

**MINUTES OF THE MEETING  
 DERRY TOWNSHIP MUNICIPAL AUTHORITY  
 670 CLEARWATER ROAD  
 HERSHEY, PA 17033  
 MONDAY, JANUARY 22, 2024**

The Derry Township Municipal Authority Board held its reorganization meeting on Monday, January 22, 2024, 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 6:11 p.m.

**ROLL CALL**

Attendees	In-Person	Virtually
<b>Board Members</b>		
Robert Cerminara	X	
Michael Corado		X
David Feidt	X	
Ronald Furlan	X	
Randy Goss	X	
Kelly Heffner-Means	X	
Carter Wyckoff		X
<b>Staff</b>		
William Rehkop (Executive Director)	X	
Kimberly Bloom (Deputy Director)	X	
Michael Postick (Stormwater Program Manager)	X	
Dennis Beck (Comptroller)		X
<b>Consultants</b>		
Daryl Dethlefs (Dethlefs Pykosh)	X	
Steve McGuire (Brown and Caldwell)		X
Josh Fox (HRG)	X	
<b>Other Attendees</b>		

**ELECTION OF AUTHORITY OFFICERS**

Solicitor Dethlefs stated that the Board could vote on a proposed slate of officers or they could vote on each individual office as proposed by a Board member. A slate of officers had been prepared and the following slate was read aloud by the Solicitor: Chairman – David Feidt; 1<sup>st</sup> V. Chairman – Michael Corado; 2<sup>nd</sup> V. Chairman – Carter Wyckoff; Secretary – Ronald Furlan; Assistant Secretary – Kelly Heffner-Means; Treasurer – Robert Cerminara; and Assistant Treasurer – Randy Goss. R. Furlan made a motion to vote to appoint the officers by a proposed slate instead of voting on each individual office, seconded by K. Heffner-Means. The motion passed unanimously by voice vote. R. Furlan then made a motion to accept the proposed slate as presented, seconded by R. Cerminara. The motion passed unanimously by voice vote.

Chairman Feidt then appointed the following Board members to serve on the Personnel Committee: Ronald Furlan, Michael Corado and Robert Cerminara.

### **PUBLIC COMMENT**

There was no public comment at this time.

### **APPROVAL OF PREVIOUS MINUTES**

R. Furlan made a motion to approve the Minutes of the December 18, 2023 Board meeting. M. Corado seconded. The motion passed unanimously by voice vote.

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

Staff presented the December Treasurer's Report and Bills for Payment for approval. K. Heffner-Means made a motion to approve the reports, seconded by R. Cerminara. 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]**

On January 16<sup>th</sup>, PPL approved the updated Intertie Protection Relay (IPR) design drawings as previously requested by PPL for the trip coil circuit monitoring. The on-site work by Scott Testing is planned to begin on January 24<sup>th</sup>. Upon completion, PPL will inspect the work and issue the permission to operate (PTO) the CHP facility.

The Cummins team was on site at the CHP building from December 8<sup>th</sup> through December 23<sup>rd</sup> to complete the genset commissioning, testing and DMC training with the operations Staff. All three operating modes were tested. Both CHP engines operated without any issues during the commissioning period.

Minor punch list items remain outstanding for Granite Fuel, Ovivo/Varec to complete in relation to the drip traps, H2S vessel, gas conditioning skid blowers. These punch list items are expected to be completed in the upcoming months.

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

All remaining punch list items, including installation of the new hatch for the main floor hoist, and the work associated with the installation of the handrail around the hatches are still outstanding due to Contractor scheduling conflicts and inclement weather causing delays. These punch list items are expected to be completed within the upcoming month. Upon completion of all the work, Staff will work with the engineer and contractors to complete the contract close-out procedures.

#### **Spring Creek Interceptor Upgrade Project [Contract 2022-01]**

The longer structural steel beam was delivered to the site at the end of December. The Contractor has since deployed their Subcontractor, Superior 3. The Subcontractor has successfully installed the structural steel beam across the Spring Creek Crossing to the previously installed concrete caisson locations. AEI has provided a final, updated schedule for all remaining work, which indicates three (3) months of work on-site to complete the remaining utility work at the Spring Creek crossing, final sewer tie-ins, manhole rehabilitation, and pavement restoration work on East Derry and West Mansion Road.

