

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
STORMWATER MANAGEMENT
WORKSHOP MEETING
APRIL 12, 2018**

The duly advertised Stormwater Management workshop meeting was held on Thursday, April 12, 2018 at 1:30 PM at the Municipal Building located at 725 Kimmerlings Road, Lebanon, PA with the following people present:

Richard E. Miller	Chairman
Edward A. Brensinger	Vice – Chairman
A. Bruce Sattazahn	Treasurer
Cheri Grumbine	Township Manager
Sol Fred Wolf	Henry & Beaver
Atty Amy Leonard	Henry & Beaver
Steve Sherk	Steckbeck Engineering
Dan Cannastraci	Steckbeck Engineering

Admin Ass't Lori Books and Theresa George, Twp employees, as well as Valerie Kaiser and Mr. & Mrs. Allen Heagy, residents of NLT were in attendance.

PLEDGE OF ALLEGIENCE was repeated to open the workshop meeting.

Dan of SESI reviewed with the Board some of the information discussed at the last Stormwater workshop. At the end of that meeting, the Board had directed the parcel reconciliation be used to revise the fee schedule using different possible scenarios that could reflect on the fees. Using the reconciled information, new calculations were completed.

1. REVIEW OF STORMWATER POLLUTION CONTROL FEE RATE STUDY

A.) Table 1 – Summary of Parcel; Original vs. New Data

This table shows the original parcel numbers and the reconciled information as of January 8, 2018. After revising the count for single-family parcels, there is a difference of 57 parcels. The count for non-single family was adjusted to a difference of 22 parcels.

B.) Table 2 – Summary of ERU Fees for Fee Scenarios

Table 2 provides a cost for base service plus private road inclusion and compares the difference with the base service excluding the private roads. A private road could be a situation where a development is being constructed and the roads are not yet dedicated to the Twp.

The Board must determine whether to include the private roads or exclude these roads from the ERUs.

C.) Table 3 – Non-SRFs Removed During Reconciliation

Table 3 shows all non-SFR parcels being removed from the original listing because they are in North Lebanon Township and another municipality but are assessed in the other municipality.

D.) Table 4 – Non- SFRs Added During Reconciliation

Table 4 is showing the all non SFR properties being added after the reconciliation, the impervious square footage and the total ERUs

E.) Table 5 – Schedule of ERU’s for All Properties w/ Projected Annual Fee

Table 5 shows all properties in the Twp and the ERU counts along with the projected fees.

F.) Table 6 – SW Management Costs & Fee Rates

Table 6 contains all the information from Table 2 plus all budgetary information projected for the next 5 years. The top portion of the table shows base service, 1A through 6A and the lower portion of the table shows additional services, 7A through 21A.

G.) Table 7 – Privately Owned Roads – Potential Removal

Table 7 is showing privately owned roads for 3 areas in the Township. Homestead Acres, which are currently owned by the Developer, is showing 21 ERUs; Briar Lake is showing 69 ERUs and is owned by the Homeowners Association for this development; and Sweetbriar is showing 40 ERUs as they are owned by the Developer.

The Board must decide if these 3 parcels should be included in the ERUs.

H.) Table 8 – Same as Table 6 with Private Roads Removed

Table 8 is the same as Table 6 but the 3 private roads (Table 7) within the Township were removed from the ERU totals. The anticipated Budget changes are shown for the next 5 years. Table 6 has the private roads included in the counts. By excluding the private roads (Table 8) an increase of \$1 to \$1.50 per ERU is seen.

The Board will need to decide whether to include the private roads in the ERUs.

I.) Table 9 – Impervious Areas & ERUs; Homestead Area Calculations for AG Properties

Dan stated this is a new discussion for NL Twp as it has not been talked about at any previous meetings. A non-SFR property that is engaged in an agricultural operation and has a single-family residence could apply for an “Agricultural Homestead Exclusion Credit”. This credit would allow all impervious areas associated with the residence only (such as the house, garage, patio etc) and not associated with the agricultural operation to collectively be assigned only one (1) ERU. This ensures that the residential or “Homestead” area of the farm is treated like any other single-family residence in the Township.

The Supervisors would need to decide if this is something they would allow as a Credit. The Credit would count against the Twp’s max Credit Cap and be deducted. A note at the bottom of the Table states a rate of \$42.15 per ERU would amount to \$3,329, with the 79 non SFRs, Homestead Exemption, being removed from the equation.

All these Tables discussed shows the addendum revisions completed. Suv Brensinger questioned as increments are added, what service options can the Twp offer? Dan replied the table shows items 1A through 6A as basic service and items 7A through 21A shows additional services that can be offered for any additional amount collected. Steve stated the additional amount can also be used as a “hedge fund” for the Pollutant Reduction Plan figures coming higher than expected.

Suv Brensinger asked about South Leb Twp’s fee schedule. He questioned how were they able to keep their fee so low. Dan replied it is a combination of items. They have a different parcel listing, their population, impaired stream miles and a larger ERU pool.

