

Minutes of the Antrim Township Supervisors
Regular Meeting

February 26, 2019

7:00 PM

The Antrim Township Board of Supervisors met Tuesday, February 26, 2019 at the Antrim Township Municipal Building, located at 10655 Antrim Church Road, with the following members present: Fred Young, Chairman; Rick Baer, Vice Chairman; Chad Murray; Pat Heraty and John Alleman. Also attending was: John Lisko, Solicitor; Brad Graham, Administrator; Sylvia House, Zoning/Code Enforcement Officer; Amber King-Reasner, Stormwater Tech.; Rodney Eberly, Roadmaster/Park Director; Jordan Manahan, Student Representative; and Jennifer Becknell, Secretary

Young called the meeting to order at 7:02 p.m.

Young reminded the audience that meetings are audio recorded.

Graham opened the meeting with prayer, followed by the Pledge of Allegiance to the Flag.

Young called for Public Comment.

Bob Coladonato, 184 Rocky Fountain Drive, stated he had some comments on the Stormwater Management Fee Calculation Report. Young said that topic would be later in the meeting.

Robert Smith, 7498 Angle Road, commented that while the paving job on Craig Road is great, there is now a visibility issue of when you are traveling west bound, particularly at night. Smith stated that there is an abrupt left turn and he suggested that some type of indicators be placed to show the turn ahead. The Roadmaster made a note of the concern.

Robert Wertime, 207 Leitersburg Street, inquired if the Supervisors have made any progress in their discussions concerning solar arrays/farms. Wertime stated that he has been approached by a national solar company and wanted to know if the Supervisors would be ready to discuss the matter should it ever arise in the Township. Young thanked him for his concern and said the Township would be in touch.

An Alleman/Baer motion passed 4-1 (*Heraty abstained as he did not attend the meeting*) approving the minutes of the February 12, 2019 Regular Meeting.

A Heraty/Baer motion passed 5-0 approving payment of the bills on the Treasurer's reports dated February 26, 2019.

Sylvia House introduced two Dewberry representatives, Mike Hess and Jim Bennett, and stated they were contracted to conduct a Stormwater Management Fee Calculation Report and will be explaining their findings.

Jim Bennett, Dewberry planner, began the 16 page PowerPoint presentation by explaining that an unfunded mandate was passed down from the EPA to DEP to the local agencies. Antrim Township is being required to participate in the MS4 (Municipal Separate Storm Sewer System) Program because the Township is located within the Chesapeake Bay Watershed and because the Township falls within an urbanized area, as designated by the US Census. The purpose of the MS4 Program is to reduce the Sediment Load to the Chesapeake Bay by 10% over the 5-year permit cycle. Bennett continued by

stating that of the three different sediment reduction approaches identified in the 2017 Chesapeake Bay Pollutant Reduction Plan, stream restoration was determined to be the most cost-effective approach by a wide margin. Bennett also explained the Minimum Control Measures (MCM's) required under the MS4 permit.

Mike Hess, Dewberry engineer, reviewed anticipated expenses to become compliant before the current MS4 permit expires in 2023 as follows:

- Stream Restoration Constructions, Operation and Maintenance Contract: \$1,920,000
- Survey, Design, Permitting, Bidding, and Construction Phase Services: \$452,000
- Costs incurred in meeting other permit Minimum Control Measures: \$418,000

For a total estimated cost of \$2,790,000.

Hess then explained how the Township can begin recouping these costs from Township residents as a fee in the following manner: *(It was stated that some residential properties, industrial and commercial businesses would be assessed a higher fee)*

- Representative of a "typical" single family home has approximately 4,130 square feet of impervious coverage, would be equal to 1 ERU (Equivalent Residential Unit)
- There are 89,815,295 square feet of impervious coverage in Antrim Township, or 21,745 total ERU's. (89,815,295 divided by 4,130)
- Most residential properties are 0.5 – 1.5 ERU's
- Each ERU will be billed at \$128.31 over a three-year period, or \$42.77 a year.

For a total generation of \$2,790,100.95.

Hess then explained a three-tier credit program as an incentive for residents to control their stormwater and reduce their stormwater fee.

Heraty inquired what is to come after we complete this 5-year MS4 permit cycle requiring the \$2.7M investment on the part of Antrim Township. Hess responded that he doubts it will be the bombshell that was handed down this time, but honestly couldn't answer the question because the permit requirements for the next permit cycle haven't been written yet. House also added that one of the permit requirements is to list some type of income to cover the future cycles, suggesting it isn't going away.

