

**RESOLUTION NO. 986**

**A RESOLUTION OF THE PENN TOWNSHIP BOARD OF COMMISSIONERS,  
YORK COUNTY, PENNSYLVANIA ASSESSING THE COSTS AND EXPENSES  
OF THE CONSTRUCTION OF SANITARY SEWERS FACILITIES WITHIN  
PENN TOWNSHIP AGAINST THE PROPERTIES ABUTTING THERE ON OR  
BENEFITTED THEREBY.**

**Recitals:**

**A.** Act 537, the Pennsylvania Sewage Facilities Act, requires that all municipalities develop, revise, and implement Official Sewage Facility Plans ("Act 537 Plan").

**B.** The Department of Environmental Protection approved Penn Township's Act 537 in December of 2016.

**C.** The approved Act 537 requires the extension of sewage facilities to Oak Hill, Hershey Heights and Broadway needs areas of the Township.

**D.** In order to meet its Act 537 Plan requirements, the Township will cause the construction and extension certain sewer facilities into and along the properties and roadways in the Oak Hill, Hershey Heights, Broadway needs areas. The project area is more fully detailed in the plan attached hereto and made a part hereof as Exhibit "A" (the "Project").

**E.** The Penn Township Board of Commissioners on January 17, 2022 awarded the Oak Hill Hershey Heights Sewer Project Contract Number 1 for Sanitary Sewers and Force Main to Joao and Bradly at a bid amount of \$3,312,336.25.

**F.** The Penn Township Board of Commissioners on January 17, 2022 awarded the Oak Hill Hershey Heights Sewer Contract No. 2 for Pump Stations General to Conewago Enterprises, Inc. at a bid amount of \$563,426.00.

**G.** The Penn Township Board of Commissioners on January 17, 2022 awarded the Oak Hill Hershey Heights Sewer Contract No. 3 for Pump Station Electrical to PSI Pumping Solutions, Inc. at a bid amount of \$234,500.00.

**H.** The current bid amounts for the Project, prior to construction, total \$4,110,262.50. Such amount equates to approximately \$73,397.54 per property in the Project area.

**I.** The Township is authorized to assess the costs of providing public sanitary sewer to the properties in the Project area by Section 2406 of the First Class Township (53 P.S. § 57406).

**J.** The Township is authorized to impose tapping fees, including special purpose tapping fees covering the costs of providing public sanitary sewer to the properties in the Project area, by Section 507-A of the Municipalities Planning Code (53 P.S. § 10507-A).

**K.** Per the contract terms, the Project is scheduled for substantial completion on or about June 30, 2023.

**L.** Upon substantial completion of the Project, the facilities will be functioning and the residents covered by the Project will be contacted to connect on or about June 30, 2023.

**M.** In recognizing the financial hardship to the residents in the Project area, as well as the fiduciary duty to the residents and rate payers in the Township as a whole, the

Township has decided to fund part of the Project and shall impose a special purpose tapping fee in accordance with the terms detailed herein.

**NOW, THEREFORE,** be it resolved, and it is hereby resolved by the Penn Township Board of Commissioners as follows:

1. The recitals are incorporated herein by reference.
2. The special purpose tapping fee which shall be imposed upon each parcel in the project area shall be Seven Thousand Five Hundred Dollars (\$7,500.00). Assessment letters will be sent to the parcel owners on or about June 30, 2023 or such time as the Project obtains substantial completion.
3. The Township will permit the special purpose tapping fee to be paid in one of the following manners:
  - a). The special purpose tapping fee may be paid in full at the time of connection.
  - b). A partial, upfront payment of the special purpose tapping fee with the remaining balance to be paid quarterly or annually as part of the parcel owner's sewer bill.
  - c). The complete balance of the special purpose tapping fee may be paid quarterly or annually as part of the parcel owner's sewer bill.
  - d). The complete balance of the special purpose tapping fee shall be billed annually via separate invoice.
4. Unless paid in full at connection, the terms of the various payment options offered by the Township shall be as follows:

a). Five (5) year maximum timeframe to pay the special purpose tapping fee in full. The parcel owner may pre-pay at any time without penalty.

b). Interest shall be charged at a rate not to exceed six percent (6%).

c). The parcel owner shall be required to enter into a payment plan detailing the terms and conditions of the payment of the special purpose tapping fee, including the right of the Township to file a lien against the parcel for the balance of the special purpose tapping fee remaining at the time of connection.

d). The payment plan shall detail all legal remedies available to the Township in the event a parcel owner fails to pay a required payment.