However, S Leb Twp elected to charge only basic service. Steve added that S Leb relied on the fact that they have been paying for services 7A through 21A out of the Twp's General Fund and will continue to do so.

Steve mentioned N Cornwall electing to set their fee at \$60 annually. Suv Brensinger asked if they intended to include some mitigation of flooding issues with those fees. Steve replied they are hopeful that some of the projects they have listed as hazard mitigation projects will take care of some of those issues for them. Suv Miller questioned if NLT is already providing some of the services listed under 7A through 21A. Steve confirmed yes a few of the items listed are being provided, probably from the General Fund.

Suv Sattazahn questioned the private roads issue. What was the rationale used? Dan replied the fact that the roads are not dedicated to the Twp. Suv Sattazahn said Briar Lake will not be dedicated as it is a private community and their roads are posted as such. Steve mentioned the roads are still viewed as public thoroughfares for traffic.

Suv Brensinger looked to Steve for direction on exactly what decisions the Board needs to act on now. Dan said there are 3 decisions that should be made:

1. whether to include private roads in the count
2. whether to accept Agricultural Homestead Exemption as a Credit to be applied for
3. what level of service should the fee be set at

The Supervisors returned to a conversation about the inclusion of private roads. Steve said because Briar Lake will always remain private and Homestead and Sweet Crossings will eventually be dedicated, Briar Lake could be removed from the list of private roads to be considered. That decision is made by the Supervisors.

A question was asked about making any changes on the roads in the future. Atty Leonard stated after the Ordinance is adopted by the Board, changes can be implemented by amendments to the original Ordinance.

MOTION was made and seconded to remove the private roads (listed on Table 7) for consideration and be exempted. Motion passed with votes from Suv Brensinger and Suv Miller in favor and Suv Sattazahn voting nay.

MOTION was made and seconded to accept the Homestead Exemption as a Credit to be applied for at the Township by the property owners (table 9). Motion unanimously carried.

MOTION was made and seconded to adopt the basic services and an amount of \$50,000 for additional services for a proposed ERU rate of \$40.14. Motion unanimously carried.

2. REVISED CREDIT MAUNAL; CREDIT/ APPEAL PROCESS; REVISED FORMS

Dan explained the information being provided has been prepared and adopted by North Cornwall and slightly modified for South Lebanon Twp. North Lebanon Twp Credit application would be modified to be specific to NL Twp. The application form, Agricultural Homestead exemption application and Best Management Practice information will be required for an application. Also provided is a list of additional information property owners will need to submit with their application.

Cheri questioned who the property owner will be seeking help from to accomplish the application form and gather required information. Dan said in some situations the property owner may need to seek advice from an Engineer. In other situations, the information is probably already known due to O&M plans in their possession already.

Steve stated if the Credit is important enough to the individual, they will be willing to seek professional help to complete and submit the application. Suv Brensinger asked the what is the maximum Credit a farmer (non-SFR) can get. He was told 50%.

Suv Miller asked if the Credit Manual must be adopted today. Atty Leonard replied the Board does not need to adopt it today. It will be adopted as an Exhibit to the Ordinance when the Ordinance is proposed for adoption.

3. REVIEW OF PROPOSED ORDINANCE

Atty Leonard explained a few items that will be determined in the Ordinance once a final draft is provided. The Ordinance will be like the one adopted by the other municipalities in the Consortium but will be tailored to fit North Lebanon Twp. A definition of “private roads” will be added. The ERU rate that is decided upon will also be included.

All additional documents such as the Credit application and any applicable forms will be adopted by Resolution. The Credit Cap Reserve and any Fee Changes will also be done by Resolution. The Resolutions allow the Twp the ease of making any revisions to the documents without having to have a Public hearing again.

4. OTHER STORMWATER ISSUES

A.) Public Hearing

The Board is being asked to decide on a date, time and location for a Public Hearing on the Stormwater Ordinance. A lot of conversation followed about whether there is enough time to act on approving advertisement of a Public Hearing for the Monday, April 21st meeting. A question was directed to Atty Amy Leonard as to whether she would have enough time to revise the drafted Ordinance by Monday. She replied if they make the decision to announce and act on advertising the Ordinance at Monday’s meeting, the document will be prepared. The revisions would include a definition of a “private road” and the addition of the proposed ERU rate. Atty Leonard continued to explain that all fee rates and/or revisions, credit application, all applicable forms and any credit caps will be completed by adopting Resolution.

The next question was when to schedule the Public Hearing. Suv Brensinger stated he would like to hold the Public Hearing on a separate evening, not the monthly scheduled Supervisors meeting. Suv Miller asked the reasoning behind his thoughts. Ed said the night gets too long and too late trying to hear all the discussion and comments on this type of subject and conduct the regular monthly matters that get dealt with by the Board. The regular monthly meeting agenda is lengthy as it is. It was agreed to hold the Public Hearing on a separate evening from the regular scheduled Supervisor meeting.

It was suggested to go along with Amy’s suggestion of approving the advertisement of the Ordinance and then possibly schedule the Ordinance hearing for May 21st meeting.

