MINUTES

NON-LEGISLATIVE MEETING – MARCH 1, 2017

The March 1, 2017 Non-Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt. Roll call was taken with the following officials in attendance:

- Jon G. Wilt, President
- Laddie J. Springer, Vice President
- Michael J. Davies, Assistant Secretary
- Todd F. Truntz, Commissioner
- Benjamin C. Hall, Commissioner
- Terry L. Kauffman, Interim Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG
- Robert S. Greene, Planning and Zoning Coordinator
- Lester Lanman, Assistant Public Works Director

Residents and visitors in attendance: (PLEASE SEE ATTACHED SIGN-IN SHEET)

President Wilt welcomed everyone to the meeting and noted the Board would be having a special presentation this evening.

PRESENTATION: "UNDERSTANDING STORMWATER MANAGEMENT"

Gil Hirschel, Water Resource Specialist for the Dauphin County Conservation District, discussed the topic "Understanding Stormwater Management" (see Attachment). He explained that this is a very important issue, since we all drink water. Stormwater management considers volume of runoff, rate of runoff, quality of runoff, impacts of physical, chemical and biological health of the stream, and loss of groundwater. Mr. Hirschel reviewed the various types of Best Management Practices (BMPs). He explained that Federal Regulations through the EPA include NPDES Municipal Separate Storm Sewer System ("MS4) Permits. A MS4 is a municipally owned or operated separate storm sewer system and includes the entire storm sewer collection and conveyance system including inlets, pipes, swales, gutters, ditches, streets, basins and outlets. MS4 does not include sanitary sewer or combined sewer systems. A detailed explanation was provided as to each of the six Minimum Control Measures (MCMs) that are

required to be addressed by the municipality. These include: (1) Public Education, (2) Public Participation, (3) Illicit Discharge Detection and Elimination, (4) Construction Site Stormwater Management, (5) Post Construction Stormwater Management, and (6) Good Housekeeping and Pollution Prevention at Municipal Facilities. General recommendations for meeting MS4 requirements are to not ignore the MS4 regulations (fines may result), develop a good plan, document all activities, budget to cover costs, make someone responsible, enter into a Memorandum of Understanding (MOU) with Chapter 102 Implementing Organization, adopt and enforce and document required ordinances and review and update the plan. Mr. Hirschel again stressed that documentation of all activities is critical – if it isn't documented, it didn't happen.

Citizens interested in more information can visit the PA DEP website (www.dep.pa.gov) or the Dauphin County Conservation District website (www.dauphincd.org). He asked if anyone had any questions or comments.

Nancy Avolese asked what homeowners can do to assist in the efforts and where they can get further information. She reported that she had attended a rain barrel workshop. Mr. Hirschel agreed that rain gardens are excellent, and added that their facility in Dauphin has sixteen fully functional structural BMPs, and citizens are welcome to tour it. He also suggested the public check out the DEP website for other ideas.

Kimberly Vajda asked what the future holds for those who have sand mounds. Mr. Hirschel clarified that sanitary sewer systems are not stormwater-related or part of the program, so he cannot comment on this.

Mr. Greene explained that he is the Township's MS4 Coordinator, and has the responsibility of making sure the Township is in compliance with its permit. He thanked Mr. Hirschel for tonight's presentation, which counts towards fulfillment of MCM #1 – Public Education. He, along with the Township's MS4 team, continue efforts to make sure that Lower Swatara Township is in compliance with the MS4 requirements. He noted that last year's audit by DEP went very well, and improvements to the program are continually being made. Any citizen observing any type of stormwater-related issues are urged to contact the Township, which will then begin the investigation and reporting process. Ms. Letavic added that later in her report, she will discuss a tree planting project, which is part of the Public Participation requirement of the permit.

Commissioner Davies added that while it is not stormwater related, he did run across a state program that offers low income loans to homeowners having issues with their septic systems or who want to hook up to the sewer system but are having financial issues achieving this. It is offered through the Pennsylvania Housing Finance Agency in cooperation with PennVest. Mr. Greene added that he has the direct contact information for the program for those interested.

The Board thanked Mr. Hirschel for his presentation.

PUBLIC COMMENTS:

Kimberly Vajda, 5 Greenfield Drive, asked if any research had been done regarding her suggestion to prohibit left turns off Greenfield Drive onto Route 441. Mr. Kauffman stated that Mr. Williamson did research this; he will have him contact her with an update. Ms. Vajda noted that she realizes that speed bumps/humps will not be permitted on her road since it is a public road, but she would suggest the Township speak to the School District about putting one more speed hump where its property starts/ends on Greenfield Drive. That would give drivers a reminder that they are on a residential road.

