

Borough of Penbrook Stormwater Authority Annual Stormwater Fee Reminder

The Borough of Penbrook Council formed the Borough of Penbrook Stormwater Authority in 2017 for the purpose of complying with DEP requirements and maintaining the municipal separate storm sewer system (MS4) that services property owners within the Borough of Penbrook. During that time, it was also decided that an annual fee would be imposed on all properties for new MS4 projects and the regular maintenance of the system. The Borough of Penbrook Stormwater Authority is run by a Board of appointed volunteer members, each of whom are property owners within the Borough of Penbrook. The Authority Board members have actively worked since 2017 to keep the annual fee as low as possible while ensuring that the necessary funds are available to complete required MS4 projects and maintain the system.

Since we have just entered a new annual fee year, the Authority Board would like to remind all Borough of Penbrook property owners about important information regarding the annual stormwater fee billing to assist property owners with making on-time payments and avoiding their account becoming delinquent.

The Borough of Penbrook Stormwater Authority stormwater fee year runs from July to June and is due annually. For example, the 2023 fee year bill was mailed around July 15, 2023 and will be due in full no later than June 30, 2024. The Authority has engaged the Keystone Collections Group to send and collect the annual current stormwater fee bills. The annual bills can be paid in full immediately for a discounted amount, paid later at face value or at a penalty value dependent on the dates listed on the bill. The bills also include payment coupons to allow for multiple payments if a onetime payment is not possible. In addition to the initial bill that is mailed in the beginning of the fee year, Keystone Collections Group sends reminder statements near the end of the annual fee year as a reminder for any unpaid amount of the fee for your property and the June 30th due date.

When an account is not paid in full to Keystone Collections Group as of the due date, the account becomes delinquent and is sent to the Authority's Solicitor for collection. Additionally, payments made to Keystone Collections Group after the due date for a prior fee year will either be not accepted and returned, or credited to the owners then current fee year.

Non-receipt of the annual bill does not excuse the property owners payment of the fee.

If you have questions regarding the payment status of the current year stormwater fee year, you should contact Keystone Collections Group by calling 724-978-0300.

Borough of Penbrook Stormwater Authority Delinquent Stormwater Fee Collection Update

The CGA Law Firm, Attorney Beth Kern, was appointed as Solicitor for the Borough of Penbrook Stormwater Authority in 2022, and since then has been authorized and directed by the Authority to collect all outstanding delinquent accounts pursuant to the Municipal Claims and Tax Liens Law, 53 P.S. § 7101, et seq. Prior to the CGA Law Firm serving as Solicitor, another law firm, Wendaur Law and Attorney Mark Wendaur was the Solicitor for the Authority and was collecting on prior delinquent accounts. Collection efforts on delinquent fees were paused by the Authority Board in 2020 because of the COVID-19 pandemic and the financial uncertainties it created. Thereafter there was the transition of the solicitor for the Authority. These two events resulted in a delay for 2019 and 2020 fee year delinquency collections.

The purpose of this information is not to provide legal advice but rather to provide property owners with a general information regarding the Municipal Claims and Tax Liens Law and the requirements that must be followed when collecting on delinquent fee accounts. Part of these requirements include a certified mail collection letter that must be sent to all current record property owners. If an account for your property has been turned over for any fee year by Keystone Collections Group you may have already or could in the future receive a certified mail collection letter from the CGA Law Firm. This certified mail collection letter will most likely be the first contact informing you of a delinquent fee year for your property. If your property is delinquent for more than one fee year, you can and will likely receive multiple collection letters, one for each delinquent fee year.

Unpaid municipal fees like the Authority stormwater fee go along with the property, not a particular property owner. For this reason, you as the current property owner, could be contacted and would be responsible for any and all of the unpaid delinquent stormwater fees that are due on your property, which could include fee years prior to your ownership of the property. If you receive a collection letter for delinquent stormwater fees prior to your ownership you are still responsible to pay the delinquent fee and any issue regarding if the prior fees years should have or were supposed to have been paid in full prior to your ownership of the property is a private issue that you will need to address directly with the prior owner, a real estate agent and/or settlement company that assisted you in the purchase of the property.

Finally, the law provides the Authority with the ability to set legal fees for the collection of such delinquent fee accounts. The Authority Board has chosen to exercise that right and has adopted a fee resolution which requires that delinquent fee property owners are responsible to pay for the legal fees incurred during the collection process. A copy of the current fee resolution can be found on the Authority documents page of the Borough website. The Solicitor is not able to waive or reduce the legal fees. Any issue with the delinquent fee collection process or the decision to make the legal fees the responsibility of the delinquent property owner will need to be addressed directly with the Authority Board, which can be done by attending one of its regularly scheduled monthly public meetings, which take place at 6:30 pm on the third Wednesday of every month at the Penbrook community building. Regardless of if you have concerns about the delinquent fee collection process, all residents are encouraged to attend the monthly Authority Board meetings.

Failure to take action or make payment upon receipt of a collection letter regarding your property can have serious consequences including, but not limited to, the imposition of additional legal fees, a municipal lien being placed on your property, reporting to your mortgage holder or instituting the sale of your property by the Dauphin County Sheriff.

If you have questions regarding the payment status of any prior stormwater fee year(s) for your property, you may contact the Authority via email at authority@penbrook.org or by calling the Borough Office at 717-232-3733.