

WEST HANOVER TOWNSHIP AUTHORITY
MEETING MINUTES
September 2, 2020

1. **CALL TO ORDER:** Chairman
2. **ROLL CALL:** Secretary
3. **APPROVAL OF THE MINUTES:**
 - a. Regular Meeting Minutes of August 5, 2020
4. **CORRESPONDANCE:**
 - a. Emails from M. Doyle, C. Millikin
5. **ANNOUNCEMENTS:**
 - a. Credit applications must be approved by the Authority no later than the December 2, 2020 Board Meeting to be included in the 2021 stormwater billing.
 - b. PA DEP will reimburse farmers up to \$6,000 for costs associated with developing nutrient & manure management and agricultural E&S control plans.
 - c. PA DCNR is offering funding and free assistance to property owners who want to install streamside buffers through its Buffer My Stream Program.
 - d. PA DEP is offering 50% matching grants up to \$7,000 to farmers to be used on BMPs that improve water quality such as riparian buffer plantings, streamside exclusionary fencing and barnyard runoff controls.
6. **PUBLIC COMMENT:**

Please limit comments to 3 minutes and state your name & address clearly for the record.

Mr. Enck stated there are 2 items he wanted to mention. The PA DCNR is only good for 10,000 people. They will be getting \$150.00 each. I just want people to know that so that they don't think they are going to get big dollars, that was in the Patriot News Paper. I was not happy with the workshop meeting. I called Dan Rosario he told me someone would get back to me on the 19th and no called me back so I could get onto the meeting. I don't like being left in the dark. Dan told me he didn't have my number. At all the other meetings they had my number.

Mr. Rosario stated that he is sorry it was his fault he failed to follow up with Mr. Enck.

Diane Allen – asked since I know these meetings are being recorded is it possible to have the recordings available on the website for ones who missed the meeting be able to listen to. Is that possible?

Mr. Fowler stated that he would take that in the advisement. He never heard on that being done. We will check it out.

J. Durney stated that in your announcements you mentioned the credit application must be approved by December 2, 2020. What would be a reasonable time for use to deliver our applications?

Mr. Fowler stated the process is once you deliver the application to the Authority the staff will review for completeness and then forward to HRG for review. Depending upon how detailed the application is that can take a couple hours to a week. It would depend on how intense the credit is you are asking for. When we approved our Board, meeting dates at the start of the year we indicated a cutoff of 2 weeks before the Authority meetings to go on the agenda. We haven't been following that. The main things are getting the application in so it can be reviewed by HRG so they can give a written recommendation to the Authority before December 2, 2020.

J. Durney stated that there is a holiday weekend right before the December 2, 2020 deadline would mid-November be a good time?

Mr. Fowler stated yes.

Jon Hetrick stated that he noticed the stormwater drain at Sawmill Rd and Moyer is blocked and not letting water down.

Mr. Rosario stated that he would call Public works in the morning.

Laura Daubert – I have a question after the Budget Workshop and Dan Rosario answered my questions. Several people have asked who the people were on the Stakeholders Committee prior to this Authority. Dan did give me the names which is the 1st time I've seen this. I don't see anyone on the list from Fishing Creek Valley that I've ever heard of. So, we didn't even have a voice from the start. That's upsetting to me. Another thing once a fulltime MS4 Coordinator Dept Head is on staff is this MS4 Coordinator Head is this a different position from the Administration Assistant MS4 Office Clerk? Is this another position you are going to hire for?

Mr. Fowler stated that the answer is no. At one point we considered hiring 2 people but with the efforts of HRG and the Administration Assistant that would all we would need now in order to meet the requirements of the program. The Township will be hiring the Administrative Assistant/Permit Clerk.

Laura Daubert stated that one person taking care of everything. That person will be doing all the planning for the projects for the Stormwater Authority.

