

## **LIMC Meeting**

Wednesday, April 14, 2021- 7:30AM

The April 14 LIMC meeting is being held live at West Hempfield and via Zoom as below.

If you will be attending the meeting live at West Hempfield, *please RSVP* to:

**Andrew Stern** [manager@westhempfield.org](mailto:manager@westhempfield.org) so we will know how many to prepare for.

## **ZOOM INFO FOR APRIL 14 MEETING**

LIMC is inviting you to a scheduled Zoom meeting starting at 7:30AM:

Join Zoom Meeting

<https://us02web.zoom.us/j/83644040691?pwd=WWJMc1MrdlllVUMzUDdEYlhJNWNVZz09>

Meeting ID: 836 4404 0691

Passcode: 430706

## **LIMC AGENDA – April 14, 2021**

1. Call to order and introductions
2. Minutes from the previous meeting (attached)
3. Approval of finances (attached)
4. Guest participation
5. Old Business
  - a. Public Works meetings. First Meeting schedule for May 6<sup>th</sup>.
6. New Business
  - a. Mike Kyle's email (attached) regarding HB 957
7. Municipal Exchange
8. Adjourn

## Lancaster Inter-Municipal Committee

### SPECIAL MEETING

#### Meeting Minutes – March 10, 2021

The LIMC Special Meeting was called to order by Bill Laudien, Chairman, on Wednesday, March 10, 2021, at 7:30 a.m. Due to the current COVID-19 Pandemic, the meeting was held remotely via Zoom. The public was able to attend via Zoom.

#### Attendees:

- Ralph Hutchison, East Lampeter Township
- Ethan Demme, East Lampeter Township
- Ezra Rothman, EDC
- Stephen Campbell, Lancaster City
- Bill Laudien, Lancaster Township
- Mike Kyle, LASA
- Alex Rohrbaugh, LCPC
- Mark Huber, LCPC
- Bob Bini, LCPC
- Barry Kauffman, Manheim Township
- Ryan Strohecker, Manor Township
- Lauren Hauck, Millersville Borough
- Anthony Cazillo, Pequea Township
- Andrew Stern, West Hempfield Township
- Kent Gardner, West Hempfield Township
- Chief Lisa Layden, West Hempfield Township Police
- DeeDee McGuire, West Lampeter Township
- Amanda Hickman, West Lampeter Township

Approval of Previous Meeting Minutes – Chairman Laudien entertained a motion to approve the previous meeting minutes from February 10, 2021. Lauren Hauck so motioned, Ryan Strohecker seconded and the motion carried.

#### **Water & Sewer Study**

The purpose of this special meeting was to discuss a request from LCPC and EDC to approve a resolution supporting their DCED grant application for a water and sewer study.

Last week LCPC has presented via Zoom a demo of the mapping system this grant would be for. Alex Rohrbaugh explained that during that demo, a number of participants expressed concern about data security. Alec explained that LCPC will be working to address these concerns prior to anyone being granted access to the data.

Alex Rohrbaugh reiterated that this project will provide benefits to LCPC and EDC as well as many municipalities as all of the sewer and water data and areas of concern will be presented in one place.

Alex Rohrbaugh referred to a fact sheet provided to LIMC explaining this project (attached at the end of these minutes for future reference).

Chairman Laudien asked if there were any questions.

Barry Kauffman indicated that he had not reviewed this resolution request with his Board yet and was not sure if it would be appropriate for him to vote on it. Alex Rohrbaugh explained the Resolution is simply asking for LIMC support, but not for funds or participation by any individual municipality.

DeeDee McGuire indicated that West Lampeter was supportive of this request.

Ryan Strohecker asked if Mike Kyle could comment on the position of the Authorities on this project. Mike Kyle responded that LASA is, in general, supportive of the project. Their Board will formally offer support at their March 25 meeting. LASA shares concerns about data security, which LCPC has already pledged to resolve.

Stephen Campbell indicated he is very supportive of the project but is also concerned about data security. Bob Bini explained that Non-Disclosure Agreements will be required and their will be a clear policy on how the data can be viewed and used.