Ms. Vajda also addressed the new trash/recycling contract, and stated that the increase from $4.50/bag to $6.50/tag for the pay-per-bag customers is ridiculous (note: the new rate is actually $6.00/tag) and difficult for those on fixed incomes. Also, since tags rather than bags are now sold, the pay-per-bag customers have the additional expense of purchasing bags and the string to secure the tags. Solicitor Henninger explained that the Township was required to bid out the contract when its contract with Penn Waste expired, and Lebanon Farms was the lowest responsible bidder when looking at the entire contract costs. These rates will be in effect for the next five years. Ms. Vajda also stated that Penn Waste took her blue recycling can, and asked what she could do for a recycling container. Mr. Kauffman explained that Penn Waste and Lebanon Farms were coordinating delivery of the new carts and collection of the old ones. He stated that Lebanon Farms is scheduled to deliver the new recycling carts tomorrow to those on the pay-per-bag option. He added that those who have requested smaller containers will also be getting those exchanged when the hauler gets the smaller carts/containers back in stock.

Ms. Vajda also asked if her suggestion about dog parks was taken any further. Commissioner Davies explained that the Township will be doing a comprehensive study of all its

parks and the needs. Ms. Vajda stated that she lives adjacent to Greenfield Park. This is a huge park, but citizens are not obeying the "no animals in the park" signs anyway, so it would be wise for the Township to just designate an area in the park to accommodate dogs. She stated that the residents pay high taxes to the Township, and would like to see an area where dogs can run free.

Marjie Hartz, 2142 North Union Street, stated she recently attended a meeting at the Borough of Middletown in regards to the merger of its police department. She stated that she heard their side, and would now like to hear from this Board. President Wilt clarified that the Township is not considering a merger at all; the Borough was talking about the possibility of a contract of services with the Township. Ms. Hartz asked if the Township is considering a contract of services. President Wilt explained that it would be considered once the Board gets all the vital information. The decision would hinge on whether it is worthwhile for the Township and advantageous to the Borough. Ms. Hartz asked if there would be public hearings on the issue. President Wilt agreed that this would be discussed in public. Ms. Hartz added that the concept is not well received by the Middletown community. President Wilt agreed that nobody likes change, and the Township residents may feel the same way. Commissioner Truntz stated that there has not been any additional meetings with the Borough since the initial discussion in January. He assured the public that nothing is going on behind the scenes. Commissioner Truntz added that he will not vote for anything until it is brought out into the open, and an opportunity is given for the public and Township police department to comment. President Wilt stated that it will be up to the Public Safety Director and the Board of Commissioners, not necessarily the Police Department per say, since they are employees of the Township. Commissioner Truntz stated that he would like to hear what the Township officers have to say.

Nancy Pendergrass, Briarcreek Lane, asked how the Board can consider purchasing property when it has not received the results of the EIP study. Mr. Kaufman explained the two are unrelated. The grant for the Shireman property was applied for about a year ago and received this fall. The EIP grant was only received in January. Having said that, he stated his opinion is that anytime the Township is able to acquire 33 acres of open space in a growing area at a good rate and get a 50% grant to pay for it, it is a good thing. Mr. Kauffman explained that the EIP is simply to take a look going forward at how the Township is set up from a managerial and financial standpoint, and what challenges are on the horizon, particularly as they relate to the Municipal Authority and wastewater. Ms. Pendergrass stated that this is exactly why she

questions making the purchase without knowing where the Township is financially.
Mr. Kauffman stated that he can report that the Township is financially stable. He added that the Township does have funds in the Recreation Fund to pay for the grant match. These funds are developer contributions. Ms. Pendergrass asked why the Board changed its mind in a year about purchasing the Shireman tract. President Wilt responded that he does not feel that the Board changed its mind. Solicitor Henninger explained that the majority of the acquisition costs for the purchase will come out of the Parks and Recreation Fund, which is funded through developers' contributions and not real estate tax dollars or earned income tax dollars. By the time the settlement on the property comes around, there may be enough in the fund to pay the entire amount. Solicitor Henninger added that the money in the Recreation Fund must be spent within three years of contribution by anyone who develops property. If not, it must be returned to the developer. The funds need to be spent, and the Board did approve moving forward with a grant to take a look at the overall park system of the Township to determine where all needs are, taking into account the Shireman acquisition that the Board voted to move forward on.
Ms. Pendergrass noted that she disagrees, but thanked the Board for the information.

