The regular meeting of the Upper Allen Township Sewer Advisory Board was held on September 26, 2019 in the Upper Allen Township Municipal Building, 100 Gettysburg Pike, Mechanicsburg, Cumberland County, Pennsylvania.

MEMBERS

George Bedorf, Chairman  
Christopher Gleeson, Vice Chairman  
Bruce Yerger, Secretary  
Dave Gabel  
Robert L. Haines

TOWNSHIP OFFICIALS

Rick Castranio, Commissioner (absent)  
Paul M. Rigney, Commissioner (absent)  
Barry A. Cupp, Sewer Dept. Manager  

GHD ENGINEERING SERVICES

Melissa Smith, P.E.

Chairman Bedorf called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited by all. Roll Call was taken by Sewer Department Secretary, Kathy Ferrari.

APPROVAL OF MINUTES

AUGUST 22, 2019

Chairman Bedorf called for approval of the minutes of August 22, 2019 meeting. Mr. Gabel made a MOTION to approve the minutes of August 22, 2019. SECONDED by Mr. Gleeson. ROLL CALL: carried unanimously.

CHAIRMAN’S ANNOUNCEMENTS

There were no announcements.

CHAIRMAN’S RECOGNITION OF VISITORS

There were no visitors.

OLD BUSINESS
**ALLENDALE INTERCEPTOR/LEGACY PARK PROJECT STATUS**

Mr. Cupp reported that the contract for Segment A, Part 2 and Segment B was awarded through Landmark Development to E.K. Services. Mr. Hockenberry reported that he spoke with the contractor and they are looking at either October 7th or 14th as the start date. Manholes have been ordered with some minor production glitches. One manhole has been produced as of today and another will be complete tomorrow. Mr. Hockenberry said that the delay in the manhole production will not affect the contractor’s starting date.

**GHD INTERCEPTOR/TRUNK SEWER FLOW MODELING**

Mr. Cupp reported there are no new updates other than sending the Grantham East portion of the study to Rider-Musser Development in connection with the Oakwood Hills Development. Currently the Township has an agreement with Rider-Musser that addresses their participation in the replacement/construction and engineering cost for the proposed Lisburn trunk sewer. He said that the current agreement will be amended to reflect cost updates. To date he has not received any follow-up from Rider-Musser regarding this.

**2019 CAPITAL IMPROVEMENTS AT GRANTHAM WWTP**

Mr. Cupp reported that a pre-bid meeting was held today at the Grantham WWTP. Three contractors were in attendance. He stated that two of the contractors in attendance have experience in this type of work, noting that he has worked with one of them in the past. The bid opening for this project is scheduled for October 4, 2019.

**POLICY REGARDING INITIATION OF SEWER BILLINGS**

Mr. Cupp reported that there are no updates regarding this item. It is his understanding that Commissioners Castranio and Rigney were to schedule a meeting with him to further discuss the policy/procedures. To date no meeting has been scheduled and this item remains on hold. Chairman Bedorf questioned when this policy was presented to the Board of Commissioners for discussion. Mr. Cupp replied that he believes it was discussed at the mid-August meeting. Chairman Bedorf said that from his perspective the Sewer Advisory Board took the action they were asked to take at the July 25, 2019 meeting and does not understand why this item remains on the agenda under “Old Business” for discussion. Vice Chairman Gleeson said that at the last meeting Chairman Bedorf requested that this item be removed from the agenda until there was new information provided to this Board for review and discussion at which time it would be put back on the agenda under “New Business.” Mr. Haines asked if Mr. Cupp had the opportunity to contact other municipalities to see how they handle new accounts. Mr. Hockenberry reported that he did contact several other municipalities about initiation of sewer billings and they responded as follows:

- Dillsburg Area Authority: Billing begins when a service lateral has been installed or approved for connection.
• Lower Allen Township Sewer Authority: Billing begins on date Certificate of Occupancy (CO) is issued.
• Monroe Township: Billing begins on the date of connection.
• Newberry Township: Billing begins on date CO is issued.
• Silver Spring Township Authority: “New Construction” billing begins on date CO is issued.