Ralph Hutchison expressed concern about the ongoing sustainability of this project. How will the data be updated as time goes on? How will this project provide a benefit long-term as the data changes and projects are completed and new areas of concern arise?

There being no additional questions, Chairman Laudien read the resolution:

**RESOLUTION IN SUPPORT OF AN APPLICATION TO THE  
PENNSYLVANIA MUNICIPAL ASSISTANCE PROGRAM**

RESOLUTION NO. 01-2021  
LANCASTER INTERMUNICIPAL COMMITTEE

WHEREAS the County of Lancaster will be undertaking the Water & Sewer Capacity in Growth Areas Analysis Lancaster Metro Planning Area Pilot Study, a project to create an online tool that will analyze water & sewer capacity, identify system constraints, and provide information to local decision makers to make sound decisions about land use, economic development & infrastructure; and

WHEREAS the Pennsylvania Department of Community and Economic Development makes available grants-in-aid to such projects through the Municipal Assistance Program;

NOW THEREFORE BE IT RESOLVED that the Lancaster Intermunicipal Committee hereby supports an application to the Municipal Assistance Program.

Chairman Laudien requested a motion to adopt this resolution. Andrew Stern so motioned, Stephen Campbell seconded and the motion carried.

### **Municipal Exchange**

As this was a special meeting, Chairman Laudien asked if there were any municipal exchange items which needed to be brought up prior to the next regular meeting. There were none.

### **Adjournment**

The next regular meeting is scheduled for April 14, 2021. At this time, the meeting is anticipated to be held at West Hempfield Township with a Zoom option for virtual attendees.

With no further business to discuss, the meeting adjourned at 7:50 a.m.

Andrew Stern, Secretary

## Lancaster Inter-Municipal Committee

04/08/21

## Balance Sheet

Accrual Basis

As of April 8, 2021

	<u>Apr 8, 21</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
100.000 · Fulton Accounts	
100.100 · Regular Checking	26,051.61
Total 100.000 · Fulton Accounts	<u>26,051.61</u>
Total Checking/Savings	26,051.61
Accounts Receivable	
11000 · Accounts Receivable	1,000.00
Total Accounts Receivable	<u>1,000.00</u>
Total Current Assets	<u>27,051.61</u>
<b>TOTAL ASSETS</b>	<b><u>27,051.61</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
30000 · Opening Balance Equity	40,911.94
32000 · Retained Earnings	-20,462.79
Net Income	6,602.46
Total Equity	<u>27,051.61</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>27,051.61</u></b>

**Lancaster Inter-Municipal Committee**  
**Profit & Loss Budget vs. Actual**  
 January through December 2021

	Jan - Dec 21	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
341.020 · Interest Earned	2.46	25.00	-22.54	9.8%
<b>359.000 · Municipal Contributions</b>				
359.001 · Columbia Contributions	0.00	500.00	-500.00	0.0%
359.002 · East Lampeter Contributions	0.00	500.00	-500.00	0.0%
359.003 · East Hempfield Contributions	0.00	500.00	-500.00	0.0%
359.004 · Lancaster City Contributions	0.00	500.00	-500.00	0.0%
359.005 · Lancaster Twp Contributions	0.00	500.00	-500.00	0.0%
359.006 · Manheim Township Contributions	0.00	500.00	-500.00	0.0%
359.007 · Manor Twp Contributions	0.00	500.00	-500.00	0.0%
359.008 · Millersville Contributions	0.00	500.00	-500.00	0.0%
359.009 · Mountville Contributions	0.00	500.00	-500.00	0.0%
359.010 · East Petersburg Borough Contrib	0.00	500.00	-500.00	0.0%
359.011 · West Hempfield Contributions	0.00	500.00	-500.00	0.0%
359.012 · West Lampeter Contributions	0.00	500.00	-500.00	0.0%
359.013 · Pequea Township Contributions	0.00	500.00	-500.00	0.0%
359.050 · LASA Contributions	0.00	100.00	-100.00	0.0%
359.000 · Municipal Contributions - Other	5,600.00	0.00	5,600.00	100.0%
<b>Total 359.000 · Municipal Contributions</b>	5,600.00	6,600.00	-1,000.00	84.8%
<b>Total Income</b>	5,602.46	6,625.00	-1,022.54	84.6%
<b>Gross Profit</b>	5,602.46	6,625.00	-1,022.54	84.6%
<b>Expense</b>				
406.249 · Miscellaneous Expense	0.00	1,000.00	-1,000.00	0.0%
406.345 · Legal Advertisements				
406.347 · LUAB Legal Advertisements	0.00	300.00	-300.00	0.0%
406.345 · Legal Advertisements - Other	0.00	425.00	-425.00	0.0%
<b>Total 406.345 · Legal Advertisements</b>	0.00	725.00	-725.00	0.0%
406.490 · Marketing/Advertising	0.00	1,000.00	-1,000.00	0.0%
486.000 · Insurance	0.00	1,875.00	-1,875.00	0.0%
<b>Total Expense</b>	0.00	4,600.00	-4,600.00	0.0%
<b>Net Income</b>	<b>5,602.46</b>	<b>2,025.00</b>	<b>3,577.46</b>	<b>276.7%</b>

