this presentation is was a good meeting. I agree with 50% reduction and 20% credit.

Mr. Fowler I want to thank the consultants for putting this together. First its unfair to compare us to Lower Paxton. We do not have the population or the commercial impact that Lower Paxton has. Any adjustments we make we must consider the impact on our residents. There are no question certain types of property owners are more heavily affected by our eru billing method. Many of these properties are the same or worse in the tier method that was discussed this evening. Our credit system is structured to all how property owners can control their fees. A farmer could reduce his bill by 90%- and single-family homes could reduce their fees by 50%. Some do not like the eru method, but we do provide a good credit policy to allow you to mitigate those fees. We would like to come up with a fee that is fair and reasonable method. I support moving our date to July 1, 2020 and the un-urbanized credit.

**Public Comments:**

Joann Durney, 7733 Alden Drive, stated that she wanted to thank everyone for the presentation. It would have helped if this would have been months earlier. Has anyone asked about donations to have pay for these fees? There are environmental people in the township that might donate to this fee. My next comments is Green Castle, Pa they have said no to stormwater fees. Why can't West Hanover do the same?

Mr. Stinnett stated that they are one of our clients. They received a waiver from the MS4 Program. West Hanover is not in that position. Alex how long has West Hanover had the MS4 Permit?

Mr. Greenly stated that West Hanover was in the initial round when the MS4 started.

Joann Durney stated that modifying the existing method I like that by putting on a cap of the eru's and the un-urbanized credit is good idea.

Mike Kreiser stated you are comparing Derry Twp., Lower Paxton Twp., Susquehanna Twp. And West Hanover you are leaving out 1 factor. Derry Twp. Has less than 25% of that 25% the majority of that is owned by Hershey Trust and its farmland with no homes. So, the rural portion of the township is paying very little compared to the urbanized area. They have a small portion of their township funding the program. Susquehanna Twp. Has less tan 5% that falls under the MS4 and Lower Paxton Twp. Has less than 10% falls in the rural area. They have a small portion of their township funding the program. You cannot compare West Hanover to any of these. What percentage of the rural area in West Hanover is paying for the total cost versus the urbanized areas?

Ms. Vicari stated you need to look at the township and the unique characteristic and implement the right kind of rate structure and credits. We do have other clients that are implementing a fee. They have a large amount of property owners in rural areas they are not implementing the low impact parcel credit nor are they providing a credit a credit for impervious area outside of the urbanized area. What you have implemented I think its good. You are looking at properties outside of the urbanized area

Mr. Stinnett stated a large portion of this discussion focused on what the program entails. It goes beyond the MS4 compliance portion its 37% of the budget, low impact parcels are 49% those 2 should largely match. We have gone beyond that to meet the needs of the township to satisfy the rural areas. The Board has agreed to look at an additional 20% which is far beyond what other townships have done.

Mike Kreiser stated that I do not agree. The MCM's basically are the only thing that applies to rural communities. The pollution reduction plan that applies to the urbanized areas.

Gary and Tracey Lewis 928 Pheasant Rd – We are finishing up our new home we were required to put up a retention pond. Which was very expensive now you are taxing that? Can a homeowner that just went through the expense get a credit? I see that credit and appeal have a statement that property owners must allow the township to enter on their property. Is there a way to be able to get a notice when they are coming?

Tina Baker 487 Hershey Rd. – My impervious coverage is 16% of my property, townhouses interior takes up to 56% of their property. I think my discount should be more than 20%.

Laurie Daubert stated that the flat fee should have been done from the start. Now residents that received only a bill for \$136 are going to be upset cause their bill will be going up to over a \$100 more they will pay more on the flat fee so now they are mad. Urbanized is the majority of the township. Also, the credit and appeals applications are so hard to understand. Why do the residents have to figure this out why was this not done by the township?

Jon Hetrick 937 Sawmill Rd stated that the meeting was good. I am glad that the Board is now listening to what we have been saying. Out of the 70% urbanized what percentage of IA is that parcel versus the total percentage? Keep in mind that the cost of on-going operating cost of credits and appeals.

Corrine Hankins, 7732 Franklin Dr stated that she agreed with Laurie Daubert There is so much cost doing of this.

Jane O'Donnell 7210 Evergreen Lane stated that the map Alex put in the presentation does not show the watershed for Fishing Creek Valley. All Fishing Creek Valley's water goes into Fishing Creek. Why was the stormwater not billed with the sewer department? Is there will on the township level for residents that do not understand how to fill out applications for credits and appeals? A cap on the eru's is the way to go.

Mr. Fowler stated that Janet Hardman the Zoning Officer is available to assist residents. The farmer with the \$3000 bill he would qualify for low impact credit and the riparian riparian buffer credit that would be another 50% credit so he would have a 90% credit. Remember that this farmer has almost 100,000 impervious coverage on his property.

Brandon's iPad asked the tax money that we typically pay that goes toward local road repairs what is that tax money now being used for?

Mr. Fowler stated that you must talk to the township we have nothing to do with their budget. The Authority's budget is a million dollars. We are not moving a million dollars from the township budget most of our cost we are paying is new.

Brandon's iPad stated she wanted to thank Gloria for understanding where we are coming from.

Marla Holtzman 6904 Fishing Creek Valley Rd. stated why are we not being compared to Middle Paxton or East Hanover Townships?

Mr. Stinnett stated East Hanover does not have MS4 yet. Maybe they will down the road I am their Solicitor and HRG has given a presentation to the township. Middle Paxton does not operate a MS4 program.

Mr. Enck stated that he though you could only get one credit.

Mr. Fowler stated you can have multi credits that can only add up to 50% max.

Mr. Enck stated that he was at a meeting a few months back with the same presentation that not many people showed up to. This was a review and a great presentation.

Mary Ann Noggle this was a good presentation there are many people on this side of the mountain meaning not just Fishing Creek that know nothing about this stormwater they are just paying the bill. I think that the cap on the fee is a good idea.

Diane Allen 7400 Fishing Creek Valley Rd stated I want to thank Gloria for suggesting this workshop. Why is tree canopy not a credit for single family homes? The tier calculations I do not think that is a good idea. It would be putting a burden on the rural areas.

Bill Drayer 1717 Laurel Rd asked if the non-urbanized credit, so I must apply for that.

Mr. Fowler stated that no it is an automatic credit.

Laurie Daubert asked how people are going to know when to pay and what to pay with their bill. Will there be a letter sent out?

Mr. Fowler stated we will work on that so we can get a notice out before July 15, 2020.

Mr. Fowler asked for a motion for adjournment

Mrs. Zimmerman made the motion seconded by Mr. Steinmeier

Meeting adjourned at 8:37 pm