

DRAFT – SUBJECT TO CHANGE

**WATER SUBCOMMITTEE MEETING NOTES
EAST HANOVER TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA
8848 JONESTOWN ROAD, GRANTVILLE, PA 17028**

September 17, 2008

Members Present: Jaromir Kovarik, Special Counsel
Chris Hannum and Lisa Sweigert, LTL Consultants;
Tom Shutt, Supervisor
Public Present: Mike Webb

Meeting was started at 10:30 a.m. and was run by Chris Hannum at the request of Marie Beaudet.

MEETING NOTES

- Mr. Hannum noted if everyone had a chance to review the meeting notes listed on the agenda, he would like to move they be approved by general consensus. He asked if anyone had any objections to anything in the meeting notes.
- Mrs. Sweigart noted she had a change and Mr. Hannum asked for her to move those to the secretarial staff and have them reissued so the changes can be seen. There were no objections

AUTHORITY

- Mr. Hannum noted from what he understands from talking to Ms. Beaudet, there was discussion at the September 16 Board of Supervisors meeting. He asked Mr. Shutt for his input.
- Mr. Shutt answered looking at the funds and the short falls, decisions had to be made. With the Water Subcommittee, rather than cut it out completely, he noted it was put on hold until after the first of the year and the situation will be analyzed then and hopefully picked back up and move forward with what was discussed.
- Mr. Mirek noted he was also in attendance and that is what he got out of the discussion. He noted there was the consensus from some of the board members that they would like to have a Water Authority that it is needed; though there was an issue with not having the proper people now. They felt if they started now, it would not be fair.
- Mr. Shutt noted between now and then, they put out a feeler to see how many volunteers they could get enough people involved that show interest to do a good job and see where they stand then with that.

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- Mr. Mirek added that is why Mr. Webb was invited by Mrs. Lebo. Mr. Webb added he was more concerned with the planning process.
- Mr. Hannum answered they will cover that when they get to the 537. His understanding from what he is hearing is that as far as the Water Subcommittee, they are going to put the Authority back in a box and put it on hold until the beginning of the next year or until it is revisited.
- There was discussion regarding finding the right people for the Authority. Mr. Kovarik understood Mr. Stephanovich(?) was to attend today's meeting according to Ms. Beaudet. Mr. Hannum added Ms. Beaudet shared with her she was not sure of the status and may or may not arrive.
- It was further noted Ms. Beaudet noted he expressed interest in the Authority. If Mr. Mirek understands it correctly, it would be him, Mr. Casey, who is a retired engineer and some discussion regarding Mr. Webb with his experience.
- Mr. Hannum recommended the Water Subcommittee communicate with the BOS in letter form they understand the current financial situation; however they look forward to discussing this at the beginning of next year and would request it be part of the agenda early on in the year so it will not fall through the cracks.
- Mr. Hannum asked if anyone had any objections and there were none.
- Mr. Mirek noted for the record in the packages there was a memorandum prepared by Mr. Scott Wyland for the Board regarding the Authority and then there are two briefs prepared for discussion by Mr. Mirek. There is summarization in the memo what needs to be done for the timeline to create a water authority.
- Mr. Hannum added they were asked to prepare an estimate. Mr. Mirek added on how much it would cost on providing the service now and it might be good to put it on the record.
- Mr. Hannum passed around a map and noted this was before the decision of the BOS to look at

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- There was discussion regarding inviting the public to the committee meetings and posting the dates on the township website.

NEEDS ASSESSMENT

- Mrs. Lebo noted it was her understanding at the September 2nd BOS meeting, Mr. Stein had verbalized the Planning Commission had input and reviewed it. She indicated the PC had not. Mr. Kovarik noted the PC does not know what a needs assessment is. There was discussion that no one has seen the needs assessment.
- Ms. Beaudet answered the first part of the needs assessment she ever heard about was regarding infrastructure with roads and bridges, and if

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Mr. Longreen does anything on needs assessment, it should go to Mr. Ulrich. With the point person from the PC, the Board can go to the Water Subcommittee ask if they have seen it and if the PC has seen it.

