

**Palmer Township, Northampton County**

**Stormwater Authority Meeting Minutes**

**October 16, 2024, 5PM, 3 Weller Place, Lower-Level Municipal Meeting Room**

**1. Pledge of Allegiance**

**2. Roll Call**

- a. Robert Blanchfield, Craig Swinsburg, Matthew Gunther, Robert A. Lammi, Luke Gibson, George White, David Pyle, James Farley, Scott Kistler, Jamie Paetzell, and Paige Strasko.

**3. Approval of Meeting Minutes from September 18, 2024, and October 8, 2024.**

- a. Blanchfield asked that Strasko add the dollar amounts discussed to the September 18, 2024, minutes and asked if any other board members had comments or corrections. There were none. Lammi made a motion to approve the minutes with Blanchfield's updates, and Swinsburg seconded. The minutes were passed unanimously by voice vote with updates.
- b. Gunther made a motion to approve the minutes from October 8, 2024, and Lammi seconded the motion. The minutes were passed unanimously by voice vote.

**4. Public Comment, Other Communications**

- a. There were no comments from members of the public.

**5. Reports**

**a. Solicitor**

- i. Gibson had nothing additional to report.

**b. MS4**

- i. Strasko updated the board members that she has responded to 382 appeals, 183 of which were approved, she and Pyle completed 32 pre-application meetings so far and they have another one scheduled before the next workshop meeting, and that HRG has reviewed 27 credit applications and 20 of them were approved. Strasko also reported that the annual MS4 report was submitted on September 27. PTSA members asked clarifying questions about the report submission process and if Strasko heard anything back from DEP. Strasko discussed that she does not usually hear back on annual reports unless something is deficient with the report.

**6. Committee Reports**

**a. Engineering**

**i. Action Items**

- a. Blanchfield gave a summary of Kingwood Street construction, White explained that the contractor Kobalt continues to perform subpar work, the contractor is undermanned and unorganized, and that unfortunately this can happen with low-bidders. White also explained that he

had a conversation with Kistler about base work for the road, reconstructing the road completely, improving on planning for the next project, that Kistler believed there would be excavation to the base course, misinterpretations, discussions with Pyle about what PENNVEST funding will cover, that work beyond stormwater cannot be funded with monies collected from the stormwater fee. White also discussed more on future projects of the issues with gas utilities, having inspectors at Kingwood Street daily, that the construction supervisor will be out on-site Monday to push the contractor and that residents will be pleased once the work is completed.

- b.** Lammi, Blanchfield and White discussed where the work will pause for the winter, ensuring that residents have a safe road to drive on in winter time, concerns about Kobalt doing other work in the Township, looking at bidders more closely, that none of Kobalt's references had any concerns, and that the group is lucky to have heavily involved board members to view construction activities.
- c.** Kistler had questions and clarifications about the waring course for winter, agree that it should be left off, and stated that Kobalt should be responsible for winterizing all utilities in the area by placing waring course around newly installed stormwater inlets and ramping it so that plows do not interfere with the new construction.
- d.** Kistler, White, and PTSA members also discussed driveway repairs for residents, PTSA payment or non-payment for road reconstruction, Gibson stated that the solicitor's office would take the matter under advisement, White clarified that it was more a question of what is allowable for fee monies to be spent on, why road reconstruction is feasible for the PTSA to fund and require on similar projects, discussing more factors of total road reconstruction before bidding the next project, clarifying questions of project process, what PENNVEST funding will and will not cover, curb to curb road restoration, drainage issues with grading and curb reveal, finalizing residential driveways before winter, and having a meeting with Kistler prior to the next project to ensure construction is up to Palmer Township standards.

- e. Kathleen Shive- 607 Kingwood Street. Shive stated that she did not attend the meeting to complain, she had semantical questions regarding paving schedules and when curbing will be replaced since the existing curbing was removed. White stated that curbing should start any day and be completed within a week or two. Shive also asked about what to do for leaf collection since the road is closed and the contractor is ripping up the street. Kistler stated that she should still put her leaves out for collection and Public Works will coordinate with the contractor for leaf pick up.
- f. White also updated the group that the Hobson Street detention basin flow monitors were installed, Wedgewood's level B subsurface utility exploration (SUE) was completed, and they were able to update the test locations for the level A SUE. White discussed that preliminary design for the project was completed for Old Nazareth Road, HRG can start finalizing drainage and construction easements, and they plan to have a meeting with Kistler in mid-2025.
- g. Blanchfield asked about SUE for the 25<sup>th</sup> Street culvert project and White stated that it was scheduled for the end of the month.
- h. White also discussed the Schoeneck Creek erosion monitoring will be taking place for the next six months and the DEP pre-application meeting went well for the project. White finalized his summaries by sharing that HRG plans to give a presentation next month on inventory and assessment procedures. Swinsburg asked clarifying questions and Blanchfield asked about what the Capital Improvement Plan (CIP) will cover. White and Pyle explained there was nothing additional for the CIP at this time, but the plan will look at priorities for projects in the next ten years.

