

**FOUNTAIN HILL STORMWATER AUTHORITY
MINUTES
April 8, 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, and Mr. Figueroa. Mr. Lansek was absent. Also, in attendance were, Ms. Jill Smith, the Borough Engineer, Cordula Voges (Borough Finance Director), Anthony Branco, Borough Manager, Dave Berger, Solicitor, and guests.

APPROVAL OF MINUTES – March 11, 2020 - changes/additions/deletions

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

PRIVILEGE OF THE FLOOR - NONE.

RESOLUTIONS

RESOLUTION NO. 2020 - 3

A RESOLUTION OF THE BOARD OF THE FOUNTAIN HILL STORMWATER AUTHORITY EXTENDING THE DUE DATE OF THE STORMWATER UTILITY FEE FOR CALENDAR YEAR 2020 DUE TO THE STATEWIDE AND LOCAL DECLARATIONS OF EMERGENCY DUE TO THE TRANSMISSION OF A NOVEL CORONAVIRUS (COVID-19) UNTIL AUGUST 1, 2020

WHEREAS, on March 6, 2020, the Governor of Pennsylvania issued a proclamation of disaster emergency throughout the Commonwealth as a result of the transmission of COVID-19, which urged the governing bodies and executive officers of all political subdivisions affected by the emergency to act as necessary to meet the current exigencies as legally authorized under the Governor’s proclamation; and

WHEREAS, on or about March 20, 2020, the Mayor of the Borough of Fountain Hill declared a local disaster emergency in the Borough, and the basis for the emergency declaration, the transmission of COVID-19, continues to exist and is anticipated to continue to exist until at least April 30, 2020; and

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, given both the state and local disaster emergency declarations, the Board of the Authority wishes to extend the due date or deadline for the payment of the Stormwater Utility Fee until August 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Fountain Hill Stormwater Authority that the due date or deadline for payment of the Stormwater Utility Fee for calendar year 2020 shall be extended until August 1, 2020, which shall become the effective due date or deadline for any such fees.

Duly adopted by the Authority Board at a regular meeting held on the 8th day of April, 2020.

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

**FOUNTAIN HILL STORMWATER AUTHORITY
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:

A discussion ensued regarding the appeal fees. Mr. Atkinson felt that if a resident filed an appeal and the appeal was granted, the resident should get the \$15.00 appeal fee reimbursed. Ms. Morrison agreed with Mr. Atkinson.

Ms. Jordan recommended that we keep the fee schedule in place for the first year and see how many appeals are received, and then have another conservation regarding the fees. Mr. Figueroa agreed that the fees should stay in place for the first year and reevaluate next year.

Ms. Morrison made a motion was tabled until the meeting of May 13, 2020. The motion passed unanimously

SCHEDULE 1

ADMINISTRATIVE AND APPEAL FEES

Application Fees:	To be Deposited in Escrow*:
<ul style="list-style-type: none">• Tier 1• Tier 2	None \$400.00
Stormwater Utility Fee Appeal:	\$15.00
Stormwater Credit Denial Appeal: <ul style="list-style-type: none">• Tier 1• Tier 2	\$25.00 \$50.00
Appeals to Board of Appeals:	\$500.00

**Initial escrow amount required to complete an administrative review to complete a site visit, review documentation submitted by an applicant and providing a review/approval letter. Any amounts not used from the Escrow shall be refunded to an applicant. Applicant shall be responsible for any and all fees owed in excess of the Escrow amount to complete any Application review.*

SCHEDULE 2

**BOROUGH OF FOUNTAIN HILL STORMWATER UTILITY FEE
APPEAL APPLICATION**

This Application is for property owners to appeal their stormwater fee regarding significant billing errors or inaccuracies. Pertinent sections must be filled out in their entirety. Please submit one application per parcel to:

**Fountain Hill Stormwater Authority
Borough Hall
941 Long Street, Fountain Hill, PA 18015
Email: zoning@fhborough.org**

Date: _____ Parcel ID No: _____

I. PROPERTY OWNER INFORMATION

Owner Name: _____

Property Address: _____

Mailing Address (if different): _____

Phone: _____ Fax: _____ Email: _____

Stormwater Utility Account No: _____

Total Impervious Area (s.f.): _____ (see Stormwater Assessment Notice)

II. REASON FOR APPEAL

- Incorrect Impervious Area Square Footage (significant differences that may affect fee amount)
- Mathematical Error in Fee Calculation
- Approved Credit Incorrectly Applied (if applicable for existing/approved qualifying Stormwater Management Facilities, in accordance with the Credit Policies and Procedures Manual)

Appeal Description (Please provide detailed information as to the error with your stormwater utility bill and the correct information to your knowledge. Attach additional sheets if necessary):

III. APPLICATION CHECKLIST

- Completed and Signed Appeal Application
- Written Appeal Description of the Nature of the Appeal

- If Appeal is Related to Amount of Impervious Area/Billing Unit Value, include the following supplemental materials:
- Plot Plan, map, aerial image, as-built drawing, or similar information detailing actual impervious surfaces currently on-site; AND
 - The owner's estimate of the total amount of impervious area based on supporting documentation submitted with the Appeal Application

Appeal Applications will be received and processed in accordance with Stormwater Authority Resolution 19-02, Section 306 – Appeals Procedures.

I, as Owner or Agent of the Owner of the real property, hereby certify that the information contained in and attached to this Application is true and accurate to the best of my knowledge.

Signature (Owner or Agent): _____

FOR BOROUGH USE ONLY:

Received By: _____ Date Received: _____

Application Administratively Complete: YES / NO Date: _____

Reviewed By: _____ Date Reviewed: _____

Appeal Granted

Appeal Denied

Description of Adjustment: _____

SOLICITOR'S REPORT - NONE.

ENGINEER'S REPORT – NONE

MANAGER'S REPORT – NONE.

FINANCIAL REPORT –

BUSINESS

ADJOURN

At 7:21 pm Authority President Figueroa asked for a motion to adjourn. Mr. Atkinson made the motion, seconded by Ms. Morrison 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