

WEST HANOVER TOWNSHIP AUTHORITY

MONTHLY MEETING MINUTES

April 7th, 2021 at 6:30 pm

20 attendees including board, staff, solicitor, engineer and public

1. CALL TO ORDER: Mr. Fowler called the meeting to order at 6:31 pm

2. ROLL CALL: All board members present

3. APPROVAL OF THE MINUTES:

a. Monthly meeting minutes from March 3rd, 2021

Motion to approve the minutes as presented was made by Mr. Shradley, seconded by Ms.

Zimmerman. Motion carried.

4. BOARD COMMENT/ANNOUNCEMENTS:

a. Guest presenter – John Pinkerton with Keystone Collections

Mr. Fowler invited Mr. Pinkerton to join the meeting to explain the process of collecting delinquencies. Mr. Pinkerton stated reminder notices are sent to accounts beginning of December. Starting January, the account would be considered delinquent. Keystone goes by the postmark date on the envelope and understands there may be a delay in the mail however it is the resident's responsibility to ensure the payment has been placed in the mail in time for the postmark date. At the end of January, Act 20 letters are sent certified mail, approximately 450 were sent in West Hanover. Keystone does try to work with residents and offer payment plans, normally 3-6 months. If the payment plan is not kept up on, they go back into delinquency status. Later in the year, Keystone will go through the unpaid accounts and evaluate lien filing and civil lawsuits with local magistrates. If it's not paid off for the year, another letter is sent at the beginning of the second year. If you pay your delinquency off but do not pay your current balance off, you will receive another Act 20. If you are still delinquent from the previous year you will receive a continuation letter.

Mr. Fowler asked Mr. Pinkerton if the interest penalty is calculated by the Authority or by Keystone? Mr. Pinkerton believes the Keystone's system will calculate it, but he will verify that. Mr. Fowler inquired about liens. Mr. Pinkerton confirmed that the resident will incur lien cost along with the interest /penalties and liens are good for 20 years in Dauphin County.

Mr. Steinmeier asked if Keystone was having issues with the mail. Mr. Pinkerton commented that they are still seeing delays with incoming and outgoing which is why they go by the postmark date on the envelope, not the received date.

Mr. Geppert questioned the legality of the fee since the Authority is not technically providing a service like the sewer or water authorities. Mr. Fowler advised that is a question that Mr. Stinnett can respond to. Mr. Stinnett replied that federal courts throughout the Commonwealth have been uniform in holding that the stormwater system within a township that includes roads, culverts, ditches, etc. is a bonafide service. The Authority's service fee is based upon impervious which several federal courts have determined that impervious surface is the best possible proxy for stormwater fees, which is what our program is based on. Mr. Stinnett confirmed that the level of

the fee is based on the level of service that a property receives and here we base that on impervious surface. Mr. Fowler reminded that Keystone Collections is just the collection agency, the legality on Keystone is when the actual lien filing is taking place. Mr. Geppert asked how other townships delinquency rates compare to West Hanover? Mr. Pinkerton responded there tends to be a higher delinquency in stormwater because its new and people don't quite understand it like they do for sewer, water, etc. Delinquencies do typically reduce as the years go on and residents are more accepting and understand the need for it.

Mr. Fowler thanked Mr. Pinkerton for joining and hopefully delinquencies will go down. Mr. Pinkerton advised West Hanover is on par; they've seen worse with first year stormwater communities.

b. Reminder: appeal applications must be submitted no later than April 15th.

Mr. Steinmeier asked if residents are aware, they can appeal? Mr. Fowler responded the 60 days has been consistent in our rates, rules, and regulations from the beginning. We'll have to do it on a case by case basis for appeals that come in before our May meeting. At some point we must cut it off so we can get the revised bill information to Keystone. Mr. Fowler asked if the board would like to act right now and extend the cutoff date? Ms. Zimmerman thinks we should wait and see where we stand. Mr. Steinmeier agreed.

5. PUBLIC COMMENT:

Diane Allen, 7400 Fishing Creek Valley Road

Asked if we know the comparison from urban vs. non-urban delinquencies? Mr. Fowler responded we received a list of the delinquencies ordered by parcel number but not sorted by urban / non-urbanized. He is unsure of how expensive that would be to further sort the list from Light Heigel. Ms. Allen agrees that communication is still important. Mr. Fowler let Ms. Allen know that we have received pricing estimates for newsletters. He doesn't believe we have enough information to do a quarterly one but when there is important action the Authority will send out their own notification like we did with the postcard and not just rely on it being in the Township newsletter.

