

**MINUTES OF THE MEETING
DERRY TOWNSHIP MUNICIPAL AUTHORITY
670 CLEARWATER ROAD
HERSHEY, PA 17033
MONDAY, SEPTEMBER 25, 2023**

The Derry Township Municipal Authority Board held its regular monthly meeting on Monday, September 25, 2023, 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 6:06 p.m.

ROLL CALL

Attendees	In-Person	Virtually
Board Members		
Robert Cerminara		
Michael Corado		X
Charles Duncan		
David Feidt	X	
Ronald Furlan	X	
Kelly Heffner-Means	X	
Carter Wyckoff		X
Staff		
William Rehkop (Executive Director)	X	
Kimberly Bloom (Deputy Director)	X	
Michael Postick (Stormwater Program Manager)	X	
Dennis Beck (Comptroller)	X	
Consultants		
Michael Pykosh (Dethlefs Pykosh)	X	
Josh Fox (HRG)	X	
Colin O'Brien (Brown and Caldwell)		
Other Attendees		
Mike Hess (HRG)	X	

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF PREVIOUS MINUTES

M. Corado made a motion to approve the Minutes of the August 28, 2023 Board meeting. K. Heffner-Means seconded. The motion passed unanimously by voice vote.

APPROVAL OF TREASURER'S REPORT AND BILLS FOR PAYMENT

Staff presented the August Treasurer's Report and Bills for Payment for approval. R. Furlan made a motion to approve the reports, seconded by K. Heffner-Means. The motion passed unanimously by voice vote.

STAFF UPDATES AND REPORTS

CONSTRUCTION CONTRACTS UPDATE

The Executive Director provided the following updates for current contracts.

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

A progress meeting and substantial completion walkthrough was held on August 29th by Brown and Caldwell (BC) to discuss the progress of remaining work and associated punch list items with Authority Staff as well as the Contractors. The contractors are addressing the outstanding punch list items, which is expected to be completed over the next couple of months.

PPL, Scott Testing and RK&K have completed the testing associated with the intertie protection relay. Staff continues to work with PPL's key account manager to finalize the administrative end of this process and ultimately permit DTMA to operate the cogens. PPL's key account manager anticipates this to be complete by October. Once DTMA receives authorization from PPL to operate, Cummins team will schedule the final system testing and training with Staff.

Raw Sewage Pumps Replacement [Contract 2020-03]

All four (4) Flygt Raw Sewage Pumps have now been installed. Staff continues to work with RK&K, Heisey and Manada with respect to coordinating SCADA communications. The contractors are addressing the outstanding punch list items, which is expected to be completed in the coming weeks.

Spring Creek Interceptor Upgrade Project [Contract 2022-01]

Josh Fox reported that work on East Derry Drive, behind the Hershey Company Building on Mansion Road, and across Spring Creek remains to be completed. Ankiewicz (AEI) has reported back to the project site on September 18th and is actively working to expose the asbestos pipe behind the Hershey Company Building to allow their subcontractor to complete the required asbestos abatement work. Ankiewicz has indicated to HRG and Staff that this work will be completed by the end of October. HRG will be scheduling a job conference with Staff and Ankiewicz (AEI) once an updated Project Schedule is received by HRG from AEI. At this time HRG intends to coordinate the remaining work with all parties.

ENGINEERING STATUS REPORT

The Executive Director provided the following report for current contracts.

Southwest Treatment Plant Upgrade

The Solicitor and Director provided additional information regarding the title for the Plant property and the submission has been updated. EPA will continue their review. Once the project is approved by EPA, Hazen will proceed with the contract bid advertisement.

High Meadow Pump Station Upgrade

Josh Fox reported that on September 21st, HRG and the IDIQ contractor (Rogele) completed infiltration testing as required by the Dauphin County Conservation District as a conditional requirement of the NPDES permit application. Resubmission of the NPDES permit will follow now that the infiltration testing report is complete. A meeting is scheduled with HRG and Staff on October 16th to review the 90% design drawings for the project.

Mr. Fox also noted that the planning module for the West End Development remains to be completed by Hershey Trust. Once that planning module is submitted to DEP, HRG will then submit the WQM Part II permit.

South Hanover Township (SHT) Force Main Upgrade Sewer System Capacity Study

SHT needs to resubmit their PADEP WQM Part II permit. In the meantime they have updated their drawings to show a new route for connecting to the Spring Creek Interceptor.

Maintenance Garage Expansion

Staff and SGS continue to work on the final design.

Southwest WWTP Headworks Project

HRG and staff met to review the 90% plans on September 20th. Pending comments from Staff regarding the project bid documents, HRG will be preparing to advertise for bidding this week. Bid results will be ready to be presented to the Board at the October meeting.

High Meadow Pump Station Drainage Basin Flow Monitoring Plan

The flow meters have been removed from their respective locations as of August 21st by Northeast Technical Sales (NTS). HRG is actively working to compile all flow metering data to be included in a final report to be presented to Staff for review. The final report will include prioritization rankings as well as a Capital Improvements Plan recommending investigation, design, and rehab/replacement schedules based on the findings from the study. HRG expects to present the final report to Staff in the coming weeks.