**Lancaster Inter-Municipal Committee**  
**A/R Aging Summary**  
As of April 30, 2021

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	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
East Petersburg Borough	0.00	0.00	0.00	0.00	500.00	500.00
Lancaster City	0.00	0.00	0.00	500.00	0.00	500.00
<b>TOTAL</b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>500.00</u></b>	<b><u>500.00</u></b>	<b><u>1,000.00</u></b>

11:05 AM

04/08/21

# Lancaster Inter-Municipal Committee

## Check Detail

January through December 2021

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<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Item</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
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# FACT SHEET FOR LIMC

## Water & Sewer Capacity in Growth Areas Analysis

### Lancaster Metro Planning Area Pilot Study

#### Project Goal

To implement the *places2040* Big Idea of Growing Responsibly, using the catalytic tool of “Investing in Infrastructure.” Create a secure online tool that will analyze water & sewer capacity, identify system constraints (bottlenecks and gaps), and provide information to local decision makers to make sound decisions about land use, economic development & infrastructure.

#### What we plan on accomplishing

- Help implement plans at various scales, including *places2040*, the Lancaster County Comprehensive Plan; *Growing Together: A Comprehensive Plan for Central Lancaster County*; SRBC Comprehensive Plan; and local municipal Act 537 and Comprehensive Plans.
- Create a system that allows for regular water and sewer service data collection and reporting.
- Develop a secure online tool to inform local decision-making on land use, economic development, and infrastructure.
- Collect, map, and analyze water and sewer infrastructure and capacity data.
- Identify gaps and bottlenecks in the infrastructure system to help prioritize projects, and system improvements.
- Identify opportunities for cooperative delivery of system improvements.

#### Specific benefits to LIMC municipalities

- Strengthen partnerships, communication and collaboration with neighbors and regional partners.
- Improved regional planning and coordination. While water and sewer infrastructure are now mapped in individual systems, they are not mapped and analyzed across systems like we are proposing.
  - Improved decision making regarding future UGA adjustments.
  - Provides a foundation for Act 537 Planning and Comprehensive Planning.
- Improve consistency of data among municipal and system owners/providers.
- Provide a planning tool to guide decisions about land use, growth management, economic development, and infrastructure.

- Identifying constraints in the system to assist authorities and municipalities in planning for capital improvements.
  - There have been a few high-profile cases recently where service has not been available for proposed and needed development, we hope this would eliminate situations like that in the future.
- Improve economic development and local business expansion.
  - Help locate businesses and manufacturing to provide additional employment and increase municipal tax base.
  - Many challenges placing a heavy water/sewer user, such as food processor, without advanced capacity planning.

