



BOROUGH COUNCIL SUB-COMMITTEE MEETING MINUTES

COMMITTEE NAME: **MS4 - Storm Sewer Program**

PLACE OF MEETING: **121 S. Walnut Street**

DATE OF MEETING: **December 4, 2023** TIME OF MEETING: **1:00 PM**

ATTENDEE/CHAIRPERSON: Michele Ehrgott, EXCUSED	ATTENDEE #2: Frank Hesch, EXCUSED	ATTENDEE #3: Manny Mirabito	ATTENDEE #4: Borough Manager, Brad Flynn
ATTENDEE #5: Engineer, Ron Madison	ATTENDEE #6:	ALL OTHER ATTENDEE(S): Rebecca Hayden, Representative of PennVest Program Sandra Insalco, Representative of DEP Growing Greener Program	

EXCUSED OR ABSENT:

MEETING MINUTES PREPARED BY: **Brad Flynn**

MINUTES STATUS: **APPROVED/FINAL**

MEETING MINUTES:

- Prior meeting minutes reviewed approved.
- Manager Flynn introduced committee meeting attendees and provide a brief overview of the Borough's MS4 program goals and current status.
- Engineer Madison stated Bath continues to weigh options for a storm water authority, which is the likely path given the Borough's required MS4 capital projects and continued operational maintenance activities. Bath has engaged the law firm Salzman Hughes for Storm Sewer Authority research. Ms. Hayden is familiar with Salzman Hughes; law firm experienced with application to PennVest.
- Committee asked about potential funding sources to complete Bath's MS4 capital projects:
- Ms. Insalaco explained the DEP Growing Greener grant program; funding available for raingarden construction and basin retrofits, some watershed restoration work. DEP prioritizes projects that will reduce stormwater flow. Grant process is highly competitive and statewide. Application period starts on Earth Day and ends around June (short window). Projects can be shovel ready or for design; recommends a phase I design and phase II construction approach. Projects that have received Growing Greener funding on design stand a good chance for construction funding. There is a 15% local match required. Funding cap is set to \$500,000. Growing Greener (in 2023) was funded to roughly \$12 million. Pre-application meetings are required. Average applications received is roughly 200 and only about 150 projects are funded. Translates to an average of \$80,000 to \$100,000 for projects (meaning MS4 projects are not entirely funded). Bath could look to complete a pre-application meeting in April 2024 for a phase I design grant.
- Ms. Hayden explained the PennVest program; low-interest loans for shovel ready projects only. Projects must be fully designed, and tax revenue is used as collateral on loans. Minimum loan requests of \$200,000 to \$250,000 are required due to fixed costs; settlement paperwork to close on loans. There is a 10-week application period open at four different times throughout the year. Bethlehem Township and Bangor Borough are two municipalities

using PennVest funding. There are no local matching funds required. Discussed teaming up with DCNR/D&L funding (typically for projects under \$10k) for stream restoration work.

- Committee discussed its current partnership with the Monocacy Creek Watershed; live stake tree plantings, etc. that were already ongoing-- continued stream bank restoration projects.
- Ms. Hayden explained in general terms, PennVest is more for rock, pipe, and heavy infrastructure projects whereas Growing Greener Grants were for more of the tree plantings, less pipe/less infrastructure projects.
- Committee discussed a false perception discussed during the November 6th Council Meeting by a resident, that Bath had somehow ran out of time to complete MS4 work and missed grant funding opportunities. Bath's NPDES permit was issued January 1, 2023, and Bath was not eligible for state funding without an approved Pollution Reduction Plan. Bath was not in a position to file for funding in 2023; Bath does not meet the match guidelines where applicable and Bath does not have funding set aside to begin designing the BMPs contained within its PRP.
- Bath is in a good position to consider PennVest and Growing Greener funding options, in addition to working through initiation of a Storm Water Authority and MS4 Fee program, all simultaneously in meeting PRP deadlines.
- The Committee discussed a Storm Water Authority kickoff meeting with its law firm Salzmann Hughes, scheduled for Wednesday, January 10, 2023 beginning at 6:00 PM.
- Committee adjourned at 1:50 PM.