CALL TO ORDER

Chairman Cochran called the meeting to order at 6:03 p.m. A moment of silence was observed, and The Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Fazekas.

CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENT

Bill McNichol, of 323 E. Meadow Drive, deferred to Phil Gillis, of 330 E. Meadow Drive. Mr. Gillis said he is here for an update on the retention pond project. Mr. Reichard responded that since the last meeting we were waiting for site conditions to improve and dry out. He said they still didn’t scarify the low-lying areas for the contract. He said to scarify means to bring out a small attachment that reaches in and breaks off the bottom of the basin. He said when running heavy equipment over the site it starts to compact. He said we had great infiltration results prior to the construction. He said from his observations there has been great success with it in 3 or 4 primary areas. He said those areas dried up in a couple of days. There were a couple of rain events since, where they could see the water flowing through and it wasn’t there the next day. He said there is still one section in the northernmost portion, the forebay area, that continues to be muddy but no longer has a 12-18” pool. He said it has been draining at a much slower rate than other areas but it dropped about 1.5” overnight so there is some drainage occurring. Mr. Reichard said C. S. Davidson met with the contractor and they are working out a game plan for final seeding. He noted that in we are in the heat of summer and it is in no one’s interest to apply new seed and straw. He said the contractor is requesting a time extension to extend the contract to October 31. He said the contractor plans to come out at the beginning of September to reseed and re-till areas and re-mulch and tack the material in place in an effort to make it green during the last growing season of this year. Then they will do a punchlist for final finish grading and seeding measures for spring of next year.

Mr. McNichol commented that the pond right behind his house is not working. He questioned the plan for it and asked if anybody ever measured how many gallons come through that outlet versus the others. He questioned the width and depth of that pond versus the others. He said
they dug a pond and it just sits there and has not been dry yet except when they pumped it out. Unless they change the depth of the pond, he said it won’t change. He added that we are sitting in a drought circumstance. Chairman Cochran commented that Channel 43 just announced that if you go back 5 years, this is the wettest 5 years in recorded central Pennsylvania history. He said we are not in a drought and noted that our sewer reporting includes reporting on water too, and it shows that last year was the wettest year. Mr. McNichol asked where we are as far as rainfall in August, and Chairman Cochran did not have that information readily available.

Mr. McNichol asked when the contractor came out and broke up the pond and Mr. Reichard said it was a couple of weeks ago. Mr. McNichol said despite the “facts,” he lives with this daily and sees it on a day-to-day basis. He again asked for the depth of the pond versus the others and how much water is flowing in. Mr. Reichard said he didn’t have the exact gallons available but said it is roughly 12-18” deep and gets to about 18” before it overflows. He said this is not an unusual situation. He said it’s a stormwater basin and we’ve never said it would be dry. He said the basin in front of the Township building stays wet most of the time and it is not unusual to have areas that retain water. Mr. McNichol then asked about the plan for mosquito and insect control in those areas. Vice Chairman Castranio commented that the project isn’t completed. He said we are talking about putting some amended soils in that one basin but right now it isn’t complete so we can’t talk about it until the plantings grow and it is done. Mr. McNichol said they are fields of clay blocks and questioned how we will vegetate that. He said it used to be green. Chairman Cochran said it was green because it didn’t retain the water. Now it is doing what it is supposed to do. He said three of the four basins are working as designed. The fourth one brings in a lot of debris and chemicals from the road. He said you could actually see it before we dug it up. There was a pocket of debris and we don’t want the pile there again because we want the water to slow down and drop it across the bottom of the basin. Mr. McNichol said his theory is that the pond is too deep, but Chairman Cochran said we don’t know yet how it will end up until the plantings start growing. He said we will take up the encased things on the ground and will break up some of the mud clusters and will seed, and will probably have to seed again in the spring, so we are probably looking at the end of next spring to see if it’s functioning as designed. He said there are bugs all over Cumberland County and we have gone to Vector Control and have treated the water. He said we are not going to panic and spend money needlessly, and we are following it every month, but when you have a summer that’s been our wettest ever it is impossible to work with. He said we can’t engineer a pond for the wettest year you’ll ever have. Mr. McNichol questioned what seed was planted the first time around, and Mr. Reichard said it was a PennDOT mix with a heavier dose of annual rye. He said there was also a specialized wetland plant seed variety. Because it is so compacted, Commissioner Rigney said it almost becomes irrelevant as to what they put down because it wasn’t going to hold, between the compaction and wetness. He said they will do it again in better conditions. He said he thinks the biggest mistake was not scarifying the hard, compacted soil after they compacted it. Chairman Cochran clarified that we aren’t doing amended soil over the whole thing.

Mr. Gillis questioned the future of the piles of material that were taken out of the ponds, that floated up and are on the banks. He said they have been there a month or more. Mr. Reichard said the contractor applied a matting across the floor of the basin in hopes that it would hold the seed in place, and then we had a severe storm that washed it away. They pulled it out and stockpiled it and when they come back for the second phase, they will take it out. Mr. Gillis said
a Township employee who was cutting the pond said he’d like to get rid of them too. He said it’s of no value and should be taken out.