Mr. Fowler stated no the planning for the projects will be done by HRG. They will design the projects and run through the permit. If we would've hired a MS4 Coordinator that person would most likely have an engineering background and they would do most of what HRG is doing.

Laura Daubert stated so we are going to keep paying globs of money to HRG?

Mr. fowler stated we would have to pay for an engineer whether he's on staff or a consulting engineer. We feel we don't have enough work to have someone else fulltime. So, it's cheaper to pay HRG.

Laura Daubert stated so then keep filling HRG's pockets

Mr. Fowler stated that he would like to clarify some things. Your questions on the Stakeholder Committee that was asked on our Frequently Asked questions on our website. There are 80 some question on there and I believe that there is a question about the Stake Holders on there that was already answered.

Dennis Kalbarczyk stated he was looking for the original Resolution 20-07. I cannot find it on your website. Is it there? It was passed on February 5, 2020.

Mr. Fowler asked if that you the approving of the Rates, Rules and Regulations?

Dennis Kalbarczyk stated yes and asked if the original one was available on the website.

Mr. Rosario stated that is no longer applicable. It was superseded by the new one. It was taken down.

Mr. Kalbarczyk stated that he would like to have a copy

Mr. Fowler stated that is no problem.

Dennis Kalbarczyk stated that you amended it in August. Didn't it have some application for the period of February until you amended. You would have had to follow all those Rates, Rules and Regulations during that time.

Mr. Fowler stated that was correct.

Dennis Kalbarczyk asked then why was the original one taken down. It should be available. The changes you did its very difficult to find out what the amendments were from the original one. Most of the time utilities rates and tariffs you would put in there what section was changed and the effective date. That's a concern. On the budget you were not going to do the MS4 Engineer?

Mr. Fowler stated that was correct.

Dennis Kalbarczyk stated that the Township is going to hire someone in some position.

Mr. Fowler stated yes it will be the Authority Administrative Assistant/Permit Clerk. That person will be an employee of the Township but will be doing the work of the Authority.

Dennis Kalbarczyk stated you mean partially dedicated to the Authority

Mr. Fowler stated no fully dedicated to the Authority. The primary job is to do the work related to the stormwater they will have no other duties. Right now, Sharmaine and Janet have their primary duties are Zoning and Planning and they are doing stormwater to help us out until we hire someone. Stormwater was not their primary duties

Dennis Kalbarczyk stated that the fully dedicated assistant to the Authority is going to be a township employee hired for the Authority. I don't get it.

Mr. Stinnett stated that it's the Management Agreement. It's going to be a Township employee that their hours will be fully reimbursed by the Authority under the Management Agreement which is a common occurrence in PA. with authorities' and Municipalities

Mr. Fowler stated that the Authority decided they didn't want to get into the employment business for one employee.

Dennis Kalbarczyk stated so technically it not an Authority employee it's a township employee.

Mr. Fowler stated correct.

Dennis Kalbarczyk stated that on the original budget you have on here Penn Vest funds. I didn't see anywhere in there what the principal amount of the loan was.

Mr. Fowler stated that we have not borrowed any money from Penn Vest.

Dennis Kalbarczyk stated that you have it in your 5-year budget.

Mr. Fowler stated that is correct.

Dennis Kalbarczyk asked what was the budget amount you were going to get?

Mr. Fowler stated I would have to look it up. It wasn't in the current budget, but it could occur in some future year and I'd have to go through and see. Its buried somewhere in the budget I can't honestly tell you.

Dennis Kalbarczyk stated someone had to come up with the principal number for the loan terms and the rates. I just don't get it.

Mr. Fowler stated that the loan terms are actual 2% the term was for 20 years.

Dennis Kalbarczyk stated I am not surprised of the rate. It doesn't tell you what the principal amount was. You must have an idea what the funds were if you were using the funds.

Mr. Fowler stated we were funding projects with cash. We have not used Penn Vest loans.

