

Palmer Township, Northampton County

Stormwater Authority Workshop Meeting Minutes

December 11, 2023, 2PM, 3 Weller Pl, Upper-Level Training Room

1. Roll Call

- a. Present: Robert Blanchfield, Robert Lammi, and Kendall M. Mitchell.
- b. Also present: Paige Strasko, David Pyle, Bruce Hulshizer, Ryan Cummings, George White, Luke Gibson, Scott Kistler, Jamie Paetzell, and James Farley.
- c. Absent: Craig Swinsburg and Ann Marie Panella.
- d. The meeting was called to order at 2:00PM.

2. Discussion Items

a. Embassy Bank Account

- i. Farley introduced JoEllen Repsher, Mark Halderman, and Deborah Young from Embassy Bank who gave a presentation explaining their benefits for municipal bank accounts. Farley explained that the Township has been working with Embassy since about 2020 and it is convenient because of the local office locations. Young discussed specific account benefits, rates, and online banking services if the Authority would be interested in opening an account with Embassy. Young also explained that there are no computerized call services and multiple bank locations in the Lehigh Valley to service customer's needs. Repsher explained that Embassy bank is Act 72 compliant and asked if any Authority members had questions on Act 72. Farley explained that Act 72 requires that the money deposited in those accounts must be guaranteed at a higher level to make sure that the funds are secure.
- ii. There were no outstanding questions and Blanchfield thanked the group for their time and stated that it would make sense to also use Embassy Bank, but the Authority will act and make an official decision at the regular monthly meeting. Blanchfield asked Strasko to add the item to the Authority's monthly agenda.

b. Rates, Rules, and Regulations

- i. Blanchfield asked Gibson clarifying questions regarding square footage of impervious area for fees and how those numbers are calculated. Pyle explained that the tiered fee structure has ranges of impervious area that will be included in the document and the lowest amount of impervious is 300 square feet.
- ii. Strasko stated that the updated document with new information is on the SharePoint site.
- iii. Lammi brought up a discrepancy in the riparian buffer setback from the Township Zoning Ordinance and asked that it be changed to be consistent with the current ordinance.

- iv.** Blanchfield asked about older, existing connections to the storm sewer system and if they would be grandfathered or not. Gibson clarified that there is no grandfathering process, and all connections would be subject to the stormwater management ordinance and the rules in the Rates, Rules, and Regulations document. Blanchfield also asked to simplify a provision in article three, and Gibson stated that he would separate the information into two paragraphs for readability.
- v.** Blanchfield asked about bill timing that was described in article four. Farley clarified that the first quarterly utility bills are sent out on February 15, 2024. Strasko clarified and asked Gibson to update billing dates to the 15th of February, May, August, and November.
- vi.** Blanchfield asked if the penalty should be consistent with what is already in place for sewer bills. Farley agreed that the language is similar, explaining that the penalty amount needs to be programmed in the billing software system and does not need to be the same as the sewer penalty.
- vii.** Blanchfield also asked about the right to inspect provision in the document and if this was common practice. Strasko stated that similar provisions are included in the new stormwater management ordinance and the Township's MS4 permits.
- viii.** Blanchfield, Gibson, and Hulshizer discussed appeals versus credits, and if the definition of appeals should be included in the beginning of the Rates, Rules, and Regulations document. Blanchfield, Lammi, and Gibson also discussed expected costs for appeals applications, denial of appeals if the Authority fails to respond, and what happens with appeal applications if the Authority fails to respond.
- ix.** Strasko, Hulshizer, Pyle, and Gibson clarified retroactive provisions for credits and appeals, and timing for the process. Blanchfield stated that if the appeal period needs to be extended, then the Authority can vote to extend it to give residents more time to appeal the fee.
- x.** Blanchfield asked Gibson to explain a paragraph regarding total allowable credits. Blanchfield also asked clarifying questions on the appeals meeting process. Gibson, Blanchfield, Farley and Lammi discussed the initial process for appeals applications and thought Strasko should receive the applications first, then transfer to the appropriate departments or consultants for determinations.
- xi.** Lammi asked about associations in the definition of MS4 and Gibson clarified that associations would include Homeowner's Associations (HOAs). Blanchfield clarified that the updates Rates, Rules, and Regulations will be an action item for the regular December Authority meeting. Hulshizer and Lammi asked if there should be a resolution to pass the document. Gibson stated that he would put together a resolution for the Authority meeting to make it clear what the Authority was passing.

c. Status and/or execution of Management Agreement, Lease Agreement, HRG Retainer Agreement

- i.** Blanchfield asked about the status of the agreements and Strasko confirmed that the Board of Supervisors (BoS) signed the Management and Lease Agreements and that HRG has a copy of the signed Retainer Agreement.
- ii.** Hulshizer asked if the BoS had approved the five-year budget or not. Strasko stated that she would add the five-year budget to the next BoS agenda for approval.
- iii.** Farley and Gibson clarified that the Authority does not operate under the same budget advertisement rules as the Township, but Gibson stated that he would confirm that the Authority did not need to advertise the budget.
- iv.** Lammi and Hulshizer discussed a subscription service Bethlehem Township utilized for aerial photography and that HRG would not recommend the same subscription service.
- v.** Strasko, Hulshizer, and Farley discussed an internal system for tracking impervious areas through other permits and land development projects.

