CALL TO ORDER

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

CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENT

Mary Lundeen, of 2137 Arbor Court in the Arborfield development and President of their Homeowners Association, said she spoke to Chairman Cochran at the end of the last Stormwater meeting regarding a November 14, 2019 letter she submitted concerning an issue with stormwater runoff carrying gravel, debris and sediment originating from Gettysburg Pike and entering the stormwater swale behind the Arborfield property. She said she hasn’t heard anything from the Township, and feels neglected. She said they were hoping someone from the Township would acknowledge that it is an issue, and said they would ultimately like to meet with somebody to talk about it to go over what can be done. She said the Homeowners Association sent their recommendations in the letter and asked that someone contact them.

Chairman Cochran commented that the Township dredged out the channel on the other side of Gettysburg Pike several weeks ago around the time of the letter. Ms. Lundeen said the Homeowners Association Board noticed that there was some cleaning out of the channel but it looks like the sediment was just put back on the banks and looks to them like it will just wash back into the channel in a heavy rain. She said they would like to discuss a long-term solution. Mr. Fazekas said he and the MS4 coordinator and Public Works Director can discuss the issue. He said there does seem to be some repair needed to the pipe that goes under the road, and there has already been some work done.

Ms. Lundeen said at one time there was a proposal for development in that area but she is not aware of it now. Also, she said where the pipe comes across the road and spills into the swale behind Arborfield, about 18’of it is in the Gettysburg Pike right-of-way so they don’t know whether they should be doing something with it or the Township should be doing something.
Mr. Fazekas said Arborview is coming in with another plan and they may do some work there, but as of now the swale that the Homeowners Association is responsible for is outside of the boundary. Ms. Lundeen said because the area before the first 3 lots is still on Arborview property, they will be responsible for maintenance and cleanout of that area. She said all the rest of it from there down will be shifted back to Arborview property and will be the developer’s responsibility. She said this has come to the forefront in their minds because Arborview will happen, and if they have to get equipment in, it would be helpful to get it in before that happens. Chairman Cochran said we have to look at what Mr. Farinelli agreed to when he developed her area because he thinks there were some things he agreed to that were then offloaded to the Homeowners Association. Mr. Fazekas said he will set up a meeting, and Vice Chairman Castranio asked that the topic be kept on the Public Improvements Committee agenda for follow up.

**CONSENT AGENDA**

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

- Approval of Minutes of November 20, 2019 Stormwater Authority Meeting
- Approval of Administrative Payments in the Amount of $3,774.26
- Consideration/Approval of Staff Reports

The motion carried unanimously.

**NEW BUSINESS**

**CONSIDERATION/APPROVAL OF RESOLUTION ADOPTING THE BUDGET FOR THE 2020 CALENDAR YEAR AND AUTHORIZING EXPENDITURES**

Commissioner Martin made a **MOTION** to adopt Resolution #7, a Resolution of the Stormwater Authority of the Township of Upper Allen, Cumberland County, Pennsylvania, Adopting the Budget for the 2020 Calendar Year and Authorizing Expenditures. **SECONDED** by Vice Chairman Rigney. The motion carried unanimously.

**CONSIDERATION/APPROVAL OF RESOLUTION APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE STORMWATER AUTHORITY HEREINAFTER SET FORTH DURING THE CALENDAR YEAR 2020**

Commissioner Rigney made a **MOTION** to adopt Resolution #8, a Resolution Appropriating Specific Sums Estimated to be Required for the Specific Purposes of the Stormwater Authority Hereinafter set forth during the Calendar Year 2020. **SECONDED** by Vice Chairman Castranio. The motion carried unanimously.
CONSIDERATION/APPROVAL OF RESOLUTION SETTING DATES FOR MEETINGS OF THE STORMWATER AUTHORITY FOR THE CALENDAR YEAR 2020

Commissioner Martin made a MOTION to adopt Resolution #9, a Resolution Setting Dates for Meetings of the Stormwater Authority for the Calendar Year 2020, SECONDED by Vice Chairman Castranio. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION/APPROVAL OF STORMWATER UTILITY FEE CREDIT AND ADJUSTMENT POLICY, AND CONSIDERATION OF RESOLUTION ADOPTING THE PROGRAM

Mrs. Boyer noted that the draft Stormwater Utility Fee Credit and Adjustment Policy was presented at the November 20 Authority meeting but staff was asked to defer action until now to allow everyone additional time to look at it. She said she hasn’t received any inquiries since that time and noted that the final draft of the policy is presented at tonight’s meeting for consideration by the Authority. Commissioner Martin questioned whether these credits would run with the property instead of the owner, and Mrs. Boyer said the credit would expire with change of ownership and the new owner would decide if they want to apply for a credit.

Commissioner Anderson arrived at 6:12 p.m. during this discussion.

Commissioner Martin made a MOTION to adopt Resolution #10, the Upper Allen Township Authority Stormwater Utility Fee Credit & Adjustment Policy, SECONDED by Vice Chairman Rigney. The motion carried unanimously.

AUTHORITY MEMBERS’ COMMENT

There was no comment.

MISCELLANEOUS

There were no items for discussion.

PUBLIC COMMENT

Kent Strock, of 729 Williams Grove Road, questioned whether the Stormwater credits are going to be additive. He wondered if he could receive a credit for a conservation plan and a BMP. Mrs. Boyer said that could occur, but pointed out that in no case can you be charged less than 1 ERU. He also noted that he has an existing vegetative swale and a retention facility, and questioned whether he can also apply for that credit since it was not constructed as part of a new land development plan. Mr. Reichard indicated that he could, but there would be some further evaluation.
Mr. Strock commented that several farmers paid substantial fees initially for the program, and as a result of these credits they should see a substantial reduction. He asked if there will be any credit given for payments already made because the program wasn’t thought through entirely and they suffered financially. Mrs. Boyer responded that as previously discussed, anything falling under the County Conservation Plan would be considered because we are approving it for 2019 if the farmers can prove that they had a valid plan. But she said it would not backtrack to the beginning of time because it starts now. Chairman Cochran said other than the Conservation Plan there was really no way to determine exactly when something happened, but the Conservation Plan can be verified, so we will give credit for that. Mrs. Boyer added that the new credit will apply for anything going forward. Mr. Strock said his vegetative swale and other things he has were in existence since the 1960s but aren’t listed in the BMPs listed for consideration. He asked if those things will be credited, and Mrs. Boyer said they will not. Mr. Strock said it would have been nice if the program had been thought through because they paid initially over $2,600 and it looks to him like he as well as others were gouged. He said they don’t have a warm and fuzzy feeling, and Barry Strock, of 815 Williams Grove Road, also in the audience, seconded his comments. He said he does feel like they were charged a fee in 2019, and now the Authority is looking at a different program, so in his eyes 2019 was wrong and he should be reimbursed. Chairman Cochran said it is a valid perspective but we needed to get a program in place in a hurry and had we had more time, we would have had the credit program in place from day one, but we couldn’t. He added that the Authority wanted to do a fee rather than a tax so the appropriate land owners were covered. A tax would have eliminated places such as the school district. He said he is disappointed too that we couldn’t get it in place. He pointed out that the only group that gets that retro credit is the farmers.

ADJOURNMENT

Commissioner Rigney made a MOTION to adjourn the meeting at 6:25 p.m., SECONDED by Vice Chairman Castranio. The motion carried unanimously.