5. All Resolutions or parts of Resolution inconsistent herewith are hereby repealed.

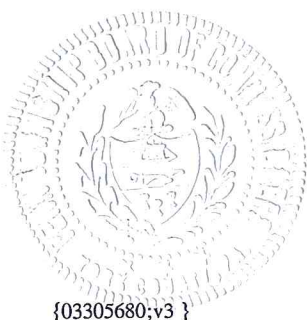
RESOLVED and ENACTED this 16<sup>th</sup> day of May, 2022.

**BOARD OF COMMISSIONERS OF PENN TOWNSHIP**

By: Michael G. Brown  
Michael G. Brown, President

**ATTEST:**

Donna M. Sweeney  
Donna M. Sweeney, Township Secretary



**Exhibit "A"**  
**Project Area**



**PROPERTY OWNER****PARCEL NUMBER**

Neely, George W & Janice E	4400012003900
Potter, Michael T & Joan E	4400012003800
Korolev Vladimir & Irina	4400012003400
Jordan, Nicolas Alan & Cherry Melissa	4400012003000
Gerecht, Anthony J & Danette King Gerecht	4400012002900
Small, George E	4400012002800
Gorman, Guy M & Valerie L	44000120036B0
Elsner, Frank III & Grace W B	44000ED008100
Valdes-Dapena, Andres & Dana L	4400012003100
Elsner, Frank III & Grace W B	44000ED0081A0
Zell, Christopher J & Jones, Marissa M	4400012002700
Rebert, Robert E & Ruthanna	44000ED0081F0
Altland, Terry L	4400012002600
Roberts, Larry E	4400012002500
Clark, Kenneth R	44000ED008300
Rigler, William H	4400012003700
Rife, Leyton J & Michella B	4400012000700
Schrum, Joshua A & Baughman, Melissa	4400012002200
Schrum, Joshua A & Baughman, Melissa	4400012002400
Fake, Reuhl S & Denise A	4400012000800
Roth, Bernard J	4400012000900
Miner, James S & Darlene D	4400012001000
Brown, Michael G & Nancy R	4400012002100
Schlitzer, Terry L & Amy S M	4400012002000
Mathias, Brian K & Kathy L	4400012001900
Corriere, Jack L & Jo Ann	4400012001600
Corriere, Jack L & Jo Ann	44000120016A0
Bowman, William J II	4400012001700
Bowman, William J II	4400012001800
Shrader, Dale P & Lou Ann	4400012001500
Cashdollar, Jennifer A	4400012001100
Blevins, Megan C & Paul W	4400012001200
Cashdollar, James D & Mary V	4400012001400
Cashdollar, James D & Mary V	44000120036A0
Lester, Kenneth E & Diane L	4400012001300
Gouker, Michael R & Linda M	44000ED0093B0
Live Ready LLC	44000ED009300
Boyd, Peggy L AKA Peggy L Groves	44000ED0093A0
Peck, Mark E & Debra L	44000ED010100
Sieg, Jeffrey D & Judith L	44000ED009400
Grove, Michael R	44000ED009500
Staley, Cynthia J	44000ED009600
Zinn, Nathan M	44000ED010000
Rinker, M Anna & R James	44000ED009000
Barnhart, Scott R	44000ED009900
Motter, Perry J & Ann H	44000ED009700
Rinker, James R	44000ED009100
Hoff, Joald D & Shawn D & Rider, Donann G	44000ED008400
Harris, Tracy Sue	44000ED0085A0
Knaub, Michael A & Karen J	44000ED008500
Hahn, Douglas C & Joanne C	44000ED008600
Singer, Wayne Edward	44000ED008700
Raubenstine, Burnell H & Evelyn J	44000ED009800
Miller, Jeffrey A	44000ED008900
Gorsuch, Erin S & Robert J	44000ED010200
Novosedliak, Andrew	44000ED008800