Heraty went on the record stating that spending all this money has no benefit for the residents of Antrim Township and expressed his displeasure in having to spend this money for government compliance with nothing to show for it. Hess basically agreed but cited the Township would have some stream restoration to show for it.

Murray commented that with this MS4 permit cycle we are picking the low hanging fruit by selecting stream restorations to gain compliance, as it is the least costly by far. The Township only has so much stream for restoration before needing to implement the other two sediment reduction approaches in future MS4 cycles. Murray also mentioned how the credit program will reduce the money collected to offset the cost of becoming compliant. Hess stated the language of Act 62 requires a credit program of some sort to be in place and that the whole idea behind the credit program is to get the property owner to make the stormwater improvements, therefore reducing the improvements needed by the Township.

Baer inquired if stream samples have been taken prior to us starting the restoration process, so we can tell if it makes an impact. House responded that the EPA and DEP have been taking samples for years. Baer requested we get a copy of their test results.

After much discussion, House made the summation that the cost to build the on-lot stormwater systems far exceed the credits we can get from DEP. DEP wants us to do stream bank restoration because it is where you can remove the majority of the sediment from the waterways. House stated that staff and Dewberry looked at many Township sites that had flooding issues, that if corrected would actually benefit the Township residents, and it was found that the costs were far higher than the \$2.7M and were nowhere close to meeting our goal.

Baer left the meeting at 8:13 PM.

Steve Miller, Borough of Greencastle Council Member, confirmed with the Dewberry engineer that the Township is using Corporate boundaries, as the Borough was instructed to do, and wanted to make sure everyone was on the same page. Miller also inquired how the bodies of water are being treated, such as a pond, reservoir, swimming pool. Hess responded by stating permanent bodies of water are considered impervious, but temporary bodies of water, such as rain basins, will be treated as pervious. Miller asked Dewberry to provide a copy of their definition list to the Borough for consistency. Miller reminded the Township Supervisors/staff that the Borough needs to be included in their decision-making process as the stream restoration project is going to be a joint effort between the two municipalities.

Percy Rock, 2752 E. Weaver Road, made testimony of how a charge that “will only cost” a resident \$42.77 a year affects someone on a fixed income that is already maxed out.

Bob Coladonato, 184 Rocky Fountain Drive, stated he has read through the Stormwater Management Fee Calculation Report online, and he stated that he doesn’t agree with rounding to whole numbers and thinks the Township should use actual numbers reflected. Coladonato asked what the Supervisors are prepared to do if a resident does not pay their Stormwater Fee. House stated this fee is covered in the Stormwater Ordinance, so non-payment could be treated as a violation, which could be up to \$1,000 per day or a penalty similar to a utility bill. Coladonato stated he would rather see the non-payments be charged like a violation and not a penalty like the sewer/water bills. Coladonato suggested the Township pay the full cost for this MS4 permit cycle from their reserves, allowing the Township more time to prepare for the next permit cycle.

Robert Wertime, 207 Leitersburg Street, first inquired if the 89,815,295 square feet of impervious land referenced in their presentation included industrial. Dewberry responded with a yes. Wertime then asked if Dewberry would be working with any of the farming groups, such as ACB and PACD as a possible asset in their attempt to control stormwater. Dewberry stated they would work in any capacity directed by the Supervisors.

Douglas Dobbs, 9662 McClanahan Road, asked if the credit is equal to the fee, or does it just reduce the fee. Dewberry responded by stating that the fee could be eliminated if the resident does enough improvements. Dobbs also asked how gravel driveways were being considered. Dewberry responded that a compacted gravel driveway was being treated as impervious.

Robert Smith, 7498 Angle Road, asked if Dewberry looked at every little shed, farm lane, stone driveways in Antrim Township for impervious calculations. Dewberry responded by stating they used a 2017 aerial photograph and everything that appeared was considered and they adjusted for everything built in 2018 by using Land Development records. Smith agreed with Coladonato that the fee should be on actual impervious numbers, not rounded up or down to whole numbers. Smith stated it might be hard for some residents to take advantage of the credit. Sighting his own property as an example, Smith has never had a stormwater issue and has never witnessed stormwater running off his property.

The Supervisors asked staff to set a work session to further discuss Stormwater Fees.

Lisko stated this is a Federal mandate and suggested that the citizens contact their representatives to let them know their displeasure.

Young asked the audience that before they leave to be sure to sign the attendance sheet in the vestibule to ensure the proper spelling of names and addresses for the record.

