

**GREENCASTLE STORM WATER / MS-4 MEMORANDUM;
TO MEMBERS OF COUNCIL AND THE CITIZENS
30 JUNE 2020**

INTRODUCTION: One of the duties of Mayors in Pennsylvania is to “make recommendations to the council on matters of Borough concern” as enumerated in the Pa. Borough Code. To members of Council I offer the following recommendations for your consideration at the July 6, 2020 Regular Meeting. I will be fully prepared to vote, if called upon, in the event of a tie vote by Council.

With my research and information provided in this Memorandum, there is no reason to continue with a separate SWM (09.) fund and the associated billing costs for what has been traditionally funded by the (01.) General Fund. The sad part of all of this is how the budgets were re-written in 2019 that shifted expenses from the General Fund to the new SWM Fund. This will challenge future General Fund budgets to now return these costs, especially for staffing and benefits, to where they came from

**FACT BASED OBJECTIVE DECISION-MAKING RECOMMENDATIONS TO
COUNCIL FROM INFORMATION RECEIVED AND RESEARCH:**

#:	Recommendation:	Facts:
1	Declare the 09. Stormwater (SWM) Budget inactive and rely on expenditures from the 01. General Fund; Re-authorize Resolution 2019-01 (SWM POLLUTANT IMPACT FEE) and reduce the Resolution to \$0.00. If a fee needs reinstated years in the future, a new Resolution may be considered by Council at that time; <i>June 30 Council consensus to keep a SPIF (Stormwater Pollutant Impact Fee)</i>	With receipt of the MS4 five-year waiver it appears that the major SWM Fund expense is with staffing and employee benefits. The 2020; 09. Budget appears to include office personnel with an estimated 620 staff hours for the year with 1,660 hours by the now defunct Code Enforcement employee, all based on budget percentages. Public works personnel would work approximately 2,600 hours (25%). With the June 23 Manager’s Report, there are 400 SWM inlets in Greencastle. The goal is to replace 10 per year. I question the number of inlets on Borough streets. Are the Penn Dot inlets included in this 400 figure? Their replacement responsibility is Penn Dots and not Greencastle’s. Depending on the inlet size and depth, they cost between \$500 and \$1,000. Inlet replacement is typically completed in one work-day. Ten inlets, costs would be between \$5,000 and \$10,000 plus ten work-days equipment, labor excavation materials. The older residential developments do not have underground SWM piping, thus inlets are very few other than lower area hydraulic discharge regions. To replace ten inlets per year out of 400 would take 40 years to complete.
2	Re-visit the “Orchard” big pipe project	The only streets with SWM inlets are as you turn from E. Franklin St. to Orchard Circle. At this location and S. Ridge Avenue the SWM flows across lands owned by four property owners including Century, Inc. and the Besore Library. Greencastle should consider

		constructing defined swales on these properties that could be mowed and easily maintained by the property owners. Do rights of way exist for the existing SWM flow system across these properties? Such a surface swale system would cost much less than the \$439,000 stated estimate.
3.	Eliminate Resolution 2019-03	This is where Council voted to leverage the Water Authority and the ability to shut off a resident or businesses water if there remains an unpaid debt on a combined bill for water, sewer, and SWM. There are certainly other remedies before a resident or business suffering a temporary financial hardship has public water shut off for non-payment of an exorbitant SWM fee.
4.	Offer a sewer credit for the percentage of the 09. SWM fee that Council decides to return to the consumers. For businesses and the School District that paid large sums with potentially small sewer bills, the percentage should be returned to them by check. (See Note C. below); <i>June 30 Council consensus to mail 2,000 refund checks</i>	I disagree with the Manager's e-mail statement last week that this will alter water / sewer revenues . To the contrary. The sewer revenues would remain with an interfund transfer debiting the 09. SWM Fund and crediting the 08. Sewer Fund. This is not a legal question; it is an accounting and auditing question. What I am simply recommending is an "interfund transfer" from the SWM expense to Sewer revenue via a quarterly check. There would be no loss of revenue in the Sewer Fund. For the stated 200 properties that have been sold (seems like a high property turn over number) with SWM funds collected in 2019, the original owner would have to make application for a SWM refund with a form provided.
5.	The Besore Library Rain Garden? Let's partner with Antrim Township and others and build it ourselves! If we cannot do this, I recommend this be a 2021 project and request 2021 funding assistance from Antrim Township since the Besore Library serves the Greencastle-Antrim community as an intergovernmental cooperation project.	In the past, the Borough and Township have partnered on various projects...one being a large SWM project off of Williamson Road with a grant from the late Terry Punt in the mid 1980s'. The Library is part of the Franklin County Library System partially funded by the taxpayers and serves citizens of the Greencastle-Antrim community. Therefore, it is a governmental operation. Let's partner to construct the rain garden using Borough personnel, Antrim Township personnel, possibly Franklin County library personnel, Tayamentasachta Environmental Center / GASD personnel AND CITIZENS to plant appropriately designed vegetation. I believe the design is complete. We simply need to follow "rain garden construction" guidelines to get it done and not have to bid and pay prevailing wage rates. Rutgers University and many other web-sites offers such technical assistance.