IDIQ Sanitary Sewer and Storm Sewer Repairs (Excavation Contract 2023-01)

Rogele, Inc. has completed all sewer replacement and spot repair work associated with Contract 2023-01, Work Order No. 1. Final restoration is anticipated to be completed for the Shank Park portion in the early April timeframe.

Rogele anticipates commencement of Work Order No. 2; Clearwater Road CHP Embankment Riprap Installation, in the coming weeks once the weather is appropriate. Staff will be providing construction inspection services for this work, as this work will take place onsite above the newly constructed Clearwater Road CHP Building.

IDIQ Sanitary Sewer and Storm Sewer Repairs (Trenchless Contract 2023-02)

Staff has received and reviewed all applicable submittals, construction schedules, and cost estimates from Mobile Dredging and Video Pipe, Inc. (MDVP) for Work Order No 1, which includes pipe relining work within the Hershey High School baseball field. Staff would like the work to commence as soon as possible to avoid disruption of the spring training baseball season for the school. R. Furlan made a **motion** to issue Contract 2023-02, Work Order No 1 to MDVP, seconded by K. Heffner-Means. The motion passed unanimously by voice vote.

It was noted that if any issues arise with the liner installation, Rogele will be on standby to provide excavation if necessary. The repair work for this project has been discussed and coordinated with the DTSD staff.

Southwest WWTP Headworks Upgrade (Contract 2023-05)

Mr. Fox reported that DTMA Staff and JPE handled the delivery and offloading of the new screening equipment in early December. The screening equipment is being stored at the Clearwater Road facility until JPE is ready to start construction. Both JPE and GSE intend to provide construction schedules in their submittal packages respectively to be reviewed by HRG and Staff. JPE anticipates completion of the screen replacement in April 2024.

JPE submitted Change Order No. 1, which includes the incorporation of the integration work to be completed by GSE, as included in Addendum No. 2 that was issued during the bidding process. This Change Order is for an increase in the contract price in the amount of \$13,751.95. Staff has reviewed the Change Order requests and recommends approval.

***ENGINEERING STATUS REPORT***

The Executive Director provided the following report on current contracts.

Southwest WWTP Upgrade and Expansion Project (Phase 1)

US EDA has approved DTMA to proceed with project bidding. The project is being advertised for bids as of January 19<sup>th</sup>. Hazen and Staff will be hosting a pre-bid meeting on January 31<sup>st</sup> with bids to be received on March 18<sup>th</sup>. Staff is prepared to review Hazen's recommendation for award to be put forward for consideration at the March 2024 Board Meeting.

As background information for the newly appointed Board member, Mr. Rehkop noted that the recent extension of sewer lines into Londonderry Township by warehouse developers has provided for growth in the Rt. 230 area of the Township. HRG designed the sewer extension which included three pumping stations and oversaw the installation by the developer's contractor. DTMA partnered with Londonderry

and HRG on this extension which will allow for further growth and development in areas surrounding Rt. 230. This additional growth in Londonderry Township, as well as anticipated growth in Derry and Lower Swatara Townships, were factored into the additional capacity needed at the Southwest Treatment Plant.

#### High Meadow Pump Station Upgrade

The NPDES application was resubmitted to the Dauphin County Conservation District (DCCD) in early December and has since been approved by the DCCD. HRG has finalized the PennDOT Highway Occupancy Permit (HOP) application. However, this permit will not be submitted until closer to the time that construction commences. He reported that HRG has also finalized the PADEP WQM Part II Permit which will be submitted to PADEP once the West End Development sewage planning is completed.

HRG has provided Staff with a final bid ready plan set and bid document package. Staff will meet with HRG on January 24th to go over any final comments to be incorporated into the final bid documents for the Project.

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

Staff has been provided with a recent update from Rettew. Rettew has indicated that the Pennsylvania Natural Diversity Inventory (PNDI) required as part of the Project's permitting efforts have triggered further survey efforts to be completed before the project is permitted. These survey efforts are scheduled to occur in the Spring, as required as a condition of the PNDI's threatened and endangered plant species timeline and conditions set forth.

#### Maintenance Garage Expansion

Derry Township granted a time extension for the land development plan's finalization and to address minor conditions of approval. No further update since the last board meeting.