Bruce Harter, 1134 Strites Road, asked that the Board step back and re-evaluate its priorities pertinent to the Shireman property acquisition. By taking the grant, the Township is committing itself to additional spending. He noted that Ms. Letavic reported at the last meeting that just the preliminary application will cost another $20,000. The final land development plan for that property, before even getting into any excavating, will be close to $200,000. All of this is tax dollars. Even the developer contributions are to benefit the taxpayers of the community. Mr. Harter stated that he does not have anything against Ms. Shireman or the property, but is concerned about spending on recreation when there are additional needs in this municipality. Commissioner Davies stated that Mr. Harter does seem to have something against spending money on the kids that would benefit from utilizing fields that are much needed. There are developing needs for recreational space for the children, and the Board is trying to address this. Finding land at a sub-market rate and then being able to get a grant to help pay for it is an opportunity that doesn't present itself very often. Commissioner Davies stated that those who care about the children and recreation feel this is a very worthwhile investment. Mr. Harter observed that the Township has other parks that will be require funding as they are in the process of being upgraded. Commissioner Davies agreed, and noted that the Township will also use

grant money for these. He stressed that the Township cannot stand still and ignore the needs for recreation, which have been expressed for years. Mr. Harter observed that very few people use the existing parks. He referenced discussion about bathrooms for some of the existing parks. That will mean additional expenses, including maintenance. Mr. Harter stated that the Township has some real funding needs for infrastructure. There are failing bridges and structures, and drainage and pipe issues. Last year, there was a situation with a failed pipe that required replacement by a contractor. He asked why the Township road crew didn't do the work in-house to save some money. If the employees do not have the expertise, perhaps there should be additional training for them, as Mr. Kauffman referenced a few meetings ago. Mr. Harter noted that it is a toss-up where the next collapse will be -- Rosedale Avenue or Stoner Drive. Looking at the budget, it appears the Township has $40,000 for highway maintenance, excluding sweeping and snow removal. The Parks category shows $51,000 budgeted. He questioned why the Township is spending more on parks than infrastructure, which benefits every taxpayer and licensed driver using the roadways. He again suggested an alternate option would be to lease land. Mr. Harter stated that he took it upon himself to talk to some of the local landowners about a possible lease of their land, and stressed that he informed them that he was not speaking on behalf of the Township. Property representatives of the horse farm at Cockley Drive and Longview Drive, the owner of acreage near the Ebenezer Church off of Route 441, and the administrator at the Middletown Home all expressed interest in discussing this possibility with the Township. Mr. Harter stated that it is not too late to take a look at the priorities, cut the losses, and step back from the purchase.

President Wilt stated that he is not in favor of a lease, since the Township would never own the land. Commissioner Truntz asked if a lease would require the lessor to pay the development and maintenance costs. Mr. Harter said absolutely not, but that would be negotiated in the lease. Commissioner Truntz reminder Mr. Harter that this is what he objected to regarding the Shireman property -- the additional maintenance and development costs.

Tom Luttrell, Luttrell Design Group, stated that that he represents the Dickerson property which has over 1000 lineal foot of Swatara Creek frontage. It is a very natural area with wildlife and about a mile of trails. If the Dickerson property ever gets rezoned or developed, Mr. Luttrell stated that it would be the perfect place for a park. It could be made into ballfields or just left natural.

Ms. Vajda agreed with Mr. Harter's comments and suggested the Township use its recreation funds to enhance what it already has. Greenfield Park has very little equipment, but would attract more people if it was expanded.

Tom Fisher, Farmhouse Lane, stated that the intersection at North Union Street and Fulling Mill Road, coming west on Fulling Mill Road to make a left hand turn to go south on Union Street, needs a left turn lane/signal. Drivers coming from FedEx, especially large trucks, have an almost constant right turn green arrow. Drivers coming the other direction cannot make that left hand turn. Mr. Fisher also addressed the Shireman property, and stated that he hopes consideration is given to the residents that are directly adjacent to that property and will be impacted by what goes back there. It is nice having empty fields back; the privacy will go away if there is a park built there. He expressed hope that night lighting is not installed, which would destroy the neighborhood.

PLANNING AND ZONING REPORT:

Mr. Greene referenced the monthly reports on inspections and permits. The Planning Commission met on February 23 and discussed the Final Land Development Plan, condominium concept, for Soccer Shots, File # 2017-01 located at 1000 Eisenhower Boulevard for construction of a new corporate office building and associated site improvements, as submitted by K&W Engineers for SYB Property Group. The Planning Commission took action to recommend approval of three waivers and the Land Development Plan with conditions. Also discussed was the Final Subdivision Plan for Capital Valley Business Park, File # 2017-02, a 4 lot subdivision located on Kreider Drive, submitted by LSC Design, Inc. for Capital Valley, LP. The owner is seeking a variance from the Zoning Hearing Board for lot area reduction of less than 15 acre minimum. The Planning Commission took action to table the plan until a decision is made by the Zoning Hearing Board. The plan will be on the March meeting agenda. The Zoning Hearing Board has scheduled a hearing for March 21st at 7:00 P.M. for Capital Valley. LC, Docket # 2017-02, to hear a request for a variance to allow a four lot subdivision with each lot being less than the required minimum area of 15 acres. Lot areas range from 7.75 to 14.30 acres. The property is located on Kreider Drive in the Industrial Park Limited (IP-L) district.

