

## **Palmer Township, Northampton County**

### **Stormwater Authority Workshop Meeting Minutes**

**February 11<sup>th</sup>, 2025, 2PM, Upper-Level Conference Room, 3 Weller Place**

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

- a.** Present: Robert A. Lammi, Robert Blanchfield, Kendall M. Mitchell, Matthew Gunther, Craig Swinsburg, George White, Scott Kistler, Jamie Paetzell, James Farley, Rebecca Frederickson, Philip Godbout, and Zach Trexler. Attending virtually were Ryan Cummings, David Pyle and Luke Gibson.
- b.** The meeting was called to order at 2:00PM.
- c.** Blanchfield stated that there was an executive session held prior to the meeting to discuss one litigation matter.

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

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

##### **i. Schoeneck Creek Update**

- 1.** White said the design continues to be tightened up. We are looking to do some value engineering to bring the cost down while not cutting any corners.
- 2.** White asked Kistler if he needs any of the 11,000 cubic yards of material, and he said he has no place to store it or no want for it. White stated that we are looking into using the power line easement to gain access to the site since we would be using a public road. Kistler stated that there is a sewer line right of way that is large that Public Works uses that the contractor would be able to use that runs parallel to the creek. White said they do not want to cause any damage to the bike, which the sewer easement crosses. Gunther asked if we could put an advertisement out for the fill that we will have, but Cummings said it is probably not worth it. Kistler said that once our storage is full, our only option is to put it into the landfill. Kistler said we do not want to own the material or be responsible in any way.
- 3.** Gunther said he will be going out to the creek tomorrow with Maura to continue bank pin monitoring, and he asked how long the monitoring will continue. White said we will keep doing it as long as we can, and hopefully a storm or two will come through. Cummings said the bigger the storm the more credits we can receive.

##### **ii. Wedgewood Update**

- 1.** Cummings said the level A test pitting began 2 weeks ago and he thinks they are close to finishing up. As of now, we are proceeding

to complete the full project design, and we will decide later if we need to split the project into 2 phases. Blanchfield asked about the PENNVEST application, and Cummings said the earliest we could submit to PENNVEST for phase 1 of this project would be August, but if the project stays together the earliest, we could get to PENNVEST would be around November/December. Cummings said it will depend on utility relocations such as water and gas and their construction timeframes.

**iii. Storm Sewer Inventory Update**

1. White said this work is continuing along and that they have located over 2,500 structures between manholes, catch basins, and outlets. It is continually updated on the Township's GIS server. Blanchfield asked if the weather is affecting them, and White said if the roads are icy, he does not want them out there.
2. Gunther asked if the 360 cameras can be integrated into the existing database, and White said it will be 2 different sites.

**iv. Kingwood Street Status**

1. Blanchfield asked Kistler what the ideal time is to finish the work on Kingwood, and he said April 15<sup>th</sup> or something around there. Blanchfield said we should notify the residents mid-March to alert them that this is coming. Kistler said his estimate to complete the project is \$95,000.

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

1. Blanchfield asked for an update on the HOP with PennDOT, and White said the resubmission was made on January 15<sup>th</sup> and all the forms were added to the SharePoint. As of now, we are waiting for PennDOT approve the SUE testing which is within the right of way. Once we get the approval we can begin to wrap things up.
2. Blanchfield asked if Burrowes Street would be closed for the duration of the project and White confirmed. He asked Kistler if this would be a problem, and he said that it will be fine.
3. Blanchfield asked if there is any timeline for this project, and White said no, but he expects to be able to provide a cost estimate at next month's meeting.

**vi. Old Nazareth Rd Update – Engineering Progress**

1. Blanchfield stated that 92 letters went out to affected residents. He said we are set for the resident meeting this Thursday night. White said him and Cummings will be here to give the presentation and answer any questions from the public. Gunther said that no legal advertisement was put into the paper. Blanchfield said no official

business will be conducted and that HRG will be doing almost all the talking. Gibson said that he is okay with it.