- Mrs. Lebo answered it was her understanding the needs assessment would be done which would drive everything. There was discussion regarding obtaining a copy of the assessment for the Water Subcommittee.
- Ms. Beaudet clarified for the subcommittee back in May they were under the impression they had until November and it did not have to be as detailed. They started with the bridges and then were informed they needed 3 categories of grants. After that it was 7 categories, subcategories and it was due September 1st. The line was coming at the BOS with the timelines and criteria kept changing. There may be a needs assessment or even a partial one. Whatever was there, with infrastructure, the grant writing process may have used that. It was not seen by the Board.
- Mrs. Lebo noted there is a lot of confusion, and she will speak on behalf of the Planning Commission as well, they have been hearing about the needs assessment for quite some time but have not seen anything, understand who is working on it, what it consists of and what the scope of it was, if there were any guidelines passed down from the Board in terms of putting it together. She asked for an acknowledgement that one needs to be done.
- Ms. Beaudet answered it does. Mrs. Lebo continued and asked if it would make sense for the Board to assign someone to the project so there is a project owner for it. Ms. Beaudet answered she agreed with that but a needs assessment can be anything from infrastructure with roads and bridges which would be more Mr. Longreen and Mr. Ulrich.
- She continued the sewage, 537, water, aquifer which would be more for the Water Subcommittee and then there could be social needs. There will have to be a different needs assessment for each issue. We will not be able to do a global assessment.
- Mrs. Lebo answered in her mind the needs assessment establishes objectives for the projects, and nothing has come from the Board in terms of what the objectives are going to be with regards to sewage, road infrastructure, etc.
- Ms. Beaudet answered she feels it may become apparent with the comp plan. The comp plan will start identifying a lot of areas where the needs studies will be. Mrs. Lebo answered it would make sense to have someone track it or putting it together as it is developed.
- Mr. Shutt noted a needs assessment is to draw everything together. If we know what we need in the different areas, put it down. It will become one by pulling it together.
- Mr. Hannum added he knew of the needs assessment in the beginning and it was done. It was to be given to the County for the IDA and they

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would use that for the grants and have us refer to it; however, when the deadline was pushed back, everything was changed.

- Mrs. Lebo noted she remembered Mr. Epstein and Mr. Stein talking about it and giving something to the County. There was further discussion.
- Mr. Kovarik noted it was his understanding work was started on the needs assessment , but with the time restrictions of the grant applications, the assessment became less important. There may be a document some place that either may be incomplete or it was actually geared towards getting the Township the money.
- Mr. Hannum asked for the Subcommittee's permission to take this item back to LTL to find out what their complicity in it is. He has a feeling they produced something for it. He will report back to the committee.
- Mr. Kovarik noted the Board can ask EFMR to provide a copy to be seen by the subcommittee and the Planning Commission. We would need to look at what we have and start building on it.
- Mr. Shutt and Ms. Beaudet both noted if it was given to the County they never saw it. The needs assessment should be simple. There was further discussion.
- Mrs. Lebo noted he is correct, and the Planning Commission has said if the document exists, there has been no input from the township. Ms Beaudet noted she will contact Mr. Longreen. Mr. Kovarik will contact Mr. Wyland. Mr. Hannum will talk with LTL.
- There was further discussion regarding the needs assessment. Mr. Shutt noted even in the subcategories, there should be prioritization. There was further discussion.
- Mr. Kovarik noted they were getting too deep into implementation. They need 1) reliable water supply, 2) good infrastructure starting with sewage, 3) good zoning map or plan to control development 4) management of traffic or development around casino. Details cannot be obtained until the studies are performed; i.e., aquifer, Act 537 plan. Until they are done, we will not know how to meet the needs.
- Mrs. Lebo noted she agreed with Mr. Kovarik and also noted nothing has ever been put in writing on behalf of the Board or action taken by the Board of support the needs assessment; nothing has been reviewed submitted to the County prepared by Mr. Stein, Mr. Epstein She added it needs to come back under the Township's umbrella and have this come down from the Board and have them put it in writing, and we need to know what is out there. A formalized document can be put together and sent up to the Board.
- Ms. Beaudet asked Mr. Kovarik to write down for a recommendation to the Board to look at their infrastructure for their roads, etc. and keep it simple.
- Mr. Hannum noted what they looked to do through Mr. Kovarik's guidance was assume they would have to put in a well and a well house. He indicated to a dark line noting it would hit the Casino, the Hampton and the Hilton Garden Inn. That routing was basically selected so they could use the underpass under 81 versus going under a federal highway, which