#### High Meadow Pump Station Drainage Basin Flow Monitoring Plan

HRG prepared a draft report for Staff review, including prioritization rankings as well as a Capital Improvements Plan recommending investigation, design, and rehab/replacement schedules based on the findings from the flow metering study has been provided. Staff has further reviewed the draft report. A review meeting is scheduled with HRG for January 24th.

#### High Strength Organic Waste (HSOW) Offloading Station Improvements

Staff received COSTARS proposals from two tank cover manufacturers. The first quote was received by Enduro Composites for \$272,125.00, which includes all materials necessary to install the cover but does not include installation. The second quote was received by CF Maier for \$257,100.00 and includes all materials and labor to install the cover.

With all load ratings, functionality, and aesthetic properties being equal between the covers, Staff recommends moving forward with the CF Maier quote which authorizes the purchase of the CF Maier fiberglass reinforced plastic (FRP) Thickener Tank Cover System from Kappe Associates purchased through the Pennsylvania COSTARS purchasing program as it is less expensive and will allow for a more efficient installation since a qualified contractor by the manufacturer will be completing the work.

#### Biosolids Drying and Gasification Project

With the assistance from Brown & Caldwell, Staff is preparing to submit a financial assistance application to PENNVEST under the "PFAS Remediation Program" by the February 7th cut-off date. Based on recent discussions with DEP and PENNVEST, the Authority's project has a high probability of being awarded grant

money. Staff continue to work with DEP to have the WQM Part 2 and AQM permitting complete by the application deadline.

#### Clearwater WWTF Headworks Upgrade Project

BC and Staff continue to work on the design associated with the project. BC, RK&K teams met with Staff on site January 17th to further discuss the Project. BC and RK&K are continuing to progress the design and anticipate submission of the WQM Part 2 permit package and a final plan set for Staff review by early Spring 2024.

#### **STORMWATER PROGRAM MANAGER'S REPORT**

Mr. Postick provided the following report for current contracts.

#### Forest Avenue Swale and Oakmont Community Basin Retrofits and Shank Park Culvert Replacement

Work on the Forest Avenue swale and basin site remains scheduled for the spring of 2024. Staff have received Penn State Health (PSH) and Penn State University (PSU) additional requested revisions to the permanent easements and agreements with for the project work at this site. Staff and the DTMA Solicitor are currently reviewing the revisions.

#### Bullfrog Valley and Deer Run Stream Restorations

The project contractor, Aquatic Resource Restoration Company (ARRC), has completed the punchlist work for both sites, which included modifications to several rock structures within Bullfrog Valley Stream per PADEP request. A final pay application from ARRC is forthcoming.

#### Ridge Road Drainage Improvements

DTMA Staff and HRG continue to advance project final design and permitting. Almost all the necessary permits are in hand. DTMA Staff are currently engaged in discussions and meetings with five affected property owners to provide an update on the current project status and to coordinate the necessary temporary and permanent easements. Work is still anticipated to commence in the spring.

#### Stoverdale Road and Shopes Church Road Culvert Replacements and Stonecutter Circle Drainage Improvements

Staff continue to work with HRG on the furtherance of these projects.

#### Cambridge Commons Development

HRG continues their work on the stormwater runoff hydraulic analyses of the project area.

#### Water Resource Enhancement Program (WREP)

Additional information was received on the WREP approach towards participation and possible rebates for any municipality that may reconsider its membership after the WREP progresses. After reviewing the program as proposed, including the rebate provisions as outlined, Staff is still uncertain whether this program will be beneficial for DTMA to participate in at this time. DTMA's new MS4 permit contains provisions for flood mitigation and flood storage. Staff would rather use the monies budgeted for Stormwater projects to focus on these types of efforts within Derry Township. A vote by each municipality on actual participation in the WREP, including the selected level of financial commitment, will be required by end of February 2024.

### Stormwater Program Management Fee

Mr. Postick continues to work with the larger entities in the Township on ways in which they may be able to receive credits on their stormwater fee. He also noted that there was only one comment received so far on the increase to the stormwater fee that became effective on bills generated after January 1.

He also reported that all accounts that currently receive a stormwater fee credit will be reviewed in 2024. Initial credits were approved for five years, at which time they property owner would have to reapply to continue to receive the credit. Also, credits were to be terminated upon the transfer of ownership of a property since the credit is based upon the agreement of the property owner to perform certain functions that would qualify them to receive a monthly credit to their fee. The new owner could apply if they wanted to receive a program fee credit.