2. Cummings said the bid for the project went out on Monday and that questions from contractors are due by March 17<sup>th</sup> and the bid closing will be on March 24<sup>th</sup> at 10am. We will then open anything and certify the low bidder, and we can notify the Authority right away. He said the estimated contract value is \$3.2-\$3.9 million. Blanchfield asked how the notification to the Authority will be handled, and Cummings said we can have a special meeting, or we could just go through it at the regular workshop meeting. Lammi said the PENNVEST settlement date is set for May 22<sup>nd</sup>. Cummings said we are targeting the April 16<sup>th</sup> Authority meeting to award the contract to the low bidder. Once the PENNVEST settlement is complete, we can give the contractor the notice to proceed, which will be on May 23<sup>rd</sup>.
3. Gunther said we also discussed a pre-construction meeting with the residents and asked when it will be held, and Cummings said it will be after the notice to proceed is sent to the contractor, so we should target early-Summer. White said this way we can provide the residents with the most information possible.
4. Cummings said with the bid now open, we are bringing the proposal for the Contract Administration and Construction Observation to the Board. He said some additional work was added, like Westgate, so the scope had to be adjusted. For construction observation we are estimating it will be from September 2025 through June 2026 since it will be full time observation. The estimated cost is about \$370,500.00, with the bulk of it being daily inspections. Ideally, if we get a great contractor we won't need to do daily inspections. Gunther asked if it would be the same inspectors as the Kingwood project, and Cummings said our team of inspectors will be more senior this time around. Supervisor Charles Bellis III asked who the inspectors report back to, HRG or the Authority. Cummings said the chain of command is the contractor reporting to the inspector, the inspector reporting to Brian S. from HRG, and Brian reporting to myself or Josh Sheets. The daily construction reports can be uploaded to the SharePoint daily or weekly. If the Authority needs to be notified, I will reach out to Gunther, and he can disseminate accordingly. Blanchfield said he likes streamlined communications for this project. Cummings said unless there is some large change

to occur, this price is it. Gunther asked if he could break it down by topic so we can see what is associated with design, CA and CO and Cummings said he can do that when he finalizes the document. Blanchfield asked what the timing of this project assignment is, and Cummings said he will have it uploaded to the SharePoint so the Authority can vote on it at the next meeting. Cummings said this cost is within the PENNVEST loan, and that they can adjust within reason.

5. Gunther asked Cummings if HRG has considered using him as a field inspector with his experience. Cummings said they can discuss it, but he knows Gunther cannot be out their full time. White said we would just have you complete the daily inspection report instead of our inspectors. White said this cost covers the worst-case scenario and hopefully we can avoid it. Blanchfield asked if travel costs are included in this cost for the inspectors, and Cummings said only travel from the Lehigh Valley Office is included, everything else is HRG's responsibility.

**vii. Hobson Street Detention Basin Update**

1. Cummings said we initially thought there would be 3 different designs to present, but after designing everything, it became clear that the 3 cell design we presented last month was the best option. He said the only decision left is how to apply the credits to the project. Option 1 uses Northampton County average impervious rate, which results in 53,500 pounds of sediment reduction. Option 2 uses the detailed data Palmer possesses, which results in more sediment reduction. Option 3 includes a small upstream BMP labeled as the Milford Street Swale Restoration area which results in 71,500 pounds of sediment reduction, the most of any option.
2. Cummings said option 3 will require some easements on private property as well as additional construction costs of roughly \$100,00. The permitting would not really change if we proceeded with this option, and it would be permitted all together. Gunther asked if the work on Milford Street could be done later, and Cummings said it could, but it makes sense to bid it all out as one project and if you waited too long it would not fall under the current MS4 PRP permit. Cummings said that the current high level cost estimates for this entire project are in the \$2-\$3 million range, with Milford accounting for only \$50,000 to \$100,000 of that estimate. Kistler asked if permanent easements would be required, and Cummings said if we are putting a structure there, I

would recommend going with a permanent easement because we are taking ownership of it, but he has seen it done both ways.

Kistler said adding this to the Township's responsibly makes sense to him. Blanchfield said it seems like option 3 is the best way to go, and Cummings said it would be his recommendation.