7. PRESENTATIONS, STAFF & BOARD REPORTS:

a. Administration

i. Method of Conducting Future Board Meetings

Mr. Fowler stated that right now we are using Zoom several Board members have expressed interest in some in-person meetings. If we do anything in person if we have them held at the Township building we are limited to how many persons.

Mr. Rosario stated that the state law allows indoors 25 people. At the township we only have 8 public seats cause of the 6ft distancing. We do have the overflow downstairs but there we can only have 8 more people. If we use downstairs we would still have to use Zoom into main meeting area. We have 5 Board members plus the attorney, HRG, Sharmaine and myself if I add it up its not much room for public.

Mr. Fowler stated to do the township building we can only have 7 unrelated public people. How about the Rec Center?

Mr. Rosario stated that is the same thing only 25 people indoors in one room. I think unless Governor Wolfe bumps that number up to 50 we must wait to have in person meetings.

Mr. Fowler stated that someone from the Board suggested that the Authority and the staff have the public meeting at the office and just allow the general public to do Zoom. Since the Authority will be using all the public seats at the office. Any legal issues with that?

Mr. Stinnett stated that there are folks trying to figure out other options most have continued to use Zoom or other internet applications. It's all about the Authority and township staff figuring out the requirements do that.

Mr. Fowler asked if we would still have to do social distancing and wear mask?

Mr. Stinnett stated yes.

Mr. Fowler asked if anyone have any feelings about what they want to do?

Mr. Geppert stated I can't see why we couldn't have the meeting at the township building. I didn't get much of any answer from our attorney.

Mr. Stinnett stated that what I said the township staff needs to figure out the requirements to do that. I don't know if they have what they need to do that.

Mr. Rosario stated that we would have to set a laptop pointing toward the stage and Board Members would be on the platform and some at the table on the main floor. It's all we can do at this point.

Mr. Stinnett stated that there would have to be microphones.

Mr. Rosario stated that we have a PA system in the main office. That won't be a problem. It's the video. I will have to try it and see if it will work.

Mr. Fowler stated that he was game to give it a try I think the video is the least important part. The audio is far more important.

Mrs. Zimmerman stated that we do have churches and schools perhaps we could use their auditorium which will hold more people.

Mr. Rosario stated that the max. is 25 people inside.

ii. Proposed Meetings for Remainder of 2020

Mr. Fowler stated that the rest of 2020 we need to have one more Budget Meeting and I would say to have that on September 16, 2020 and then wrapping up our expenditure budget by our regular meeting on October 7, 2020. I would like to have another workshop October 21, 2020 to receive a draft of the rate study looking at other methods to decide on our rate. Then a Special Meeting on November 18, 2020 to adopt the 2021 rate. These meetings have not been voted on this is just my thought. We need to have all this complete by December 2, 2020 meeting so we can get our bills out in January 2021. I would like to get everything to Keystone Collections in December. What we must agree on tonight is a final Budget Workshop. We would not only review final budget, but

we'd also approve a provider a provider of a rate study later in the agenda we are going to ask the Board to approve the RFP to send out to HRG and Light-Heigel. That gives them 2 weeks to respond to the RFP. We can make that selection on September 16, 2020 meeting. What is everyone's thought?

Mr. Shradley stated that he was fine with the dates.

Mr. Steinmeier stated he was also fine with the dates.

Mr. Geppert stated that was ok with him.

Mrs. Zimmerman stated that was fine.

Mr. Fowler stated that we will start the Workshop at 6:00 p.m.

iii. Staffing Update

Mr. Fowler stated if Mr. Rosario could give us an update on staffing.