### **What we need from you**

In order to implement this project, we will need a Municipal Assistance Grant from DCED for \$28,650, and we have the 50% matches lined up to fund the \$57,300 project. We have received very positive feedback from DCED on our grant submission. We have also been in touch with the SRBC, and local authorities/water and sewer providers and have solid support for this effort (LASA, City of Lancaster, Columbia Water, Millersville Borough, etc.).

So, there is no financial obligation asked of you, however your support and a resolution from the Lancaster Intermunicipal Committee (LIMC) will greatly enhance our application.

### **How we will accomplish this project**

We will work with Rettew and the project team to achieve our project goals in four phases:

- Phase 1 - Data inventory and gathering: This phase has already been completed. Existing water and sewer data was collected and an online tool, using ArcGIS Online (AGOL), developed to display the data.
- Phase 2 - System and infrastructure analysis (system capacity and infrastructure capacity): Determine if there is adequate water and sewer capacity within growth areas to accommodate growth. For each public water and sanitary sewer provider, identify supply, treatment, and conveyance constraints that may preclude the system from accommodating potential growth.
- Phase 3 - Infrastructure data alignment with existing land use, zoning, and transportation data: Add the existing land use, zoning, and transportation data layers to the system's available layers. Planned utility expansions will be added.
- Phase 4 - Implementation through applying information to the growth management and economic development decision-making process: While not part of the DCED grant request, this is the crucial follow-up that will involve future implementation by applying information from the study/mapping tool.
- Ongoing: Periodic information update through a sustainable system of collection and reporting (not a part of this funding request).

### **Data security and sharing**

Data security is of paramount importance to us, and we will go to great lengths to protect the data of local authorities/water and sewer providers. We will follow all current legal guidelines concerning water and sewer data sharing, and we will utilize a Nondisclosure data sharing agreement that was vetted by the Lancaster County Solicitor. This agreement will be signed by the owners of the system and project team.

Data will be stored on an ArcGIS Online (AGOL) secure server. AGOL has multiple security levels for sharing content, which will enable us to keep some content private, share some with specific team members, and others with stakeholders.

Specific details of who will be able to access the system will be further discussed and determined in phase 2 of the project.

### **Project Partners**

- Lancaster County Planning Department
- Lancaster County GIS Division
- Economic Development Company of Lancaster County (EDC)
- The Susquehanna River Basin Commission (SRBC)
- Water & sewer authorities/public suppliers in the MPA
- Lancaster Intermunicipal Committee (LIMC)
- Municipalities in the MPA
- Rettew (engineering consultant)

### **Budget**

We will be funding this project with a variety of sources, including Federal, State, Local, and Private funds.

Organization	Match Amt
DCED/MAP Grant	\$28,650
LCPD	\$14,000
SRBC	\$7,500
EDC	\$7,150
<b>Total</b>	<b>\$57,300</b>

### **How do we plan to use the DCED MAP grant Funds?**

The funds will be used to compensate Rettew to complete three phases of this project. The total project cost is \$57,300, including professional services and expenses. The budget breaks down as follows:

Phase 1: \$14,000. This phase is complete and will be paid for by the Lancaster County Planning Department. It will be used as part of the matching funds for this grant.

Phase 2: \$31,500

Phase 3 \$11,800

Phase 4 is not a part of this funding request but will involve implementation by applying learned information to the local growth management and economic development decision-making process.

Ongoing: Periodic information update through a sustainable system of collection and reporting (not a part of this funding request).

It is anticipated that if this MPA project is successful, we will want to replicate it in the other county planning areas.

### **Projected Schedule and Key Milestones and Dates**

If we receive your support and the DCED MAP grant we hope to complete this project by October of 2021.

Phase 1: Completed in January and February of 2021.

Phase 2: Assuming we receive the DCED grant by mid-May, and after all paperwork is finalized, begin by June 2021, and complete in September 2021.

Phase 3: Will last one month and be completed in October 2021.

Phase 4: Not a part of the grant funding request, but we will be ready to transition directly into this phase, which is implementation, and applying learned information.

