

MINUTES

NOVEMBER 25, 2019 – SPECIAL JOINT MEETING

LOWER SWATARA TOWNSHIP MUNICIPAL AUTHORITY AND LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The November 25, 2019 Special Joint Meeting of the Lower Swatara Township Municipal Authority and Lower Swatara Township Board of Commissioners was called to order at 7:30 P.M by Chairman Wilkinson.

Roll call was taken with the following officials in attendance:

- Richard Wilkinson, Chairman
- Daniel Magaro, Vice Chairman
- Chester Hartz, Secretary
- Scott Spangler, Treasurer
- Frank Popp
- Todd F. Truntz, Vice President
- Michael J. Davies, Commissioner
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Peter R. Henninger, Solicitor
- Bruce Hulshizer, HRG
- Caleb Krauter, HRG
- Tracey Bechtel, Recording Secretary

Absent: Jon Wilt, President

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

Chairman Wilkinson reported that the purpose of this evening's Special Meeting is to discuss MS4 (Municipal Separate Storm Sewer Systems) issues:

Ms. McBride stated that she is hoping a fee can be established and some comments on the credit policy. After that we will need to agree to deed the assets over to the Authority, we will have to have the Management Agreement between the Board of Commissioners and the Municipal Authority, the Fee Resolution and the Resolution to adopt the Credit Policy.

The Board of Commissioners and the Municipal Authority members started their discussion this evening by weighing out the \$8.00 per month fee or the \$6.00 per month fee which were discussed at the joint meeting in September.

Chairman Wilkinson emphasized that he would like to set a fee that will remain the same throughout this current MS4 permit which will expire in 2023. He feels the \$8.00 fee would be more appropriate since we just don't know what all DEP is going to enforce on us. He added that the \$6.00 fee leaves us no room for any type of movement and we might be looking at a potential rate increase prior to 2023 and he just doesn't want to do that.

There was continued discussion in regards to unforeseen projects that might arise during these next four years and how it relates to the fee amount.

Commissioner Davies stated that he knows there is some hesitancy on the part of many people to revisit the question of what is and isn't an adequate fee, but he personally would rather dial it in slowly and get it right than just pick a high number and go with it and hope that we're right.

Ms. McBride asked that from what she is hearing and what is in the budget, the \$6.00 fee seems to be widely embraced among both Boards. Commissioner Davies added that \$6.00 is very acceptable and is in the range of what other municipalities are doing in our area. Mr. Magaro stated his concern with a higher fee is you will have a higher delinquency rate.

Ms. McBride also noted that we should consider billing the property owners only, currently we allow tenants to be billed as a convenience to the property owner.

Vice President Truntz proposed a \$7.00 fee, stating it's between the six and eight, we would be splitting the difference, does that extra dollar a month give us an adequate operational buffer, we would still have a reasonable fee, just throwing that out there.

Commissioner Davies commented that he could be supportive of a \$7.00 fee, it's prudent, certainly, to have a little breathing room when we don't know what our delinquencies are going to be, and when we don't know what the participation we're going to get from certain major property owners.

A consensus was reached by the Board of Commissioners and members of the Township Municipal Authority for a \$7.00 monthly fee.

Solicitor Henninger indicated that the next process that needs to happen is the Municipal Authority needs to own the assets before a fee is set. This can be done through a quitclaim deed. He explained that First-class townships, such as Lower Swatara, are not able to set a fee. However, the Township and Municipal Authority would enter into a Management Agreement for the Township to manage the system. These items would need action by both Boards to authorize the transfer. The Municipal Authority Board would then adopt the Fee Resolution as well as the Resolution for the Credit Policy.

Solicitor Henninger estimated that the fee may be on the sewer bills as soon as April 1, 2020 which would be the May 1st billing since the Authority bills in the arrears. It is being proposed that this would be a singular bill to the property owners, the bill would have both the stormwater fee and the sewer fee and any partial payments would be applied to the stormwater fee first.

Solicitor Henninger indicated that the Township is not proposing to offer residents credits for structures such as rain gardens, but residential properties could qualify for credits if they were low impact parcels, or if the amount of impervious area on the property was 10 percent or less, such as farms.

Mr. Wilkinson commented that it is easier to check into commercial properties best management practices to manage their stormwater. For the residential side we would need a ton of administrative people if we got into homeowners and who had rain gardens and people checking into things. Mr. Wilkinson added that if there was any interest in residential credits, the Credit Policy could be modified when the permit ends in 2023.

Commissioner Paul recommended that we work on getting the Credit Policy finalized. Vice President Truntz stated that he would like to see us take our time and work on the Credit Policy carefully rather than trying to get it done in three week, because what we have at the end of the day is a legal document and it can be use against us

if we don't have things properly defined and referenced. It also has to be a document that is readable to the average homeowner and not just an engineer.

Ms. McBride noted that from this meeting this evening, the Township may deed its storm sewer system over to the Municipal Authority during the December 4th Board of Commissioners meeting, the fee may be voted upon at the December 16th Municipal Authority's meeting and at the December 18th Board of Commissioners meeting the Credit Policy could be voted on.

Hearing no further comments, a motion was made by Mr. Popp seconded by Mr. Magaro to adjourn the meeting. The motion was unanimously approved and the meeting adjourned at 8:24 P.M.

ATTEST:

Tracey Bechtel, Recording Secretary