Mr. Greene noted that he will be attending a two day Pennsylvania Association of Sewage Enforcement Officers (PASEO) Annual Conference on March 13 and 14. This will

provide him with four continuing education credits toward his SEO recertification. Mr. Greene and Mr. Fure also attended the preconstruction meeting on February 23 for Select Medical at HIA. Demolition work is scheduled to begin early March with new construction to begin following NPDES permit approval and plan recording.

PUBLIC WORKS REPORT:

Mr. Lanman referenced Mr. Wagner's report, and noted the Department has been busy with in-house training on various tasks or pieces of equipment, creating SOPs (Standard Operating Procedures) for all equipment, building maintenance, improvements and repairs at the parks, making repairs to storm manholes and inlets, and straightening signs around the Township. Jobs recently completed include removal of the remaining concrete anchors to the old playground equipment and remaining wood carpet from Old Reliance Park, entering all signs on the Township roads into the GIS system, replacement of storm pipes in Woodridge Park, installation of a window at the upper concession stand for the Athletic Association, completion of a paver pad at Little Hollywood giving access around the chained access road, installation of the frame for the new batting cage at Little Hollywood for the Athletic Association, servicing equipment after the last snow event, completing all vehicle inspections for the month, and servicing all mowers for the mowing season. The Tiger Mower that was approved for sale has been picked-up by the high bidder. A preconstruction meeting was held with Suez to discuss the additional waterlines on Powderhorn Road and Strites Road. The HVAC system has been serviced for the administrative building. All fire extinguishers in the buildings and vehicles have been recertified. Mr. Wagner and Mr. Kline attended training at the KAFMO conference on managing turf grass and baseball fields. The dumpster will be open on March 4, from 8:00 A.M. to noon.

Mr. Kauffman referenced a request to approve expenditures included in the 2017 budget for a slit seeder and a fertilizer spreader. The budgeted amount for the two pieces is $16,000. The quote for the slit speeder is $10,502.28 from Land Pride and is on the COSTARS state contract. The quote for the fertilizer spreader is $6,120.00 from Smith's Implements. Mr. Kauffman noted that the quote for the seeder is slightly higher than anticipated, since the quoted one is a heavier model that should hold up longer. There is a $622.28 difference between the budgeted amount and the actual purchase price. It was noted that the Township could use revenues from the sale of the Tiger Mower to offset the overage. Mr. Lanman explained that presently, the Township borrows

this equipment from the School District and must work around its schedule. President Wilt asked that a motion to purchase this equipment be placed under tonight's manager's report for consideration.

Commissioner Hall referenced Mr. Lanman's comments about equipment training, and noted that he had provided the Public Works Department with some training forms. He stated that one of the things that has been asked for by the employees is more training, and it starts with safety.

MANAGER'S REPORT:

Mr. Kaufman stated that in front of the Board is a proposed resolution which would appoint an individual to fill a vacancy on the Civil Service Commission. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve Resolution No. 2017-R-6. This resolution appoints Kelly Thompson to a five-year term on the Civil Service Commission (term expires 12/31/2021). The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Vice President Springer, to approve Request for Funding #12 to the Dauphin County Infrastructure Bank for payment to HRG for engineering fees for Richardson Road in the amount of $1,940.00. The motion was unanimously approved.

Mr. Kauffman referenced a memo to the Board from Mr. Williamson regarding implementation of a Capital Asset Policy. The policy would define what a capital asset is, define the minimum dollar value for a capital asset, and determine the life expectancy for a capital asset. Solicitor Henninger recommended that adoption of this policy be done via resolution for consideration at the March 15 legislative meeting.

During the budget process, staff looked at leasing a copier for the Public Works Department. The current one is very old and no longer functioning. While the costs are under the telephone bid threshold, staff did obtain proposals from four vendors. The recommendation is to go with Quality Digital Office Technology for a five-year lease at $102.65/month. Commissioner Truntz asked if the Township is legally bound to take the lowest quote. He observed that Phillips Office also provided a quote ($115.00/month) and asked if consideration should be given to them since they are a taxpayer and employer in the Township. Solicitor Henninger responded that his opinion is that the Board has a duty to the taxpayer to accept the lowest responsible price based on the proposals received, even though it did not have to be publicly bid. This item will also appear on the March 15 agenda for formal action.

Mr. Kauffman asked Mr. Lanman to report on the next item regarding a lease of Public Works and Municipal Authority uniforms, since he was the lead on this item. Mr. Lanman explained that both departments have funds in their budgets for purchasing employee work clothing/uniforms. In the past, all clothing was purchased. After looking at pricing, Mr. Lanman found that Cintas would supply, via lease, five work shirts and five pairs of pants to each employee for around $2,800/year. While the cost savings is not huge, there would a savings in time. Also, this would be helpful because part-time employees could be provided with uniforms during the months they are employed here, and then turn the uniforms back in when they leave. Employees would still be responsible for the cleaning and maintenance of the clothing, although badly soiled clothing could be turned in for replacement at no additional charge. Mr. Lanman noted that outerwear will not be leased; it will still be purchased. The Board directed this be placed on the March 15 agenda for formal action.