6.	Council should re-visit the November 25, 2019 letter from G-A to the Franklin County Commissioners.	Encourage a County-wide Commission to plan for MS/4 as suggested in the letter. Don't let up. We have five years to get this right and get the legislation changed.
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- A. The Stormwater Budget (09.) cannot be changed mid-year. Obviously, the revenues and expenditures will be far less than budgeted. The Budget will simply close out December 31, 2020 with a new 09. Budget established in 2021 unless the 09. Budget is dissolved as future costs will be dramatically reduced where the financial responsibility may again be funded by the General Fund tax base.
- B. A brief written synopsis to explain this year's 09. Budget expenditures should be authored (known as a "Management Discussion & Analysis") which is a common document for utility funds.
- C. Based on funds needed for legitimate 2020 SWM expenditures, the rest of the money should be returned to the SWM utility rate payers that paid in 2019.**
 - a. GENERAL FUND BUDGET IMPACT: The hidden part of the 09. Budget is how it assisted the General Fund 01. Budget by shifting what were commonly GF expenses to the SWM 09. Budget. Yes...I objected to this as well by shifting wages, benefits, and minimal hard costs out of the GF that will place a future financial burden on the GF that will either cause a tax increase or reduction of municipal services.
- D. Council should review future SWM capital projects;
 - a. Example is the Library rain garden project which I am in favor of continuing as the project is already part of an APPROVED LAND DEVELOPMENT PLAN and a grant has been received from Senator Judy Ward. Let's cut prevailing wage costs by building it ourselves as previously mentioned.
 - b. Review the Orchard "big pipe project" which I've voiced my opposition to on numerous occasions. Council should take a "field trip" and holistically discuss the challenges of a 1950s' residential development and East Baltimore Street (eastern SWM area); true SWM flows; and any engineering alternatives, if any exists. Remember...when mother nature gives us 3" short term rain bursts, a fix is not economically supported. The design back then was to simply create a hydraulic SWM flow pattern down-stream.
 - c. What significantly impacts this area? The significantly uncontrolled SWM from the Eastern Avenue area. Please view my photos from last Fall that I presented to Council. I'm happy to create a power-point for presentation at one of the June Council / Mayor workshops that clearly shows NO SWM design when this area was developed.
 - d. Regarding Baumgardner area...yes the 1950s' residential development has surface SWM controls so the SWM flows into the 1980s / 1990s developments. This is known as "pass through" water where property owners should make sure their swale systems should be well maintained on their private property.
- E. I believe our MS/4 program from 2015 should have an "after action review." I have reviewed the 2015 and 2016 Pa. DEP correspondence. Clearly we were eligible to apply for a waiver. What happened? You review the past to improve the future.

- F. Listen to staff regarding our current SWM engineer and law firm. I am personally satisfied with Salzmann & Hughes expertise on the many municipal / legal disciplines.
- G. I encourage Council to seek requests for quote (RFQ) from SWM engineering firms.
June 30 Council consensus agreed.
- H. The purchase of a pipe lining camera was mentioned June 23. Previously, Greencastle would borrow Antrim Township's camera. This is how major damage was discovered in Penn Dot's pipe leading west from the S. Antrim Way RR bridge overpass.

For a brief period, at my request, the Borough and Antrim Township were meeting regularly. That stopped prior to COVID-19. Let's get back on track and work together in promoting more and more inter-governmental projects. After all...we are one community!

Respectfully submitted,

Ben Thomas, Jr. Mayor