Mr. Rosario stated that we had 13 applications for the MS4 Administration Assistant. We had limited that down to 3 which we interviewed yesterday. We have someone so our next step is to present that to the Board of Supervisors which will happen next week. Once the Board of Supervisors oks this person then we will notify that person. Since we are under the Pandemic all new hires must self-quarantine for 10 days before they can start. They will come on board September 21, 2020.

b. Public Works

i. Status of Approved Small MS4 Projects

Mr. Fowler stated that no new projects have come in from Public Works.

ii. New Projects for Authority Approval

Mr. Fowler stated nothing new for the Authority to approve.

c. Finance

i. 2020 Stormwater Fee Collections

Mr. Fowler stated did get an update on Keystone Collection as of mid-August on stormwater collections. Right now, we have 73.3% of accounts that are paid in full. We have 8.4% that have made their installments and we have 798 accounts or 18.3% which have not paid at all. This is not a good delinquency rate. The budget we approved in the beginning of 2020 assumed 100% collection rate. The budget we approved about a month ago revised we assumed a 5% delinquency rate. Mr. Rosario's first cut of the 2021 budget assumed 5% delinquency rate. If this rate holds true through the end of the year it's not going to be pretty.

Mr. Shradley asked what the actual amount of collection is?

Mr. Fowler stated that no I don't I will ask Keystone collections to do a run right after September 1,2020 and we will have for our Budget Workshop

Mr. Rosario I have someone asking about having the meeting outdoors.

Mr. Fowler stated that I have concerns because of the weather issues.

Mrs. Zimmerman stated the parks have pavilions.

Mr. Rosario stated that we would still have social distancing.

Mrs. Zimmerman stated then nothing is going to suit so we'll just keep having Zoom.

Mr. Fowler asked Dan to check into this and see if you can come up with somewhere that we can social distance that has cover. Please report back to us at our next public workshop.

Mr. Rosario stated he would.

ii. 2021 Budget Update/Comments

Mr. Fowler stated he does have some comments. Do we have an update on the estimate design permitting cost for BMP #1 & #2? I got an email from HRG asking for authorization for them to prepare an estimate.

Mr. Greenly stated that he would get it to the Authority next week. We do have a draft of the BMP #2. We are going out to the sight for stream restoration near the CD. High School so it will be next week.

Mr. Fowler We should have your estimate in hand in time for Dan to put that in the new proposed budget for our next workshop. I authorized HRG to proceed with an estimate.

Mr. Rosario do we have an update on the estimated construction cost of the Lakeside project.

Mr. Rosario stated he has noting all to report at this time. We are still waiting on DEP.

Mr. Fowler stated I am asking about the \$74,000.00 construction estimate it's a year or two old.

Mr. Rosario stated that he bumped up the number to \$100,000. Working with HRG we put together a Good Faith Estimate and our staff will do the work.

Mr. Fowler stated we do have an HRG estimate. If we must go out for a bid it would be like \$300,000. Mr. Rosario do we have a better estimate on the professional liability insurance cost?

Mr. Rosario stated that he had nothing to report. Still waiting on quotes.

Mr. Fowler asked to please include that in our next budget meeting. Has anyone heard when the County is going to roll out its regional stormwater program?

Mr. Greenly stated that he got an email it states that the goal is to have some of the municipalities to agree to participate by the end of November. The information is just now being sent out to municipalities.

Mr. Fowler stated so that won't help figure out the expenditure budget. We should have the cost of that to finalize our next budget estimate. I suggestion that we reduce the auditing and accounting estimate to \$20,000 from \$40,000 and to reduce the contingency to 10% rather than the 15%.

Mr. Rosario stated ok.

Mr. stated that our first budget estimates for 2021 we have been carrying a 15% contiguous just given the nature of these cost and trying to keep the total expenditures down. It would be nice to have 15% but it going to require rate increases that we want to try to avoid. I think we will be safe at 10%.

Mrs. Zimmerman on the budget we have 1,447,536.00.

Mr. Rosario stated yet that not the final number yet.