Mr. Williamson had provided the Board with a memo regarding his attendance at the February 20 CAP COG Meeting. There was a presentation regarding municipal websites, E-newsletters, crisis communications, etc. Mr. Williamson plans to meet with the presenter, Jack Sherzer from Message Prose, to see if the Township can improve the look of its website and make it a better communications tool for the residents.

Mr. Kauffman referenced President Wilt's direction to present the purchase of the slit seeder and spreader for formal action at this time. A motion was made by Commissioner Truntz, seconded by Vice President Springer, to approve the purchase of a slit seeder at a price of $10,502.28 from Land Pride, and the purchase of a fertilizer spreader at a price of $6,120.00 from Smith's Implements. The motion was unanimously approved.

Mr. Kauffman noted that Municipal Authority employee Glenn Hicks retired effective March 1 after 27 years of employment with the Township. He stated that Mr. Hicks was friendly and dedicated and, as Mr. Lanman said, always willing to share his knowledge. A motion was made by Commissioner Truntz, seconded by Vice President Springer, to accept with best wishes and thanks, the retirement of Glenn Hicks effective March 1, 2017. The motion was unanimously approved.

With the retirement of Mr. Hicks and the upcoming retirement of Planning and Zoning Coordinator Robert Greene, Mr. Kauffman suggested the Board take action to advertise for the two positions. A formal motion to advertise will appear on the March 15 agenda.

ENGINEER'S REPORT:

Ms. Letavic updated the Board on the Richardson Road Bridge project. Final completion is still set for June 1, 2017.

A tree planting sketch for property next to 140 Fulling Mill Road was presented. The project partners plan to get together in early March to determine how many trees to plant on Friday, April 21. Commissioner Hall noted that his employer will have about seven or eight individuals participating in the planting.

An update was provided on the DCNR Planning Grant for Township Parks and the Shireman Farm Parcel. The DCNR C2P2 planning grant development is underway. The grant application will require a 50/50 match; the application deadline is April 12, 2017.

Ms. Letavic added that the Dauphin County Infrastructure Bank (DCIB) loan application for the two culverts – Highland Street and Summit Ridge – is still under review.

HRG is developing a scope of work to complete a funding feasibility for Long-term Capital Improvement Funding options to be completed during 2017.

HRG has developed a scope of work for staff review for the Pavement Management Plan. It will be presented to the Board of Commissioners when all staff questions have been addressed. HRG also continues to work with Township staff on the design reviews, feasibility of curbing, and NPDES/E&S permit submittals for the Capital Improvement Plan – PENNVEST Funding for Stormwater Projects.

SOLICTIOR'S REPORT:

Solicitor Henninger announced that the Board had convened in executive session at 6:25 P.M. this evening, directly after the close of the Public Hearing, in order to discuss a personnel matter and a litigation matter involving the upcoming Zoning Hearing Board that Mr. Greene referenced in his report.

Solicitor Henninger referenced previous direction from the Board to prepare a draft ordinance that would allow for construction code appeals to be heard by the CAP COG UCC Appeals Board. This UCC Appeals Board does not handle property maintenance code appeals, so the Board of Commissioners was asked to consider what board it would like to serve as the appeals board for these issues. Other municipalities which use the CAP COG Appeals Board use either the Board of Commissioners, Planning Commission, or Zoning Hearing Board to hear property

maintenance appeals. Mr. Greene stated that he feels the best fit for this role would be the Planning Commission, since it is more in-tune with these types of issues. Commissioner Truntz stated that in a sense, this will be a quasi-judicial function and may be best served by individuals publicly elected rather than appointed. He suggested the Board of Commissioners fill the role. A motion was made by Commissioner Truntz, seconded by Vice President Springer, to have the Board of Commissioners serve as the Board of Appeals for property maintenance code issues. The motion was unanimously approved. Solicitor Henninger added that the ordinance approving the use of the CAP COG UCC Joint Board of Appeals for construction code issues, and the Board of Commissioners as the Board of Appeals for property maintenance code issues, will be advertised for consideration at the Board's March 15 meeting.

FINAL COMMENTS:

The Board thanked those in attendance for coming out this evening and providing their input.

ADJOURN:

Hearing no other business, a motion was made by Vice President Springer, seconded by Commissioner Truntz, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 8:55 P.M.

ATTEST:

Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY

March 1, 2017 Public Hearing on Comp Plan followed by Workshop Mtg. – 6:00 P.M.

