

Palmer Township, Northampton County

Stormwater Authority Meeting Minutes

September 18, 2024, 5PM, 3 Weller Pl, Lower-Level Municipal Meeting Room

1. Pledge of Allegiance

2. Roll Call

a. Present: Robert Blanchfield, Kendall M. Mitchell, Matthew Gunther, Robert A. Lammi, Craig Swinsburg, Luke Gibson, David Pyle, Ryan Cummings, James Farley, Phillip Godbout, and Paige Strasko.

b. The meeting was called to order at 5:01PM.

3. Approval of Meeting Minutes from August 21, 2024, and September 10, 2024

a. Lammi made a motion to approve the minutes from August 21, 2024, and Gunther seconded the motion. The minutes were passed unanimously by voice vote.

b. Swinsburg made a motion to approve the minutes from September 10, 2024, and Mitchell seconded the motion. The minutes were passed unanimously by voice vote.

4. Public Comment, Other Communications

a. Bob Fehnel, 2049 Stocker Mill Road

i. Fehnel asked if the Authority board was a recommending body or the deciding body for the stormwater fees. Blanchfield provided an explanation, and Gibson added that the Authority implemented the stormwater fee.

ii. Fehnel also asked if the Authority members were looking at changing rates. Blanchfield explained that they are looking into changes and are planning on researching rates through the fall.

iii. Fehnel also commented that residential customers are being penalized compared to others.

b. Josephine Galloway, 2125 Stocker Mill Road

i. Galloway commented and explained that she had been doing her own research calling surrounding municipalities asking about their stormwater fees or plans for them. She explained that she might have been experiencing sticker shock paying \$500 per year and wanted to see what others are doing. Galloway explained Easton residents pay \$6.75 per parcel, Nazareth does not have a stormwater fee, City of Bethlehem has a similar fee structure considering impervious area, but they have a unit-based formula that Galloway was able to easily calculate what her fee would be. Galloway also explained that Wilson Borough and Williams Township are not charging a fee and Forks Township is hoping to only assess a stormwater fee to businesses. Galloway thanked the board for their time and she is hoping for a reassessment of fees, and that if the

board members and Supervisors do not do the research needed, someone should and that Galloway believes that other residents would be as upset as she is if they hear the numbers other municipalities are being charged.

- c. Pauline Crosson- Camden Street
 - i. Crosson discussed the first meeting she attended where it was explained fees would be an average of \$20 per month, that she was assessed at \$98.04 per quarter and she is on a very fixed income. Crosson also discussed that her property was originally two parcels and Palmer Township assessed her one tax bill, but she was considering subdividing and selling her property to afford or avoid the stormwater fee. Crosson concluded by stating that no one has a say in the fee except the board members.
- d. Katie and Mark Kittle- 2673 Northwood Avenue
 - i. The Kittles asked when they would hear about progress on their submitted stormwater concerns and explained how water from Northwood Avenue did not flow into nearby storm drains but flooded their driveway. They explained that they must wear boots to take their dog out and put their child on the bus in the morning after it rains and that water has reached ankle level, and there is garbage washed onto their property. They explained that although water mostly stays in their driveway and yard, and there has been no basement flooding, they would like to see the issue addressed. Katie Kittle also explained her meeting with George White while he was in the field inspecting their neighbor's water issues. Mark Kittle explained that he thought adding curbing to the street in front of their home would be a simple solution.
 - ii. Godbout explained that Northwood Avenue is owned by PennDOT and making changes to the roadway is an administrative issue more than anything. Godbout and the Kittles discussed possible options, timing and Godbout stated with Township staff has their reported concerns and there is an engineering report for the issue, but there is not a timeline for a solution at their property yet.
 - iii. The Kittles, Godbout and PTSA members also discussed background of the drainage issue, needing to obtain a Highway Occupancy Permit, other operations and constraints of the stormwater program, large projects that are underway, that the PTSA and Township staff are looking for a solution, being able to work on this project area next year, next steps, and that videos and documentation always help staff and consultants better understand the issues.
- e. Crosson asked about a \$21 million grant that Lisa Boscola obtained during the year for infrastructure projects, where the money from the grant went and that she

cannot afford the stormwater fee. PTSA members were not aware of the grant Crosson was discussing and had conversation back and forth of where funds went and obtaining other grants for stormwater projects.

5. Reports

a. Solicitor

- i. Gibson reported that the West Chester case had an oral argument on September 11, and that the courts are looking through factors of fees versus taxes, and hopefully there will be a decision next year.

b. MS4

- i. Strasko reported that the MS4 annual report is due to DEP on September 30, she is working on getting volunteers through a local charter school for high school students to begin the stormwater relabeling program, and she was working on sending an informational letter to Northwood Farms residents about the stormwater credit and appeals process due to high call volumes of questions from residents.
- ii. Strasko also reported that she has responded to 373 appeals and annual updates, 175 appeals have been approved or adjusted, she and Pyle have completed 31 pre-application meetings to date, and they have reviewed 19 credits and 14 of them have been approved.