3. Blanchfield asked if direction is needed from the Authority on choosing an option to proceed with. Cummings said they have the final design proposal to present at next week's meeting.
4. Blanchfield asked about sinkholes, and Cummings said they will be meeting with Sean Casey to walk the site and figure out what is needed to get his blessing from every angle. Cummings said the 3-cell approach minimizes the sinkhole potential. He then asked about the potential of connectivity of the bike path, and Cummings said he thinks this would be feasible to add to the project, but some complexities come along with it that would need to be addressed while designing the project. Kistler said it needs to be a part of this project in his opinion. He said we should provide them with a safe travel route because they will continue to use it either way. Blanchfield asked what permitting needs to be done for this project, and Cummings said it is just an NPDES permit. Cummings said that HRG will also be inspecting the large retaining wall within the site to ensure it is stable and walked through other aspects of the project assignment for the Authority. The cost estimate to get the project out to bid is \$94,500.00.
5. Kistler asked what the maintenance procedures are for the system they would be installing, specifically as it relates to mowing. Cummings said it would need to be mowed twice per year. He said it will need to be inspected like other basins. Kistler asked what the cutting height is for the basin, because he can only raise his equipment 6 inches. Cummings said a 6-inch mow is adequate. Blanchfield asked if the clippings will clog the system, and Cummings said the mowings should occur when the chance of a major storm is minimal, while always checking the outfalls after every event.
6. Kistler asked if all 3 cells are active all the time, or if water flows through the first cell into the second and then into the third, and what types of storms the system will be able to handle. Cummings said the basin, based on calculations, is reducing most storm events by 15%-20%, which is all the way up to a 100-year storm.

7. Gunther asked if the rock design could be altered to achieve a smaller footprint, and Cummings said not if we want it to be a big-ticket sediment reduction. Cummings said the basin is currently in temporary conditions, but the developer walked away and left nothing in escrow. Kistler said the Township agreed to finish the basin and the developer was released by a previous administration.
8. Cummings said he expects the permitting process to take about 6-9 months, with construction beginning sometime in 2027.

**viii. Capital Improvement Plan**

1. Pyle said he uploaded the Plan to the SharePoint after finalizing HRG's side of it. He said it includes basic information for the storm system in Palmer and specific project information for each project. He said one of the aspects of the plan that sticks out is the funding section, which points out various grants and funding sources for every project within the plan. Pyle asked what the next steps would be and asked how the Capital Improvement Plan would be implemented. Lammi said he has an upcoming meeting with Swinsburg and Pyle to further discuss and finalize the plan. Blanchfield said at some point, the Authority will vote to accept this as the official Capital Improvement Plan of the Authority. Pyle asked if the plan should be presented to the public prior to the official adoption by the Authority. Blanchfield said this can be discussed in future meetings. Lammi said this was introduced to the public at the BOS presentation we made last week. Gunther said we have gotten requests from residents to have eyes on this document. Lammi said we should just have this posted on the website so we can continue to update it as needed. White said the website will work well since we will update it on an annual basis.

**ix. MS4 Credits**

1. Pyle said they have received the draft updates for the MS4 program that HRG is looking into and making comments on to gauge how the next permit cycle will look. He said the current permit cycle runs through June 2028. He said the first permit determined the amount of sediment reduction we needed to achieve. He said the Schoeneck Creek and Hobson Street projects are the biggest of this permit cycle to meet that requirement. Cummings said the Schoeneck project is well underway, and we are beginning the permit process for the Hobson project. Cummings stated a second phase of projects has been developed to ensure the requirement is met. He said next month we will present

design proposals for the phase 2 projects. These include the Stones Crossing basin and Old Orchard Park system for the Lehigh River watershed. He said originally, we estimated a total of 5 projects, but we were able to reduce the list to 3.

