

**MINUTES OF THE MEETING  
DERRY TOWNSHIP MUNICIPAL AUTHORITY  
670 CLEARWATER ROAD  
HERSHEY PA 17033  
MONDAY, JANUARY 24, 2022**

The Derry Township Municipal Authority Board held its reorganizational meeting on Monday, January 24, 2022, in the Conference Room of the Authority's Administration Building, 670 Clearwater Road, Hershey, Pennsylvania. The meeting was also available to Board members, Consultants and Advisors, and the general public virtually through GoToMeeting. Chairman Feidt called meeting to order at 6:00 p.m.

**ROLL CALL**

Attendees	In-Person	Virtually
Board Members		
John Canavan	X	
Christopher Christman		X
Charles Duncan (arrived at 6:07 p.m.)		X
David Feidt	X	
Ronald Furlan	X	
Brian Link		X
Carter Wyckoff	X	
Staff		
William Rehkop (Executive Director)	X	
Kimberly Bloom (Deputy Director)	X	
Michael Postick (Staff Engineer)	X	
Michael Shambaugh (Network Systems Manager)	X	
Dennis Beck (Comptroller)	X	
Sarah Ryan (Stormwater Program Manager)	X	
Consultants		
Darrell Dethlefs (Dethlefs Pykosh)	X	
Colin O'Brien (Brown and Caldwell)		X
Ed Ellinger (HRG)	X	
Other Attendees		
None		

**ELECTION OF AUTHORITY OFFICERS**

It was noted that at the Township's reorganization meeting in January 2022, Ron Furlan was reappointed to serve another five-year term on the Authority Board. Solicitor Dethlefs called for nominations for each of the 2022 Board officer positions. R. Furlan made a motion to have the officer positions remain the same as 2021. B. Link seconded. The motion passed unanimously by voice vote. The Personnel Committee members will also remain the same with Charles Duncan, Brian Link, and John Canavan serving on this committee.

**PUBLIC COMMENT**

There was no public comment at this time.

**APPROVAL OF PREVIOUS MINUTES**

J. Canavan made a motion to approve the Minutes of the December 20, 2021 Board meeting. R. Furlan seconded. The motion passed unanimously by voice vote.

### **APPROVAL OF TREASURER'S REPORT AND BILLS FOR PAYMENT**

Staff presented the December Bills for Payment and Treasurer's Report for approval. R. Furlan made a motion to approve the reports, seconded by B. Link. The motion passed unanimously by voice vote.

### **OLD BUSINESS**

#### **SOUTHWEST TREATMENT PLANT TAPPING FEES**

Since last month's Board meeting, the Director had further discussions with the SR 230 warehouse developers regarding their reimbursement fee for any new residential or commercial development connections to the sewer system along the SR 230 corridor. The developers expressed their willingness to work with the Authority in developing a reasonable fee that does not discourage or impact future development opportunities along SR 230. Tapping fees exceeding \$6k are generally on the higher end of fees in surrounding areas. To assist the developer, the Director prepared for their consideration various scenarios for projecting total reimbursement fee receipts that could be realized within 10 years. The scenarios were based on a fee per gallon range and percent of actual vs. estimated sewage flows that would connect to the system.

The Director summarized Scenario #1, as an example, which assumes reimbursement from all known developers and future connections for the build-out of the system capacity allocated to Londonderry Township. \$4.466 million in tapping fee receipts is projected based on a \$10 per gallon rate at 80% of the total estimated future sewage flows connected within 10 years.

The Authority's tapping fee for commercial establishments is based on the total gallons of sewage flow per day requested multiplied by the established per gallon rate (currently \$10.50). A Single family home or dwelling is established at 228.6 gallons per day per home multiplied by the per gallon rate. Assuming the developers agree on the reimbursement tapping fee rate of \$10/gallon, the equivalent developer reimbursement fee for a single-family dwelling is \$2,286. This fee would be included as a component of the Authority's capital fees collected at the time a property connects to the sewer, and in turn, remitted to the developer upon payment. This reimbursement fee would not, however, be applicable to the sewer extensions that would be constructed in accordance with Londonderry's Act 537 Plan. Once the reimbursement component is finalized with the warehouse developers, the Board Review Committee and Staff will prepare a resolution for approval at an upcoming Board meeting to include the recommended revisions to the Authority's Rates and Fees Schedule.