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**Subject:** Important information for LIMC - HB 957  
**Attachments:** HB 957 P.N. 1048.pdf; PMAA Opposition Letter - HB 957 P.N. 969.pdf

**From:** Mike Kyle <[MKyle@lasa.org](mailto:MKyle@lasa.org)>  
**Sent:** Monday, April 5, 2021 2:43 PM  
**To:** Andrew Stern <[manager@westhempfield.org](mailto:manager@westhempfield.org)>  
**Cc:** William Laudien <[WLaudien@twp.lancaster.pa.us](mailto:WLaudien@twp.lancaster.pa.us)>; Barry Smith <[barrysmithkevin@gmail.com](mailto:barrysmithkevin@gmail.com)>; Jennie Shade ([shade@municipalauthorities.org](mailto:shade@municipalauthorities.org)) <[shade@municipalauthorities.org](mailto:shade@municipalauthorities.org)>; Jennifer Case ([case@municipalauthorities.org](mailto:case@municipalauthorities.org)) <[case@municipalauthorities.org](mailto:case@municipalauthorities.org)>  
**Subject:** Important information for LIMC - HB 957

Hi Andrew: As Secretary of the LIMC I thought you would be the best person to contact about this. Bill Laudien suggested sending this out to the LIMC members.

PA House Bill 957 PN 969 (copy attached) recently passed out of committee. This bill would change the way water and sewer authorities can bill multi-use residential customers. It would have a significantly negative impact on LASA, and perhaps on other authorities serving customers in the LIMC area. We thought it would be a good idea to get this out to the LIMC members so they are aware of it, suggesting they look at the potential impact on their community and act accordingly. SLSA also sent out a letter of opposition.

Here is what LASA sent the 6 Representatives from the LASA service area:

*LASA has about 1,110 accounts that have multiple units ranging from 2 to 459 units, which would be affected by this bill. If this bill was to become law, LASA would lose an estimated \$2.6 Million in revenue per year that we need to continue improving infrastructure in our service area. To make up for that loss of revenue from the multi-unit customers, we would need to increase the sewer bills for about 37,500 single family residential customers by 17%, or by nearly \$20 per quarter.*

*LASA is proud to keep its system up to date by imposing very modest yearly increases. This year the LASA rate will increase 2.75%. Please do not vote for a bill that would cause LASA residential rates to increase by another 17%.*

Attached is a copy of House Bill 957 along with the PA Municipal Authorities Association letter of opposition.

Thank you for your help on this important matter.

**Michael Kyle**  
Executive Director  
Lancaster Area Sewer Authority  
130 Centerville Road  
Lancaster, PA 17603  
717-299-4843 (Main Office)  
717-344-5832 (Direct Dial)  
717-278-8894 (Mobile)  
717-344-5904 (Direct Dial Fax)  
[mkyle@lasa.org](mailto:mkyle@lasa.org)  
[www.lasa.org](http://www.lasa.org)



THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 957 Session of 2021

INTRODUCED BY MOUL, MILLARD, JONES, STAATS, ROTHMAN, DAVANZO, MALONEY, B. MILLER, SCHMITT, COOK, RYAN, JOZWIAK, DIAMOND, PICKETT, SAYLOR, ECKER, M. MACKENZIE, MASSER, KAUFER, GLEIM, SCHEMEL, R. MACKENZIE, E. NELSON, HERSHEY AND ROWE, MARCH 17, 2021

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 24, 2021

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, further
3 providing for purposes and powers.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 5607(d)(9) of Title 53 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 5607. Purposes and powers.

9 \* \* \*

10 (d) Powers.--Every authority may exercise all powers
11 necessary or convenient for the carrying out of the purposes set
12 forth in this section, including, but without limiting the
13 generality of the foregoing, the following rights and powers:

14 \* \* \*

15 (9) To fix, alter, charge and collect rates and other
16 charges in the area served by its facilities at reasonable