Mr. Hockenberry said that in addition to the municipalities/authorities listed above, he also contacted Hampden Township, but their initial response pertained to tapping and ROC fees. To date he has not received a response to his follow-up email. Mr. Cupp said it seems to him the connection date is based on preference by individual Boards and municipalities. Chairman Bedorf added that it is also based on the policy/procedure in place and implemented at one time or the other. He added that if the Township Manager and Board of Commissioners feel that it needs further discussion, he asked that Mr. Cupp put it back on the agenda under “New Business.”

NEW BUSINESS

US EPA DENTAL OFFICE CATEGORY RULE

Mr. Cupp reported that he included a sample letter in the packets that refers to an item that falls under EPA’s Industrial Pre-Treatment Program. There is a new rule established under this program titled “US EPA Dental Office Category Rule.” He said the new rule requires that all dentists who use amalgam in their process water take the necessary steps to remove the dental amalgam solids before it enters a publicly owned sewer system. Amalgam is normally used in dental fillings or by an orthodontist. A total of ten dental facilities located in Upper Allen Township were sent letters regarding the new rule/regulation. Mr. Cupp reviewed the letter and compliance regulations with the Board. To date three dental facilities have responded. Mr. Cupp explained that existing dental dischargers and new dischargers (before July 14, 2020) must be in compliance by July 14, 2020 and submit a one-time compliance report by October 12, 2020. After July 14, 2020, new dischargers must comply immediately and submit a one-time compliance report within 90 days after discharge to the public sewer system. At the request of the Township Manager a copy of this letter will be provided to the Board of Commissioners for informational purposes. Mr. Cupp said that no action is required by this Board. Chairman Bedorf asked if Mr. Cupp has developed a method to make sure the dischargers comply. Mr. Cupp responded that Upper Allen Township is designated as the “Control Authority” and it is his understanding that all we are required to do is maintain the records. Upper Allen does not have an Industrial Pre-treatment Program, but since Lower Allen Township Authority does, the list of ten dental facilities were broken out into the Lower Allen Basin and Grantham Basin. At the end of the year a copy of the returned reports will be forwarded to Lower Allen Township Authority.