### **STAFF UPDATES AND REPORTS**

#### **CONSTRUCTION CONTRACTS UPDATE**

##### **Clearwater Energy Enhancements Project [Contracts 2020-02G, 2020-02E, 2020-02H]**

The construction progress meeting for January 2022 was held on January 18<sup>th</sup>. The next construction progress meeting is scheduled for March 1<sup>st</sup>. All three Contractors continue to make progress on the remaining submittals as well as progress on construction components. The Engineering team continues to be responsive with submittal reviews and RFIs, and RPR activities are coordinated daily with the team.

The original contract schedule had set a substantial completion date of January 15, 2022. According to the contractor's progress and current construction schedule, the contractor anticipates final completion to extend into December 2022. This results in a substantial schedule delay, for which Eastern has



requested a contract time extension. In a letter dated January 20, 2022, BC has rendered a final decision to deny Eastern's time extension request.

However, Eastern's delay in construction progress has directly impacted and caused subsequent delays in work performed to date by Heisey and Pagoda. Both contractors have requested a no-cost contract time extension to account for delays incurred by Eastern's construction progress. BC has since rendered a final decision and determined that the schedule delays incurred were beyond the control of both Heisey and Pagoda, and therefore, both contractors shall be entitled to a no-cost time extension of 226 days. Colin O'Brien noted that DTMA Staff and BC are working with Cummins regarding the generators for this project. It is now over one year since the arrival of the generators, so BC will continue to work to secure warranty protection for this equipment even though it is not yet operational. J. Canavan made a **motion** to accept the 226-day time extensions for Heisey Mechanical and Pagoda Electric. R. Furlan seconded. The motion passed unanimously by voice vote.

#### Raw Sewage Pumps Replacement [Contract 2020-03]

A construction progress meeting was held on January 13<sup>th</sup>. The next construction progress meeting will be scheduled in March once on-site work commences. Manada Electric (Manada) has installed the new light fixtures, cable trays, disconnect switches, and Dry Well float switches, and has run conduit and wiring in the Dry Well and Intermediate Floor Level. Manada has also cored the existing Intermediate Floor Level wall for the routing of the cables running in the cable trays. Heisey has begun some minor on-site investigative work. Heisey, Manada, and RK&K continue to work on shop drawing and RFI submissions and reviews.

DTMA and RK&K are currently working with Heisey to finalize modifications to the type of hoist lifting system for the pumps, the upper level hatch arrangement, and the location of the lower level dewatering pump. All of these modifications will likely result in a cost savings to the contract. Substantial Completion currently remains set for June 2022; however, a time extension may be needed depending upon delivery of electrical control equipment from suppliers. The current schedule for delivery is anticipated by March 1<sup>st</sup>.

#### ESD Cladding System [COSTARS]

This past month, Matrix and Kappe Associates advised that they are experiencing a slight delay in shipment of the cladding material. At this time, materials are expected to arrive at the New York port in early February.

#### Primary Sludge Pump Replacement Project [CONTRACTS 2021-01G, 2021-01E]

After consideration of potential freezing issues as a result of the sludge bypass pumping operations, DTMA Staff directed HRG to postpone the start of construction until Spring 2022. Both contractors agreed to start work in April; therefore, HRG will issue a no-cost time extension to account for the revised completion date. Construction is expected to take 4 to 6 weeks to complete.

#### 2021 Sanitary Sewer and Storm Sewer Rehabilitation Project

HRG is currently reviewing submittals received by both contractors. Based on the construction schedule received to date, Farhat Excavation plans to mobilize mid-February and Standard Pipe Services plans to mobilize late-February.

## ENGINEERING STATUS REPORT

### NPDES Permit Renewal

PADEP is completing their review of the Clearwater Road WWTP NPDES permit renewal application. As noted at the previous Board meeting, PADEP has requested copies of lab reports from previously completed pollutant sampling/testing and has also requested new sampling/testing of additional pollutants. Staff is completing the additional sampling and analyses as requested by PADEP and will submit the results to PADEP upon completion. PADEP comments on the Southwest WWTP Permit Renewal have yet to be received.

