

Palmer Township, Northampton County

Stormwater Authority Committee Meeting Minutes

April 9, 2024, 2PM, 3 Weller Pl, Upper-Level Municipal Training Room

1. Roll Call

- a. Present: Robert Blanchfield, Kendall M. Mitchell, Craig Swinsburg, Robert A. Lammi, Luke Gibson, David Pyle, Ryan Cummings, George White, Bruce Hulshizer, Brooke Semanchik, Scott Kistler, Jamie Paetzell, Philip Godbout, James Farley, Paige Strasko, Gary and Melissa Fehnel, Kathy Raub, and Ann Marie Panella joined the meeting after it started.
- b. The meeting was called to order at 2:04PM.

2. Discussion Items

a. Stormwater Partnership Credits

i. Farms and Farmed Land

- 1. Blanchfield asked the farmers to introduce themselves and provide the group with some background information. Blanchfield also described the meeting he and Strasko attended with the Raub's at their farm.
- 2. Blanchfield also discussed other communications he has had with the Northampton County Conservation District, and other officials that deal directly with farmland and the regulations surrounding farming practices in PA.
- 3. Farmers, PTSA members, legal staff and HRG staff discussed the dual responsibilities of farmers when they farm another property, that the responsibility ultimately lies with the farmer to follow their conservation practices, the requirements for their conservation plans, as well as research and other background information.
- 4. Hulshizer explained the framework that other Townships currently use, that credits for farms in other Townships are based on the percentage of the BMP credits given, that other programs have followed the Penn State Extension structure as well. Raub and the Fehnels explained that they have multiple plans for other properties that they farm but do not own.
- 5. PTSA members asked clarifying questions.
- 6. Raub discussed the Farm Bureau's lobbying efforts to eliminate the stormwater fee for farmers across the state and gave a summary of bills that are still gaining support. Blanchfield asked Strasko to share the information from Raub with the Authority and asked if the farmers had submitted their credit application.

7. Strasko stated that she had already received the Fehnels submission, and Raub had submitted an appeal and credit application at the beginning of the meeting. Blanchfield stated that with the updates and information learned during the meeting, PTSA and consultants will discuss credits internally and review the submitted information and conservation plans.
8. The Fehnels and Raub discussed how this area of farmland is much different than anywhere else in the state, discussing the housing encroaching on their land and the amount of farmland dwindling.
9. Melissa Fehnel also stated that she wanted the parcel with their home considered as part of the farm.

b. Lower Nazareth Commercial Land Development

- i. Strasko stated that she received an email from a citizen bringing development from Lower Nazareth to her attention because it is directly upstream from the Meadow Avenue project.
- ii. PTSA members, HRG staff and Township staff discussed the proposed development, how to obtain plans from Bethlehem and Lower Nazareth, drainage patterns of the development site, if and how it will affect the Meadow Avenue project and working with the other municipalities in the future.
- iii. Blanchfield asked Strasko to work with the planning department to obtain plans from Lower Nazareth. Kistler provided the name of the contact in the municipal office.

c. PW Projects- 1440 Stones Crossing

- i. Strasko discussed the address of a failing storm pipe in a residents yard that she has been in communication with for some time, that this would be considered a smaller project Public Works could handle if they have the staff/time to complete it, that the residents have been calling continuously and asking when the pipe is going to be fixed, and she added this as a discussion item to determine if Public Works could complete the project, if it needed to be bid, and to make the Authority members aware and receive their approval before moving forward.
- ii. PTSA members and consultants discussed next steps including getting a temporary construction easement in case the 20 foot wide drainage easement would not be enough space for them to complete the necessary work, creating a plan set with pipe elevations, extensions, and any other work that may need to be done, other infrastructure that may be connected to the pipe, and discussed who would complete what tasks for this project moving forward. Strasko stated that she would contact the residents to ensure they would agree to a temporary construction easement.

d. HRG Project Updates

i. 25th Street Update

1. White updated the group that they received comments from PennDOT HRG is working on addressing, that there was nothing significant to address, and that an update would be shared once all comments were addressed from PennDOT.
2. Paetzell asked a clarifying question about timing because the resident continues to call and ask them for updates. White stated that they are moving as fast as PennDOT will allow them.

ii. Bayard Street Update

1. White explained observed drainage patterns in the Bayard Street area, that the project will need to be expanded to address other issues that are also draining the same way and joining flows from Bayard Street, that they are waiting on Bethlehem officials to be present to schedule a meeting with Kistler and Strasko, and discussed a long-term plan for the project, a possible joint funding submission for Bethlehem and Palmer, as well as what to do with water that seems to be entering a sinkhole in Bethlehem Township.
2. White also mentioned a drainage swale at 809 Stones Crossing and Strasko stated that there were communications from the resident at 809 Stones Crossing when they tried to sue the Township over the drainage issues years ago, she saved on SharePoint.
3. White and Kistler also discussed PennDOT's contributions to the problem and other problems with changes to property over time.