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- would not be cheap. He added he would be more concerned about the permits required to go underneath.
- He added they put together a preliminary plan based on kind of “looking down at the end of your thumb” A lot of the unit prices shown were from recent jobs that they used. There are 16 line items, and the total in construction is \$2.4 million. At this point, he won’t go with less than a 25% contingency. That is why 611 is listed on the sheet. Engineering at 10%, which is a typical ballpark figure. Bonds, insurance and mobilization for the contractor is somewhere between 5 and 10%; legal is typically 5% of a construction project with inspection typically being just as much as the engineer. The grand total looks to be about \$4.1 million.
 - He continued he is not sure if it will be that amount and his gut feeling tells him it may be lower, but he will not put that in writing. He has no engineering drawings, nothing from the hydro-geologist to tell him exactly where the well will go, permitting issues, etc.
 - He also added it does not include any type of storage tank. A system this size with the demands of 200,000 gallons per day. Mr. Kovarik verified it would be at least 400,000 gallons per day. Mr. Hannum continued with recent jobs that storage tanks at installed at roughly \$4 to \$5 per gallon, which is another \$1 to \$2 million.
 - Mr. Kovarik noted it would depend on the size of the project expected. There is no point in having a small tank and then having to buy a bigger one.
 - Mr. Hannum continued they are looking at upwards of \$4 million, probably closer to \$5 million. They also looked at RVG and making them a client. They could probably put a well in next to that site. The well house and distribute from there. A small system that size would be maybe \$750,000.
 - Mr. Kovarik added that figure may be a little low because construction would be more than \$750,000. He added his rough estimate without seeing any paperwork was \$5 million.
 - Mr. Shutt asked if Hilton Garden have a well back there. Mr. Hannum answered yes and they would have to be enforced to connect to the Township’s. There was discussion about their well running dry. Mr. Kovarik added if this project, they would not have enough water there. They would need to get for the cooling towers more than 20,000 gallons consumptive use per day and they are dependent on water. If we don’t provide it, they would need to get it from public water.
 - Mr. Kovarik added he likes the plan because the rest area going to the underpass it would be another place that would need to be served.
 - Mr. Hannum noted in summary, this is the entry fee into utilizing a new well, new well house and new pipe to start up an authority. This is the entry fee into becoming an authority.
 - Mr. Kovarik added there would need to be a grant, loan or financing to come up with the money. On the other hand the potential users can be used to “pony up” some fees. There are other alternatives. There is the power of eminent domain to take over the existing community system.

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There are four existing community systems. You could try to take over the casino wells. The proposal is the least painful alternative because it is not forcing residents to surrender their wells unless they feel they have to and it is only helping new development to get water they will need to get from somewhere.

- Mr. Webb asked if they are currently looked to provide to Hampton Inn and Hilton Garden Inn. Mr. Hannum added the casino also. Mr. Kovarik noted they have a permit for 400,000 gallon. The problem as a township is if they run out of water, our financing which we are getting from the casino, goes down the drain with that business. He thinks they would be happy to have this, if the township doesn't take over the existing wells and has a backup plan.
- Mr. Hannum noted this is a summary and asked for discussion as to whether this should be published to the Board of Supervisors or is this a mute point at this time.
- Mr. Kovarik answered there was money spent on it and the information is here. They are entitled to know it and it gives them some ideas about one of the alternatives.
- Mr. Shutt added it is something to consider and look at. Even though it is not exact, it would be within. Mr. Hannum answered it is probably within \$700,000 either way.
- Mr. Webb added the bigger question would be can we get that much water of a well back there with considering the issues the township had with the increased draw the casino had requested. He added they are looking at going beyond the casino and adding at least two additional entities and he is guessing the rest of the area would not use enough water to be able to justify the cost of running the lines.
- Mr. Kovarik added the casino has a permit for 400,000 gallons. There was further discussion on the usage.
- Mr. Webb added the Hilton Garden is looking at 32,000 gallons/day and Hampton Inn may use the same because they're the same size. Mr. Kovarik added they want to grow.
- Mr. Kovarik answered the township needs to come up with 400,000 gallons to be sure they can supply what is needed. It is there. Is it in that area or is it in a single area. Whether there will be 2 or 3 wells needed or just one, it cannot be determined at this time. Generally the water is there. Getting it is a different story. That is why the grants are coming in for \$500 to \$700,000 for aquifer studies.
- There was discussion regarding the impact of the private wells in the area and the geology in the area with the shale and the aquifers. Mr. Kovarik added if we are going to get the water, it needs to come from under the mountain.
- Mr. Hannum added as Mr. Kovarik touched on, grants have been put in to do an aquifer study. Part of the 537 is going to look at the water quality of the local wells. They have also got a grant in place to do a water management plan that once they know where the water is from Mr

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Kovarik's study and once they know where the needs are through the 537 plan, they can come back together and put some meat to that type of study to determine needs, financing needed, etc.

