

**FOUNTAIN HILL STORMWATER AUTHORITY
MINUTES
August 14, 2024
6:00 P.M.**

Mr. McCandless, Chair, called the meeting to order at 6 P.M. Authority members present were: Ms. Jordan, Mr. Lansek, Mr. Trabel, Mr. Arnold, and Mr. McCandless. Also, in attendance were Amy Burkhart (Borough Manager), Jill Fessler (Finance Director), Mr. Beltrami (Solicitor).

PLEDGE OF ALLEGIANCE

Council Chair McCandless called the meeting to order and asked everyone to rise for the Pledge to the Flag.

APPROVAL OF MINUTES – July 10, 2024

Chair McCandless asked if there was a motion to approve the minutes. Ms. Jordan made the motion, seconded by Mr. Lansek, and unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Thomas Lansek		x	x			
Stew McCandless			x			
Adam Arnold			x			
Philip Trabel						x

PRIVILEGE OF THE FLOOR – NONE

RESOLUTIONS – NONE

CHAIRMAN’S REPORT – NONE

SOLICITOR’S REPORT

- Review of the Stormwater Ordinance waivers recommended by Planning Commission on August 12, 2024, with respect to Fountain Hill Elementary School Development - Mr. Beltrami informed us about receiving a letter today from Ms. Smith at Hanover Engineering regarding Stormwater Ordinance Waivers recommended for approval by the Planning Commission on Monday. This meeting was scheduled to review the waivers before the plan goes to the Borough Council. There were three Stormwater Ordinance Waivers discussed.

Mr. Beltrami explained that the first one was that the Stormwater Ordinance requires a 100-foot set-back between a Stormwater Infiltration BMP and downgradient residences. One residence is within 76 feet of the Infiltration BMP, but no issues were found as utility trenches block water flow. A recommendation was made for the School District to execute a document holding the Borough and Authority harmless from claims

regarding the downstream property owner might have based on the allowance of the Infiltration Bed being within 76 feet. Comments or objections to granting waivers must be sent to Borough Council for review at the upcoming meeting. The applicant may not be ready for the September meeting due to plan revisions, delaying it until October. The Council Chair McCandless inquired about the school's response to the letter, to which it was clarified that only the Authority received the letter. Ms. Burkhart explained that the Planning Commission made a recommendation on the waiver and that no official recommendation has been made to the School District.

Mr. Beltrami reported that the second one is that he believes that our Stormwater Ordinance requires percolation testing. They are asking to do a Double-Ring Infiltrometer test, and Hanover Engineering has no objection, as they noted since that is what the DEP requires. He explained that we should consider updating the ordinance.

Mr. Beltrami stated that the last waiver requires the minimum pipe size to be 15 inches, but some places have 12-inch pipes. Hanover does not believe 12-inch pipes fall under the Stormwater Ordinance. The waiver would apply to collection pipes from trench drain A3 Inlet to A8, to which Hanover has no objection.

These are the three waivers. If there are any objections or comments to pass on to the Borough Council, we could put them in a letter. Otherwise, if you agree, we could verbally pass on at the Council Meeting that the Authority reviewed this so that we have no objections.

- Update on documentation for Advanced Rehabilitation Technology (ART) – Mr. Beltrami announced that at our last meeting, the Authority voted to accept the proposal and approve the preparation of this contract for goods and services. He explained that he prepared it and sent it to Advanced Rehabilitation Technology, and they only had one question: whether a bond was required, which is in the agreement. They must provide a performance and payment bond, and that bond amount is the not to exceed price. Advanced Rehabilitation Technology has executed the Authority Agreement and the Borough Agreement. They have provided us with Certificates of Insurance. Once they provide the performance and payment bonds, and I review and approve them, you will execute them on behalf of the Authority, and Ms. Burkhart will execute them on behalf of the Council.

Mr. Trabel arrived.

NEW BUSINESS

- Update on repayment to the Bethlehem Authority- Mr. Beltrami explained that the Authority sent out the invoices for the Stormwater Fee, and we received a letter from Attorney Broughal & DeVito, who represents the Bethlehem Authority. He explained that they requested a refund. Ms. Fessler explained that they paid for two years and didn't pay the current 2024. Mr. Beltrami explained that they sent us a letter acknowledging that they are a Municipal Authority, and they can't be accessed against property that they use in their Authority functions. He explained that he told Ms. Fessler to issue the refund and to check for other properties owned by Authorities. Ms. Fessler explained that this was the only Authority that she found and that she deactivated the account and processed the refund.

OLD BUSINESS – NONE

MOTIONS – NONE

ENGINEER’S REPORT – NONE

FINANCIAL REPORT

- Motion to Pay the Bills as presented. Ms. Fessler discussed the bills that were paid in the month of July.

Chair McCandless asked for a motion to pay the bills as presented. Mr. Trabel motioned and seconded by Mr. Lansek, and unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Stew McCandless			x			
Adam Arnold			x			
Thomas Lansek		x	x			
Annamarie Jordan			x			
Philip Trabel	x		x			

EXECUTIVE SESSION- NONE

ADJOURN

At 6:32 pm Mr. McCandless asked for a motion to adjourn. Mr. Trabel made the motion and Mr. Lansek seconded it. The motion passed unanimously.

	Motion	2nd	Yes	No	Abstain	Absent
Stew McCandless			x			
Adam Arnold			x			
Thomas Lansek		x	x			
Annamarie Jordan			x			
Philip Trabel	x		x			



**FOUNTAIN HILL STORMWATER
AUTHORITY
LEHIGH COUNTY, PENNSYLVANIA**

By:

Stewart McCandless, Chairperson

SUBMITTED BY:

Jill Fessler, Finance Director

ATTEST:

By: _____
Amy Burkhart, Borough Manager

Next Resolution 2024-01

Approved