Mrs. Zimmerman asked the first eight items are HRG then you jump down to Authority Engineer to 44600.31 Professional Services By Authority Engineer \$75,000, 44600.318 Professional Services by Authority Engineer- GIS \$10,000, Stormwater Studies \$104,000, Pipe Line Assessment \$100,000, MS4 Permit BMP Required Project – Lakeside \$74,000 (was changed to \$100,000 Per Mr. Rosario), MS4 BMP 1 & 3 Construction Design 2021 \$120,000, Prepare Next 5 Year Permit Application \$60,000, HRG Various Studies HRG \$168,000. MS4 Mapping \$5,000. If you add up the first 8 then the rest of these projects listed that amount is \$791,000 that's over one half our budget that is going to HRG.

Mr. Rosario stated that is what we have budgeted in the Townships General Fund for stormwater program. That's why those number are there.

Mrs. Zimmerman stated I know that's what we have I can see that. I am just saying that over half of our budget is going to the engineer alone. That's unreal. You asked for my comment that's my comment.

Mr. Fowler stated I did suggest earlier that my comments most of those numbers can be spread out of time. Not all work has to be done in 2021. We have until the Spring of 2023 to get those projects completed there are 2 of them. I don't think we have to fully fund them in this current budget. I think we can spread them out over the next 3 years.

Mr. Shradley stated it is only 2 years.

Mr. Rosario stated that it is correct.

Mr. Shradley stated that the Authority must have them done by Sprint of 2023.

Mr. Fowler stated that some of these studies can be done over the winter months. Its not doing construction it's just a study.

Mr. Rosario stated that will depend on the weather. If they need to see the lay of the land as part of the study that would be a challenge. We only must complete BMP's 1 and 2 before 2023.

Mrs. Zimmerman stated you still have not told me why over half of our budget is HRG?

Mr. Fowler I misspoke answering Mrs. Zimmerman's comment. The \$120,000 for the design of BMP's 1 & 2 would be spent next year, given how long it takes for DEP to give approval. We want to put both through next year's so by 2022 hopefully we will have DEP's blessing. I did not mean that the \$120,000 be spread over a longer period. But all the other items we could spread out over a longer period.

Mr. Shradley asked if those additional studies are those required by our permit? Are these studies that are on our radar that we could do over time when we have the money?

Mr. Fowler asked Mr. Greenly if these studies are for the new permit in 2023.

Mr. Greenly stated no those are known stormwater issues. They created so issues where the township was interest investigating them and creating a solution to the stormwater issues. It is not necessary to have them completed for any MS4 Permit.

Mr. Shradley stated that if we had enough money we could have them all done but the questions is we need to get enough money to get those studies done but we don't need them for our MS4 Permit The stormwater issues will continue for now but then we could increase all fees o that we can get them done all this year.

Mr. Steinmeier stated that I think when it comes down to the projects we are going to have to be very careful how this money is spent. Lakeside Project \$1,000 of dollars have been spent and we still have no permit.

iii. Proposed Final Budget Workshop on Sept 16th

Mr. Fowler stated that we already approved the Workshop for September 16, 2020

iv. Approval of Invoices

Mr. Fowler stated that there were no invoices at this time.

8. OLD BUSINESS:

a. HRG Stormwater Retainer Agreement

Mr. Fowler stated at the last meeting we discussed to retain HRG to do certain stormwater activities instead of continuing following the township agreement. HRG did supply a retainer agreement. This agreement outlines the different services they will provide to the Authority the term is one year it could be terminated by either party on 30-day notice. They did supply an hourly fee schedule.

Mr. Greenly stated this agreement is basically all our services outside of the actual MS4 Management scope that was executed back in December 2019. That scope was just for the MS4 Program and maintaining compliance. This retainer agreement is basically for the Authority for credits and appeal and stormwater complaints. Its Authority work not MS4 work.

Mr. Fowler asked the first eight items on the budget which are all HRG items that total \$75,000 those all the services and estimates of the expense of this retainer agreement? It states here that includes appeal applications, credit applications, complaints, inspections, meeting attendance, BMP inspection and MCM 1 through 6.