6. Committee Reports

a. Engineering

i. Action Items

1. Cummings stated that all updates would be covered under New Business.

b. Finance

i. Action Items

1. Lammi summarized a recent budget meeting he attended with Township staff and Pyle for the Public Works operation needs, that Kistler explained needs for staff additions, increasing by two employees in 2025, and that more employees are needed for the new equipment that was purchased including a sweeper and vacuum truck. Lammi discussed and summarized Kistler's monthly maintenance report detailing street sweeper activities, maintenance, and 70 cubic yards of waste was collected from roadways in August alone. PTSA members also discussed that Kistler's staff additions would need to be approved by the Board of Supervisors, and the process of tracking and charging Public Works employee time to the Authority for maintenance activities.
2. Farley also discussed staff additions in 2024, that there is more staff assigned to stormwater activities depending on the project,

summaries for quarter one and two, that the detailed reports are also needed for MS4, that there is another budget meeting scheduled for September 30, and the goal is to approve the 2025 budget at the October Authority meeting.

7. Township Staff Comments

- a. Godbout commented that last week the Public Works crew were making repairs to the system and that they usually street sweep four or five days a week depending on availability and that the charges made this year equate to two full-time employees. Godbout also briefly discussed that administration reports should look at the total number of repairs made, that resources are going mostly towards maintenance now, and there will be at least a three-year dedicated inlet repair activity.

8. New Business

a. Invoice Approval

- i. Blanchfield summarized that the invoices were presented at the September 10th workshop meeting, the totals of invoices are \$81,530.18, and that there have not been any questions from PTSA members.
- ii. Lammi made a motion to approve the invoices and Gunther seconded. The motion passed unanimously by voice vote.

b. Fox Run Drainage Project Approval

- i. Blanchfield summarized the history of the project and gave details about the project area, and work to date for the project. Godbout also explained background of funding for the project, estimate of the total cost, and utilization of the public bidding process for project award and completion.
- ii. Mitchell made a motion to cover the outstanding costs of the stormwater project estimated at \$25,000, and Swinsburg seconded. The motion passed unanimously by voice vote.

c. Kingwood Street- Supplement #1 Full Time Construction Observation

- i. Blanchfield summarized that this item was to increase the inspection time for the Kingwood Street Project. Cummings explained issues the contractor has run into including rock excavation, the contractor moving slowly on the project, residential complaints in the area, that final completion of the project was meant for the end of July and the updated schedule he received that morning showing a final completion date in the end of November.
- ii. Blanchfield discussed concerns Scott Kistler had shared with the group at the workshop meeting the previous week regarding repaving and lawn restoration. Cummings described the best next steps for the Authority to take, had discussions with the Authority members, recourse, scheduling issues, base repairs, that the group should wait for when mill and overlay

occurs for the project. PTSA members and Cummings discussed the next steps for the project.

- iii. Mark Kittle asked questions related to who hired the contractor and how they were hired. PTSA members and Township staff provided an explanation of the public bidding process and discussed putting pressure on the contractor for a faster schedule, length of pipe left to install in the street, and the group came to a consensus of schedule requirements or changes for the contractor.
- iv. Cummings discussed and explained the project assignment increasing inspection hours, that it is a time and materials basis. PTSA members, Township staff and consultants discussed threats of liquidated damages, if they could require a certain number of workers on the site, and the cost for full time inspection from HRG being \$60,000.
- v. Kittle commented that either way there is a large loss of money on this project. Fehnel commented that the notice to the contractor should be coming from the Authority's solicitor.
- vi. Fehnel also asked about the workshop advertisement since he did not see workshop dates and times on the Township website. Strasko stated that she could send Fehnel a copy of the ad that was given to the Express Times.
- vii. Mitchell made a motion to approve the project assignment for supplemental inspection time, and Swinsburg seconded. The motion was passed unanimously by voice vote.

d. Kingwood Street- AFP 02

- i. Blanchfield stated that HRG approves release of payment for work completed so far on Kingwood Street in the amount of \$51,183.00.
- ii. Swinsburg made a motion to approve release of payment and Lammi seconded. The motion passed unanimously by voice vote.

e. Meadow Avenue Swale Letter of Agreement

- i. Cummings discussed and explained the agreement proposed by the landowners detailing the Authority covering administration costs for updating the current NPDES permit for the site. Gibson discussed revisions from Salzmänn and Hughes for the agreement that he recommends including before PTSA members sign the agreement, and that they were agreeable to the structure of the document. Lammi discussed specific points he wanted to strike from the agreement including workers compensation and liability. Cummings explained that they are proposing a cost of \$3,250 for administrative work and retainer, any costs incurred beyond that would include a detailed invoice.
- ii. Gunther believed that the agreement seemed reasonable and made a motion to approve the agreement contingent upon the revisions from

Salzmann and Hughes. Lammi seconded the motion, and the agreement was approved with contingencies by unanimous voice vote.