iii. Kingwood Street Construction Bid

1. White and Cummings summarized that there were 11 bids received that were opened yesterday (April 8, 2024), and that the lowest bid was under their cost estimate from Kobalt Construction. Cummings explained that if the Authority accepted the recommended low-bidder, they could issue a notice to proceed next week as long as the Authority authorizes them to move forward.
2. PTSA members, Township staff and HRG staff discussed how to send property owners notifications that work will begin on their street and how the Township has handled similar notifications in the past, as well as estimated timing of late May or early June for the project to start.
3. Kistler explained that normally the Township asks the contractor to notify the residents since they are the ones completing the project. White and Cummings stated that they will address resident

notifications with the contractor during the pre-construction meeting.

iv. Field Reviews

1. White discussed his field visits from 9 resident reported concerns during recent rain and gave a summary of each site, and what he observed as the issues in the area.
2. White mentioned concerns reported on Lisa Lane and Strasko pointed out that this area is still in active land development.
3. White discussed a large depression on Whitney Ave and the possibility of a karst feature forming.
4. HRG staff and Township staff also discussed 1164 Stones Crossing, backyard flooding, repairs to a nearby swale post storm that have improved conditions, the possibility of including the swale area as part of a PRP project if needed, and complaints about the culvert backing up with debris.
5. White also discussed 2211 Edgewood, that there is no drainage in the upper section of the neighborhood, a site plan for the drainage patterns, who to handle necessary repairs, and possibly sending a cover letter and other communication with the resident. It was agreed that Godbout would handle resident communications for these reported concerns, that it is the homeowner's responsibility since the issue is with their private driveway and discussed a process for addressing resident concerns moving forward.
6. PTSA members, Township and HRG staff also discussed what Bethlehem Township does and their process for responding to residents who submit stormwater concerns.
7. White discussed 2 reported concerns on Northwood Avenue which is a state road, and his observation that PennDOT's paving has redirected stormwater flows away from the catch basins, safety concerns for the area, and if the Township could contact PennDOT to fix the road drainage. HRG and Township staff discussed other issues on the road, trying to get a response from PennDOT, the extent of PennDOT's responsibility, past communications with District 5 maintenance crews for PennDOT, and the Township drafting a letter for Gibson to review. Lammi discussed the safety concerns, and Swinsburg commented that the Township should inspect before and after PennDOT paves to hold them responsible for any damages.
8. White discussed Nicholas Street and Mine Lane Road, flooding that happens on the bike path, the commercial property where

flooding occurs, a explanation of the site conditions, theory behind why the parking lot floods, other conditions, and the potential of a larger project for the site in the future. White and Township staff discussed a possible quick fix by installing a flapper valve on the inlet and White discussed having a meeting with Kistler and Strasko to visit the site.

v. Billing issue updates

1. Parcel mapping

- a.** Pyle gave a general report on the billing process, the reasoning behind the tier system, and asked how the Authority wants to address private roads. Strasko discussed some discrepancies where private roads were not included in IA because it was assumed that they were Township roads, and other instances where residents were charged for private roads. PTSA members discussed thinking further and discussing more in the future.
- b.** Pyle also discussed instances where there are townhomes that submitted an appeal where the county parcel lines are not accurate, and the entire row of townhomes needs to be adjusted. Pyle asked if all residents in this situation should be adjusted at the same time, or if staff and HRG should only be addressing what was submitted for an appeal. PTSA members all agreed that when a property needs to be adjusted from an adjacent appeal, it should be fixed right away.
- c.** Hulshizer commented and explained that the parcel lines are taken from public information from the county. Farley also stated that if they know of an issue, it has to be addressed. Gibson stated that all residents must be treated the same, and Godbout and Strasko discussed process that have taken place up to the meeting.
- d.** PTSA members, Township and HRG staff discussed having a set process to follow for legal purposes and clarity, that billing cannot change without an appeal, language used on notifications for those that are adjusted due to an adjacent appeal, and that going through to fix the county parcel lines will be a process in itself.

2. Flyer for next billing cycle

- a.** Pyle and White discussed including a flyer with the next billing cycle when it is mailed to have an update to

residents on work that is being completed, and the possibility of utilizing this communication method in future billing cycles. Strasko and Farley discussed the need for 30 day lead time to have a flyer ready, printed and included in the bills on the mailing end and that there may not be enough time before the next billing date of May 15. PTSA members discussed including a communication flyer in the August 15 bill for third quarter, other methods of communication, and discussing the flyer further at the June workshop meeting.

