

**DRAFT MINUTES OF THE ANNVILLE  
TOWNSHIP AUTHORITY  
September 28, 2021**

The September Regular Monthly Meeting of the Annville Township Authority was held starting at 5:30 PM on September 28, 2021 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Barry Ludwig, Chairperson; Anthony Deaven, Vice Chairperson (via telephone); Dustin Sider, Secretary; Karen Mailen, Treasurer; and Hugh Rooney, Assistant Secretary/Assistant Treasurer. Also in attendance were Nicholas T. Yingst, Township Administrator and Authority Clerk; Leslie J. Powell, Superintendent of the Wastewater Treatment Plant (WWTP); Joseph Viozzi, Public Works Department; Corey Lamoureux, Esq., Township Solicitor; and Nicholaus Sahd, Gannett Fleming.

Chairperson Ludwig called the meeting to order and led those present in the Pledge of Allegiance to the flag of the United States of America.

**APPROVAL OF AGENDA:** MOTION by Ms. Mailen, second by Mr. Sider to approve the agenda as presented. Motion carried unanimously.

**RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:** Chairperson Ludwig provided an opportunity for public comment and no comments were noted.

**APPROVAL OF MINUTES:** MOTION by Ms. Mailen, second by Mr. Sider to approve the minutes of the Regular Meeting held August 24, 2021 as presented. Motion carried unanimously.

**FINANCIAL REPORTS:** The Authority reviewed the income statements and balance sheets for the Sewer Fund, Sewer Capital Fund, and MS4 Fund for the period ending August 31, 2021.

**ACCOUNTS PAYABLE:** The Accounts Payable list for September 2021 was reviewed. MOTION by Mr. Sider, second by Ms. Mailen that the list of vendors to be paid (Cash Disbursements Journal) for the Sewer Fund, Sewer Capital Fund, and MS4 Fund, which list is filed with other Authority records, be approved by the Authority for submission to the Board of Commissioners for payment. Motion carried unanimously.

**SUPERINTENDENT'S REPORT:** Mr. Powell reported that the WWTP is operating very well. He began by reviewing the Monthly Report before continuing to the Status of Pending Projects Report, a copy of which is attached hereto and made a part of these minutes, and the following items were discussed in detail:

**Sampling and Surcharges:** The Authority reviewed the results of the latest samplings for J&S Pizza, Just Wing It, Ninh Kieu Restaurant, Rotunda Brewing Company, Rotunda Restaurant & Brewery, Swatara Coffee Company, Ted's Bar and Grill, the Lebanon Valley (UCC) Home, and Veterans of Foreign Wars (VFW) Post 8023. Mr. Yingst reported that copies of these sampling results were mailed to these entities earlier in the month and based upon these results surcharges would be assessed to their October 1, 2021 sewer bills, with the exception of Swatara Coffee Company, Ted's Bar and Grill, and the VFW, which did not exceed any of the Township limitations. He also noted that, for the second consecutive testing period, Ninh Kieu Restaurant and Rotunda Brewing Company had surcharges below \$25 and, as such, would not be assessed the \$250 sampling and testing fee for this bill. Per a question from Mr. Sider about those entities that had no surcharges, Mr. Yingst and Mr. Powell noted the low testing results were likely due to

these establishments improving their housekeeping practices after discussing same with the Public Works Department.

**Replacement of Portable Pump:** Mr. Powell reported on the need to use portable pumps for bypass purposes earlier in the month due to heavy rains, further reporting that as a result the motor on a 50-year-old 4-inch pump went out. He consulted with a firm that rebuilds motors and they did not recommend doing so for this pump due to its age and the challenge of getting parts. He then shared an inventory of the pumps the plant currently had available and the options for a new pump. Mr. Sider noted the 6-inch Pioneer pump was more expensive than the other options and asked why. Mr. Powell indicated the Gorman Rupp quotes used COSTARS pricing, which lowered the cost. Per a follow-up question from Mr. Sider, Mr. Powell indicated he was comfortable with Gorman Rupp pumps as he has others he uses at the plant, and as he was not too familiar with Pioneer and hadn't heard back from representatives of Pioneer or Godwin regarding questions he had for them regarding their pumps, he believed the 6-inch Gorman Rupp pump was the best option. Noting that the plant currently does not have any 6-inch pumps, he shared that getting such a pump would also necessitate buying larger diameter hoses. Chairperson Ludwig shared some suggestions for where such hoses could be obtained, and Mr. Rooney suggested that the cost of the hoses be charged as an operating expense to the Sewer Fund. **MOTION** by Mr. Rooney, second by Ms. Mailen to recommend to the Board of Commissioners that it authorize the purchase of a 2021 6-inch Gorman Rupp pump for \$36,150 plus freight from the Sewer Capital Fund. Motion carried unanimously.

**Biosolids Permit:** Revisiting a conversation from several months prior, **MOTION** by Mr. Sider, second by Ms. Mailen to recommend to the Board of Commissioners that it authorize the payment of \$1,500 to Material Matters, Inc., regarding consulting services in connection with biosolids general permit renewal support and advocacy. The motion was then opened for discussion. Mr. Rooney asked Mr. Powell if he believed the Authority had gotten its money's worth out of the consulting services, and Mr. Powell indicated he did. With no further comments or questions noted the motion was voted on and carried unanimously.