A Heraty/Murray motion passed 4-0 authorizing the Chairman to sign the Standard Stormwater Maintenance and Monitoring Agreement for Frederick Drive LLC.

A Heraty/Alleman motion passed 4-0 authorizing the Chairman to sign the Standard Stormwater Maintenance and Monitoring Agreement for Antrim Brethren in Christ Church.

A Heraty/Alleman motion passed 4-0 approving the bond for Rush Truck Centers in the same amount of \$85,077.30, which covers the shared use trail portion of the site only and does not expire until March 5, 2020.

A Heraty/Alleman motion passed 4-0 approving the Letter of Credit for Heritage Estates West in the amount of \$405,595.92, which includes the 10% annual increase. The renewed Letter of Credit shall be received no later than noon on March 13, 2019 or staff shall be authorized to draw on the Letter of Credit.

A Heraty/Murray motion passed 4-0 granting the 2019 Park Grants as recommended by the Park Committee on the provided spreadsheet, for the full \$40,000, plus the additional \$5,000 for each of the three Ruritan organizations.

Heraty thanked the Park Committee for all the hard work on preparing their recommendations to the Supervisors.

Eberly read through the names of the Park Grant recipients at the request of Murray.

Eberly informed the Supervisors of the following: the road crew has been responding to the snow events and keeping the equipment washed; the large dog side of the dog park has been closed; actively seeking prices for fencing for the new addition to the dog park.

A Heraty/Alleman motion passed 4-0 approving by resolution (#314) the disposal of Township records.

A Heraty/Alleman motion passed 4-0 approving by resolution (#315) the Franklin County Hazard Mitigation Plan.

A Heraty/Murray motion passed 4-0 authorizing staff to advertise for the 2019 Road Project bids, which includes paving, maintenance and line painting.

Concerning the Delinquent Sewer Collection process, direction was given to staff that any customer that has been on the Sewer Disconnect list more than once must pay off the delinquent amount in full, and additionally would not have the opportunity to set up a payment plan to pay off the delinquent amount.

Graham announced that the Franklin County Association of Township Supervisors Spring meeting will be April 11, at New Franklin Vol. Fire Dept.

Graham announced the following on behalf of the Student Representative (who needed to leave earlier in the meeting): the Drama Club will present “Legally Blond” on April 5th and 6th at 7:00 p.m.; congratulations to the GAHS Art students whose work was recently displayed in Harrisburg; and Teacher/Faculty (Middle School vs. High School) Game is this Thursday at 7:00 p.m. to benefit the Student Council.

Heraty thanked Eberly and the Road Crew for all the coordinated efforts in responding to the snow events and realizes it is a thankless job.

Alleman requested the Supervisors approve the Bridge Drive through for Old Home Week, and it was decided it would be the first Saturday of Old Home Week. Alleman announced that March 9 is the Rescue Hose Minstrel Show and invited everyone out to enjoy this event. Alleman continued by also announcing March 16 is the Lion’s Pancake Breakfast at the Middle School.

Murray shared that at the previous night’s ATMA (Antrim Township Municipal Authority) meeting it was announced that Phase 2 of the Wastewater Plant upgrade is approaching and will be looking to apply for some grants jointly with the Board of Supervisors. Murray also complimented the Road Crew on a job well done on the recent snow events.

On the behalf of absent Supervisor Baer, Murray asked if the Township has received the business license to spray. Graham replied no, it is in progress.

Young recognized Chief Kevin Barnes in the audience and thanked him for his service to the community. Young also recognized Allen Piper, Citizens for Responsible Government, and thanked him for his lobbying efforts against unfunded Federal Mandates.

Young called for Public Comment.

Percy Rock, 2752 E. Weaver Road, reiterated how hard it is for people to keeping paying these added fees to cover programs, as it takes money away from their fixed incomes and leaves less to cover the necessary medical prescriptions.

Robert Smith, 7498 Angle Road, commented that all this talk about riparian buffers needed along the streams is unnecessary as nature will do the same thing naturally over time. Smith said the Township should be more concerned about keeping traffic (ie: cattle) out of the streams that are causing the erosion, and ultimately the sediments to the bay.

The Supervisors asked for a work session to discuss stormwater fees on either Wednesday, 3/13/19 or Tuesday, 3/19/19, whichever is most convenient for the Zoning Officer.

A Heraty/Murray motion passed 4-0 to adjourn the Regular Session at 9:22 p.m.

Respectfully submitted,

Jennifer Becknell
Board of Supervisors Secretary