2. Kistler said that the Shade Tree Commission is currently developing plans for a project in Old Orchard Park. He said the 2 projects should be coordinated together to avoid running into each other. Cummings asked Gunther to set up a meeting with them to start discussions. Kistler told Cummings he also needs to involve the Athletic Association since they control what goes on in our Parks.
3. For the Schoeneck watershed, Cummings said the bank pin monitoring is still ongoing. He asked about the proposed tree planting that the Township received a grant for, and Godbout said it is a riparian buffer project that has not been completed but will be. He said the tree plantings we completed last year are part of a separate project. Cummings said there are an additional 2 basin retrofits, and 1 swale retrofit we need to complete for this watershed, but that we may be able to trim the list once the bank pin monitoring is completed and we get the results. Cummings said we were already able to trim this watershed by 3 projects.
4. Blanchfield asked if credits can be received for work that public works does involving catch basins and street sweeping, and Cummings said yes for street sweeping, and I will meet with Scott to figure out how we can quantify and submit everything. Catch basin cleaning cannot be claimed for MS4 credits. Blanchfield also asked if credits can be received for outreach. Cummings said he is meeting with Matt next week to discuss all the MCM's as part of our permit to see which ones are being taken care of by who, and to make sure all outreach continues to occur. Blanchfield asked if the sinkhole presentation and participation in the Earth Day event count as outreach, and Cummings said it depends on what is being presented, but that it would probably count.

**b. Bethlehem Township Intermunicipal Agreement**

- i. Luke Gibson stated that this was submitted to Palmer Township for comments as well as the Bethlehem Township Municipal Authority. Palmer's Solicitor had a couple questions that are being addressed and Bethlehem had no comments and approved of the agreement.

**c. Appeals Process Discussion**

- i. Blanchfield stated that we have not been charging for appeals for the entirety of 2024, and asked if we should begin charging for appeals in 2025. Gunther said if there is a site visit associated with the appeal then we should explore charging a fee, but most appeals do not warrant a site visit. Bellis asked what the cost to the Authority is if someone submits an appeal, and Blanchfield said the only cost is Gunther's time plus HRG's time if there is a site visit. Farley asked if a fee was established in the 2025 fee schedule for appeals, and Gunther said the charge was established at \$30.00 for an appeal. Farley said with it being in place for a year, at this point if someone decides to appeal, they should be charged the fee. He also said that if there was an error that is corrected due to an appeal being submitted, the fee should be reimbursed to the applicants account since it was our mistake originally, and everyone agreed. Swinsburg said that at some point we should begin assessing the fee since it is nearly a year since it has been implemented. Farley said one exception to the fee could be for new residents that just moved in and are unfamiliar with the fee.
- ii. Blanchfield asked if it was necessary to develop a standard operating procedure for appeals, responses and rebates that could be adopted as an official policy of the Authority. He suggested setting this up for July 1<sup>st</sup> as the start date for the policy to go into effect, which allows Gunther time to develop the policy.
- iii. Blanchfield stated that if an appeal is successful, the Township has been rebating money to correct the account with the homeowner. He asked if we should continue to do this, and everyone agreed. Farley stated if someone is subsequently raised a tier based on an appeal, we have not been back charging to recoup the money because we made the mistake in the first place. Gunther stated that it is the way it should be and that it will be a part of the policy moving forward. Gunther asked if the current credits and appeals manual will need to be updated, and Blanchfield said that we can add to the manual that already exists.
- iv. Blanchfield said that as of 2025, residents who are not paying and not in an appeals process are being turned over to collections, just like the Township would with the regular utility bills. Farley said he has not made the decision yet and is looking to the Authority for direction. Gunther asked how many residents are in this situation already, and Frederickson said it is probably more than 100. Gunther asked if a warning could be sent to the residents prior to them being sent to collections. Farley explained the process that Portnoff takes as part of their collection process. Farley said that over 90% of people going through Portnoff's process end up paying the bill at some point. Farley recommended proceeding with



sending residents to collections that are delinquent on their stormwater bill. Gunther said it is a good idea to begin this process, but that a reminder should be given to residents in some form. Farley said notices are given to residents with their bill if they are delinquent. Blanchfield asked if a warning could be printed on the bills, and Farley said there is already language on the bill that outlines the process. Mitchell stated we should proceed with turning accounts over to collections, and Blanchfield said we can discuss this more at a future meeting.