Mr. Greenly stated no that's mixing the two area up. I don't know where that \$75,000 even came from.

Mr. Fowler asked so this would not be the full \$75,000

Mr. Greenly stated correct our MS4 agreement for the upcoming current year is for \$50,500 that the MS4 permit work. The BMP inspections , MCM's, outfall inspection and anything related to the MS4 Permit. This retainer would basically be handling anything additional the Authority may request us to provide like the appeals, credits, inspection, complaints, residential phone call and such. I still don't know where \$75,000 comes into play.

Mr. Shradley stated at the last meeting wasn't there a break down of all HRG expenditures.

Mr. Fowler is you look at Mr. Rosario's budget back in mid-August so far we spent \$8300 on appeal applications and that budget for this year is \$10,000 and for credit applications if was \$13,000 and now \$15,000.

Mr. Shradley asked can we terminate in 30 days for this agreement as stated in Section 4 of this agreement? But then I see under general condition #18 client can terminate this agreement for convenience of 15 days written notice. Are these conflicting with each other? Also, any product you generate during your performing of any service does that remain the product of HRG?

Mr. Greenly I can look at it. I will have to ask our legal team this is our standard conditions for this contract.

Mr. Stinnett stated that the client only has a license to use the designated project they can not take those instruments and use them on another project.

Mr. Fowler asked if they could get an estimate of what this agreement is going to cost us in 2021. We are going to push this off until our next budget workshop. This will give Mr. Greenly a chance to respond to Mr. Shradley's question.

Mr. Greenly stated I can get you a ballpark the retainer is a little different than a normal scope of work,. We are taking directions from the Authority to perform work.

Mr. Fowler stated that just to give the Authority a general estimate on what next year may look like. We are going to table the retainer and take this up again at the next meeting.

b. User Fee Evaluation Analysis RFP

Mr. Fowler stated that this is an RFP I'd like the Authority to approve so we can send out to HRG and Light-Heigel to perform the rate structure. We are asking them to review our current ERU fee method and recommend suggested changes to improve or look at the cap fee and tier structure. Look at our parcel information and a clean up of some of the land use classifications. If we do the flat fee it would come more important to have the proper classifications of the parcels. That is also included in this request. The request must be to the Authority by September 14, 2020 with a good cost estimate. The timetable must be consisting with our timetable for our meetings coming up. We should have all the information before we make a final decision on our rate structure. Anyone have any questions?

Mr. Steinmeier stated we need to move forward.

Mr. Fowler stated all we are doing tonight is just approving this RFP to HRG & Light-Heigel. I don't think we need a motion on.

c. Response to PENNDOT letter

Mr. Fowler stated that a few months ago we received a letter from PennDOT saying that they were exempt from our stormwater fees. We asked our Solicitor to draft us a letter in response to their letter. Mr. Stinnett did provide us draft. Mr. Stinnett do you need an authorization from the Authority?

Mr. Stinnett stated that he does not I just wanted you to have a copy of that letter. This is their typical response when they receive a stormwater bill.

Mr. Fowler stated I think we did need to respond to their letter. I think that was a good response. Any other comments.

9. NEW BUSINESS:

a. Adjustment Appeals:

1. Chad Milliken, 1720 Blacksmith Lane, Revised #A-37
Recommendation: approval
2. Jonathan Hetrick, 937 Sawmill Rd., #A-55
Recommendation: approval

Mr. Fowler stated that he needed a motion to approve the two adjustment appeals.

Mr. Steinmeier made the motion

Mr. Shradley 2nd the motion

Motion passed unanimously

b. Credit Applications:

1. Tim LaMark, 7163 Beaver Creek Rd., #C-78
Recommendation: approval of an adopt-an-inlet credit
2. Debra & Seward Ryan, 7423 Green Hill Rd., #C-87
Recommendation: approval of max 50% credit – low impact & stream buffer
3. William Hetrick, 7538 Fishing Creek Valley Rd., #C-88
Recommendation: approval of a low-impact credit
4. Lori Fehr, 7214 Linglestown Rd., #C-90
Recommendation: approval of a low-impact credit

Mr. Fowler stated we have 4 credit applications on the agenda, but I did get one this morning. Glenn Deaven 7500 Green Hill Rd. Do I have a motion to approve credits?