- iii. PTSA members and consultants also briefly discussed previous development plans for the site.

f. Hobson Street Basin and Swale Retrofit- Supplement #1 Flow Monitoring

- i. Blanchfield summarized that the project assignment is for \$43,780 dollars for flow monitoring of the basin. Cummings provided an update that HRG is working on three different designs to present to the Authority, the importance of the project for MS4 Pollutant Reduction Plan (PRP) credits, hiring a subcontractor for the flow monitoring that worked on the Meadow Avenue Drainage Study, and three locations to install the flow monitors for data collection over a six-month period. Cummings also explained that this would provide the maximum retrofit possible and with the flow monitoring they could obtain the maximum amount of PRP credit for sediment reduction.
- ii. PTSA members and Cummings discussed location of the flow monitors, why they typically only monitor the inflow, and Gunther discussed the possibility of PTSA purchasing the necessary equipment to complete flow monitoring on their own. PTSA members also briefly discussed that Kistler has flow monitors for the sanitary sewer.
- iii. Gunther made a motion to approve the flow monitor supplement and Swinsburg seconded. The motion passed unanimously by voice vote.

g. Wedgewood Drainage Improvements- Supplement #1 SUE and Additional Services

- i. Blanchfield summarized that subsurface utility exploration (SUE) and additional surveying is proposed for \$76,000. PTSA members and Cummings discussed why the supplement has that cost associated with it and explained that PTSA and Township staff asked to expand the design area to include streets in Old Orchard that lack stormwater infrastructure.
- ii. Cummings also explained that SUE is a standard practice, they can obtain exact locations of utilities for construction and finalize design depths.
- iii. Swinsburg made a motion to approve the SUE supplement and Gunther seconded. The motion passed unanimously by voice vote.
- iv. Kittle asked clarifying questions about the SUE and if it is standard practice, why was it not included in the original bid or project assignment. Cummings explained that they allot for it in their bid, but they need more information before they can have a specific cost for SUE. Kittle, Cummings, and PTSA members also discussed that the early engineering expanded to a larger area due to the system being inadequate in the neighborhood.

h. Schoeneck Creek- Supplement #1 Bank Pin Monitoring

- i. Blanchfield explained the basis of the Bank Pin Monitoring Supplement was hourly, totaling \$15,000, and asked what the benefit of bank pin monitoring is. Cummings explained the typical calculation used for stream restoration credits and that HRG found after completion of soil samples and survey of the area, the project could benefit from another standard developed in the Chesapeake Bay area, and by monitoring the erosion in the stream banks they would be able to calculate actual erosion rates occurring on site. Cummings also explained that even if the credits are increased by half of the expected amount of sediment reduction, it would eliminate at least one required project in the Schoeneck Watershed and monitoring would take place over six months.
- ii. PTSA members asked about any concern of monitoring during the winter months and not capturing as much erosion as they may have during the summer months. Cummings stated no that there is still freeze/thaw and wind erosion that occurs in the winter.
- iii. Gunther made a motion to approve the Bank Pin Monitoring supplement and Mitchell seconded. The motion passed unanimously by voice vote.
- iv. Fehnel asked clarifying questions about the monitoring time and timing for the most erosion. PTSA members discussed and had a consensus on regrouping in the winter if there have been no storms that would create the erosion they are looking for and making modifications to the length of the monitoring time.

i. 25th Street Culvert Project Assignment #1

- i. Blanchfield summarized that the project assignment is \$47,015 that they need as much information as possible due to the number of utilities in the small project area, and there would be a level B SUE completed. Cummings explained that they are anticipating a need for sanitary sewer and water line relocation or updates to occur, and that Ryan Kern is the lead on the project and would provide an easement update. Strasko and Godbout stated that they have two out of three residential easements needed for the project area.
- ii. Lammi made a motion to approve the 25th Street Culvert project assignment, and Swinsburg seconded. The motion was unanimously approved by voice vote.

9. For the Good of the Order

- a. Charles E. Bellis briefly discussed the possibility of sending an update letter to the residents on Kingwood Street and Cummings explained that there can be notifications sent after the group discusses updates to the construction schedule.

- b.** Fehnel asked about the contractor paying for updates and notifications and asking them to update the residents. Farley mentioned that the contractor notification could upset the residents.

10. Next meeting: October 16, 2024

11. Adjournment

- a.** Lammi made a motion to adjourn the meeting and Gunther seconded. The motion was passed unanimously by voice vote and the meeting adjourned at 6:42PM.