## **2. FEMA BRIC Update**

- a. Pyle discussed the updates from HRG's contact in PEMA and FEMA, discussed the previous application that was submitted based on information found in the flood study of Meadow Avenue, and the application was for grant funding to work on the proposed regional basin in the Meadow Avenue watershed area. Pyle also discussed the timeline for

grant application review, that there was a long wait time to find out why the application wasn't awarded, and that PEMA officials explained that the application was considered ineligible because the new Hazard Mitigation Plan for the region was not adopted or in place.

- b.** PTSA members and Pyle discussed who approves and reviews the Hazard Mitigation Plan and asked clarifying questions regarding application review and improvements to the grant application for the next funding round. Pyle and PTSA members also discussed next steps for a BRIC application, PEMA stating it's always a good idea to resubmit, what happens if the mitigation plan is not approved by the application review in 2025, waiting for the mitigation plan to be approved again to ensure grant award, speaking with LVPC staff about where the mitigation plan review and adoption stands, reapplying for the grant, having a letter of intent by the end of October, and the mitigation plan in place by summer of 2025 for grant review.
- c.** Pyle also briefly mentioned that the PENNVEST funding for Old Nazareth Road was awarded and allowed to be made public.
- d.** PTSA members and Pyle discussed what happens next for PENNVEST funding, and Pyle described that HRG will work with PENNVEST for the settlement documentation, who normally attends settlement meetings, and that the settlement process typically takes three to four months.

## **b. Finance**

### **i. Action Items**

- 1.** Farley and Lammi discussed the quarterly invoice from the Township, the monthly reports from Kistler for Public Works activities, administrative costs, and monies owed from the previous year for start-up and emergency repairs. Farley discussed the board members approving for the yearly numbers in December prior to all costs and invoices being totaled and asked if the board members found that acceptable. None objected. Farley also discussed the initial agreement between PTSA and the Township, accruals, and staying in line with the calendar year budget.
- 2.** Blanchfield asked clarifying questions about an audit for the Authority and Farley confirmed that there will be an audit in 2025

for funding spent and collected. Farley and Blanchfield also discussed if there were any interference with the audit process, the type of accounting done for the PTSA budget and funding, who organizes the audits, timeline for the audit, inviting auditors to the December workshop meeting to meet and briefly discuss with PTSA members, using the same company as the Township, where the auditors are located, that their company specializes in municipal audits, and that the Township staff prepares checks and reviews invoices. PTSA members agreed to invite the auditors to the December workshop meeting.

## **7. Township Staff Comments**

- a.** Kistler approached the podium and apologized that he did not mention an emergency sinkhole at the October workshop meeting. Kistler explained that there was a sink hole behind a stormwater headwall on Brendan Road, he asked Shawn Casey to evaluate the area, that stormwater was observed reversing course and entering the sinkhole, that they proceeded with remediation, Fascella Construction was contracted for remediation, signed an agreement, and remediation work should be wrapped up this week. PTSA members wanted clarification on repairs being paid for by the Authority and Kistler clarified that the PTSA is leasing the stormwater system, and the sinkhole was affecting the integrity of the system on Brendan Road. Lammi stated that this is a reason to start building an emergency fund, and Kistler mentioned that repairs for the sinkhole on Brendan Road were \$30,000 and another sinkhole came up on Upper Way Road.
- b.** Blanchfield discussed email conversations regarding the drainage issues at 2673 Northwood Avenue. Blanchfield, Kistler, and Gunther discussed drainage flow and issues, that Northwood Avenue is a PennDOT roadway, possibly obtaining a blanket Highway Occupancy Permit (HOP) for the area, that the drainage is more of a PennDOT issue, other project areas, that PennDOT may not necessarily want to add curbing in areas, responsibility deflection, that residents may need to make temporary repairs on their own, having a meeting with PennDOT, grading issues, other issues on state roads, and board members looking for proactiveness in these situations. Strasko commented that she had previously met with PennDOT District Five employees, and she could share contact information. Farley had nothing additional to add. Lammi discussed his past experiences in working with PennDOT officials as a previous Township supervisor.