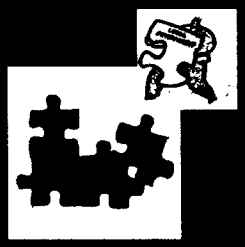
Name/Organization	Address
M. Logan	1880 N. Union St.
A. Dickerson	1860 N. Union St.
Michelle Brummer	GANNETT FLEMING
R. Shuemann	Longview Dr.
DENNY FAUSEY Citizen	1781 Mountain View Rd
Margie Hart	2142 N. Union St.
CHET HARTZ	2142 N. UNION ST
Ron Paul	2 Richard Ave
RON BURKHOLDER	OLD BALDHILL
NANCY Avolese	1451 N. Union
Jim Rodgers	181 Highland St.
KATHY GOTTSHALL	HEARTHSTONE
N PENDERGRASS	BRIARCREEK
M. WILLIAMS	
Linda Mehaffie	921 Ebenezer Rd
Tom Lattrell Sue Lee Dickerson	1880 N Union
Bruce & Joanne Hawley	113 W Hunter St
Carolyn Lutz	Woodridge Dr.
Tom Fisher	Farmhouse Lane
TINA SHERRY SANTORO	1850 N. UNION
Chad Zimmerman	FDLS
John Weikle	FDLS

PLEASE PRINT NAME CLEARLY

March 1, 2017 Public Hearing on Comp Plan followed by Workshop Mtg. – 6:00 P.M.

Name/Organization	Address
Norman R Frank	
Chris DEHan	2LD Rehange
Annette Cassel Means	High Assoc
Lawrence Vaiden	5 Greenfield Dr. MTown

UNDERSTANDING STORMWATER MANAGEMENT



DAUPHIN COUNTY CONSERVATION DISTRICT
Gil Hirschel
717-921-8100
ghirschel@dauphinc.org

WHY MANAGE STORMWATER?

- At one point, stormwater management was simply collect and dump. Stormwater was a nuisance.
- Next came detention ponds designed to slow the release of stormwater to local streams.
- The problem with these approaches is that they failed to consider stormwater as a resource and failed to consider the range of impacts related to <u>improper</u> stormwater management.

  - Increased volumes of runoff local streams.
  - Channel erosion.
  - Pollutants carried with stormwater (sediment, nutrients, metals, organic chemicals (VOCs,SOCs), pathogens, trash).
  - Increased local flooding.
  - Instream habitat degradation.
  - Loss of groundwater recharge and base flow.
  - Clogged culverts.
  - Undercut roads.
  - Increased infrastructure and public expense.

HAVING LEARNED MUCH ABOUT THE IMPACTS OF POOR STORMWATER MANAGEMENT, WE NOW TRY TO MANAGE STORMWATER AS A PART OF OUR OVERALL WATER RESOURCES.

WE CAN DEVELOP <u>AND</u> EFFECTIVELY MANAGE STORMWATER.

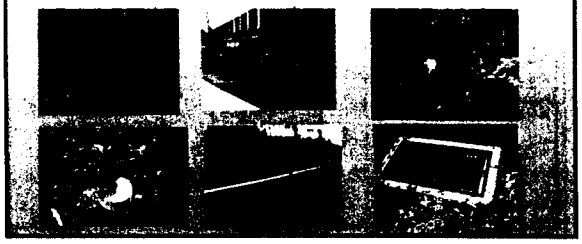
Current stormwater management considers:

- ***Volume of runoff.***
- ***Rate of runoff.***
- ***Quality of runoff.***
- ***Impacts on physical, chemical and biological health of the stream.***
- ***Loss of groundwater.***

BEST MANAGEMENT PRACTICES – BMPs

BEST MANAGEMENT PRACTICES ARE PRACTICES THAT ARE UTILIZED TO PROVIDE FOR BETTER STORMWATER MANAGEMENT. BMPs ARE OF TWO TYPES:

1. NON-STRUCTURAL – PLANNING, ORDINANCES, DEVELOPMENT PRACTICES.
2. STRUCTURAL – INSTALLED STRUCTURES: Examples: Rain Gardens, Infiltration Areas, Riparian Buffers, Downspout Disconnections, Vegetated Swales, Filter Strips, Porous Asphalt and Concrete, Porous Block Pavers, Turf Pavers, Inlet Protection, Vegetative Stabilization.



Stormwater Management in Pennsylvania

<u>FEDERAL REGULATIONS (EPA)</u>
NPDES Construction Permits (Chapter 102).
NPDES Post Construction SWM Requirements (Chapter 102).
NPDES Municipal Separate Storm Sewer System (MS4) Permits.

<u>STATE REGULATIONS (DEP)</u>
Erosion and Sediment Pollution Control (Chapter 102).
Post Construction SWM Requirements (Chapter 102).
Act 167 Stormwater Management Planning.

<u>LOCAL ORDINANCES (Municipalities)</u>
Stormwater Management.
Erosion and Sediment Pollution Control.

NPDES – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Regulates POINT SOURCE DISCHARGES.

