

## **Palmer Township, Northampton County**

### **Stormwater Authority Committee Meeting Minutes**

**October 8, 2024, 2PM, 3 Weller Pl, Upper-Level Municipal Training Room**

#### **1. Roll Call**

- a.** Present: Robert Blanchfield, Robert A. Lammi, Craig Swinsburg, Matthew Gunther, Kendall M. Mitchell, George White, David Pyle, Nathaniel Hulshizer, Scott Kistler, Phillip Godbout, and Paige Strasko.
- b.** Ryan Cummings and Luke Gibson attended by video call.
- c.** Robert Fehnel of 2049 Stocker Mill Road was present.
- d.** The meeting was called to order at 2:02PM.

#### **2. Discussion Items**

##### **a. HRG Project Updates**

##### **i. Kingwood Street Construction**

##### **1. Method of responding to resident complaints**

- a.** Blanchfield briefly discussed the resident complaints that were received, Cummings suggestion of a Standard Operating Procedure (SOP) to address complaints received, and that Strasko was working on developing an SOP for this purpose on future projects.
- 2.** Cummings provided an update on Kingwood construction, that the contractor has begun using new equipment that seems to allow for smooth construction and to excavate rock more easily. Blanchfield added his field observations after visiting the site, and that the contractor has reached the last catch basin on the east side of the street.
- 3.** Cummings clarified the previously submitted schedule from the contractor and timing for completion of construction milestones. Kistler asked if the schedule was available to everyone yet and Cummings stated that before he made it available to the group, he wanted to discuss the updates and changes that have been made.
- 4.** Kistler also discussed timing of the construction work, allowing enough time for trench settlement, and if there is a push to complete some aspects of the project it will not allow enough time for the trench to settle, causing more issues later.
- 5.** PTSA members also discussed how to obtain liquidated damages or ensuring that there is leverage for project completion. Cummings and PTSA members discussed project timing, sharing the construction schedule following the meeting, inspection costs, and recouping costs for increased inspection needs. White

explained that HRG is not adding hours, depending on how the schedule works out they would only be delaying time that was already agreed to. Gunther asked for a budget report for the funds spent on inspection services to date.

6. Cummings also updated the group that multiple homeowners were requesting a depressed curb in front of their property for yard access from the street and described the homes and locations where these requests were made. Cummings discussed past conversations of PTSA members and asked what the board wanted to do for the residents that are requesting depressed curbing. Kistler asked clarifying questions regarding the construction detail of the depressed curb and the height of the reveal on the street side, and if the curb would be tapered. Cummings recommended tapered curb at the described locations. PTSA members believed that these were reasonable requests and had a consensus that final paving would occur in the spring. Cummings and Blanchfield described that the contractor should finish curb construction within a day and a half and Cummings was to reach out as soon as possible for the changes to allow for depressed curbing.

**ii. 25<sup>th</sup> Street Update**

1. White updated the group that HRG is waiting for the SUE to determine the best method forward, working on redesign, and Cummings clarified that PTSA members agreed at the last workshop meeting to use the metal pipe arch for construction of the box culvert.
2. PTSA members asked about the schedule for the SUE and White stated that they are a couple of weeks out and he will continue to check for updates from the subcontractor. PTSA members and HRG staff also discussed traffic control and PennDOT permit requirements.

**iii. Old Nazareth Road Update**

1. Pyle updated the group that they should hear back from PENNVEST regarding the funding application at the end of the month and White stated that they have not received any comments or questions from DEP on the application.

**iv. Meadow Avenue Drainage Swale- Agreement Letter**

1. White updated the group that the agreement revisions were sent and HRG is waiting to hear back from the property owner on the revisions.

**v. Schoeneck Creek Update**

1. White updated the group that HRG is scheduled to install the bank pins for monitoring in the next two weeks, and there will be design discussions with PTSA members in the next month. White also clarified that once the pins are installed there will be minimal expense for monitoring.

