

November 14, 2019  
6:00 PM

The Stormwater Fee Workshop of the Township Board of Supervisors was called to order by Chairman Castle for the purpose of discussing the Proposed Stormwater Fee.

ATTENDANCE

A.W. Castle, III, Chairman  
Philip F. Kehoe, Vice Chairman  
Carl Kuhl, Supervisor

Michael Pykosh, Solicitor  
Chris Gleeson, Solicitor  
Greg Rogalski, Engineer  
Karen Lowery, Recording Secretary

Patrick Boggs and Mark Pickering from GHD gave a presentation on the Stormwater Fee Study Update. The study was performed to determine how to distribute the costs of a \$1.5 million Pollution Reduction Plan (PRP) and also provide different scenarios of how the fees can be charged. Fee scenarios were provided based on two options, a 10-year loan or no loan. Each option also provided classifications for a base rate for single family residential (SFR), agriculture properties under 10 acres being considered SFR, agriculture properties under 20 acres being considered SFR, all agriculture properties considered SFR, and tax-exempt properties being excluded. Lists of the top 5 agriculture properties based on impervious area and the top 5 non-single-family residences, excluding agriculture properties, was provided. To move forward the Board will need to address the following action items, loan option vs. cash flow option, will properties with less than 300 square feet of impervious area be included or excluded, classification of agriculture properties, and will tax exempt properties be included or excluded. There will also be some additional action items that will need to be determined to finalize the process, such as develop a credit program for commercial and agriculture properties, adopt a stormwater fee ordinance, GIS database check, governing body determination and when the first bills will be sent out.

Mr. Rogalski stated that the range for SFR would be between \$25 and \$35 based on the 2 scenarios provided. Depending on the options picked there will be impacts on some agriculture and commercial properties. He also supports the credit program, which could wave a percentage of the fee for agriculture and commercial properties that did certain projects to help with the pollutant reduction. He believes it would be fiscally prudent to collect the funds in a 5-year period because it's likely that the next permitting period will be more restrictive and possibly in a broader area.

Mr. Kuhl mentioned that York Flood and Pollution reduction fees and credits for farm parcels. Each farm pays \$48.90/year plus pay \$9/year for each tillable acre with credits available to bring that to zero. He suggested GHD look at that option. He also added that the PA Community Clean Water tool box through DEP proposed a report showing 35% reduction to

nitrogen mostly aimed at agriculture. He is concerned they will have to pay stormwater here and then again with the nitrogen reduction at another level. He is disappointed with the amount that is suggested farmers pay based.

Mr. Rogalski explained the last scenario was to keep agriculture as an SFR and charge a flat rate across the board. Mr. Boggs added that tillable acres could be looked at if the Board desires. He added that York County was looking at that option, but have decided not to proceed with that option.

Mr. Kehoe said the Boards responsibility is to figure out a way to spread as reasonably balanced as possible. He questioned if the credit program established would last for the current permit and then be recalculated for a new time period. Mr. Pickering gave an example for the credit program and annual inspections are required to earn the credit. The credit can remain in place, but the township can recalculate the amount of the credit.

Mr. Rogalski added that similar to other utilities we need to implement the program, get through a year or two, and then see if we are on track financially to determine if the fee remains the same or if the credit needs to be adjusted. Even though a decision is being made now, it is not locked in for 5 years and can be adjusted throughout time.

Mr. Kehoe said that the Board will need to make a decision on financing and with the township's history with long term debt, he would prefer if there is a way to work on a cash flow basis. He added it would be in the best interest of the township and would like to avoid that issue now on the front end. If a larger project came up that needed financing, we could deal with that then. Mr. Castle and Mr. Kuhl agreed.

Mr. Kehoe stated that a decision needs to be made on properties that have 300 square feet or less of impervious area. Mr. Kuhl asked if the Mt. Zion cemetery would fall under this. Mr. Boggs asked if there were driveways because they would be considered impervious. Mr. Rogalski added that the cemetery has more than 300 square feet of impervious area.

Mr. Kuhl asked when GHD's information will be turned over to the township. Mr. Pickering said that additional decisions need to be made and the final report will reflect those decisions, include a timeline recommendation for implementation, credit program information and the Ordinance. A lot needs done before bills can be sent out. The partial breakdown information is available and can be provided to Mr. Rogalski.

Mr. Rogalski said the ultimate goal and the ultimate question everyone has is how will this impact me and until we can say that these top 4 items need to be determine. It looks like we are headed toward the 5-year cash flow and that 300 square feet or less of impervious area will be exempt. The agriculture and tax-exempt questions are part of the bigger picture and need to be addressed.

## AUDIENCE COMMENTS

Randy Tasker, 1000A Otto Drive, wasn't aware of the first meeting and asked for some background. Mr. Rogalski explained DEP's requirements to reduce the pollution, which would require stormwater projects to meet the mandate for the current permit that expires in 2023. A budget for projects and administration was created and now the question is how to split up that amount throughout the residents.

Ed Rogers, 200 Westview Drive, asked if he was looking at the numbers correctly, would the 5-year plan be \$35 per quarter if calculating all of the agriculture as SFR and excluding the tax-exempt? Mr. Boggs said the quarterly bill would be \$36.40 if all agriculture was calculated as SFR and tax-exempt properties were not included. Mr. Rogers said there was a question at the last meeting about the average number used for SFR. Mr. Boggs said they looked at and removed the outliers, which slightly lowered the average number from 6,100 square feet to 5,500 square feet.