- Upon a question from Mr. Kovarik asking about voting to send it to the BOS, Mr. Hannum noted as an advisory committee, they do not have formal rules for voting. Unless there is an objection and following Mr. Kovarik's, his recommendation would be to pass it along to the BOS. There was a consensus of the committee.
- Mr. Kovarik asked Mr. Shutt to make sure the BOS understands it is just one of the alternatives. One of the benefits of postponing it may be we may received more detailed information within the next six months. We will know better where to go. This is just a starting point.

ACT 537

- Mr. Hannum turned the Act 537 plan discussion over to Mrs. Sweigart to bring everybody up to date. Before he did, he noted as per the BOS meeting, they are continue on with the 537 and get the sampling under way and move forward.
- Mr. Shutt confirmed this. Mr. Kovarik added part of the reason is if this is tabled, it will help to give some feel for the authority and where the township needs to go. It was a good compromise.
- They turned to discussion on mapping and potential sampling plan and the DEP requirements.
- Mrs. Sweigart noted DEP has two books out, one is referred to as a the "needs book" and the other is a guide for preparing the revisions.
- Mr. Hannum noted there is a need for a first phase of Tier One sampling to be as random as possible. To not go in with any pre-conceived notion and cover the township or the special study area as widely as possible, which the township does not have. The directive is the entire township.
- Mr. Hannum noted the previous engineer had already done the first phase, which was sending out surveys which has a series of questions asking about the well, the well construction, the age.
- Upon a question from Mr. Webb, Mrs. Sweigart noted it was done by Benatec in 2006 to the entire township, over 1700 surveys were mailed out. Mr. Webb noted they never got one and they lived in EHT for 30 years. Mr. Hannum answered they can look into it and Mrs. Sweigart answered they went with what they had.
- There was discussion regarding the mailing. Mrs. Sweigart noted there are over 2,000 parcels but not all of them have on-lot septic and there are a lot of vacant properties.
- Mr. Hannum noted LTL came at this from 2 standpoints: 1) meet the requirements of DEP; 2) don't erase everything Benatec did and start over again so the township incurs more cost.
- Mr. Hannum noted LTL utilized the data the best they could. There was discussion at this time pointing out on the map the individuals who agreed

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- to have their well sampled. In Phase I, DEP wants a canvassing of the township to see if there is an issue with well water. If there are a cluster of homes with bad systems or bad well water data, then you go back in and focus the sample.
- Mr. Webb discussed the random testing with all the home who have on-lot water ad on-lot sewer. That will tell them the sections of the township they haven't covered because either they didn't receive a survey or they were not interested in participating in it.
 - Mr. Hannum pointed on the map who answered on a volunteer level. This data is from 2006. Mrs. Sweigart noted some people may have moved or changed their minds and that will have to be addressed by sending out another letter. They have 30% of the township who requested a sample. LTL did not plan to do this in a vacuum.
 - He added the Water Subcommittee was geared to be almost a workshop group where members gave input and specifically township volunteers and elected officials so they don't get to the end of the line and find out it is not what was wanted. He encouraged input from everyone.
 - Mrs. Sweigart discussed Englewood and Partridge Hills. She noted they were told by Ed Corveau of DEP to pretend they do not exist when it comes to the 537 plan for the entire township. DEP has their own plans set up for those areas. She added they took any surveys that came from these areas.
 - Mr. Kovarik asked if it was in writing and Mrs. Sweigart answered no but it was indicated to her the township would receive something in writing this week.
 - Mr. Hannum answered there is a contingency plan. For LTL, it is a matter of turning on dots in those boundaries. It changes the sampling to some extent a little bit, but it is nothing that they cannot pick up in the midst of it.
 - There was further discussion on getting written confirmation from DEP regarding Englewood and Partridge Hills.
 - Mrs. Sweigart noted those two areas sampled and field verified. It is just a matter of whether they are counted towards the total or not.
 - Mr. Hannum noted for privacy issues, no lots were delineated. He noted referring to the map returned information from the surveys and they are listed as green means no apparent malfunction, yellow is potential, orange is suspected and red is confirmed.
 - Mr. Hannum added he will have Mrs. Sweigart explain which is potential versus suspected. Mrs. Sweigart commented DEP defines them for us.
 - Mrs. Sweigart noted once they get to suspected and potential, there are specific guidelines given. Potential, you really don't know. It goes mainly by age, if it was built before permitting or if it has characteristics that are significantly questionable as to whether it will fail.
 - Mr. Hannum noted the majority of the yellow dots on the map being discussed are assumed to be potential because of their age. Anything older than 30 years is automatically a potential malfunction. That is one of