1 and uniform rates to be determined exclusively by it for the  
2 purpose of providing for the payment of the expenses of the  
3 authority, the construction, improvement, repair, maintenance  
4 and operation of its facilities and properties and, in the  
5 case of an authority created for the purpose of making  
6 business improvements or providing administrative services, a  
7 charge for such services which is to be based on actual  
8 benefits and which may be measured on, among other things,  
9 gross sales or gross or net profits, the payment of the  
10 principal of and interest on its obligations and to fulfill  
11 the terms and provisions of any agreements made with the  
12 purchasers or holders of any such obligations, or with a  
13 municipality and to determine by itself exclusively the  
14 services and improvements required to provide adequate, safe  
15 and reasonable service, including extensions thereof, in the  
16 areas served. If a meter serves more than one unit, the  
17 authority shall classify the meter as a commercial meter and  
18 bill the meter in the same manner as other commercial  
19 properties in accordance with this subsection, unless the  
20 owner of a ~~unit~~ THE PROPERTY chooses to maintain the current <--  
21 classification. If the service area includes more than one  
22 municipality, the revenues from any project shall not be  
23 expended directly or indirectly on any other project unless  
24 such expenditures are made for the benefit of the entire  
25 service area. Any person questioning the reasonableness or  
26 uniformity of a rate fixed by an authority or the adequacy,  
27 safety and reasonableness of the authority's services,  
28 including extensions thereof, may bring suit against the  
29 authority in the court of common pleas of the county where  
30 the project is located or, if the project is located in more


1 than one county, in the court of common pleas of the county  
2 where the principal office of the project is located. The  
3 court of common pleas shall have exclusive jurisdiction to  
4 determine questions involving rates or service. Except in  
5 municipal corporations having a population density of 300  
6 persons or more per square mile, all owners of real property  
7 in eighth class counties may decline in writing the services  
8 of a solid waste authority.

9 \* \* \*

10 Section 2. This act shall take effect in 60 days.



**TO:** Chairman Metzgar, Chairman Freeman, and members of the House Local Government Committee

**FROM:** Jennie Shade, Director of Government Relations 

**DATE:** March 23, 2021

**SUBJECT:** Opposition to HB 957 P.N. 969

I am writing on behalf of the Pennsylvania Municipal Authorities Association (PMAA) which represents over 700 municipal authorities across the Commonwealth, the vast majority of which provide drinking water and wastewater treatment services to more than six million of its citizens.

PMAA **opposes** HB 957 P.N. 969 amending Title 53, Chapter 56 (Municipal Authorities). The bill requires multiple properties served by a single unit to be classified as commercial and billed as such unless the property owner chooses to maintain their current classification.

Allowing property owners of multiple properties served by a single meter to choose the classification/rates of which to be billed is in direct violation of the Municipality Authorities Act (Act). Under the Act, authority rates must be “reasonable and uniform.” Different rates throughout an authority system for the same type of property are not “reasonable and uniform.” By contrast, HB 957 P.N. 969 allows for preferential treatment.

In addition, rate uniformity is essential for authorities to assure bond purchasers the authority will be able to generate enough revenue to pay off the bonds. Moreover, the Act specifies that the recourse for any person challenging the authority’s rates is an action in the Court of Common Pleas. Of note, authority rates as prescribed in the Act have been upheld (see *Chicora Commons Limited Partnership, LLP v. Chicora Borough Sewer Authority*, 922 A.2d 986 (PA.Cmwlth. 2007)).

Also, in practical terms, this language may not lower the total amount billed by an authority to an owner of a multiple unit property served by a single meter. In fact, it could do the opposite as some authorities bill a higher rate for “commercial” properties than they do “residential” properties. Ultimately, this would result in a higher amount billed to the property owner, and, in turn, their customers, especially as unemployment is high and authorities work to assist customers who are struggling financially.

It is also important to note that most authority costs are generally fixed. Infrastructure, collection and distribution systems, treatment facilities as well as other operational costs including personnel, insurance, mortgages, and loans do not change from month to month. Furthermore, to comply with state and federal regulations, authorities must serve all system connections regardless of consumption, particularly as it relates to wastewater as connections cannot be shut off due to public health and safety risks.

Due to these inherent complexities and concerns, on behalf of our members, we respectfully ask that you **oppose** HB 957 P.N. 969. Thank you for your consideration.