ROLO COURT MOBILE HOME PARK
Mr. Cupp told the Board that since 2007 we have been logging complaints of sewer backups/blockages and overflows in various locations throughout the Rolo Court Mobile Home Park. He stated that three of the incidents have occurred this year. These occurrences typically involve raw sewage spilling onto the ground surface through a broken building sewer pipe or missing cleanout cap around or under a mobile home or overflowing into and damaging the mobile homes. The sewer system in this mobile home park pre-dates the public sewer system in this Township and has no manholes or cleanouts. Mr. Cupp said that he believes systems like this are referred to as “Wildcat Sewers.” This system connects to the Township sewer system at two seven wye connections within the Township sewer main. The tenants own the mobile homes and lease the lots from Carl Dallmeyer and Kelly Rodgers, of Rolo Court MHP, based in Mt. Wolf, PA. He said that from what we have heard from the tenants, the park owners take little or no responsibility for these backups and usually blame the tenants for flushing unacceptable materials down into the sewers. This may have been the case one time, but in our opinion that is not the main problem in the park. Mr. Cupp said that we know that there is the old Orangburg pipe in the ground which is nothing more than a stiff tar paper type material. Also, there are many trees in the park and without a doubt there are roots in the building sewers. Mr. Cupp said that usually when the mobile park gets a report of a problem, they send someone out to the property, run a snake down the line just enough to open it up which down the road ends up blocking and overflowing again. He stated that when these incidents are reported to the Township, we immediately report the incident to DEP. Unfortunately, according to DEP, because it is private property, they are unable to take any action unless they visibly observe sewage overflowing onto the ground surface. The Township has made this DEP procedure clear to each resident that calls in to report a problem. Recently there was a disabled tenant who came into the Township office on more than one occasion because sewage backed up into her home and she has thousands of dollars of damage to her home. Through hearsay Mr. Cupp has been told this resident has more than $50,000 in disability upgrades to her home and because of the damage done by the sewer backup she is unable to live in her home but is still required to pay the lot rent. Recently she went to the District Justice to sue for damages; the hearing outcome is currently unknown. Several residents have said that the mobile park owners threaten and bully them when they complain about the backups; noting that these residents do not have the financial means to fight back so they put up with the poor living conditions. Mr. Cupp stated that the Township is tired of responding to these calls and not being able to help the park residents. Mr. Cupp sent a letter to the park owners on June 22, 2017. To correct the problems, he requested a corrective action plan. On July 24, 2017 he received a response letter stating they take “maintaining healthy living conditions and compliance with environmental laws very seriously which is why we utilized licensed professionals to address any system complaints.” According to comments made to the Township by several residents about this response, this statement is false. A copy of the response letter was forwarded to DEP. At no point in the letter from Rolo Court MHP do the owners acknowledge the existence of any sewage overflows within the park, despite the many photos the Township has on file documenting such overflows. Mr. Cupp stated that the Township has installed flow meters upstream and downstream of the mobile park in hopes that if there was excessive flow during wet weather, we could require them to implement a corrective action plan for the removal of excessive flow (I/I). Meter flow records did not indicate an I/I problem in this area. Mr. Cupp said as the possible next step
in addressing this problem, the Sewer Department is considering smoke testing the sanitary sewer in the vicinity of the mobile home park. Township Code Section 200-3.9-Correction of Defects in Building Sewers gives the Township the right to test and inspect building sewers if we have reason to believe they are defective. Furthermore, Section 200-3.5-F-Rights of Access gives the Township the right of access to any part of any improved property served by the sewer system for purposes of inspection, measurement, sampling and testing. Mr. Cupp stated that we will have to notify park owners about the smoke testing. Vice Chairman Gleeson questioned whether an administrative search warrant would be necessary for this action. Mr. Cupp said he does not think so because we are going on the property but not entering the homes. He said the code clearly states that we can enter their property to investigate a sewer problem and goes even further to state that they have sixty days to correct the problem. Furthermore, following notification of a problem the Township has the right to correct the problem and charge the property owner if no correction action is taken by the owner. If we decide to go forward with the smoke testing, we will not only need to notify the park owners but every single resident in the mobile park, and the police and fire department. He stated that smoke testing is not anything new to the Township, noting that we have smoked several areas of the Township such as Messiah Village, a portion of Cumberland Parkway and Kim Acres. He pointed out that we are not singling out Rolo Court as the only problem area. He said that if we know of a high flow area these are the areas we test. He said that unlike the other smoke testing this is not a case of high flows, but a case of raw sewage spillage onto the ground. Discussion ensued regarding spillage, pollution of the waterways, legalities and Township responsibility. Mr. Cupp stated he felt that this problem needed to be brought before this Board and plans on taking it to the Board of Commissioners. He said the bottom line is something must be done to address this issue and feels the smoke testing is a start in the right direction. Chairman Bedorf asked if DEP was offering any other advice in addressing this problem. Vice Chairman Gleeson questioned if the sewage spill had to be witnessed by DEP and that a video would not suffice. Mr. Cupp replied that was correct. Discussion ensued regarding different residents and their individual circumstances/cases with the mobile park owners being addressed by the District Justice. Chairman Bedorf said the worst-case scenario for the residents renting lots in the mobile park is that the owners could decide to just close the park down leaving them with no choice but to find another lot rental location. Chairman Bedorf asked how we would address this issue if it had happened at Messiah Village (privately owned) and they decided not to cooperate; would we still have to go through the same scenario? Mr. Cupp replied that we would. Discussion turned to the number of homes in the park (120) and the possibility of legal battles emerging with this issue. Mr. Haines asked out of curiosity how the residents were billed for sewage. Mr. Cupp said that the park owners are sent one quarterly bill for the 120 units. The Township has no control as to what the park owners charge the residents. There was no further discussion. Mr. Cupp stated he will keep this Board updated on the status of this issue.

PUBLIC COMMENT

There was no public comment.
ADJOURNMENT

With no further business to discuss, Chairman Bedorf adjourned the meeting 7:30 p.m.

NEXT MEETING IS SCHEDULED FOR OCTOBER 24, 2019 AT 7:00 P.M.