Mr. Shradley stated I don't think Mr. Geppert is on?

Mr. Fowler stated that please let the minutes show that Mr. Geppert is not on the meeting.

Mr. Shradley made the motion to approve the credits.

Mr. Steinmeier 2nd the motion.

Motion passed with vote of 4 yes Mr. Geppert not on meeting.

Motion passed unanimously

10. ANY OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Mr. Fowler I have one item. We got a request from property owner came into HRG which was Water Polo 1 LLP. The submitted their payment past July 1, 2020 deadline. They have gotten their check back from Keystone Collections because there is a late fee that they did not include in their payment. They are requesting that we waiver the 10% penalty which is the amount of \$362.27. My understanding is they didn't make their payment on time cause their lawyer wanted to look over the Authorities billing process. Mr. Greenly when did they say they made their payments.

Mr. Greenly stated he did not tell me the date. He did make the 2nd payment on time and said the 3rd payment will be on time. He is seeking relief from his 1st payments interest.

Mr. Shradley stated I guess the question I have if we grant him relief then we also grant the other 797 people who haven't paid yet.

Mrs. Zimmerman stated how about the people they didn't receive the bills?

Mr. Fowler stated there are two issues anyone that had an appeal that was approved they haven't gotten a new bill yet and they will have 30 days to pay that new bill with no penalty. For whatever reason when we adopted our rates last year if you have less than 800 square feet of impervious area you don't get a bill it turns out there are a lot of townhomes where all the impervious area outside of the building walls is with the HOA's so their parcels only include a physical building they are below 800 square feet so they haven't gotten a bill. We need to think about lowering the square footage. I know there's some problems with our GIS with the County having some parcels on someone else's property. Back to the Water Polo either we enforce it, or we don't if we start not enforcing it for some and not for all.

Mr. Steinmeier stated that I think they should pay the penalty. In Westford Crossings and the mobile home park Country Manor I believe that in that area Lower Paxton charges them for their sewer bill and with that I have heard they also are charging them stormwater fees. Can you check into this and let us know what is being done about this?

Mr. Fowler stated this is the first time I heard of this. But I will call Lower Paxton tomorrow and see what I can find out.

Mrs. Zimmerman stated I think they should pay the penalty.

Mr. Fowler stated he agrees

Mr. Shradley stated he also agreed.

Mr. Fowler asked so then the Board has no desire to waiver the penalty.

Mr. Greenly stated that he would call Water Polo with our decision.

11. PUBLIC COMMENT:

Please limit comments to 3 minutes and state your name & address clearly for the record.

Mr. Kreiser stated I would like to thank the Board for evaluating the user fee. This is what the residents have been working for all along. On June 2020 workshop that the Authority consultants were intent on setting the Authorities rate structure, The Education Presentation by HRG slides stated that 92% of stormwater fees are based on impervious area. If you read further they reference a 2018 Black & ? study as a source. What they fail to mention the fact of the next page used a uniform flat fee and 30% are suing the tier rate and 23% using an individual calculated rate being the only rate structure recommended to the MS4 Stakeholders from this township and the one adopted by the township. My concern is due to time the Authority has limited RFP's to one of its existing consultants that defended the Authorities rate structure instead of a widely used rate structure. I would recommend the Authority to read a handbook prepared by Penn Future in 2017 titled Funding Stormwater Management in PA municipalities Creating an Authorities and Implementing the Ordinance. Calculating the impervious surface on every property in the township will be extremely time consuming. To make it simple matters Penn Future model ordinance uses a sampling method that takes impervious area into account without requiring a determination of every property impervious area. All one, tow and 3 family residents are assumed to contain 1 ERU of impervious surface. I am concerned where this is going based on the facts the consultant's lead you to believe that current rate structure is most used. In fact, Mr. Stinnett is familiar with it he is listed as one of the previewers of this publication.

