

Palmer Township, Northampton County

Stormwater Authority Meeting Minutes

July 17, 2024, 5PM, 3 Weller Pl, Lower-Level Municipal Meeting Room

1. Pledge of Allegiance

2. Roll Call

- a. Present: Kendall M. Mitchell, Robert A. Lammi, Robert Blanchfield, Matthew Gunther, Idan Ghazanfari, George White, David Pyle, James Farley, Phillip Godbout, and Paige Strasko.
- b. Absent: Craig Swinsburg
- c. The meeting was called to order at 5:01PM.

3. Approval of Meeting Minutes from May 15, 2024, June 11, 2024, and July 9, 2024.

- a. Mitchell made a motion to approve the minutes from May 15, 2024, and Lammi seconded the motion. The minutes were passed unanimously by voice vote.
- b. Lammi made a motion to approve the minutes from June 11, 2024, and Gunther seconded the motion. The minutes were passed unanimously by voice vote.
- c. Mitchell made a motion to approve the minutes from July 9, 2024, and Lammi seconded the motion. The minutes were passed by majority voice vote, Blanchfield abstained from voting.

4. Public Comment, Other communications

- a. Blanchfield briefly discussed an email from White regarding a water conference that was addressed to Strasko. White, Strasko, and Blanchfield discussed a workshop through the Lehigh Valley Planning Commission to revise and update the Act 167 plan and Strasko stated that she was already in contact with LVPC staff to join the workshop group.
- b. Jim Pokrivsak- New Creation Church at 3730 Nicholas Street
 - i. Pokrivsak commented that churches should be exempt from the stormwater fee, explained his experience with the credit process, that HRG and Township officials ask for plans that they should already have, and asked if there are properties that are exempt from the stormwater fee, if other federal funding is available for stormwater projects, and if cemeteries are required to pay the stormwater fee.
- c. Rob Reese- 2635 Spring Garden Street
 - i. Reese explained that he has had numerous conversations with Strasko regarding the fee, that he was part of the citizen's committee for the stormwater fee, that he left previous meetings believing that there would be a satellite truthing process for appeals that were submitted, but that has not been the case. Reese also discussed incentives for mitigating stormwater on resident's properties, that he does not debate the measurement of impervious area but the lack of correlation to size of

impervious area and contribution to the stormwater system, and that his property does not contribute to Palmer's stormwater system. Reese further explained that he believes the fee should be based on how much impervious area drains to the street, that there is no equity to the actual contribution of the actual system, and there should be a process to verify properties that do not contribute to the stormwater system.

- d. Jay Medlar- 7 West Gate Avenue**
 - i.** Medlar commented that the fee should be based on the size of a resident's entire lot, not just the impervious area. Medlar also explained that his home is in a flood zone and his house receives stormwater from all his neighbors above him on Oak Lane.
 - ii.** Medlar asked if the Authority would be putting a pipe in on Oak Lane and Maplecroft. Godbout explained that the Authority will be reviewing a partial design for the Old Nazareth Road project in his area by the end of the month for a PENNVEST funding application. Medlar also spoke about his past flooding experiences, and the proximity of flood waters to his home.
- e. Josephine Galloway- 2125 Stocker Mill Road**
 - i.** Galloway stated that she has been attending meetings since May, she agrees with Reese's and Medlar's comments and explained that her property is surrounded by grass. Galloway also stated that she has not heard, seen, or read about any movement forward in terms of modifications to the tier system, credit options, or fee policies, and that there are many residents in tier four. Galloway also explained that she understands there is a responsibility to pay, but there is too much too quickly.
 - ii.** Galloway mentioned grant money that the City of Easton is receiving and asked if Palmer is getting any grant money. Blanchfield stated that yes, the Authority is in the process of applying for grant funding.
 - iii.** Galloway finished her comment by stating that she believes the Authority and Township should go back to the warehouses and businesses that have caused these stormwater problems rather than charging the residents.
- f. Kevin Dotts- 1164 Stones Crossing Road**
 - i.** Dotts stated that he spoke with someone after the last meeting about HRG and their reputation, that he scheduled a pre-application meeting with the Township and summarized what he was told during the meeting at his property. Dotts summarized that Pyle and Strasko explained the current credit policy, that credits are capped at 20%, that to achieve 20%, a resident must have 100% of their impervious area drain to a stormwater system, how he wanted to use underground cisterns that are on his

property, but they are not included in the credit policy. Dotts also discussed how to get credit for a rain garden, he needed an engineer but for every other permit through the Township, it was a simpler process and explained his previous experience. Dotts discussed how he believes the Authority is over collecting funds, that residents can't shoulder the burden when the problems have occurred over 35 years, how supervisors have discussed that they haven't raised taxes in seven years but having the fee allows the Township to charge churches and other non-profits. Lastly, Dotts discussed the lawsuit in West Chester and his thoughts of why make an improvement if the fee is going to be repealed anyway.