Richard Enck, 7112 Hillside

Believes there won't be a lot of appeals since the bills were lower because of the Covid credit. Mr. Enck asked if we had a delinquency amount from 2020? Mr. Fowler advised we can give an amount but not the actual list. We've collected over a hundred thousand dollars of delinquencies this year so far. Mr. Enck commented regarding the Lakeside project and how legal it is since its private property and doesn't benefit all the residents. Mr. Fowler replied that initially when this project was being considered the property owners were going to sign easements and we could treat this as a pollution reduction project for meeting our permit requirements and the entire township benefits as we meet our requirements. The remaining two projects are on Township property. Ms. Zimmerman commented that project started before the stormwater fee was initiated.

6. PRESENTATIONS, STAFF & BOARD REPORTS:

a. Administration

i. Alexis activity report for March

b. Public Works

i. 7640 Patterson Circle – emergency repair - \$7,613.00

- ii. Oak Tree Road – emergency culvert repair (awaiting cost estimate)

Mr. Fowler reminded the board that if public works is contacted to do a repair that needs to be done before our monthly meetings, we have given them authorization to go ahead and we will approve at the next meeting. Mr. Shradley made a motion to approve the two projects, seconded by Ms. Zimmerman. Motion passed.

Mr. Shradley asked Mr. Gossert to provide an update on the Lakeside project. Mr. Gossert replied we are awaiting 3 documents to be signed. He stated it was a good meeting and the residents had a lot of questions. The residents have a different perspective on what they want done with the property and we are limited to what the permit allows and HRG explained that well.

7. TREASURER'S REPORT

- a. Mid Penn Statement – Mr. Shradley stated the balance as of 3/31/21 was \$634,524.51 includes interest
- b. Approval of Invoices Totaling \$18,134.26 (HRG, Light Heigel, The Sun, Keystone)

Ms. Zimmerman made a motion to approve the invoices totaling \$18,134.26, seconded by Mr. Shradley. Motion passed.

8. NEW BUSINESS:

a. Approval of Appeals

Mr. Fowler asked Mr. Greenly from HRG to present the appeals

- i. A21-01, Alex Rohrer (7694 Manor Drive) – driveway removal.
Recommendation: approve square footage reduction from 5,090 to 4,400 with Tier remaining the same.
A motion to approve Appeal A21-01 was made by Ms. Zimmerman, seconded by Mr. Steinmeier. Motion passed.
- ii. A21-02, Brian Dinger (520 Elm Street) – Recommendation: approve 252 sq. ft reduction for miscalculation resulting in an adjustment from Tier 3 to Tier 2
Mr. Shradley made a motion to approve Appeal A21-02, seconded by Mr. Steinmeier. Motion passed.
- iii. 21-03, Ralph Sherrick (7544 Forney Way) – Recommendation: approve reduction of 1,000 in IA square footage from porous asphalt, new IA is 2,750 sq. ft but the Tier remains the same.
A motion to approve Appeal A21-03 was made by Ms. Zimmerman, seconded by Mr. Geppert. Motion passed.
- iv. A21-04, Bob & Sherry Hanshaw (7404 Wells Drive) – Recommendation: approve square footage reduction 215 sq. ft, resulting in a revised IA of 7,700 sf but Tier remains the same
A motion to approve Appeal 21-04 was made by Mr. Shradley, seconded by Mr. Geppert. Motion passed.
- v. A21-06, Amber Kennedy (875 Piketown Road) – Recommendation: approve IA reduction to 5,514 resulting in adjustment from Tier 5 to Tier 3
A motion to approve Appeal A21-06 was made by Mr. Steinmeier, seconded by Ms. Zimmerman. Motion passed.
- vi. A21-08, Daniel Snow (7365 Appalachian Trail) – Recommendation: approve as a vacant lot resulting in no fee being assessed.

Mr. Fowler asked if the property lines were messed up because of Dauphin County. Mr. Greenly confirmed there was an outbuilding from a different parcel crossing the property line on the map. Mr. Stinnett asked if this would increase the other property owner's tier or is this a negligible outcome as the result? Mr. Greenly doesn't think it would bump them into a different tier. A motion to approve Appeal A21-08 was made by Ms. Zimmerman, seconded by Mr. Steinmeier. Motion passed.