d. Credit and Appeals Applications/Manual

- i.** Authority members, Pyle, and Hulshizer discussed the credit summary, credit percentage breakdown, what are allowable credits for one parcel to have, and the budget spreadsheet used to calculate the allowable credits to meet program budget requirements.
- ii.** Authority members, Pyle, and Hulshizer discussed a rain barrel credit, the credit amount and if including this credit in the program was worthwhile. Authority members decided to remove the rain barrel credit from the manual due to expense, maintenance, inspections, and regulation of rain barrel installation and upkeep.
- iii.** Pyle and Authority members discussed the timing of approving Rates, Rules, and Regulations in relation to the Credits and Appeals Manuals. Pyle asked Authority members to send him questions prior to the regular meeting so he can update the Credit and Appeals manual for approval at the regular December Authority meeting.
- iv.** Hulshizer asked Gibson if there should be a separate resolution for the rates to include in future PennVEST applications. Gibson, Hulshizer, and Blanchfield clarified that Gibson would prepare a separate rate resolution for approval at the regular December Authority meeting.
- v.** Pyle, Hulshizer, Strasko, and Authority members discussed the five-year layout of the rate and projections of fee changes to cover anticipated budget needs over the next five years, how tier groups may change over time, clarifying that fees are billed quarterly, that the fee needs to be decided for 2024, the process for credit/appeal applications and stormwater reporting concerns, HRG assisting in credit/appeals calculations, if Strasko was comfortable with the workload of

credit/appeals and stormwater concerns, how Bethlehem Township handled initial resident communications after the first bills were mailed, initial PennVEST discussions and bringing in the HRG PennVEST expert at the next workshop meeting on January 8, 2024. Authority members agreed to have the PennVEST expert attend the next workshop meeting.

- vi. Pyle also discussed website updates, HRG's GIS experts, and using GIS for stormwater reporting on the Township website. Authority members and Township staff discussed coordinating GIS updates and support to integrate existing contracts and systems, and how useful GIS is in different scenarios. Strasko and White also discussed a new program from the Nurture Nature Center in the City of Easton putting together a similar reporting site for flooding concerns across the Lehigh Valley and the pros and cons of working in conjunction with the Nurture Nature Center such as regional cooperation, and owning data that is submitted by residents. Authority members thought it would be better to create a reporting section of the Township website and White stated that they would have their IT department work with the Township's IT personnel.
 - vii. Pyle discussed what the Public Works Department will look like next year, reminding board members that Kistler will be hiring new employees next year, what the Public Works Department will be doing in terms of water quality, discussing purchasing large equipment in 2024 that will not be delivered for almost two years, why the Authority should purchase their own equipment for stormwater, process for purchasing new equipment, and annual inlet inspections and work orders. White suggested that in January Public Works has an agenda item to start these conversations and have a report on future agendas to continuously update the Authority on progress and stormwater maintenance needs in the field.
- e. **Billing Cycle/Payment Approval**
 - f. **HRG Project Assignments/Updates**
 - i. White discussed items from the draft stormwater engineers report that included utility implementation, general stormwater services that include emergency repairs from the July storm, MS4 permit administration, Pollutant Reduction Plans are in progress for the MS4 requirements that HRG will present in the coming months, the flood mitigation study for Meadow Avenue and that HRG was planning to give a presentation on the preliminary findings at the December Authority meeting. White asked that the Board of Supervisors, Emergency Management Coordinator, and the Township Manager are invited to the Meadow Avenue presentation. White also discussed having another public presentation in January for Meadow Avenue, the FEMA BRIC grant application for \$1.5 million that would cover construction of a regional stormwater basin uphill from Meadow Avenue, developer plans and communication for the regional basin site, Kingwood Street project assignment for construction observation that

should be added to the December meeting agenda, timing of authorizing the Kingwood Street project for auditing purposes, the Stormwater Ordinance was completed and adopted by the Township, Fox Run Drainage is waiting for Township staff approval to move forward, the PROTECT grant was submitted to US DOT, timing to hear back on the PROTECT grant, Susan Wild's office submitting a letter for Palmer's application, 25th Street culvert repairs and a meeting between PennDOT, Palmer Township and HRG, what PennDOT will require for fixing the sinkhole, HRG plans to replace the failing culvert, how the 25th Street repairs will fit into the budget, current Authority project numbers, Bayard Street and Sheridan Drive as another project assignment to complete a drainage study, the grading problems that cause ponding in the Bayard Street area, and working with Bethlehem Township for flooding solutions.

- ii. White also discussed the possibility of HRG reviewing land development projects for regional benefits, but not for stormwater drainage on site. Blanchfield asked about redundancy and Cummings explained that HRG would not review for ordinance compliance, they would be interested in areas outside of the project boundaries for regional stormwater management and working with developers to make stormwater infrastructure updates. Strasko stated that she also makes MS4 comments on new development plans and she would coordinate with Cummings for any additional plan review if needed.

g. SharePoint Questions and Function

- i. Strasko stated that she worked with the Township IT personnel to establish a SharePoint site for the Authority members and that she envisioned it as a common storage site for documents that Authority members, Township staff, and consultants can access and update. Strasko also explained some of the initial organization she set up for SharePoint and asked if there were any questions or additions. Authority members stated that they had no issues accessing the site and no other questions.
- ii. Blanchfield asked about offering farm credit and that he researched the farm policy Fehnel discussed at the last workshop meeting. Pyle explained that it would not be worthwhile to have a separate farm credit for only two properties, but if the farm owners wanted to apply for a credit, they could apply under the stormwater partnership credit.

3. Public Comment

- a. There was no one present from the public to comment.

4. Adjournment

- a. The meeting was adjourned at 4:26PM.