- ii. Blanchfield responded by stating that there are many projects to work on, it is still a new program that is making new progress, credits are still being reviewed and the Authority members do not have all the answers to his specific questions.
- g. Reese commented again about stormwater mitigation, that there are more cost-effective ways to mitigate, and asked what Authority members are planning to do to help or give incentives for resident mitigation. Blanchfield summarized current projects the Authority has undertaken.
- h. Charles Bellis- Supervisor
 - i. Bellis explained that he is a resident, business owner and supervisor in the Township, and how he recently met with a resident on Freemansburg Avenue that experiences backyard flooding and that he knows his stormwater fee is going to help his surrounding neighbors. Bellis also explained that although he owns a business, he cannot raise prices for fear that customers would purchase somewhere else. Bellis also discussed residents on Meadow Avenue that have experienced flooding, explained that warehouses that have been built are not the stormwater issue since they have controls in place, and it is going to be expensive to get the problem under control.
 - ii. Pokrivsak, Galloway, and Bellis briefly discussed churches not being able to raise prices, past experiences with homes flooding and the Township's response, as well as changing MS4 permit regulations and requirements and how surrounding municipalities will most likely raise fee rates once MS4 permits are renewed.

5. Reports

a. Solicitor

- i. Ghazanfari stated that he did not have a report but updated the group that the West Chester case that Dotts discussed is scheduled to be heard again in September.

b. MS4

- i.** Strasko updated the group that the reporting year ended on June 30, 2024, and the annual report will be due to DEP on September 30, 2024. Strasko also stated that she plans to present an annual report summary to both the Board of Supervisors and the Stormwater Authority. Strasko also updated the group that she has responded to 297 appeals, 90 of which were approved, 26 pre-application meeting requests have been completed, and 16 credit applications have been received and about 8 have been approved.

6. Committee Reports

a. Engineering

i. Action items

- 1.** White discussed project updates from the Stormwater Engineer's Report including Kingwood Street which is under construction. White summarized back-order issues for construction materials, delays, communication issues with the contractor, that the contractor plans to be on-site next week, and they are required to give HRG 24 hours' notice before work begins. Lammi asked if White had a definitive start date and White said no and explained why including material delays and sub-contractors.
- 2.** White discussed updates for the Old Nazareth Road project including pipes at the end of the drainage area are currently undersized, and Medlar briefly added descriptions of flooding near his property and White asked that he submits them through the Township's stormwater concern reporting tool on the Township website for staff to decide next steps. White explained that plans are currently under their final internal review and explained that the subsurface utility exploration (SUE) was utilized to determine location and depth of utilities in the roadway, the process used for the SUE, and that HRG is working with Public Works and Entech Engineering to relocate the sanitary sewer. White stated once the internal review of plans is completed, they will be sent to Godbout, the PENNVEST application deadline is July 31, 2024, the plans must be submitted to DEP the week prior to the deadline, and HRG's goal is to complete and submit plans by July 24, 2024.
- 3.** White stated that HRG is answering PennDOT's questions and stated that the updated estimated project cost for 25th Street is approximately \$320,000. White also explained the type of culvert that would be installed, general upgrades to infrastructure including sidewalk, location discussion and clarification of drainage area, the scope of the construction for the project, and the

Hobson Street Basin project upstream from the project area and its impact. PTSA members and HRG discussed if stormwater was entering the system from Wilson Borough and discussed past drainage and flooding in the area. Godbout stated that he has received four draft easements for construction and stormwater. Godbout and White stated that the easement documents would be discussed in more detail at the August workshop meeting.