B.) Meeting with Non-SFRs

Cheri questioned if the Board's intention is to meet with the non-SFR properties and if so, would it be before or after adoption of the Ordinance. A lot of conversation followed on a meeting being scheduled with non-SFRs. Steve questioned what the Board hopes to achieve during this meeting. Is the meeting to be a comment period about the Ordinance or is to be a brief explanation of the Ordinance and then focus on explaining the Credits available and the procedure to apply for the Credits? He said it will make a significant difference as to how the meeting will flow. If the purpose is to hear comments, it is a good possibility that the Credit applications and procedures will not be discussed at all. Steve suggested the Supervisors decide what they hope to accomplish with this meeting first and that will answer the question of having the meeting before or after the adoption of the Ordinance. He told the Board South Lebanon and North Cornwall both held meetings. North Cornwall kept the meeting to discussing and explaining the Credits and how to apply for the Credits. The meeting was successful. South Lebanon did not have the same results with their meeting.

C. Billing Update

Cheri mentioned some of the time factors involved with the billing. It is hopeful the first billing round will be mailed in June. The billing for SFR or 1 ERU is not a problem. However, the non-SFRs quarterly billing will need to be worked out for 2018 to ensure all quarters get billed. Most likely the billing for non-SFRs will be bi-monthly for 2018. Communication with our software provider, Muni Billing is continuing.

Allen Heagy – Kochenderfer Rd

Mr. Heagy was asked if he or his wife had questions or comments to add to the discussion. Heagy replied his concern is the large retention basin located on his property that maintains the water runoff from several other areas/ properties surrounding his property. Their question is why they would be asked to pay a fee when they are maintaining the basin for his properties and the surrounding properties. His other concern is the fact that the buildings for the farming operation have all been designed to capture water runoff and recycle the water back into the fields. There is no water runoff from his farmland. The Heagys are being "washed out" by runoff from other properties. A lengthy discussion followed about the design of the farming buildings and the methods used to recycle any water runoff back into the farming operation.

Steve explained the fees for the Stormwater Study are not directed at controlling water runoff from the properties so much as will be used toward projects the Consortium has established to help control stormwater pollution. The projects are geared toward the reduction of sediment and lowering the phosphorus/ nitrogen levels. The fee is not for flood control issues, which is another MS-4 topic. Atty Leonard added her thoughts that the program is to help control pollution from entering the waterways. It is being directed by EPA and DEP, who has provided specific guidelines to municipalities as to what items they are mandated to accomplish.

Heagy said he understands what is being said. However, he feels the runoff he is getting from surrounding properties is carrying the sediment from his fields to add to the sediment being carried away from his property. He has complied with the regulations he was told he had to, so he could operate his farming. Suv Brensinger said he feels the Heagys would be a good example of someone who could apply for the Credits available to the property owners. Heagy questioned the water being captured for use on his fields. Would that be an issue for Credits?

Steve answered saying the situation would need to be looked at, but he is not sure it fits the criteria given by EPA or DEP. Heagy asked if the Twp has worked with the Extension Office about what is required from the farmers and their operations. From the conversation and what he is understanding, Steve said he does not think it will fit the required criteria EPA and DEP have outlined. Discussion continued about what is considered pervious and impervious surfaces.

When asked, Allen Heagy said he understands what is being said but he struggles to understand why the government mandates the buildings/ structures for the farming operations be constructed and then turn around and charge another fee for the release of the water runoff that the farmer is required to capture in the first place. Suv Brensinger expressed empathy to the Heagys but the Twp is being forced to implement this program. He encouraged the Heagys to attend the meeting that will be scheduled for explanation/discussion on the Credit Manual applications.

5. OTHER PERTINENT ISSUES

A.) Pension Changes

Cheri stated January of 2017 Dave Killick had attended a meeting to discuss Pension revision options with the Board. Conversation started about the research and discussions on making changes to Pension offered to new employees. Suv Sattazahn had been asked to gather information from some local businesses on the Pension benefits offered to employees. Mgr Grumbine had contacted North Londonderry Twp and South Lebanon Twp for information. A spreadsheet has been prepared to show the assorted options offered to employees. Any changes implemented would not affect current employees. This change would only impact any new hires.

Suv Brensinger questioned if trying to make these changes for newly hired employees and trying to keep the current employees records is going to be more of a financial burden than allowing the current benefit to remain intact. He said maybe they should think about “tweaking” the current pension options.

Suv Miller said he is in favor of the Pension option remaining as it is. He feels it is a good benefit to offer the employees as an incentive. He is hesitant to go to a lower percentage.

Suv Sattazahn said he personally feels it is difficult to explain to a resident why tax dollars are used to provide extremely generous pension benefits to the employees when many of them do not have a plan such as that. Conversation flowed about changing the percentage or increasing the years of service to become vested. After much discussion the Board agreed to keep the current Pension plan and reduce the percentage.

MOTION was made and seconded to revise the Pension percentage for new employees from 2% to 1.5% effective immediately. Motion unanimously carried.

Meeting Adjourned.
Respectfully Submitted,

Theresa L. George
Recording Secretary