Mr. Gillis questioned the timeframe for the mulch barrier to be removed. Mr. Reichard said it has served its purpose but there is an active Sedimentation and Control Plan still open with the Cumberland County Conservation District and we aren’t supposed to remove it until the project is complete. He said they did just reach out to get permission to remove it and it was granted, and the contractor will remove it.

Mr. Gillis asked if there is any consideration to fill in the pond that won’t drain. He said it seems like common sense to raise it so that when the drain drains, it has some space to infiltrate. Chairman Cochran said he thought it was deep too, but the engineer explained that it is meant to have the sediment drop there so that when we have to dredge it in the future, we don’t have to dredge all the ponds. He said there are things we can do to that pond such as special earth on the bottom that will absorb the water quicker, or a perforated pipe underneath to help it drain somewhere else, but he said we don’t want to go to those until we have to. He said we are still trying to go with the plan, and do what was planned to satisfaction before we do those other things. Referring back to Mr. McNichol’s earlier question, he said the average rainfall for Cumberland County for August is 3.56” and we have had 2.5”, but the current 12-month rainfall difference is still 16.25” above average.

Mr. McNichol apologized for his aggression but said the Board must understand that this is ongoing for five months and they aren’t getting answers or seeing improvements. He said their concern is when someone is going to share the full plan with the residents and when they can expect it to be finished. Chairman Cochran said it is very much dependent on the weather and it is a water retention pond, and when we have excess water it is filling up with water and we can’t do some of the things we want to do. He said he walked the ponds and saw the dry balls of clay-like material in them. He said we are slowly getting to where we need to be and we need the weather to cooperate. He acknowledged that August has been better weather-wise. He said the Authority is giving Mr. McNichol answers every time he asks, so he doesn’t know what else they can do.

Commissioner Martin said the Authority and staff have been forthcoming. He said we have given answers and haven’t been secretive and this is one of the most open processes we’ve had. Mr. McNichol said he doesn’t think the Township has been secretive but thinks it’s a test in progress and it’s too bad it’s so big in scope. He said he has talked to other people who have had the same type of work done behind their houses and it was fine until the work was done. He said he thinks the engineering firms were out there doing their due diligence and he can’t imagine that the results are what they said would happen, and they should be held accountable. He said he doesn’t think the Township went into it with the attitude that it could work, or might not work. Commissioner Martin agreed and said the Authority is holding the engineers accountable, and they have been forthcoming in addressing the issues. He said they have a model and a prediction, and we follow it, and when they find unusual circumstances, they deal with them. Commissioner Martin asked Mr. McNichol where the other people he talked with live, and he responded that he thinks he heard it from someone in Mechanicsburg.
Mr. McNichol said it is frustrating when they used to look at a green field and now he looks at this. He said the weed situation was another story. Chairman Cochran commented that it was more attractive to look at before, but it didn’t function as designed. He said he is at a loss as to why the Township accepted that retention pond, noting that we no longer accept most of them. He said he wasn’t on the Board at the time and had nothing to do with it. He continued that every taxpayer in the Township is paying for it, not just the people around it. He said they paid to have it maintained and cut and kept in good shape and will continue to pay for it. He said we had to work with Township assets in order to meet the requirements to show we are meeting stormwater requirements. He said the fact that it was green and nice to look at is nice, but engineering-wise it was a failure. He added that most of that water is coming from Meadowview, not somewhere else. He said we are doing what we can and are trying to be open. He said Mr. McNichol is welcome to come back to every meeting and the Authority will tell him what we’ve done since last time. He said we will do what we can, but the best guess is that we will still have to reseed in the spring. Mr. McNichol questioned what will happen when Arborview starts putting their stormwater into that retention pond, but Commissioner Castranio said that is no longer going to happen.

Mr. Gillis said he is not here to be a pain but is here to try to understand where we are with the project. He said the last thing he wants to do is walk away and find that there is no activity down there, and all of a sudden he comes to a meeting and finds out that this is as good as it gets. He said he wants the Township to succeed, noting that if they win, the residents win. He said they support the Board, but they are concerned.

Bryon Brookmyer, of 7 Broadmoor Drive, said he lives next to a retention pond in the area of Wineberry, Dewberry, and Broadmoor. He said that 9 years ago, when he moved there, the area was cut and maintained by the Township. He said over the years it has become increasingly more of a forest than grass. In the spring he said he cut back some branches from there, and when he can, he clears that section of sidewalk. He said the detention pond is all filled up and the gully has created a 2’ crevice and has never been dredged. He said the area used to be such that you could see grass much further back. He provided a photo of the “No Dumping” sign that is posted there. He said each year each contractor mows less and less, and now it is just junky trees. He said this hurts when he is paying a rain tax and the Township is fixing the pond at Meadowview. He said the Township works on the elite neighborhoods and ignores the others. He asked if the Township has any plans to do something with it, and also another detention pond in the area of Wineberry and Greenway. He said he would like to see the area cleaned up, not to the extent of Meadowview, but something. He said the water behind his house all goes down to the Kennedy property on Winding Hill Road.