4. White stated that for the Wedgewood project there was a kickoff meeting the day before, there was good feedback from Township staff on the project area on how to expand and help mitigate drainage problems, and that HRG will be looking at streets above and adjacent to the original project area to make needed improvements, as well as relocating catch basins for better storm system function.
5. White summarized an online meeting and a field meeting for Schoeneck Creek restoration with HRG and Township staff, explained that he had a phone call with Scott Kistler regarding expanding the project area to restore a creek section that continues to wash out the bike path. White also explained that the project is for MS4 requirements and water quality. Lammi stated that he was concerned about clearing in the area and White explained that there are specialized professionals they work with who focus on stream restoration and environmental benefits and impacts. Bellis also commented that the Shade Tree Commission (STC) should be involved in tree planting for the project area. White stated that Strasko has been involved in the project since it started and HRG always designs projects with native plants.
6. White summarized for the Hobson Street basin project; Shawn Casey's geo-technical report has been received, the report findings, discussed what a retro-fit of the basin may look like, converting to a wet basin, meeting MS4 requirements for the Lehigh River, that the project is still in the preliminary stages and HRG will bring preliminary plans in a few months. White also briefly discussed the swale leading to the basin with Township staff and that consideration will be given to how to manage debris from surrounding streets.
7. White summarized a recent meeting with Bethlehem Township for the Bayard Street/Sheridan Drive project, discussed an intermunicipal agreement with Bethlehem Township, that the core of the drainage problem is the geology of the area, that this is a

regional problem, that Bethlehem Township is on board, that this will be a long-term project and it is not a high priority on Bethlehem Township's list of projects. Gunther commented that it would be good to further develop the relationship between Palmer and Bethlehem Township.

8. Pyle stated that the Capital Improvement Plan was covered under a previous agenda item.

b. Finance

i. Action items

1. Farley updated the group that the checks for the Authority's bank account have been received and explained that bills received now will be reviewed during the August workshop meeting and approved at the August Authority meeting.
2. PTSA members, Farley and Pyle also briefly discussed an informational flyer that will be included in the mailed utility bills.

7. Township staff comments

- a. Godbout commented that the Public Works crews are out every day cleaning and repairing inlets, and street sweeping, and that with support from the Authority Public Works is able to repair inlets and work through their backlog regularly. Pyle added that a major part of the program planning was budgeting for repairs and maintenance from Public Works.

8. New Business

a. Appointment of Secretary, New Member Welcome

- i. Blanchfield welcomed Gunther to his first official meeting, explained that Panella had previously resigned, and left open the secretary seat. Blanchfield opened nominations for secretary.
- ii. Lammi made a motion to appoint Gunther as the new secretary and Mitchell seconded. The motion was passed unanimously by voice vote and Gunther was appointed as the Authority's secretary.

b. Approval of Second Quarter Township Billing

- i. Blanchfield provided a summary of the charges for the Township's billing, and Farley added that the accounts payable is established in the billing system and briefly discussed other invoices that have accumulated while the Authority's bank account was being established. Farley stated that the total for the Township's invoice is \$775,844.12.
- ii. Lammi asked about reviewing invoices and documentation prior to the meeting and Township staff stated that the billing packet was available on SharePoint prior to the workshop meeting last week. PTSA members and Township staff briefly discussed the process for document review and Blanchfield summarized what the charges were for the last quarter.

- iii. Lammi made a motion to approve the second quarter bill and Gunther seconded. The motion passed unanimously by voice vote and the Township invoice was approved.

c. Approval of May and June Revenues Transfer

- i. Farley summarized the previous funds transfer completed for the Authority and stated that May and June revenues were \$891,287.86.
- ii. Township staff and consultants briefly discussed a fund agreement for the Authority and fund transfers.
- iii. Farley also briefly discussed \$650,000 in unpaid stormwater fees, how there is a small percentage of accounts that are delinquent on everything, and how funds are allocated on utility bills once they are received. Ghazanfari briefly discussed a 'waterfalling policy.'
- iv. Mitchell made a motion to approve the revenue transfer and Gunther seconded. The motion was passed unanimously by voice vote to approve the revenue transfer.

d. Authorization for Draft Inter-Municipal Agreement with Bethlehem Township

- i. Gunther made a motion to approve the solicitor drafting an inter-municipal agreement with Bethlehem Township and Lammi seconded. The motion passed unanimously by voice vote.

e. Resolution to Apply for PENNVEST Funding

- i. Lammi made a motion to approve the resolution for PENNVEST Funding, and Mithcell seconded. The motion passed unanimously by voice vote and the resolution was approved.

f. Resolution for Letter of Responsibility

- i. Lammi made a motion to approve the Letter of Responsibility for PENNVEST Funding, and Gunther seconded. The motion passed unanimously by voice vote and the Letter of Responsibility was approved.

9. For the Good of the Order

- a. Charles Bellis briefly discussed public relations for the Authority, gathering and sharing as much information as possible, and changing the mindsets of residents about stormwater.

10. NEXT MEETING: August 21, 2024

11. Adjournment

- a. Lammi made a motion to adjourn the meeting and Mithcell seconded. The meeting adjourned by unanimous voice vote at 6:57PM.