- b.** Blanchfield posed the question if the Authority bit off more than they can chew with the projects they have in front of them and if they should reduce the rate. Other PTSA members discussed the effort from staff that was already put in, paying for projects that are already started, and paying back the Township for emergency repairs. PTSA agreed to review the budget on an annual basis as stated in the management agreement with the Township.
- c.** PTSA members also discussed billing issues with HOAs, small and large businesses and warehouses. Lammi discussed his concerns with appeals and credits, and how those changes will affect the revenue against the current budget. Lammi also discussed the timing of PRP projects and changing the schedule of construction. Farley, Pyle and Lammi discussed other points including revenue received up to that point, reassessing before the end of the year, that more conversation will be needed, the possibility of emergencies in the future, and that appeals can also be denied. Lammi stated that they should table this discussion for now until the budget is discussed further.

vi. Project Assignments

1. PRP Phase 1- Hobson Street Basin

- a.** Blanchfield summarized that the project assignment cost for the Hobson Street Basin retrofit is \$82,000, and the assignment should be approved at the Authority meeting next Wednesday.
- b.** Cummings explained that this is projected to be completed in 2027, that HRG plans to model drainage in the same software that was used for the Meadow Avenue drainage

study, and they plan to involve Shawn Casey to understand any karst features that may be present.

- c. Blanchfield asked how they will know it meets DEP's requirements? Cummings explained that they hold meetings with DEP prior to construction to include them and get their approval before the project begins to ensure they will receive credit for the project and that it is part of the written PRP that DEP is looking for.

2. Schoeneck Creek Restoration

- a. White and Cummings discussed stabilizing a section of the Schoeneck Creek where they have observed heavy scouring on the creek banks. The two discussed that the design and permitting of the project is included in one proposal, and Blanchfield asked clarifying questions about tasks 2A, what specifically this project is for, and items 3c, 3g and 5b in the proposal. Cummings clarified that the project is to naturalize the area and restore the creek bank. Kistler discussed a similar project with the Bushkill Stream Conservancy that took place in Mill Race Park and the partnership there.
- b. Cummings also stated that the permit was anticipated to be obtained in 9 months. Blanchfield summarized the project cost is \$99,500. PTSA members also discussed a resident's property along the Schoeneck that requires 48-hour notification before the Township can enter his property for sewer maintenance.
- c. Kistler asked why the Authority does not take action at the workshop meetings even though all consultants are present and Strasko is taking minutes. PTSA members discussed, and Gibson clarified that they could take action, the PTSA members decided not to in order to allow the public the opportunity to comment on projects at the regular monthly meeting. PTSA members and Township staff discussed a slightly different procedure moving forward to streamline the regular monthly meetings.

3. PENNVEST Old Nazareth Road

- a. Semanchik gave an overview of the project assignment for HRG to complete the PENNVEST application for the Authority including the submission timeline, submitting the application online, information needed, support letters from

the community and other relevant agencies, additional PENNVEST services, future tasks, and explained that when the application is submitted in August, the Authority should hear back from PENNVEST in mid-October. Semanchik also explained that the board for PENNVEST awards meets quarterly to review applications, and the project assignment is on a time and materials basis.

- b.** Lammi asked clarifying questions about whether the Authority would need to have a bond council or not. Gibson explained that they most likely would not since his firm is experienced in dealing with PENNVEST applications. Farley also explained that state funding requirements for bonds are not the same as the PENNVEST program. Semanchik also discussed Laguda funding, and that the Authority may need more help from their solicitor or another outside council.
- c.** PTSA members discussed Authorizing the project assignment at the next meeting, and that the cost is \$15,200.

e. Section 219 Funding Update

- i.** Strasko briefly explained and updated PTSA members that Tatamy and Stockertown backed out of the funding, and she revised the Letter of Intent to be just from the Stormwater Authority, as well as a reduction in the total funding amount from 10 million to one million. Strasko stated that she was looking for confirmation from the Authority on which project to apply with for funding and that HRG has suggested Meadow Avenue since it has been publicly discussed multiple times, and the residents are in support of the work to reduce flooding that occurs in and around their homes.
- ii.** PTSA members agreed that Meadow Avenue should be used for the funding application and that the description should be general so that the funds could be used for whichever phase of the project is ongoing if funding is awarded in the future.

3. Public Comment

- a.** There were no members of the public present to comment.

4. Adjournment

- a.** The meeting was adjourned at 4:55PM.