Mr. Fowler asked if there are any other comments?

Mr. Enck stated a resident was asking about filing before December. I would think you would file by mid - October. The Penn-Dot property you are talking about is moving their operation out to East Hanover on Allentown Blvd. You have been pushing the non-urbanized areas 14.22 who is going to define exactly what it is. I am looking under definitions. I don't see anything. The last line said the U.A. is defined by the United States Census Bureau. You originally said that was North of 39 and East of 39. Were you using the map when you made that statement?

Mr. Fowler stated that in general un-urbanized area is North of 39 there are a few pockets that extends either North or East of Rt.39. There is in our population reduction plan some maps that were prepared by HRG that show the un-urbanized area. There are a few places where it sneaks either north or east.

Mr. Rosario stated that the Comprehensive Plan of West Hanover has the maps for the zoning district and outlines the urbanized areas.

Mr. Enck stated that even though we have a new census coming out that is the 2010 census that our current permit application is under so even if there is a change the change in our urbanized area as for as MS4 and stormwater would change it there was a change in the result of the new census that change would not go into effect until the new permit cycle. As I correct Mr. Greenly?

Mr. Greenly stated that was correct. The new permit would use the new census data not this permit we are on now.

Mr. Fowler stated that our residents will have a 2-year notice that they are either in the un-urbanized area or they will be in the urbanized area for the next 5 years starting in 2023.

Mr. Enck stated the last thing is I would like to know who we need to get ahold of about applying and granting credits who has the final paperwork on that. Back in June 30th meeting I was ok's for \$52.00 credit. My original bill was \$260.00. On July 9, 2020 U get a letter along with HRG's paperwork I get \$104.00 credit. Janet was going to contact Keystone to revise the bill. I am trying to find out the final say on what credit I am getting.

Mr. Greenly stated that I think its reflecting low impact credit scale. You were one of the ones who applied for the credit when it first came out. I think it reflecting on the scale that was introduced past the past when his credit was reduced so the 40%.

Mr. Enck asked as far as the 50% credit are they going to effect next year's budget?

Mr. Fowler stated that this is going to be incorporated on the Revenue side so the payments this year will be carried forward to make that Covid payment. It will be reflected on the Revenue side of the budget.

Laurie Daubert stated that she adopted the Fairville Park section of the creek. I emailed Alex to let him know the section I adopted. I went down there and there was nothing to clean. There are no paths or no trails. There was nothing to clean up. I don't know who came up with these areas but there was nothing. It makes no sense to me there was no thought put into this. The applicant will be required to submit documents on the outline on the adopted creek application form which may be amended time to time and any additional information necessary as deemed by the Authority> Does anyone have a clue where I find the application I have to fill out?

Mr. Fowler stated that I think that would be a good job for our administrative assistance.

Laurie Daubert stated that once again you put something out that wasn't ready.

J.Durney stated that I think the appreciate time to submit a credit application should be mid-November.

Mr. Fowler stated that depending on your application if it's a simple credit application that doesn't require a lot of review time from HRG mid-November would be good. If its more involved I would say mid-October. Any other comments. If not we will take the Board Members Comments.

12. BOARD MEMBER COMMENTS:

- a. Gloria Zimmerman – no comment
- b. Mike Geppert – no comment
- c. Max Shradley – Thanks you Sharmaine and Bob for all the help and time you both have spent on this project.
- d. Don Steinmeier – no comment
- e. Robert Fowler – no comment

13. ADJOURNMENT

Mr. Shradley made the 1st motion

Mr. Steinmeier made the 2nd motion

Motion passed unanimously