Also, Mr. Postick and HRG will continue to review available funding and grant opportunities for stormwater projects.

### EXECUTIVE SESSION

The Board recessed into Executive Session at 6:51 p.m. to discuss a legal matter. They reconvened the meeting at 7:56 p.m.

### ITEMS FOR ACTION

The following resolutions were approved on a motion by R. Cerminara, seconded by M. Corado. The motion passed unanimously by voice vote.

- **Resolution #2024-01 – Annual authorization for destruction of Authority records**
- **Resolution #2024-02 – Annual authorization for execution of PA Department of Transportation documents**
- **Resolution #2024-03 – Annual authorization for staff execution of certain legal documents; and**
- **Resolution #2024-04 – Annual authorization for staff execution of grant documents**

### Discussion on Resolution #2024-05

Over the last two years, as required by DTMA's NPDES Permit, Staff have been performing an evaluation of the industrial pretreatment program local limits which are industry specific numerical (either concentration or mass load) limits for a select number of pollutants. The Local Limits Re-Evaluation Study was submitted to EPA for its review. EPA accepted the proposed revisions to the Local Limits.

This resolution revises the Authority's Rates, Rules, & Regulations (RR&Rs), LOCAL DISCHARGE LIMITATION SCHEDULES, "Schedule A" and a minor revision is ARTICLE IX-INDUSTRIAL WASTEWATER CONTROL, SECTION 9.20-AUTHORITY STANDARDS, PART B.1.

Once the changes have been adopted by the Board, the revised local limits schedule and authorizing resolution will be submitted to EPA for a 30-day public comment period and formal, final approval thereafter. DTMA is also required by EPA to notify its contributing municipalities that they are required to adopt the revised limits set forth in Schedule "A" within four months of EPA's acceptance letter. Staff will inform each contributing municipality of this requirement after approval of this resolution.

**Resolution #2024-05 – Approval of Industrial Pretreatment Program Revised Local Limits:** This resolution was approved on a motion by K. Heffner-Means, seconded by R. Cerminara. The motion passed unanimously by voice vote.

**Resolution #2024-06 – Ratification of project payments from the 2021C and 2022A Capital Project Funds for January:** 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 #2024-07 – Approval of COSTARS Contract to Purchase and Install Thickener Tank Cover System:** The resolution was approved on a motion by R. Cerminara, seconded by K. Heffner-Means. The motion passed unanimously by voice vote.

**Resolution #2024-08 – Approval of Cummins Combined Heat and Power (CHP) Two-Year Maintenance Agreement:** The resolution was approved on a motion by R. Cerminara, seconded by K. Heffner-Means. The motion passed unanimously by voice vote.

**Resolution #2024-09 – Authorization to Submit Financial Assistance Application to PENNVEST for the Biosolids Facility Improvements Project:** The resolution was approved on a motion by R. Cerminara, seconded by R. Furlan. The motion passed unanimously by voice vote.

**Resolution #2024-10 – Approval of Change Order #17 to Contract 2020-02G:** Chairman Feidt made a motion to approve Resolution #2024-10 conditioned upon clarifying language being added to this resolution that this change order in no way changes substantial completion for the project, it does not affect the liquidated damage claims created by the existing agreement, and that it only extends final completion by 112 days. All of this will be done pursuant to an amendment to the change order agreed to by DTMA's solicitor at which time the Executive Director will be authorized to finalize and execute the change order with these conditions without further Board approval. The resolution was seconded by R. Furlan. The motion passed unanimously by voice vote.

#### OTHER BUSINESS

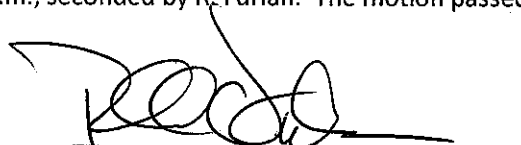
There was no other business to come before the Board at this time.

#### PUBLIC COMMENT

There was no public comment at this time.

#### ADJOURNMENT

With no further business to come before the Board, R. Cerminara made a motion to adjourn the January 22, 2024 public meeting at 8:02 p.m., seconded by R. Furlan. The motion passed unanimously by voice vote.

  
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(Assistant) Secretary