### Southwest WWTP Upgrade and Expansion Project (Phase 1)

Hazen and Sawyer (Hazen) is completing final review of the bidding documents and is also incorporating Staff's request to include a bid alternate for post-tensioned or pre-stressed concrete tanks. No update to report this month on the status of the US EDA Grant. Successful grant award will likely require additional federal requirements to be included in the bidding documents. Therefore, Staff directed Hazen to delay project bidding until the Authority receives notification from US EDA. Staff is also coordinating with Hazen and Londonderry Township to obtain any necessary land development plan and building permit approvals prior to construction.

### Spring Creek Interceptor Upgrade Project

HRG has continued work on developing bid documents consisting of design drawings and specifications at a 90% complete level. HRG is also drafting a Pipeline Occupancy Permit application for the related parallel occupancy of the Norfolk Southern Railway located adjacent to the project area.

HRG anticipates having the draft bidding documents available for review with Staff in February. HRG and Staff continue to coordinate with the Hershey Company regarding private property protection, easements needed, agreement, etc.

### High Meadow Pump Station Evaluation

HRG submitted a draft technical memorandum on January 12<sup>th</sup> for Staff review. An initial discussion meeting was held between HRG and Staff on January 20<sup>th</sup>. A final draft of the technical memorandum will be shared with the Board by the next meeting to include recommendations for next steps.

### Clearwater WWTF Phase 1 Facility Improvements

Based on the Biosolids Program Update discussion and concurrence by the Board at last month's meeting, Staff directed BC to incorporate the Ecoremedy facility evaluation into Task 5. As a result, BC required additional time to prepare and submit a draft report with their findings and recommendations. BC anticipates submitting the draft report by the end of February. The next project workshop meeting is scheduled for February 21<sup>st</sup> to review overall project conclusions and recommendations.

### South Hanover Township Line Upgrade

On January 21<sup>st</sup>, Staff received HRG's draft technical memorandum summarizing their findings of the sewer system capacity study (SSCS) and modeling analysis of the Spring Creek Interceptor and the Raw Sewage Pump Station based on the proposed upgrades to the South Hanover Township pump station and force main. A meeting will be scheduled with HRG over the next couple weeks to review their draft submission. The Director and Mr. Ellinger both noted that this project is going to take extensive review by DTMA and its engineer to make sure that the Clearwater plant can accept the significant increase in flows that they are proposing. During flood events, DTMA already receives significant flows from South



Hanover because of the inflow and infiltration in their system. The Intermunicipal Agreement with South Hanover will also have to be reviewed for any amendments necessary to accommodate this project.

#### Standard Construction and Materials Specifications

HRG continues to work on updates to the technical specifications and construction details included in the DTMA Standard Construction and Material Specifications. Updates will be based on suggestions by HRG as well as desired changes previously noted by Staff. HRG anticipates completion of their work in February 2022.

#### Maintenance Garage Expansion

SGS Architects-Engineers, Inc. (SGS) is preparing conceptual design layouts for the expansion of the Maintenance Garage located at the Clearwater WWTP. SGS anticipates completing this effort in March 2022.

### STORMWATER PROGRAM MANAGER'S REPORT

#### Derry Township Parks Water Quality Improvements – Bullfrog Valley Stream Restoration

Project design is nearly 100% complete. Initial comments from PADEP and the US Army Corps of Engineers (USACE) for the Joint Permit Waiver have been addressed. The USACE has requested additional clarification on the 3-year post construction monitoring plan; the updated monitoring plan is expected to be submitted within the week.

HRG and Staff are working to find source(s) for the required type of stone that will be used in the restoration. Some potential material has been identified and excavated from the 2021 BMP Retrofit Project at a Stony Run Basin. Additional potential material has been identified along the rock channel leading to the Oakmont Community Basin. Staff is planning to bid the stream restoration and Oakmont Community basin projects together to coordinate construction activities and reduce costs. The estimated start of construction is Fall 2022.

#### Deer Run Stream Restoration

Preliminary engineering and landscape design is complete and is estimated to provide over 480,000 lbs. of sediment reduction. Joint Permit Waiver application is approximately 95% complete and is anticipated to be submitted in February 2022. No determination has been made yet for the associated Growing Greener grant application. Given the project's similarity and relatively close proximity to Bullfrog Valley Stream Restoration and its higher cost, staff is determining if construction of this project can begin after construction on Bullfrog Valley is completed and still meet PRP goals.