Carlton Parry, 1301 Church Street, mentioned tax-exempt properties, such as churches, and if the fee could be spread through rest the rest of the properties because there are some that don't have the money. Mr. Rogalski said that is a decision the Board needs to make. Mr. Kehoe said that was part of the conversation at the last meeting regarding tax-exempt properties. And the option to create this as a fee versus a tax would allow all properties to be involved in this fee. Mr. Parry asked if the Board could choose which tax-exempt properties paid and which were excluded. Mr. Rogalski said that either all tax-exempt properties included or all would be excluded, you can't pick and choose.

Cass Gibson, 131 Ryegate Road, asked for an idea of the amount for farms, such as a 100-acre farm. Mr. Rogalski said that the farm with the largest impervious area equals 69 ERU's (Equivalent Residential Unit) and the cost would range between \$6,900 to \$9,000 per year based on which scenario is applied. If farms were calculated as SFR the fee then for all SFR would be \$35 per quarter. The commercial properties would be calculated differently and could work with the credit program. The largest non-SFR was calculated at 182 ERU's, which equals about \$18,000 per year.

John Aigeldinger, 1447 Lutztown Road, he said that including non-profits makes it a fee, but excluding non-profits can let it be a tax where it can be written off. He said there aren't that many non-profits in the township, and most of them are truly non-profit. Mr. Rogalski said the township raised their taxes to cover the cost there typically wouldn't be a sliding scale for commercial properties, everything would be based on the property value.

Mr. Kehoe is concerned looking at all of these creative tax ideas to help out may cause us to have to be recalculated after a year if we determine that we are falling short on money. The money has to come from somewhere. It sounds noble now, but sooner or later Monroe Township has to pay. He understands it may be difficult larger farm owners and tax-exempt parcels. There are a lot of impacts hitting the community beyond stormwater, but we can't keep pushing them

back, we have to figure out how to pay for this.

Mr. Aigeldinger added that he doesn't want to push it back, he's just looking for some relief by having it rolled into our property taxes.

Holly Wood, Monroe Township, questioned if the credit program was just for non-SFR only. Mr. Rogalski said that was true. The cost and difficulty to manager SFR credit program is not recommended.

Tom Vogelsong, 323 Old Stone House Road, asked what oversight there will be of this money to know that it's well spent and there is no corruption. Is someone going to check for cleaner stormwater? Mr. Kehoe said the general program requires us to apply for a permit that includes a list of projects and improvement plans to meet the requirements established by DEP. Mr. Rogalski stated that the PRP (Pollutant Reduction Plan) is available at the township and on the website and lays out what the projects are for and there is an annual report filed with DEP each year listing improvements that have been completed.

Jim Clay, Mt. Zion Lutheran Church, asked how much of the \$1.5 million budget is going toward managing the project. Mr. Rogalski said about 10% of annual yield or \$40,000.

Sharon Nelson, 1290 High Street, asked what category the open space areas or trails would fall under. Mr. Boggs said that would likely be under SFR. Ms. Nelson asked for some consideration to the owners of that open land since the township has encouraged open space.

Diane Stamy, 1191 Baish Road, asked if she could see the list of costs based on the different scenarios for the farmers.

Mr. Kehoe said the possible direction was given on 2 out of 4. He suggested talking through to give GHD a general direction without formally voting on it.

Mr. Castle said there is a lot to observe and our tax payers will be shelling out a lot of money, so we need to talk this over.

Mr. Rogalski said everyone wants to know how this will impact them, so to create the number the 2 decisions that need to be made will have a big impact on the answer. A decision doesn't need to be made tonight, but the Board should be ready to make a decision at the December meeting.

Mr. Tasker suggested the Board look at borrowing the money and paying it back with cheaper dollars. It could be paid back over time and there would be more people to help pay it back and the generations could help pay it back. Mr. Kehoe explained the concern with borrowing since the township has been down this road with the sewer system.

Mr. Kuhl said we have large and small family farms, so different parcels would have

different fees. He is not in favor of classifying farms to the point of having \$10,000 bills and there are areas that aren't required to be under MS4 stormwater issues. We are losing dairy herds and farmers are already doing no till and spending a lot of money. It's tough and he's not in favor of classifying farms more like commercial properties.

Mr. Kehoe asked for thoughts on tax-exempt parcels. Mr. Kuhl said while some churches are very needy and can't afford it there are some other tax-exempt properties, like the school that can pay the fee. But the other side is that if we charge the school a fee it will come back around and be part of the school tax residents pay. Mr. Kehoe said either way a lot of people will be upset. The concept of a fee is being used in other townships, so the tax-exempt parcels need to be included in this. He feels agriculture properties need to be classified. We try to support agriculture community as much as possible.

Mr. Tasker asked if the Board was concerned with farmers giving up and developing their property. He moved here to be in a rural area. Ms. Curl said that when considering tax-exempt properties to keep the school and large churches in mind since they have a lot of pavement and large buildings that create more run off than most properties. She doesn't feel they should be exempt.

Mr. Boggs said he heard what was said about the agriculture areas. They will take that back look at additional options to possibly lower those amounts.

ADJOURN

**Mr. Castle adjourned the stormwater fee workshop at 7:17 PM.**

Respectfully submitted,

Karen M. Lowery  
Recording Secretary