High Strength Organic Waste (HSOW) Offloading Station Improvements

HRG has finalized the study based on discussions with Staff. The cost for this project exceeded preliminary estimates. For now, Staff is using a sludge thickener tank that is not currently in use as an equalization tank. Doing this has helped in the operation of the digester biogas production and has limited the volume expansion events since a continuous feed is being supplied to the digester thereby reducing the number of operational upsets. Staff is now getting pricing for a fiberglass cover for the thickener similar to the cover used on the tank next to it which will help with the odor issues and freeze protection.

Biosolids Drying and Gasification Project

Staff and Brown & Caldwell (BC) continue to move forward with planning and design of the biosolids drying and gasification project. Efforts remain concentrated upon prioritizing and reviewing numerous equipment and process submittals submitted by Ecoremedy. BC and Staff have evaluated the most feasible and cost effective options for cake receiving, conveyance, and storage equipment.

Dustcon's NFPA and OSHA compliance study has progressed since the July 20th kick-off meeting with all parties. Follow-up meetings have since been held with Dustcon, Ecoremedy and Staff throughout August and September. Dustcon will hold a final review meeting on October 10th and intends to present Staff with the final risk assessment matrix report in mid-October. These meetings have proved to be very helpful for Staff in learning the intricacies how the equipment is working and potential hazards such as if the machine loses power or operational failures. A report is forthcoming that will be reviewed with Staff so that the appropriate remedies can be included in the contract.

R. Furlan has attended the meetings with the contractors on this project. He stated that Ecoremedy was asked if the biosolids are tested for PFOS and PFAS before and after treatment to see if there is a reduction due to the gasification process. This information would be helpful to see if DTMA would qualify for the

PENNVEST grant money that is available for projects that provide a reduction in emerging contaminants. Staff has met with PENNVEST representatives regarding the potential grant opportunity. Based on preliminary discussions, it appears that this project could qualify for grant money. Staff and HRG will begin working on the PENNVEST application to be submitted for either the November or February submission deadlines.

Clearwater WWTF Headworks Upgrade Project

BC continues working on the screening equipment evaluation and selection. BC intends to setup a meeting to regroup on this project once equipment pricing is received and evaluated by BC and Staff.

IDIQ Sanitary Sewer and Storm Sewer Repairs

HRG issued the notice to proceed to both Contractors. HRG has reviewed and approved submittals for Excavation Contract 2023-01 with Rogele. HRG is still in the process of reviewing submittals for Contract 2023-02 (Mobile Dredging and Pipe Video), as there were minor comments on submittals received and were since returned to the contractor for revisions to be made.

Staff anticipates the issuance of the first Work Order for Excavation Contract 2023-01 to be completed in late October, pending the receipt of a construction cost estimate and construction schedules from Rogele for the various Work Orders included in the Contract.

STORMWATER PROGRAM MANAGER'S REPORT

Mr. Postick provided the following report for current contracts.

Forest Avenue Swale and Oakmont Community Basin Retrofits

A temporary easement has been finalized with Hershey Trust to accommodate the Oakmont site work north of Wood Road portions of these projects. Kinsley Construction, Inc. (Kinsley) has been authorized to return to the Oakmont site for completion of the work.

Progress has also been made in finalizing permanent easements and agreements with Penn State Health (PSH) and Penn State University (PSU) for the project work at the Forest Avenue site. Versions of the easements and agreements have been reviewed and modified by PSH and PSU and are currently being finalized by Staff and the Solicitor. Staff anticipates finalizing these documents prior to Kinsley's mobilization to the Forest Avenue site after completion of the Oakmont site work and Wood Road crossing.

Bullfrog Valley and Deer Run Stream Restorations

Modifications to the Bullfrog Valley Stream Restoration site have become necessary per PADEP request. Specifically, in-stream rock structures must now be modified to provide smaller vertical drops. HRG has developed plan revisions to direct the project contractor, Aquatic Resource Restoration Company (ARRC), to construct these modifications. ARRC on September 6th provided a cost Change Order request in the amount of \$90,325.00 and a time extension Change Order request to December 15th to complete these modifications. It was noted that ARRC performed work according to the contract documents; PADEP then asked for some additional modifications once they saw the structures actually in place. The changes make the project a little more substantial and will eliminate the need for the changes to be made at a later date. As bid, the project was under budget, but the additional modifications will now bring the project total closer to the original estimate.

Ms. Heffner-Means questioned if the permit for the stream work was a Chapter 105 joint permit which would have required that the proposed design be reviewed and approved by the appropriate DEP personnel. If the design was approved and the contractor installed the structures according to the plan, then why was DEP requiring modifications after installation and inspection. Mike Hess of HRG stated that it was not a joint permit but a Waiver 16 in the permit that applies to municipalities. There was a citation in the permit that referenced the drop for these types of in-stream structures. Due to a couple of heavy rain events, it was noted that there should be some modifications to the drops and it was more beneficial to make the corrections at this time.