#### Oakmont Community Basin Retrofits

Project design will be finalized upon approval of the easement with Hershey Trust. Staff is planning to combine bidding and construction of this project with the Bullfrog Valley Stream Restoration Project in an attempt to reduce costs and potentially reuse stone removed from this project at the Bullfrog Valley Stream Restoration Project site. The estimated start of construction is Fall 2022.

#### 2021 BMP Retrofits (Stoney Run Basins 1 and 2 and Brookside Park)

Kinsley Construction, Inc. has begun construction on Stoney Run Basin 1, which was paused briefly to ensure Township approval of staging areas and trail closure locations and to give the Township time to inform the public of the trail closures. Construction has since resumed. Rock material excavated from this basin can likely be used in the Bullfrog Valley Stream Restoration Project.

Construction of Stoney Run Basin 2 is nearly complete by Kinsley, and will be finished when outlet pipe material, which has been on back order, becomes available. Completion of Stoney Run Basin 1 is also dependent on acquiring this pipe material.

At Kinsley's request, HRG will be applying for a minor amendment to the Brookside Park permit to increase the construction limit of disturbance (LOD), allowing them to access the construction areas via more stable ground than the permit currently allows. Kinsley is assuming the cost of this amendment.

#### Forest Avenue Basin and Swale Improvements

The permit application was submitted at the beginning of January and is pending with DCCD. Easements with the Hershey Medical Center must be secured prior to construction. Bidding will occur upon permit receipt. Estimated start of construction is in late Spring 2022.

#### Ridge Road Drainage Improvements

Design has been completed, and PennDOT HOP application is under review. Initial comments have been addressed. Additional comments regarding restoring ramps at crosswalks to ADA compliant construction are being clarified. As previously noted, PA American still continues to experience a delay acquiring ductile iron pipe, which is in turn delaying their 16-inch water line relocation, an integral step in this project. Bidding is anticipated to begin in Spring 2022.

#### Stoverdale Road and Shopes Church Road

The final design is 90% complete. Staff is working on easement acquisition. The bid package is being prepared for public bidding, which is expected to begin in Spring 2022.

#### Clark Road and Stonecutter Circle

The design of both projects is essentially 90% complete. Easement exhibits are being prepared. Bidding and construction are planned for Spring 2022.

#### Spring Creek Watershed Implementation Plan (WIP)

Additional stakeholders have been identified. A planning meeting is scheduled for January 26, 2022.

### **ITEMS FOR ACTIONS**

The following resolutions were approved on a motion by C. Duncan, seconded by B. Link. The motion passed unanimously by voice vote.

- **Resolution #2022-01 – Annual authorization for destruction of Authority records**
- **Resolution #2022-02 – Annual authorization for execution of PA Department of Transportation documents**
- **Resolution #2022-03 – Annual authorization for staff execution of certain legal documents**
- **Resolution #2022-04 – Annual authorization for staff execution of grant documents; and**
- **Resolution #2022-05 – Annual authorization for Executive Director to execute minor construction contract change orders.**



**Resolution #2022-06 – Ratification of project payments from the 2020 Capital Project Funds:** Staff reviewed the payments from the 2020 Capital Project Fund requiring Board ratification. This resolution was then approved on a motion by R. Furlan, seconded by J. Canavan. The motion passed unanimously by voice vote.

**Resolution #2022-07 – Acceptance of HRG proposal for the SWTP Headworks Evaluation:** This Resolution passed on a motion by J. Canavan, seconded by R. Furlan. The motion passed by voice vote. D. Feidt abstained from voting due to a business affiliation with HRG.

**EXECUTIVE SESSION**

The Board recessed into Executive Session at 6:57 p.m. to discuss a personnel matter and a legal matter. They reconvened at 7:55 p.m. Pursuant to matters discussed in Executive Session, B. Link made a motion to allow the Executive Director to provide to Eastern Environmental (Contract 2020-02) up to 60 days of schedule relief should the contractor demonstrate an adequate recovery schedule and plan satisfactory to both Brown & Caldwell and the Authority. C. Wyckoff seconded. The motion passed unanimously by voice vote.

**NEW BUSINESS**

There was not further business at this time.

**PUBLIC COMMENT**

There was no public comment at this time.

**ADJOURNMENT**

With no further business to come before the Board, R. Furlan made a motion to adjourn the January 24, 2022 public meeting at 7:55 p.m., seconded by C. Duncan. The motion passed unanimously by voice vote.



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(Assistant) Secretary