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the reasons for sampling. When you are sampling, you are out in the field looking for confirmation.

- There was discussion regarding potential suspected and residents maybe not understanding what it means. Mrs. Sweigart read for the group the definition of confirmed malfunctions. They are in red on the map. When LTL goes for sampling, they will also verify what was sent in. They cannot go by just what the homeowners say. A good number has to be verified.
- Mr. Hannum noted the majority of the township is not very well suited for on-lot systems, according to the soil data. The next picture is what they are seeing in confirmed, potential, so forth. The next picture they will take is with the sampling and the water quality. Are the on-lot systems affecting the water quality. The next picture they take will be what are they actually find out in the field when well samples are taken.
- He continued that in the past, a point value system was assigned to each situation. The point values are put into the GIS system and color coded by point value.
- There was discussion by Mr. Webb noting some of the properties that are older with wells that are not constructed to today's standards or even the depth of their wells, nitrates may be picked up that have nothing to do with the sewer system. There was further discussion. Mrs. Sweigart added if we want to do something outside of DEP requirements, to have a meeting with them before it is done.
- Mr. Webb added he has seen studies spend a lot of time and effort to generate really bad data and once the bad data is generated, it takes on a life of its own.
- There was discussion on CAFO.
- Discussion continued on the sampling program. Mr. Webb added the biggest item he has seen in terms of generating bad data is not having an adequately developed sampling plan with clearly defined techniques to be used and adequate controls to determine whether there is bias with sampling analysis
- Mr. Hannum answered LTL is taking on the DEP protocol. This is what DEP is saying they need to see as part of the 537 plan and decision-making process. Things taken into consideration are well sampling, age of system, soils they're located in, etc., help to form the picture. The other issue is cost.
- Mr. Webb noted if data is used from systems that LTL knows are going to fail, one of the parameters because of the way the well is characterized, a cost to the township will be incurred for providing sewage there when it may not necessarily be a failed sewage system but may be a failed water system. That is a significant cost and an on-going cost the township will incur for a long time to time.
- Mr. Hannum answered that is why they do not look singularly at well data. If it is in the wrong soil, steep slope, the well water came up bad, there are two or three wells with different construction right next door, and they also have problems, there may be a problem in the channelized area and do

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- more details. All of these factors can be put into the equation. There was further discussion on this. There was a discussion on nitrate study.
- There was discussion regarding the map and who responded to the survey according to the color-coding. Mrs. Sweigart noted they still have to go out and verify their survey and not just verify the ones that accepted the sample.
 - Mrs. Sweigart noted there are two scenarios as to how many samples they take and the township needs to make a decision on whether they take the minimum required from DEP to meet the 15% or do they sample everybody who requested it. There was further discussion regarding the map and the data.

WATER AUTHORITY

- Ms. Beaudet reported there is no Water Authority and no update.

537 PLAN

- There was discussion regarding discussing the water authority at the next meeting.

ADJOURNMENT

- Being no further business, the meeting was adjourned.

Upon approval by the Water Subcommittee, copies will be distributed to the following:

Board of Supervisors

Marie Beaudet Keith Espenshade
Dave Marshall Tom Shutt
Larry Spitler Scott Wyland, Twp Solicitor
Deborah Casey, Secretary-Treasurer

LTL Associates

Norman Ulrich, Township Engineer
Chris Hannum, LTL
Lisa Sweigert, LTL

Planning Commission:

David Craig Donna Lebo
Mike Webb Mike Kovach
Glenn Moyer Dawn Eppinger, Secretary
Mirek Kovarik, Special Counsel