**vi. Wedgewood Update**

1. White and Cummings updated that HRG is waiting for completion and data sharing from a level B SUE, and that once the base mapping is completed, they can continue to design the project.
2. Gunther commented that the SUE seems to be a crucial part of the project and asked if it would be a good idea to get multiple quotes for SUE work to ensure the pricing is best available. Cummings explained that HRG uses Lexus as a baseline and they complete a comprehensive view of the utilities, but they do have agreements with other contractors and complete a price comparison. Cummings also explained that of subcontractors for SUE HRG has worked with, Lexus provides quality work and is very responsive.

**vii. Hobson Street Detention Basin Update**

1. White and Cummings stated that HRG is working on three conceptual designs for the basin, and they are hoping to finalize the designs over the next month to confirm direction of the project, and the flow monitors will be installed within the next week.

**viii. Capital Improvement Plan/Framework**

1. HRG staff discussed the conceptual designs being the highest priority, that they are reviewing other funding sources for projects within the Capital Improvement Plan (CIP) and are also planning the future project schedule to be in line with grant opportunities that do not compete with Township grant submissions. Pyle also clarified that they would provide a priority list with project costs, and how that may affect or will be factored into the budget.

**ix. BRIC Application Second Year**

1. Pyle and White explained and discussed the past BRIC application sent into FEMA that was denied and that their grant team is looking into specifics of why the grant was not awarded, other funding priorities for the grant last year, and that they are investigating what will help the PTSA's chances of award if they want to submit another application.
2. Pyle also discussed that Bethlehem Township submitted two BRIC grants and were only awarded the second time. HRG staff and

PTSA members also discussed funding available through the program, award amounts being less than previous years depending on FEMA funds, and if PTSA should apply for the grant again. HRG staff also discussed using a phased approach for the project, that the project they would apply for wouldn't be scheduled until further in the future to account for grant applications and review times, and that HRG assesses the timeline for all projects to ensure that if one project can hold off for grant funding, they are aware of available opportunities. The group also discussed what grant funds cover, reimbursement for engineering costs in the future, what PENNVEST would or could cover for costs, who administers the BRIC grant, previous FEMA funding utilized for the project area, that the Easton Area Joint Sewer Authority uses grant writers for their projects, large amounts of funding available for infrastructure projects, and what priorities FEMA may have that would be more likely for funding. PTSA members had a consensus to apply for the FEMA BRIC grant for another year.

**b. Engineering/Finance Committee Separation**

- i. Lammi and Strasko discussed the possibility of separating the workshop meeting into two separate meetings that would consist of a finance committee and an engineering committee and having only two members present on each to reduce meeting time and allow for discussion of more sensitive topics in a non-public forum.
- ii. PTSA members and Gibson discussed legal options available to the Authority, that a smaller group is common for workshop meetings.
- iii. PTSA members discussed keeping engineering committee meetings as advertised public meetings and shifting the finance committee to a private meeting that reports during the engineering workshop. PTSA members had a consensus to continue workshops this way.
- iv. Fehnel asked clarifying questions regarding the Sunshine Act, advertising meetings, and having public workshop meetings even if there is not a quorum present. Gibson provided clarification on advertising and Sunshine Act requirements.
- v. Lammi stated that he would like to have another board member present at future finance meetings and asked for volunteers. Swinsburg volunteered to join the finance committee. Blanchfield clarified that all official business will still take place at the regular monthly meetings, not the workshop meetings. Lammi asked to add the item to the monthly meeting agenda.

**c. Appeal and Credit Update**

- i. PTSA members and Township staff briefly discussed appeals and updates, resident meetings, and clarifications on the process of on-site meetings with residents to answer stormwater fee questions and review the property. Gunther suggested developing a criterion of what constitutes a site visit. Swinsburg mentioned that in the future there is a fee for a credit application or site visit per the Credit and Appeals Manual. Blanchfield suggested that the group discuss those fees again in December to determine if they wanted to update the amount or waive the fee for a portion of time in 2025 as well. Township staff also discussed a recent residential complaint at the Board of Supervisors meeting and discussed the process of addressing complaints that the Supervisors receive. Godbout explained that he explained to the resident the process for on-site meetings and the policy followed by PTSA and Township staff.