**d. June Workshop meeting date**

- i. Blanchfield said that in June, the regular meeting is scheduled for the 18<sup>th</sup>, and that he and Swinsburg will both be absent. He asked how the Authority wants to handle the situation. Swinsburg said we could hold both meetings for the month of June on the 10<sup>th</sup>, which is the date of the workshop meeting. Blanchfield said we could move the regular meeting back one week to the 25<sup>th</sup>. All agreed to move the regular meeting to June 25<sup>th</sup>.

**e. ESC Earth Day Celebration**

- i. Blanchfield said we will be participating in this. He said that Public Works will be bringing the Street Sweeper and Vac Truck to be on display. Gunther said he will also have handouts prepared.

**f. Open Records Policy**

- i. Blanchfield asked if Lammi learned of the changes to the Open Records Policy. Farley said the changes were simple, such as links that needed to be clicked, that the Township updated their Ordinance to address. Lammi said he will amend the Authority's policy to reflect these changes.

**g. Township Staff Reports/Comments**

**i. Finance**

1. Lammi said there is a mistake that was made on the invoices that needs to be corrected prior to approval at next week's meeting. Gunther said he will make sure it is corrected.
2. Blanchfield said there is a gap repayment to be made to the Township in the amount of \$257,221,20. Lammi stated that this will be paid in quarterly installments over the course of 2025. Lammi said he will not revise the budget at this point, but that he will find money elsewhere within the budget to cover this cost. He stated that it does not need to be voted on since the bottom line of the budget is not changing.

**ii. Public Works**

1. Kistler said the street sweeper is now expected to arrive in mid-summer of this year, and the vac truck is being delivered this

Friday with training beginning next week. He said he instructed the vehicle to be titled to the Palmer Township Board of Supervisors. Lammi asked Gibson if the 2 new vehicles should be the property of the Authority or the Township. Gibson said generally speaking they would be the property of the Authority and asked what the advantage is to have them belong to the Township. Farley said the Township already has an insurance policy in place, and the Authority would need to go out and get insurance for the vehicles. Gibson said we can look into how to handle this, but his recommendation would be to keep the ownership of the vehicles to the Authority. Blanchfield said it is everyone's preference to have the Township own the vehicles. Gibson says he will have guidance for the Authority in the next few days on how to accomplish this.

2. Blanchfield said he received the bill from Public Works in the amount of \$42,408.31 that will be approved next week.

### **iii. Public Services**

1. Blanchfield said there was an overrun for the Stones Crossing project for materials and tree removals. Godbout said that there was no overrun, and the cost fell within the expected range. Kistler said the cost for this project is included in Public Works bill. Lammi suggested that project assignments be made for projects handled outside of the Authority, just like HRG does with all of their projects, that can be approved by the Authority.

### **3. Public Comment**

#### **a. Colin Burke – 1415 Stones Crossing Road**

- i. Burke asked for an update on the court proceedings regarding the stormwater fee. Gibson said there is no update on the West Chester case that is still being deliberated in the PA Supreme Court, with a decision expected sometime this Spring.
- ii. Burke asked for more detail regarding the project at Old Orchard Park. Blanchfield said it is a couple of years out, and that no major changes would occur to the infrastructure of the park itself. Cummings said all work would take place in the existing basin.

#### **b. Township Supervisor Charles Bellis III**

- i. Bellis asked if the Fire and Police Department would be notified about projects once they get started, and Blanchfield said notifications will be sent out regarding road closures and detour routes. Cummings asked if details of the staging area were discussed with the Fire Department, and Blanchfield said we will follow up with this to make sure it gets done.

### **4. For the Good of the Order**

- a. Gunther asked Gibson if there were any updates to the Old Nazareth Road Signatory Pages to go with the easements, and Gibson said they would be complete this week.
- 5. **Adjournment**
  - a. Lammi made a motion to adjourn the meeting and Mitchell seconded the motion. The motion passed by unanimous voice vote and the meeting was adjourned at 4:42PM.