Mr. Fazekas commented that there is only one pond owned by the Township in that neighborhood. In response to Mr. Brookmyer’s comment about the Township fixing the Meadowview pond, Chairman Cochran said we are mandated to do certain things to reduce nitrogen and phosphorus. Mr. Fazekas said we will have the engineer take a look at the retention pond near his house to see what we should be doing. He said we are not ignoring that one to do Meadowview. He said Meadowview was just one of the first ones we decided to tackle. He said we will eventually do that project too, but in the meantime we will get in there and clean it up.
CONSENT AGENDA

Commissioner Martin made a MOTION to approve the Consent Agenda as follows, SECONDED by Vice Chairman Castranio:

Approval of Minutes of July 17, 2019 Stormwater Authority Meeting
Approval of Administrative Payments in the Amount of $51,507.25
Consideration/Approval of Staff Reports

The motion carried unanimously.

NEW BUSINESS

Approval of TPD Proposal for Structure Repair of Trout Run Bridge on Mill Road

Chairman Cochran said he is not sure that this is a stormwater issue and thinks it is a Public Improvements issue and thinks it should be moved to the regular Board of Commissioners agenda. He said he doesn’t want the stormwater fund to get into the habit of repairing bridges. Commissioner Rigney asked if TPD (Traffic Planning & Design) is the right engineer to evaluate this, and Vice Chairman Castranio said they have structural engineers on staff.

OLD BUSINESS

Consideration/Approval of Contract Time Extension for the Meadowview Basin Project

Mr. Reichard commented that the contractor wants to take advantage of the growing season and is requesting a time extension to ensure finished grading and seeding are completed and maintained in accordance with Section 02485 of the Contract Specifications.

Vice Chairman Castranio made a MOTION to approve Change Order No. 1 to the Meadowview Water Quality Basin project to extend the date for completion of all work to October 31, 2019 (86 days), SECONDED by Commissioner Rigney. The motion carried unanimously.

Update on ERU Calculations

In April the Stormwater Authority authorized C. S. Davidson to reevaluate properties within the Township to determine whether they are being calculated at the correct amount of impervious coverage. The first round of reviews included properties with a calculation of 4 or more ERUs. In July, C. S. Davidson began a second round of reviews, to include properties with a calculation of 3 ERUs.

The second round of reviews involved 163 parcels. With just over 7,500 parcels in total, this project accounted for about 2.2% of all Township parcels. Ten of the 164 parcels increased, 44 remained unchanged, and 109 decreased by one ERU or more. The total ERU count is 14,115, a net loss of 137 ERUs. Since the reevaluation process began, total ERU count has reduced by 714.5 ERUs.
Chairman Cochran questioned when we started billing for stormwater, and Mrs. Boyer said it was in January of 2019. He questioned whether we are going back to the beginning and giving credit for all the overage, and Mrs. Boyer said they follow the same rules for stormwater billing as for sewer; i.e., using the current billing quarter, with any changes going forward. Vice Chairman Castranio said it was discussed by the Public Improvements Committee that we wanted to go back to the beginning for the credits. Mrs. Boyer said they were going to use the same policy we used for the appeals, noting that if a person’s bill increases, it won’t go back to the beginning, but if it decreases it won’t go back either. Commissioner Rigney said he thought the Authority discussed going back to the beginning if there was a problem with the methodology. Vice Chairman Castranio said if we are still in the first year, we should go back to the beginning and correct it for the entire year as long as we are in the first year, and after the first year it should only apply to the current billing quarter. He said it should apply to appeals too, because there were errors made and we should make it right.

Vice Chairman Castranio made a MOTION to credit, back to January 1, 2019, all overcharges in ERU calculations discovered as a result of C. S. Davidson’s review of property owners charged for 3 and 4 ERUs, and all overcharges discovered during the formal Appeal process. After the end of 2019, the stormwater credit policy currently in place for stormwater billing will apply. SECONDED by Commissioner Rigney. The motion carried unanimously.

**Update on Stormwater Credit Program**

Mrs. Boyer said C. S. Davidson has been working diligently this year on the Stormwater Credit Program. Chairman Cochran asked Mr. Reichard and Mrs. Boyer to bring a boilerplate to the next Public Improvements Committee meeting and then the Authority meeting in September.

**AUTHORITY MEMBERS’ COMMENT**

There were no comments.

**MISCELLANEOUS**

There were no items for discussion.

**PUBLIC COMMENT**

There was no further public comment.

**ADJOURNMENT**

Chairman Cochran adjourned the meeting at 6:58 p.m.