NPDES permits for construction activities – implemented under Chapter 102 and includes post construction stormwater management (General or Individual).

Individual Permit: Located in Special Protection Watersheds (HQ/EV/EVW); effect existing water quality standards; effect threatened or endangered species; or potential for hazardous or toxic discharges.

NPDES permits for Municipal Separate Storm Sewer Systems (MS4).

ACT 167

Pennsylvania Stormwater Management Act – Requires counties to prepare stormwater management plans for watersheds within the county and municipalities to adopt ordinances consistent with the plan.

CHAPTER 102

Erosion and Sediment Pollution Control regulations.
Incorporates NPDES construction site permitting and post construction stormwater management.

WHAT IS AN MS4 ?

An MS4 is a municipally owned or operated separate storm sewer system.

- MS4 DOES NOT include sanitary sewer or combined sewer systems.
- MS4 DOES include the entire storm sewer collection and conveyance system including inlets, pipes, swales, outfall discharge, channels, ponds and culverts.

MS4 regulations may apply to some municipal entities.

- Prisons, PADOT, Universities, Counties, Hospitals, Military Bases, etc.

Designation as an MS4 is based on Urbanized Areas.

- Urbanized areas are defined by the 2010 census.
- Large MS4s became regulated under NPDES Phase I.
- Small MS4s became regulated under NPDES Phase II.

WHAT DO MS4 MUNICIPALITIES NEED TO DO

The MS4 program requires regulated municipalities that own or operate MS4s to obtain permit coverage.

The permit requires 6 Minimum Control Measures (MCMs) be addressed:

1. PUBLIC EDUCATION.
2. PUBLIC PARTICIPATION.
3. ILLICIT DISCHARGE DETECTION AND ELIMINATION.
4. CONSTRUCTION SITE STORMWATER MANAGEMENT.
5. POST CONSTRUCTION STORMWATER MANAGEMENT.
6. GOOD HOUSEKEEPING AND POLLUTION PREVENTION AT MUNICIPAL FACILITIES.

MCM REQUIREMENT SUMMARY

	MCM 1 Public Education	MCM 2 Public Involvement	MCM 3 Illicit Discharges	MCM 4 Construction Site SWM	MCM 5 Post Construction SWM	MCM 6 Good Housekeeping
Description	Provide Educational Materials To Target Audiences.	Provide opportunities for public involvement in your SWM program.	Implement A Program To Prevent And Detect And Eliminate Illicit Discharges.	Implement A Program To Control Erosion And Sediment Pollution From Construction Sites.	Implement A Program To Provide For SWM After Construction Is Complete.	Implement A Program To Minimize Pollution From Municipal Facilities And Activities.
Ordinances Required	NO	NO	YES	YES	YES	NO
Related Regulations				Chapter 102 and NPDES Construction Permitting. Implemented by DCCD. Should have an MOU.	Chapter 102 and NPDES Construction Permitting Act 167 SWM Planning.	

MCM 1 – PUBLIC EDUCATION

Each municipality must:

- Develop and implement a public education plan.
- Determine appropriate BMPs and measurable goals.
  - Fact sheets.
  - Storm drain stenciling
  - Education programs.
  - Newspaper ads.

The Conservation District coordinates some educational activities with municipalities and conducts some activities countywide.

The Conservation District has a stormwater management section on our website that is maintained for all municipalities. You may provide a link to this website from your website.

MCM 2 – PUBLIC PARTICIPATION

Each municipality must:

- Comply with appropriate laws for public notices.
- Determine appropriate BMPs and measurable goals.
  - Opportunity to comment on the SWM program.
  - Opportunity to comment on SWM related ordinance adoption.
  - Participation in activities such as stream clean ups, drain stenciling, volunteer monitoring, etc.

MCM 3 – ILLICIT DISCHARGES

Each municipality must:

- Map their storm sewer systems and discharge points.
- Implement an ordinance prohibiting illicit discharges.
- Have a plan to detect and address illicit discharges.
- Provide education on the hazards of illicit discharges.
- Determine appropriate BMPs and measurable goals.

MCM 4 – CONSTRUCTION SITE SWM

Each municipality must:

- Implement an ordinance requiring erosion and sediment control and control of waste on applicable construction sites.
- Implement procedures for plan reviews.
- Implement procedures for inspections and enforcement.
- Have sanctions to ensure compliance
- Require construction site operators to control wastes.
- Implement procedures for handling complaints.
- Determine appropriate BMPs and measurable goals.

The Conservation District administers the Erosion and Sediment Pollution Control program (Chapter 102) county wide. An MOU should be entered into to document this.

MCM 5 – POST CONSTRUCTION SWM

Each municipality must:

- Implement procedures for use of structural and non-structural Best Management Practices (BMPs).
- Implement an ordinance requiring the use of BMPs.
- Ensure the long term operation and maintenance of BMPs.
- Determine appropriate BMPs and measurable goals.

