

The Springettsbury Township Board of Supervisors held a Development Authority meeting on Thursday, December 13, 2018 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Secretary/Treasurer
Justin Tomevi
Robert Cox

ALSO IN

ATTENDANCE: Ben Marchant, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Teresa Hummel, Finance Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jessica Fieldhouse, Director of Community Development
Nitza Sanchez-Bowser, Director of Human Resources
Dan Stump, Police Chief
Dan Hoff, Chief, YAUFRR
Abby Gibb, Communications Manager
Andy Hinkle, Manager of Information Systems
Jean Abreght, Stenographer

1. CALL TO ORDER

SWOMLEY Chairman Swomley called the meeting to order immediately following the Board of Supervisors Regular Meeting.

2. CERTIFICATION OF QUORUM

SWOMLEY Chairman Swomley certified that a Quorum was present.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

A. Development Authority Regular Meeting Minutes – November 14, 2018

MR. DVORYAK MOVED TO APPROVE DEVELOPMENT AUTHORITY REGULAR MEETING MINUTES OF NOVEMBER 14, 2018. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. RESOLUTIONS / MOTIONS

There were none for action.

6. NEW BUSINESS

A. Authorization to Advertise Request for Proposals for MS4 Project Management Services

FIELDHOUSEMs. Fieldhouse discussed previous Work Sessions on stormwater and the MS4 program, the DEP reduction requirements, advertising for the project management for a design permit, operation and maintenance, which is one of the cornerstones for establishing the fee for operating a Stormwater Authority. A stormwater program within the township will provide information as to what a project management cost will be per dollar per pound. With that number, plus adding the maintenance costs provides the initial understanding of the kind of fee to generate for the program. The RFP will be extensive and will need an equally extensive agreement with the selected consultant. The RFP will request a Scope of Services where the consultant, a private entity, will advise their Pollutant Reduction Plan ingredients to guarantee hitting the sediment reduction requirements by the end of this permit cycle. The selected firm will take care of acquisition of real property, easements and rights-of-way; will handle DEP permitting, construction and operation and maintenance for the life of this permit cycle only.

A lengthy discussion took place, which is summarized:

- The consultant takes ownership of the project and will identify the most productive sites.
- All easements or land acquisition would take place by this consultant.
- Assumptions of \$6.75 per pound of sediment reduction includes everything.
- Agreement with the consultant will include yet-to-be-determined major details.
- PennDOT submitted RFP's on this, and perhaps will provide a sample agreement.
- The Stormwater Consortium is attempting to do the same county-wide.
- No other municipality in Pennsylvania has done this yet; brand new ground.
- Important to work hand-in-hand with the selected consultant whose job is that the township meets the sediment reduction goals; if not there are EPA/DEP penalties the consultant pays.
- Municipality has the right of eminent domain to assure good subject properties.
- There are five years to remove 690,000 pounds of sediment.

FIELDHOUSEMs. Fieldhouse stated that she would like permission to advertise in order to receive some responses.

MARCHANT Mr. Marchant added that they proposed publishing the RFP on January 15th. There is an additional board meeting on January 10th if more time is needed for review.

TOMEVI Mr. Tomevi noted that he was not in favor of condemnation, but the lack of condemnation threat seems like it might be very expensive.

FIELDHOUSEMs. Fieldhouse stated that the consultant bids the project, and they give the cost per pound up front, so if it's \$6.75, the township is locked in at \$6.75.

MARCHANT Mr. Marchant noted that it's a philosophical approach that the private sector can do it better, faster and cheaper than government without the eminent domain, without the public bidding, without the process and getting the job done on our behalf. The details will be ironed out within the contract.

WURSTER Mr. Wurster stated that this action is just to advertise the RFP. He questioned who would be involved in the interview process.

FIELDHOUSE Ms. Fieldhouse noted that there is a selection committee made up of board members and township directors to interview the two or three lowest bid individuals.

LUCIANI Mr. Luciani noted the discussion surrounding acquisition as fee simple. He thought about the pipe lines that crisscross the state. They get rights-of-way there, but they don't own it. The purpose of it is to do stream restoration. They may go to Codorus Creek and talk to five property owners, get an easement through there to perform that work; however, they may not deed to own it fee simple.

WURSTER Mr. Wurster responded that it would be like a sewer line or a rail trail trailer in the back yard.

MARCHANT Mr. Marchant stated that the stream restoration is going to be a more natural, self-contained estate than what it currently is, and it would involve maintenance.

MR. TOMEVI MOVED TO AUTHORIZE THE ADVERTISEMENT OF THE RFP FOR MS4 PROJECT MANAGEMENT SERVICES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. OLD BUSINESS

A. Fee Schedule

WURSTER Mr. Wurster brought forward the Fee Schedule he had provided. He was able to have dialog with the township's Bond Counsel to understand the township's

Development Authority from the perspective of issuing Bank Qualified Tax-Exempt Financing, which the Development Authority is in a position today to issue. The makeup of the board of the Authority is identical to the township Board of Supervisors, and there is control. If the board would issue Bank Qualified Tax-Exempt Financing as a conduit through the Development Authority, any issuance under that Bank Qualified label counts toward the overall township's debt limit. If there were a separate entity that is independent of this board, that would not be the case. Bank Qualified Tax-Exempt Financing can be offered to non-profits or to certain industries.

Mr. Wurster noted that he had a conversation with Kenetha Hansen of the YCDA, and she is aware that the Development Authority is operating under the Municipal Authorities Act and not under the Industrial Development Authority's Act. However, they may have need to bring some non-profit transactions and not Bank Qualified Tax-Exempt for which she would work with and provide some transactions together with Mr. Marchant as the need arises. He encouraged the board to review the Fee Schedule for adoption.

DVORYAK Mr. Dvoryak questioned how he had put the Fee Schedule together.

WURSTER Mr. Wurster responded that he had created it through investigation of Fee Schedules in other local industrial authorities. He had reviewed multiple sources. He requested that the board members review the Fee Schedule and if they had questions to send him emails. He hoped to adopt it fairly soon after the start of the new year.

8. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Charles Wurster
Secretary/Treasurer

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