**Fats, Oils, and Grease Regulations:** Mr. Yingst and Mr. Powell summarized a meeting they had earlier in the day with Mr. Viozzi, Mr. Lamoureux, and Mr. Sahd regarding the possibility of strengthening the Township's fats, oils, and grease regulations. Mr. Powell noted that while he believed the existing regulations were good, he thought there were some areas in which they could perhaps be strengthened, and he indicated he thought a follow-up meeting would be appropriate to continue to think through this. Per a question from Ms. Mailen, Mr. Yingst described the communications regarding sampling that are issued to new establishments. In particular, he indicated a letter was issued informing them of the Township's sampling and testing program before the first sampling occurs, and later the first sampling's results are provided to them while waiving the surcharge from that initial bill to demonstrate the cost impacts of high numbers. Both these communications have contact information that encourages the establishment to reach out with any questions.

**SOLICITOR'S REPORT:** The Authority was informed of the following items:

**Municipal Claims for Properties at 18/18A East Main Street and 1021 East Maple Street:**

Mr. Lamoureux reported that he has not heard from the owner of the properties at 18/18A East Main Street and 1021 East Maple Street regarding the municipal claims on same.

**Municipal Claim for Property at 30 South White Oak Street:** Mr. Lamoureux reported a notice was sent to Scott F. Schollenberger, Jr. and Kimberly M. Maurer the prior month informing them of the delinquent balance on their property at 30 South White Oak Street, and that the debt would be considered valid if they did not dispute same within 30 days of receiving the notice. As the owners did not respond, Mr. Lamoureux indicated a municipal claim would be filed shortly against this property.

Henri Lively, Township Commissioner, arrived at the meeting at 6:01 PM.

**Tax-Exempt Financing Conduit Opportunity:** Mr. Lamoureux reported he spoke earlier in the day with Timothy Horstmann of McNees Wallace & Nurick LLC, acting as bond counsel for Lebanon Valley College (LVC) regarding more than \$16,000,000 in financing it was considering, who provided information should the Authority wish to act as a tax-exempt conduit for same. If so, Mr. Lamoureux shared that a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing would need to be held, and Mr. Horstmann suggested that take place at the October 26, 2021 meeting of the Authority. Mr. Lamoureux also noted this hearing could meet its advertising requirements via the Township website and Mr. Yingst indicated he would be happy to assist in that way. Mr. Lamoureux further noted the Board of Commissioners would need to grant approval for this, likely at its November 3, 2021 meeting, and LVC was hoping to close on this financing in mid-December 2021. **MOTION** by Mr. Rooney, second by Ms. Mailen to authorize Mr. Lamoureux to respond to Attorney Horstmann that the Authority was interested in acting in this capacity for LVC. Motion carried unanimously.

**ENGINEER'S REPORT:** Mr. Sahd reviewed a report of his firm's engineering activities over the past month, a copy of which is attached hereto and made a part of these minutes.

**CLERK'S REPORT:** The Authority was informed of the following items:

**Delinquent Report:** Mr. Yingst informed the Authority of the measures taken by the Township Office over the past month to collect on delinquent accounts. He noted that 19 accounts were posted for water shut-off and that over the past five weeks more than \$5,700 had been received from significantly past-due customers. He also reported that one account had its water shut-off due to nonpayment and was reinstated upon the necessary payment being received.

**Online Payment Options:** Mr. Yingst reported that the link to the Certified Payments website through which ratepayers may pay their bills is up and running on the Township website.

**2022 Draft Budgets - Sewer Fund, Sewer Capital Fund, and MS4 Fund:** Mr. Yingst presented the 2022 draft budgets for the Sewer Fund, Sewer Capital Fund, and MS4 Fund for the Authority's review and comment. He noted these draft budgets were prepared with input from Mr. Powell and incorporated in-depth historical analysis. Mr. Yingst reported these draft budgets would be reviewed by the Board of Commissioners at its October 13, 2021 Special Meeting. He stressed

that, as these draft budgets were being provided to the Authority with more than a quarter of the year remaining, the numbers presented would inevitably change as the budget process continued and more information became available, specifically noting that the draft budget currently relied on estimates for the cost of health insurance that would not be known until mid-October. With that in mind, Mr. Yingst reported that the 2022 draft budget for the Sewer Fund was balanced with the \$28,495 surplus of revenues over expenses being budgeted as a year-end contribution to the Sewer Capital Fund. He indicated this was done with no increase projected to the quarterly Sewer Rentals fee, which would represent the seventh consecutive year of no fee increase. He also noted that a significant 2021 year-end surplus was forecast for the Sewer Fund and, as a result, the draft budgets assumed an unbudgeted 2021 year-end transfer of \$200,000 from the Sewer Fund to the Sewer Capital Fund. Noting a concern raised by Mr. Powell in his Status of Pending Projects Report regarding an increase in the price for polymer, the Authority discussed this at length before recommending the following changes be made to the budgets:

- Sewer Fund account 08/429/240 (Lime and Polymer): increased by \$9,000 from \$87,000 to \$98,000 due to the price for polymer increasing.
- Sewer Fund account 08/490/000 (Transfer to Sewer Capital Fund) and Sewer Capital Fund account (30/391/000): both decreased by \$9,000 from \$28,495 to \$19,495 due to the increase in Sewer Fund operating expenses.

Mr. Yingst indicated he would provide the Authority with updated versions of these draft budgets for its October meeting, which would incorporate changes to 2021 year-end projections as well as any changes to proposed 2022 budget figures suggested by the Board of Commissioners.

**MOTION** by Mr. Sider, second by Ms. Mailen to approve the reports as presented at this meeting. Motion carried unanimously.

There being no further business to come before the Authority, **MOTION** by Ms. Mailen, second by Mr. Rooney to adjourn the meeting. Motion carried unanimously and the Regular Meeting was adjourned at 6:16 PM.

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(Assistant) Secretary