Following ARRC's remobilization to the Bullfrog Valley Stream Restoration site and continuation with the work associated with the noted Change Order, Staff and HRG will schedule Substantial Completion inspections of work completed at the Bullfrog Valley and Deer Run Stream project sites. The inspections are currently tentatively scheduled for October 3rd. Despite this additional work at the Bullfrog Valley Stream Restoration site, the overall project costs are currently under the original contract value.

Ridge Road Drainage Improvements

DTMA Staff and HRG continue to advance project scheduling, permit applications and private property coordination. The final two permits will be submitted by the end of September.

On September 1st, DTMA received written approval from the Dauphin County Industrial Development Authority for a Dauphin County Infrastructure Bank-General (DCIB-G) loan in the amount of \$3,370,000.00 to fully fund the costs of this project. This will be in addition to a loan in the amount of \$3,200,000.00 from DCIB-G that was granted in 2022 for this project. Staff is currently completing additional loan administration tasks per County request and will be developing a resolution to authorize the "Participant Note" in favor of the County for DTMA's pro-rata portion of the DCIB-G financing. The resolution will be presented at the October Board Meeting.

Stoverdale Road and Shopes Church Road Culvert Replacements

HRG is currently developing final design and construction plans for both of these projects.

Stonecutter Circle Drainage Improvements

HRG is currently developing final design and construction plans for both of this project.

Water Resource Enhancement Program (WREP)

On September 8th, DTMA attended a one-on-one meeting with the Tri-County Regional Planning Commission (TCRPC) and HRG to gain more insight into the rationale behind the cost sharing and to determine the degree of benefit of the WREP program for DTMA and our ratepayers.

In response to the feedback provided to TCRPC following the August WREP meeting, there appears to be the possibility that the WREP will incorporate more flexibility in the level of participation a municipality can select. DTMA will continue to attend the upcoming WREP meetings and will evaluate what level is most appropriate for DTMA with respect to cost and benefits.

Stormwater Capital Improvement Plan (CIP) AND Stormwater Program Fee Rate Study

DTMA Staff and HRG are finalizing the CIP and the Rate Study based on feedback received from the Board at last month's meeting. DTMA Staff will be scheduling public outreach meetings in the upcoming months with the Hershey entities and other community stakeholders.

Cambridge Commons Development

In recent months, Staff and HRG have conducted field surveys, met with HOA members, and begun evaluating possible improvements to the stormwater management facilities within the Cambridge Commons development in order to reduce flooding during large storm events. Some conceptual solutions have been identified, and Staff recommends approval of an assignment to HRG at a cost of \$19,500.00 to model and further evaluate the feasibility of these solutions. DTMA is also looking at possibly collaborating with Milton Hershey Schools on this project since they may also be developing a future project in this area.

Stormwater Program Funding

In an effort to supplement the Stormwater Programs financial resources, Staff has begun investigating potential grant opportunities that may be available to DTMA. Staff also met with HRG on September 13th to discuss grants that can be applied for in the near term. With that, Staff intends to apply for a Commonwealth Financing Authority (CFA) Local Share Account grant. Staff will evaluate which upcoming project is most suitable for the grant. Staff also recommends approval of a Project Assignment to HRG at a cost of \$3,300.00 to assist with the grant application.

ITEMS FOR ACTIONS

Resolution #2023-44 – Ratification of project payments from the 2021C and 2022A Capital Project Funds for September payments: Staff reviewed the payments from the Capital Project Funds requiring Board ratification. This resolution was then approved on a motion by R. Furlan, seconded by K. Heffner-Means. The motion passed unanimously by voice vote.

Resolution #2023-45 – Approval of Change Order #7 for ARRC for the Bullfrog Valley and Deer Run Stream Restorations Project – Contract #2022-03: This resolution was approved on a motion by R. Furlan to approve this resolution pending final determination by PADEP, seconded by K. Heffner-Means. The motion passed unanimously by voice vote.

OTHER BUSINESS

Rezoning Petition for Lytle Road Pump Station in Londonderry Township

The Solicitor noted that the pump station that was dedicated to DTMA by the developer, Core5. In discussions for this dedication, it was agreed that Core5 would be able to erect a billboard on the property. PADOT will not permit a billboard to be on the property unless it is zoned Commercial. The property is currently zoned Residential. DTMA reached out to Londonderry and they are agreeable to a petition amendment requesting that this property be zoned Commercial. As owner of the property, the petition must be filed by DTMA. A **MOTION** was made by R. Furlan, seconded by K. Heffner-Means, to permit the attorney for the developer to file this petition on behalf of DTMA. The motion passed unanimously by voice vote.

DTMA Open House

The Open House was held on September 9 and was attended by approximately 60 people. Staff received many positive remarks and comments.

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 September 25, 2023 public meeting at 6:58 p.m., seconded by M. Corado. The motion passed unanimously by voice vote.



~~(Assistant)~~ Secretary