

**FOUNTAIN HILL STORMWATER AUTHORITY
MINUTES
May 13, 2020
6:00 P.M.**

Mr. Figueroa called the virtual meeting to order at 6 P.M. Authority members present were: Ms. Jordan, Ms. Morrison, Mr. Atkinson, Mr. Lansek, and Mr. Figueroa. Also, in attendance were, Ms. Jill Smith, the Borough Engineer, Cordula Voges (Borough Finance Director), Anthony Branco, Borough Manager, Pete Lehr, Solicitor, and guests.

APPROVAL OF MINUTES – April 8, 2020 - changes/additions/deletions

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Thomas Lansek			x			
Kelsey Morrison		x	x			
Patrick Figueroa			x			
Leo Atkinson			x			

PRIVILEGE OF THE FLOOR

- Mr. Will Rufe, 707 Fredrick St. – regarding Resolution 2020-4 Schedule of Fees. Believes that a refund be given if an applicant’s appeal is found in favor of the applicant.

RESOLUTIONS

Two resolutions were presented for discussion. The first offered no credit if the appeal was found in favor of the applicant. The second had the following language related to credit;

***In the event that an Applicant prevails in their Stormwater Utility Fee Appeal based on an error by the Borough, the Fee Appeal filing fee shall be refunded in a form of a credit on the property owner’s next Stormwater Fee Bill*

RESOLUTION NO. 2020 - 4

A RESOLUTION OF THE BOARD OF THE FOUNTAIN HILL STORMWATER AUTHORITY ESTABLISHING A SCHEDULE OF FEES TO BE CHARGED AND ADMINISTRATIVE APPELLATE FORMS TO BE USED IN CONNECTION WITH THE ADMINISTRATION AND ENFORCEMENT OF THE STORMWATER AUTHORITY CREDIT POLICY

WHEREAS, the Authority has imposed a Stormwater Utility Fee on real property within the Borough, the due date or deadline of which is July 1st of every calendar year; and

WHEREAS, the Authority has provided owners of such real property the potential to obtain a reduction to their annual Stormwater Utility Fee by installing specific stormwater BMPs to offset the associated implementation and maintenance costs (the “Stormwater Authority Credit Policy”); and

WHEREAS, the Authority incurs costs in the administration and enforcement of the Stormwater Authority Credit Policy;

WHEREAS, the Authority is authorized to establish a Fee Schedule, and adopt a form to be completed when an affected real property owner wishes to appeal a determination made, from the Stormwater Authority Credit Policy, and;

WHEREAS, the Authority desires to establish fees and costs as more fully set forth on Schedule 1 attached hereto.

WHEREAS, the Authority desires to adopt the appeal form as more fully set forth on Schedule 2 attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Fountain Hill Stormwater Authority that the following schedule of fees and charges as well as the Appeal Form in connection with the administration of the Stormwater Authority Credit Policy and is hereby adopted:

OR

RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF THE FOUNTAIN HILL STORMWATER AUTHORITY ESTABLISHING A SCHEDULE OF FEES TO BE CHARGED AND ADMINISTRATIVE APPELLATE FORMS TO BE USED IN CONNECTION WITH THE ADMINISTRATION AND ENFORCEMENT OF THE STORMWATER AUTHORITY CREDIT POLICY

WHEREAS, the Authority has imposed a Stormwater Utility Fee on real property within the Borough, the due date or deadline of which is July 1st of every calendar year; and

WHEREAS, the Authority has provided owners of such real property the potential to obtain a reduction to their annual Stormwater Utility Fee by installing specific stormwater BMPs to offset the associated implementation and maintenance costs (the “Stormwater Authority Credit Policy”); and

WHEREAS, the Authority incurs costs in the administration and enforcement of the Stormwater Authority Credit Policy;

WHEREAS, the Authority is authorized to establish a Fee Schedule, and adopt a form to be completed when an affected real property owner wishes to appeal a determination made, from the Stormwater Authority Credit Policy, and;

WHEREAS, the Authority desires to establish fees and costs as more fully set forth on Schedule 1 attached hereto.

WHEREAS, the Authority desires to adopt the appeal form as more fully set forth on Schedule 2 attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Fountain Hill Stormwater Authority that the following schedule of fees and charges as well as the Appeal Form in connection with the administration of the Stormwater Authority Credit Policy and is hereby adopted:

****In the event that an Applicant prevails in their Stormwater Utility Fee Appeal based on an error by the Borough, the Fee Appeal filing fee shall be refunded in a form of a credit on the property owner's next Stormwater Fee Bill**

Duly adopted by the Authority Board at a regular meeting held on the 13th day of May, 2020.

The second version of the resolution passed including the credit language.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Thomas Lansek			X			
Kelsey Morrison	X		X			
Patrick Figueroa			X			
Leo Atkinson		X	X			

SOLICITOR’S REPORT - NONE.

ENGINEER’S REPORT – NONE

MANAGER’S REPORT – NONE.

FINANCIAL REPORT – Ms. Voges presented the Members with financials. Currently the Authority has collected 18% of the fees.

BUSINESS

ADJOURN

At 6:59 pm Authority President Figueroa asked for a motion to adjourn. Ms. Morrison made the motion, seconded by Mr. Atkinson and unanimously approved.

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

By:

Patrick Figueroa - Chairperson

SUBMITTED BY

By: _____
Anthony Branco, Borough Manager

ATTEST:

By: _____
Thomas Lansek, Secretary