**ii. Credit Manual Update**

1. Lammi discussed his meeting with the farmers, and his review of documents received and used by the Farm Bureau, agricultural credit documents used in other townships including Silver Spring and Upper Allen Townships and provided the group with statistics for each of the communities including population, township size, number of farms, and the fee amount and format of the stormwater fee in those communities. Lammi also discussed the average fee amount in Pennsylvania being \$7.60, that many communities must only charge fees for MS4 requirements and not flood mitigation, and that he recommends giving the farmers a 90% credit like Silver Spring Township. Pyle and Strasko explained that the Silver Spring methodology was already used to reach the 60% that the farmers previously disagreed with, having a basis for the credit amounts, and that the PTSA legally does not have to follow the same methodology or structure as Silver Spring Township.
2. PTSA members also discussed the amount of farm properties in Palmer Township, a rationale for the credits, changing the percentage of the low impact parcel credit that would be automatically applied to all properties that meet the criteria, not just the farms, how to update the policy and the best way to reach their goal. PTSA members and Township staff also discussed if credits would be retroactive or not, Strasko explained the process that she has been following per the Credit and Appeals Manual, and PTSA members asked that this be added as an agenda item to update the Credit and Appeals Manual.

3. Lammi also mentioned that there is a Cumberland County representative pushing for the state to make farmers exempt from stormwater fees and described that this is still an active pursuit.

**d. Annual Budget Update/Discussion**

- i. Pyle and Hulshizer gave a budget update and presentation based on a previous meeting with Lammi and Township staff showing budget projections and updates based on staff input, drafts of the Capital Improvement Plan, and timelines for MS4 required projects. Hulshizer explained budget models and projections. Kistler asked clarifying questions about how to pay stormwater invoices and Godbout stated that he should have a discussion with Farley about invoice payment.
- ii. PTSA members, HRG staff, and Township staff also discussed other steps needed to understand all project locations, projections of the condition assessment and inventory, inlet repairs and emergency work being the focus of stormwater projects in 2025, rate changes based on projections, project timing and speed versus rate changes, the amount of projects, flood correction projects planned for the future, and factoring in grants for funding as well.
- iii. PTSA members discussed not being able to lower the fee moving forward due to the large amount of work that needs to be done, and how other municipalities are handling their rates and fee changes.

**e. Condo Unit Common Area Determination**

- i. Strasko explained an issue she has found with the finance department where there is condo units owned as separate parcels from a common area parcel that has no owner listed. Strasko stated that she was looking for directions on how to assess fees for the common parcel if no HOA or owner could be found through the county records. PTSA members agreed that condo owners should be assessed equally for the common area IA if no owner or HOA could be found or contacted.

**f. Township Staff Reports/Comments**

**i. Finance**

1. Strasko stated that Farley had provided her with the billing packet that was distributed to members who wanted a paper copy, and a digital copy would be available on SharePoint following the meeting. Blanchfield pointed out a typo on the packet for Farley to correct.

**ii. Public Works**

1. Kistler updated the group that with the season change, his crews are focused on leaf collection and other projects and explained that the organic material on the roads currently was not conducive to

street sweeping. Kistler also explained that they will complete any repairs they can in cold weather, that amount of work done will depend on the temperature, and the only other hinderance to street sweeping activities will be the freezing temperatures.

**iii. Public Services**

1. Godbout had nothing to report.
2. Strasko updated that Gibson had sent her the draft intermunicipal agreement with Bethlehem Township and that she added it to SharePoint for the Authority member's review. Strasko also briefly discussed stormwater permits the Township recently received that she will be working on with the municipal engineer since the work required will not be a publicly owned stormwater management system or best management practice.

**3. Public Comment**

- a. Fehnel had left prior to public comment.
- b. PTSA members briefly discussed and clarified if they would be approving the budget in October or November. PTSA members decided to vote in October.

**4. Adjournment**

- a. The meeting was adjourned at 4:22PM.