## **8. New Business**

### **a. 2025 Budget Review**

- i.** Lammi gave a summary of the past budget meetings and discussions with PTSA members, Township staff and HRG. Lammi also summarized a past budget presentation that Pyle gave and that PTSA was not approving the

budget tonight, but rather the budget approval should be scheduled for the November meeting.

- ii. Pyle explained that he and Nathaniel Hulshizer gave the budget presentation at the workshop meeting and asked if anyone had any questions. Pyle also explained that he and Hulshizer are still adding CIP information and different options based on their findings, that they can take questions or comments at any time to update budget information, and that Lammi wants several meetings to discuss the budget.
- iii. Blanchfield asked clarifying questions and discussed presenting the budget to the Board of Supervisors (BoS) in November. Lammi commented that PTSA needs to be realistic and cannot lower the fee to pay for all the current projects and maintenance activities, and the board will have to maintain it where it is for a few years. Pyle also commented that they are building an emergency fund to the budget, and some of the other goals and assumptions in the budget. Blanchfield summarized the high priority projects that are currently underway.

**b. Invoice Packet Approval**

- i. Blanchfield stated that the total invoices are \$112,754.58. Lammi made a motion to approve the invoices as presented and Swinsburg seconded. The motion passed unanimously by voice vote.

**c. Kingwood Street- AFP 03**

- i. Blanchfield summarized that Kobalt Construction submitted a request for payment for work completed to date totaling \$21,000. Lammi made a motion to approve the payment and Gunther seconded. The motion passed unanimously by voice vote.

**d. Third Quarter Fund Transfer**

- i. Farley and Blanchfield briefly discussed the quarter three fund transfer of \$766,582.07 to the PTSA account, and the transfer of funds to the Township account totaling \$1,436,744.58. Swinsburg made a motion to approve the transfers and Gunther seconded. The motion passed unanimously by voice vote.

**e. Credit Manual Update**

- i. PTSA members, HRG, and Gibson discussed the updated Agricultural credit per the PTSA's comments at the board meeting and that the total credit is 90%. Lammi mentioned other Township discussions, demographics from two other Pennsylvania Townships that have agricultural policies including Silver Spring Township and Upper Allen Township, what their policies include, that Palmer only has two farmers, and that he is comfortable with 90% credit for farmers. Gibson stated that he reviewed the policy, and it was ready to be approved.

- ii. Lammi made a motion to approve the Agricultural Credit policy and Low Impact Credit and add them as Appendix D to the Credit and Appeals Manual. Gunther seconded the motion, and it was passed unanimously by voice vote.

**f. Engineering and Finance Committee Separation**

- i. Blanchfield summarized the background of the agenda item and the discussion of committee separation during workshop meetings. PTSA members discussed the formation of a finance committee to discuss sensitive matters outside of the advertised and public workshop meetings with only two board members present to adhere to the Sunshine Act requirements.
- ii. Robert Fehnel- 2032 Stocker Mill Road questioned the Sunshine Act requirements and stated that other boards he has worked with have publicized meetings with less than a quorum of members and that he will raise the issue to the state if the PTSA decides to have private financial discussions. Fehnel also discussed that there should be more information in the agenda packet for the Authority and described the supporting details included in other board's agendas prior to the meeting. Lammi responded that they are following the current regulations and Fehnel also brought up the new rule in the Sunshine Act that boards cannot change agenda items within 24 hours of the meeting. Lammi stated that the PTSA will follow their solicitor's advisement and Gibson stated that he would take the matter under consideration. Fehnel also discussed that the rates are driving a lot of the issues and that he would go to Harrisburg for the same rates across the board.
- iii. Blanchfield asked for volunteers for the finance committee, and Lammi and Swinsburg volunteered. Swinsburg and Lammi will meet with Township staff and HRG to discuss invoices and financial matters and report on discussions during the regular advertised workshop meetings.

**9. For the Good of the Order**

- a. PTSA members asked Gibson if there was an update on the West Chester case. Gibson stated that he has heard nothing yet and is hopeful that the court will render a decision in early 2025.

**10. Next Meeting: November 20, 2024**

**11. Adjournment**

- a. Lammi made a motion to adjourn the meeting and Swinsburg seconded. The motion passed unanimously by voice vote and the meeting adjourned at 6:37PM.