- vii.** A21-09, Todd Hudson (7665 Jonestown Road) – Recommendation: approve an IA reduction of 966 sq. ft resulting in an adjustment from Tier 5 to Tier 4. A motion to approve Appeal A21-09 was made by Mr. Steinmeier, seconded by Mr. Geppert. Motion passed.
- viii.** A21-11, John Myers (949 N. Fairville Ave.) – Recommendation: approve square footage reduced by 10,380 based off building permit sf that was billed but never built. Tier 5 remains the same resulting in \$510.84 fee, based off IA. Mr. Shradley asked if it was a possibility the resident could go ahead and still build if the permit is still valid. Mr. Gossert replied we would go back and look if they got an occupancy permit. Mr. Fowler stated that we bill off IA as of the first of the year, we don't do interim bills and agreed we need to have a process internally to make sure we know if they build or not. Mr. Gossert believes there is an expiration date on the permit. Mr. Shradley made a motion to approve Appeal A21-11, seconded by Ms. Zimmerman. Motion passed.
- ix.** A21-12, Alan Goldstein (PIN #68-007-042) – Recommendation: approve, vacant lot, no fee should be assessed. Mr. Greenly stated this is a case where the parcel lines don't match up with Dauphin County. There is no IA on the property. A motion to approve Appeal A21-12 was made by Mr. Shradley, seconded by Mr. Geppert. Motion passed.
- x.** A21-15, Chad Haederer (7025 Terrann Dr.) – Recommendation: denial, no justification provided for IA reduction. Mr. Fowler asked if the customer receives notification of the denial before the board meeting or is it after it officially gets denied? Mr. Greenly replied that's a case by case basis. With this one they see no inconsistencies with the mapping and information provided. Ms. Zimmerman made a motion to approve Appeal A21-15 under the stipulation that the resident receives a letter of the denial. Alexis confirmed she already has it done. Seconded by Mr. Shradley. Motion passed. Mr. Fowler stated a lot of times in these situations the residents do their own measurements.
- xi.** A21-16, Susan Boyne (7581 Forney Way) – Recommendation: approve IA reduction of 872 sf from porous asphalt, resulting in adjustment from Tier 3 to Tier 2. A motion to approve Appeal A21-16 was made by Mr. Steinmeier, seconded by Mr. Geppert. Motion passed.

- xii. A21-17 – Joel Ressler (previously C-69), \$52 rain garden approved at 8/5/20 meeting. Credit not applied to 2021 SW bill, appeal to revise bill with approved credit (HRG review attached).

A motion to approve Appeal A21-17 was made by Mr. Shradley, seconded by Mr. Steinmeier. Motion passed.

9. ANY OTHER BUSINESS TO COME BEFORE THE BOARD:

- a. Authorizing a search for summer intern to assist with public outreach.

Mr. Fowler asked Mr. Gossert if the intern would have township duties other than stormwater public outreach with website redesign, etc. Mr. Gossert replied that he and Alexis have been working with a website firm. The CARES Act and American Rescue money will help with that overhaul. They would also assist the departments in the office as needed.

A motion to authorize a search for a summer intern was made by Ms. Zimmerman, seconded by Mr. Steinmeier. Motion passed.

- b. Ratify Alexis' 6-month probation

Mr. Fowler reported Alexis has survived her first 6 months and received a bump in salary.

A motion to ratify Ms. Woodruff's successful completion of her six month probation period was made by Mr. Steinmeier, seconded by Mr. Geppert. Motion passed.

Mr. Shradley added another item of business regarding RFPs for the scope of work for other designs. Mr. Greenly stated a draft was requested for the May meeting and the scope of work is already put together so its drafting RFP language. Mr. Stinnett advised Mr. Greenly they have a form that they can use so it can save a little time and work for everyone.

10. PUBLIC COMMENT:

Richard Enck – 7112 Hillside Road

Commented on the mail service

11. BOARD MEMBER COMMENTS:

- a. Gloria Zimmerman – Be safe and kind
- b. Mike Geppert – Suggested ad space in the newsletter to assist in the cost of mailing it to residents. Mr. Fowler asked Mr. Gossert if it was in the budget for the township to mail the newsletters again and maybe stormwater can chip in. Mr. Gossert stated looking at the budget, the mailing of the newsletter is not a priority at this point. The trend is digital and we do offer hard copies for residents to have it mailed or stop in the township building to pick one up.
- c. Max Shradley – Thanked and commended Alexis for her hard work
- d. Don Steinmeier – Believes the smaller townships are having a hard time with the stormwater fee. Would like PADEP attend a meeting again.
- e. Robert Fowler – Agreed with Ms. Zimmerman, be safe and kind.

12. ADJOURNMENT

A motion to adjourn the meeting was made by Ms. Zimmerman, seconded by Mr. Geppert. Motion passed. Meeting adjourned at 7:56 pm. Next meeting is May 5th.