MCM 6 – Pollution Prevention/Good Housekeeping

Each municipality must:

- Develop and implement an operation and maintenance program for municipal operations.
- Conduct employee training.
- Determine appropriate BMPs and measurable goals.

MS4 REPORTING

- Annual reports documenting MS4 compliance activities must be sent to DEP.
- The annual reports may be reviewed by EPA.
- Documentation of activities is critical.
  - Document <u>everything</u> you do and maintain files.
  - Ensure that documentation reflects compliance with the MCM BMP.
  - Include documentation in annual report.
- DCCD has changed our procedures to provide better summaries of activities
  - Annual summary of Chapter 102 permits, inspections and complaints.
  - Educational activities.

GENERAL RECOMMENDATIONS FOR MEETING MS4 REQUIREMENTS

1. DO NOT IGNORE THE MS4 REGULATIONS (Fines may result).
2. DEVELOP A GOOD PLAN.
3. DOCUMENT ALL OF YOUR ACTIVITIES.
4. BUDGET TO COVER COSTS.
5. MAKE SOMEONE RESPONSIBLE.
6. ENTER INTO A MEMORANDUM OF UNDERSTANTING (MOU) WITH CHAPTER 102 IMPLEMENTING ORGANIZATION.
7. ADOPT, ENFORCE AND DOCUMENT REQUIRED ORDINANCES.
8. REVIEW AND UPDATE THE PLAN.

CHAPTER 102

- NPDES permits required at 1 acre of disturbance
- Post Construction SWM requires <u>recorded</u> long term operation and maintenance instruments.
- Additional requirements for agriculture: animal heavy use areas; fields within 100ft of streams with less than 25% cover
- Ripanan forest buffer requirements in EV and HQ watersheds.
- Post construction BMPs: licensed professional on site during installations; drawing submitted to DCCD and DEP with NOT; permittee or designee responsible for long term operation and maintenance of BMPs.
- Instument for the long term operation and maintenance of BMPs must be recorded.

RESPONSIBILITIES

- It is not the responsibility of the municipality, Conservation District or County Planning Commission to review, approve, or record the documents to be recorded.
- It is not the responsibility of the municipality or Conservation District to inspect or maintain the BMPs. However, under MS4 permit, the municipality must ensure that BMPs are inspected.
- Complaints or issues with unmaintained BMPs may be referred to DEP if there was a permit issued.
- However, the Countywide Act 167 Plan model ordinance language addresses responsibility for long term operation and maintenance. This language applies whether there is a permit or not. This gives municipalities authority to enforce long term operation and maintenance.

MUNICIPAL RESPONSIBILITIES UNDER CHAPTER 102

- ***NOTIFY CONSERVATION DISTRICT WITHIN 5 DAYS OF RECEIVING APPLICATIONS FOR PERMITS INVOLVING 1 ACRE OR MORE OF DISTURBANCE.***
- ***MUNICIPALITIES MAY NOT ISSUE PERMITS OR APPROVALS FOR PROJECTS REQUIRING AN E & S PERMIT OR AN INDIVIDUAL OR GENERAL NPDES PERMIT UNTIL THE E & S OR NPDES PERMIT HAS BEEN OBTAINED.***

WHAT ELSE CAN MUNICIPALITIES DO TO MANAGE STORMWATER EFFECTIVELY?

REVISE ORDINANCES TO:

- MINIMIZE IMPERVIOUS COVER.
  - STREET WIDTH.
  - SETBACKS.
  - PARKING REQUIREMENTS.
- ALLOW FLEXIBILITY OR OPTIONS IN SITE DESIGN.
  - CLUSTERING.
  - OPEN SPACE.
- REQUIRE IMPERVIOUS COVER DISCONECTIONS.
  - DOWNSPOUTS.
  - IMPERVIOUS COVER.
- REQUIRE PROTECTION OR ESTABLISHMENT OF STREAM BUFFERS.

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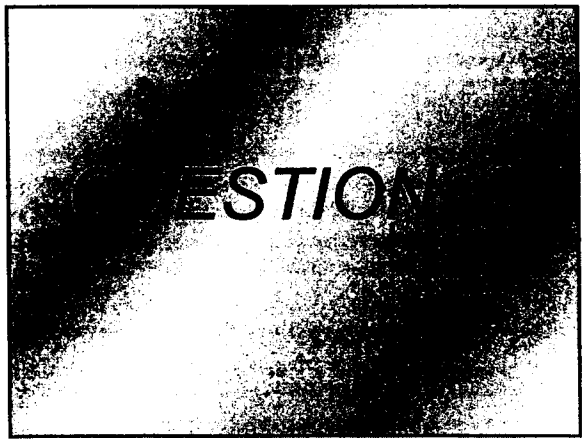
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